BYE-LAWS

Bhopal Municipal Corporation Solid Waste Management Bye - Law, 2018

They shall come into force on the date of approval from Council.

1. Applicability: These bye- Laws shall be applicable within the territorial limits of Bhopal Municipal Corporation (here in after referred to as 'BMC')

2. Definitions:

(i) In these bye- laws, unless the context otherwise requires-

a) "Garden and Horticulture Waste" means waste from parks, garden etc. including grass clippings, weeds, woody 'brown' carbon-rich material such as pruning, branches, twigs, wood chipping, straw, dead leaves, tree trimming, etc. which cannot be accommodated in the daily collection system for bio-degradable waste;

b) "Bulk Waste generator" means bulk waste generator defined under Rule 3(1)(8) of the Solid Waste Management Rules, 2016 (here in after referred to as 'SWM Rules') and any other waste generator decided by the Commissioner BMC.

c) "Collection" means collection and lifting of solid waste from source of waste generation, collection points or any other location;

d) "Component Authority" means the Commissioner BMC or any person authorized by him.

e) "Construction and Demolition Waste" shall have the same meaning as defined under Rule 3(l)(c) of the kerb side and including the drain, foot path and kerb cleaned so maintained in accordance with these bye- laws;

t) "Clean Area" means the public place in front of all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb cleaned and so maintained in accordance with these bye- laws;

g) "Segregation of Waste" means segregation of solid waste as mentioned in Solid Waste Management Rules, 2016.

h) "Containerized hand cart" means the hand cart provided by BMC for point-to-point collection of Segregated Solid Waste;

i) "E-Waste" shall have the same meaning as defined under Rule 3(l) (r) of the E-waste (Management) Rule, 2016.
j) "Fixed Compactor Transfer Station (FCTS)" means a powered machine which is designed to compact segregated solid waste and remains stationary when in operation. The compactor may also be mobile when in operation, which may be called Mobile Transfer Station (MTS).

k) "Litter" means all refuse and includes any other waste material which, if thrown or deposited as prohibited under these bye-laws, tends to create nuisance or danger to any person, animal, Environment or Public health, safety and welfare:

l) "Littering" means causing, putting, burying, permitting or allowing 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 open or public place;

m) "Owner" means any person who exercises the rights of an owner of any building, or land or part thereof:

n) "Occupier/ Occupant" means any person who is in occupation of or in possession and includes any person who for the time being is using, any land or building or part thereof, for any purpose whatsoever;

o) "Pelletisation" means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and include fuel pallet which are also referred as refuse derived fuel;

p) "Prescribed" means prescribed by SWM Rules and/or these bye-laws;

q) "Public Place" means any such place which is open to the use and enjoyment of the public, whether it is actually used for enjoyed by the public or not;

r) "Litterbins" means the temporary containment of solid waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour to be used by citizens or person moving in market or commercial area;

s) "Sanitary Worker" means a person employed by BMC for collecting and removing solid waste or cleansing the drains in BMC area;

t) "Schedule" means the schedule appended to these bye-laws;

u) "User fee/ Charges" means fees or charges imposed by BMC through general or special order of the component Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services;

v) "Vacant Plot" means any land or open space belonging to a private party/person/Govt. agency that is not occupied.
(2) The words and expressions used but not defined herein shall have the same meaning as respectively assigned to them in the Solid Waste Management Rules, 2016 and the construction and Demolition Waste Management Rules 2016.

3. Segregation and storage of solid waste at source

i. It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely:
   a. Non-biodegradable or dry waste
   b. Biodegradable or wet waste
   c. Domestic hazardous waste and deposit it into covered waste bins, and handover segregated waste to designated waste collection/vehicles as per the direction of BMC from time to time.

ii. Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely:
   a. Non-biodegradable or dry waste
   b. Biodegradable or wet waste
   c. Hazardous waste in suitable bins and handover segregated waste to authorized waste processing or disposal facilities or deposition centers through the authorized waste collection agency with paying the carrying charges specified by BMC from time to time.

iii. The colour of bins for storage of segregated waste shall be green for biodegradable waste, blue- for non-biodegradable or dry waste, black - for domestic hazardous waste.

iv. All resident welfare and market associations shall, in partnership with BMC, ensure segregation of waste at sources by the generator; facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorized waste pickers/vehicles. The bio degradable waste shall be processed, treated and disposed off through composting or bio - methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by BMC.

v. All gated communities and institutions with more than 5000 sqm area shall, in partnership with BMC ensure segregation of waste at source by the generators, facilities collection of segregated waste in separate streams, handover recyclable material to either ,the authorized waste kerb/vehicles. The bio degradable waste
shall be processed, treated and disposed off through composting or bio - methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by BMC.

vi. All hotels and restaurants shall in partnership with BMC, ensure segregation of waste at source, facilitate collection of segregated waste in separate streams, handover recyclables materials to either the authorized waste pickers or the authorized recyclers. The bio degradable waste shall be processed treated and disposed off through composting or bio - methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by BMC.

vii. No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating BMC online along with payment of user fee as prescribed in the schedule, at least three working days in advance in such person or the organizer of such event shall ensure segregation of waste at source and handling over of segregated waste collector are agency as specified by BMC.

viii. Used sanitary waste are to be securely wrapped as and when generated in pouches provided by the manufactures or brand owners of these products or in a newspaper or suitable biodegradable wrapping material an place the same in the bin meant for Domestic Hazardous Waste.

ix. Every street vendor shall keep suitable container for storage of segregate waste generated during the course of his activity such as food waste, cans, wrappers, coconut shell, leftover food, vegetables, fruits, etc., and shall handover such waste to vehicles of BMC.

x. Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per direction of BMC from time to time.

xi. Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle of BMC.

xii. Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules 2016.

xiii. No untreated bio-medical Waste, E-Waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed of in accordance with the respective rules framed under the Environment (Protection) Act, 1986.

xiv. Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial
activity, shall store the same separately closed, hygienic condition and deliver it at a specified time, on a daily basis to the BMC collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is prohibited.

xv. Segregated bio-degradable solid waste if not composed by the generators, shall be stored by them within their premises and its delivery shall be ensured, the bio degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.

4. Collection of Solid Waste:

i. In compliance of SWM Rules, door to door collection of segregated solid waste shall be implemented in all areas or wards of BMC, to collect garbage from every house, including slums and informal settlements on a daily basis door to door collection system with BMC collection system.

ii. In order to collect garbage from every house, area-wise specific time slot shall be set and published at conspicuous parts of that area and on the website of BMC. Commonly, time for house to house garbage collection will be set from 6 am to 11 am to collection are garbage from trading establishments, shops in commercial area or any other institutional waste generators, commonly the time shall be from 7 am to 12 noon and in evening from 4-11 or as decided by Commissioner, BMC.

iii. Arrangements shall be made for collection of residual solid waste from bulk waste generators, which are processing waste in-situ.

iv. In the present scenario, the per capita waste generated is 383 gms (per person/day). Out of which 214 gms (per person/day) is wet waste and 169 gms (per person/day) is dry waste, as per the last one year data of collection and transportation. Residual solid waste from vegetable, fruit, flower, meat, poultry and market shall be collected on day to day basis.

v. Horticulture and garden waste shall be separately collected and disposed of one or two days in a week will be specified for this purpose.

vi. To make optimum use of bio-degradable waste from fruit and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated/ through decentralized processing.

vi. Waste generators shall be responsible to deposit their segregated waste in the Auto-Tippers/ Rickshaws etc. deployed by BMC or by the notified authorized waste collector. Segregated waste from multi-storied buildings, apartments, housing
complexes (other than those falling under sub-clauses (iv) and (v) of clause 4 of these bye laws) may be collected from the entry gate or any other designated location.

vii. Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto - Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non - biodegradable waste separately with a hooter shall be deployed for collection of waste. The vehicle shall have third bin for collection of domestic hazardous waste.

viii. Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.

ix. Route plans for each primary collection and transportation vehicle shall be provided by BMC or by the notified authorized waste collector. These plans in tabular as well as GIS map form, duly approved by BMC shall mention starting point, start time, waiting points, waiting time on route and end points. Such information shall also be uploaded on the website of BMC.

x. In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3 - wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

xi. In congested and narrower streets that cannot even be serviced by 3 - Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.

xii. Smaller, narrow and congested streets/lanes where even 3 - wheeler etc cannot operated, vantage points shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/ driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be uploaded on the website of BMC.

xiii. Auto tippers, 3 - wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households.

xiv. BMC or its notified authorized waste collectors shall be responsible to cover all the street/lanes of each zone for the primary collection.
5. Transportation of solid waste:

i. Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and transfer stations depended upon choice of technology by BMC.

ii. Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost plants, bio-methanation plants or any such other facility in a covered manner.

iii. Wherever applicable, for bio-degradable waste, preference shall be given for onsite processing of such waste.

iv. Collected non bio degradable waste shall be transported to the respective processing facilities.

v. Construction and demolition waste shall be transported as per the provisions or the construction and demolition waste management rules, 2016.

vi. BMC shall make arrangements for transportation of inert in proper manners. The street sweeping waste and removable drain slit shall be removed immediately after the work is over.

vii. Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.

viii. The collection vehicles engaged for the purpose shall deposit/transfer waste only at the mechanized transfer station wherever provided.

ix. Mechanized transfer station shall transport the waste directly to compost plant, waste to energy plant or any other site/plant designated by BMC.

x. There should be no intermixing of waste from various sources during the transportation of waste.

xi. The service of street level collection and transportation of waste shall be provided every day including holidays.

