EXTRAORDINARY REGD. NO. JKð 33

THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 132] Jammu, Wed., the 4th Sept., 2019/13th Bhad., 1941. [No. 22-5

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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JAMMU AND KASHMIR GOVERNMENT
MUNICIPAL COMMITTEE CHENANI
SOLID WASTE MANAGEMENT BYE-LAWS, 2019

Notification

Chenani, the 4th of September, 2019.

In exercise of the powers conferred by clause (9) of rule 3 read with clauses (e), (f), (zf) and (zg) of rule 15 of the Solid Waste Management Rule, 2016, the Authority hereby make the following bye-laws ; namely :ð

CHAPTER I

1. *Short title and commencement*.ð (1) These bye-laws shall be called the Municipal Committee, Chenani, Solid Waste Management Bye-Laws, 2019.

(2) They shall come into force on the date of their publication in the J&K Government Gazette.

2. *Extent of Application*.ð These bye-laws shall be applicable within the territorial limits of Municipal Committee, Chenani.

3. *Definitions*.ð (1) In these bye-laws, unless the context otherwise requires,ð

(1) **"Agency"** means Municipal Committee, Chenani ;

(2) **"Aerobic composting"** means a controlled process involving microbial decomposition of organic matter in the presence of oxygen ;

(3) **''Anaerobic digestion''** means a controlled process involving microbial decomposition of organic matter in the absence of oxygen ;

(4) **"Authorization"** means the permission given by the State Pollution Control Board, to the operator of a facility or Urban Local authority, or any other agency responsible for processing and disposal of Solid waste ;

(5) **"Biodegradable waste"** means any organic material that can be degraded by micro-organism into simpler stable compounds ;

(6) **''Bio-methanation''** means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas ;

(7) **"Brand owner"** means a person or company who sells any commodity under a registered brand label ;

(8) **"Bulk Garden and Parks & Horticultural Waste"** means bulk waste from parks, gardens etc. including grass clippings, weeds, woody ôbrownô carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;

(9) **"Bulk Waste Generator"** means bulk waste generator defined under Rule 3(1)(8) of the Solid Waste Management

Rules, 2016 (hereinafter referred to as óSWM Rulesô) and any other waste generator including buildings occupied by the Central Government departments or undertakings, State Government departments or undertaking, Local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sport complexes having an average waste generation rate exceeding 100 Kg. per day ;

(10) **"C&D waste (Construction and Demolition waste)"** means Construction and Demolition Waste (Debris) that are non-hazardous in nature generated out of building materials, debris and rubble in the jurisdiction of Municipal Committee, Chenani.

(11) **"Clean Area"** means the public place in front of and all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb cleaned and so maintained in accordance with these bye-laws ;

(12) **"Cleanliness Fee"** means an amount of fees collected by the managers/Organizers for cleaning the site by the Agency ;

(13) **"Collection"** means lifting and removal of solid waste from source of waste generation, collection points or any other location ;

(14) **"Collection Counter"** means where the user charges shall be remitted which will be available at all Zonal Officers and headquarters.

(15) **"Combustible waste"** means non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc.;

(16) **"Community waste storage bin"** means any storage facility setup and maintained by the Municipal Committee,

Chenani in the State collectively by owners and or/occupiers of one or more premises for storage of Municipal Solid Waste in a segregated manner in the road side/premises of anyone of such owners/occupiers or in their common premises ;

(17) **"Composting"** means a controlled process involving microbial decomposition of organic matter ;

(18) **"Co-processing"** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes ;

(19) **"Containerised Hand Cart"** means the hand cart provided by the Municipal Committee, Chenani, or the agency/agent appointed by it for point-to-point collection of solid waste ;

(20) **"Decentralized processing"** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal ;

(21) **"Delivery"** means handing over any category of solid waste to worker of Municipal Committee, Chenani or any other person appointed, authorised or licensed by Municipal Committee, Chenani for taking delivery of such waste or depositing it in any vehicle provided by Municipal Committee, Chenani, or by any other authorised agency or licensed by Municipal Committee, Chenani, to do so ;

(22) **"Disposal"** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds ;

(23) **"Domestic hazardous waste"** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired

medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level ;

(24) **"Door to door collection"** means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non-residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multistoried building or apartments, large residential, commercial or institutional complex or premises ;

(25) **"Dry waste"** means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc. ;

(26) **"Dump sites"** means a land utilized by local body for disposal of solid waste without following the principles of sanitary land filling ;

(27) **"Event"** means any gatherings for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places.

(28) **"Extended producer responsibility"** (EPR) means responsibility of any producer of packaging products such as plastic, tin, glass, wrappers and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products ;

(29) **"E-waste"** shall have the same meaning as defined under Rule 3(l) (r) of the E-Waste (Management) Rules, 2016.

