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# **Draft Integrated Solid Waste Management Rules / Resolution**



## PREAMBLE

*Whereas every citizen has the constitutional right to cleanliness and to have the environment preserved for the benefit of present and future generations through adoption of sustainable waste management methods.*

*Whereas, there is provision under the Environment Management Act, on collection, handling, storage, transportation and disposal of Municipal Solid Waste Management.*

*Whereas, there is provision under the Environment Management Act, on Import collection, handling, storage, transportation and disposal of any type of hazardous waste.*

*Whereas, there is provision under the Environment Management Act, on methods for collection, storage, transportation and disposal in a manner approved by the Authority for bio medical waste.*



*Whereas, there is provision under the Environment Management Act, on collection, storage, dismantling of electronic and electrical waste hereinafter referred as E-waste.*

*Whereas, there is provision under the Environment Management Act, that the concerned authority has the power to make rules/ resolutions as it deems fit for the proper implementation and enforcement of this Act.*

*Therefore, in exercise of the power conferred by section \_ of the Act, the Centre /Federal Government hereby makes the Integrated Waste Management Rules/Resolution, with the following guiding principles:*



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- *No littering.*
- *Minimize generation of waste.*
- *Reduce, Reuse and Recycle the waste to the extent possible.*
- *Practice segregation of waste into biodegradable, non-biodegradable, sanitary and household hazardous.*
- *Storage of segregated waste in different bins/bags.*
- *Handover segregated waste to authorized waste collectors, recyclers and waste collection agencies.*
- *Process biodegradable waste by adoption of composting and other decentralised technologies wherever applicable.*
- *Pay monthly user fees to local bodies or any other persons authorized by the local body for sustainability of solid waste management.*
- *Fines and penalties for littering and non-compliance.*



# Chapter I

## Preliminary

### 1. Short Title, Extent and Commencement

1. These rules shall be called Integrated Waste Management Rules, (YYYY).
2. These rules shall be applicable and extend to the whole of the territory of (Name of Country)
3. Except otherwise provided in these rules, they shall come into force on the MM/DD/YYYY publication in the Official Gazette.



## 2) Application

**These rules shall apply to –**

1. Every generator including domestic, institutional, commercial and any other waste generator, urban local body, village council, importers, airports, airbases, ports, harbours, defence establishments, special economic zones, govt. organizations.
2. Persons who generate, collect, receive, store, transport, treat, dispose or handle bio-medical waste in any form including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories, blood banks, clinical establishments, research or educational institutions, health camps, medical or surgical camps, vaccinations camps, blood donation camps, first aid rooms of schools, forensic laboratories and research labs.



3. Waste resulting from construction, re-modelling, repair and demolition of any civil structure of individual or organization or authority that generates construction and demolition waste such as building materials, debris and rubble.
  
4. Consumer, bulk consumer, collection center, dealer, e-retailer, refurbisher, dismantler and recycler involved in manufacture, sale, transfer, purchase, collection, storage and processing of e-waste, and electrical and electronic equipment listed in Schedule I, including their components, consumables, parts and spares which make the product operational.



## 3. Definitions

1. **Animal house**-means a place where animals are reared or kept for the purpose of experiments or testing.
2. **Authorization**-means the permission given by the District Authority/National Environmental Management Agency, as the case maybe, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste.
3. **Biodegradable waste**-means any organic material that can be degraded by micro-organisms into simpler stable compounds.



4. **Biomedical waste(Biomedical waste)**-means any waste ,which is generated during the diagnosis, treatment or immunization of human beings or animals or research activities pertaining thereto or in the production or testing of biological or in health camps, including the categories mentioned in **Schedule I** appended to these rules.
  
5. **Biomedical waste treatment and disposal facility (Biomedical waste)**-means any facility wherein treatment and disposal of bio medical waste happens.



6. **Biomethanation**-means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas.
  
7. **Brand owner (plastic)**-means a person or company that sells any commodity under a registered brand label.
  
8. **Bulk Consumer**-means bulk users of electrical and electronic equipment such as Government Departments, public sector undertakings, banks, educational institutions, multinational organizations, international agencies, partnership and public or private companies that are registered under the various laws and health care facilities which have turnover of more than (-----) or have more than twenty employees.



9. **Bulk Waste generator (E-waste)**-Means and includes buildings occupied by the central government departments or undertakings, state government departments or undertakings, 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 sports complexes having an average waste generation rate exceeding 100 kg per day.
  
10. **Carry bags (plastic)**-mean bags made from plastic material or compostable plastic material, used for the purpose of carrying or dispensing commodities which have a self-carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use.



11. **Channelization (E waste)**-means to direct the path for movement of e-waste from collection onwards to authorized dismantler.
  