6. Processing of solid waste:

i. BMC shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilization of various components of solid waste adopting suitable technology including the following technologies and adhering to the guideline issued by the Ministry of Urban Development from time to time standards prescribed by the Central pollution control board.
a) To minimize transportation cost and environment impacts, preference shall be given
to decentralized processing such as bio-methanation, microbial composting, vermi
composting, anaerobic digestion or any others appropriate processing for bio
stabilization of biodegradable waste.
b) Through medium/large composting/ bio-methanation plants at centralized
locations
c) Through waste to energy process by refuse derived fuel for combustible fraction
of waste are supply s feedstock to solid waste based power plants, and/or
d) Through construction and demolition waste management plants.

ii. In waste to energy plant by direct incineration absolute segregation shall be
mandatory and be part of the terms and conditions of the relevant contracts.

iii. BMC shall establish material recovery facilities and ensure that recyclables such as
paper, plastic, metal, glass, textile etc. go to authorized recyclers.

7. Other guidelines for processing of solid waste-

i. BMC shall enforce processing of biodegradable waste on site of generation of such
waste through composting or bio - methanation, as far as possible, at RWAs, group
housing societies, markets, gated communities and institutions with more than 5,000
sqm. Areas/ more than 100kg. per day of waste generators, all hotels and restaurants,
banquet halls and places of such nature. Preference shall be given for onsite processing
of biodegradable waste generated by other waste generators as well.

ii. BMC shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry
and fish waste while processing bio - degradable waste ensure hygienic conditions.

iii. BMC shall enforce processing of horticulture, parks and garden waste separately in the
parks and gardens as far as possible.

iv. BMC shall involve communities in waste management and promote home composting
bio gas generation, decentralized processing of waste at community level, subject to
control of odour and maintenance of hygienic conditions around the facility.

8. Disposal of Solid Waste:

BMC Shall undertake on its own or through any other agency, the construction, operation
and maintenance of sanitary landfill and associated infrastructure for disposal of residual
waste and inert street sweepings and silt from surface drains in a manner prescribed under
SWM Rules and any other obligation imposed by any other law for the time being in force.

9. User fee for collection, transportation, disposal of solid waste :-
   a) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by BMC. The rates of users fee are specified in Schedule-I
   b) The user fee so fixed shall be collected from waste generators by BMC.
   c) BMC shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.
   d) BMC shall adopt different methods for collection of user fee including online payment.
   e) The user fee shall be collected only by the institution/person authorized by the competent authority by a general or special order in this behalf.

10. Fine/ Penalty for contravention of SWM Rules :-
    a) Whosoever contravenes or fails to Comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws.
    b) In case of repeated contravention or non-Compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be.
    c) The Chairperson shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II
    d) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the procedure for prosecution prescribed under provision of the Environment (Protection) Act, 1986 shall follow.

11. Responsibilities of waste Generators:

i. Prohibition of littering
   a. Littering in any Public Place: No person shall litter in any public place except in authorized public or private litter receptacles. No person shall repair vehicles. Wash/clean utensils or any other objects or keep any type of storage in any public place.
place except in such public facilities or conveniences specifically provided for any of these purposes.

b. Littering on any property: No person shall litter on any open or vacant property except in authorized private or public receptacles.

c. Litter-throwing from vehicles: No person, whether a driver or passenger in a vehicles, shall litter upon any street, road, side walk, playground, garden, traffic island or other public place.

d. Litter from goods vehicles: No Person, shall drive or move any trucks or other goods vehicle unless such vehicle is so constructed and loaded 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.

e. Litter by owned/pet animals: It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/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 preferably by their own sewage system.

f. Disposal of waste in drain etc: No person shall litter in any drain/river/open pond / water bodies.

ii. Burning of Waste: Disposal by burning of any type of solid waste in public places or at any private or public property is prohibited.

iii. "Clean Area": Every person shall endeavor that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/ gutter and kerb is free of any waste, either in solid or liquid form.

iv. For public gathering and events organized in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-culture events, protests and demonstrations etc.)

v. Refundable Cleanliness Deposit, as may be notified by the BMC, will be taken from the organizer, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public places and does not cover any damage to property. IN case the organizers of the event wish to avail of the services of the BMC for the cleaning Collection and transport of waste generated as a result of the event, they must apply to
the concerned Deputy Commissioner or equivalent of the BMC and pay the necessary Charges as may be fixed by the Competent Authority for this purpose.

vi. Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the BMC in the following manner:

a) The BMC may serve a notice on the owner/occupier of any premises, requiring such owner/occupier to clear any waste on such premises in a manner and within a time specified in such notice.

b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.

c) If the person whom the notice is served fails to comply with any requirements imposed by such notice, the BMC may-
   i. Enter on the premises and clear the waste:
   ii. Recover from the occupier the expenditure incurred in having done so.

vii. Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers:

a) All manufacturers of disposable products such as tin, glass, plastics packaging, etc or brand owners who introduce such products in the market within the jurisdiction of BMC shall provide necessary financial assistance to BMC for establishment of waste management system. BMC may also coordinate with the concerned departments of central Govt. and/or the Govt. of MP of Bhopal for implementation of this provision.

b) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.

c) Manufactures or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclables materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.

d) All Such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

viii. All industrial units using fuel and located within one hundred km from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.
12. Responsibilities of BMC

i. BMC shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/ roads, public places, temporary settlements, slum area, markets, its own parks gardens, drain etc. By employing human resources and machines shall and be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicle for which BMC may engage private parties on contract or public private partnership mechanism, apart from its own cleaning staff and vehicle. In addition, BMC shall identify all the commercial area for carrying out sweeping twice a day.

ii. BMC or the authorized agency engaged by it shall provide and maintained sufficient number of community litter bins of sufficient size on public roads, in surrounding of railway stations, bus stops, religious places, commercial area etc.

iii. BMC for the purpose of managing solid waste activities in decentralized and regular manner shall designate one ward officer in every ward to supervise the spots of container, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing unit etc.

iv. The Competent authority shall designate sufficiently senior officers, preferably not below the rank of Additional, Deputy Commissioner or Equivalent as Nodal Officers to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.

v. Each ward shall be divided into sweeping beats based on the prescribed parameters and deploy manpower accordingly or rationalized the existing deployment and monitor their work by using latest technology. Where ever it is unable to get sweeping through its own staff, it may out source through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.

vi. BMC shall employee latest road/ street cleaning machine, mechanical sweepers or other equipment's which improves the efficiency of sweeping and drainage cleaning.

vii. BMC shall create awareness and sensitization through information, education and communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of SWM Rules and these by laws with special emphasis on user fee and fines/ penalties.

viii. BMC shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as biomethanation, composting etc. Incentives may be like awarding and recognizing the
households, RWAs and institutions etc. by giving certificates, by publishing their respective websites or rebate in property tax etc.

ix. BMC shall phase out the use of chemical fertilizers and use compost in all parks, garden maintained by it and wherever possible in other places under its jurisdiction. Incentives may be providing to recycling initiatives by informal waste recycling sector.

x. BMC shall make efforts to streamline and formalize solid waste management systems and endeavor that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.

xi. BMC shall ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce.

xii. BMC shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection, Transport and handling of waste by providing appropriate and adequate personal protective equipments.

xiii. In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to BMC immediately which shall review and issue instructions, if any, to the in-charge of the facility.

xiv. Regular checks: The Chairperson, Deputy Commissioner or equivalent or any other officer authorized by the Chairperson shall conduct regular checks various part of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM rules and these bye-laws.

xv. BMC shall develop a public grievance redressal system (PGRS) by setting up of call centre at its head quarter. The PGRS may include SMS based service, mobile application or web based services.

xvi. BMC shall install bio - metric/smart card technologies/ICT system for tracking and recording attendance of employees associated with the working of SWM rules and bye-laws at HQ/all zones/ward offices etc. and shall make an endeavor to integrate such system with the salary/wages/remuneration.

xvii. Transparency and Public Accessibility: To ensure greater transparency and public accessibility, BMC shall provide all necessary information through its website.

xviii. BMC shall perform all other duties mentioned in SWM rules, which have not been specifically mentioned in the bye-laws.
13. If any doubt or difficulty arises in the interpretation or implementation of these bye-laws, the same shall be placed before the Chairperson, BMC, whose decision in the matter shall be final.

14. Co-ordination with government bodies: BMC shall co-ordinate with other government agencies and authorities to ensure compliance of these bye-laws within areas under-the jurisdiction or control of such bodies. In case of any difficulty matter shall be placed before Chief Secretary of Government of MP of Bhopal.

15. The competent authority may issue general or special orders from time to time for proper implementation of solid waste management rules, 2016, and these bye-laws.