(30) **"Facility"** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out ;

(31) **"Familiarization/warning period"** means that specific period, during which there is a relaxation in the fines for contravention of these bye-laws ;

(32) **"Fine"** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non- compliance of the directions contained in rules and/or these bye-laws ;

(33) **"Fixed Compactor Transfer Station (FCTS)"** means a powered machine which is designed to compact segregated solid waste and remains stationary when in operation. The compacts or may also be mobile when in operation, which may be called Mobile Transfer Station (MTS) ;

(34) **"Handling"** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes ;

(35) **"Hazardous waste"** means any waste which by reason of any of its physical, chemical, reactive, toxic, causing danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and all other hazardous wastes as defined in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended to date and the Hazardous and other waste (Management and Transboundary Movement) Rules, 2016 ;

(36) **"Horticulture, Parks and Garden Waste"** means waste from parks, gardens traffic island etc. These include grass clipping, annual weeds woody 'brown' carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;

(37) **"House-gully"** means a passage or strip of land, constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filling of other polluted matter by persons employed in the clearing thereof or in the removal of such matter therefrom.

(38) **"Incineration"** means an engineered process involving burning or combustion of solid waste to thermally degraded waste materials at high temperatures ;

(39) **"Inerts"** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains ;

(40) **''Informal waste collector''** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials ;

(41) **"Leachate"** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it ;

(42) **"Litter"** means all refuse and includes any other waste material which, if thrown or deposited as prohibited under these Bye-Laws, tends to create uncleanliness or a danger or nuisance to public health, safety or welfare ;

(43) **"Littering"** means putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend blow, be washed, percolate or otherwise escape into or onto any public place, or causing, permitting or allowing litter to fall, descend, blow, washed, percolate or otherwise escape into or onto any public place ;

(44) **"Local body"** for the purpose of these bye-laws means JMC/SMC and other Local Bodies including, Municipal Councils, Municipal Committees, Town Area Committees, in the State ;

(45) **"Materials Recovery facility"** (MRF) means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the

local body or entity for the purpose before the waste is delivered or taken up for its processing or disposal ;

(46) **"Neighbourhood"** means a clearly defined locality, with reference to its physical layout, character or inhabitants ;

(47) **"New construction"** means all buildings under construction within the limits of the Municipal Committee, Chenani ;

(48) **"Non-biodegradable waste"** means any waste that cannot be degraded by microorganisms into simpler stable compounds ;

(49) **"Nuisance"** includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property ;

(50) **"Nuisance Detectors"** (NOs) means those employees of the Municipal Committee, Chenani who are appointed to detect the acts of Public nuisance, etc. ;

(51) **"Occupier/occupant"** includes any person who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever ;

(52) **"Operator of a facility"** means a person or entity, who owns or operates a facility for handling solid waste which includes the Municipal Committee, Chenani and any other entity or agency appointed by the Municipal Committee, Chenani ;

(53) **"Owner"** means any person who exercises the rights of an owner of any building, or land or part thereof ;

(54) **"Pelletisation"** means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes, fuel pellets which are also referred as refuse derived fuel ;

(55) **"Primary collection"** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the Municipal Committee, Chenani.

(56) **"Processing"** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products ;

(57) **"Public place"** includes any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc. ;

(58) **"Prescribed"** means prescribed by SWM Rules and/or these bye-laws ;

(59) **"Receptacle"** means any storage container, including bins and bags, used for the storage of any category of MSW ;

(60) **"Recycling"** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which mayor may not be similar to the original products ;

(61) **"Recyclable Waste"** means the waste that is commonly found in the MSW. It is also called as "Dry Waste". These include many kinds of glass, paper, metal, plastic, textiles, electronics goods, etc.

(62) **"Redevelopment"** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated ;

(63) **"Refuse"** means any waste matter generated out of different activities, processes, either Bio-degradable/Non-biodegradable/recyclable in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form.

(64) **"Refuse Derived Fuel" (**RDF) means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;

(65) **"Residual solid waste"** means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing ;

(66) **"Rule"** means Solid Waste Management Rules, 2016 ;

(67) **"Sanitation"** means the promotion of hygiene and the prevention of disease and other consequences of ill health relating to environmental factors ;

(68) **"Sanitary Landfill Facility"** means a waste disposal site for the deposit of residual solid waste in a facility designed with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion ;

(69) **"Sanitary land filling"** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion ;

(70) **"Sanitary waste"** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste ;

(71) **"Sanitary worker"** means a person employed by the municipal corporation for collecting or removing MSW or cleansing the drains in the municipal/corporation areas ;

(72) **"Schedule"** means the Schedule appended to these rules ;

(73) **"Storage"** means the temporary containment of solid waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour ;

(74) **"Secondary storage"** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility ;

(75) **"Segregation"** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes ;

(76) **"Service provider"** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc. ;

(77) **"Solid waste"** means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste, Hazardous waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities ;

(78) **"Sorting"** means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling ;

(79) **"Source"** means the premises in which the waste is generated or a community storage centre used by owners/ occupiers of one or more premises for segregated storage of MSW ;

(80) **"Spittoon"** means a metal or earthenware pot typically having a funnel-shaped top, used for spitting into.

