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La Gazette de L'État de Poudouchéry The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY MANNADIPET COMMUNE PANCHAYAT, PUDUCHERRY

No. 68-94/MCP/Works/2022-23.

Thirubuvanai, dated 23rd December 2022.

NOTIFICATION

In exercise of powers conferred under section 320 of Puducherry Village and Commune Panchayats Act, 1973 (No. 10 of 1973), the following Bye-laws, for collection, transportation and treatment of waste of onsite sanitation systems (faecal sludge, septage and waste water) and for matters connected therewith and incidental or ancillary thereto

is hereby published in "Faecal Sludge and Septage Management Bye-laws 2022" and notice is given that the said Bye-laws shall be taken into consideration after the expiry of 30 (thirty) days from the date of publication in the Official Gazette.

Whereas, any objections or suggestions which may be received from any person in respect of the said Draft Bye-laws before the expiry of the period specified above shall be taken into consideration before. The final objections or suggestions may be addressed to the Commissioner, Mannadipet Commune Panchayat, Thirubuvanai, Puducherry-605 107.

V. EJILERADJANE,
Commissioner.

MANNADIPET COMMUNE PANCHAYAT
DRAFT BYE-LAWS
ON FAECAL SLUDGE AND SEPTAGE MANAGEMENT – 2022

CHAPTER – I

1. **Short title and commencement.**— (i) These Bye-laws may be called "Mannadipet Commune Panchayat Draft Bye-laws on Faecal Sludge and Septage Management-2022".

(ii) These Bye-laws shall come into force on the date of their publication in the Official Gazette of Government of Puducherry and shall be applicable within the administrative boundary of Mannadipet Commune Panchayat.

2. **Definitions.**— (i) "Access Cover" mean, an opening used to access an Onsite Sanitation System (OSS) for inspection, cleaning and other maintenance operations, fitted with a suitable cover;

(ii) "Registered Vacuum Tanker" mean, a Vacuum Tanker, duly registered by the Transport Authority of the State to perform the designated purpose, having been inspected and registered by authorized officials of Local Bodies in Puducherry District for desludging, transportation and disposal of Faecal Sludge and Septage (FSS);

(iii) "Decentralised Wastewater Treatment System (DWWT)" is an approach which includes collection, treatment and disposal/reuse of wastewater from individual homes, residential societies, isolated communities, industries, institutions or near the point of generation. DWWTs cater to both - liquid and solid components of wastewater.

(iv) "Designated Officer" mean, an Officer of Mannadipet Commune Panchayat authorized by Commissioner, Mannadipet Commune Panchayat to issue Licence or any other work assigned to him;

(v) "Desludging" refers to the operation of removing FSS from OSS by a licensed operator or trained sanitary workers of Mannadipet Commune Panchayat/Public Works Department, Puducherry;

(vi) "Disposal" refers to Transportation and discharge/transfer of FSS to the Notified Location;

(vii) "Effluent" is the supernatant (liquid) discharged from an OSS. The liquid separated out from the Septage is also referred to as effluent;

(viii) "Emergency Responsible Sanitation Unit (ERSU)" which is to be constituted by involving Mannadipet Commune Panchayat and Public Works Department Officials for providing professional, well trained, motivated and appropriately equipped workforce for the maintenance and management of sewers and septic tanks thereby eliminating the deaths caused by entry of workers into sewers and septic tanks without proper PPE's and training and non-adherence to security protocols.

(ix) "Faecal Sludge" is the raw or partially digested slurry or semisolid collection of combinations of excreta and black water, with or without grey water. It is the settled contents of pit latrines and septic tanks. The physical, chemical and biological qualities of faecal sludge are influenced by the duration of storage, temperature, soil condition and intrusion of groundwater or surface water in septic tanks or pits, performance of septic tanks and tank emptying technology and frequency. Faecal sludge is the solid or settled content of pit latrines and septic tanks. Faecal Sludge (FS) comes from onsite sanitation systems. Examples of onsite technologies include pit latrines, non-sewered public ablution blocks, septic tanks, aqua privies and dry toilets;

(x) "Faecal Sludge and Septage Treatment Plant (FSSTP)" is an independent FSS treatment facility for remediating the solid and liquid components to prescribed standards for safe disposal and reuse. This may also refer to a Sewage Treatment Plant, wherein, faecal sludge/ septage is being cotreated with sewage;

(xi) "Licence" means, a written permission granted to any Person/Desludging vehicle, that intends to carry out the services of Faecal Sludge and Septage Management (FSSM) having mentioned the purpose, period, name and address, route, *etc.*, under the signature of the authorized signatory of the Mannadipet Commune Panchayat or any other Local Bodies within Puducherry District;

(xii) "Licensed Operator" mean, any person holding Licence to carry out desludging and transportation of FSS to the Notified Location;