16. Provisions for User charges and spot fines are already in place and orders issued by the competent authority are mentioned and incorporated in these Bye-laws.
Bhopal Construction and Demolition Waste Management By-laws, 2018

Application.- The Bylaws shall apply to every waste resulting from construction, remodeling, repair and demolition of any civil structure of individual or organization or institution or industry or authority who generates construction and demolition Waste such as building materials, debris, rubble.

Duties of the waste generator -

(1) Every waste generator (Bulk and Non-bulk) shall prima-facie be responsible for collection, segregation in five categories such as concrete, soil, steel, wood and plastics, bricks and mortar and others. Storage of construction and demolition waste generated, as directed or notified by BMC in consonance with bylaws.

(2) The generator (Bulk and Non-bulk) shall ensure that other waste (such as solid waste, E-waste, Bio-medical waste, plastic waste) does not get mixed with this waste and is stored and disposed separately.

(3) Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall segregate the waste into five streams such as concrete, soil, steel, wood and plastics, bricks and mortar shall submit waste management plan and get appropriate approvals from BMC before starting construction or demolition or remodeling work and keep BMC informed regarding the relevant activities from the planning stage to the implementation stage and this should be on project to project basis.

(4) Every waste generator (Bulk and Non-bulk) shall keep the construction and demolition waste within the premise or get the waste deposited at collection centre so made by BMC or handover it to the authorized processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains.

(5) Every waste generator (Bulk and Non-bulk) shall pay relevant charges for collection, transportation, processing and disposal as notified by BMC; Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall have to pay for the processing and disposal of construction and demolition waste generated by them, apart from the payment for storage, collection and transportation. The rate shall be fixed by BMC.

Duties of service provider and their contractors -

(1) BMC has prepared a comprehensive waste management plan covering segregation, storage, collection, reuse, recycling, transportation and disposal of construction and demolition waste generated within their jurisdiction.

(2) BMC shall remove all construction and demolition waste and clean the area every day, if possible, or depending upon the duration of the work, the quantity and type of
waste generated, appropriate storage and collection, a reasonable timeframe shall be worked out.

**Duties of Bhopal Municipal Corporation:-**

1. BMC has issued detailed directions with regard to proper management of construction and demolition waste within its jurisdiction in accordance with the provisions of Construction and Demolition Waste Management Rules, 2016 and made a detailed plan or undertaking as applicable, from generator of construction and demolition waste;

2. BMC has to incorporate all the components of Bhopal C & D waste management bylaws, 2018 before permitting any Building permission.

3. BMC has to chalk out stages, methodology and equipment, material involved in the overall activity and final clean up after completion of the construction and demolition for safe disposal of construction and demolition waste contaminated with industrial hazardous or toxic material or nuclear waste if any.

4. BMC shall make a separate mechanism for collection and transportation of waste or by appointing private operators. And also BMC should make a Helpline number for the same.

5. BMC shall take user charges for the collection, transportation, recycling and disposal of C & D Waste. And also should penalize if the user charges are not being paid by the waste generator.

6. BMC shall do the spot fines if any littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains. And also if the waste is not being segregated by the waste generator as per asked categories and the rates by BMC. Spot fine up to 50,000 Rs. would be the authoritative powers of concerning Building Officer, Building Inspectors, Zonal Officer and Health Officer whereas spot fines 50,000 Rs. and 1 Lakh would come under the authoritative powers of Additional Commissioner.

7. BMC shall also do the spot fines if any littering or deposition of construction and demolition waste is done by building material supplier’s trucks during the transportation of building materials i.e., such as sand, aggregate, cement, bricks and stones etc. so as to prevent obstruction to the traffic or the public or drains.

8. BMC shall get the collected waste transported to appropriate sites for processing and disposal either through own resources or by appointing private operators.

9. BMC shall give appropriate incentives to generator for salvaging, processing and or recycling within their premises preferably in-situ.

10. BMC shall examine and sanction the waste management plan of the generators within a period of one month or from the date of approval of building plan, whichever is earlier from the date of its submission.

11. BMC shall keep track of the generation of construction and demolition waste within its jurisdiction and establish a data base and update on monthly basis.
(12) BMC shall use at least 40% obtained of raw C & D Waste in municipality approved construction activities in non-structural applications such as lower layers of road pavements, inner colony roads, filling of plinth and basements etc.

(13) BMC shall use at least 10% of material made out of C & D Waste in municipality construction activities such as kerbed stones, structural concrete as manufactured aggregate, paving blocks, bricks etc.

(14) BMC shall device appropriate measures in consultation with expert institutions for management of construction and demolition waste generated including processing facility and for using the recycled products in the best possible manner;

(15) BMC shall create a sustained system of information, education and communication for construction and demolition waste through collaboration with expert institutions and civil societies and also disseminate through their own website.

(16) BMC shall make provision for giving incentives for use of material made out of construction and demolition waste in the construction activity including in non-structural concrete, paving blocks, lower layers of road pavements, colony and rural roads.

(17) BMC shall make criteria for storage, processing or recycling facilities for construction and demolition waste and application of construction and demolition waste and its products.

(18) Provisions for User charges and spot fines are already in place and orders issued by the competent authority are mentioned and incorporated in these Byelaws.
Plastic Waste Management Bye-Law, 2018

In exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government have enacted the Plastic Waste Management Rules, 2016 to regulate the management of Plastic Waste.

The Plastic Waste Management Rules, 2016 shall apply to every waste generator, local body, manufacturer, importers and producer.

1.0 Title: This shall be called as the Bhopal Municipal Corporation, Plastic Waste Management Bye-Laws, 2018

2.0 Extent of application: This bye-laws applies to every waste generator in Bhopal Municipal Corporation, manufacturer, importers and producer within the limits of Bhopal Municipal Corporation.

3.0 Definition: In this Bye-law and the Schedule attached there to, the words and expressions used but not defined shall have the meanings respectively assigned to the Bhopal Municipal Corporation, unless the context otherwise requires.

1. "Act" means the Environment (Protection) Act, 1986 (29 of 1986); "brand owner" means a person or company who sells any commodity under a registered brand label.
2. "Carry bags" mean bags made from plastic material or compostable plastic material, used for the purpose of carrying or dispensing commodities which have a self carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use.
3. "Commodity" means tangible item that may be bought or sold and includes all marketable goods or wares;
4. "Compostable plastics" mean plastic that undergoes degradation by biological processes during composting to yield CO2, water, in organic compounds and biomass tarterate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;
5. "consent" means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee granted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);
6. "Disintegration" means the physical break down of a material into very small fragments;
7. "Extended producer's responsibility" means the responsibility of a producer for the environmentally sound management of the product until the end of its life;
8. "food-stuffs" mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
9. "Facility" means the premises used for collection, storage, recycling, processing and disposal of plastic waste;
10. "Importer" means a person who imports or intends to import and holds an importer
    -Exporter Code number, unless otherwise specifically exempted.
11. "institutional waste generator" means and includes occupier of the institutional buildings such
    as building occupied by Central Government Departments, State Government Departments,
    public or private sector companies, hospitals, schools, colleges, universities or other places of
    education, organization, academy, hotels, restaurants, malls and shopping complexes;
12. "Manufacturer" means and includes a person or unit or agency engaged in production of
    plastic raw material to be used as raw material by the producer.
13. "Multilayered packaging" means any material used or to be used for packaging and having at
    least one layer of plastic as the main ingredients in combination with one or more layers of
    materials such as paper, paperboard, polymeric materials, metalized layers or aluminum foil,
    either in the form of a laminate or co-extruded structure;
14. "plastic" means material which contains as an essential ingredient a high polymer such as
    polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene,
    polypropylene, polystyrene resins, multi-materials like acrylonitrile butadiene styrene,
    polyphony leneoxide, poly carbonate, Poly butylene terephthalate;
15. "plastic sheet" means Plastic sheet is the sheet made of plastic;
16. "plastic waste" means any plastic discarded after use or after their intended use is over;
17. "prescribed authority" means the authorities specified in rule 12;
18. "producer" means persons engaged in manufacture or import of carry bags or multilayered
    packaging or plastic sheets or like, and includes industries or individuals using plastic sheets
    or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping
    the commodity;
19. "recycling" means the process of transforming segregated plastic waste into a new producer
    raw material for producing new products;
20. "registration" means registration with the State Pollution Control Board or Pollution
    Control Committee concerned, as the case may be;
21. "street vendor" shall have the same meaning as assigned to it in clause(I)of sub- section(I) of
    Section 2 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending)
    Act, 2014 (7 of 2014);
22. "local body" means urban local body i.e. Bhopal Municipal Corporation
23. "virgin plastic" means plastic material which has not been subjected to use earlier and has
    also not been blended with scrap or waste;
24. "waste generator" means and includes every person or group of persons or institution,
    residential and commercial establishments including Indian Railways, Airport, and Defense
    establishments or any other establishment which generate plastic waste;
25. "waste management" means the collection, storage, transportation reduction, re-use, recovery,
    recycling, composting or disposal of plastic waste in an environmentally safe manner;
26. "Waste pickers" mean individuals or agencies or groups of individuals voluntarily engaged or
    authorized for picking of recyclable plastic waste.