(81) **"Stabilising"** means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation ;

(82) **"Stabilised biodegradable waste"** means the biologically stabilized (free of pathogens) waste resulting from the mechanical/biological treatment of bio degradable waste ; only when stabilised can such waste be used with no further restrictions ;

(83) **"Street vendor"** means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words ős street vendingő with their grammatical variations and cognate expressions, shall be construed accordingly ;

(84) **"Tipping fee"** means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill ;

(85) **"Transportation"** means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions ;

(86) **"Transfer station"** means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities ;

(87) **"Treatment"** means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm ;

(88) **"User fee/Charges"** means fees or charges imposed by Municipal Committe Ramgarh through general or special order of the Competent Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services ;

(89) **''Vacant Plot''** means any Land or open space belonging to a private party/person that is not occupied by them/him ;

(90) **"Vermi composting"** means the process of conversion of bio-degradable waste into compost using earth worms ;

(91) **"Waste hierarchy"** means the priority order in which the solid waste is to be managed by giving emphasis to prevention, reduction reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least ;

(92) **"Waste generator"** means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, defence establishments, which generate solid waste or other institutions i. e. Hotels, restaurants, malls, private/government business/ industrial establishments falling within the limits of Municipal Committee, Chenani.

(93) **"Waste picker"** means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation, streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

CHAPTER II

SEGREGATION AND PRIMARY STORAGE OF SOLID WASTE

4. *Segregation and storage of solid waste at source.*ð (1) It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely :ð

(a) non-biodegradable or dry waste ;

(b) biodegradable or wet waste ;

(c) domestic hazardous waste; and deposit it into covered waste bins, and handover segregated waste to designated waste collectors as per the direction of Municipal Committee, Chenani from time to time.

(2) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely :ð

(a) non-biodegradable or dry waste ;

(b) biodegradable or wet waste ;

(c) hazardous waste in suitable bins ; and handover segregated waste to authorised waste processing or disposal facilities or deposition centres through the authorised waste collection agency with paying the carrying charges specified by Municipal Committee, Chenani from time to time.

(3) The colour of bins for storage of segregated waste shall be green- for biodegradable waste or wet waste blue - for non- biodegradable or dry waste and black- for domestic hazardous waste.

(4) All resident welfare and market associations shall ensure segregation of waste at source by the generators, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed of through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by Municipal Committee, Chenani.

(5) All gated communities and institutions with more than 5,000 sq. m. area shall ensure segregation of waste at source by the generators, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio- methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by Municipal Committee, Chenani.

(6) All hotels and restaurants shall ensure segregation of waste at source, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed of through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by Municipal Committee, Chenani.

(7) No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating Municipal Committee, Chenani along with payment of user fee as prescribed in the schedule, at least three working days in advance and the person or the organizer of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by Municipal Committee, Chenani.

(8) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a news paper or suitable biodegradable wrapping material and place the same in the bin meant for non-biodegradable waste or dry waste.

(9) Every street vendor shall keep suitable containers for storage of segregate waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by Municipal Committee, Chenani.

(10) Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of Municipal Committee, Chenani from time to time.

(11) Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle which shall be provided weekly/periodically by Municipal Committee, Chenani or any other Agency authorised by it for collection of such waste, or to a centre designed for collection of such waste for disposal in a manner that is mandated by the Government of Jammu and Kashmir or State Pollution Control Board.

(12) Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016.

(13) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed off in accordance with the respective rules framed under the Environment (Protection) Act, 1986.

(14) Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the Municipal Committee, Chenani, collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is strictly prohibited.

(15) Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.

CHAPTER III

SOLID WASTE COLLECTION

5. *Collection of Solid Waste*.ð (1) In compliance with SWM Rules, 2016, door to door collection of segregated solid waste shall be implemented in all areas or Wards of Municipal Committee, Chenani, to collect garbage from every house, including slums and informal settlements on a daily basis by integrating the informal door to door collection system with Municipal Committee, Chenani collection system.

(2) In order to collect garbage from every house, area-wise specific time slot shall be set and published at conspicuous parts of that area and on the website of Municipal Committee, Chenani Commonly, time for house to house garbage collection shall be set from 5.30 A. M. to 10.30 A. M. for summer and for winter 7:00 A. M. to 11:00 A. M. For collection of garbage from trading establishments, shops in commercial areas or any other institutional waste generators, commonly the time shall be from 7.30 A. M. to 11.00 A. M. However, sweeping can be undertaken twice daily, if required at public and commercial places. The timing for collection of garbage from the trading establishments, shops in commercial areas or any other institutional waste generators shall be decided by the Municipal Committee, Chenani accordingly.

(3) Arrangements shall be made for collection of residual solid waste from bulk waste generators, which are processing waste *in-situ.*

(4) Residual solid waste from vegetable, fruit, flower, meat, poultry and fish market shall be collected on day to day basis.

(5) Horticulture and garden waste shall be separately collected and disposed off. One or two days in a week shall be specified for this purpose.

(6) To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.

(7) Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.

(8) Waste generators shall be responsible to deposit their segregated waste in the Auto-Tipper/Rickshaws etc. deployed by Municipal Committee, Chenani. Segregated waste from multistoried buildings, apartments, housing complexes may be collected from the entry gate or any other designated location.

(9) Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.

(10) Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.

(11) Route plans for each primary collection and transportation vehicle shall be provided by Municipal Committee, Chenani or by the notified authorised waste collector. These plans in tabular as well as GIS map form, duly approved by Municipal Committee, Chenani shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified route. Municipal Committee, Chenani or the notified authorised waste collector shall provide a óBoardô at each street to display time-table of primary collection and transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of Municipal Committee, Chenani and published in the local leading newspaper periodically for the information of General Public.