12. **Collection Centre (E waste)**-means a centre or a collection point or both established by producer individually or an association jointly to collect e-waste for channelizing the e-waste to dismantler and play such role as indicated in the authorization for Extended Producer Responsibility granted to the producer and having facilities as per the guidelines of National Environment Management Agency, including the collection centre established by the dismantler which should be a part of their authorization issued by the District Authority.



13. **Component (E waste)**-means one of the parts of a sub-assembly or assembly of which a manufactured product is made up and into which it may be resolved. It includes an accessory or attachment to another component.
  
14. **Composting**-means a controlled process involving microbial decomposition of organic matter.
  
15. **Construction and demolition waste (construction waste)**-means the waste comprising of building materials, debris and rubble resulting from construction, re-modelling, repair and demolition of any civil structure.



16. **Construction**-means the process of erecting of building or built facility or other structure, or building of infrastructure including alteration in these entities.
17. **Consumer**-means any person using electrical and electronic equipment excluding the bulk consumers.
18. **Contractor**-means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority.



19. **Critical care medical equipment**-means lifesaving equipment and includes such equipment as specified by the Ministry of Health and Family Welfare from time to time.
  
20. **Dealer**-means any individual or firm that buys or receives electrical and electronic equipment as listed in Schedule I of these rules and their components or consumables or parts or spares from producers for sale.
  
21. **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.



22. **Deconstruction (construction waste)**-means a planned selective demolition in which salvage, re-use and recycling of the demolished structure is maximized.
23. **Demolition** means breaking down or tearing down buildings and other structures either manually or using mechanical force (by various equipment) or by implosion using explosives.
24. **Deposit Refund Scheme**-means a scheme whereby the producer charges an additional amount as a deposit at the time of sale of the electrical and electronic equipment and returns it to the consumer along with interest when the end of life electrical and electronic equipment is returned.



25. **Disintegration (plastic)**-means the physical breakdown of a material into very small fragments.
26. **Dismantler**-means any person or organization engaged in dismantling of used electrical and electronic equipment into their components and having facilities as per the guidelines of National Environment Management Agency and having authorization from concerned District Authority.
27. **Dismantling**-means the process of disconnecting the pieces of used electrical and electronic equipment to destroy the integrity or functioning of such equipment.



- 28. Disposal for residue of biomedical, hazardous and e-waste-**means any operation which does not lead to reuse, recycling, recovery and utilisation including co-processing but includes physic-chemical treatment, biological treatment, incineration and disposal in secured landfill.
- 29. Disposal for municipal solid waste-**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.
- 30. Dry waste-**means waste other than biodegradable waste, inert street sweeping. It also includes recyclable and non-recyclable waste, combustible waste and sanitary napkin and diapers, etc.



**31. Domestic/Household Hazardous waste-**means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles, syringes and contaminated gauge, insecticides, pesticides, etc., generated at household level.

**32. Door to door-**means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non-residential premises and including collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises.



33. **Electric /electronic equipment**-means equipment which are dependent on electric current or electro-magnetic field in order to become functional.
34. **Environmentally Sound Management of Hazardous and other wastes**-means taking all steps required to ensure that hazardous and other wastes are managed in a manner which shall protect health of people and the environment against adverse effects which may result from such waste.
35. **Exporter (Hazardous and other wastes)**-means any person or occupier under the jurisdiction of the exporting country who exports hazardous or other wastes, including the country which exports hazardous or other waste.



**36. External Producers Responsibility (plastic waste)**-means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc. for environmentally sound management till end of life of the packaging products.

**38. Extended Producer Responsibility Authorization**-means permission given by National Environment Management Agency to producer, for managing Extended Producer Responsibility with implementation plans and targets outlined in such authorization including detail of Producer Responsibility Organization and e-waste exchange, if applicable.



**37 Extended Producer Responsibility (electronic and electric waste)-** means responsibility of any producer of electrical or electronic equipment, for channelization of e-waste to ensure environmentally sound management of such waste. Extended Producer Responsibility may comprise of implementing take back system or setting up of collection centers or both and having agreed arrangements with authorized dismantler or recycler either individually or collectively through a Producer Responsibility Organization recognized by producer or producers in their Extended Producer Responsibility Authorization.



39. **EPR Plan**-means a plan submitted by a producer to National Environmental Management Agency, at the time of applying for Extended Producer Responsibility Authorization in which a producer shall provide details of e-waste channelization system for targeted collection including detail of Producer Responsibility Organization and e-waste exchange, if applicable.
40. **Export**-with its grammatical variations and cognate expressions, means taking out of (Country) to a place outside (Country).
41. **Facility**-means any establishment wherein the waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out.



**42. Handling-**includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, bailing, crushing, loading, unloading, transportation, processing and disposal of wastes.

**43. Import-**with its grammatical variations and cognate expressions, means bringing into (Country) from a place outside (Country).