(xiii) "Nodal Agency" mean, the Government Department or Mannadipet Commune Panchayat or Agency hired by it for the operation and maintenance of Sewers, STP and FSSM;

(xiv) "Notified location" mean, the location of delivery and disposal of FSS, as defined and earmarked by Mannadipet Commune Panchayat/Public Works Department, Puducherry;

(xv) "Onsite Sanitation System (OSS)" is a sanitation technology system in which excreta collected and stored and emptied from or treated on the plot where they are generated;

(xvi) "Operator" refers to person engaged in the business of desludging, transportation or treatment of FSS;

(xvii) "Person" includes an individual, an Agency, a Trust, a Society, a Firm or a Company incorporated under relevant laws, an association of persons or a Body of Individuals whether incorporated or not;

(xviii) "Scheduled Desludging" refer to regular emptying of OSSs at an interval of 2-3 years based on the recommendations of Central Public Health and Environmental Engineering Organisation (CPHEEO);

(xix) "Scum" refers to layer of solids formed by wastewater constituents that floats to the surface of a tank or reactor (such as oil, grease, hair or any other light material);

(xx) "Septage" is the faecal sludge desludged from a well-designed septic tank. A liquid and solid material that is pumped from a septic tank, cesspool, or even onsite treatment facility after it has accumulated over a period of time. Usually, septic tank retains 60% - 70% of the solids, oil and grease that enter it. The scum accumulates on the top and the sludge settles to the bottom comprising 20% - 50% of the total septic tank volume when pumped out. Offensive odour and appearance are the most prominent characteristics of septage. It is a host of many disease-causing organisms along with the contamination of significant levels of grease, grit, hair and debris. Septage is the combination of scum, sludge and liquid that accumulates in septic tanks. The effluent from the septic tank can be collected in a network of drains and/or sewers and treated in a treatment plant designed appropriately. The accumulating sludge at the bottom of the septic tank however, has to be also removed and treated once it has reached the designed level or at the designed desludging frequency whichever occurs earlier. Such a removal is possible only by suction trucks. While, sucking out the sludge, the liquid in the septic tank will also be sucked out. Such a mixture is referred to as septage.

(xxi) "Septic tank" mean, an underground watertight tank that treats sewage by a combination of solids settling and anaerobic digestion. The effluents are to be discharged into soak pits, drain fields or small-bore sewers, and the solids/septage has to be pumped out periodically.

(xxii) "Sewage" is the wastewater that is transported through the sewers.

(xxiii) "Sewers" means, the underground conduit for the collection of sewage is called Sewer. A network of sewer and appurtenances intended for the collection and conveyance of sewage generated from each of the properties to a sewage pumping station for pumping to sewage treatment plant for further treatment and disposal is called sewerage system.;

(xxiv) "Sewage Treatment Plant" mean, the place where sewage is treated to prescribed standards for safe disposal and reuse;

(xxv) "Taskforce" means, the City Sanitation Taskforce constituted in the area Headed by the Commissioner; the Members of the Committee may be coopted by him from Government Departments, Public Undertakings, Educators, among other eminent people of society.

(xxvi) "Trained Sanitary Workers of Mannadipet Commune Panchayat" mean, Mannadipet Commune Panchayat staff or contracted/hired workers engaged and trained by Mannadipet Commune Panchayat for the purpose of Desludging/Emptying and Transportation of FSS using Mannadipet Commune Panchayat owned vacuum tanker.

(xxvii) "Transportation" means, safe transfer of FSS through registered vacuum tanker from the place of desludging to the Notified Location;

(xxviii) "Treatment" means, any scientific method or process designed to alter the physical, chemical or biological and radiological character or composition of FSS/sewage/wastewater to reduce or prevent pollution.

(xxix) "Vacuum Tanker" is a vehicle that has a pump and a tank, designed to pneumatically suck FSS from the OSS. These vehicles are also used to transport desludged FSS.

(xxx) "Wastewater" means, liquid effluent from domestic/commercial human activity including effluent from toilets, kitchen and cleaning activity, but, does not include effluents from manufacturing and industrial activity. Usually such effluent flow through storm water drains, thus, it includes storm water as well.

All other words and expressions used in these Bye-laws and not defined in these Bye-laws and not defined herein above but, defined in the Act or any other law for the time being in force shall have the meaning, respectively assigned to them under the Act or law and in absence thereof, the meaning as commonly understood in the water supply and sewage treatment/disposal industry.