(12) In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

(13) In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.

(14) Smaller, narrow and congested streets/lanes where even a 3-wheeler/ rickshaw etc. cannot operate, vantage points shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of Municipal Committee, Chenani.

(15) Auto tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. dhalaos, open sites, ground, bins and drains etc.

(16) Municipal Committee, Chenani or its notified authorised waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

CHAPTER IV

SECONDARY STORAGE OF SOLID WASTE

6. *Storage of solid waste in the secondary storage points*.ð (1) Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by Municipal Committee, Chenani for secondary storage of waste.

(2) Such secondary storage points shall have covered containers (of specified colour) for separate storage of :ð

(a) non-biodegradable or dry waste ;

(b) biodegradable or wet waste ;

(c) domestic hazardous waste ;

(3) Different containers shall be used in the areas demarcated by Municipal Committee, Chenani to keep segregated waste in the following manner :ð

(a) green- for biodegradable waste ;

(b) blue - for non-biodegradable ;

(c) black - for domestic hazardous waste ;

Municipal Committee, Chenani shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.

(4) Municipal Committee, Chenani on its own or through outsourcing agencies shall maintain the storage facilities for solid waste in a manner that does not create unhygienic and unsanitary conditions around it.

(5) Containers of various sizes in the secondary storage depots shall be provided by Municipal Committee, Chenani or any assigned agencies in different colours as mentioned in these bye-laws.

(6) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population.

(7) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere.

(8) All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.

(9) Municipal Committee, Chenani or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.

(10) Recycling Centers for Dry Waste (Non-Biodegradable Waste)ð

(a) Municipal Committee, Chenani shall convert its existing Dhalaos or identify specific location as per requirement, as 'Recycling Centersô which shall be used for segregation of dry waste received through street/door to door waste collection service. Recycling centers may be increased depending on the quantity of dry waste received.

(b) Dry (non-biodegradable) waste from street/door-to-door collection system and from commercial establishments shall be transferred only to these designated órecycling centersô. These designated centers shall receive only dry waste.

(c) There shall also be a provision for the households to directly deposit or sell their recyclable dry waste to the authorised agents and/or authorised waste dealers of Municipal Committee, Chenani at these recycling centers at pre-notified rates. A weighing scale and a counter shall be provided at each recycling unit for this purpose. The authorised agents and/or authorised waste dealers shall be allowed to dispose off or sell the recyclable waste to the secondary market or recycling units only in consonance with the provisions of SWM Rules, 2016. The authorised agents and/or authorised waste dealers will be entitled to retain sales realization thereof.

(11) Deposition Centre for specified Domestic Hazardous Wasteð

(a) For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed and notify the timing of receiving of such waste.

(b) Municipal Committee, Chenani may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.

(c) Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

CHAPTER V

TRANSPORTATION OF SOLID WASTE

7. *Transportation of solid waste.*ð (1) Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by Municipal Committee, Chenani.

(2) The storage facilities set up by Municipal Committee, Chenani shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned.

(3) Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost plants, bio-methanation plants or any such other facilities in a covered manner.

(4) Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste.

(5) Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities.

(6) Construction and Demolition Waste shall be transported as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

(7) Municipal Committee, Chenani shall make arrangements for transportation of inerts in a proper manner. The street sweeping waste and removable drain silt shall be removed immediately after the work is over.

(8) Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.

(9) The collection vehicles engaged for the purpose shall deposit/ transfer waste only at the MTS (Mobile Transfer Station) or FCTS (Fixed compactor Transfer Stations) wherever provided.

(10) In case MTS/FCTS is not stationed at the designated location at that point of time for any reason, then the 'loaded vehicle' shall go to the next designated location of the MTS or FCTS or the site specified by Municipal Committee, Chenani to unload the waste.

(11) Fixed compactor transfer station shall be transported through hook loader.

(12) MTS or FCTS shall transport the waste directly to compost plant, waste to energy plant or any other site/plant designated by Municipal Committee, Chenani.

(13) There should be no inter-mixing of waste from various sources during the transportation of waste.

(14) The services of street level collection and transportation of waste shall be provided every day including holidays.

(15) MTS engaged in this service shall receive waste only from designated auto tippers, 3-wheelers or vehicle/bins collecting waste from street level operations.

(16) Dedicated MTS shall be deployed at specified locations to receive waste from the Auto Tippers, 3-Wheelers, Rickshaws etc. engaged in street-level and door-to-door collection of solid waste from households and commercial establishments as per the approved route plans.

(17) Design of MTS and FCTS shall allow unloading of waste from primary collection vehicles by consuming minimum time and without littering waste.

(18) Garbage spilled near MTS and FCTS, while transferring the solid waste, should be cleaned so that no spillage is left. Disinfectant should be used after cleaning process at that location.

(19) Municipal Committee, Chenani or its specified agency shall install CCTV cameras at all secondary storage facilities.

CHAPTER VI

PROCESSING OF SOLID WASTE

8. *Processing of solid waste.*ð (1) Municipal Committee, Chenani shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board :ð

(a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste ;

(b) through medium/large composting bio-methanation plants at centralised locations ;

(c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feed stock to solid waste based power plants ; and/or

(d) through construction and demolition waste management plants.

