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புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு EXTRAORDINAIRE EXTRAORDINARY

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OULGARET MUNICIPALITY, PUDUCHERRY

No. 4739/OM/Rev./User Charges/2017.

Puducherry, dated 13th August 2018.

NOTIFICATION

The cultural and civilizational rating of any section of the society draws its weightage from the environmental back drop which gives a thrust on sanitation and the green growth. Puducherry in its four enclaves has a rich heritage with its historical tapestry of the colonial French culture over centuries. The aspects of heritage with its monuments and the present scenario have been attracting heavy inflow of tourists perennially. Over the decades since independence, the sleeping residential town has graduated with all urban characteristics with a host of commercial and industrial enterprises.

The relevance of maintenance of absolute sanitation is a grass root level function entrusted with Local Self Government, statutorily and by convention. This message obtained the momentum and national level importance with the launching of Swachh Bharat Mission on 2nd October, 2014 to fulfill the dream of Mahatma Gandhi targeting the achievement of total sanitation by 2nd October, 2019.

Total sanitation and attainment of a healthy environment though the basic function of the Municipality is also the primary duty of every citizen and binding on him with participatory functions and responsibility. We shall achieve and ensure a clean hygienic environment with the green growth making it beautiful and giving aesthetics and peace of mind. The effective management of collection, transportation and disposal of solid and semi-solid wastes from public premises as well as private premises is a herculean task involving human effort as well as mechanical assistance which calls for financial resources which in turn sits with a heavy burden on the fiscal status of the Local Body requiring it to mobilize additional source of income and therefore, this introduction of the "Bye-laws for levy of collection charges for removal of solid wastes from residential and non-residential premises, 2017".

The Authorised Officer who has been appointed by the Government *vide* Notification issued in G.O. Ms. No. 34/LAS/A4/2015, dated 25-03-2015 of Local Administration Secretariat, Puducherry to exercise all the powers and duties conferred and imposed upon the Municipal Council has resolved to levy collection charges (*i.e.*, charges for door to door collection of wastes, its transportation and its disposal) on all residential households and the non-residential buildings situated within the territorial limits of the Oulgaret Municipality. The Draft of the Bye-laws thus framed is as follows:—

DRAFT BYE-LAWS

In exercise of the powers conferred by section 443 of the Puducherry Municipalities Act, 1973 (No. 9 of 1973), read with Rule 15(e) of the Solid Waste Management Rules, 2016 notified by the Ministry of Environment, Forest and Climate Change, Government of India on 8-4-2016 in the Extraordinary Gazette Part-II, No. 861 of the Government of India, the following proposed Bye-laws, is hereby published as Draft Bye-laws for information of all persons likely to be affected thereby and notice is

hereby given that the said Bye-laws will be taken into consideration after the expiry of 15 (fifteen) days from the date of its publication in the Official Gazette.

2. Any objection or suggestion which may be received from any person in respect of the said Draft Bye-laws before the expiry of the period specified above, will be taken into consideration. The objection or suggestion may be addressed to the Commissioner, Oulgaret Municipality, Jawahar Nagar Main Road, Puducherry-605 005.

CHAPTER-I

Preliminary

1. *Short title and commencement.*—(1) These bye-laws may be called “Levy of Collection Charges for Removal of Solid Waste from Residential and Non-Residential Premises, 2017”.

(2) These bye-laws shall be deemed to have come into force with effect from 15-5-2017.

2. *Application.*—These bye-laws shall apply to all the areas situated within the territorial limit of Oulgaret Municipality.

3. *Definitions.*—In these bye-laws, unless the context otherwise requires:—

(i) “collection” means picking up and removing solid waste/ semi-solid wastes from residential and non-residential premises;

(ii) “collection charges” means a charge imposed by the Municipality on the waste generator towards the cost of collection and removal of solid waste from residential and non-residential premises;

(iii) “construction and demolition waste” means the waste comprising building materials, debris and rubble resulting from construction, re-modeling, repair and demolition of any civil structure;

(iv) “dry waste” means waste other than food waste and inert and includes recyclable waste, non-recyclable waste, combustible waste and sanitary waste;

