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The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY
PONDICHERRY MUNICIPALITY, PUDUCHERRY

F. No. 157/PM/MHO/2022-23.

Puducherry, dated the 2nd February 2023.

NOTIFICATION

In exercise of the powers conferred under section 3, 6 and 25 of the Environment [Protection] Act, 1986 (29 of 1986), the Central Government has enacted the Solid Waste Management Rules, 2016 to regulate the Management of Solid Waste. The Solid Waste Management Rules, 2016 shall apply to every Municipal Authority which shall within its territorial area be responsible for the implementation of the provisions of the said rules and for any infrastructure development for collection, storage, segregation, transportation, processing and disposal of Municipal solid wastes. Further, it shall be the responsibility of the

generator of wastes to cooperate with the Municipal Authority concerned to avoid littering and ensure delivery of segregated wastes in accordance with the collection and segregation system as notified in the Solid Waste Management Rules, 2016.

2. In exercise of the powers conferred by section 443 of the Puducherry Municipalities Act, 1973 (No. 9 of 1973), read with rule 15(e), (f) and (zf) of the aforesaid Solid Waste Management Rules, 2016 Pondicherry Municipality has drafted this Pondicherry Municipality Solid Waste Management Draft Bye-laws, 2021 has been published in Extraordinary Government Gazette of Puducherry Part-II *vide* No. 53, dated 23rd December, 2021, 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.

3. No valid objection and suggestions were received within the aforesaid stipulated period.

4. 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 Pondicherry Municipal Council has therefore, adopted the following Draft Solid Waste Management (SWM) Bye-Laws as final one.

5. In exercise of the powers conferred upon by sub-section (1) of section 501 of the Puducherry Municipalities Act, 1973, the Government has authorized 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.

6. The Secretary to Government (Local Administration) has approved and confirmed the following Pondicherry Municipality Solid Waste Management (PM-SWM) Bye-laws, 2021 *vide* 157/PM/MHO/2022-23, dated 02-02-2023 of the Local Administration and has been published in the Puducherry State Gazette for information of the public as required under section 447 (2) of the Puducherry Municipalities Act, 1973, as Pondicherry Municipality Solid Waste Management (PM-SWM) Bye-laws, 2021.

7. These Pondicherry Municipality Solid Waste Management (PM-SWM) Bye-laws, 2021, will come into effect immediately from the date of publication in the Official Gazette.

ROMIL SINGH DONK,
Commissioner.

SOLID WASTE MANAGEMENT (SWM) BYE-LAWS

CHAPTER-I

GENERAL

1. Short title, extent and commencement.— (1) These Bye-laws may be called as the Pondicherry Municipality Solid Waste Management (PM-SWM) Bye-laws, 2021.

2. Extent of application.— (1) These Bye-laws shall be applicable within the jurisdiction of Pondicherry Municipality.

(2) These Bye-laws shall be read along with—

(a) the Bye-laws “Levy of Collection Charges for Removal of Solid Waste from Residential and Non-Residential Premises 2017” published in the Extraordinary Official Gazette of Puducherry, Part-II, *vide* No. 65, dated 19-11-2018 (framed by Pondicherry Municipality) and amendment to the said Bye-law published in the Official Gazette of Puducherry *vide* Extraordinary Gazette, Part-II, No. 16, dated 08-03-2019 framed by Pondicherry Municipality and Local Administration Order No. 1516/LAD/PPS/(1)/2016, dated 07-02-2020 and Amendment succeeding this Bye-law from time to time by this Municipality.

(b) *Plastic Ban Order.*— The “Bye-laws For Plastic Waste Management (Amendment), 2021, published in the Extraordinary Gazette of Puducherry, Part-II, No. 18, dated 18-04-2022 framed by Pondicherry Municipality and Amendment succeeding this Bye-law from time to time by this Municipality.

(c) *Construction and Demolition Waste.*— The notification published *vide* Official Gazette of Puducherry No. 5 of the 29th January 2019 for collection and transportation of Construction and Demolition waste by Pondicherry Municipality and Amendment succeeding this Bye-law from time to time by this Municipality.

3. Definitions.— (1) In these Bye-laws and the Schedule attached thereto, the words and expressions used but, not defined shall have the meanings respectively assigned to them, unless the context otherwise requires,

“Agency or Service Provider” mean, any Person/Company, Registered Society, Trust, Partnership, Limited Liability Partnership and/ or any other registered entity including registered organization of Waste Pickers and/or Waste Traders which has been appointed or authorised by Pondicherry Municipality to Act on its behalf including an Empanelled Vendor, for discharge of duties or functions under the Solid Waste Management Rules, 2016 and this Bye-laws, 2021 in a manner that is in compliance with all applicable regulations including Labour Laws;

“Aerobic composting” mean, a controlled process involving microbiological decomposition of organic matter in the presence of oxygen;

“Anaerobic digestion” mean, a controlled process involving microbial decomposition of organic matter in the absence of oxygen.

“Authorization” mean, the permission given by the Puducherry Pollution Control Committee (PPCC), to the operator of a facility or Urban Local Authority, or any other agency responsible for processing and disposal of solid waste.

“Biodegradable waste” mean, any organic material that can be degraded by micro- organisms into simpler stable compounds;

“Bio-methanation” means, a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;

“Ward” means, one among the notified divisions of Pondicherry Municipal jurisdiction containing households, shops and commercial establishments, streets and roads connecting these households and establishments, which may however be adjusted by Pondicherry Municipality based on per capita generation of Solid Waste and other local conditions, to plan for and execute effective waste collection, transportation and processing.

“Bio-medical Waste” means, any waste, which is generated–

(i) during the diagnosis, treatment or immunization of human beings or animals or in research activities pertaining thereto; or

(ii) in the production or testing of preparation(s) made from organisms or micro-organisms or product of metabolism and biochemical reactions intended for use in the diagnosis, immunization or the treatment of human beings or animals or in research activities pertaining thereto; or

(iii) in health camps; an illustrative list as specified in Part D of Schedule-I.

“Brand owner” means, a person or company who sells any commodity under a registered brand label.

“Bulk waste generator” means, and includes buildings occupied by the Central Government Departments or undertakings, State Government Departments or Undertakings, Local Bodies, Public Sector Undertakings or Private Companies, Hospitals, Nursing homes, Schools, Colleges, Universities, other Educational Institutions, hostels, hotels, commercial establishments, markets, places of worship, residential apartments/gated communities/group housing having more than 25 dwelling units, stadia and sports complexes, with an average waste generation rate exceeding 50 kg. per day or area exceeding 5,000 sqm. However, Pondicherry Municipality reserves the right to modify the threshold of waste generation for being declared as bulk waste generator at any later point of time and also the manner of collection of bulk waste, as notified through an official order;

“Bulk Garden and Horticultural Waste” means, bulk waste from parks, gardens, traffic islands, road medians and similar places including grass and wood clippings, weeds, woody ‘brown’ carbon-rich material such as pruning, branches, twigs, wood chipping, straw or dead leaves and tree trimmings, which cannot be accommodated in the daily collection system for Bio-degradable Waste;

“Bulky Waste” shall consist of Solid Waste generated by commercial and residential Premises which, by virtue of its mass, shape, size or quantity is, in the opinion of Pondicherry Municipality and/or for collection of waste, inconvenient to be accommodated in the daily Door to Door Collection system provided by Pondicherry Municipality For example, Old mattress, old furniture or other bulky waste. An illustrative list as specified in Part E of Schedule-I;

“Bye-laws” means, the regulatory framework notified by Local Body, for facilitating the implementation of these rules effectively in their jurisdiction.

“C and D Rules” mean, the Construction and Demolition Waste Management Rules, 2016 including notifications, orders and directions issued by Pondicherry Municipality and/or appropriate Governmental Authority pursuant to these rules;

“Construction and Demolition Waste” shall have the same meaning as assigned under clause (c) of sub-rule (1) of rule 3 of Construction and Demolition Waste Management Rules, 2016;

“CPCB” means, the Central Pollution Control Board;

“Clean Area” mean, the public place in front and all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb.

“Cleanliness Fee” mean, an amount to be collected from the Event Managers/Organizers for cleaning the event site by the Agency.

“Combustible waste” mean, non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1,500 kcal./kg. and excluding chlorinated materials like plastic, wood pulp, *etc.*;

“Community waste storage bin” mean, any storage facility set up and maintained by the Municipality/Agency/Service Providers collectively by owners and or/occupiers of one or more premises for storage of Solid Waste in a segregated manner in the roadside/premises of any one of such owners/occupiers or in their common premises,

“Composting” means, a controlled process involving microbial decomposition of organic matter;

“Coproprocessing” means, use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1,500 kcal/kg as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;

“Decentralized processing” mean, establishment of dispersed local facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;

“Disposal” means, the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;

“Domestic hazardous waste” mean, that waste generated at the household level which includes discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauze, *etc.*;

“Door to door collection” means, collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non-residential premises, excluding collection of such waste from bulk generators;

“Dry waste” mean, waste other than bio-degradable waste and inert street sweepings and includes recyclable and non-recyclable waste, combustible waste, *etc.*;

“Dry Waste Collection Centre or DWCC” mean, a decentralized waste management facility to aggregate, store, sort and handle Non-Biodegradable Waste that is operated by Pondicherry Municipality and/or the Agency/Service Provider/Waste picker organizations/Self Help Groups *etc.*;

“Dump sites” mean, a land utilized by Local Body for disposal of solid waste without following the principles of sanitary land filling;

“Event” means, any gatherings for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings, *etc.*, in public places;

“Extended Producer Responsibility” (EPR) mean, responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, *etc.*, for environmentally sound management, till end-of-life of the packaging products; and EPR as defined in rule 3(h) of Plastic Waste Management Rules, 2016 and Rule 3(1) (t) E-Waste Management Rules, 2016.

“E-waste” shall have the same meaning as assigned under clause (r) of sub-rule (1) of rule (3) of the E-Waste (Management) Rules, 2016;

“Empaneled Vendor” mean, any company, registered Society, Trust, partnership, limited liability partnership and/or registered entity including registered organization of Waste Pickers and/or Waste Traders empaneled with Pondicherry Municipality for providing services relating to Solid Waste management after Pondicherry Municipality carries out a due diligence exercise to verify if, such persons/entities have the necessary infrastructure including approved destinations for processing of Solid Waste, to carry out the duties or functions under the Solid Waste Management Rules and these Bye-laws;

“Facility” means, any establishment wherein, the solid waste management processes namely, segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal of solid waste are carried out;

“Familiarization/warning period” mean, that specific period, during which there is a relaxation in the fines for contravention of these Bye-laws;

“Fine” means, penalty imposed on waste generators or operators of waste processing and disposal facilities under the Bye-laws for non-compliance of the directions contained in these rules and/or Bye-laws and be recoverable pursuant to the provisions of section 175 to 192 of the Pondicherry Municipalities Act, 1973.

“Handling” includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;

“Hazardous waste” mean, any waste which by reason of any of its physical, chemical, reactive, toxic, causing danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and shall include wastes specifically listed in Part C of Schedule-I, of these Bye-laws and all other hazardous wastes as defined in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended to date and the Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016.

“Incineration” means, an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;

“Inerts Waste” mean, wastes which are not bio-degradable, recyclable or combustible such as street sweeping waste or dust and silt removed from the surface drains or process rejects from processing of waste;

“Informal waste collector” include individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;

“PPCC” means, the Puducherry Pollution Control Committee.

“Leachate” means, the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;

“Litter” means, all refuse and includes any other waste material which, if, thrown or deposited as prohibited under these Bye-laws, tends to create uncleanliness or a danger or nuisance to public health, safety or welfare.

“Littering” means, putting/throwing litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend, blow, be washed, percolate or otherwise escape into or onto any public place, or causing, permitting or allowing litter to fall, descend, blow, washed, percolate or otherwise escape into or onto any public place.

“Market Associations” mean, a group or association of shop owners or shopkeepers, traders, businessmen, dealers, merchants, brokers or other Agency or Service Providers of a particular neighborhood, market or locality that may or may not be registered with the Registrar of Co-operative Societies and, or any other Authority;

“Materials Recovery Facility” (MRF) mean, a facility where non-compostable solid waste can be temporarily stored by the Pondicherry Municipality or any other entity mentioned in rule 2 of Solid Waste Management Rules, 2016 or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the Local Body or entity mentioned in rule 2 of Solid Waste Management Rules, 2016 for the purpose before the waste is delivered or taken up for its processing or final disposal;

“Neighborhood” means, a clearly defined locality, with reference to its physical layout, character or inhabitants;

“New construction” mean, all buildings under construction within the limits of the Pondicherry Municipality;

“Non-biodegradable waste” mean, any waste that cannot be degraded by microorganisms into simpler stable compounds;

“Nuisance” includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property.

“Nuisance Detectors” (NDs) mean, those employees of the Pondicherry Municipality who are appointed by the Commissioner to detect, the acts of public nuisance, *etc.*, or those technological interventions which also detect, acts of Public Nuisance.

“Occupier” means, and includes, any Person who is paying or is liable to pay—

(i) to the owner the rent on enjoying the premises at free of cost or any part thereof for the land, building(s), room(s) and/or similar premises for occupation or use;

(ii) an owner in occupation of, or otherwise using his land, building(s), room(s) and/or similar premises;

(iii) a rent-free tenant of any land, building(s), room(s) and/or similar premises;

(iv) a licensee in occupation of any land, building(s), room(s) and/or similar premises;

(v) any person who is liable to pay to the owner damages for the use and occupation of any land, building, room(s) and/or similar premises; and

(vi) relevant Head of a Government Department or Office, in respect of properties under their respective control;

“Operator of a facility” means, a person or entity, who owns or operates a facility for handling solid waste which includes the Pondicherry Municipality and any other entity or agency appointed by the Pondicherry Municipality;

“Owner” means, any person who exercises the rights of an owner of any building, or land or part thereof;

“Point to Point Collection” means, the system of collection of Solid Waste from specific pick-up points as designated by Pondicherry Municipality, up to which the Waste Generator must bring the collected and segregated Solid Waste for storage at collection points/waste depots/waste receiving kiosks or designated locations for onward delivery in vehicles so provided by Pondicherry Municipality and/or the Agency/Service Provider;

“Primary collection” mean, collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the Pondicherry Municipality;

“Processing” means, any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;

“Processing Fee” mean, a fee or support price as determined by Pondicherry Municipality to be paid to the owner/concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill being used, wherever felt necessary;

“Public place” include any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, Government and Municipal buildings, public hospitals, markets, slaughter houses, Courts, *etc.*;

“Public Nuisance” mean, any act, omission, offence or wrong-doing in any public place which causes or is likely to cause injury, danger, annoyance or offense to the sense of sight, smell, hearing or disturbance to movement, work or rest, or which is or may be dangerous to life or injurious to health or property;

“Premises” means, any land, building or part of a building and includes any gardens and grounds appertaining to a building or part thereof and structures constructed on the land, used for purposes of residence, trade, industry, service, business, Government or any other

public or private purpose including weddings, banquets, meetings, exhibitions, organized events, *etc.*, It also includes any portion of a public road that is permitted by Pondicherry Municipality to be used for the time being for parking of vehicles, street vending, storage of materials at a work site or for any public or private purpose whatsoever other than the movement of vehicles;

“Receptacle” means, any storage container, including bins and bags, used for the storage of any category of solid waste;

“Recycling” means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products;

“Recyclable Waste” mean, the waste that is commonly found in the solid waste and is also collectively and commonly called as “Dry Waste”. These include many kinds of glass, paper, metal, plastic, textiles, electronics goods, *etc.*

“Refuse” means, any waste matter generated out of different activities, processes either Bio-degradable/Non-biodegradable/Recyclable in nature in either solid or semi- solid form which cannot be consumed, used or processed by the generator in its existing form.

