

Registered with the Registrar
of Newspapers for India under
No. 10410



Registered No.
PY/44/2021-23

புதுச்சேரி மாநில அரசிதழ்
La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

| சிறப்பு வெளியீடு | EXTRAORDINAIRE | EXTRAORDINARY |
|--|-------------------------|---------------------------|
| அதிகாரம் பெற்ற வெளியீடு | Publiée par Autorité | Published by Authority |
| எண் } புதுச்சேரி செவ்வாய்க்கிழமை 2022 ல் அக்டோபர் 18 ௨ | | |
| No. } 60 Poudouchéry Mardi 18 Octobre 2022 | | |
| No. } Puducherry Tuesday 18th October 2022 | | |
| (26 Asvina 1944) | | |

GOVERNMENT OF PUDUCHERRY
OULGARET MUNICIPALITY

F. No. 47-274/Health/O.M./2022-23.

Jawahar Nagar, dated 13th October 2022.

NOTIFICATION

The Designated Officer who has been appointed by the Government under clause (b) of sub-section (2) of section 109 of the Puducherry Municipalities Act, 1973 (*vide* G.O. Ms. No. 34/LAS/A4/2015, dated 25-03-2015 of the Local Administration Department) to exercise all the powers and to perform all the functions of Oulgaret Municipal Council has therefore, adopted the following Draft Bye-law on "Oulgaret Municipality Faecal Sludge and Septage Management, 2022".

Whereas, in exercise of the powers conferred upon by sub-section (1) of section 501 of the Puducherry Municipalities Act, 1973, the Government has authorised the Secretary to Government (Local Administration) to approve and confirm the Bye-laws of Municipal Councils, *vide* G.O. Ms. No. 292, dated 06-10-1976 of the Local Administration Department.

Whereas, in exercise of the powers conferred by section 443 of the Puducherry Municipalities Act, 1973 (No. 9 of 1973), Oulgaret Municipality has drafted this Oulgaret Municipality Bye-law on Faecal Sludge and Septage Management, 2022 and it is hereby published in the Government Gazette for information of all persons likely to be affected thereby and notice is hereby issued that the said Bye-laws shall be taken into consideration after the expiry of 30 (thirty) days from the date of its publication.

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, Oulgaret Municipality, No. 1, 2nd Cross, Jawahar Nagar, Puducherry-605 005. E-mail to *om.pon@nic.in*. These Bye-laws may be viewed in website *http://oulmun.in/*.

A. SURESHRAJ
Commissioner.

DRAFT BYE-LAWS
ON FAECAL SLUDGE AND SEPTAGE MANAGEMENT, 2022

CHAPTER – I

1. Short title and commencement.— (i) These Bye-laws may be called "Oulgaret Municipality 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 Oulgaret Municipal Jurisdiction.

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) "Oulgaret Municipality 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 Oulgaret Municipality 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 Oulgaret Municipality authorized by Commissioner, Oulgaret Municipality 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 Oulgaret Municipality/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) "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;

(ix) "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 co-treated with sewage;

(x) "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 Oulgaret Municipality;

(xi) "Licensed Operator" mean, any person holding Licence to carry out Desludging and Transportation of FSS to the Notified Location;

(xii) "Nodal Agency" mean, the Government Department or Oulgaret Municipality or Agency hired by it for the operation and maintenance of Sewers, STP and FSSM;

(xiii) "Notified location" mean, the location of delivery and disposal of FSS, as defined and earmarked by Oulgaret Municipality/ Public Works Department, Puducherry;

(xiv) "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;

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

(xvi) "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;

(xvii) "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);

(xviii) "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);

(xix) "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.

(xx) "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.

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

(xxii) "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.;

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

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

(xxv) "Trained Sanitary Workers of Oulgaret Municipality" mean, Oulgaret Municipal staff or contracted/hired workers engaged and trained by Oulgaret Municipality for the purpose of Desludging/ Emptying and Transportation of FSS using Oulgaret Municipality owned Vacuum Tanker.

(xxvi) "Transportation" means, safe transfer of FSS through Oulgaret Municipal Registered Vacuum Tanker from the place of desludging to the Notified Location;

(xxvii) "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.

(xxviii) "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.

(xxix) "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

WASTE WATER MANAGEMENT

3. Management and disposal of wastewater from premises.—The owner/occupier of every property in Oulgaret Municipality (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) meters 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 Oulgaret Municipality/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 Oulgaret Municipality 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 Oulgaret Municipality.

(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 Oulgaret Municipality with adequate safety measures and no manual cleaning is taken up for the purpose.

(vi) Commissioner, Oulgaret Municipality or Officer Designated by Commissioner, Oulgaret Municipality has the right to inspect the premises for non-compliances. Oulgaret Municipality 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) Oulgaret Municipality 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 DE-SLUDGING AND TRANSPORTATION OF FSS

5. Licence to be issued by Oulgaret Municipality.—(i) Oulgaret Municipality shall register the Vacuum Tanker(s) owned or hired by the vendor of the nodal agency or private operator(s) currently providing desludging services in Oulgaret Municipality.