**44. Importer-**means a person who imports or intends to import and holds an Importer –Exporter Code number, unless otherwise specifically exempted.

**45. Incineration-**means an engineered process involving burning or combustion of solid waste to thermally degrade waste minerals at high temperature.



46. **Inert**-means wastes which are not bio-degradable, recyclable or combustible such as street sweeping dust and silt removed from the surface drains.
47. **Informal waste collector**-includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials.
48. **Institutional waste generator**-means and includes occupier of the institutional buildings such as government departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education organization, academy, hotels, restaurants, malls and shopping complexes.



- 49. Local authority/Local body-**for the purpose of this statute means and includes the municipal corporation, municipal council, municipal board, rural village councils, local town councils, census towns, notified areas and notified industrial townships with whatever name they are called in different states and union territories in (Country) (Regional/District Authority-Federal Authority).
- 50. Management(Biomedical waste)-**includes all steps required to ensure that bio-medical waste is managed in such a manner as to protect health and environment against any adverse effects due to handling of such waste.



**51. Multi-layered packaging**-means a material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, materialized layers or aluminium foil, either in the form of a laminate or coextruded structure.

**52. Non-biodegradable waste**-means any waste that cannot be degraded by microorganisms into simpler stable compounds.

**53. Occupier(Biomedical waste)**-means a person having administrative control over the institution and the premises generating biomedical waste ,which includes a hospital, nursing home, clinic, dispensary, veterinary institution, animal house, pathological laboratory, blood bank, health care facility and clinical establishment, irrespective of their system of medicine and by whatever name they are called.



- 54. Operator of a common biomedical waste treatment facility (CBMWTF)**-means a person who owns or controls a common biomedical waste treatment facility(CBMWTF) for the collection, reception, storage, transport, treatment, disposal or any other form of handling of biomedical waste.
- 55. Operator of disposal facility**-means a person who owns or operates a facility for collection, reception, treatment, storage and disposal of hazardous and other wastes.
- 56. Operator of facility**-means a person or entity ,who owns or operates a facility for handling waste which includes the local body and any other entity or agency appointed by the local authority.



**57. Plastic-**means material which contains an essential ingredient- a high polymer such as polyethylene terephthalate, high density polyethylene, vinyl, low density polyethylene, polypropylene, polystyrene resins, multi materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate , polybutylene terephthalate.

**58. Plastic sheet-**is a sheet made of plastic.

**59. Plastic waste-**any plastic discarded after use or after their intended use is over.

**60. Prescribed authority-**means the National Environment Management Agency at Federal, District Authority at District level, and Authorities at Local Level.



61. **Primary collection**-means collecting, lifting and removing segregated waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any location specified by the local body.
62. **Recovery**-means any operation or activity wherein specific materials are recovered.
63. **Recycler**-means any person who is engaged in recycling and reprocessing of waste electrical and electronic equipment or assemblies or their components and has facilities as elaborated in the guidelines of National Environment Management Agency.



64. **Recycling**-means the process of transforming segregated non-biodegradable solid waste into new material or product or raw material for producing new products which may or may not be similar to the original products.
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. **Sanitary Land Filling**-means the final and safe disposal of residual waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, windblown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants, slope instability and erosion.



67. **Sanitary Waste**-means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste.
68. **Segregation**-means sorting and separate storage of various components of solid waste after collection at secondary waste storage depots or bins for onward transportation of the waste to the processing or disposal facility.
69. **Service provider**-means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc.



**70. 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 biomedical waste excluding industrial waste, biomedical waste and e-waste, battery waste, radioactive waste generated in the area under the local authorities and other entities.

**71. 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 “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly.



- 72. Tipping Fee**-means a fee or support price determined by the local authorities or any district authority authorized by National Environmental Management Agency to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill.
- 73. Transport**-means off-site movement of hazardous or other wastes by air, rail, road or water.
- 74. Transportation**-means conveyance of waste either treated partly or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent foul odour, littering and unsightly conditions.



**75. **Transporter****-means a person or company or entity engaged in the off-site transportation of e-waste by air, rail, road or water carrying a manifest system issued by the person or company or entity who has handed over the e-waste to the transporter, giving the origin, destination and quantity of the e-waste being transported.

**76. **Treatment****-means the method, technique or process deigned to modify physical, chemical or biological characteristics, or composition of any waste so as to reduce its volume and potential to cause harm.



78. **Used oil**-means any oil-derived from crude oil or mixtures containing synthetic oil including spent oil, used engine oil, gear oil, hydraulic oil, turbine oil, compressor oil, industrial gear oil, heat transfer oil, transformer oil and their tank bottom sludge, and suitable for reprocessing.
79. **Utilization**-means use of hazardous or other waste as a resource.
80. **Vermi-composting**-means the process of conversion of biodegradable waste into compost using earth worms.
81. **Virgin plastic**-means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste.