CHAPTER – II

WASTEWATER MANAGEMENT

3. Management and disposal of wastewater from premises.—The owner/occupier of every property in Mannadipet Commune Panchayat (including, but, not limited to, residential and commercial, proposed or existing) shall be responsible to ensure that wastewater from their premises is treated or disposed of through any, or a combination of any of the following ways, namely :

(i) If, sewer is available within 30 (thirty) metres from the boundary of the premises or at such other is connected to sewerage system on payment of such distance as may be feasible, the property fee (if any) and on completion of other procedures as may be required;

(ii) Wastewater is conveyed to a Mannadipet Commune Panchayat/Public Works Department, Puducherry, approved community or local area treatment facility.

(iii) Properties which generate more than 10 thousand litres of wastewater per day and have green area more than 500 square metres within their premises, shall install a decentralized wastewater treatment system so as to treat the wastewater generated in the property. The property owner shall ensure reuse of the treated wastewater for horticulture/flushing, thus, lowering the dependence on fresh water.

(iv) The wastewater is contained in an OSS without any outlet.

CHAPTER – III

ONSITE SANITATION SYSTEMS

4. Design, construction and maintenance of OSSs.— (i) The design, construction and installation of OSSs shall be made in accordance with the provisions of the 'Manual on Sewerage and Sewage Treatment Systems, 2013, CPHEEO as may be modified from time to time or any other accepted sound engineering practice as may be issued by Mannadipet Commune Panchayat or the State/Central Government.

(ii) The owner(s)/resident(s) of the properties connected to OSSs, shall be responsible for upkeep, maintenance and safe disposal of the FSS from such OSSs.

(iii) The owner(s) of the properties shall undertake desludging on a regular basis (every 2-3 years) on payment of such cost as may be determined by Mannadipet Commune Panchayat.

(iv) The owner of the premises shall ensure that no pollution is caused to the environment due to direct discharge of FSS into open areas or into the stormwater drain due to malfunctioning or faulty construction of the OSS.

(v) The owner of the premises shall ensure that the septic tanks are cleaned mechanically by Licensed Operator or Trained Sanitary Workers of Mannadipet Commune Panchayat with adequate safety measures and no manual cleaning is taken up for the purpose.

(vi) Commissioner, Mannadipet Commune Panchayat or Officer Designated by Commissioner, Mannadipet Commune Panchayat has the right to inspect the premises for non-compliances and may issue notice to the Owner of the Premises for retrofitting/rectification of non-compliances related to management and disposal of Faecal Sludge, Septage and Wastewater (FSSW) at his own cost within a frame of time.

(vii) Mannadipet Commune Panchayat may, at its discretion, provide instructions to property owners for retrofitting/rectification of non-compliant systems and engage technical experts to suggest alternate systems.

CHAPTER – IV

REGISTRATION AND LICENSING FOR DESLUDGING AND TRANSPORTATION OF FSS

5. Licence to be issued by the Mannadipet Commune Panchayat.—

(i) Mannadipet Commune Panchayat shall issue licence to the registered Vacuum Tanker(s) owned or hired by the vendor of the Nodal Agency or private operator(s) currently providing desludging services in Mannadipet Commune Panchayat. Licences issued by any other Local Body/Public Works Department within the region of Puducherry District is also accepted.

(ii) Information, Education and Communication (IEC activities) for the operators including their staff to sensitize and train to employ best practices found on emptying and transportation of FSS operating in Mannadipet Commune Panchayat limit. This training shall be carried out within 1 month from the date of registration.

(iii) Once, the operator thinks that (s)he complies successfully with the criteria of licensing, (s)he shall apply in Form 1 (as per Appendix) of these Bye-laws. This shall not exceed 2 months post completion of training.

(iv) After satisfying the criteria's by the applicant's Mannadipet Commune Panchayat shall issue Licence to Operator for desludging and transportation of FSS to Notified Location(s).

(v) Licence will be issued in the format, prescribed in Form 2 of these Bye-laws and will be valid or a year from the date of issue, unless revoked earlier and shall be renewable on its expiry subject to fulfillment of terms and conditions by the Licensed Operator and on payment of fee prescribed.

(vi) Mannadipet Commune Panchayat shall inspect the registered the vehicle for its satisfaction. Mannadipet Commune Panchayat has the right to reject or revoke the registration of vehicles which Mannadipet Commune Panchayat believes does not meet the criteria mentioned in clause 15 of these Bye-laws or poses a threat to the safety and public health of the city.

6. Criteria for issue of Licence for desludging and transport of FSS.— (i) The eligible applicant for obtaining the Licence mean, the "Person" as defined in clause 2 (xvi) of these Bye-laws.

(ii) The applicant should own or hire leak-proof, odour and spil proof vacuum tanker(s) with a proper vacuum/suction and discharging arrangement.

(iii) The vehicle will have a valid permit or Registration Certificate of the Transport Department to operate at Mannadipet Commune Panchayat Jurisdiction.

(iv) The applicant shall register her/his vacuum tanker(s) with Mannadipet Commune Panchayat or to be registered with any Local Body within Puducherry District.