(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 Oulgaret Municipal limit. This training shall be carried out within 1month 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 Oulgaret Municipality 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) Oulgaret Municipality shall register the Vacuum Tanker(s) owned or hired by the applicant. Oulgaret Municipality shall inspect the vehicle for its satisfaction. Oulgaret Municipality has the right to reject or revoke the registration of vehicles which Oulgaret Municipality 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 Oulgaret Municipality Jurisdiction.

(iv) The applicant shall register her/his Vacuum Tanker(s) with Oulgaret Municipality.

(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 Oulgaret Municipality or agency hired by Oulgaret Municipality.

(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 Oulgaret Municipality.

(ix) Oulgaret Municipality shall give wide publicity on its web site and through leading Newspapers and other print and electronic media periodically, inviting prospective applicants to apply for the Licence.

(x) Oulgaret Municipality 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 Oulgaret Municipality.

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 Oulgaret Municipality will periodically give wide publicity to the Licensed Operator(s), on its website as well as through print and electronic media.

(ii) The Oulgaret Municipality 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 Oulgaret Municipality 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 Oulgaret Municipality 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 Oulgaret Municipality 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 Oulgaret Municipality 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 Oulgaret Municipality.

(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 Oulgaret Municipality from time to time) for safe and efficient transportation of FSS.

(iv) A copy of Licence issued to the Operator and Oulgaret Municipality Registration of the Vehicle 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 Oulgaret Municipality 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 an 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 Oulgaret Municipality 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 Oulgaret Municipality 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 check-up at least twice a year and submit record of the same to Oulgaret Municipality, 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 Ors. v/s. Union of India and Ors.) 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, Oulgaret Municipality 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 Oulgaret Municipality/Public Works Department will identify and notify the location(s) where the FSSW shall be treated/disposed by the Licensed Operator or Trained Sanitary Staff of Oulgaret Municipality.

16. **Creation of infrastructure to receive the FSSW.**— The Oulgaret Municipality/Public Works Department 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 Oulgaret Municipality/Public Works Department 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 Oulgaret Municipality/Public Works Department at each notified location(s) during the hours as notified by Oulgaret Municipality 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 Oulgaret Municipality/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 Oulgaret Municipality/Public Works Department 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) The Oulgaret Municipality/Public Works Department 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 waste water 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 Oulgaret Municipality 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 Oulgaret Municipality duly authorized by the Commissioner.

(ii) Oulgaret Municipality 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, Oulgaret Municipality 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 Oulgaret Municipality 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 Oulgaret Municipality 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 FSS.

Application Form for Licence or Collection, Transportation and Disposal of Faecal Sludge and Septage in Oulgaret Municipality

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* :
Mobil :
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)

Paste
passport
size
photograph

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 Oulgaret Municipality.
2. The fee for collection and transportation of FSS up to the Faecal Sludge and Septage Treatment Plant (FSSTP) shall be as prescribed by Oulgaret Municipality 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 Oulgaret Municipality.
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 Oulgaret Municipality and the agency notified by Oulgaret Municipality for tracking of such vehicles.
7. The license 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 check-up at least once in every year and submit record of the same to Oulgaret Municipality 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 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 Oulgaret Municipality**

| |
|--|
| Paste passport size photograph with stamp of Oulgaret Municipality |
|--|

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 Oulgaret Municipality.

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 :

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. The 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.

6. 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 Oulgaret Municipality**

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 : Breath: Depth :
Diameter : Depth :
10. GPS co-ordinates:
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 OM SWM Bye-laws 2021 |
| 2 | Desludging of Septic tanks | ₹ 3,800 per trip | (One trip 8,000 liters) | |

User Charges

| 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 onroad sides where drains are not constructed so far. (Direct/Unsafe discharge of waste water into drain/road/open area). | 3 | 500 | As per OM SWM Bye-laws 2021 |

| (1) | (2) | (3) | (4) | (5) |
|-----|---|-----|---|---------------------|
| 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 | |
| 3.1 | Plying of vacuum tanker(s) without Oulgaret Municipality 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. |

| PART-II] | | LA GAZETTE DE L'ETAT | | 1045 |
|----------|---|----------------------|------------------------------|------------------------------|
| (1) | (2) | (3) | (4) | (5) |
| 6.1 | Discharging of fecal sludge in unauthorized place. (other than PWD Sewage Treatment Plant at Karuvadikuppam). | 15, 16, 21 | 2,500 | As per OM SWM Bye-laws 2021. |
| 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 fact.

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 Oulgaret Municipality.*

*(Signature of Commissioner)
Oulgaret Municipality.*