“Refuse Derived Fuel” (RDF) mean, fuel derived from combustible fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste;

“Rendering” means, the slaughter of animals and fowl, processing of the carcasses into cured, canned, and other meat products, and the rendering of inedible and discarded remains into useful by-products such as lards and oils.

“Residual Inert Waste” mean, and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;

“Rules” means, Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016, Biomedical Waste Management Rules, 2016, The E-Waste Management Rules, 2016, The Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016.

“Resident Welfare Associations” mean, a group or association of owners or occupiers of residential premises of a particular neighborhood or locality lying within the jurisdiction of Pondicherry Municipality, that may or may not be registered with the Registrar of Co-operative Societies (or) any other Authority, and which involves itself in civic issues pertaining to Pondicherry Municipality;

“Sanitary Landfill” mean, the facility for final and safe disposal of residual inert waste on land designed with protective measures against pollution of groundwater, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants, slope instability and erosion;

“Sanitary Waste” mean, wastes comprising of used diapers, sanitary towels or napkins, menstrual cloth and cups, incontinence sheets, tampons, condoms, ear buds, toilet paper, band aid, syringes from households and any other similar waste;

“Street Sweeping” mean, the sweeping and collection of Solid Waste from public streets, parks and other public areas and cleaning of surface drains/trenches abutting Public Streets and related activities;

“Secondary Storage” mean, the temporary containment of solid waste after primary collection at secondary waste storage points or Material Recovery Facilities (MRFs) or bins for onward transportation of the waste to the processing or disposal facility;

“Segregation” means, sorting and separate storage of various components of solid waste namely bio-degradable wastes including agriculture and dairy waste, non-biodegradable wastes including recyclable waste, non-recyclable combustible waste and non-recyclable inert waste, sanitary waste including domestic hazardous wastes and construction and demolition (C&D) wastes;

“Solid Waste” mean, and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste, hazardous waste, excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities mentioned in rule 2 Solid Waste Management Rules, 2016;

“Sorting” means, separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, *etc.*, from mixed solid waste as may be appropriate to facilitate recycling;

“Source” means, the premises in which the waste is generated or a community storage centre used by owners/occupiers of one or more premises for segregated storage of Solid Waste;

“Stabilising” means, the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation;

“Stabilised biodegradable waste” mean, the biologically stabilized (free of pathogens) waste resulting from the mechanical/biological treatment of biodegradable waste; and only when Stabilised can such waste be used with no further restrictions;

“Street vendor” mean, any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly;

“Transportation” means, conveyance of solid waste, either treated, partly treated or untreated from one location to another in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering on ground and unsightly conditions;

“Transfer station” mean, a facility created to receive solid waste from primary collection and transport in bulk in covered vehicles or containers to waste processing and/or disposal facilities with the transfer of waste and its transport being undertaken as per the prescribed Standard Operating Procedure following the principle of No Garbage on Ground (NGoG) and zero spillage of garbage/waste during transfer or transport;

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

“User Charge or SWM Service Charge” mean, a fee imposed by the Pondicherry Municipality or any other entity mentioned in rule 2 a Solid Waste Management Rules, 2016 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services as per the polluter pays principle.

“Vacant Plot” mean, any Land or open space belonging to a private party/person that is presently not occupied by their/him.

“Vermi composting” mean, the process of conversion of bio degradable waste into compost using earthworms;

“Ward Micro Plan” mean, the schematic layout indicating collection times for different categories of Solid Waste, details of the collection vehicles and points, map of the Ward, roads/streets for street sweeping and optimal route map for collection and transportation of waste, manpower and other information required for effective implementation of the solid waste management as may be considered appropriate by Pondicherry Municipality.

“Waste Hierarchy” mean, the solid waste management priority order in which the solid waste is to be managed by giving emphasis in the following order to the 5, *i.e.*, Refusal (prevention of use), Reduction, Reuse, Recycling and Recovery and only as a last option Disposal, *i.e.*, with Prevention being the most preferred option and the Disposal at the landfill being the least;

“Waste generator” mean, and includes every person or group of persons, every residential premises and non-residential/commercial establishments/institutions including State and Central Government establishments like Indian Railways, Defense establishments, *etc.*, which generate solid waste;

“Waste picker” mean, a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation, *i.e.*, the streets, bins, material recovery facilities, processing and waste disposal facilities, for sale to recyclers directly or through intermediaries to earn their livelihood.

“Waste Traders” mean, persons or entities such as scrap dealers, itinerant buyers and traders who are involved in the sorting, sale and purchase of Recyclable Non-biodegradable Waste.

“Zero Waste Campus” mean, a residential or non-residential/commercial/educational/State/Central Government/Official colony or campus which ensures that solid waste generated within the campus is 100% source segregated and processed/treated in situ and other recyclable wastes pickup are tied up directly with recyclers, without depending on the waste collection system of Pondicherry Municipality/Service Providers or Empanelled Vendors.

CHAPTER II

Segregation and Primary Storage

4. As per rule 4 of Solid Waste Management Rules 2016.—

(a) every waste generator including bulk waste generator shall be;

Required to segregate Solid Waste at source of generation and store into the following categories, as applicable, namely:—

- (i) Bio-degradable Waste, also referred to as Wet Waste,
- (ii) Non-biodegradable Waste, including Dry Waste,
- (iii) Domestic Hazardous Waste, including Sanitary Waste,
- (iv) Construction and Demolition (C&D) Waste,
- (v) Bulk Garden and Horticulture Waste; and
- (vi) Electronic or E-Waste.

(b) The Sanitary Waste such as sanitary napkins, diapers, tampons and similar products shall be securely wrapped in pouches provided by the manufacturers or brand owners or in old newspapers and all Sanitary Waste shall be stored along with the Domestic Hazardous Waste. Waste Generators such as Bulk Waste Generators, Educational Institutions, ladies' hostels and paying guests accommodations shall ensure that the provisions of these Bye-laws are strictly complied with and such Sanitary Waste is not disposed in the drainage or sewerage systems. Failure to comply with this shall lead to fine being levied as per penalties listed at Schedule X(a).

(c) The Bio-degradable Waste, Non-biodegradable Waste and Domestic Hazardous Waste along with Sanitary Waste shall be each stored separately, without mixing it, in specified Receptacles (without using any plastic garbage liner bags) for handing over or delivery to Pondicherry Municipality and/or Agency/Service Provider, as the case may be. The Waste Generator shall ensure that Non-biodegradable Waste such as packets, food containers, boxes, bottles, tetra pack cartons and other disposable items are cleaned and dried so that these items can be effectively recycled. All Solid Waste including Bio-degradable Waste shall not be wrapped in plastics bags for handing over to Pondicherry Municipality and/or Agency/Service Provider. There shall be only bin to bin transfer of such waste *i.e.*, from segregated waste bin to bin (storage space) of waste collector vehicles.

(d) The Construction and Demolition Waste and Bulk Garden and Horticulture Waste shall be stored separately in the Waste Generator's Premises. No Bio-medical Waste, E-waste, hazardous chemicals and industrial waste shall be mixed with Solid Waste.

(e) The colour of the Receptacles/Bins where the following segregated Solid Waste shall be stored before eventual handover to Pondicherry Municipality and/or Agency/Service Provider, as the case may be, shall be:

- (i) Green for Bio-degradable/Wet Waste;
- (ii) Blue for Non-biodegradable/Dry Waste; and
- (iii) Red for Domestic Hazardous Waste including Sanitary Waste.

5. Responsibilities of specific categories of Waste Generators.—

The Waste Generators such as Shops and Commercial Establishments and Street Vendors shall segregate the Solid Waste generated during the course of their activity such as food waste, permissible disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits and similar items in accordance with the categories specified in Bye-laws 4(a)/Schedule-I and shall have separate bins to store for this purpose, without any litter/spillage on ground and handed over to the service provider. Any litter/spillage found in front or in and around the establishment or storage of non-segregated/mixed waste shall be deemed as violation under these Bye-laws and fine shall be levied as per penalties listed at Schedule-X.

(a) Every occupier of any premises who generates poultry, fish, meat and slaughter waste as a result of any commercial activity, shall store such waste separately in a fully closed manner and in hygienic condition and such waste shall not be mixed with any other category of Solid Waste. Deposit of such waste in any other receptacle or community bin or public place is prohibited and shall attract fines as indicated in Schedule X(a). Pondicherry Municipality would directly or through its authorized service provider would collect slaughterhouse waste daily and the relevant Occupier shall ensure that such waste is ready for handover at the times designated by Pondicherry Municipality. Pondicherry Municipality/Service Provider shall provide bins and vehicles for primary collection and secondary transportation of poultry, fish, meat and slaughterhouse waste, will be taken care as per Schedule-VIII (Annexure-II). Such user charge/service charge shall be notified by the Pondicherry Municipality from time to time and it shall be the duty of this category of waste generator to pay these fees for the collection/transportation/scientific disposal service provided.

(b) Every Bulk Waste Generator or aggregation of Waste Generators maintaining community Receptacles on their Premises shall be responsible for collection of segregated solid Waste from each individual Waste Generator within its Premises and storing it in separate covered Receptacles in accordance with Bye-law 4 at the entry gate or a designated location on the ground floor of such Premises, to enable swift and timely collection of such segregated waste. The Commissioner (or) any other Officer authorised by him shall designate anyone entry gate (or) designated location in the premises of BWG irrespective of the number of entry/exists available in said premises.

(c) It shall be the responsibility of the owner or occupier of premises to ensure storage of the construction material and Construction and Demolition (C&D) waste well within the premises and not encroach or block any public spaces like footpath, road, *etc.* The storage, handling and management of C&D waste shall be governed by C&D Waste Management Rules, 2016 and Building Bye-laws in vogue in Pondicherry Municipality/Puducherry Planning Authority.

(d) In case the construction material or C&D waste has to be stored on the road and other public spaces due to unavoidable reasons like lack of space or requirements of construction or demolition works, the owner or occupier of the premises shall take specific permission from

Pondicherry Municipality to do so. Pondicherry Municipality shall charge a fee as notified from time to time by Commissioner, to allow storage of construction material and construction and demolition (C&D) waste on the road and other public spaces, in the minimum space required without causing undue hardship to public. It shall be the responsibility of the owner or occupier of premises to dispose C&D waste at a place designated by Pondicherry Municipality as per the collection and transportation system authorised by Pondicherry Municipality.

(e) In every designated commercial area or areas with commercial establishments, it shall be the responsibility of the market associations or group of shop owners or in case of absence of such Association or Group the individual Shop owner to ensure that segregated waste bins (as per the type of waste generated) are kept and that there is no littering and throwing of any type of solid waste on the roads, footpaths, drains and other such public spaces. Any litter/spillage found in front or in and around the establishment or storage of non-segregated/mixed waste in the commercial area shall be deemed as violation under this Bye-law and fine shall be levied as per penalties listed at Schedule-X on the shop or establishment concerned.

CHAPTER III

Collection, Transportation and Disposal of Solid Waste

6. Door to Door Collection of segregated Solid Waste.—

(i) Subject to provisions of Bye-law 8, Door to Door Collection shall be implemented by Pondicherry Municipality for all or certain categories of segregated Solid Waste, in all Wards of the Pondicherry Municipality from:

(a) doorsteps of households, shops, small commercial establishments and offices;

(b) entry gate or at a designated location on the ground floor in a Housing Society, multi-storied buildings or apartments, residential, commercial, institutional complexes or premises which do not fall within entities specified in Bye-law 6(i)(a) and are not Bulk Waste Generators; and/or

(c) entry gate or specified places of slums and informal settlements.

(ii) Upon payment of Service Charge or User Charges specified in Schedule-VIII (Annexure-I to VI) and subject to provisions of section 13 of these Bye-Laws, Pondicherry Municipality shall implement Door to Door collection, for all or certain categories of segregated Solid Waste from the entry gate or a designated location on the ground floor of a Bulk Waste Generator to the extent they are not processing their own waste *in situ* and/or are not engaging services of an Empanelled Vendor.

(iii) In addition to Door to Door Collection of Solid Waste under Bye-law 6, Pondicherry Municipality and/or Agency/Service Provider as the case may be, shall collect Solid Waste from public spaces such as parks, markets, roads, streets, gardens and similar areas at specified times and days.

(iv) In order to carry out Door to Door Collection as specified in Bye-law 6(i), area-wise specific time slots including relevant day of the week for different categories of Solid Waste shall be notified by Pondicherry Municipality or service provider and published at prominently visible parts of that area and on the website of Pondicherry Municipality. In addition, route maps for collection including stops, starting and ending times and other relevant details shall be provided along with the time slots. Pondicherry Municipality shall collect Bio-degradable Waste and Sanitary Waste on a daily basis and Non-Biodegradable Dry Waste at least twice or thrice a week as per necessity or as specified by Pondicherry Municipality from time to time.

(v) Pondicherry Municipality shall assess the number of primary collection vehicles, pushcarts, Secondary Transportation Vehicles and manpower that will be allotted to each Ward for efficient primary collection and transportation of segregated Solid Waste and to ensure that there is no inter-mixing of segregated Solid Waste. The movement of vehicles will be monitored through GPS tagging.