4.0 Responsibilities of waste generator

BHOPAL MUNICIPAL CORPORATION

Page 19 of 44
The waste generator shall take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2016 or as amended from time to time, not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to Bhopal Municipal Corporation or agencies appointed by them or registered waste pickers, registered recyclers or waste collection agencies;

All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Municipal Solid Waste Rules, 2016 or amendment from time to time and handover segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency.

All waste generators shall pay such user fee or charge as may be specified in the bye-laws of the local bodies for plastic waste management such as waste collection or operation of the facility thereof, etc.;

Every person responsible for organizing an event in open space, which involves service of food stuffing plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the Solid Waste Management Rules, 2018 or amendment from time to time.

5.0 Responsibilities of Bhopal Municipal Corporation-

Bhopal Municipal Corporation either on its own or by engaging an agency shall setup, operationalize and coordinate for waste management in the rural area under their control and for performing the associated functions, namely, ensuring segregation, collection, storage, transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment during this process; creating awareness among all stakeholders about their responsibilities; and ensuring that open burning of plastic waste does not take place.

6.0 Responsibility of producers, Importers and Brand Owners-

The producers, within a period of six months from the date of publication of these rules, shall work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development Departments, either individually or collectively, through their own distribution channel or through the local body concerned.

Primary responsibility for collection of used multi-layered plastic sachet or pouches or packaging is of Producers, Importers and Brand Owners who introduce the products in the market. They need to establish a system for collecting back the plastic waste generated due to their products. This plan of collection to be submitted to the State Pollution Control Boards while applying for Consent to Establish or Operate or Renewal. The Brand Owners whose consent has been renewed before the notification of these rules shall submit such plan within one year from the date of notification of these rules and implement with two years thereafter.
Manufacture and use of non-recyclable multilayered plastic if any should be phased out in two years time.

The producer, within a period of three months from the date of final publication of these rules in the Official Gazette shall apply to the Pollution Control Board or the Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration.

No producer shall on and after the expiry of a period of six months from the date of final publication of these rules in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned State Pollution Control Board or the Pollution Control Committees.

Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multilayered packaging.

7.0 Responsibilities of the Bhopal Municipal Corporation

The Bhopal Municipal Corporation shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers. Shall be responsible for setting up, operationalization and co-ordination of the waste management system and for performing the associated functions, namely: ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste; ensuring that no damage is caused to the environment during this process; ensuring channelization of recyclable plastic waste fraction to recyclers; ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board; creating awareness among all stakeholders about their responsibilities; engaging civil societies or groups working with waste pickers; and ensuring that open burning of plastic waste does not take place. Setting up of system for plastic waste management by seeking assistance of producers and such system shall be set up within one year from the date of final publication of these rules in the Official Gazette of India.

To frame, the bye-laws incorporating the provisions of these rules.

8.0 Obligatory Responsibilities of Bhopal Municipal Corporation

Surprise checks: The Commissioner, Project Engineer/City Engineer/municipal engineer/Health officer/sanitary officer/sanitary inspectors or any other officer authorized by the Commissioner will conduct surprise checks in various parts of the wards in the Corporation limits at any time (day or night) with a view to encourage compliance. Any contravention will attract a fine and any litter found during these checks will be cleared by the Corporation.

Enforcement Squads in each ward: Appoint Nuisance Detectors and form Enforcement Squad for SWM and PWM services. The designated officer will supervise the Nuisance Detectors and Enforcement Squads.

Publicity: Citizen Information services of the Corporation shall publicize the provision of the Byelaws through the media of Signs, advertisement, leaflets, announcement on radio and televisions, newspapers articles and through any other appropriate means, so that all citizens will
have the opportunity to come and inform about their legal duties and about Corporation's recycling, refuse & anti-litter services and fines.

Co-ordination with Government Bodies: The Corporation shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies.

The Commissioners/ designated officers will extend the Slum Adoption Program to the uncovered areas within their wards for Solid Waste Management and Plastic Waste Management, with the possible assistance of qualified Community Based organizations (CBOs)/non-government organizations (NGO's)/voluntary service organizations (VSO's)/Self Help Groups (SHG).

Cleanliness drives will be conducted by the Corporation in association with Ward Councilors, Citizens organizations, Government bodies, Corporate, NGO's for the cleanliness of areas.

9.0 Penalties for contravention of these Bye-laws

On and after the date of commencement of these Bye-laws, there will be a familiarization/warning period of 30 days, after which, any contravention of these Bye-laws shall be punishable with fines as per the Schedule of Fines (Schedule I) for every instance of breach of these byelaws. In case the generator of waste is found contravene in any of these Bye-laws next time, the fine amount will be doubled.
Provisions for spot fines would be implemented as per the decision given by the Central Govt./State Govt./council/BMC Commissioner.

In case of a person or any polluter is not able to pay the fine as mentioned in Schedule, while contravening any of these Bye-laws. He/she will be prosecuted under the provisions of Indian Penal Code.

10.0 Punishments:

Any person violating the provisions made in the Bye laws (or) any person who is the custodian of a child aged less than 14 years who violates the provisions made in the Bye- laws will be deemed to be considered for punishment as per rule in force.

11.0 Right to Appeal:

Any person aggrieved or affected by this BMC Plastic Waste Management Bye-law, 2018 shall have the right to appeal before the Commissioner of Municipal Bye-law will take effect after the due approval of the Bhopal Municipal Corporation Council.
CHAPTER-I-GENERAL

These Bye-laws may be called Bhopal Municipal Corporation 'Sanitation Bye-Laws 2018'. They shall come into force on the day of 2018.

Applicability and Scope:- Except where it is otherwise expressly or impliedly provided, these Bye-laws shall apply to all persons, including all generators of waste, within the Whole geographical area vested in the Corporation from time to time by the Government including all public and private places irrespective of its use or ownership, i.e., dwelling, trading, commercial, professional, industrial, governmental, semi-governmental, administrative, educational, religious, recreational, social and all other usages which are not included herein.

Right to Interpret:- If any question relating to the interpretation of these Bye-laws arises it shall be referred to the Municipal Commissioner who shall give his/her decision and which decision shall be final.

CHAPTER II - DEFINITIONS

Unless the context otherwise require s:-

1. "Administrative Ward" means an administrative ward of the Corporation;
2. "Agency/Agent/Contractor/Service Provider" means any entity/person appointed or authorized by the Municipal Commissioner to act on behalf of the Corporation, for discharge of duties or functions as directed by BMC;
3. "Authorization" means permission granted by the prescribed authority for services in accordance with these Bye-laws;
4. "Bye-laws" means these 'BMC Sanitation Bye-Laws 2018';
5. "Community" means a group of interacting people, living in some proximity (i.e., in space, time or relationship). It refers to a social unit larger than a household that shares common values and has social cohesion;
6. "Competent Authority" means any person/persons or authority/authorities; authorized by the prescribed authority as the case may be, to perform the functions as specified under these bye-laws;
7. "Corporation" means the Bhopal Municipal Corporation
8. "Disposal" means final and safe disposal of waste to prevent contamination of ground water, surface water, ambient air quality and attraction of animals or birds;
9. "Drain" means a sewer, a house drain, a drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying or conveying se waste, offensive matter, polluted water, waste water, rainwater or subsoil water;
10. "Effluent" means the liquid waste discharge that is the result of any activity whether domestic, commercial, institutional or industrial;
11. "Environmentally sound management" of waste means taking all steps required to ensure that waste is managed in a manner which shall protect health and environment against any adverse effects, which may result from hazardous substance contained in such wastes;

12. "Grey Water/Sullage" means the domestic waste water generated during personal washing, laundry, cooking and cleaning activities;

13. "Health" means the complete physical, mental and social state of well-being and not merely the absence of a disease or infirmity;

14. "Litter" means all refuse and includes any other waste material which, if thrown or deposited as prohibited under these Bye-laws or any other law in force, tends to create nuisance. "Littering" means putting 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 such other place where such action may be prohibited; Or causing, permitting or allowing litter to fall, descend, blow be washed, percolate or otherwise escape into or onto any public place or such other place where such action may be prohibited;

15. "Market" means any place where persons assemble for the sale of, or for the purpose of exposing for sale, meat, fish, fruits, vegetables, animals intended for human food or any other articles of human food whatsoever, with or without the consent of the owner of such place notwithstanding that there may be no common regulation for the concourse of buyers and sellers and whether or not any control is exercised over the business of, or the person frequenting, the market by the owner of the place or by any other person;

16. "MPPCB" means the Madhya Pradesh State Pollution Control Board;

17. "CPCB" means the Central Pollution Control Board;


19. "Person" means any person or persons and shall include any shop or establishment or firm or company or association or body of individuals whether incorporated or not and their agents, assignee etc.;

20. "Public Health" means the science and art of preventing disease, prolonging life and promoting health through the organized efforts and informed choices of society, organizations, public and private, communities and individuals and it includes environmental health, community health, behavioral health, health economics, public policy and occupational health;

21. "Public place" includes any road, arch road, via duct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thorough fare or not over which the public have a right of passage, and such places to which the public has access such parks, garden, recreation grounds, play grounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc.;

22. "Scum" means a mass of light solids, such as hair, grease, oils and soaps floating on the surface of waste water in a septic tank;

23. "Septic tank" means a water tight receptacle that receives sewage from a building and provides primary treatment.