(2) Municipal Committee, Chenani shall endeavour to create a market for consumption of RDF (Refuse Derived Fuel). The cement factories are liable to take RDF from municipal dumping sites who have to use RDF to the order of 5% of the total fuel burnt by them in their kilns.

(3) In waste to energy plant by direct incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the relevant contracts.

(4) Municipal Committee, Chenani shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorised recyclers.

9. *Other guidelines for processing of solid waste*.ð (1) Municipal Committee, Chenani shall enforce processing of bio-degradable waste on site of generation of such waste through composting or bio-methanation, as far as possible, at RWAs (Resident Welfare Associations), group housing societies, markets, gated communities and institutions with more than 5000 sq. m. areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for on site processing of biodegradable waste generated by other waste generators as well.

(2) Bulk generators who fail to install waste processing units within their premises shall be liable for fine to install such processing units with time line envisaged in the notices. If they perpetually fail to establish waste disposal system within six months after first notice issued to them, the Municipal Committee, Chenani are empowered to seal such erring bulk waste generating business establishments.

(3) Municipal Committee, Chenani shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions.

(4) Municipal Committee, Chenani shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens by the generators.

(5) Municipal Committee, Chenani shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

(6) The waste generator has to pay user charges/sanitation fee to the local bodies inspite of the fact if they process their waste at their institutional level.

CHAPTER VII

DISPOSAL OF SOLID WASTE

10. *Disposal of Solid waste.*ð Municipal Committee, Chenani shall undertake on its own or through any other agency, the construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual waste and inert street sweepings and silt from surface drains in a manner prescribed under SWM Rules and any other obligation imposed by any other law for the time being in force.

CHAPTER VIII

USER FEE AND LEVYING OF SPOT FINE/PENALTY

11. *User fee for collection, transportation, disposal of solid waste.*ð (1) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by Municipal Committee, Chenani. The rates of user fee are specified in Schedule-I.

(2) The user fee so fixed shall be collected from waste generators by Municipal Committee, Chenani or the authorised agency or person as may be authorised by Director of Urban Local Bodies, Jammu in this behalf.

(3) Municipal Committee, Chenani shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.

(4) Municipal Committee, Chenani shall adopt different methods for collection of user fee including online payment.

(5) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.

(6) There shall also be a system of yearly or half yearly payment. If the user fee is paid in advance for the entire year, then amount for ten months will be charged instead of twelve months. Similarly, for six months advance payment, five and half months demand amount will be charged instead of six months.

(7) The user fee mentioned in Schedule-I shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(8) The user fee shall be collected only by the institution/person authorised by the competent authority by a general or special order in this behalf.

(9) In case of default of payment of user fee/fine, the competent authority may recover the same from the defaulter as an arrear of land revenue as per the provision of Land Revenue Act, 1996. However, Municipal Corporation, Jammu/Srinagar shall be allowed to effect the recovery under the provisions of Jammu and Kashmir Municipal Corporation Act, 2000.

12. *Fine/Penalty for contravention of SWM Rules*.ð (1) Whosoever contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws.

(2) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be.

(3) The Commissioners shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II.

(4) The fine or penalty mentioned in Schedule-II shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(5) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the procedure for prosecution prescribed under provisions of the Environment (Protection) Act, 1986 shall follow.

(6) In realization of fines imposed on defaulters, the J&K State Pollution Control Board shall not renew the licenses of hotels and other

business units unless an NOC is not procured by the business unit/s from the concerned Municipal Committee, Chenani.

(7) Fine shall be imposed on the hospitals and allied concerns if they are found mixing bio-medical wastes with municipal solid waste.

(h) Charges for the material recovery by rag pickers or waste dealers to be decided by the concerned Local Bodies.

(8) Concession to bulk purchasers of compost/plastic/tin and recyclables on the price of by product, if any, as a result of processing of Solid Waste shall be decided by the Municipal Committee, Chenani.

(j) The cement manufacturing units shall be responsible to lift the RDF from municipal dumping sites and their license renewals be linked with Municipal Committee, Chenani NOCôs.

(9) Tippers ferrying building material and causing avoidable waste on the streets shall be liable for fine to be decided by the Municipal Committee, Chenani but not less than Rupees Five Hundred (500/-) per default.

13. *Responsibilities of Waste Generators*.ð (1) Prohibition of litteringð

(a) Littering in any public place : No person shall litter in any public place except in authorised public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.

(b) Littering ·on any property : No person shall litter on any open or vacant property except in authorised private or public receptacles.

(c) Litter-throwing from vehicles : No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place. No vehicle shall be washed on roads, river banks, near public parks, water bodies.

(d) Litter from goods vehicles : No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.

(e) Litter by owned/pet animals : It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system.

(f) Disposal of waste in drain etc. No person shall litter in any drain/river/open pond/water bodies.

(2) Burning of waste : Disposal by burning of any type of solid waste at public places or at any private or public property is strictly prohibited.

(3) ñClean Areaò : Every person shall endeavour that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.

(4) For Public Gatherings and Events organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police Department and/or from the Municipal Committee, Chenani is required, it will be the responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.