(vi) Pondicherry Municipality and/or Agency/Service Provider shall announce their arrival in the time notified earlier for collection of Solid Waste by blowing a whistle and/or also play a recorded message/ announce through a loud speaker or by any other such means and at such time the Waste Generator must be ready to handover the segregated Solid Waste for collection. In the event the Waste Generator

is not available to handover the Solid Waste, such Waste Generator must ensure that the Solid Waste is stored in a segregated manner at a prominently visible, convenient and accessible place within their campus for Pondicherry Municipality and/or Agency/Service Provider to collect the Solid Waste. The segregated Solid Waste shall be kept in an enclosure and shall not be left in the open where they are susceptible to damage by dogs, cows, pigs and other animals. Also, such waste shall not be kept stored in single use plastic bags and garbage bin liners which are banned.

(vii) It shall be the duty of every Waste Generator to assist Pondicherry Municipality in collection of the segregated Solid Waste by ensuring that the Solid Waste is segregated and deposited in correct Receptacles and is ready for collection at the appointed time in accordance with the time-slots published by Pondicherry Municipality and/or Agency/Service Provider. It shall be the responsibility of Pondicherry Municipality and/or designated person to monitor and report the Waste Generators that are not complying with the provisions of this Bye Laws. The non-compliant Waste Generators shall be penalised and fined in accordance with the provisions of Schedule-X(a) of these Bye-laws.

(viii) Pondicherry Municipality may ensure Door to Door Collection or Point to Point Collection, as the case may be for E-Waste, at least once in every two weeks, on payment basis till alternate arrangements are made through notification. The E-Waste shall be transported to Dry Waste Collection Centres, E-Waste collection centres and/or materials recovery facility, as may be notified, for onward processing in accordance with the E-Waste (Management) Rules, 2016.

(ix) Pondicherry Municipality shall specify at least one day in a week for Door to Door Collection of Bulky Waste and Bulk Horticulture and Garden Waste. Any Waste Generator can also directly deposit their Bulky Waste at the relevant Secondary Storage facility designated or notified by Pondicherry Municipality. Bulky Waste generator shall pay the User charges/Service charges prescribed in Schedule-VIII (Annexure-I to VI) for availing the services. Services of on call pick up of Bulky Waste will also be provided by Pondicherry Municipality and/or Agency/Service Provider.

(x) The collected segregated Solid Waste may be transported to Secondary Storage facilities such as waste storage/collection depots, material recovery facilities or Transfer Stations or for respective processing at compost plants, bio-methanation plants, recycling plants, waste to energy plants or any other site/plant designated by Pondicherry Municipality.

(xi) There shall be no inter-mixing of segregated Solid Waste that has been collected from different Waste Generators during the transportation, transfer and processing of such waste. Pondicherry Municipality shall penalize the waste collector and transporter if, such mixing is found to have occurred as given in Schedule-X.

(xii) For collection of Construction and Demolition Waste, the Waste Generator under C&D Rules could contact Pondicherry Municipality or the Agency/Service Provider, details of which shall be provided on its website and in its office. Pondicherry Municipality/ Agency/Service Provider as the case maybe, will collect relevant charges specified in the C&D Rules or Bye laws by Pondicherry Municipality and intimate the time of collection of the Segregated C&D waste from the waste generator to designated site. This waste shall be transported to an authorised processing centre or any other designated location in accordance with C and D Rules, as stipulated in the Bye-law - 9.

7. Point to Point Collection.— Pondicherry Municipality may notify certain areas within its jurisdiction which are inaccessible for collection vehicles/pushcarts or for any other reason deemed appropriate by Pondicherry Municipality, for Point to Point Collection. For implementation of Point to Point Collection, Pondicherry Municipality shall designate collection points/spots/locations where segregated Solid Waste shall be deposited by the Waste Generator. From these notified Point to Point Collection points including waste receptacles if any, Pondicherry Municipality and/or Agency/Service Provider shall make arrangements for transportation of the segregated waste for Processing and Disposal as per the provisions under these Bye-laws.

8. Delivery and transportation of Solid Waste by the Waste Generators in certain cases.— (a) In the event, where an Empanelled Vendor has been engaged by the Waste Generator (including Bulk Waste Generator) to provide waste management services in accordance with these Bye-laws, Pondicherry Municipality shall not implement or facilitate Door to Door Collection of Solid Waste at the Premises

occupied by such Waste Generator. The Empanelled Vendor shall collect and transport the Solid Waste from the premises of such Waste Generator to the storage and processing Units within its system that have been declared to Pondicherry Municipality, within the maximum rate notified by Pondicherry Municipality for this purpose.

(b) The Street Vendor has to deliver waste duly segregated to Pondicherry Municipality/Service provider/Agency or community bin/receptacle, as may be notified from time to time. No mixed waste shall be delivered, failing which penalty as per Schedule-X shall be levied.

(c) Any Waste Generator can directly deposit or sell their Recyclable Non-biodegradable Waste to Agency/Service Providers, registered Waste Pickers and Waste Traders at mutually agreed rates. Any waste generators can directly handover or sell non-bio-degradable wastes (dry wastes) to registered rag pickers .

(d) Pondicherry Municipality may, from time to time, notify certain categories of Solid Waste, types of Waste Generators and areas within its territorial limits where Waste Generators shall be responsible to directly deliver and deposit their segregated Solid waste to Secondary Storage facilities and/or processing facilities.

9. Collection and Transportation of C&D Waste and inert waste.— 1. Duties and Responsibilities of C&D waste Generators.

(a) Every waste generator shall *prima facie* be responsible for collection, segregation of concrete, soil and others and storage of construction and demolition waste generated in consonance with these Bye-laws.

(b) The generator shall ensure that other waste (wet waste) does not get mixed with C&D waste and is to be stored and disposed off separately.

(c) Waste generators *i.e.*, Any person or Association of persons or institution, Residential and Commercial establishments including Government Department or Government Undertakings and/or Contractor working for the Government Departments or Government Undertakings who generate more than 20 tons or more in one day or 300 tons per project in a month shall segregate the waste into four streams such as (i) Concrete, (ii) Soil, (iii) Bricks and mortar and (iv) Steel, Wood and plastics and shall submit waste

management plan and get appropriate approvals from Pondicherry Municipality in prescribed in Schedule-VI before starting construction or demolition or remodeling work and keep the concerned officers in Pondicherry Municipality are to be informed regarding the relevant activities from the planning stage to the implementation stage and an amount as per Schedule-IX (b) has to be paid by the waste generator to the Pondicherry Municipality. Such collected and stored waste shall be transported immediately by the generator themselves at their own expenditure without causing any disturbance to the general public on a regular basis to the C&D Yard notified by Pondicherry Municipality.

(d) Every waste generator shall keep the construction and demolition waste within their premise, or get the waste deposited at designated collection centre or any other place notified by Pondicherry Municipality and ensure that there is no littering or deposition of construction and demolition waste in public places, roads, drains, *etc.*, so as to prevent obstruction to the traffic or the public or drains or cause public nuisance.

2. Procedure for Storage of C&D Waste:

(a) The Municipal Health Officer/Engineer/Sanitary Inspector of Pondicherry Municipality shall be empowered to identify temporary storage places (which shall not affect the general Public/Residents) for the generator towards storing such waste subject to proper pre requisition made in prescribed Form as prescribed in Schedule-VI by this municipality and obtain necessary written approval from the Municipal Health Officer/Engineer/Sanitary Inspector of Pondicherry Municipality permitting to store the C&D waste at permitted temporary storage site for which an amount as per Schedule-VIII (Annexure-VI) has to be paid by the generator. This permit shall be valid for a maximum of 2 days only. Within the allotted 2 days period the generator shall shift the C&D waste to the C&D Waste storage yard notified by Pondicherry Municipality. If, the generator fails to do so with in the stipulated 2 days period, C&D waste thus stored shall be removed and transported by the municipality to designated/notified C&D waste yard and fine shall be imposed on the generator as per Schedule-X (d). In case of two such failures to abide by these bye-laws, the construction activity will be stopped by Pondicherry Municipality without giving any notice thereof.

(b) Pondicherry Municipality shall earmark an area as per the needs for the disposal of C&D waste and other inert wastes generated during road sweepings, including that arising out of mechanical sweeping excluding the IV stream as mentioned in Bye-law 9(1)(c). This shall go to C&D Yard.

(c) Pondicherry Municipality shall explore all opportunities for the gainful utilization of the C&D waste.

10. *Vehicles for transportation of Solid Waste.*— (a) Pondicherry Municipality/Service Provider shall deploy vehicles having separate compartments for segregated wastes and such vehicle shall have a suitable announcement system for informing the citizens on its arrival and spreading relevant messages above SWM for collection of segregated Solid Wastes. In circumstances, where the vehicles do not have these compartments for different streams of Solid Waste, separate days shall be designated for collection of Bio-degradable, Non-bio-degradable Waste and Domestic Hazardous Waste to ensure that there is no mixing of different categories of Solid Waste.

(b) In smaller, narrow and congested streets/lanes where even such smaller motorized vehicle cannot operate, Pondicherry Municipality shall assign appropriate manually driven and ergonomically well-designed push carts with bins for collection, which will in turn drop off the segregated Solid Waste into the collection vehicle/transfer stations.

(c) Pondicherry Municipality shall explore eco-friendly options for Door to Door Collection and transportation of Solid Waste such as battery operated and/or electric vehicles. Motorized vehicles dependent on fossil fuels which are in use now, shall be judiciously phased out over a period of time. Pondicherry Municipality shall introduce at least one such battery operated/electric vehicle in each ward/division to encourage use of non- fossil fuel vehicles. This shall be scaled up over a period of time.

(d) The Solid Waste shall be transported to larger secondary transfer/transport vehicles such as Compactors at Secondary Transfer Points and/or Secondary Storage Points depending on the infrastructure set up by Pondicherry Municipality. Every primary collection vehicle shall be assigned a Secondary Transfer/Storage Point where the segregated Solid Waste shall be transferred with minimising waste

handling manually, *i.e.*, directly into the secondary transportation vehicle or secondary storage facility. Such Secondary Transfer/Storage Point shall be identified in the ward micro plan and shall be located at a convenient shortest possible distance from the primary Door-to-Door Collection areas. Each secondary vehicle shall have a destination of a processing facility, material recovery facility, DWCC for disposal, based on category of the Solid Waste that it receives.

(e) The vehicles used for transportation of Solid Waste shall be covered in such a manner that the collected waste is,

(f) a manner that the collected waste is,

(i) Not exposed to open environment,

(ii) Not visible to the public and

(iii) Not found Scattered on the road and/or pavements during transportation.

(iv) No leakage/spillage of liquids from the vehicle.

(g) The design of the primary and secondary transportation vehicles shall be such that the Solid Waste shall not be allowed to be littered on the road until it reaches its final processing/disposal site, and thereby eliminating the need for recurring manual handling of such waste. Hence, transfer of segregated solid waste shall be bin to bin and vehicle to vehicle. Pondicherry Municipality shall make best efforts to ensure that there is no leakage of leachate from its primary collection vehicles and secondary transportation vehicles while handling wet waste. Measures shall also be taken to ensure that leachate collected in the primary collection vehicles and secondary transportation vehicles is disposed in a scientific manner and not discharged into storm water drains and sewerage.

(h) Pondicherry Municipality shall ensure live GPS tracking for all SWM vehicles on ICT enabled Applications, including the primary collection vehicles and secondary transportation vehicles to ensure monitoring of collection and transportation of Solid Waste. Such tracking of vehicles shall be monitored remotely through a Centralised Smart Data Centre set up by Pondicherry Municipality. For the purpose of transparency and accountability, general public shall also be given access to the above.

CHAPTER IV

Processing and disposal of solid waste**11. Facilities to be provided by Pondicherry Municipality.—**

(1) Dry Waste Collection Centres (DWCCs) and Materials Recovery Facility (MRF) for Dry Waste.— (a) Pondicherry Municipality shall set up Dry Waste Collection Centres and/or Materials Recovery Facilities and the same shall be operated by Pondicherry Municipality through informal waste picker organisations/waste pickers and Women's Self Help Groups or any service provider integrated into the Pondicherry Municipality's dry waste collection system for collection and sorting of Non-bio-degradable Dry Waste, within one year from the date on which of these Bye-laws come into force.

(b) The DWCCs and/or materials recovery facility shall have adequate infrastructural facilities such as electricity, drinking water and toilets and designed to ensure efficient sorting and storage of various categories of dry waste. Dedicated manpower and budgetary provision shall be provided by the Government. The EPR shall also be judiciously tapped and used in this regard.

(2) Deposit centre for Domestic Hazardous Waste.— (a) Appropriate number of deposit centre(s) for the receipt of Domestic Hazardous Waste shall be set up within the jurisdictional limits of Pondicherry Municipality by the Pondicherry Municipality or an Agency/Service Provider at suitable location(s). Such facility shall be set up in a manner as per guidelines prescribed by the PPCC/CPCB and other appropriate Governmental agencies.

(b) The Domestic Hazardous Waste/Sanitary Waste at the Secondary Storage/transfer facilities and/or deposit centres shall be processed in accordance with Bye-law 12.

12. Processing of different categories of Solid Waste.— The Waste Generator, Pondicherry Municipality, Agency/Service Provider, Empanelled Vendor and/or any other Person involved in handling or management of Solid Waste shall ensure that different categories of Solid Waste are processed in the following manner, namely:—

(a) Processing of the Biodegradable Waste (Wet Waste).— Decentralised and/or centralised processing such as composting, vermi-composting, microbial composting, aerobic composting, anaerobic digestion, bio-methanation or any other PPCC/CPCB approved process

for bio-stabilisation of Biodegradable Waste shall be adopted for processing of Biodegradable Waste. Fresh Bio-degradable waste can also be used as animal feed if such waste is safe for consumption by livestock.

(b) Processing of Recyclable Non-Biodegradable Waste (Dry Waste).— The Recyclable Non-Biodegradable Waste shall be sent to—

(i) Dry Waste Collection Centres, Materials Recovery Facilities for sorting and baling of Dry Waste and thereafter to authorised recycling Units; or

(ii) directly to authorised recycling units to be turned into raw materials for producing new products.

(c) Processing of Domestic Hazardous Waste including Sanitary Waste.— The Domestic Hazardous Waste shall be processed through TSDF (Treatment Storage Disposal Facility) authorised by the PPCC, incineration and/or any other suitable method determined by the PPCC/CPCB. Sanitary Waste will be processed at the nearest common biomedical treatment facility and/or incinerators to be setup in Pondicherry Municipality along with other Bio-medical Waste generated within the Pondicherry Municipality. Only process rejects and inerts from these processing methods shall be transported to Sanitary Landfills for final disposal.

(d) Processing of Non-Recyclable Non-biodegradable waste.— The Non-Biodegradable Waste which cannot be recycled in accordance with Section 12(b) of these Bye-laws and having calorific value exceeding 1,500 kcal./kg. shall be used for Waste to Energy (WtE) processes including Refuse Derived Fuel (RDF) for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns. The Non-biodegradable Waste which cannot be recycled in accordance with section 12(b) of these Bye-laws and having calorific value less than 1,500 kcal./kg. can be treated as per applicable CPCB and/or PPCC guidelines to make it suitable for relevant waste to energy processes.