24. "Primary waste treatment" means mechanical separation of solids, grease and scum from
waste water;
25. "Sewage Treatment Plant" or "STP" means authorized waste treatment plant of the Corporation consisting of a series of tanks, screens, filters and other processes by which pollutants are removed from sewage;
26. "Sewers" means a system of pipes used for collecting domestic and industrial waste, as well as storm water run-off;
27. "Sewerage" means a system of sewers, the removal of waste materials by means of a sewer system;
28. "Sludge" means the heavier solids that separate from waste water inside the septic tank and sink to the bottom. These solids are subject to continual decomposition activity by bacteria in the tank; however, since break down is never complete solids accumulate and must be periodically removed by pumping;
29. "Solid waste", unless the context requires otherwise, means any discarded solid or semi-solid waste generated or brought in the Corporation limits;
30. "Source" means the premises/place in which waste is generated;
31. "Storm Drain" means a pipeline or channel system that carries surface water and/or runoff to public waters, but does not feed into sewer system;
32. "User Fees" means charges, applicable to and payable by Generators, as notified by the Commissioner from time-to-time to cover the part or full cost for services provided by BMC;
33. "Vector" means an anthropoid insect, a biological entity where the causative agent undergoes multiplication or some developmental charges within its body before it is passed on to another host (usually human beings) through its bite which transmits diseases;
34. "Vector Borne diseases" means disease in which the pathogenic micro-organism is transmitted from an infected individual to another individual by an arthropod or other agent, sometimes with other animals serving as intermediary hosts;

CHAPTER III - LIQUID WASTE MANAGEMENT- CONNECTION TO PUBLIC SEWERS

Connections to Public Sewers

1. The Corporation shall seek to provide, as far as possible, a public sewer line up to or near to the premises of all building/sewerage generators within its jurisdiction.
2. All Generators shall connect domestic sewer lines to a public sewer line provided specifically for the discharge of sewerage or set-up and operate a liquid waste treatment facility/ septic tank within their premises, as the case may be, in accordance with their entitlements and obligations under these bye-laws and any other Rules for the time being in force, including the Development Control regulations of the Corporation.
3. No generator shall dispose/discharge sewage/sullage/effluents into storm water drains, water bodies, waterways, open lands, agricultural lands or any other non-designated locations.

Connection to public sewer by all generators, except otherwise specified

1. All generators shall be titled to connect domestic sewer to a public sewer provided specifically for the discharge of sewerage, unless:-
   a. A public sewer line does not exist within 100ft/30mt from any part of the property/building; and/or
   b. a waste water treatment facility (other than a septic tank/soak pit etc.) approved by the Corporation exists within the boundaries of the property.
2. The owners/occupiers of property shall provide connections from nearest Road to the
3. All generators shall obtain necessary approval from concerned department of the
corporation before making connections to the public sewer-line. For this purpose, the
owner/occupier of the property shall submit the sewer plans and specifications with sign
and seal of professional engineers registered with the Corporation along with building use
permission documents.

4. All the connections shall comply with the specifications prescribed by the corporation
regarding diameter, material, depth, fall and direction of outfall. The drainage line shall have
proper slope to drain off the waste water and provide sufficient numbers of the manhole for
maintenance of the drainage line.

5. All connections to public sewer line shall be made only by certified/approved masons of the
Corporation.

6. Materials like brick bats, concrete blocks etc. which may create blockage to sewer shall not be
allowed to fall and lie inside the manhole.

7. House connections shall be properly trapped to prevent the escape of gases.

8. Generators shall provide grit chambers with screens for connection to public sewers.

9. All the owners/occupiers of multistoried buildings, commercial establishments, slaughter
houses and such other bulk generators as may be notified by the Corporation shall construct
grease, oil and grit interceptor chamber before connecting to the public sewer of the type and
capacity approved by the authorized engineer and shall be located so as to be readily and
easily accessible for cleaning and inspection. Grease and oil interceptor chambers shall be
constructed of impervious material capable of withstanding abrupt and extreme changes in
temperature and of substantial construction; water tight and equipped with easily removable
covers which when bolted in place shall be gastight and water tight.

10. Generator shall ensure that no public nuisance is caused due to connection to public sewers,
including during the construction of the connection.

Connection to public sewer by generators at sr.no.7, i.e. meat markets/ slaughter houses

1. The liquid waste from meat markets/slaughter houses shall not be mixed with municipal
sewage before adequate treatment.
2. Slaughter houses and meat markets will set-up, operate and maintain at their own cost Effluent Treatment Plants as per the standards prescribed in the Environment Protection Act, 1986 and as directed by CPCB and MPPCB. Grit chambers and screens shall be provided before connection to public sewer. Recycled water should be used for non-drinking purposes within the premises as far as possible.

3. The liquid waste shall be flushed away from the premises of meat markets/slaughter houses by safe, potable, constant and adequately pressurized supply of water and discharged to the common treatment facility.

Connection to public sewer by generators like i.e. Dairy and cattle sheds, Workshops and garages and Industries and Household industries:-

1. These generators shall not connect the domestic sewage to the public sewer without obtaining necessary approvals from the Corporation or MPPCB as the case may be.

2. These generators shall not dispose-off industrial effluents or any other effluents particular to the activity to the public sewer before necessary treatment as prescribed by Corporation, MPPCB, CPCB or as prescribed under any law, rule or regulation for the time being in force.

CHAPTER IV- LIQUID WASTE MANAGEMENT - CONSTRUCTION, OPERATION AND MAINTENANCE OF SEPTIC TANKS

Construction of Septic tanks/soak pits by generators:-

1. All the generators from shall construct septic tanks/soak pits for onsite sanitation and treatment of liquid waste after obtaining necessary approvals from the Corporation, provided.
   a. No public sewer line exists within 100 FT/30 meters from any part of the property/building, and
   b. The contributory population does not exceed 300 persons in case of generators at sr.no 3 & 4 (multi-storied residential buildings, Government and private colonies etc. and Slums and Chawls).

2. The Septic Tanks shall be designed and constructed in accordance with the National Building Code guidelines, the Development Control Regulations and any specification notified by the Corporation. The details of design and construction shall be submitted to the Corporation for approval.

3. The septic tanks thus constructed shall be properly abandoned within specified period of time atoner's own expense upon receiving a written notice from the Corporation in case of extension of public sewer lines to the said location, and private sewers shall be connected to the public sewer line in accordance with the provisions hereof.

4. A sub-solid is persion system shall not be closer than 18 mts to any source of drinking water and shall not be closer than 6 mts to the nearest building.

5. The septic tanks shall have a minimum capacity of 1 cubic meter and the length shall be 2-4
times the width, and shall be designed for minimum 2 days of waste water retention;
6. The inlet and outlet of the septic tanks shall not be at such levels where sludge and scum is formed.
7. The inlet and outlet should be as far as possible from each other and at different levels.
8. The baffles should be provided at both inlet and outlets and dip 25-30cm into and project 15cm above the liquid and should be placed data distance of one fifth of the tank length from the mouth of the straight inlet pipe.
9. The invert of the outlet pipe should be placed at a level 5-7cm below the invert level of the inlet pipe.
10. For population above 100, parallel compartments shall be constructed with partition walls in between.
11. All the septic tanks shall be provided with ventilation pipes of at least 50mm diameter, the top being covered with a mosquito proof wire mesh. The height of the pipe should extend at least 2m above the top of the highest building within a radius of 15mts.
12. Access manholes of adequate size as prescribed by the corporation shall be provided with the septic tanks.

De-sludging by generators:-

1. Depending on the capacity of the septic tanks, and the amount of sewerage generated, the septic tanks shall be de-sludged periodically during 2-5 years only through the agency/contractor authorized by the Corporation for the purpose or with the assistance of the corporation on payment basis.
2. The collection, de-sludging, disposal of sludge/effluent and the safe construction and closure of septic tanks shall only be done by agency/contractor authorized by the Corporation.
3. De-sludging of septic tank should be carried out by mechanical equipment, including vacuum tankers, sludge pipes with delivery valve to draw the sludge etc. The generators shall ensure that septic tanks are not manually de-sludged.
4. The effluents/sludge shall not be disposed of in open grounds, water ways, agricultural lands or any other non-designated locations, but shall be delivered and deposited only in authorized sewage treatment facilities of the Corporation.

Provisions regarding Manhole cleaning:-

1. Mechanized cleaning should be adopted for cleaning of manholes unless human intervention is absolutely necessary.
2. All the manhole workers shall be provided with all the necessary equipment including safety equipment for cleaning operations and breathing apparatus.
3. Inspection against poisonous and in flammable gases should be carried out mandatorily before entering the manhole.
4. All manhole workers shall attend the training on safety and health imparted to workers by the Corporation/Agency/Contractor/Service Provider.
5. All manhole workers shall attend periodical medical check-up conducted by the Corporation/Agency/Contractor/Service Provider.
6. The Contractor/Service Provider shall be liable for providing all safety equipment and for any injury or loss to workers.