- (v) “form” means a form appended to these bye-laws;
- (vi) “handling” includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, balling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;
- (vii) “incineration” means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
- (viii) “institutional generator” means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organization, academy, hotel and restaurants;
- (ix) “non-biodegradable waste” means any waste that cannot be degraded by micro organisms into simpler stable compounds;
- (x) “plinth area” means built-up covered area measured at the floor level of the basement or any storey of a building;
- (xi) “sanitary waste” means wastes comprising used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
- (xii) “schedule” means the schedule appended to these Bye-laws;
- (xiii) “solid waste” means and includes solid or semi-solid domestic waste including 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 waste, garden waste, construction and demolition waste and treated bio-medical waste but, excluding industrial hazardous waste, and e-waste;
- (xiv) “storage” means keeping the solid waste temporarily in bins in such a way so as to prevent the waste from spilling, attracting disease carriers like insects, *etc.*, and emission of bad smell;

(xv) “treated bio-medical wastes” means the wastes generated in hospitals and health care institutions which have been prescribed as treatment as treated in accordance with Bio-Medical Waste (Management and Handling) Rules, 1998, as amended from time to time;

(xvi) “treatment” means the method, technique or designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm; and

(xvii) “waste generator” means and includes every person or group of persons or residential and commercial establishments which generate solid waste or semi-solid waste.

CHAPTER-II

Prohibition of Littering or Depositing or Storing or Throwing any waste on Public Roads, Streets, Places, *etc.*

4. No person or group of persons or institution or establishment or organization either public or private or Government shall litter or deposit or store or throw any waste as defined in bye-law 3 on any road/ street/lane or open place or public place or drain or water body.

CHAPTER-III

Storing of Wastes in the Premises of Waste Generators

5. It shall be mandatory for all the citizens to get the solid waste generated from their place properly packed and closed in a carry bag of 51 micron and above and it shall be kept in a bin with lid, without spilling and properly closed.

6. It shall be the responsibility of all the Co-operative Societies, associations, residential complexes and commercial establishments to place suitable containers of their own at suitable places within their premises so that the daily garbage collected there can be stored properly and removed by the employees or the authorized agent of the Municipality.

7. The waste from butcheries, meat and fish markets, fruit and vegetables is of a bio-degradable nature. Therefore, this shall be kept or stored in a suitable container with lid, properly closed so that it does not spread any infectious diseases or obnoxious smell.

8. Bio-medical waste and industrial waste shall not be mixed with solid waste.

9. Sanitary wastes shall be wrapped securely in a carrier bag of 50 micron and above or bio-degradable wrapping material and it shall be placed in the bin.

10. Horticulture waste or agriculture waste or garden waste shall be stored in the premises of the waste generator and such waste shall be handed over to the sanitary workers of the Municipality or the agent authorized by the Municipality for collection of waste, when they come for door-to-door collection of waste.

11. No waste of any kind shall be burnt either in the premises of the waste generator or in any public place or open place which may cause air pollution and health hazard to the public.

12. The management of construction and demolition waste shall be strictly made in accordance with the bye-laws notified by Oulgaret Municipality under the title "Bye-laws for regulating the use of the road portions for stacking building materials and for removal of debris, rubbish, filth, *etc.*, stacked/thrown on road portions".

13. Bio-medical waste shall be treated in accordance with the Bio-Medical Waste (Management and Handling) Rules, 1998, as amended from time to time. The treated bio-medical waste shall be securely packed and handed over to the sanitary workers of the Municipality or the authorized agent of the Municipality for collection of waste, when they come for door-to-door collection of the waste.

CHAPTER-IV

Collection of Wastes from Residential and Non-residential Premises by the Municipality

14. The Municipality shall arrange to collect only the following solid or semi-solid waste from each residential and non-residential premises either through its own employees or through the authorized agent:—

- (i) Solid Domestic Waste;
- (ii) Semi-solid Domestic Waste;
- (iii) Sanitary Waste;
- (iv) Commercial Waste;
- (v) Institutional Waste;
- (vi) Catering Waste;
- (vii) Market Waste;
- (viii) Horticulture Waste;
- (ix) Agriculture Waste;
- (x) Garden Waste;
- (xi) Construction and Demolition Waste; and
- (xii) Non- Biodegradable Waste.

15. The following wastes shall not be collected door-to-door by the Municipality and the waste generator shall make his own arrangement for the disposal of such waste in accordance with the provisions contained in (i) The Bio-Medical Waste (Management and Handling) Rules, 1998, as amended from time to time (ii) Municipal Solid Wastes (Management and Handling) Rules, 2000, as amended from time to time and (iii) Plastic Wastes (Management and Handling) Rules, 2011, as the case may be:—

- (i) Hazardous Waste;
- (ii) Untreated Bio-Medical Waste;
- (iii) Chemical Waste; and
- (iv) Untreated Industrial Waste.