**82. Waste-**means materials that are not products or by-products, for which the generator has no further use for the purposes of production, transformation or consumption.

- **Explanation-** for the purposes of this clause,
- (i) Waste includes the materials that may be generated during the extraction of raw materials, processing of raw materials into intermediates and final products, consumption of final products, and through other human activities excluding residuals recycled or reused at the place of generation.
- (ii) By-product means a material that is not intended to be produced but gets produced in the production process of intended product and is used as such.



**83. Waste hierarchy**-means the priority order in which the solid waste is to and should be managed by giving emphasis to prevention, reduction, reuse, recycle, recovery and disposal, with prevention being the most preferred option and disposal at the landfill being the least.

**84. Waste generator**-means and includes every person or group of persons, every residential premise and non-residential establishment including National Railways, Defence Establishments, which generate waste.

**85. Waste generator(construction waste)**-means any person or association of persons or institution, residential and commercial establishments including Railways, Airport, Port and Harbour and Defence establishments which undertake construction of or demolition of any civil structure which generate construction and demolition waste.



- 86. Waste management**-means the collection, storage, transportation, reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner
- 87. Waste oil**-means any oil which includes spills of crude oil, emulsions, tank bottom sludge and slop oil generated from petroleum refineries, installations or ships and can be used as fuel in furnaces for energy recovery.
- 88. Waste picker**-means a person or group of persons informally engaged in collection and recovery of usable and recyclable solid waste from the source of waste generation -streets bins, material recovery facilities, and processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.



## Chapter II Duties and Responsibilities of Waste Generator

### 4) Solid Waste Generator

(1) Every waste generator shall-

- a. Segregate and store the waste generated by them in four separate streams namely, **1. Biodegradable (including horticultural waste) 2. Non-biodegradable with recyclable materials 3. Sanitary Waste or 4. Household Hazardous Waste.**
- b. Handover wastes mentioned in rule 4(1) (a) to authorised waste pickers in the following manner: Biodegradable and Non-biodegradable shall be collected daily, Household Hazardous Waste shall be collected on a monthly basis.



- c. Wrap securely the used sanitary waste like diapers, sanitary pads etc. in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in a separate bag that shall be collected by the local authority once a week.**
- (2) No waste generator shall throw, burn or bury the waste generated by him/her on streets, open public spaces outside his premises or in the drains or water bodies.**
- (3) All waste generators shall pay such user fee for solid waste management as specified in the bye laws of the local authority as stated in **Annexure I.****



- (4) All residents, shops and market associations shall partner with the local authority to ensure segregation of waste at source by the generators as prescribed in these rules, to facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorized recyclers.**
- (5) The biodegradable waste shall be processed, treated and disposed of in a decentralised manner by composting or biomethanation. The residual waste shall be given to the waste collectors or agency as directed by local body.**



**(6) All gated communities, hotels, institutions with more than 10000 sq.m built up area, in partnership with local authority shall ensure segregation of waste at source as prescribed in these rules; process, treat biodegradable waste within the premises by composting; facilitate collection of segregated recyclable waste and handover recyclable materials to either the authorized waste pickers or the authorized recyclers; facilitate collection of hazardous waste and handover to the authorised waste pickers.**



- (7) No person shall organize an outdoor event or gathering where food is served without taking permission from the local authority along with payment of user fees as prescribed in the bye-laws of the local authority as stated in **Annexure 1**, at least three working days in advance and such 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 the local authority.**
- (8) All waste generators shall pay penalty/fines for violations as specified in the bye-laws.**



## 5) Biomedical Waste Generator

- (1) It shall be the duty of every occupier of an institution generating biomedical waste, which includes a hospital, nursing home, clinic, dispensary, veterinary institution, animal house, pathological laboratory, blood bank by whatever name called.**
  - a. To take all steps to ensure that such waste is handled without any adverse effect to human health and the environment.**
  - b. Make a provision within premises for a safe, ventilated and secured location for storage of segregated biomedical waste in coloured bags or containers as specified in Schedule I, to ensure that there shall be no secondary handling, pilferage or misappropriation of recyclables or inadvertent scattering or spillage by animals and the biomedical waste from such place or premises shall be directly transported in the manner as prescribed in these rules to the common biomedical waste treatment facility or for the appropriate treatment and disposal, as the case maybe, in the manner as prescribed in **Schedule I.****



- d. Local authority of the area shall collect and transport segregated non-biomedical solid waste generated in the health care facilities (HCF), and ensure that biomedical waste should not be mixed with solid waste.**
- e. Use of chlorinated plastic bags, gloves and blood bags shall be phased out as per the targets prescribed by the National Environment Management Agency (NEMA) or Ministry of Health, as deemed fit.**
- f. Occupier to provide training to all health care workers and others, involved in handling of biomedical waste at the time of induction and thereafter at least once every year, in consultation with Ministry of Health.**