(e) Processing of Construction and Demolition Waste.— The Construction and Demolition Waste shall be processed in accordance with these Bye-laws and C&D Rules (including separate Bye-laws to be issued by Pondicherry Municipality) and shall be transported to appropriate processing plants, Landfills and/or other designated locations.

(f) *Processing of slaughterhouse waste.*— Waste generated from slaughterhouses, poultry and fish markets shall be processed or disposed through Rendering, Composting, Bio-methanation, controlled incineration or deep burial and/or by any other method prescribed by CPCB and/or PPCC, as applicable.

(g) *Processing of special streams of waste.*— To the extent possible, specific streams of Solid Waste such as leaf litter, cut waste of tender coconuts and sugarcane husk shall be sent for processing to leaf litter processing units, tender coconut waste processing unit and other appropriate processing facilities available, as approved by PPCC and/or CPCB, if, not available then it shall be taken to RRP for final disposal.

(h) *Disposal of Residual Waste.*— The residual Solid Waste and inerts which cannot be processed in any of the methods set in section 12 (a) to (g) above shall be disposed in a Sanitary Landfill in a scientific manner. Pondicherry Municipality shall strive to ensure that the residue from different processing facilities shall not exceed 35% of the Solid Waste delivered to the processing facility and shall be further reduced to 30% within the next five years from the effective date of notification of these Bye-laws. The Pondicherry Municipality shall strive towards a goal where only minimal Solid Waste shall be disposed in Sanitary Landfills (Zero landfilling).

12. Layout and specifications.—The processing facilities and Sanitary Landfills should have weighbridges/weighing scales to measure and record the amount of waste brought to the units. All rejects, residues and surplus unprocessed waste shall be temporarily stored at a place convenient for delivery to the notified collection system, in closed Receptacles with protective measures against Littering, Public Nuisance, foul odour, *etc.* The facilities shall have adequate utilities to ensure hygienic conditions, avoidance of nuisance to public or to workers operating the facility, including water and areas for washing, electricity and toilets. All processing facilities shall comply with any additional standards, specifications and guidelines notified by PPCC, CPCB, Pondicherry Municipality and/or relevant authority or prescribed by any law for the time being in force.

13. Disposal of Solid Waste.— (i) Biomedical Waste, E-waste, hazardous chemicals and industrial waste shall be collected, processed and disposed off in accordance with the relevant rules framed under the Environment (Protection) Act, 1986.

(ii) Disposal by burning of any type of Solid Waste at any Premises, roadsides, any private or public property including at vacant sites is strictly prohibited and would attract penalty as per Schedule-X of these Bye-laws.

(iii) Pondicherry Municipality shall undertake on its own or through any other Agency, the construction, operation and maintenance of Sanitary Landfill in accordance with standards, prescribed under Solid Waste Management Rules, 2016 and associated infrastructure for disposal of residual waste (*i.e.*, Solid Waste which cannot be processed in accordance with Bye-laws 12(a) to (g) and inerts.

(iv) Pondicherry Municipality shall also investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate these sites as part of its commitment towards legacy waste management as prescribed in Solid Waste Management Rules, 2016. In the absence of potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms issued by CPCB and/or PPCC and as prescribed in Solid Waste Management Rules, 2016 to prevent further damage to the environment. The bio-remediation or capping of old and abandoned dumpsites shall be carried out by Pondicherry Municipality within three years of notification these Bye-laws and *Grants-in-aid* shall be provided by the Government for this purpose.

CHAPTER-V

Welfare of Sanitary Workers and Integration of the Informal Sector

14. Welfare, occupational safety and training of Sanitary Workers and other personnel.— (1) *Welfare measures.*— (i) Pondicherry Municipality shall ensure compliance of all labour and welfare regulations and Schemes applicable to its Street Sweepers or Sanitary Workers and other eligible waste workers working in waste management sector in relation to wages, working hours, holidays, statutory benefits such as provident fund, Employee's State Insurance and maternity benefit.

(ii) There shall be regular medical check-ups of the Sanitary Workers and other eligible waste workers working in waste management for occupational diseases and shall include examination of respiratory organs and treatment of skin injuries and other occupational and lifestyle diseases.

(iii) In case of any kind of injury or death during service, the Sanitary Worker shall be eligible for adequate monetary compensation as decided by Pondicherry Municipality. However, in the case of a waste worker working under a service contract, the service provider shall be bound to provide adequate compensation as proposed by Pondicherry Municipality or as per the contract/Agreement/MOU Executed.

(2) *Protective equipment and other facilities.*— (i) Pondicherry Municipality shall ensure that two pairs of uniforms, shoes, hand gloves, masks and other appropriate personal protective equipments are provided every year to all Sanitary Workers including other eligible workers working in waste management.

(ii) Pondicherry Municipality shall also provide potable drinking water, toilets, changing rooms and first-aid facilities to all the Sanitary Workers and other eligible workers involved in waste management at the Office of the Sanitary Inspectors.

(3) *Training and capacity building.*— Training shall be given by Pondicherry Municipality through reputed Institutes/Government Agency/reputed agency to educate Sanitary Workers and its other workers involved in handling and management of Solid Waste on various topics such as collecting and transporting of Solid Waste in a segregated manner, processing and disposing the Solid Waste in a manner specified in the Solid Waste Management Rules, 2016 and these Bye-laws and on environment, health and safety standards among others.

15. Integration of informal sector workers.— (1) *Issuance of Identity Cards.*— Pondicherry Municipality shall, either through itself or reputed Non-governmental, Community or Educational/Research Organisations, carry out surveys and drives for identification and issuance of Identity Card to Waste Pickers, so identified. Pondicherry Municipality shall maintain records of Waste Pickers operating within its jurisdiction.

(2) *Registration of Waste Traders.*— Pondicherry Municipality shall, either through itself or reputed Non-governmental, Community or Educational/Research Organisations, carry out surveys and drives for identification and registration/licensing of Waste Traders. It is mandatory to the waste traders to obtain Trade Licence from Pondicherry Municipality.

(3) *Involvement in Solid Waste Management activities.*— Pondicherry Municipality shall make efforts to streamline and formalize solid waste management systems and endeavour that the Waste Pickers, Waste Traders and other informal sector players in waste management are given priority to upgrade their work conditions and are integrated into the formal system of Solid Waste Management. Pondicherry Municipality shall involve organisations of Waste Pickers and/or Waste Traders who fall within the meaning of “Agency/Service Provider” in the operation of DWCCs and Materials Recovery Facilities depending on the availability and experience of such Waste Pickers and/or Waste Traders and Pondicherry Municipality’s requirements. Pondicherry Municipality shall also enable delivery and sale of Non- Biodegradable Waste (especially Non-Recyclable Non-Biodegradable Waste) from Waste Pickers at DWCCs and materials recovery facilities. The Waste Generators, Pondicherry Municipality, Agency/Service Providers and other persons involved in Solid Waste management shall be allowed to sell Recyclable Non-Biodegradable Waste to the Waste Traders at mutually agreed rates, in a mutually agreed manner.

(4) *Training and capacity building.*— Training and capacity building exercises shall be undertaken by Pondicherry Municipality, either through itself and/or reputed Agency/Service Providers to train and educate Waste Pickers, Waste Traders and other informal sector players on various topics such as environment, health and safety standards, requirements of Solid Waste Management Rules and other regulations, authorised processing facilities for Non-Biodegradable Waste among others.

CHAPTER-VI

Littering and Public Nuisance

16. Prohibition of littering and provision of community bins.—

(1) *Littering in any public, open or vacant property.*— No Person shall throw, deposit or cause to be thrown or deposit any solid waste in any public place, including in any type of water body (natural or manmade)

except in a manner provided for in these Bye-laws, the Environment (Protection) Act, 1986, the Solid Waste Management Rules, 2016, or any other applicable Act or rules or guidelines framed thereunder.

(2) *Litter-throwing from vehicles.*— No person, whether a Driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place.

(3) *Litter from goods vehicles.*— No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded so as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.

(4) *Litter by owner of pet animals.*— It shall be the responsibility of the owner of any pet animal to promptly scoop or clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste as Bio-degradable Waste.

(5) *Community bins and Waste Receiving Kiosks in public places.*— Pondicherry Municipality shall provide and maintain suitable Community bins/Receptacles on public spaces such as roads (in commercial and high footfall areas), gardens, parks and similar places, through itself or through an Agency/Service Provider where litter can be deposited by the public. Every community bin/Receptacle shall be separate for Bio-degradable Waste and Non Bio-degradable Waste. Pondicherry Municipality and/or the Agency/Service Provider shall ensure that the community bins/receptacles are not overflowing or exposed to open environment and prevent their scattering by rag pickers, stray animals or birds, *etc.* These bins shall be to the extent possible manned and/or remotely monitored through RFID QR enabled tags or other suitable technology to ensure there is no overflow of waste affecting visual cleanliness and public health. Apart from this, Pondicherry Municipality shall also provide segregated waste drop off points wherever feasible.

17. Prohibition of Public Nuisance.— (1) No person shall create any Public Nuisance such as spitting, urinating, defecating, feeding animals/birds or allowing their droppings, or any other object or keeping any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes and

permitted by concerned authorities. The provisions of these Bye-laws relating to Public Nuisance will be construed and implemented in harmony with the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

(2) *Nuisance Detectors.*— Pondicherry Municipality shall strengthen and incentivise the system of Nuisance Detectors by providing them,—

- (i) the power to levy spot fines in accordance with Schedule-X, using fine books or digital handheld equipment;
- (ii) suitable uniforms, vehicles, wireless equipment, *etc.*; and
- (iii) monetary or non-monetary incentives proportionate to fines levied.

(3) As part of its responsibility to appoint and empower Nuisance Detectors, Pondicherry Municipality shall deploy any suitable person/agency as SWM Marshals in every ward and other SWM processing and disposal facilities who shall exercise control on persons creating any public nuisance under these Bye-laws.

(4) To support and act as a liaison between ward related SWM issues and SWM Cell of Head Office, Pondicherry Municipality shall also appoint an Officer, as a Nodal Officer for SWM called as the SWM Nodal Officer.

CHAPTER—VII

Bulk Waste Generators

18. Definition of Bulk Waste Generator.— *Bulk Waste Generator (BWG)* includes buildings occupied by the Central Government Departments or undertakings, State Government Departments or undertakings, Local Bodies, public sector undertakings or private companies, Hospitals, Nursing Homes, Schools, Colleges, Universities, other Educational Institutions, hostels, hotels, commercial establishments, markets, places of worship, residential apartments/gated communities/group housing having more than 25 dwelling units, stadia, and sports complexes, with an average waste generation are exceeding 50 kg. per day or area exceeding 5,000 sqm. However, Pondicherry Municipality reserves the right to modify the threshold of waste generation for being declared as Bulk Waste Generator at any later point of time and also the manner of collection of bulk waste, as notified through an official order.

19. Identification of Bulk Waste Generator.— (a) *Public notice and verification* within thirty days of these Bye-laws coming into force, or thereafter from time to time Pondicherry Municipality shall issue a public notice in the format specified in Schedule-II informing the public about the waste generation threshold for being considered and bulk waste generator and the provisions relating to Solid Waste Management which are applicable to Bulk Waste Generators. In addition, Pondicherry Municipality through itself or an Agency/Service Provider, shall carry out field survey as per its own records to identify individual Bulk Waste Generators and issue notices to them as per the format specified in Schedule-III instructing them to comply with the applicable provisions of Solid Waste Management Rules and these Bye-laws.

(b) *Self declaration.*— The individual Waste Generator identified by Pondicherry Municipality under Bye-laws 20 (a) shall have the option for self-declaration as non-Bulk Waste Generator in accordance with the format specified in Schedule-IV. The Bulk Waste Generator may also at a later date apply for declassification from such category by submitting the declaration in the Form specified in Schedule-IV to Pondicherry Municipality.

(c) *Penalties.*— If, any self-declaration is found untrue, the Occupier of the Premises shall be penalized in accordance with Schedule-X (b) and such amount shall be computed from the date of effect as per notice under Schedule-III till the date of actual payment of penalty by such Bulk Waste Generator.

20. Duties of Bulk Waste Generators and Responsibility of Pondicherry Municipality.— (1) (i) BWG shall allocate suitable space within the site in proportion to the estimated quantum of Solid Waste that would be generated and has to be stored; and

(ii) set up processing units for onsite processing of Bio-degradable Waste through composting, bio-methanation and/or any other technology approved by PPCC/CPCB or any other appropriate Government Authority.

(iii) set up sorting and temporary storage space for dry waste and hazardous waste collected before, it is sent to recyclers/informal waste picker organisations.

2. All Bulk Waste Generators shall ensure segregation of Solid Waste at source within their premises into the following categories namely:—

- (i) Bio-degradable Waste, also referred to as Wet Waste,
- (ii) Non-biodegradable Waste, also referred to as Dry Waste,
- (iii) Domestic Hazardous Waste, including Sanitary Waste,
- (iv) Bulk Garden and Horticulture Waste; and
- (v) Electronic or E-Waste.

and facilitate collection, processing and disposal of segregated Solid Waste in the manner specified in these Bye-laws Schedule-I.

3. All Bulk Waste Generators shall, either,

(i) by their own arrangement, process the Non-biodegradable Waste in accordance with these Bye-laws and Solid Waste Management Rules 2016;

(ii) engage Empanelled Vendors of Pondicherry Municipality for collection, transportation and processing of their Non-biodegradable Waste on mutually agreed terms; (or)

(iii) handover their Non-Biodegradable Waste to Pondicherry Municipality or its service provider collection vehicle as a part of the door to door collection system on payment of SWM User Charge/Service Charge as specified in Schedule-VIII (Annexure-II and V/or through an empanelled vendor by Pondicherry Municipality.

4. Depending on availability of space, Pondicherry Municipality shall, either through itself or an Agency/Service Provider, set up composting, bio-methanation or any other suitable facility for processing Bio-degradable Waste in,

(i) fruit and vegetable markets organised/set up by Market Associations (excluding Agricultural Produce Market Committee) generating 50 kg. or more of Wet Waste per day; and

(ii) any other markets or bazaars notified by Pondicherry Municipality from time to time. In the event, there is no space to set up a Biodegradable Waste processing facility in the market premises, the collection vehicle of such Bulk Waste

Generators shall collect the Biodegradable Waste from these markets at specified times and dates, and take it to the processing Unit.