16. The time for collection of waste will be fixed in each area to collect the waste from each residential building or the source of waste generation. Usually, the time will be from 7.00 a.m. to 11.00 a.m. in the morning. A bell /horn or any other befitting device will be fitted on the vehicle meant for collection and transportation of waste so that the residents can be made aware of collection timing.

17. The time for waste collection from non-residential buildings/ premises shall be from 9.00 a.m. to 12.00 noon in general.

CHAPTER-V**Payment of Collection Charge by the Waste Generators to the Municipality**

18. Each waste generator as specified in the Schedule-I appended to these bye-laws shall pay the collection charge, every month/every day as the case may be to the Municipality at the rates as prescribed in the said Schedule.

19. The rates of collection charge shall be increased by at least 10% (ten percent) for every 3 (three) years.

CHAPTER-VI**Self Assessment of Collection Charge by the Waste Generator**

20. The collection charge shall be self assessed by the waste generator himself on the basis of the rates of collection charges as prescribed in the Schedule-I under these bye-laws.

21. Each waste generator shall furnish a report on self assessment of collection charge in the Form-I appended to these bye-laws to the Commissioner of this Municipality.

22. In the event of any change either in the plinth area of the building/premises or usage of the building or category, the waste generator shall immediately report to the Commissioner in the above-mentioned Form.

CHAPTER-VII**Serving of Bills/Demand Notice Claiming Collection Charge to the waste Generators**

23. (i) The bill/demand notice claiming collection charge shall be in Form-II appended to these bye-laws and it shall be served to the waste generator, before 10th of every succeeding month, either by post or in person.

(ii) Notwithstanding anything contained above, the waste generator shall be liable to pay collection charges as fixed unless for any revision even without the notice of demand/bill.

CHAPTER-VIII

Mode of payment of collection charge to the Municipality

24. The collection charge shall be paid to the Municipality, every month within 5 (five) days of the date of receipt of the bill, through any one of the following methods:—

- (i) through the bank authorized by the Municipality;
- (ii) online method using internet; and
- (iii) direct payment to the Bill collectors/employees of the Municipality or to the authorized agent of the Municipality.

25. The receipt shall be given to the waste generator in Form-III appended to these bye-laws.

CHAPTER-IX

Action Against the Defaulters

26. If, the waste generator fails to pay the collection charge within the aforesaid period, the collection of wastes generated in his premises shall be stopped forthwith, without any further notice and it shall be binding on him to transport the waste to the Municipal dumping yard at his own expenses.

27. A penal interest of 10% (ten percent) shall be levied on every delayed payment.

28. Distraint action shall also be taken against the waste generator for his failure in payment of collection charge under the provisions of the section 177 of the Puducherry Municipalities Act, 1973.

CHAPTER-X

Levy of Collection Charges for Littering in Public Premises

29. Whoever contravenes the provisions of bye-law 4 by littering in public places shall be liable to pay carrying charge at 100% (hundred percent) above the rate of collection charge as prescribed in the Schedule-II appended to these bye-laws in addition to the collection charge.

SCHEDULE-I

Rate of Charges for Collection of Wastes

Sl. No.	Category of Waste/ Waste generator	Rates of collection charge	
		Per month	Per day
(1)	(2)	(3)	(4)
		₹	₹
1	Residential houses/buildings with plinth area up to 50 sq.m.	Nil	—
2	Residential houses/buildings with plinth area of more than 50 sq.m. but, up to 100 sq.m.	30	—
3	Residential houses/buildings with plinth area of more than 100 sq.m. but up to 200 sq.m.	60	—
4	Residential houses/buildings with plinth area of more than 200 sq.m.	90	—
5	Tea stall/coffee stall/sweet stall/savoury stall/bakery shop/juice stall/milk parlour/ice-cream parlour/fast food stall.	180	—
6	Lodges/Guest houses/Hostels (without food service).	270	—
7	Lodges/Guest houses/Hostels (with food service).	450	—
8	Ordinary type of Hostels/Restaurant/Mess.	360	—
9	Hotels with lodging facilities (star category Hotels).	630	—
10	Star Hotels	1,200	—
11	Mutton stall/Chicken stall/Meat/Fish/Dry fish stall/Egg stall (including shop keepers/vendors in public/private market).	270	—