(v) The applicant shall undertake that the vacuum tankers owned/hired by her/him meet the criteria mentioned in clause 10 of these Bye-laws.

(vi) The applicant shall undertake to have workers adequately trained for this purpose by Mannadipet Commune Panchayat or Agency hired by Mannadipet Commune Panchayat or by any Local Body within Puducherry District.

(vii) The applicant shall undertake to equip the workers with safety gears and other personal protective equipment (PPE) required to safely desludge, transport and dispose the FSS at the Notified Locations. The required PPE shall be as per the list in Appendix-3 of these Bye-laws.

(viii) The application for obtaining licence for desludging, transportation and disposal of FSS shall be submitted in prescribed format, appended as Form-1 of these Bye-laws, including Terms and Conditions and with such documents as prescribed by the Designated Officer(s) of Mannadipet Commune Panchayat.

(ix) Mannadipet Commune Panchayat shall give wide publicity on its website and through leading newspapers and other print and electronic media periodically, inviting prospective applicants to apply for the Licence.

(x) Mannadipet Commune Panchayat may charge application fee as prescribed from time to time for processing the application grant the licence. The fee will be non-refundable and the same can be paid electronically or by Demand Draft in favour of Mannadipet Commune Panchayat. The Licensed Operator shall deposit prescribed amount, notified from time to time as performance guarantee, in the form of Bank Guarantee which will be forfeited in case, any violation under the Bye-laws.

7. IEC about FSS Management.— (i) The Mannadipet Commune Panchayat will periodically give wide publicity to the Licensed Operator(s), on its website as well as through print and electronic media.

(ii) The Mannadipet Commune Panchayat any other Local Body within the District of Puducherry will undertake awareness campaign(s) to make the people aware of these Bye-laws as well as the need to engage only the Licensed Operator(s) for desludging, transportation and disposal of FSS.

CHAPTER – V

DESLUDGING/COLLECTION AND TRANSPORTATION OF FSS

8. Owner/Occupier of property to engage only Licensed Operator(s).— (i) It shall be the duty of each owner/occupier of the property to engage the services of Licensed Operators or Trained Sanitary Workers of Mannadipet Commune Panchayat for desludging and transportation of FSS.

(ii) The owner/occupier shall confirm that the Licence issued to the desludger(s) is valid on the date of execution of work. She/He shall also append her/his signature to the record Form for collection, transport and disposal of FSS, prescribed at Form-3 of these Bye-laws.

9. Fee for Desludging and Transportation of FSS.— (i) The fee for desludging and transportation of FSS to notified locations shall be as notified by the Designated Officer from time to time.

(ii) As and when Mannadipet Commune Panchayat decides to implement scheduled desludging in the city, the desludging fee shall be replaced by 'Sanitation Charge' or can be incorporated in property/water tax, which shall be notified by Mannadipet Commune Panchayat from time to time.

(iii) Licensed Operator shall not charge any amount from the owner/occupier of the property in excess to the amount notified by Mannadipet Commune Panchayat from time to time.

(iv) Any demand for fee for desludging and transportation of FSS in excess to the notified fee shall make the Licensed Operator liable for cancellation of Licence and imposition of penalty prescribed for violation of these Bye-laws.

10. Vehicles for transportation of FSS.— (i) The FSS shall be desludged and transported only by Licensed Operator(s) or Trained Sanitary Staff of Mannadipet Commune Panchayat.

(ii) Vacuum Tanker(s) can be registered for a period of 6 months, even if, all the required conditions are not met. In such cases, the respective operator(s) should upgrade the Vacuum Tanker within this given time frame.

(iii) Desludging vehicles to only follow designated routes (as identified by Mannadipet Commune Panchayat from time to time) for safe and efficient transportation of FSS.

(iv) A copy of Licence issued to the Operator and Mannadipet Commune Panchayat or any other Local Body with the Puducherry District shall be prominently displayed on the vehicle used for desludging and transportation of FSS.

(v) The vacuum tanker shall be painted with yellow colour, duly marked with (The precaution) in red colour "Septic Tanker" (in English) and "கழிவு நீர் ஊர்தி" (in Tamil).

(vi) Each vehicle used for transportation of FSS shall be fitted with a GPS Device and Access Rights of the same shall be given to the office of Commissioner and the agency notified by Local Bodies in Puducherry for tracking of such vehicles.

(vii) The Licensed Operator shall ensure that there is no leakage/spillage of the FSS during transportation from the desludging point to the notified location for disposal.

11. Liability of Licensed Operator in the eventuality of accident and safety of workers.— (i) The Licensed Operator shall be fully and solely liable for any damage caused to a vehicle, property or environment in the eventuality of any accident or disaster and shall be liable to person, pay any damage charges/compensation on its own, if any imposed by the authority/Court of law there to, to the victims/their legal heirs.