(5) Refundable Cleanliness Deposit, as may be notified by the Municipal Committee, Chenani, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public

place and does not cover any damage to property. In case the organisers of the event wish to avail of the services of the Municipal Committee, Chenani for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the Chief Executive Officer/ Executive Officer, Municipal Committee, Chenani for availing the services and pay the necessary charges as may be fixed by the Competent Authority for this purpose.

(6) Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the Municipal Committee, Chenani in the following manner :ð

(a) The Municipal Committee, Chenani may serve a notice on the owner/occupier of any premises, requiring such owner/ occupier to clear any waste on such premises in a manner and within a time specified in such notice.

(b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.

(c) If the person on whom the notice is served fails to comply with any requirements imposed by such notice, the Municipal Committee, Chenani mayð

(i) Enter on the premises and clear the waste ; and

(ii) Recover from the occupier the expenditure incurred in having done so.

(7) Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapersð

(a) All manufacturers/sole distributors/whole sellers of disposal products such as tin, glass, plastics packaging, wrappers etc., or brand owners who introduce such products in the market within the jurisdiction of Municipal Committee, Chenani shall provide necessary financial assistance to Municipal Committee, Chenani for establishment of waste management system. Municipal Committee, Chenani may also coordinate

with the concerned departments of Central Govt. and/or the Govt. of J&K for implementation of this provision. 0.5% of Annual turnover shall be chargeable from them for establishment/maintenance of solid waste management facilities to be deposited with the concerned corporation/ local body.

(b) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.

(c) Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.

(d) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

(8) All industrial units using fuel and located within one hundred Km. from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.

14. *Responsibilities of* Municipal Committee, Chenani.ð (1) Municipal Committee, Chenani shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/ roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which Municipal Committee, Chenani may engage private parties on contract or Public Private Partnership mechanism with the prior approval of Govt., apart from its own cleaning staff and vehicles. In addition, Municipal Committee, Chenani shall identify all the commercial areas for carrying out sweeping twice a day.

(2) Municipal Committee, Chenani or the authorised agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc.

(3) Municipal Committee, Chenani for the purpose of managing solid waste activities in decentralized and regular manner shall designate one officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc.

(4) The competent authority shall designate sufficient Senior Officer/s, preferably not below the rank of to be decided by the Municipal Committee, Chenani, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.

(5) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.

(6) Municipal Committee, Chenani shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning.

(7) Municipal Committee, Chenani shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of Solid Waste Management Rules and these bye-laws with special emphasis on user fee and fines/penalties.

(8) Municipal Committee, Chenani shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households. RWAs and institutions etc. by giving certificates by publishing their names on respective websites or rebate in property tax etc.

(9) Municipal Committee, Chenani shall ensure that the authorities of Agriculture Department, Floriculture Department, Horticulture, SKAUST are supplied with sufficient quantity of compost generated out of organic waste to phase out the use of chemical fertilizers and use compost in all parks, gardens maintained by them and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector and shall take up with the Directorate of Horticulture, Agriculture and Floriculture for use of compost.

(10) Municipal Committee, Chenani shall make efforts to streamline and formalize solid waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.

(11) Municipal Committee, Chenani shall ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce.

(12) Municipal Committee, Chenani shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection transport and handling of waste by providing appropriate and adequate personal protective equipments.

(13) In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to Municipal Committee, Chenani immediately which shall review and issue instructions, if any, to the in-charge of the facility.

(14) Regular checks : Chief Executive Officer/Executive Officer/ Assistant Sanitation Officer, Municipal Committee, Chenani shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye-laws.

(15) Municipal Committee, Chenani shall develop a public grievance redressal system (PGRS) by setting up of call centre at its headquarter. The PGRS may include SMS based service mobile application or web based services.

(16) Municipal Committee, Chenani shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at Hq./all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration.

(17) Transparency and Public Accessibility : To ensure greater transparency and public accessibility, Municipal Committee, Chenani shall provide all necessary information through its website.

(18) Municipal Committee, Chenani shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws.

CHAPTER-X

MISCELLANEOUS

15. If any doubt or difficulty arises in the interpretation or implementation of these bye-laws the same shall be placed before Administrative Secretary of Housing and Urban Development Department, whose decision in the matter shall be final.

16. *Co-ordination with Government Bodies*.ð Municipal Committee, Chenani shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies. In case of any difficulty matter shall be placed before Chief Secretary of Government of J&K.

17. The Competent Authority may issue general or special orders from time to time for proper implementation of Solid Waste Management Rules, 2016 and these bye-laws.

(18) *Right to Appeal*.ð Any person aggrieved or affected by Jammu and Kashmir Solid Waste Management Bye-Laws, 2019 shall have the right to appeal before Director, Urban Local Bodies, Jammu within 30 days and in case he is not satisfied with the disposal of Director concerned, the second appellate authority shall be Administrative Secretary of Housing

and Urban Development Department, whose decision shall be final and binding.

(19) *Jurisdiction*.ð For filing cases against the Bye-Laws the Jurisdiction is Jammu and Srinagar only.