(1)	(2)	(3)	(4)
		₹	₹
12	Vegetable stall/Fruit stall/Flower stall (including shop keepers/vendors in public/private market).	180	—
13	Grocery shop/Edible oil shop/All types of grain shop (including shop keepers/ vendors in public/ private market).	180	—
14	Plantain leaf vendors/Betel leaf vendors	60	—
15	Bunk and petty shop	90	—
16	Old paper/Unserviceable articles store	90	—
17	Plastic goods shops	900	—
18	Super market/Cost price shop/Multiple complex.	450	—
19	Textile shop/Garment shop	90	—
20	Tailoring shop	90	—
21	Manufacture and Sale of mattress/sofa shop	90	—
22	Hardware shop	90	—
23	Sale/Repair of footwear goods shops	30	—
24	Doctor's consultation room	180	—
25	Medical shop	270	—
26	Clinical laboratory/Nursing home/ Dispensary/Hospital (Treated waste only).	450	—
27	Clinic/Dispensary/Hospital with beds up to a limit of 50 (Treated waste only).	1,200	—
28	Clinic/Dispensary/Hospital with more than 50 beds (Treated waste only).	2,500	—
29	Commercial offices/Government offices/ Banks/Insurance offices and other similar public /private enterprises	250	—
30	Educational Institutions	250	—

(1)	(2)	(3)	(4)
		₹	₹
31	Godown/Cold storages (Non-hazardous)	200	—
32	Marriage hall/Festival hall/Community hall	2,500	—
33	Hair cutting saloon/Beauty parlour	100	—
34	Laundry/Washing places	100	—
35	Petrol bunk	300	—
36	Automobiles - water service station	300	—
37	Automobile workshop	100	—
38	Automobile spare parts shop	100	—
39	Fancy stores/Gift shop/Book stall/ Stationery shop.	100	—
40	Small and cottage industries/workshops	200	—
41	Industries/Factories/Workshop/Foundries/ Saw mill/Rice mill (Non-chemical)	600	—
42	Poultryes/Cow shed/Pigsty/Stable, <i>etc.</i>	300	—
43	Home appliances/General stores	100	—
44	Jewellery shop	500	—
45	Shops dealing with electric and electronic goods.	500	—
46	Furniture mart/Wood working unit	500	—
47	Toddy/Arrack/Liquor shop/Bar	500	—
48	Condiments shop	100	—
49	Agriculture waste/Horticulture waste/ Garden waste.	20	—
50	Organizing public feasts on roads/streets/ lanes and other public places.	—	600
51	Exhibition/Fair	—	500
52	Construction materials/waste of demolished building stacked on public roads/street/ places, <i>etc.</i>	—	250 per sq.ft.
53	Animal waste like dungs, <i>etc.</i> , littered over roads/streets/lane/public places, <i>etc.</i>	—	100

(1)	(2)	(3)	(4)
		₹	₹
54	Street vendors using mobile cart or without mobile cart.	–	30
55	Any shop/Waste generator not covered in the above list.	–	30

FORM-I

OULGARET MUNICIPALITY, PUDUCHERRY

Form for Self-Assessment of collection charges payable to the Municipality by the waste generator for door-to-door collection of solid wastes from Residential/Non-Residential premises

(See Bye-law 21)

(i) Property/House Tax Assessment No. :

(ii) Amount of Tax per year : ₹

1. Name and Address of the Waste Generator–

(a) Name of the waste generator :

(b) Name of the Father/Husband :

(c) Address :

(d) Phone Number

(i) Mobile No. :

(ii) Landline No. :

(e) Aadhaar Number :

2. Location of the Building/Premises–

(a) Door No./Flat No./Apartment No. :

(b) Name of the Street :

(c) Name of the Town/Colony/Nagar :

(d) PIN code :

3. Whether the waste generator is the owner/ :
tenant.

4. Self-Assessment of Collection Charge by the Waste Generator.

Floor No.	Plinth area of the floor	Usage	Collection charge (As per the rates prescribed in the Schedule appended to the Bye-laws 2017)
(1)	(2)	(3)	(4)
Basement floor			
Ground floor			
1st Floor			
2nd Floor			
3rd Floor			
4th Floor			
5th Floor			
6th Floor			
7th Floor			
8th Floor			
9th Floor			
10th Floor			
		Total	₹

Date :

Signature of the waste generator.