- g. An annual report shall be made, which mentions the number of training programmes conducted, number of personnel that received training and also personnel not undergone any training.**
- h. Occupier shall ensure occupational safety of all its health care workers and others involving handling of biomedical waste by providing appropriate and adequate personal protective equipment.**
- i. Occupier shall conduct health check up at the time of induction and at least once in a year for its health care workers and others involved in handling such waste, and maintain the records for the same.**
- j. Occupier shall inform the prescribed authority in the incidence of refusal of collection of biomedical waste, either within the intended time or as per the agreed time, whichever earlier.**



- k. Occupier shall maintain and update the biomedical waste management register daily, according to category and colour coding of such waste as specified in **Schedule I****
  
- l. Occupier shall make available the annual report on its website, within two years from the date of the commencement of these rules.**
  
- m. Occupier shall report major accidents including accidents caused by fire hazards, blasts during handling of biomedical wastes along with the remedial action and relevant steps taken in such occurrences; such a report shall be a part of the Annual report.**



## **6) Construction and Demolition Waste Generator**

- a. Every waste generator shall be responsible for collection, segregation of concrete, soil, steel, wood and plastic, and storage of construction and demolition waste generated as directed or stipulated by local authorities.**
  
- b. The generator shall ensure that other waste (such as solid waste) does not get mixed with this waste and is stored and disposed separately.**
  
- c. Every waste generator shall keep the construction and demolition waste within the boundaries of the premises or shall have it collected for being deposited to the collection centre made by the local body or hand it over to the authorized processing facilities of construction and demolition waste.**



- d. Every waste generator shall pay relevant charges for collection, transportation, processing and disposal as notified by the concerned authorities.**
  
- e. The rate of the relevant charges shall be fixed by the concerned local authorities or any other authority designated by the state government.**



## **7) E-waste Generator**

- a. Consumers (individual) or Bulk consumers of electrical and electronic component listed in Schedule II shall ensure that e-waste generated by them is collected and deposited in the collection centre or dealt through authorized collector.**
- b. Bulk consumer of electrical and electronic equipment listed in Schedule II shall maintain records of E- waste generated by them in a Format given in Annexure II.**
- c. Records mentioned in rule 7(b) shall be available for scrutiny by the concerned authority.**



## **8) E-waste Producer and Dealer**

- a. The producer of electrical and electronic equipment listed in Schedule I shall be responsible for implementing the Extended Producers Responsibility with the following frameworks, namely:-**
- (i) collection and channelisation of e-waste generated from the ‘end-of-life’ of their products or ‘end-of-life’ products with same electrical and electronic equipment code and historical waste available on the date from which these rules come into force**
  - (ii) the mechanism used for channelisation of e-waste from ‘end-of-life’ products including those from their service centres to authorised dismantler shall be in accordance with the Extended Producer Responsibility - Authorisation.**



- (iii) Extended Producer Responsibility - Authorisation should comprise of general scheme for collection of E-waste through buy-back arrangement, exchange schemes, Deposit Refund System, etc. whether directly or through any authorised agency and channelising the items so collected to authorised recyclers;**
  
- (iv) providing contact details such as address, e-mail address, toll-free telephone numbers or helpline numbers to consumer(s) or bulk consumer(s) through their website and product user documentation so as to facilitate return of end-of-life electrical and electronic equipment;**
  
- (v) creating awareness through media, publications, advertisements, posters, or by any other means of communication;**



**(vi) the producer shall opt to implement Extended Producer Responsibility individually or collectively. In individual producer responsibility, producer may set up his own collection centre or implement take back system or both to meet Extended Producer Responsibility. In collective system, producers may tie-up**

**b. In case the dealer has been given the responsibility of collection on behalf of the producer, the dealer shall collect the e-waste by providing the consumer a box, bin or a demarcated area to deposit e-waste, or through take back system and send the e-waste so collected to collection or dismantling centre, as designated by producer;**



## **Chapter III**

### **Duties and Responsibilities of Regulator**

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#### **9) Local Authority**

**Local authority shall –**

- a. Prepare a solid waste management plan in consultation with the district authority/provincial government as per policy and guidelines issued by the national authority (ministry of environment/environment protection agency /authority) as it may deem fit to the Federal Government.**



**b. Arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises, multi –story buildings, large commercial complexes, housing complexes, hotels and restaurants, etc. This may be collected from the entry gate or any other designated location in the following manner: Collection for Biodegradable and Non-biodegradable waste shall be done daily, Sanitary Waste shall be collected on a weekly basis, Household Hazardous Waste shall be collected on a monthly basis.**