(ii) The Licensed Operator shall be responsible for taking all the safety measures including provision of hand held Gas-Detectors, Gas-Masks, Protective-Gear, Oxygen-Mask with Oxygen-Cylinder and First-Aid Box *etc.*, and such other measures as specified in Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and rules made thereunder, including these Bye-laws.

12. Disposal of FSS.— (i) The Licensed Operator shall dispose FSS only at the notified by Mannadipet Commune Panchayat from time to time.

(ii) The Licensed Operator shall submit duly signed FSS desludging, transportation and disposal Form prescribed in Form 3 of these Bye-laws, duly filled and signed to the official of Mannadipet Commune Panchayat designated for this purpose.

13. Training, health and insurance of worker(s).— (i) The Licensed Operator shall be responsible for periodic training of the worker(s) deployed in desludging, transportation and disposal of the FSS.

(ii) The Licensed Operator shall be responsible for ensuring that every worker(s) deployed, undergoes health checkup at least twice a year and submit record of the same to Mannadipet Commune Panchayat, failing which the Licensed Operator shall be liable to pay penalty as notified from time to time.

(iii) The worker(s) deployed by the Licensed Operator shall be insured to cover compensation to be Prohibition of Employment as Manual Scavengers paid to the victims/their legal heirs under and their

Rehabilitation Act, 2013 and APEX Court's Order, dated 27-03-2014 in Writ Petition, No. 583 of 2003 (Safai Karamchari Andolan and others v/s. Union of India and others) in the eventuality of accident during the process of desludging, transportation and disposal of FSS.

(iv) To create awareness towards available welfare Schemes under NSKFDC, Mannadipet Commune Panchayat or any other Local Body in Puducherry District will conduct orientation programs to facilitate and handhold the beneficiaries.

14. Cancellation of Licence.— In case of violation of any of the provisions of Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 including these Bye-laws, the Licensed Operator shall be liable to pay penalty as notified from time to time, including the cancellation of licence and forfeiture of performance guarantee as per the recommendation of Taskforce or Designated Officer(s).

CHAPTER – VI

TREATMENT AND REUSE / DISPOSAL OF FSSW

15. Identification of treatment/disposal site(s).— The Mannadipet Commune Panchayat/Public Works Department/any other Local Body within the District of Puducherry will identify and notify the location(s) where, the FSSW shall be treated/disposed by the Licensed Operator or Trained Sanitary Staff of Mannadipet Commune Panchayat.

16. Creation of infrastructure to receive the FSSW.— The Mannadipet Commune Panchayat/Public Works Department/any other Local Body within the District of Puducherry will create necessary infrastructure and provide necessary equipment at the notified location(s), to facilitate the treatment/disposal of FSSW brought by the registered vehicle(s).

17. Deployment of staff to receive the FSS.—The Mannadipet Commune Panchayat/Public Works Department/any other Local Body within the District of Puducherry shall deploy sufficient staff at each notified location(s), to receive the FSS and transfer it to the respective treatment facility.

18. **Timing to receive the FSS.**— The FSS shall be received by the staff deployed by the Mannadipet Commune Panchayat/Public Works Department/any other Local Body within the District of Puducherry at each notified location(s) during the hours as notified by Mannadipet Commune Panchayat from time to time.

19. **Industrial waste not to be allowed.**— The disposal of FSS containing industrial waste shall not be permitted at the notified location(s).

20. **Training in FSSM.**—The staff deployed by the Mannadipet Commune Panchayat/Public Works Department at the notified location(s) shall be trained for receiving and treatment/disposal of FSS.

21. **Reuse of treated FSSW.**— (i) The Mannadipet Commune Panchayat/Public Works Department/any other Local Body within Puducherry region shall sensitize farmers about the health and environmental ill effects of agricultural application of untreated FSSW and encourage them to use treated FSSW from the FSSTP.

(ii) Mannadipet Commune Panchayat/Public Works Department/ any other Local Body within the District of Puducherry shall utilize treated wastewater from the DWWTS in the city for the purpose of horticulture, and any other purpose wherein, it can be used *in lieu of* fresh water.

(iii) Project proponent of any construction activity shall consume any available treated wastewater in the vicinity (1 km. radius) of the project for construction purpose. Only in cases of inadequate availability/unavailability of treated wastewater, the proponent shall consult Mannadipet Commune Panchayat to explore other available options and take approval for the same.

CHAPTER – VII

ADMINISTRATION AND ENFORCEMENT

22. **Administration and enforcement.**— (i) The administrative and enforcement powers of these Bye-laws is vested with the Commissioner or the designated official of the Mannadipet Commune Panchayat duly authorized by the Commissioner.