FORM-II

OULGARET MUNICIPALITY, PUDUCHERRY**Bill / Demand Notice Claiming Charges for Door-to-Door Collection
of Solid Waste from Residential and Non-Residential Premises***[See Bye-law 23(i)]*

- (i) Property/House Tax Assessment No. :
- (ii) Amount of Tax per year : ₹
- Bill/Demand Notice No. :
- Date :
- Due Date for Payment :

1. Name and Address of the waste generator—

- (a) Name of the waste generator :
- (b) Name of the Father/Husband :
- (c) Address :

2. Location of the Building/Premises—

- (a) Door No./Flat No./Apartment No. :
- (b) Name of the Street :
- (c) Name of the Town/Colony/Nagar :
- (d) PIN code :

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3. Whether the waste generator is the owner/ :
tenant.

Arrears		Current Month	Total
Period	Amount		
(1)	(2)	(3)	(4)
Total			

Signature of the commissioner.

Received the Bill/Demand Notice No., dated
claiming charges for Door-to-Door collection of Solid Waste from
Residential and Non-Residential premises for the Month of

Signature of the Waste Generator.

FORM-III

(See Bye-law 25)

- (i) Receipt No. :
- (ii) Date :
- (iii) Property Tax Assessment No. :

Name and Address of the Waste Generator–

- (i) Name of the waste generator :
 (ii) Name of the Father/Husband :
 (iii) Address :

Details of Payment made by the Waste Generator

Arrears		Current Month	Total
Period	Amount		
(1)	(2)	(3)	(4)
Total			

Date :

*Name and Signature of the Bill Collector/
Authorized Agent.*

PART-I

1. Address of the Premises–

- (a) Door No./Flat No./Apartment No. :
 (b) Name of the Street :
 (c) Name of the Town/Colony/Nagar :
 (d) PIN code :

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2. Area of the site and adjacent premises which are under occupation–

- (i) Area of the site :
 (ii) Area of the adjacent premises :

3. Area of the land which are not under :
Occupation.

4. Number of floors/storey :

PART-II

Details of Ownership and Occupants of the Property

[To be filled in by the Assessee]

SCHEDULE-II

Carrying Charges to be levied in case of Violation of the Bye-Laws

Sl. No.	Act	Penalty levied by the Municipal Council
(1)	(2)	(3)
		₹ Per day
1	Littering in Public places	50
2	Waste disposal by shop owners	250
3	Waste disposal in open areas by restaurant owners.	500
4	Waste disposal in open areas by hotel owners	500
5	Waste disposal by industrial establishments	1,500
6	Sweet seller, chat seller, pakode, fast food centres, ice-cream stalls, sugarcane centres, vegetable and fruity centres, (All in carts).	50
7	Peeing in public places	50
8	Disposal of cow dung in public places	1,500

(1)	(2)	(3)
		₹ Per day
9	Disposal of construction waste created while construction of houses, shops, on Government owned land.	250
10	If, the concrete, garbage, debris, dung is scattered by a personally owned tractor while transporting that waste material.	250
11	Applying posters, writing on walls, diminishing beauty of historically significant monuments, Governmental buildings, public squares, the owner of such wrongdoers, RWAs shall be levied the fine as per act.	1,000
12	Construction of road cut without authorization	1,500
13	Disposal of waste water from personally owned property on a public road.	1,500
14	Disposal of the sewerage in the main drainage line without taking the proper sewerage connection.	1,500
15	For occupation mentioned in Sl.No. 02 to 06, the businessman if, did not keep the disposal bin of the required capacity at his business place.	500
16	Throwing mud or water and oil on by the Shopkeeper or lorry man when repairing bicycle or scooter roadside.	250
17	In front of the butcher's shop if, the shopkeeper throws blood, bones, feathers, skin, egg shells and the other remains of the dead animal and spreading garbage in the public place.	1,000
18	If, the main road, small road, or in front of the house, if any domestic animal like cow, buffalo, goat, dog, sheep, camel, donkey, horse and pig creates garbage.	1,000
19	Throwing garbage at the wedding/reception	1,000

(1)	(2)	(3)
		₹ Per day
20	If, meat or fish is cooked in an illegal roadside tent and the waste is thrown on the public road.	500
21	Selling vegetables on public places, open grounds, on the road side and throwing waste material on the road and creating garbage.	50
22	If, the owner of a hair cutting salon throws hair or other waste material on the road.	50
23	Shopkeepers and businessmen, if, encroaches on the Government land or on the open spaces in front of the shops.	1,500
24	To organize public feasts and to set up eateries on the main roads and other public places.	250
25	Littering road, public pathway, footpath, <i>etc.</i> by private hospitals, nursing homes, clinic, medical store, <i>etc.</i>	500

M. KANDASAMY,
Commissioner.

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