- c. Establish a system to recognize organization of waste pickers or informal waste collectors and promote and establish a system for integration of these authorized waste pickers and waste collectors to facilitate their participation in solid waste management, including door to door collection.**
- d. Device mechanisms to incentivise waste pickers or informal waste collectors such as promotion of recycling initiatives.**
- e. Frame bye laws incorporating provisions of these rules. [suggested by laws given in **Annexure I**]**
- f. Prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorized agency.**



- g. Direct waste generators not to litter i.e. throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs, fruit peel, wrapper, etc or burn or bury waste on street, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to the waste pickers or waste collectors authorized by the local authority.**
  
- h. Impose heavy fines and penalties for littering/burning of waste as prescribe in the bye-laws.**



- i. Collect waste from vegetable, fruit, flower, meat, poultry and fish market on a daily basis and promote setting up of decentralized compost plant or biomethanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions as per the guidelines laid down by National Environmental Management Agency (Annexure III)**
  
- j. Provide and maintain sufficient number of litter bins of sufficient size on public roads, historical and religious places, commercial areas, etc.**



- k. Collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days depending on the density of population, commercial activities and local situation.**
  
- l. Set up facility for temporary storage of street sweeping and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. .Waste so collected shall be disposed of at regular intervals as decided by the local body.**
  
- m. Transport segregated biodegradable waste to the processing facilities like compost plants, biomethanation plants or any such facilities. Preference shall be given to decentralised processing, wherever applicable.**



- n. Transport non-biodegradable recyclable waste to the respective processing facility or material recovery facility or secondary storage facility.**
- o. Transport construction and demolition waste as per the provisions of the rules.**
- p. Develop model for septage treatment and disposal in a decentralised manner.**
- q. Involve communities in waste management and promotion of home composting, biomethanation, decentralized processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility.**



- r. Create market linkages for compost in order to push for decentralised processing**
  
- s. Facilitate in consultation with district/provincial authorities to setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorized waste pickers and waste collectors to separate recyclables from the waste, and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste from the source of generation or from material recovery facilities.**



- t. Bins/bags for storage of biodegradable waste shall be painted green, those for storage of non-biodegradable recyclable waste shall be printed blue and those for storage of household hazardous waste shall be printed red.**
  
- u. Undertake on their own or through any other agency construction, operation and maintenance of sanitary landfills and associated infrastructure for disposal of residual waste in a manner prescribed under these rules.**
  
- v. Create awareness through Information, Education and Communication (IEC) campaign and educate the waste generators on minimal generation of waste, not to litter, reuse the waste to the extent possible, practice segregation, appropriate storage of segregated waste at source and payment of monthly user fees.**



## 9.2) Duties of District / Regional Authorities

**The District / Regional Authorities shall-**

- a. Enforce these rules in their district through local bodies, in their respective jurisdiction and review implementation of these rules at least twice a year, in close coordination with National Environment Management Agency.**
- b. Monitor environmental standards and adherence to conditions as specified by the National Environment Management Agency.**
- c. District authority shall assist the local authorities on allocation of land for sanitary landfill (as minimal as possible) and land for recycling facilities as per the guidelines laid by the National Environment Management Agency. Selection criteria for site selection of sanitary landfill is given in Annexure IV.**



- d. Shall grant authorization to the local bodies or its authorized agencies for construction, operation of sanitary landfills and recycling facilities.**
  
- e. It shall also identify the land for biomedical waste treatment facility and authorize the facilitator for construction and operation of such biomedical waste facilities. Format for application and authorisation is given in **Annexure V and VI** respectively.**
  
- f. Shall grant authorization to dismantling facilities of electronic and electrical wastes.**



## **9.3) Duties of National Environmental Management Agency (NEMA)**

**The National Environmental Management Agency shall-**

- a. Coordinate with the District/Regional/Provincial Authority for implementation of these rules and adherence to the prescribed standards by the District/Regional Authorities.**
- b. Formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities**
- c. Review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required.**

- d. Review in consultation with the District/Regional authorities, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them.**
  
- e. Review the proposals of the District/Regional authority or local authorities for implementation of these rules by local bodies.**
  
- f. Prepare an annual report on implementation of these rules on the basis of reports received from District/Regional Authorities and submit it to the Ministry of environment, forest and climate change; the report shall be put in public domain.**



- g. Publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tonnes per day of solid waste.**
  
- h. Publish guideline from time to time on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules.**
  
- i. Provide guidance to district and local authorities on inter-district movement of waste.**



## **Chapter IV**

### **Constituting National Advisory Council on Waste Management**

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#### **10.1) Constitution of National Advisory Council headed by Ministry of Environment**

**It shall constitute a National Advisory Council headed by Minister of Environment and Other Members shall be**

- 1. Secretary, Ministry of Urban Development**
- 2. Secretary, Ministry of Health**
- 3. Secretary, Ministry of Local Self**
- 4. Three members from District/ Region authorities by Rotation.**
- 5. Representation from Chamber of Commerce**
- 6. Two Subject experts, to be nominated by Minister**
- 7. Secretary, Ministry of Environment, Member Governor**