CHAPTER V - OFFENCES UNDER THESE BYE-LAWS
Specific Offences

1. No person shall: Dump, deposit, discharge, spill or release waste, or cause or permit such waste, to be dumped, discharged, spilled or released, whether or not the waste is in a container or receptacle, in or at any public or private place except in a container or at a place which has been specially indicated, provided or set a part for such purpose. For this purpose of these Bye-laws, public or private place includes but not limited to the following:
   A. Any occupied, open or vacant land, play ground and gardens
   B. On the bank of a water body or into water body like rivers, water ways, catchments, sewers, storm water drains
   C. Public street or private street or on any unoccupied ground alongside any street, road, side walk, road dividers etc.
   D. Educational institutions, hospitals and other healthcare institutions, religious places, heritage buildings.
   E. In a dust bin/vehicle not intended for the removal of the same.

2. Willfully allow rubbish, filth etc. to accumulate on premises for more than twenty four hours.

3. Throw or deposit waste on any public or private road or on any public or private premises within the Corporation while driving a vehicle, or from a parked vehicle or while being conveyed in a vehicle. No driver of vehicle shall allow or permit any passenger in such vehicle to spit, throw or deposit such waste in a like manner.

4. Place, deposit or allow to be placed or deposited on his/her premises/property any waste, except as permitted by the terms of these Bye-laws

5. Indulge in the production, distribution, storage, sale and use of banned plastic, thermocol or any such items responsible directly or indirectly for damage of public health or such items the use of which has been restricted/banned under these bye-laws, central or state rules and regulations

6. Spit, urinate, defecate, leave /deposit food items in order to feed animals in a manner amounting to littering, wash clothes/utensils or any other object in any type of storage in any public place except in such public facilities or conveniences specifically provided for such purposes.

7. Burn/bury, attempt to burn/bury or abet the burning/burying of any kind of waste or dispose of any type of waste at road sides, dumpsites or any public/private property by burning/burying. This prohibition shall be applicable to all persons including sweepers (Safai Karmacharis) or other employees of the Corporation, Contract Workers, waste-pickers or any other individual involved in the work of sweeping and cleaning of the roads and streets and other public places.

8. Drive or move any truck or other vehicle filled with waste/litter unless such vehicle are so designed to cover the waste/litter and loaded as to prevent any litter from being blown off or deposited upon any road, side walk, traffic islands, play ground, garden or any other public place.

9. Damage or remove without permission any infrastructure including vehicles, containers, push-carts, material recovery facilities and equipment provided by Corporation or any agency appointed by it under these Bye-laws.

10. Dump, deposit or treat waste in a way disregarding of the instructions by the Corporation in sanitation zones/Zero waste zones declared by the Corporation

11. Keep their premises dirty of litter of the animals nor allow any animal, bird or pet owned/under the control of any person to defecate in any public place. In case of any defecation
such pet owner will have to pickup/recover such defecation and flush it through the sewerage in their own homes;

12. Deposit or litter C&D waste or any other type of waste in storm water drains, road pavements, open lands belonging to government or Corporation and/or on the sides of public roads;

13. Discharge or cause to be discharged domestic sewage/sullage/effluents from private drains/sewer lines to storm water drains, road, open lands, water bodies, water ways, agricultural land or any other non-designated locations.

14. Connect domestic sewer to the public sewer line without obtaining necessary permissions from the Corporation and in accordance with the standards and specifications hereunder.

15. Allow the inflow of any substance likely to injure the drain, or to interfere with its flow to the public sewer-line.

16. Cause damage to public sewer lines by illegal projections or encroachments or any other act of omission/commission

17. Deposit or cause to deposit any substance in open drains and/or man holes, thus creating blockage/clogging in sewer lines. This provision is applicable to the Corporation’s staff depositing street sweeping in the open drains, to deposit of sludge removed from septic tanks, C&D Waste by generators etc.

18. Discharge or cause to be discharged industrial effluents or any other effluents particular to the activity of any industry, household industry, slaughter house and meat market, dairy and cattle sheds, workshop or garage into the public sewer before necessary prescribed treatment.

19. Set-up, operate or maintain a sewage treatment plant or effluent treatment plant without obtaining necessary permission from the Corporation and in accordance with the standards and specifications hereunder.

20. Discharge treated or untreated sewage or effluents except as under these bye-laws

21. Construct, operate, maintain or abandon any septic tank/soak pits etc. without obtaining necessary permission from the Corporation and in accordance with the standards and specifications hereunder.

22. Carry out the collection, de-sludging or transportation of sludge from septic tanks by unauthorized contractor/agency or in breach of the standards and specifications hereunder.

23. Allow any employee/contractor/agent to engage in manual handling of sludge

24. Discharge the effluents -from de-sludging of septic tanks in water ways, drains, open land, agricultural field or any other non-designated spot, but shall discharge it in the closest or most feasible sewage treatment plants only

25. Employ or engage a man hole worker without providing him necessary equipment as prescribed under these bye-laws or any instructions issued by the corporation

26. Allow any water logging/stagnation/waste dumping/unhygienic conditions/insanitary conditions/cracking etc. within premises owned or controlled by them which may lead to or is conducive for vector breeding.

27. Allow or fail to prevent any vector breeding or fail to maintain cleanliness and sanitation within premises owned or controlled by them as per bye-laws

28. Generate, collect, segregate, store, transport, process, dismantle, recycle, deliver, handover, auction, sell, dispose or handle bio-medical waste, e-waste, hazardous waste, Construction and Demolition Waste or batteries waste without appropriate authorization under the relevant central Rules in this behalf, these bye-laws.

29. Individuals, households, societies and bulk generators residing outside the BMC limit cannot dump waste within the Bhopal city limits. Such individuals, households, societies and bulk generators found dumping or depositing waste within the BMC limit, shall be liable to be fined as per the charges prescribed.
30. Fringe and neighboring villages/village gram panchayats outside the BMC limit cannot dump waste within the Bhopal city limits. Villagers/gram panchayats found dumping or depositing waste within the BMC limit, shall be liable to be fined as per the charges prescribed.

General Offences

Any infringement of the provisions of these bye-laws or the failure to follow any instructions, notifications, specifications, directions or order issued by the Corporation, the Municipal Commissioner or any person duly empowered under these bye-laws, by even servants, agents, representatives of the agents or servants of the agents shall be considered as offense under these Bye-laws by generators and shall be punished/fined/compounded as detailed in these Bye-laws.

CHAPTER VI - ENFORCEMENT OF THE PROVISIONS OF THESE BYE-LAWS

Enforcement

The enforcement of the provisions of these bye-laws shall be in accordance with the provisions of this chapter.

1. Detailed orders in respect of the following shall be issued by the Municipal Commissioner:
   a. Procedures to be followed for the implementation of the provisions of these Bye-laws
   b. Delegation of powers to the Officers/employees of the Corporation, to impose and collect compounding and administrative charges for breach of bye-laws; and to conduct surprise checks, enter, inspect and seize documents/samples or offending goods/articles or attach property on reasonable suspicion or complaint regarding breach of bye-laws.
   c. Formation of or empowerment of any existing nuisance detection squad, local area Environmental Committees or other groups/individuals having citizens participation for ensuring enforcement and monitoring of these bye-laws Which may include power to issue notices or impose charges.
   d. Procedures to be followed for the levy of the compounding charges and administrative charges as annexed including procedure relating to:
      1. Issuance of notices for violation of bye-laws
      2. Collection of compounding fees/administrative charges on the spot
      3. Giving of valid receipt for the same
      4. Filing of complaint in court having jurisdiction;
      5. Collection of fines if unpaid; shall be reflected, through the subsequent years property tax bill following due procedure.
      6. Attachment of property on non-payment of fees or charges and release of property after due receipt thereof;
   e. Entry, inspection and seizure of documents/samples or offending goods/articles;
   f. Termination of contract with operators in repeated breach of bye-laws;
   g. Disciplinary action against employees for breach of bye-laws;
   h. Removal of nuisance;
   i. Incentivizing reporting of violations and breaches by citizens.

2. Any offense under this bylaw is compendible and the concerned officer of the Corporation duly delegated and empowered by the Municipal Commissioner can enter into compromise and collect Charges/Compounding fee as notified by the Municipal Commissioner from time to time.

3. Subject to the Provision of these bye-laws, works etc. which any person is required to
execute may in certain cases be executed by the Commissioner at such persons costs i.e. administrative charges. Administrative charges shall be collected by authorized nuisance detection squad/ Local Area Environment Committee/employee/agency/agent of the corporation. By the collection of the administrative charges of fender shall not get himself free from the liability of facing penal action, but is an additional source to meet the expenses incurred by the Corporation for addressing/removal of nuisance.

4. Commissioner may take any measure, execute any work or cause anything to be done under this section, whether or not the person who has failed to comply with the requisition or order is liable to punishment or has been prosecuted or sentenced to any punishment for such failure.