5. The markets managed and/or set up by the Agricultural Produce Market Committee shall,

(i) mandatorily ensure that their Biodegradable Waste is processed through composting, bio-methanation or any other methods approved by the PPCC/CPCB within their respective premises (*in-situ*);

(ii) use fresh Bio-degradable waste as animal feed if, such waste is safe for consumption by livestock; and

(iii) handover their Non-Biodegradable Waste to the collection vehicle that will be provided by Pondicherry Municipality on dates and times notified by Pondicherry Municipality on payment of necessary user charges at the rates specified in Schedule-VIII (Annexure-II and V).

6. Pondicherry Municipality shall enforce *in-situ* processing of Bulk Horticulture and Garden Waste in parks, gardens and similar appropriate places, as far as possible. Pondicherry Municipality through itself and/or an Agency/Service Provider, shall set up small scale composting or bio-methanation plants (*i.e.*, processing less than five tons of Bio-degradable Waste per day) in public parks, playgrounds, recreation Grounds, Gardens, Markets, Large Vacant lands owned and maintained by Pondicherry Municipality, any other public authority or Governmental Department if, place available.

7. Pondicherry Municipality shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on its own or through any Agency for optimum utilisation of various components of Solid Waste by adopting suitable technology including the guidelines issued by the Ministry of Housing and Urban Affairs from time to time and standards prescribed by the Ministry of Environment and Forests so that the dependency of waste disposal on the Sanitary Landfills can be minimised to the maximum extent possible.

8. The Agency/Service Providers and/or Empanelled Vendors as applicable shall be allowed to dispose of or sell the Recyclable Non-biodegradable Waste to the Waste Traders or authorised recycling

units which recycle waste in accordance with the provisions of these Bye-laws and shall be entitled to retain the amounts realised from these sales.

9. The Waste Generators who do not use the services of Pondicherry Municipality (or the Agency/Service Provider engaged by it), under these Bye-laws shall be required to maintain daily generation of Solid Waste and maintain daily accounts in respect to each waste generator and to submit an annual return on the amount of Solid Waste Generated at its Premises which is collected, processed and disposed in the form specified in Schedule-V. The Service Providers and Empanelled/Selected Vendors will also be required to file periodic returns to Pondicherry Municipality with respect to its operations as per directions issued by Pondicherry Municipality from time to time.

21. Social Gathering/Events.— No person shall organise an event or gathering of more than fifty Persons at any licensed or unlicensed place without intimating Pondicherry Municipality by submitting an application at least three working days in advance and pay necessary cleanliness deposit in advance as per Schedule-IX(a). Such Person shall ensure segregation of Solid Waste at source and handover of segregated Solid Waste in the manner specified in these Bye-laws not later than 12 hours after the completion of the event. In case, the organizers of such event wishes to avail of the services of Pondicherry Municipality for the cleaning, collection and transport of Solid Waste Generated as a result of that event, they shall apply to the concerned authority at Pondicherry Municipality and pay the necessary charges in advance as per Schedule-VIII (Annexure-V) fixed for this purpose by Pondicherry Municipality. Any notification issued in this regard by the Commissioner, Pondicherry Municipality shall govern the management of waste at such social gatherings and events and shall be binding on the event organisers. In the event of a death, the same may be intimated immediately to Pondicherry Municipality and obtain permission remain same and during the funeral procession from home/hospital to burial ground/cremation yard littering of flowers/any other materials on roads shall not be done. Also littering of reed grass, flowers and any other materials on roads on all type of occasion/functions shall not be done. In the event of any violation in this regard will attract a fine as stipulated in Schedule-X. The Kin who had approached Pondicherry Municipality for obtaining such permission will be held responsible for payment of fine.

22. Public gatherings and Events in Public Places.— In the event of public gatherings and events in public places for any reason (including for temple festivals, processions, exhibitions, circus, fairs, political rallies, commercial, sociocultural events, protests and demonstrations, *etc.*,) the organiser shall apply to the concerned authority of Pondicherry Municipality and pay the necessary cleanliness deposit charges in advance as per Schedule-IX (a) fixed for the purpose by Pondicherry Municipality and it shall be the responsibility of the organiser of such event or gathering to ensure the cleanliness of that area after the event and also that the Solid Waste is segregated, collected and processed in accordance with these Bye-laws not later than 12 hours after the completion of the event. In case, the organisers of such event wishes to avail of the services of Pondicherry Municipality for the cleaning, collection and transport of Solid Waste generated as a result of that event, they shall apply to the concerned authority at Pondicherry Municipality and pay the necessary charges in advance as per Schedule-VIII (Annexure-V) fixed for this purpose by Pondicherry Municipality.

23. Refundable Cleanliness Deposit.— The organiser of such public gatherings and events shall pay required cleanliness deposit as notified in Schedule-IX (a), with the concerned office for the duration of the event, which shall be refundable on the completion of the event on notifying that the said public place has been restored back to a clean state, and any Solid Waste generated as a result of the event has been segregated, collected and transported to designated sites in accordance with these Bye-laws, to the satisfaction of official/authority concerned. In the event, the public space is not restored back to a clean state within 12 hours of the completion of the event, the cleanliness deposit paid to Pondicherry Municipality shall be forfeited and the organiser shall have no claim towards this amount. Pondicherry Municipality may in its discretion may also levy a penalty over and above the forfeited amount as per Schedule-X (c).

CHAPTER-VIII

Service Charge for Management of Solid Waste

24. Provisions with respect to SWM Cess and Service Charge payable to Pondicherry Municipality and Empanelled Vendors.—

(1) SWM Service Charge shall also be payable by all Waste Generators including Bulk waste Generators for provision of services for collection, transportation, processing and disposal of Solid Waste by Pondicherry

Municipality and/or the Agency/Service Provider/Empanelled Vendors, at the rates as specified in Schedule-VIII (Annexure-I to VI). The SWM Service Charge shall be payable to Pondicherry Municipality for the services provided by it, through itself or an Agency/Service Provider or to Empanelled Vendors as the case may be from whom such services are availed by the Waste Generator. The SWM Service Charge mentioned in Schedule-VIII (Annexure-I to VI) shall stand automatically increased by 10% every year (rounded off to the nearest multiple of ₹ 5) with effect from April 1 of each successive year, unless specifically increased to a higher level as per need, at any time during the year. These rates shall be advertised on the website of Pondicherry Municipality and/or of the Agency/Service Provider.

(2) The rates for the Solid Waste Management services provided by an Empanelled Vendor/Selected Vendor shall be as per the service Charges detailed at Schedule-VIII (Annexure-I to VI).

(3) It is clarified that the Waste Generators including Bulk Generators who process their Solid Waste in accordance with these Bye-laws, either through themselves (*in situ*) or an Empanelled Vendor at Service Charges as detailed at Schedule-VIII (Annexure-V) and paid directly; shall not be required to pay the relevant Service Charge to Pondicherry Municipality.

(4) The SWM Service Charge shall be collected in person or through online payment by Pondicherry Municipality and/or any other Person authorised by Pondicherry Municipality. Specific days in a month, preferably in first week of each month, shall be fixed by Pondicherry Municipality, for collection of SWM Service Charge. The SWM Service Charge may also be collected by Pondicherry Municipality by charging the amount through property tax, licence fees, *etc.*, under provisions of Puducherry Municipalities Act', 1973. Pondicherry Municipality may evolve additional mechanisms for billing/collection/recovery of SWM Service Charge, from time to time and these shall be notified through general or special order/notification.

(5) Pondicherry Municipality by itself or through an Agency or Service Provider shall prepare the database of all the Waste Generators for the purpose of levying SWM Service Charge and this database shall be updated regularly and published on the website of Pondicherry Municipality.

(6) A penalty of 2% per month shall be charged if, the Waste Generators fails to pay the Service Charge as Schedule-VIII (Annexure-I – VI) within 3 months of raising the demand for the amount by Pondicherry Municipality.

(7) In case of default of payment of SWM Service Charge for more than 6 (six) months, Pondicherry Municipality or any other Competent Authority may recover the SWM Service Charge along with the surcharge from the defaulter as arrears of land Revenue under Revenue Recovery Act, 1970. In addition, Pondicherry Municipality and/or the Agency/Service Provider, as the case may be, shall also have the discretion to stop providing Solid Waste management services till such SWM Service Charge along with the surcharge amount is paid by the defaulter.

(8) All amounts collected as SWM Service Charge by Pondicherry Municipality under these Bye-laws shall be transferred to a separate escrow Bank account maintained for funds used for Solid Waste Management. These amounts shall be used towards Pondicherry Municipality's operation and maintenance costs for providing Solid Waste Management services under these Bye-laws, salaries of personnel, incentives, grants and other uses as may be considered appropriate by Pondicherry Municipality from time to time.

CHAPTER-IX

Non-compliance of Bye-laws, Spot Fines and Penalties

26. Spot Fines.—The Nuisance Detectors shall have the power to levy spot fines for violations of Bye-laws 17 (Littering) and Bye-laws 18 (Public Nuisance). However, the amount of such spot fines shall not normally exceed the amount specified in Schedule-X(a). Higher fine may be imposed subsequently by an authority higher to the authority levying the fine by an order with proper justification.

27. Penalties.— (1) Whoever, contravenes or fails to comply with any of the provisions of the Solid Waste Management Rules and/or these Bye-laws shall on conviction be punished with a fine as specified in Schedule-X (a-d). In case of second contravention or non-compliance, Pondicherry Municipality shall have the power to levy a fine which could be up to twice of the amount specified against the offence in Schedule-X (a-d). In case of third contravention or non-compliance, Pondicherry Municipality shall have the power to levy a fine which could be up to thrice of the amount specified against the offence in Schedule-X (a-d).

Thereafter, in case of fourth contravention, Pondicherry Municipality shall have power to suspend/cancel Trade Licence or take any other appropriate legal action against the offender, including filing of criminal cases, sealing of premises, *etc.*

(2) The fine or penalty mentioned in Schedule-X (a-d) shall be increased upward by 10%. In addition, Pondicherry Municipality, may at any time alter/amend/increase/vary any of the entries as mentioned in Schedule-X (a-d) of these Bye-laws in order to modify the penalties every 3 year automatically from the date of implementation of these Bye-laws.

(3) Pondicherry Municipality shall take appropriate Departmental action against the employees of Pondicherry Municipality, if any, of them mix segregated Solid Waste at any point of collection or transportation, fail to pick up Solid Waste during the specified time-slots, or otherwise, or violate any of the provisions of these Bye-laws and the Solid Waste Management Rules, 2016, Such Departmental action shall include penalties as per Schedule-X (a-d), initiation of disciplinary action, deductions from salaries or withholding of salaries itself.

(4) In the event an Agency/Service Provider or Empanelled/ Selected Vendor contravenes or fails to comply with any of the provisions of the Solid Waste Management Rules, and/or these Bye-laws, Pondicherry Municipality shall have the power to take any one or more of the following actions:

(i) levy a fine which may extend up to ₹ 25,000 (Rupees twenty five thousand) for the first offence and for a second or subsequent offence with fine which may extend up to twice the penalty amount for the first offence,

(ii) termination of contract or arrangement with Pondicherry Municipality for C&D Waste Management/Bulk Waste Management/ Solid Waste Management, cancellation of Empanelment Certificate or any other authority granted by Pondicherry Municipality; and/or

(iii) suspension or revocation of any licence to operate any Solid Waste collection, transportation or processing facility under these Bye-laws, Solid Waste Management Rules and/or applicable regulations in Pondicherry Municipality jurisdiction for at least five years.

(5) Pondicherry Municipality is at liberty to initiate appropriate proceedings under any other law in addition to any action under these Bye-laws and under suitable clauses of Puducherry Municipalities Act, 1973 as the case may be such as the Environment (Protection) Act, 1986, the Indian Penal Code, 1860, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 for violation of any provisions thereunder.

(6) All amounts collected as spot fines and penalties by and on behalf of Pondicherry Municipality under these Bye-laws shall be transferred to a separate escrow Bank Account maintained for collection of service charges/user charges for Solid Waste Management. These funds shall be used towards Pondicherry Municipality's operation and maintenance costs for providing Solid Waste Management services under these Bye-laws, salaries of personnel, incentives, grants and other uses as may be considered appropriate by Pondicherry Municipality from time to time.

CHAPTER-X

Other Responsibilities and Duties of Pondicherry Municipality

29. Other Responsibilities and Duties of Pondicherry Municipality.— In addition to the responsibilities and duties specified in other Chapters of these Bye-laws, Pondicherry Municipality shall also have the following additional duties, namely:

(i) *Ward Micro Plan.*— Pondicherry Municipality shall create a Solid Waste Management micro plan for every Ward after discussions with relevant stakeholders and ensure its implementation. The Ward Micro Plan for SWM shall contain the collection times for different categories of Solid Waste, details of the collection vehicles and points, detailed map of the Ward, roads/streets for street sweeping and optimal route map for collection and transportation of waste, manpower and other information required for effective implementation of the Solid Waste Management as may be considered appropriate by Pondicherry Municipality. This Ward Micro Plan shall be made available to public to access.

(ii) *Regular checks and review of Ward Micro plan.*— The officers authorised by Pondicherry Municipality shall conduct regular checks in various parts of the Wards and other places of collection, transportation, processing and disposal of Solid Waste within its

territorial limits to supervise compliance of various provisions of Solid Waste Management Rules and these Bye-laws. In addition, Authorised Officers by the Municipality/Government shall monitor and review the implementation of the Ward Micro Plan and prepare Ward action taken report on a monthly basis for onward submission to the Commissioner of Pondicherry Municipality, as the case may be. Any Authorised Officer of Pondicherry Municipality shall have right to enter, inspect at all reasonable times, with such assistance as he considers necessary, any place for the purpose of (i) performing any of the functions entrusted to him by Pondicherry Municipality under these Bye-laws, or (ii) determine compliance of the provisions of these Bye-laws. Police authorities shall render necessary assistance immediately upon request by Pondicherry Municipality is writing.

(iii) Review of the Empanelled Vendors and Agency/Service Providers.— Pondicherry Municipality shall regularly review the facilities and operations of the Empanelled Vendors and Agency/Service Providers to ensure that they are in compliance with the empanelment conditions (if applicable), provisions of the Solid Waste Management Rules and these Bye-laws. In the event of any non-compliance, Pondicherry Municipality can take action against the defaulting Empanelled Vendors and Agency/Service Providers including notice of remedial action, cancellation of the Empanelment Certificate or contract for services, imposition of fines and penalties as specified in this Bye-laws.