## **10.2 Duties and Responsibilities of National Advisory Council**

- 1. Take periodic review of the measures taken by District/Regional Authority and Bodies for improving waste management practices and give advice on taking concrete corrective measure.**
- 2. Formulate national policy and strategy on waste management.**
- 3. Advise the Government for development of consolidated fund through International Association including soft loan from international bank/financial assistance.**
- 4. Strategy of private public partnership including Extended Producers Responsibility on establishment of facilities on recycling of plastic waste, collection and dismantling centres for electronic and electrical waste.**



- 5. Identification of optimal number of biomedical waste management facilities and its location so that the maximum utilization of biomedical waste can be done with a minimum number of facilities**
  
- 6. Undertake training and capacity building of local bodies, health care facilities, District /Regional Administration.**
  
- 7. Develop in consultation with the local authority a comprehensive mass awareness programme.**



## Chapter V

# Duties and Responsibilities of Facilitator of Common Facilities of Waste Management

### 11.1) Criteria for duties regarding setting up solid waste processing and treatment facility (landfill)

- a. District Authority in consultation with Land and Land Revenue Department and Local Authority shall be responsible for providing suitable land as per the guidelines laid down in **Annexure VI** for setting up of the solid waste processing and treatment facilities as per guidelines by National Environment Management Agency and notify such sites as per the law of the land. In case of close proximity towns, common facilities may be given priority.



- b. The operator of the facility shall design and set up the facility as per the technical guidelines issued by the National Environment Management Agency in this regard from time to time.**
  
- c. The operator of the facility shall obtain necessary approval from the District Authority.**
  
- d. The District Authority shall inspect /monitor the environmental standards of the operation of the solid waste processing and treatment facilities as stipulated by National Environment Management Agency and adherence to approval conditions.**



- e. The operator of the facility shall be responsible for safe environment facilities as per the guidelines issued by National Environmental Management Agency.**
  
- f. The operator of solid waste processing and treatment facility shall submit annual report to district authority as well as local authority. The format for Annual report shall be prescribed by District Authority**



## **11.2. Criteria for Duties regarding setting up of Material Recovery of recyclable materials (paper/plastic/glass)**

- a. District Authority in Cooperation/Consultation with Local Authorities shall take initiative to set up material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorized waste pickers and waste collectors to separate recyclable from the waste pickers or recyclable for collection or segregation of recyclable waste such as paper, plastic, metal, glass and textile from the source of generation or from material recovery facilities.**



**b. District Authority in consultation with land and land revenue department and local authority shall be responsible for providing suitable land for setting up the recycling facilities and notify such sites as per the law of the land. District Authority, in order to ensure scale of operation, may create one such facility in its jurisdiction or in cooperation with other neighbouring districts for more than one district considering the cost of transportation.**



- c. The operator of the facility shall design and set up the facility as per the technical guidelines/manual issued by the National Environment Management Agency in this regard from time to time.**
  
- d. The operator of the facility shall apply to the local authority for obtaining authorization in format to be prescribed by National Environment Management Agency. The local authority after scrutinizing the application will forward to district authority for consideration. District authority after examining the proposal with due diligence shall grant authorization for operation of facility.**



- e. The District Authority shall inspect/monitor the environmental standards of the operation of recycling facilities as stipulated by National Environment Management Agency and adherence to approval condition.**
  
- f. The operator of the facility shall be responsible for the safe and environmentally sound operation of the recycling facilities as per the guideline issued by National Environmental Management Agency.**
  
- g. The operator of recycling facility shall submit annual report to District Authority as well as local authority in a prescribed format notified by District Authority.**



## 11.3) Criteria for duties regarding setting up of Biomedical Waste management facility

- a. **National Environment Management Agency in consultation with ministry of Health and National Advisory council shall identify the districts for location of Biomedical Waste Management Facilities. District Authority herein after consultation with land and land revenue department shall notify the land for said purpose as per law of the land.**
  
- b. **The operator of the facility shall design and set up the facility as per the technical guidelines/manual issued by the National Environment Management Agency in this regard, from time to time.**
  
- c. **The National Environment Management Agency after being ensured the adequacy of facility directed to all health care facilities preferably within 150-200 kilometres of the facility will allow to dispose their waste duly segregated as per **Schedule I**.**



- d. Ministry of Health shall develop a protocol for health care facilities on biomedical waste management and organize capacity building programme in order to adhere to the protocol. Ministry of Health shall inspect the health care facilities and direct the facility to rectify, accordingly.**
  
- e. The operator of Common Biomedical Waste Treatment Facility shall transport the biomedical waste from the premises of an occupier to any off site biomedical waste treatment facility only in the vehicles having a label as provided in Part “A” of the Schedule III along with necessary information as specified in Part “B” of the Schedule III.**