(ii) Mannadipet Commune Panchayat may levy user fees as determined and notified from time to time, for rendering services of desludging, transportation or treatment. For ensuring the cost recovery, the users shall be required to pay for these services.

(iii) For the purpose of effective implementation and enforcement of these Bye-laws, Mannadipet Commune Panchayat shall have the power of inspection of any premises, transportation vehicles and FSS treatment facility at any given time.

23. Violations and penalties.— (i) Any person guilty of violation of any of the provisions of these Bye-laws, shall be issued with a notice for compliance.

(ii) Any person shall be subject to penal provisions under these Bye-laws, if such person—

(a) contravenes or fails to comply with any provisions of these Bye-laws;

(b) obstructs, hinders or interferes with an authorized official or other official of the Mannadipet Commune Panchayat acting under power delegated to her/him in the exercise of any power or the performance of any duty under these Bye-laws;

(c) resorts to manual desludging of any OSS/sewer.

(iii) The person found to be guilty of violation of provisions of these Bye-laws shall be punished to the extent to the amount as indicated in Appendix-5 and prosecution under relevant law and shall be subjected to seizure of the FSS transport vehicle, FSSW treatment facility or property as the case may be.

(iv) Whoever, in any case, in which a penalty is not expressly provided in Appendix - 5 is found to be guilty, shall be punishable with a fine of Two Thousand Indian Rupees (₹ 2,000) and in case of continuing contravention with an additional fine amounting to Two Thousand Five Hundred Indian Rupees (₹ 2,500) for every day during which such contravention continues.

(v) For removal of doubt, it is hereby declared that nothing in these Bye-laws shall prevent any person from being prosecuted and punished under any other relevant Act, for the time being in force, or any Act or omission made punishable under these Bye-laws.

24. **Appeal.**—Any person aggrieved by the decision of an authorized official of Mannadipet Commune Panchayat under Bye-laws, may appeal (in format appended in Form 4 of these Bye-laws) against such decision to the Commissioner and if, the decision is made by the Commissioner, the appeal shall lie to the Council/Special Officer within a period of thirty days from the date of receipt of a copy of the order appealed against.

25. **Dispute resolution clause.**— Any dispute, arising out or in the connection with the operation of these Bye-laws, shall be resolved under Indian Laws by Competent Court of Law having jurisdiction of Oulgaret Municipality only.

26. **Reference Documents.**— For the ease of implementation and rolling out of the Bye-laws, a list of standards, strategies, manuals, guidelines and policies, as provided in Appendix of these Bye-laws, may be referred to, as those shall stand modified from time to time.

APPENDIX – 1

FORM -1

Application Form for Licence to Collect, Transport and Dispose of Faecal Sludge and Septage

Application Form for Licence for Collection, Transportation and Disposal of Faecal Sludge and Septage in Mannadipet Commune Panchayat

1. Name(s) of the Applicant : (Mr/Ms.)
2. Nationality : (Indian/Other)
3. Address of correspondence :
4. Address of Head Office / Regd. Office. :
5. Telephone Numbers : *Office* :
Mobile :

Paste passport size photograph

-
6. e-mail ID :
7. Registration No. of vehicle(s) :
- (i) (ii)
- (iii) (iv)
8. Fitness Certificate of the vehicle(s) valid up to:
- (i) (ii)
- (iii) (iv)
9. Insurance of the vehicle(s) valid up to:
- (i) (ii)
- (iii) (iv)
10. Pollution Certificate of the vehicle(s) valid up to:
- (i) (ii)
- (iii) (iv)
11. Vehicle (s), whether fitted with: Yes / No
GPS tracker.
12. Details of payment of processing fee for licence:
- Demand Draft No. :
- Date :
- Bank :
13. List of attached documents (self-attested copy) (tick):
- (i) Identity proof :
- (ii) Registration Certificate(s) :
- (iii) Pollution Certificate(s) :
- (iii) Address proof :

- (iv) Fitness Certificate(s) :
- (v) Driving Licence :
- (vi) Certificate(s) of Insurance and Policy Schedule. :
- (vii) Passport size photographs :
- (viii) List of employees :
- Total number of attachments :

I/We certify that information given by me/us in column 1 to 13 are true to the best of my knowledge and belief. I also certify that I have read and understand the attached terms and conditions and agree to abide by them. I agree that if, any information given by me is found wrong, the application for licence will be liable for cancellation at any time.

Signature of Applicant

Date :

Terms and conditions

1. Faecal Sludge and Septage (FSS) shall be collected and transported only by an agency having a valid licence for this purpose issued by the Mannadipet Commune Panchayat.
2. The fee for collection and transportation of FSS up to the Faecal Sludge and Septage Treatment Plant (FSSTP) shall be as prescribed by Mannadipet Commune Panchayat from time to time. No Licensed Operator shall charge any amount from the OSS owner in excess of the prescribed fee.
3. FSS shall be transported only in the vehicles approved for this purpose by the Officer authorized for this purpose by Mannadipet Commune Panchayat.
4. The Licensed Operator shall ensure that there is no leakage of FSS during transportation from the collection point to the FSSTP.
5. The vehicle carrying FSS shall be fitted with prescribed equipment to take care of threat of pollution due to any accident during the movement of the vehicle from desludging point to the FSSTP.