5. No suit, prosecution or other legal proceedings shall be against the local authority or any officer or other employees of local authority or any other person authorized by the local authority, for anything is in good faith done, or intended to be done in lander these bye-laws or directions we should there under.

6. The provisions of these bye-laws shall be in addition to not interrogation of the provisions of any other law for the time being enforced.

7. Corporation is at liberty to initiate appropriate proceedings under any other law in addition to proceedings under these Bye-laws and Environment (Protection) Act, 1986, the Indian Penal code, 1860, the Water (Prevention and Control of Pollution) Act, the Air (Prevention and Control of Pollution) Act etc. for violation of any provisions there under.

8. All the guidelines issued by Ministry of Urban Affairs Govt. of India regarding ODF, ODF+ and ODF++, Star city ranking, Swachh Survekshan and Swachh Bharat Mission shall be followed by BMC so as to maintain the public health and sanitation in the city.

9. Ensure that there is no open defecation and open Urination is being taken place.

10. Ensure that all Urination Vulnerable points (UVP's) have been identified by ULB and transformed into clean spaces.

11. While deciding the number of toilet seats/urinals and blocks, the city's entire floating population must have been considered.

12. All households that have space to construct toilet, should have constructed one. Individual toilets should be functional and well-maintained, with water availability.

13. Each toilet seats in all community toilets must adhere to the standard of catering to maximum 6 families.

14. Ensure that all occupants of those households that do not have space to construct toilet have access to a community toilet within a distance of 500 meters.

15. All commercial areas have public toilets within a distance of 1 kilometer.

16. Ensure that the premises of all CT and PT are well lit at all the times, both within and outside.

17. All CT/PT should open and close as per the time defined by BMC/Ministry of housing and Urban Affairs/State/Council.

18. Every school in a ward should ensure that enrolled students, staff and teachers have access to, and are routinely using toilets at home or in the community, and at school, and that these toilets are functional and well-maintained.

19. All residents of a ward should have access to, and are routinely using, toilets at home. As well as all residential societies with resident welfare associations (RWAs)/housing or mohalla committees should have toilet facilities within the premises for the use of male and female nonresident domestic workers, construction workers, maintenance staff, drivers, etc. that are clean and usable at all times.

20. Ensure Provision of toilet facilities to migrant population/construction workers
21. Ensure sufficient mobile toilets/toilet facilities for use during occasions with large gatherings in a single area i.e. situations with high demand for toilets, where existing facilities may not be sufficient, regardless of how infrequent these occasions are.

22. Ensure that these mobile toilets do not discharge faecal matter in the open/water bodies/unused land, and their waste is managed safely and appropriately treated.

23. BMC should ensure to carry out structural audit of all community/public toilets.

24. Ensure to recover Operation and maintenance cost of all community/public toilets and FSTP through revenue streams such as advertisement rights, user charges, property tax, CSR and other means.

25. All functional public and community toilets should be appropriately provisioned and well-maintained, with all conditions given in ODF, ODF plus and ODF Plus Plus protocols. In addition to that, all individual, community and public toilets should also meet the conditions defined for management of faecal matter in protocols. Each toilet shall be scored at least 90% as per the framework provided in ODF, ODF plus and ODF Plus Plus protocols.

26. All toilets (individual, community and public) should be either connected to: a. sewer networks; or b. safe containment systems (such as septic tanks, twin pits or other onsite sanitation systems prescribed by CPHEEO or under SBM-Urban Mission Guidelines), with regular emptying, treatment and/or safe disposal of septage from these toilets managed as per conditions given in ODF, ODF plus and ODF Plus Plus protocols.

27. No toilet of any kind or No discharging and/or dumping of untreated faecal waste in the open environment-water bodies, drains, open land, etc.

28. Toilet cleaning staff should be provided with adequate cleaning equipment and protective gear.

29. BMC should not employ manual scavengers for cleaning/emptying of toilet facilities and containment systems.

30. Sewer networks should be maintained and operated as per norms, with all overflow/leakage issues resolved within defined period of time.

31. All transmitted sewage should be treated at a sewage treatment plant, as per norms. Sewage/septage treatment facilities are operated and maintained as per norms.

32. Treated dried sludge should be disposed of at designated site or diverted for appropriate recovery/reuse (recovery/reuse as per norms).

33. Regular and safe emptying of faecal matter contained in onsite sanitation structures at least once in two years, by BMC or by licensed operators contracted by the respective administration/authority.

34. Safe conveyance and treatment of all faecal sludge, whether at a faecal sludge treatment plant (FSTP) or nearby sewage treatment plant (STP) via co-treatment of septage with conventional waste water/sewage or SWM treatment plant.

35. All septic tank cleaning service providers should be registered with and licensed by BMC, operate through contract with the respective administration or authority in allotted areas and are utilizing well-maintained mechanized equipment. To provide sludge/septage emptying services to households or community and/or public toilets, are utilizing mechanized equipment for providing services, are conveying emptied sludge/septage to FSTP/STP with co-treatment facility/SWM treatment plant with co-treatment facility and are not dumping untreated faecal sludge in open environment. (as per recommendation of National Policy on FSSM)

36. Imposition of user charges, if any, for community and public toilets.
37. Provisions for spot fines has been issued, notified and orders are already in place issued by the competent authority are mentioned and incorporated in these Bye-laws against open defecators, Open Urination and defined penalty /fine against concessionaires/maintenance authorities in-charge of community / public toilets in service contract (with respect to poor maintenance of such toilets), persons / desludging operators dumping untreated faecal sludge in drains and / or open areas.
E-Waste (Management) Rules, 2016 have come into force from the 1st day of October, 2016. BMC has issued this Bye laws for enforcement and implementation of E-Waste Management within Bhopal Municipal Corporation Area.

These Bye laws for Bhopal Municipal Corporation shall apply to every citizens, manufacturer, producer, consumer, bulk consumer, collection centers, dealers, e-retailer, refurbisher, dismantler and recycler involved in manufacture, sale, transfer, purchase, collection, storage and processing of e-waste or electrical and electronic equipment including their components, consumables, parts and spares.

CHAPTER I

Definitions

(1) In these rules, unless the context otherwise requires-

a. 'Act' means the Environment (Protection) Act, 1986 (29 of 1986);
b. 'Authorization' means permission for generation, handling, collection, reception, storage, transportation, refurbishing, dismantling, recycling, treatment and disposal of e-waste, granted to manufacturer, dismantler, refurbisher and recycler;
c. 'bulk consumer' means bulk users of electrical and electronic equipment such as Central Government or State Government Departments, public sector undertakings, banks, educational institutions, multinational organizations, international agencies, partnership and public or private companies that are registered under the Factories Act, 1948 (63 of 1948) and the Companies Act, 2013 (18 of 2013) and health care facilities which have turnover of more than one crore or have more than twenty employees;
d. 'Central Pollution Control Board' means the Central Pollution Control Board constituted under sub-section (1) of section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (60 of 1974);
e. 'collection center' means a centre or a collection point or both established by producer individually or as association jointly to collect e-waste for channelizing the e-waste to recycler and play such role as indicated in the authorization for Extended Producer Responsibility granted to the producer and having facilities as per the guidelines of Central Pollution Control Board, including the collection centre established by the dismantler or refurbisher or recycler which should be a part of their authorization is issued by the State Pollution Control Board where the facility exists;
f. 'component' means one of the parts of as b-assembly or assembly of which a manufactured product is made up and in to which it may be resolved and includes an accessory or attachment to another component;
g. 'Consumables' means an item, which participates in or is required for a manufacturing processor for functioning of the electrical and electronic equipment and may or may not form part of end-product. Items, which are substantially or totally consumed during a manufacturing process, shall be deemed to be consumables;
h. 'consumer' means any person using electrical and electronic equipment excluding the bulk consumers;
i. 'Channelization' means to direct the path for movement of e-wastes from collection onwards to
authorized dismantler or recycler. In case of fluorescent and other mercury containing lamps, where recyclers are not available, this means path for movement from collection centre to Treatment, Storage and Disposal Facility;

j. 'Dealer' means any individual or firm that buys or receives electrical and electronic equipment as listed in Schedule I of these rules and their components or consumables or parts or spares from producers for sale;

k. 'Deposit refund scheme' means a scheme whereby the producer charges an additional amount as a deposit at the time of sale of the electrical and electronic equipment and returns it to the consumer along with interest when the end-of-life electrical and electronic equipment is returned;

l. 'Dismantler' means any person or organization engaged in dismantling of used electrical and electronic equipment in to their components and having facilities as per the guidelines of Central Pollution Control Board and having authorization from concerned State Pollution Control Board;

m. 'disposal' means any operation which does not lead to recycling, recovery or reuse and includes physico-chemical or biological treatment, incineration and deposition in secured landfill;

n. 'end-of-life' of the product means the time when the product is intended to be discarded by the user;

o. 'environmentally sound management of e-waste' means taking all steps required to ensure that e-waste is managed in a manner which shall protect health and environment against any adverse effects, which may result from such e-waste;

p. 'electrical and electronic equipment' means equipment which are dependent on electric current or electro-magnetic field in order to become functional;

q. 'e-retailer' means an individual or company or business entity that uses an electronic network such as internet, telephone, to sell its goods;

r. 'e-waste' means electrical and electronic equipment, whole or in part discarded as waste by the consumer or bulk consumer as well as rejects from manufacturing, refurbishment and repair processes;

s. 'Extended Producer Responsibility' means responsibility of any producer of electrical or electronic equipment, for channelization of e-waste to ensure environmentally sound management of such waste. Extended Producer Responsibility may comprise of implementing take back system or setting up of collection centers or both and having agreed arrangements with authorized dismantler or recycler either individually or collectively through a Producer Responsibility Organization recognized by producer or producers in their Extended Producer Responsibility - Authorization;

t. 'facility' means any location wherein the process incidental to the collection, reception, storage, segregation, refurbishing, dismantling, recycling, treatment and disposal of e-waste are carried out;