- f. The vehicles used for transportation of biomedical waste shall comply with the conditions stipulated in the Motor Vehicles Rules of the Land.**
  
- g. The National Environment Management Agency shall inspect the Biomedical Waste Management facility time to time and direct accordingly. The Inspection shall also be extended to transportation facility.**



- h. The operator of the facility shall apply to the National Environment Management Agency for obtaining authorization in the stipulated application form as per notification of National Environment Management Agency (Annexure V). The said authority being satisfied with the adequacy of facility shall authorize accordingly with a validity period of 3 years, which is to be renewed six months before the expiration of its validity (Annexure VI).**
  
- i. The National Environment Management Agency, has the right to withdraw the authorization, if not found satisfactory at the time of inspection.**
  
- j. Medicines that have exceeded their date of expiry shall be collected from households and shall be sent to biomedical waste facilities through local authorities. Local Authorities with the help of brand owner of medicine shall authorize the retailer for collection of such expired date medicines.**



## **11.4) Extended producer responsibility: Registration and Authorization**

- a. The producer/manufacturer shall register themselves with National Environmental Management Agency.**
- b. The responsibility of a producer, who is engaged in production and manufacturing and such similar business, is to apply for obtaining authorization from National Environmental Management Agency with EPR.**
- c. The National Environmental Management Agency shall examine the proposal with due diligence and grant authorization for implementing the plan.**
- d. The activities accomplished in the plan shall be submitted to National Environmental Management Agency in a consolidated annual report.**



## Chapter VI Import and Export of Waste

**12.1)**

- a. No import of waste is admissible for the purpose of treatment and disposal.**
- b. Import of waste for the purpose of recycling and dismantling, is admissible.**
- c. Purpose mentioned in rule 13.1(b) can be enlisted by National Environment Management Agency in consultation with National Advisory Council on Waste Management.**

## **12.2)**

- a. Export of waste shall only be allowed for the purpose of recycling of dismantled waste, e- waste and expired or discarded medicines under extended producer responsibility programme.**
  
- b. The export of waste shall be duly authorized by the National Environment Management Agency.**



## **Chapter VII**

# **Funds, Budget on Integrated Waste Management**

- 13) National Fund for Integrated Waste Management Programme**
- (1) National Environment Management Agency shall have its own fund exclusively on waste management. All sums which may from time to time be paid to it by the Federal Government and all other receipts (by way of gifts, grants, donations, benefactions {fees} or otherwise) of that Agency shall be carried to the fund of the Agency and all payments by the Agency shall be made therefrom.**
- (2) The expenditure heads shall be confined to capacity building of district/local authority and health care facilities, tipping fees to local authorities for operation and construction of composting/biomethanation plants, landfills, etc.**



**14) Contribution by Federal Government** The federal government, after due appropriation made by parliament by law in this behalf, make in each financial year such contributions to the National Environment Agency as it may think necessary for the Agency to perform both developing and regulatory functions under the rules.

**15) Federal Government shall introduce “waste cess” to tourists visiting the country. The “waste cess” thus collected shall be deposited to consolidated fund for waste management as referred in rule 13.**



## **16) Budget on Specific Purpose on Waste Management**

**The National Environment Management Agency during each Financial year shall prepare in such form and at each time as may be prescribed, a budget in respect of the next financial year ensuring the estimated receipt and expenditure, and copies there of shall be forwarded to the Federal Government.**



## **17) Annual Report**

**The National Environment Management Agency, shall during each financial year prepare, in such form as may be prescribed, an annual report giving full accounts of its activities under these rules including a report of activities during the previous financial year and copies thereof shall be forwarded to the Federal Government.**



## Chapter VIII **Legal Provisions**

### **18) Power to Give Direction**

**Notwithstanding anything contained in any other law, but subject to the provisions of these Rules, and to directions that the Federal Government may give in this respect, a district authority may, in the exercise of its powers and performance and its functions under these rules, issue any directions in writing to the operator or occupier of municipal waste land fill, recycler of plastic waste or dismantler of waste, and such operator /occupier shall be bound to comply with such directions.**



## **19) Appeals**

- 1. Any person aggrieved by an order made by the district authority under rule 19, may within thirty days from the date at which the order is communicated to him, file an appeal to such authority (hereinafter referred to as the Appellate Authority) as the Federal Government may think fit to Constitute.**
  
- 2. An Appellate Authority shall consist of three persons as the federal government may think fit, to be appointed by the government.**
  
- 3. The form and manner in which an appeal may be preferred under rule 19(1), the fees payable for such appeal and the procedure to be followed by the Appellate Authority shall be such as may be prescribed by the Federal Government on separate notification.**



## **20) Power to make notifications**

**The Federal Government may issue notification/prescription of procedure time to time as admissible under these rules.**