(iv) Publicity and citizen information services.— Pondicherry Municipality shall publicise the provisions of the Bye-laws through the print and electronic media, signs, advertisement, leaflets publishing in Pondicherry Municipality website and through any other appropriate means, so that all citizens are made aware about the duties of citizens and Pondicherry Municipality in relation to segregation, recycling, littering, nuisance, penalties and fines. Pondicherry Municipality shall provide information about composting, bio-gas generation, recycling and decentralised processing of waste at community level by conducting training classes, seminars, workshops.

(v) Nodal Officers.— The Commissioner of Pondicherry Municipality shall designate Nodal Officer under his control for each constituency who shall be responsible for,

(a) implementing the responsibilities of Pondicherry Municipality specified under these Bye-laws,

(b) address grievances of the Waste Generators and suggestions for improvements in the implementation of the Bye-laws,

(c) levy fines and penalties, and

(d) other functions as may be deemed appropriate by Pondicherry Municipality, from time to time.

(vi) ***Transparency and public accessibility*** To ensure greater transparency and public accessibility, Pondicherry Municipality shall provide the following information, data and reports in relation to the activities under the Bye-laws on its website or through suitable information and any other Communication Technologies. This information shall also be available in the offices of Pondicherry Municipality during its working hours such as,

(a) Name and contacts of the Nodal Officers who shall be responsible for implementing the obligatory responsibilities of Pondicherry Municipality specified under these Bye-laws;

(b) Monthly data about the quantity of each category of Solid Waste going to the different waste processing sites and Sanitary Landfills.

(c) Statistics of complaints and actions taken by Pondicherry Municipality to address the complaints;

(d) Details of SWM Service Charge/User Charges, penalties and spot fines collected by and on behalf of Pondicherry Municipality in monthly basis;

(e) Details and reports of SWM vehicles movement tracked through GPS and Smart Data Centre set up for this purpose; and

(f) Reports and status of compliance of various provisions of the Solid Waste Management Rules and these Bye-laws including results of regular and surprise checks by Pondicherry Municipality.

(vii) ***Extended Producer Responsibility.***— Pondicherry Municipality shall monitor and ensure compliance of the extended producer responsibility of manufacturers and producers under the Solid Waste Management Rules and the Plastic Waste Management Rules, 2016. Pondicherry Municipality shall engage with the State Government for ensuring that the funds available under EPR for specific streams of waste are made available towards the cost for collection, transportation, processing and disposal of wastes produced by them.

(viii) *Regular cleaning and Street Sweeping.*— Pondicherry Municipality shall within its territorial area, be responsible for cleaning of all public places, streets, roads, markets, parks, gardens, *etc.*, and ensuring regular system of Street Sweeping through and/or using mechanical sweeper machines, if necessary. The frequency of Street Sweeping, location of community bins and related activities shall be determined by Pondicherry Municipality having regard to vehicular and pedestrian traffic, density of population, extent of commercial activity, equipment used, labour welfare/safety and local situation in any public street or public areas as per the normative standards stipulated by the Government. The Solid Waste collected from these Street Sweepings shall be segregated if, required and Pondicherry Municipality shall provide for transportation of,

(i) Bio-degradable Waste to a convenient Bio-degradable processing facility;

(ii) Non-Biodegradable Waste to DWCC and materials recovery facility; and

(iii) Silt, dust, drain silt and other inert waste to the sanitary landfill and/or any other processing facility as may be notified by Pondicherry Municipality from time to time.

(ix) *Creating Incentives:*— (a) Pondicherry Municipality may consider creating systems for incentives for adoption of decentralised processing of Bio-degradable Waste such as bio- methanation and composting such as awarding and recognizing the Waste Generator by giving certificates and publishing their names on Pondicherry Municipality's website.

(b) Zero-waste neighbourhoods, Apartment Complexes and Commercial Buildings shall be adequately encouraged by Pondicherry Municipality and/or Agency/Service Provider, as the case may be.

(c) Pondicherry Municipality shall also devise a system to encourage its SWM Officials who work towards achieving total segregation of waste, *in situ* processing of waste, and creation of more zero waste neighbourhoods.

(x) *Chemical fertilizers.*— (a) Pondicherry Municipality shall phase out the use of Chemical fertilizers and use compost in all parks, gardens maintained by it and wherever possible in other places under its jurisdiction.

(b) Preference shall be given to use compost produced at the small scale composting plants set up at Public Parks, Playgrounds, Recreation Grounds and Gardens by Pondicherry Municipality and/or the Agency/Service Provider or that obtained from home/*in situ* composting done by public.

(xi) *Occupational safety.*— (a) Pondicherry Municipality shall ensure occupational safety of its own staff. Staff of the Agency involved in Solid Waste Management activities may be provided appropriate and adequate personal protective equipment (PPEs) by the Agency.

(b) Pondicherry Municipality shall also ensure that the operator of various waste processing facilities provide personal protection equipment (PPEs) including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling Solid Waste and these are used by the workforce. In case of an accident at any processing and/or disposal facilities, the operator or person-in-charge of such facility shall report to the Police and Pondicherry Municipality in the format specified in the Solid Waste Management Rules 2016. The head of Pondicherry Municipality shall review the form, conduct an enquiry if, necessary and issue appropriate instruction to the operator or person-in-charge of the facility with respect to compensation, medical expenses, rectification of the process or machinery that caused the accident among others, as per prevailing laws.

(xii) *Grievance redressal.*— (a) Pondicherry Municipality shall strengthen its public grievance redressal system(s) including Swachtatha App making it accessible 24x7 for registering complaints regarding non-collection of Solid Waste, littering of waste, violations of these Bye-laws among others. These systems could be mobile applications, complaint centre, call centre, e-mail, social media forums like WhatsApp/ Twitter, and/or any other mechanism which Pondicherry Municipality may consider appropriate keeping in mind the population and quantity of Solid Waste generated. Hence, the grievance may be submitted to the Pondicherry Municipality/Service Provider through telephone, e-mail, post, on the mobile application and/or in person by any citizen within the Territorial limits of Pondicherry Municipality.

(b) Pondicherry Municipality shall ensure that each SWM grievance is redressed and informed to the citizen in a timely and efficient manner.

(xiii) *Training and public awareness.*— (a) Pondicherry Municipality by its staff or other agency or service provider or reputed agency shall ensure to create awareness to informal waste pickers to collect the waste in segregated form and to transport as per Solid Waste Management Rules, 2016 and procedure laid down in these Bye-laws.

(b) Pondicherry Municipality by itself or through experts in the field undertake awareness and outreach programmes about management of Solid Waste, responsibility of each stakeholder under the Solid Waste Management Rules and these Bye-laws, reduction and minimising of Solid Waste and grievance redressal mechanisms under the Bye-laws.

(c) Pondicherry Municipality shall prepare and publish lists of composting experts, licensed scrap dealers, dealers of recyclables, container/bin manufacturers, agencies with expertise in recycling, *etc.*, who are registered by Pondicherry Municipality on its website so as to facilitate and support the citizens in processing their Solid Waste.

(d) Pondicherry Municipality, shall, carry out awareness activities to achieve stream-wise segregation, waste reduction through *in situ* composting and better management of SWM through training of workers in the wards through the Link workers in the wards.

(xiv) *Conversion of all Government Offices and Schools within Pondicherry Municipality jurisdiction into zero waste campuses and home composting of waste by offices.*— (a) Pondicherry Municipality shall make efforts to ensure that all Government Offices (Central, State and Local Government) practice *in situ* processing of Solid Waste thereby transforming them into Zero Waste Campuses and become a model for others.

(b) As far as possible all Government Officials residing within the Territorial jurisdiction of Pondicherry Municipality shall be expected to compost their wet waste within their premises, thereby serving as an example for other residents to follow.

(xv) *Funds for Solid Waste management.*— The Government shall make adequate provision of funds for capital investments as well as operation and maintenance of Solid Waste Management services in the Annual Budget. Pondicherry Municipality shall prepare an annual

Action Plan seeking budgetary permission from Government and submit it well in advance to meet the objectives towards Solid Waste Management Rules and Bye-laws.

(xvi) Reduction of waste.— Pondicherry Municipality shall make efforts to minimize and reduce the generation of Solid Waste by discouraging the production, sale and consumption of products containing unnecessary packaging material, disposable products through awareness programs and provision of incentives. The 3Rs of Reduce, Reuse and Recycle would be the guiding principle in waste handling and processing.

(xvii) Management of Legacy Waste.— Pondicherry Municipality, shall investigate and analyse all open dumpsites to undertake management of Legacy Waste in old dumpsites and landfills through appropriate measures such as bio-mining and bio-remediation as per the guidelines for Disposal of Legacy Waste issued by CPCB in accordance with Solid Waste Management Rules, 2016. The site containing legacy waste shall be capped as per the landfill capping norms to prevent further damage to the environment in the absence of the potential of bio-mining and bio-remediation options.

(xviii) Enforcement of Plastic Ban.— (a) The penalty will be levied for violation of the provisions of Bye-laws for Plastic Waste Management (Amendment), 2021, Notified in the Extraordinary Official Gazette Part-II, No. 18, dated 18-04-2022.

(b) Strict action will also be taken to close and seal the premises/suspend or even cancel the Trade Licence of those shops and establishments who continue using banned plastic even after two repeated warnings with in a month and levy of penalty for the same.

(c) The fines and penalties shall also be applicable on customers and general public who use single use plastics as banned in Bye-laws for Plastic Waste Management (Amendment), 2021, in the Extraordinary Official Gazette Part-II, No. 18, dated 18-04-2022.

(d) Pondicherry Municipality shall have a right to conduct raids, seize banned plastic manufactured/stocked/being transported/sold. Also Pondicherry Municipality is empowered to seal the premises/vehicles of such single use plastic

manufacturing units/commercial establishment/godowns and levy penalties in accordance with Plastic Waste Management Rules, 2021.

(e) All the seized banned plastics shall be shredded and stored at any of the designated facilities of Pondicherry Municipality before they are utilized for permissible uses such as laying of roads, co-processing, RDF feedstock, *etc.* No seized banned plastics shall be returned to its owner.

CHAPTER—XIII

Miscellaneous

30. Coordination with Government bodies.— Pondicherry Municipality shall coordinate with other Government Agencies and authorities, to ensure compliance of these Bye-laws within areas under the jurisdiction or control of such bodies and all such Government Agencies and authorities shall render necessary assistance without fail.

31. Review of implementation.— Pondicherry Municipality will review the effective implementation of these Bye-laws and whether any amendments or updating is required, atleast with in every three year or earlier if, felt necessary, and take appropriate steps to ensure course correction such as evaluation of Pondicherry Municipality's achievements against its targets.

32. The guidelines issued by the Ministry from time to time and the details envisaged in such guidelines shall be applied in this Bye-law also.

SCHEDULE I

(See Bye-law CHAPTER II)

ILLUSTRATIVE LIST OF BIO-DEGRADABLE WASTE, RECYCLABLE NON-BIO-DEGRADABLE WASTE, DOMESTIC HAZARDOUS WASTE, BIOMEDICAL WASTE AND BULKY WASTE

PART-A

Illustrative list of Bio-degradable Waste

- (i) Kitchen waste including tea leaves, egg shells, fruit and vegetable peels, leftover and/or stale food.
- (ii) Organic market waste such as fruit and vegetable peels, rotten and/or spoilt vegetables and fruits.

- (iii) Meat and bones
- (iv) Garden and leaf litter, including flowers
- (v) Coconut shells
- (vi) Wood/leaf ashes

PART-B

Illustrative list of Recyclable Non-Bio-degradable Waste*

(listed items/articles)

- (i) Newspapers
- (ii) Paper, books and magazines
- (iii) Glass
- (iv) Metal objects and wire
- (v) Plastic
- (vi) Aluminum cans
- (vii) Rexene
- (viii) Rubber
- (ix) Wood/furniture
- (x) Packaging
- (xi) Fabrics
- (xii) Styrofoam
- (xiii) Thermocol

* The above are sample lists and will be customized (*i.e.*, items to be added or removed) by each Pondicherry Municipality based on the identified processing and recycling destinations for each item.

PART-C

Illustrative list of Hazardous Waste

- (i) Aerosol cans
- (ii) Batteries
- (iii) Bleaches and household kitchen and drain cleaning Agent
- (iv) Car batteries, oil filters and car care products and consumables
- (v) Oils, chemicals and solvents and their empty containers

- (vi) Cosmetic items, chemical-based insecticides and their empty containers.
- (vii) Medicines including expired medicines
- (viii) Paints, oils, lubricants, glues, thinners, and their empty containers
- (ix) Pesticides and herbicides and their empty containers
- (x) Photographic chemicals
- (xi) Soft foam packaging from new equipment
- (xii) Thermometers and mercury-containing products

PART-D

Illustrative list of Biomedical Waste

[Refer Bye-law 3.8 (iii)]

(For a complete list, please refer to Schedule I of Biomedical Waste Management Rules, 2016)

- (i) Items contaminated with blood, body fluids like dressings, plaster casts, cotton swabs and bags containing residual or discarded blood and blood components.
- (ii) Expired or discarded medicines such as pharmaceutical waste like antibiotics, cytotoxic drugs including all items contaminated with cytotoxic drugs along with glass or plastic ampoules, vials *etc.*
- (iii) Discarded linen, mattresses, beddings contaminated with blood or body fluid.
- (iv) tubing, bottles, intravenous tubes and sets, catheters, urine bags, needles, scalpels, blades, syringes (without needles and fixed needle syringes) and vacuometers with their needles cut and gloves.

PART-E

Illustrative list of Bulky Waste

(Refer Bye-law 3.12)

- (i) Furniture and Furnishings such as wardrobes, tables, chairs, shoe racks, computer tables, beds, cots, chair, dining tables, sofas *etc.*,
- (ii) Kitchen utensils
- (iii) Mattresses
- (iv) Musical instruments that do not qualify as E-waste

SCHEDULE-II

(See Bye-Law CHAPTER VII)

PUBLIC NOTICE NOTIFYING BULK WASTE GENERATOR

Whereas, the Solid Waste Management (SWM) Rules, 2016 notified by the Government on April 08, 2016 mandate the Bulk Waste Generators of Solid Waste and specified new constructions to carry out certain waste management functions by themselves, the Pondicherry Municipality, notwithstanding any other rule/provision, hereby directs all Bulk Waste Generators of Solid Waste defined as (i) generating 50 kg. or more of Solid Waste (from all waste streams) per day or (ii) gated communities, Central Government Departments or Undertakings, State Government Departments or Undertakings, Local Bodies, Public Sector Undertakings or Private Companies, Hospital, Nursing Homes, Schools, Colleges, Universities, Other Educational Institutions, Hostels, Hotels, Commercial Establishments, Theaters, Markets, Places of Worship, Stadia and Sports Complexes *etc.*, with an area of 5000 sqm. or more or generating more than 50 kgs. or more of Solid Waste, to implement the provisions of the Solid Waste Management Rules, 2016 and the Bye-laws thereof notified by Pondicherry Municipality available at website at <http://oulmun.in/> not later than 60 days (by date) from the date of this notice, including segregation of Solid Waste into 5 (five) categories/streams (Bio-degradable, Non-Biodegradable, Domestic Hazardous Waste including sanitary waste, Bulk Garden and Horticulture waste and Electronic or E-Waste) at source and in-premises processing and treatment of Bio-degradable Waste. Detailed instructions are available in the Bye-laws available at website at <http://oulmun.in/>

All RWAs, Market Association Members, Hotels and Restaurants *etc.*, will be classified as Bulk Generators as defined unless they submit within the notice period, a self declaration of generating less than 50 kgs. of waste from their premises. Such self- declaration will be subject to verification and applicable penal costs (up to ₹) if, found untrue. Such self-declarations shall be submitted to Pondicherry Municipality within 20 days (by date) of this notice for enabling verification. Self-declarations sent/submitted after the due date will be summarily rejected.