6. Each vehicle used for transportation of FSS shall be fitted with GPS device and access rights of the same shall be given to Mannadipet Commune Panchayat and the agency notified by Mannadipet Commune Panchayat for tracking of such vehicles.
7. The licensee shall be fully and completely liable for any damage to any person, vehicles, property and environment in case of any accident or disaster.
8. A copy of licence shall be prominently displayed on the vehicle used for transportation of FSS.
9. The vehicle/tanker shall be painted with yellow colour duly marked with the precaution in red colour "Septic Tanker" (in English) and "கழிவு நீர் ஊர்தி" (in Tamil).
10. The licensee shall dispose of FSS only at the FSSTP/designated place.
11. FSS will be received at the FSSTP on all days from 7.00 a.m. to 7.00 p.m. The licensee shall plan the trip in such a way that the decanting can be done within the given time slot.
12. The licensee shall be responsible for regular training of the staff deployed to provide effective services of collection, transportation and disposal of FSS, use of protective equipment for taking measures to minimize the damage to the environment in case of an accident.
13. The licensee shall be responsible for ensuring that every staff member undergoes health checkup at least once in every year and submit record of the same to Mannadipet Commune Panchayat at the time of renewal of licence.
14. The staff deployed by the licensee shall be insured for accident during the process of cleaning, transportation and disposal of FSS.
15. In case of violation of any of the provisions of these Bye-laws the licence shall be liable to be cancelled, security of the licensee shall be forfeited and he/she shall also be liable to pay penalty as prescribed for violation of these Bye-laws.

APPENDIX – 2

FORM - 2

Award of licence to collect, transport and dispose FSS

**Licence for collection, transportation and disposal of Faecal Sludge
and Septage in Mannadipet Commune Panchayat**

Paste passport
size
photograph with
stamp of
Mannadipet
Commune
Panchayat

In accordance with all the terms and conditions of the Bye-laws/Regulations, Puducherry Municipalities Act, 1973 rules, the special licence conditions accompanying this licence and applicable rules and laws of Government of Puducherry, the permission is hereby granted to:

1. Name(s) of the Applicant : (Mr/Ms.)
2. Address of Head Office / :
Regd. Office.

For the collection, transportation and disposal of faecal sludge and septage from onsite containments in Mannadipet Commune Panchayat.

The licence is based on information provided in the FSS Collection, Transportation and Disposal Licence Application Form. This licence is effective for a period of one year from date of issue, set forth below.

3. Licence No. :
4. Effective Date :
5. Expiration Date :
6. Vehicle Registration No. :

The terms and conditions stipulated in the Appendix stands as a part of this licence and the licensee shall strictly adhered to without any loss. That may be suspended or revoked for Condition of Non-Compliance and is not transferable. The original licence shall be kept on file in the Licensee's Office. A copy of this licence shall be carried in every registered vehicle used by the licensee.

7. Signatures :

Commissioner/ Designated Officer

Emptier/Operator/Owner

APPENDIX – 3

List of Protective Gear and Safety Equipment

The following Protective Gear and Safety Equipment shall be available at work site:

1. Safety body clothing predominantly made out of polyester, which is reflective and offers chemical splash resistance.
2. Safety body harness/Safety belt.
3. Surgical Face Mask/Respirators which protects against dust, fumes, mists, microorganisms.
4. Safety Torch
5. Heavy chemical resistant hand gloves, made out of butyl with added advantage of mechanical protection and hazardous material spills.
6. Safety goggles with ability to withstand chemical splash to avoid infectious substances from reaching the eyes.
7. Safety helmet (corded) fitted with a torch, helpful in dark working conditions.
8. Reusable earplugs, preferably connected to a flexible band that can be worn around the neck when not needed. These should be made out of silicon and helpful around the vacuum tankers where average sound levels exceed 85dBa.
9. Emergency Medical Oxygen Resuscitator Kit.
10. Gas Monitor
11. Head Lamp
12. Guide Pipe Set
13. Safety Tripod Set
14. Wader Boots

15. Air Compressor and Blower
16. Modular Airlines Supply Trolley System
17. Raincoat

APPENDIX – 4

FORM - 3

Record of collection, transport and disposal of FSS

**Form to Maintain Record of Collection, Transportation and Disposal
of Faecal Sludge and Septage in Mannadipet Commune Panchayat**

Date :

Time :

