

Need for adoption of SWM byelaws in cities

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Solid Waste Management (SWM) rules, 2016

As per SWM rules 2016, *under 15. Duties and responsibilities of local authorities.- The local authorities shall,-*

- *Frame bye-laws* incorporating the provisions of SWM rules within one year from the date of notification of 2016 rules and ensure timely implementation;
- Prescribe criteria for levying of spot fine for persons who litters or fails to comply be levy spot fines as per the bye laws framed



Major highlights of SWM rules, 2016

- 1) Segregation at source
- 2) Collection and transportation
- 3) Waste Processing
- 4) Disposal
- 5) Impose user-fees
- 6) Penalties for non-segregation



Major highlights of draft byelaws as per SWM rules, 2016

1) Segregation at source

The owners and occupiers of premises within the municipal area shall segregate waste under three categories:

- (a) Organic or biodegradable wastes (called wet waste)
- (b) Recyclable or non-biodegradable wastes (called dry waste)
- (c) Domestic hazardous wastes



2) Collection and Transportation

The (city) municipal corporation shall develop an effective collection system to collect and transfer segregated waste for processing.

Responsibility of ULBs:

- Collection of segregated waste
- Sanitary and domestic biomedical waste to the nearest common BMWWT facility.
- Horticulture waste from public parks and gardens.
- C&D waste generated in the municipal area.
- Inert waste from road sweepings, de-silting of drains, digging of roads & public spaces for various activities etc. is collected



3) Processing

- Horticultural waste generated in residential and commercial areas should be composted within the premises or sent to the nearest compost facility of the corporation.
- ULBs shall be responsible for composting of horticulture waste from public parks and gardens.



4) Disposal

- Expired medicines or chemicals collected shall be given to the concerned medicine distributor for safe disposal under the Extended Producer Responsibility (EPR) programme.
- Disposal of C&D waste generated in the municipal area.
- Inert waste to be disposed of in a time-bound manner at a specific site as notified.



5) User fee

The (city) municipal corporation shall levy the following user fees for waste management

S. no.	User category	Monthly user charge
A.	Residential	
1	Residential house (per family, flat or house)	
2	Slums and below-poverty-line residences	
B.	Non-residential	
1.	Street vendors	
	c) Without structure (roadside)	
	d) With structure	
2.	Eating joints, restaurants, cafes, sweet shop, coffee house etc.	
3.	Meat, fish and poultry shops	
4.	Other shops	
5.	Restaurants (Non-AC)	
6.	Restaurants (AC)	
7.	Guest houses	
8.	Malls	
9.	Hostels	
10.	Dharmshalas	
11.	Star or equivalent hotels	
12.	Commercial and government offices and educational institutions per unit	
13.	Banks and insurance offices	
14.	Coaching classes	



C.	Health service institutes (except biomedical waste)	
1.	Clinics per unit	
	Dispensaries and laboratories	
2.	Hospitals (up to 50 beds)	
3.	Hospitals (more than 50 beds)	
D.	Others	
1.	Religious places	Religious centres can willingly contribute to cleanliness in and around their premises
2.	Small-scale industries, cottage units, workshops, petrol pumps (only non-hazardous waste)	
3.	Cold storage, godowns and storage areas where large amount of waste is generated	
5.	Marriage and event halls, exhibitions, and fairs	
6.	Others	
E.	User charges for bulk collection	
1.	C&D waste	-----/ tractor truck
2.	C&D waste	-----/ tipper truck



6) Fines/ penalty : The (city) municipal corporation shall be empowered to levy fine from households, owners or occupiers of the premises for not abiding with the bye-laws and for littering in public areas. The amount of fine shall be as follows:

S. no.	Category	Amount of fine or penalty
(i)	Guest houses, hostel, star or equivalent hotel, commercial offices, government offices, banks, insurance offices, educational institutions, malls, clinics, dispensaries, laboratories, hospitals, cold storage, godowns, marriage and event halls, exhibition and fairs, and storage areas where large amount of waste is generated.	1st offence: Warning 2nd offence – ----- Every subsequent offence – -----
(ii)	Eating joints, restaurants, cafes, sweet shops, coffee houses, meat, fish and poultry shops, coaching classes, petrol pumps, small-scale industries, cottage units, workshops (only non-hazardous waste) etc.	1st offence: Warning 2nd offence – ----- Every subsequent offence – -----
(iii)	Street vendors, with or without a structure	1st offence: Warning 2nd offence – ----- Every subsequent offence – -----
(iv)	Any other commercial establishments other than those mentioned in serial no. (i), (ii) and (iii)	1st offence: Warning 2nd offence – ----- Every subsequent offence – -----
(v)	Households and individuals	1st offence: Warning 2nd offence – ----- Every subsequent offence – -----
(vi)	Open burning of the waste	1st offence: Warning 2nd offence – ----- Every subsequent offence – -----

(vi)	Penalty for dumping C&D waste	
A	Penalty for dumping of C&D waste on road or on public spaces by individual without prior permission	-----/day + amount for sending municipal vehicle to lift and dispose the C&D waste
B	Penalty for dumping of C&D waste by commercial premises, industry or any other bulk generator	-----/ tonne/ day + amount for sending municipal vehicle to lift and dispose the C&D waste
(vii)	Mixing of biomedical waste with municipal waste by hospitals, nursing homes, clinic, pathology lab etc.	1st offence: Warning 2nd offence ----- Every subsequent offence -----
(viii)	Non-compliance in approval from corporation for event by marriage halls, event halls, exhibition, and fairs etc.	-----/day

Status of byelaws in forum cities

Sl.No	City	Bye-laws enacted (Y/N)	Sl.No	City	Bye-laws enacted (Y/N)
1.	Alappuzha	N	14.	Mysuru	N
2.	Balaghat	N	15.	Panchgani	Y
3.	Bengaluru	N	16.	Patna	N
4.	Bhopal	N	17.	SDMC	Y
5.	Bobilli	Y	18.	Thiruvananthapuram	N
6.	EDMC	Y	19.	Vaijapur	N
7.	Gangtok	N	20.	Vengurla	Y
8.	Gaya	N	21.	Ambikapur	Y
9.	Greater Hyderabad	N	22.	North DMC	Y
10.	Gurugram	N	23.	Ahmedabad	N
11.	Imphal	N	24.	Karjat	N
12.	Indore	Y	25.	Birgaon	N
13.	Muzaffarpur	Y	26.	Howrah	N

Why bye-laws are important?

- Required to supplement and support the efforts of ULBs to implement SWM in an effective manner
- Thereby cementing the work with guidelines
- Enforce the waste segregation activities from source segregation to levy fines and penalty.



How it affects?



Collection point , everyone complains of stench and nuisance



But we want this across India



Segregate



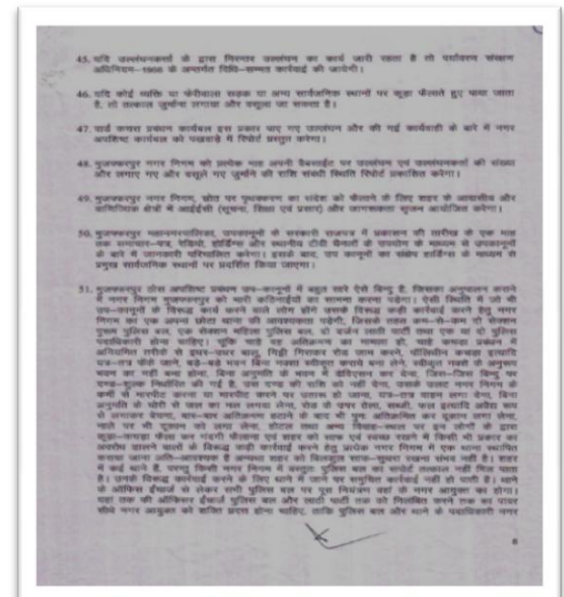
Collection of segregated waste



Use compost to farm crops



Muzaffarpur has become the first city in Bihar to have its byelaws on solid waste management, passed by the elected board.



GROUP DISCUSSION



How Forum Cities can take byelaws forward?

- Working group to finalise and update byelaws?
- Timeline for completion and adoption of byelaws?
- Stakeholders engaged in this process?
- Any other suggestions



CHANGE IS POSSIBLE
THANK YOU