Any violation of the Solid Waste Management Rules, 2016 and/or these Bye-laws for Bulk Waste Generators after 60 days of this notice (after date) will attract applicable penal charges/fines (up to ₹) as stated in the Bye-laws of Pondicherry Municipality.

Place :

COMMISSIONER,
Pondicherry Municipality.

SCHEDULE-III

(See Bye-law CHAPTER-VII)

INDIVIDUAL NOTICE FORMAT FOR BULK WASTE GENERATORS

No.

Date :

To :

<Insert name of the proposed Bulk Waste Generator>

Sir/Madam/Messers,

Subject : OM — BWG — Categorization as Bulk Waste Generator.

Considering the waste generated due to activities/business carried out in your premises and/or area occupied by you, the Competent Authority, Pondicherry Municipality has designated you as Bulk Waste Generator. Accordingly, you are hereby directed to comply with the provisions of the Solid Waste Management Rules, 2016, Bye-laws and implement segregation of waste at source, segregated storage within premises and processing and treatment of Bio-degradable Waste within premises or processing tied-up with an Empanelled vendor or a Vendor selected by you.

In case, if, you claim that you are not to be a Bulk Waste Generator, you are required to submit a self-declaration to that effect within 20 days otherwise, it will be deemed that you have no objection to be classified as a Bulk Waste Generator.

The self-declaration pro forma is attached herewith (also available in <http://oulmun.in/>) which should be filled up and submitted to Pondicherry Municipality's designated officers and acknowledgment obtained, which will serve as "Certificate of Non-Bulk Waste Generator" till a verification certificate is issued. In case, your self-declaration is found untrue, the same will be cancelled and penalties in accordance with the Bye-laws will be levied.

COMMISSIONER,
Pondicherry Municipality.

SCHEDULE-IV

(See Bye-law CHAPTER-VII)

SELF-DECLARATION FORMAT

(for Non-Bulk Waste Generator)

Date :

I/We/M/s. located at premises
(address)
(phone) (mobile)
(e-mail) and holder of
Urban Local Body Occupancy Certificate/Property Tax Assessment
No. or Trade Licence No.

I/We/M/s. hereby self-declare that the total
daily Solid Waste generated from our premises is less than 50 kgs.,
hence, not a Bulk Waste Generator.

I/We/M/s. understand that the
Pondicherry Municipality is free to enter the premises to check and
verify the quantity of Solid Waste generated in the premises. During
any such verification, if 50 kg. or more Solid Waste is found generated,
5,000 sq.m./25 dwelling units this self-declaration becomes void and
I/we/M/s. can be categorized as Bulk Waste Generator and Pondicherry
Municipality can impose penal charges as applicable from the date of
effect for Bulk Waste Generator's responsibilities as per public notice.

(Authorized signatory)

For the Premises Occupier/Owner

To :

The Commissioner, Pondicherry Municipality.

SCHEDULE-V

FORM OF ANNUAL RETURN BY A WASTE GENERATOR
WHO DOES NOT USE THE SERVICES OF PONDICHERRY
MUNICIPALITY AND/OR ITS AGENCY/SERVICE PROVIDER

| Sl. No. | Heading | Details |
|------------|---|---------|
| (1) | (2) | (3) |
| 1 | Name and address of the Waste Generator– Phone Number : E-mail Address : | |
| 2 | Type of Waste Generator– Domestic household Commercial shop or establishment Educational Institutions, School, College and Research Institutes Government Offices, Courts and other Premises occupied by the local, State or Central. | |
| 3 | Total quantity of Solid waste generated– Quantity of Solid Waste generated per year Per capita waste generated per year | |
| 4 | Percentage of households/segregating the waste at source. | |
| 5 | Name and address of the Empanelled/ Selected Vendor, if any. | |
| 6 | Whether Bio-degradable Waste is processed on site or through Empanelled/Selected Vendor. | Yes/No |
| 7 | Quantity of the Bio-degradable Waste collected per year. | |

| (1) | (2) | (3) |
|---|-----------------|--|
| 8 Details of technologies adopted for processing— | Composting | Quantity Bio-degradable Waste processed per year. Quantity of produced per year. |
| | Bio-methanation | Quantity of residual waste generated per year. Quantity Bio-degradable Waste processed per year. Quantity of biogas produced per year. Quantity of residual waste generated per year. |
| 9 Quantity of the Non-biodegradable collected per year. | | |
| 10 Quantity of the Domestic Hazardous Waste collected per year. | | |

SCHEDULE-VI

(See Bye-law CHAPTER-III)

REQUISITION FOR STORING OF CONSTRUCTION AND DEMOLITION WASTE

Date :

From :

< Name of the C&D Waste Generator>
 < Address of the C&D Waste Generator>
 < Contact no>

To :

The Commissioner,
Pondicherry Municipality,
Puducherry.

Sir,

Sub. : Permission for storing of Construction and Demolition
Waste — Reg.

* * * *

I hereby request to permit to store Construction and Demolition waste generated from my premises/in place allotted by Pondicherry Municipality at from to The approximate quantity will be around tonne/m³. (The days can't exceed two calendar days at any cost).

Place :

Yours faithfully,

(Name and Signature of the applicant)

Permission by Pondicherry Municipality

The request is granted to store C&D Waste in the premises of the applicant/..... (place allotted by Pondicherry Municipality) from to Failure to comply with this permission will effect time as given in the Schedule-X(d). Every two days the stored C&D Waste shall be transported the to the C&D waste yard without fail.

Place :

MHO/JUNIOR ENGINEER/

Date :

SANITARY INSPECTORS.

SCHEDULE-VII

(See Bye-law CHAPTER-III)

FORM FOR TRANSPORTING OF CONSTRUCTION AND
DEMOLITION (C&D) WASTE

Date :

From :

< Name of the C&D Waste Generator >

< Address of the C&D Waste Generator >

< Contact no >

To :

The Commissioner,
Pondicherry Municipality,
Puducherry.

Sir,

Sub. : Permission for transporting of Construction and Demolition
Waste — Reg.

* * * *

I hereby request you to take steps to transport the Construction and Demolition waste generated and stored in my premises/place allotted by Pondicherry Municipality at to the C&D yard notified by the Pondicherry Municipality. The approximate quantity is around tonne/m³.

Yours faithfully,

(Name and Signature of the applicant)

SCHEDULE-VIII

(See Bye-law CHAPTER-III)

SWM SERVICE CHARGE/USER CHARGE/LICENCE FEE

ANNEXURE-II

| Sl. No. | Category of Waste and Waste Generator | Rate of Collection Charges | Period |
|---------|---|----------------------------|-----------|
| (1) | (2) | (3) | (4) |
| | | ₹ | |
| 1 | Residential houses/buildings with plinth area up to 1,000 Sq.ft. | Nil | |
| 2 | Residential houses/buildings with plinth area of more than 1,000 sq.ft. but, up to 2,000 Sq.ft. | 50 | Per Month |
| 3 | Residential houses/buildings with plinth area of more than 2,000 Sq.ft. | 100 | |

ANNEXURE-II

REVISED COLLECTION CHARGES

| Sl. No | Category | Charges per | Fluorinated Solvent (15kg) | | Fluorinated Solvent (30kg) | | Fluorinated Solvent (60kg) | | Fluorinated Solvent (120kg) | | Fluorinated Solvent (240kg) | |
|--------|---|-------------|----------------------------|------------------|----------------------------|-----|----------------------------|-----|-----------------------------|------|-----------------------------|------|
| | | | Non-AC | AC | Non-AC | AC | Non-AC | AC | Non-AC | AC | Non-AC | AC |
| 1 | Agriculture/ horticulture/renovate/ garden/renovate/ Nurseries | Month | 20 | - | - | - | - | - | - | - | - | - |
| 2 | Buss/air/depot/shop | Month | 30 | - | - | - | - | - | - | - | - | - |
| 3 | Balcony/renovate/colli/shop | Month | 90 | - | - | - | - | - | - | - | - | - |
| 4 | Automobile/renovate/air/renovate/ roads/streets/area/public/placess | Day | 100 | - | - | - | - | - | - | - | - | - |
| 5 | Postboxes/connected/jagery/sublets | Month | 300 | - | - | - | - | - | - | - | - | - |
| 6 | Exhibition/Fair | Day | 800 | - | - | - | - | - | - | - | - | - |
| 7 | Organizing public/renovate/roads/streets/ lanes/for the public/places | Day | 800 | - | - | - | - | - | - | - | - | - |
| 8 | Doctor's room/air/renovate | Month | 180 | 180 | 180 | 180 | - | - | - | - | - | - |
| 9 | Teaching/shop/Unit | Month | 30 | 39 (100 at 1000) | 100 | 130 | 250 | 325 | 500 | 650 | 1000 | 1300 |
| 10 | Today's/renovate/shop | Month | 500 | - | 500 | 650 | 750 | 975 | 1500 | 1950 | 2850 | 3650 |
| 11 | Shop/depot/flat | Month | 500 | - | 500 | 650 | 750 | 975 | 1500 | 1950 | 2850 | 3650 |
| 12 | Old paper/air/renovate/air/renovate/ shops | Month | 90 | - | - | - | - | - | - | - | - | - |
| 13 | Small/colli/depot/air/renovate/ shops | Month | 200 | - | 200 | - | 300 | - | - | - | - | - |
| 14 | Condiment/shop | Month | 100 | - | 180 | - | 270 | - | - | - | - | - |
| 15 | Tea/coffee/air/renovate/air/renovate/ shops | Month | 180 | 130 | 150 | 180 | 200 | 240 | - | - | - | - |
| 16 | Medical/shop | Month | 270 | 100 | 130 | 150 | 180 | 210 | 240 | - | - | - |
| 17 | Micro/colli/depot/air/renovate/air/renovate/ shops | Month | 100 | 100 | 130 | 150 | 180 | 210 | 240 | - | - | - |
| 18 | Ironing/Shop/Collection/Center | Month | 100 | 50 | 65 | 100 | 130 | 200 | 240 | 400 | 520 | - |
| 19 | Washing and Dry/Cleaning | Month | 100 | - | 150 | - | 300 | - | - | - | - | - |
| 20 | Fluorinated Solvent/Shop/Unit | Month | 100 | 65 | 100 | 130 | 150 | 180 | - | - | - | - |

| Sl. No. | Company | Change per year | No. of employees | Production (Tons) | | Production (1000 kg) | | Production (1000 kg) | | Production (1000 kg) | | Production (1000 kg) | |
|---------|---|-----------------|------------------|-------------------|------|----------------------|------|----------------------|------|----------------------|------|----------------------|------|
| | | | | 2007 | 2008 | 2007 | 2008 | 2007 | 2008 | 2007 | 2008 | 2007 | 2008 |
| 21 | Mitsubishi (India) Pvt. Ltd. / Mitsubishi Heavy Industries Ltd. / Mitsubishi Electric Co. Ltd. / Mitsubishi Chemicals India Pvt. Ltd. | Month | 275 | 158 | 234 | 245 | 312 | - | - | - | - | - | - |
| 22 | Automobiles - water conservation | Month | 300 | - | - | - | - | 300 | - | 450 | - | - | - |
| 23 | Auto India Pvt. Ltd. | Month | 60 | 35 | 40 | 90 | - | 180 | - | - | - | - | - |
| 24 | Auto India Pvt. Ltd. | Month | 80 | 35 | 40 | - | - | - | - | - | - | - | - |
| 25 | Auto India Pvt. Ltd. | Month | 100 | 38 | 40 | 100 | - | - | - | - | - | - | - |
| 26 | Auto India Pvt. Ltd. | Month | 100 | 100 | 200 | 300 | - | - | - | - | - | - | - |
| 27 | Auto India Pvt. Ltd. | Month | 100 | - | - | - | - | - | - | - | - | - | - |
| 28 | Auto India Pvt. Ltd. | Month | 100 | - | - | - | - | - | - | - | - | - | - |
| 29 | Auto India Pvt. Ltd. | Month | 200 | 150 | 200 | 300 | 380 | 300 | 680 | - | - | - | - |
| 30 | Auto India Pvt. Ltd. | Month | 300 | 150 | 150 | 200 | 280 | 300 | 680 | - | - | - | - |
| 31 | Auto India Pvt. Ltd. | Month | 180 | 130 | 130 | 185 | 200 | 280 | 300 | 380 | - | - | - |
| 32 | Auto India Pvt. Ltd. | Month | 180 | 130 | 130 | 185 | 200 | 280 | 300 | 380 | - | - | - |
| 33 | Auto India Pvt. Ltd. | Month | 800 | 130 | 130 | 280 | 300 | 380 | 400 | 520 | - | - | - |
| 34 | Auto India Pvt. Ltd. | Month | 300 | - | - | - | - | - | - | 1000 | - | 2000 | - |
| 35 | Auto India Pvt. Ltd. | Month | 600 | - | - | - | - | - | - | 600 | - | 780 | - |
| 36 | Auto India Pvt. Ltd. | Month | 270 | - | - | - | - | 200 | 260 | 300 | 380 | 450 | 500 |
| 37 | Auto India Pvt. Ltd. | Month | 400 | - | - | - | - | 300 | 380 | 400 | 520 | 600 | 780 |
| 38 | Auto India Pvt. Ltd. | Month | 300 | 100 | 130 | 180 | 200 | 250 | 320 | 300 | 380 | 450 | 500 |
| 39 | Auto India Pvt. Ltd. | Month | 2000 | - | - | - | - | 2000 | 2000 | 2000 | 2000 | 2000 | 2000 |
| 40 | Auto India Pvt. Ltd. | Month | 900 | - | - | - | - | 800 | 800 | 800 | 800 | 800 | 800 |
| 41 | Auto India Pvt. Ltd. | Month | 30 | 30 | 100 | 130 | 160 | 200 | 250 | 300 | 350 | 400 | 450 |
| 42 | Auto India Pvt. Ltd. | Month | 400 | 100 | 130 | 200 | 280 | 360 | 450 | 540 | 630 | 720 | 810 |
| 43 | Auto India Pvt. Ltd. | Month | 450 | 300 | 360 | 420 | 480 | 540 | 600 | 660 | 720 | 780 | 840 |