I. Onsite System Owner Details.

1. Name :
2. Address :
3. Telephone :
4. Nature of establishment :

II. Containment:

1. Year of construction :
2. Previous Desludging (dd-mm-yy) :
3. Outlet present : (Yes/No)
4. If yes, connected to :
5. Shape of containment :
6. Lining (Yes/No) : Walls Bottom
7. No. of chambers :
8. No. of openings in each baffle wall :

9. Dimension (Feet) :

Length : Breadth: Depth :

Diameter : Depth :

10. GPS coordinates:

Latitude : Longitude :

11. Location of the containment within :
the Property.

III. Desludging:

1. Volume of FSS (Cu.M) :

2. Time in Desludging (hrs.) :

3. Trip Length (Km.) :

4. Time in commuting (hrs.) :

IV. Details of Desludging service provider:

1. Name of the Operator :

2. Vehicle Registration No. :

3. Licence No. :

V. Signatures

Emptier staff on duty Emptier/Operator/Owner OSS owner

VI. Decanting:

1. Time (hh:mm) :

2. Volume of FSS (Cu.M.) :

3. Name of the emptier staff :

4. Name of the FSSTP operator :

VII. Signatures:

Emptier staff on duty Emptier/Operator/Owner FSSTP In-charge

APPENDIX – 5

User Charges

Sl. No.	Description	Amount	Period	Bye-Law Clause
1	Licence charge for Desludging Consent to operator.	₹ 1,000	Per annum	As per MCP FSSM Bye-laws 2022
2	Desludging of Septic tanks	₹ 3,800 per trip	(One trip 8,000 litres)	

Penalties and Fines

Sl. No.	Description	Bye-Laws (clause)	Indicative fines (in ₹)	Penalty (in ₹ or any other penal action)
(1)	(2)	(3)	(4)	(5)
1.1	Letting out of sewage/sullage on road sides where drains are not constructed so far. (Direct/Unsafe discharge of waste water into drain/road/open area).	3	500	As per MCP FSSM Bye-laws 2022
1.2	Continuing breach 2nd instance	3	100/day	
1.3	Continuing breach 3rd instance	3	Recommend to SDM Court for taking action.	
2.1	Unscientific Design and Construction of OSS.	4	500	
2.2	Failure to bring it in conformity with approved design within 30 days.	4	2,000	
2.3	Continuing breach 3rd and subsequent.	4	2,500	

PART-II]		LA GAZETTE DE L'ETAT		1217
(1)	(2)	(3)	(4)	(5)
3.1	Plying of vacuum tanker(s) without Registration.	5	1,000	
3.2	Continuing breach 2nd instance	5	5,000	
3.3	Continuing breach 3rd instance	5	5,000	Seizure of vehicle.
4.1	Plying of vacuum tanker(s) without valid certification (s) as recommended in the Traffic Rules.	6	1,000	
4.2	Continuing breach 2nd instance	6	5,000	
4.3	Continuing breach 3rd instance	6	5,000	Seizure of vehicle.
5.1	Non-compliance of attend accidental spillage.	11	1,000	
5.2	Continuing breach 2nd instance	11	2,000	
5.3	Continuing breach 3rd instance	11	500	Seizure of vehicle.
6.1	Discharging of faecal sludge in unauthorized place. (other than Public Works Department Sewage Treatment Plant at Karuvadikuppam).	15,16,21	2,500	} As per OM SWM Bye-laws 2022.
6.2	Continuing breach 2nd instance	15,16,21	5,000	
6.3	Continuing breach 3rd instance	15,16,21	Seizure of Vehicle	
7.1	Manual hazardous entry without safety gears (Fine imposed on Owner).	11	Penalty as per PEMSRA, 2013.	

APPENDIX – 6

FORM - 4

Memorandum of Appeal preferred before the Appellate Authority

Before the "Appellate Authority"

(..... Designation)

1. Full name of the Appellant :
2. Address of the Appellant :
3. Particulars of the Municipal Officer who issued order appealed against.
Name :
Designation :
4. Date of receipt of the order :
appealed against.
5. Date for filing of the appeal :
6. Particulars of information :
 - (a) Subject matter of the appeal in brief (Attach copy of the order appealed against).

VERIFICATION

I (name of the appellant), son/daughter/wife of declare that the particulars furnished in the appeal are to the best of my knowledge, belief and true and hereby correct and that I have not suppressed any material facts.

Signature of the Appellant

Place :

Date :

List of documents submitted as enclosure:

- 1.
- 2.

ACKNOWLEDGMENT

No. :

Date :

Received Memorandum of Appeal along with enclosure from

.....

Place :

Date :

*Seal and signature of Authorized Officer
By Order of Mannadipet Commune Panchayat.*

*(Signature of Commissioner)
Mannadipet Commune Panchayat.*