SCHEDULE-I

USER FEE SOLID WASTE MANAGEMENT

S.No.	Categories	User Fee from each premises/ House/Dwelling Unit/Flat per month (In Rupees)	
		Municipal Councils	Municipal Committees
1	2	3	
1.	Residential dwelling unit (Covered area)		
	i. Up to 2000 Sq. ft.	50	50
	ii. Over 2000 Sq. ft.	75	75
2.	Street Vendor	50	50
3.	Commercial Establishments, Shops, Eating Places (Dhaba/Sweet/Shops/ Coffee house, Saloon etc.)	250	100
4.	Guest House/Dharamshalas/Hostels/ Paying Guest	1000	500
5.	Restaurant up to sitting of 50 person	1000	500
6.	Restaurant with sitting of more than 50 person	2000	1000
7.	Hotel (Up to 3 star)	1000	1000
8.	Hotel (above 3 star)	5000	5000
9.	Commercial offices, government officers, bank, insurance offices, coaching classes, educational institutes etc.	500	100
10.	Kinder Garten, Cretches etc.	--	--
11.	Clinic, dispensary, laboratories,	1000	500

1	2	3	
12.(a)	Nursing homes (up to 50 beds) only non-bio medical waste.	1000	500
12.(b)	Hospitals, Nursing Homes (above 50 beds)	4000	4000
13.	Small and cottage industry, workshop (only non-hazardous waste)	1000	500
14.	Godowns, cold storages (only non-hazardous waste)	2000	1000
15.	Automobiles, showrooms	2000	1000
16.	Service Stations, Automobile Workshops	1000	500
17.	Marriage/Party Halls, Festivals Halls, Party Lawns, exhibition and fairs.	2000	1000
18.	Clubs, cinemas halls, pubs, multiplexes and other such places.	2000	1000
19.	Any other non-commercial, commercial, religious or charitable institution not covered in any of above categories.	500	500
20.	Dairies & Kennels	1000	500
21.	Other places/activity not marked as above.	As decided by the concerned CEO/EO Municipal Councils by general or special order	As decided by the concerned CEO/EO Municipal Committees by general or special order

SCHEDULE-II

FINE/PENALTY

S.No	Rule/Bye-Laws No.	Offences	Applicable to	Fine for every default (In Rs.)
1	2	3	4	5
1.	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the Rule	Residential	500
			Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and	10,000
			Clubs, Cinema Halls, Pubs, Community Halls, Multiplexes and other such places with area less than 5000 sq. m.	5000
			Other non-residential entities with area less than 5000 sq.m.	1000
2.	Rule 4 (1) (b) and (d) of SWM Rules	o Failure to deal with sanitary waste in accordance with the Rule	Residential	500
		o Failure to deal with horticulture waste and garden waste in accordance with the Rule	Non-Residential	1000

1	2	3	4	5
3.	Rule 4 (1) (c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the Rule	Residential	2000
			Non-Residential	5000
4.	Rule 4 (2) of SWM Rules	Open burning of solid waste	Violator	5000
5.	Rule 4 (4) of SWM Rules	Organizing an event or gathering of more than one hundred person at any unlicensed place without following the prescribed procedure	Person(s), who has/ve organised such event or gathering or, on whose behalf such event or gathering has been organized and the event manager(s), if any, who has/ve organized such event or gathering	5000
6.	Rule 4 (5) of SWM Rules	Street vendor failing to deal with waste in accordance with the Rule	Violator	500

1	2	3	4	5
7.	Bye-Law 13 (i) read with Rule 15 (g) of SWM Rules	Littering	Offender	500
8.	Rule 4 (6) of SWM Rules	Failure to deal with waste in accordance with the Rule	Resident Welfare Association	5000
			Market Association	10,000
9.	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community	10,000
			Institution	15,000
10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel	20,000
			Restaurant	10,000
11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	50,000
12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	50,000

1	2	3	4	5
13.	Rule 18 of SWM Rules	Failure to replace fuel requirement by refuse derived fuel	Industrial Unit	50,000

FORM-A

APPLICATION FOR REMITTING SOLID WASTE MANAGEMENT USER CHARGES

From

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é é é é é é é é é é é é é é

To

The Chief Executive Officer/Executive Officer,
Municipal Committee, Chenani

Sir,

I/We hereby affirm to state that I/We do carry out business at (address of the applicant with the nature of business). I/We hereby agree to hand over the Municipal Solid Waste generated by me/us at my/our premises in segregated form and also agree to pay the SWM User Charges of Rs. é é é é é é é é (in words) as fixed in the SWM Bye-Laws.

I/We further affirm to state that in the event I/We change the place of business I/We would duly intimate the Commissioner, JMC in writing before 30 days for the consequent action to be taken for cancellation of the SWM User Charges.