ANNEXURE - III

LIST OF NEW TRADES IDENTIFIED FOR LEVY OF COLLECTION CHARGES

| Sl. No. | Category | Charges as per Existing rates of Collection charges | Proposed rates of Collection Charges in Rupees | | | | | | Plinth Area 3000 sq. Ft to 1000 sq. Ft. | | Plinth Area above 5000 sq. Ft. | | |
|---------|--|---|--|-----|---|-----|--|-----|---|-----|--------------------------------|------|--------|
| | | | Area below 100 sq. ft. | | Area between 100 sq. ft. to 500 sq. ft. | | Area between 500 sq. ft. to 1500 sq. ft. | | Area between 1500 sq. ft. to 3000 sq. ft. | | Non-AC | AC | Non-AC |
| 1 | Firewood, Charcoal sales | Month | - | 90 | - | - | - | - | - | - | - | - | - |
| 2 | Aquarium | Month | - | 90 | 117 | 150 | 195 | - | - | - | - | - | - |
| 3 | Printing Press | Month | - | 100 | - | 200 | - | 300 | - | 500 | - | - | - |
| 4 | Typewriting Institute / Computer Training Centre | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 5 | Sale of Resins & Leather Articles | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 6 | Sale of Sports Goods / sports Shirts | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 7 | Sale of Watches | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 8 | Sale of Mirror, Frame works | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 9 | Toys & baby needs | Month | - | 200 | 260 | 300 | 390 | 450 | 585 | - | - | - | - |
| 10 | Sale of Stainless Steel, Copper utensils | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 11 | Xerox, Lami-books Binding shop | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 12 | Running Photo & Video Studio | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | - | - | - | - |
| 13 | Sale of Opticals | Month | - | 100 | - | 150 | - | 225 | - | 340 | - | - | - |
| 14 | Pawn Broker | Month | - | 100 | 130 | 150 | 195 | 225 | 293 | 340 | 442 | - | - |
| 15 | Marbles, Crystals Sales | Month | - | - | - | - | 500 | - | 750 | - | 1125 | - | - |
| 16 | Tile and Sanitary Wares | Month | - | 100 | 130 | 200 | 260 | 300 | 390 | 500 | 650 | 1000 | 1000 |

SCHEDULE-VIII
(See Bye-law CHAPTER-III)
SWM SERVICE CHARGE/USER CHARGE/LICENCE FEE
ANNEXURE-II

| Sl. No. | Category of Waste and Waste Generator | Rate of Collection Charges | Period |
|---------|--|---|-------------|
| (1) | (2) | (3) | (4) |
| | | ₹ | |
| 1 | Street Vendors using mobile cart or without mobile cart. | 30 | Per Month |
| 2 | Street Vendors like Tender Coconut, Suger cane Juice, Sweet Palm fruit sellers. | 100 200 (for more than 50 kg.) | Per Day |
| 3 | Obtaining licence from Municipality for rearing of Pet Animal/Catties. | 100/ Animal | Per Annum |
| 4 | Desludging of Septic tanks. | 3,800 Per Trip (One Trip 8,000 litres) | Per Annum |
| 5 | Licence far Desludging Vehicles to Consent to operator. | 1,000 | Per Annum |
| 6 | Inspection Charges for issuing Sanitation Certificates. | | |
| | (i) Schools/Colleges/Institutions | 5,000 | } Per Annum |
| | (ii) Non-Star Hotels | 5,000 | |
| | (iii) Star Hotels | 10,000 | |
| 7 | Bulky Waste from all non bulk waste generators like Residential, Commercial and non-commercial activities. | 2.50 per kg. | |
| 8 | Bulk Waste from bulk waste generators including Residential, Commercial, Industrial, Hotels, Kalyanamandabam and Health Care Establishments. | 3 per kg. | |

ANNEXURE-V

Payable By Bulk Waste Generators

For Bulk Waste Generators who do not process their own Solid Waste onsite or have not engaged an Empanelled Vendor for Solid Waste management services, the SWM Service Charge shall be-

| | ₹ per kg. | |
|---|-----------|-----------|
| 1. For collection, transport and processing Bio-degradable Waste, Non-Biodegradable Domestic Hazardous Waste, Sanitary and E-waste. | 4.00 | } Per day |
| 2. For collection, Transport Bio-degradable. | 3.00 | |
| 3. For collection, transport and processing of Non-Bio-degradable waste. | 2.50 | |
| 4. For collection, transport and processing Domestic Hazardous Waste and Sanitary Waste. | 4.00 | |
| 5. For collection, transport Bulky wastes. | 2.00 | |

ANNEXURE-VI

Payable by Construction and Demolition Waste Generators

| | ₹ | |
|--|-----------------|-------------------|
| 1. Permission for storing in public place earmarked by designated municipal authorities. | 1,000/ Tonne | Per day |
| 2. Charges for transportation of segregated C&D waste by Municipality (including loading)* | 1,000 | Tractor load |
| 3. Charges for transportation of unsegregated waste by Municipality (including loading)* | 1,500 | Tractor load |
| 4. Charges for dumping of C&D waste at designated place. | 200 | Tractor place. |

| | | | |
|----|--|-------|---------------|
| 5. | Sale of C&D/Silt waste from designated collection centre (without transportation). | 200 | Tractor load# |
| 6. | Sale of C&D waste from designated collection centre (with transportation). | 1,000 | Tractor load# |

Note:

- * Even part load will be consider as full load.
- # Maximum 2 Cubic meter consider as tractor load.

SCHEDULE-IX (a)

(See Bye-law CHAPTER-VII)

DEPOSIT FOR CONDUCTING EVENTS AND PUBLIC GATHERINGS

| Sl. No. | Purpose of Function ↓ No of Participants | Deposit Amount based on No. of people at event/per day | | | |
|---------|--|--|-------------|----------------|----------|
| | | < 5000 | 5001-10,000 | 10,000 -25,000 | >25,000 |
| 1 | | ₹ 10,000 | ₹ 15,000 | ₹ 25,000 | ₹ 50,000 |

SCHEDULE-IX (b)

(See Bye-law CHAPTER-III)

DEPOSIT FOR CONSTRUCTION AND DEMOLITION WASTE STORAGE PERMISSION

| Sl. No. | Description | Amount |
|---------|---|-------------------|
| (1) | (2) | (3) |
| | | ₹ |
| 1 | Application Scrutiny Fee for C&D Bulk waste | 1,000/ Project |

SCHEDULE-X (a)
(See Bye-law CHAPTER-IX)

SCHEDULE OF PENALTY

| Sl. No. | Non-compliance and type of Waste Generator | Penalty/fine for the first offence | Penalty for the second and subsequent offence |
|---------|--|------------------------------------|---|
| (1) | (2) | (3) | (4) |
| | | ₹ | ₹ |
| 1 | Failure to segregate and/or handover Solid Waste according to these Bye-laws by— | | |
| | (i) By Domestic Waste Generator (who are not Bulk Waste Generators). | 500 | 1,000 |
| | (ii) Small commercial establishments | 1,000 | 2,000 |
| | (iii) Bulk Waste Generators. | 2,500 | 5,000 |
| 2 | Failure to segregate Solid Waste according to these Bye-laws littering/ handing over waste to unauthorized waste collectors by— | | |
| | (i) By Waste Collector (including SWM officials) who collects mixed waste or mixes different streams of waste and transports from NBWG. | 1,000 | 2,000 |
| | (ii) By Waste Collector (including SWM officials) who collects mixed waste or mixes different streams of waste and transports from BWG. | 2,500 | 5,000 |
| 3 | Disposal of Solid Waste by burning, dumping and/or unauthorized burial by any Waste Generator (who is not a Commercial or Bulk Waste Generator)* | | 5,000 |

| (1) | (2) | (3) | (4) |
|-----|--|--|---|
| | | ₹ | ₹ |
| 4 | Disposal of Solid Waste by Burning, Dumping and/or Unauthorised Burial by a Commercial/Bulk Waste Generator*. | 25,000 | |
| 5 | Failure to deliver (non-household) fish, poultry and slaughterhouse waste in a segregated manner to the waste collector as specified in the Bye-laws or dumping of (non-household) fish, poultry and slaughter house waste in community bin, receptacle, public place or any other unauthorised place. | 1,000 | 2,000 |
| 6 | For a Street Vendor without container/ waste basket and/or who does not deliver Solid Waste in a segregated manner as specified in the Bye-laws. | 300 | 500 |
| 7 | Failure to comply with any lawful directions issued by the Commissioner to ensure cleanliness and hygiene of Road, Bus Station, Railway Station, Street, Playground, Park and other premises of public utility. | 500 | 1,000 |
| 8 | (i) Indiscriminate throwing in public/private place. (ii) Irregular deposit of rubbish or filth or any other solid matter. | 500 | 1,000 |
| 9 | Vacant Sites/House holds/Apartments left unattended in a filthy and unhygienic manner/causing stagnation of water owner heading to public health Hazard. | House : 2,000 Holds Apartment: 5,000 Vacant : 10,000 Plots | House : 4,000 Holds Apartment: 10,000 Vacant : 20,000 Plots |

* As per NGT directions dated 15-3-2019 with regard OA no 606 of 2018.

| (1) | (2) | (3) | (4) |
|-----|---|-------------------------|---|
| | | ₹ | ₹ |
| 10 | Discharging of faecal sludge in unauthorized place. (other than P.W.D. Sewage Treatment Plant at Karuvadikuppam). | 2,500 | 5,000 |
| 11 | Non-maintenance of public toilet commercial toilet by Service provider (NGO, SHG, Temple Trustee, etc.). | 500 | 1,000 |
| 12 | Letting out of sewage/sullage on road sides where drains are not constructed so far. | 500 | 100/ day |
| 13 | Letting out of sewage/sullage in side drains (open drains) where underground drainage facility is available. | 500 | 100/ day |
| 14 | Rearing of Cattles (Cows/Buffaloes) without obtaining licence from Municipality. | 500/ cattle | 1,000/ cattle |
| 15 | Letting out of cow dung in roads/open drainage/underground drainage. | 1,000 | 1,000/ day |
| 16 | Indiscriminate dumping of cow dung in Public/Private places. | 1,000 | 1,000/ day |
| 17 | Letting out of Cattles in Public areas. | 3,000/ cattle day | To be seized (unclaimed within 5 days) and Handed over to nearby Gowshalas/ Veterinary College/ KVK. |
| 18 | Letting out of Pet animals in public areas. (unmanned) | 200/ animal | 500/ animal |

| (1) | (2) | (3) | (4) |
|-----|---|--|---------------------|
| | | ₹ | ₹ |
| 19 | Rearing of Pigs in Municipal limit (even in their own premises) | To be seized and auctioned without notice including a fine of ₹ 200/pig. | |
| 20 | Littering, spitting, urinating, open defecating or committing any other acts of Public Nuisance. | 500 | 1,000 |
| 21 | Failing to provide toilet facility in a residential premises, (in the event of non-availability of Public/Community Toilets within 500 metres. | 1,000 | 1,000/ day |
| 22 | Littering of flowers/Reed grass <i>etc.</i> , on roads and public places other than burial ground/cremation ground on eve of death/any occasion/function. | 5,000/ Occasion | 10,000/ Occasion |
| 23 | Manual Hazardous Entry without safety gears (Fine imposed on Owner). | Penalty as per PEMSRA, 2013 | |

All penalties to be levied as notified in Bye-laws for Plastic Waste Management, 2021, in the Official Gazette Part-II, No.18, dated 18-04-2022 and subsequent amendments.

SCHEDULE-X (b)
SCHEDULE OF PENALTY (IN INDIAN RUPEES)

| Sl. No. | Penalty for untrue self-declaration by Bulk Waste Generator | Penalty/fine for the offence |
|---------|---|------------------------------|
| (1) | (2) | (3) |
| | | ₹ |
| 1 | 50 Kg. to 75 Kg. | 1,000/Day |
| 2 | 75 Kg. to 100 Kg. | 1,500/Day |
| 3 | > 100 Kg. | 2,000/Day |

SCHEDULE-X (c)
(See Bye-law CHAPTER-IX)
PENALTY FOR NON-COMPLIANCE AT
EVENTS AND PUBLIC GATHERINGS

| Sl. No. | Offence | Penalty amount based on No. of people at event | | | | |
|---------|---|--|--------|--------------|-----------------|----------|
| | | No of People | < 5000 | 5,001-10,000 | 10,000- >25,000 | |
| 1 | Carrying out event without permission. | | 2,500 | 5,000 | 10,000 | 50,000 |
| 2 | Violation of plastic ban. | | 3,500 | 7,000 | 25,000 | 50,000 |
| | (a) Plastic and NWPP bags. | | 3,500 | 7,000 | 25,000 | 50,000 |
| | (b) Plastic/Thermocol for serving food and beverages | | 3,500 | 7,000 | 25,000 | 50,000 |
| | (c) Use of flex, plastic sheets, etc. | | 3,500 | 7,000 | 25,000 | 50,000 |
| 3 | Failure to tie up with an authorized vendor for management of waste from the event venue. | | 2,500 | 5,000 | 20,000 | 40,000 |
| 4 | Non-provision of waste receptacles for depositing segregated waste. | | 2,500 | 5,000 | 20,000 | 40,000 |
| 5 | Failure to store segregated waste at event venue | | 5,000 | 10,000 | 50,000 | 1,00,000 |
| 6 | Burning of waste on premises (or at any other site) or disposal non-compliant with SWM Rules, 2016. | | 5,000 | 10,000 | 1,00,000 | 2,00,000 |

SCHEDULE-X (d)
(See Bye-law CHAPTER-IX)

PENALTIES FOR CONSTRUCTION AND DEMOLITION WASTE

| Sl. No. | Type of Violation | Penalty per tonne |
|------------|---|----------------------|
| (1) | (2) | (3) |
| | | ₹ |
| 1 | Dumping of C&D waste in front of houses, parks or at any other public space. | 3,000 |
| 2 | For not delivering Construction and demolition waste in a segregated manner to designated C&D waste storage yard. | 1,000 |
| 3 | Mixing construction debris with wet waste. | 500 |
| 4 | Dumping waste in open spaces, river beds, Canal and quarries. | 3,000 |