Yours faithfully,

(Signature of the applicant with date)

FORM-IV

FORMAT TO PREPARE AND SUBMIT ANNUAL REPORT ON SOLID WASTE MANAGEMENT- 2016

[*Rule 15 (Z)(a), 24(2)*]

Calendar Year:	Date of Submission of report
1	2
1 Name of the City/Town and State	
2 Population :	
3 Area in Sq. Kilometers	
4 Name and Address of local body	
Telephone	
Fax No.	
E-mail:	
5 Name of the officer-in-charge dealing with Solid Waste Management	
Phone No.	
Fax No.	
E-mail :	
6 Number of households in the city/town	
Number of non-residential premises in the city	
Number of election/administrative wads in the City/town	

1	2
7	Quantity of Solid Waste
	Estimated Quantity of Solid Waste generated in the local body area per day in metric tones
	Quality of Solid Waste collected per day
	Per capita waste collected per day
	Quality of solid waste processed
	Quality of solid waste disposal at dumpsite/landfill
8	Status of solid waste management service
	Segregation and storage of waste at source
	Whether SOLID WASTE is stored at source in domestic/commercial/ institutional bins, if yes.
	Percentage of Household practice storage of waste at source in domestic bins
	Percentage of non-residential premises practices storage of waste at source in commercial/ institutional bins
	Percentage of households dispose or throw solid waste on the streets
	Percentage of non-residential premise dispose or throw solid

1	2
waste on the streets	
Whether solid waste is stored at source in segregated form, if yes.	
Percentage of premises segregating the waste at source	
Door to Door Collection of solid waste	
Whether door to door collection (D2D) of solid waste is being done in the city/town, if yes	
Number of wards covered in D2D collection of waste	
Number of household covered	
Number of non-residential premises including commercial establishments, hotels, restaurant, educational Institution/offices etc. covered	
Percentage of residential and non-residential premises covered in door to door collection through:	
Motorized vehicle	
Contained tricycle/Handcart	
Other device	
If not, method of primary collection adopted	
Sweeping of streets	
Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned	

1	2
Frequency of street sweeping and percentage of population covered	
Total used	
Manual sweeping	
Mechanical Sweeping	
Whether long handle broom used by sanitation workers	
Whether each sanitation worker is given handcart/tricycle for collection of waste	
Whether handcart/tricycle is containerized	
Whether the collection tools synchronizes with collection/waste storage containers utilized	
Secondary Waste Storage facilities	
No. and type of waste storage depots in the city/town	
Open waste storage sites	
Masonry bins	
Cement concrete cylinder bins `	
Dhalao/covered rooms/space	
Covered metal/plastic containers	
Up to 1.1 m3 bins	
2 to 5 m3 bins	
Above 5 m3 containers	
Bin-less city	
Bin/Population ratio	
Ward-wise details of waste	

1	2
storage depots (attach):	
Ward No. :	
Area :	
Population :	
No. of bins placed	
Total volume of bins placed	
Total storage capacity of waste storage facilities in cubic meters	
Total Waste actually stored at the waste storage depots daily	
Give frequency of collection of waste from the depots	
Number of bins cleared	
Whether storage depots have facility for storage of segregated waste in green, blue and black bins	
Whether lifting of solid waste from storage depots in manual or mechanical, give percentage	
(%) of manual lifting of solid waste	
(%) of mechanical lifting	
If mechanical specify the method used	
Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form	
Waste transportation per day Type	

1	2
and number of vehicles used	
Animal cart	
Tractors	
Non-tipping Truck	
Tipping Truck	
Dumper Placers	
Refuse Collectors	
Compactors	
Others	
JCB/Loader	
Frequency of transportation of waste	
Quantity of waste transported each day	
Percentage of total waste transported daily	
Waste Treatment Technologies used	
Whether solid waste is processed	
If yes, Quantity of waste processed daily	
Whether treatment is done by local body or through an agency	

1	2
Land (s) available with the local body for waste processing	
Land currently utilized for waste processing	
Solid Waste processing facilities in operation	
Solid Waste processing under construction	
Distance of processing facilities from city/town boundary	
Details of technologies adopted	
Composting	
Vermi composting	
Bio-methanation	
Refuse Derived Fuel	
Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology	
Co-processing	
Combustible waste supplied to Cement plant	
Combustible waste supplied to solid waste based power plants	
Others	
Solid waste disposal facilities	

1	2
No. of dumpsite sites available with the local body	
No. of sanitary Landfill sites available with the body	
Area of each such sites available for waste disposal	
Area of land currently used for waste disposal	
Distance of dumpsites/landfill facility from city/town	
Distance from the nearest habitation	
Distance from water body	
Distance from state/national highway	
Distance from Airport	
Distance from important religious place or historical monument	
Whether it falls in flood prone area	
Whether it falls in earthquake fault line area	
Quantity of waste land filled each day	
Whether landfill site is fenced	
Whether Lighting facility is available on site	
Whether Weigh bridge facility available	

1	2
	Vehicle and equipments used at landfill (specify)
	Manpower deployed at landfill site
	Whether covering is done on daily basis
	If, not Frequency of covering the waste deposited at the landfill
	Cover material used
	Whether adequate covering material is available
	Provisions for gas venting provided
	Provision for Leachate Collection
	Whether an Action Plan has been prepared from improving solid waste management practices in the City
10	What separate provisions are made for Dairy related activities Slaughter house waste C&D waste (construction debris)
11	Details of post Closure plan
12	How many slums are identified and whether these are provided with Solid Waste Management facilities
13	Give details of : Local Bodyôs own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste

1	2
14	Give details of : Contractor/concessionaireôs manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste
15	Mention briefly the difficulties being experienced by the local body is complying with provision of these rules
16	Mention briefly if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies

(Sd.) .....

Executive Officer,
Municipal Committee, Chenani.