CHAPTER 2 RESPONSIBILITIES

Responsibilities of the manufactures within BMC area-

(1) Collect e-waste generated during the manufacture of any electrical and electronic equipment and channelize it for recycling or disposal;

(2) ensure that no damage is caused to the environment during storage and transportation of e-waste;
(3) maintain records of the e-waste generated, handled and disposed in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board;

**Responsibilities of the producer within BMC area**-

Extended Producer Responsibility (EPR) is the responsibility of every producer of electrical and electronic equipment (EEE) for channelization of e-waste to an authorized dismantler / recycler to ensure environmentally sound management of such waste. EPR authorization is mandatory and has to be obtained by all the producers including importers, e-retailers/on- line sellers/e-bay etc. of EEE covered in E-Waste (Management) Rules, 2016. A producer can implement its EPR either through take-back system or by setting up collection centers or both for channelization of e-waste/end of life products to authorized dismantlers/recyclers. The producers are required to have arrangements with authorized dismantlers/recyclers either individually or collectively or through a Producer Responsibility Organization (PRO) or E Waste Exchange system as spelt in their EPR Plan which is approved/ authorized by Central Pollution Control Board (CPCB). Selling or placing of EEE in the market by any producer without EPR Authorization shall be considered as violation of the Rules and causing damage to the environment, which shall attract provisions under E (P) Act, 1986.

The producer of electrical and electronic equipment listed in Schedule I shall be responsible for-

1. Implementing the Extended Producers Responsibility with the following frameworks, namely:-
   a. collection and channelization of e-waste generated from the 'end-of-life' of their products or 'end-of-life' products with same electrical and electronic equipment code and historical waste available on the date from which these rules come into force
   b. The mechanism used for channelization of e-waste from 'end-of-life' products including those from their service centers to authorized dismantler or recycler shall be in accordance with the Extended Producer Responsibility-Authorization.
   c. For disposal in Treatment, Storage and Disposal Facility, a pre-treatment is necessary to immobilize the mercury and reduce the volume of waste to be disposed off;
   d. Extended Producer Responsibility- Authorization should comprise of general scheme for collection of waste Electrical and Electronic Equipment from the Electrical and Electronic Equipment placed on the market earlier, such as through dealer, collection centers, Producer Responsibility Organization, through buy-back arrangement, exchange scheme, Deposit Refund System etc. whether directly or through any authorized agency and channelizing the items so collected to authorized recyclers;
   e. Providing contact details such as address, e-mail address, toll-free telephone numbers or helpline numbers to consumer(s) or bulk consumer(s) through their website and product user documentation so as to facilitate return of end-of-life electrical and electronic equipment;
   f. Creating awareness through media, publications, advertisements, posters, or by any other means of communication and product user documentation accompanying the equipment,

**Responsibilities of collection centers within BMC area**-

1. Collect e-waste on behalf of producer or dismantler or recycler or refurbisher including those arising from orphaned products; Provided the collection centers established by producer canal so collect e-waste on behalf of dismantler, refurbisher and recycler including those arising from orphaned products
2. ensure that the facilities are in accordance with the standards or guidelines issued by Central
Pollution Control Board from time to time;
3. ensure that the e-waste collected by them is stored in a secured manner till it is sent to authorized dismantler or recycler as the case may be;
4. ensure that no damage is caused to the environment during storage and transportation of e-waste;

Responsibilities of dealers within BMC area-

1. In the case the dealer has been given the responsibility of collection on behalf of the producer, the dealer shall collect the e-waste by providing the consumer a box, bin or a demarcated area to deposit e-waste, or through take back system and send the e-waste so collected to collection centre or dismantler or recycler as designated by producer;
2. the dealer or retailer or retailer shall refund the amount as per take back system or Deposit Refund Scheme of the producer to the deposit or of e-waste;
3. Every dealer shall ensure that the e-waste thus generated is safely transported to authorized dismantlers or recyclers;
4. Ensure that no damage is caused to the environment during storage and transportation of e-waste.

Responsibilities of consumer or bulk consumer-

1. consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelized through collection centre or dealer of authorized producer or dismantler or recycler or through the designated take back service provider of the producer to authorized dismantler or recycler;
2. consumers or bulk consumers of electrical and electronic equipment shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made thereunder;

Responsibilities of the dismantler-

1. Ensure that the facility and dismantling processes are in accordance with the standards or guidelines prescribed by Central Pollution Control Board from time to time;
2. ensure that no damage is caused to the environment during storage and transportation of e-waste;
3. ensure that the dismantling processes do not have any adverse effect on the health and the environment;
4. ensure that dismantled E-waste are segregated and sent to the authorized recycling facilities for recovery of materials;
5. ensure that non-recyclable or non-recoverable components are sent to authorized treatment storage and disposal facilities;
6. maintain record of e-waste collected, dismantled and sent to authorized recycler;
7. Not process any e-waste for recovery or refining of materials, unless he is authorized with concerned State Pollution Control Board as a recycler for refining and recovery of materials;
8. Operation without Authorization by any dismantler, as defined in this rule, shall be considered as causing damage to the environment.
Responsibilities of the recycler:

1. Shall ensure that the facility and recycling processes are in accordance with the standards or guidelines prescribed by the Central Pollution Control Board from time to time;
2. ensure that no damage is caused to the environment during storage and transportation of e-waste;
3. ensure that the recycling processes do not have any adverse effect on the health and the environment;
4. make available all records to the Central Pollution Control Board or the concerned State Pollution Control Board for inspection;
5. ensure that the fractions or material not recycled in its facility is sent to the respective authorized recyclers;
6. ensure that residue generated during recycling process is disposed of in an authorized treatment disposal facility;
7. maintain record of e-waste collected, dismantled, recycled and sent to authorized recycler;
8. may accept waste electrical and electronic equipment or components not listed in Schedule I for recycling provided that they do not contain any radioactive material;
9. Operation without Authorization by any recycler, as defined in this rule, shall be considered as causing damage to the environment.

CHAPTER 3

STORAGE

Every Producer, collection centre, dealer, dismantler, recycler and refurbisher may store the e-waste for a period not exceeding one hundred and eighty (180) days and shall maintain a record of collection, sale, transfer and storage of wastes and make these records available for inspection.

The period of storage of one hundred and eighty (180) days may be extended by the concerned SPCBs/PCCs up to three hundred and sixty-five (365) days in case the E waste needs to be specifically stored for research development of a process for its recycling or reuse.

Storage of end of life products may be done in a manner which does not lead to breakage of these products and safe to workers handling such products.

During storage of e-waste care may be taken:

a. To avoid damage to refrigerators and air-conditioner so as to prevent release of refrigerant gases such as CFC, HFS, HCFC etc. and to prevent spillage of oils (mineral or synthetic oil) and other emissions.

b. To avoid damage to Cathode Ray Tube

c. To avoid damage to fluorescent and other mercury containing lamps

d. To avoid damage to equipment containing asbestos or ceramic fibers to avoid release of asbestos or ceramic fibers in the environment.

Loading, transportation, unloading and storage of E-Waste / end of life products should be carried out in such a way that its end use such as re-use after refurbishing or recycling or recovery is
unchanged.

The storage area should have fire protection system in place.

CHAPTER 4

GUIDELINES FOR COLLECTION CENTERS AND TRANSPORTATION

Guidelines for Collection Centre that can be operated in BMC area

Collection centre or collection points are part of E-waste channelization, and can be established by producers, refurbishers, dismantlers and recyclers.

Collection Centre may collect and store e-waste, on behalf of producer / dismantler / recycler /refurbisher and transfer the same to authorized dismantlers / recyclers.

Only those collection centers may operate which are specified in EPR-Authorization of the producers including the collection centers established by dismantlers / recyclers / refurbishers and having agreement with Producers.

If the collection centers are operating on behalf of many producers, then all such producers should provide this information in their EPR application.

Collection centers have to collect e-waste on behalf of producers including those arising from orphaned products. Collection centers established by producers can be managed by their PRO or dismantler and recycler having agreement with producers.

The collection points/bins can be at designated places where e-waste can be collected from residential areas, office complexes, commercial complexes, retail outlets, customer care stores, educational and research institutions, resident welfare associations (RWAs). These collection points have to be part of producer's collection and channelization plan.

Mobile collection vans can be used for door to door collection of e-waste from institutions/ individuals/small enterprises and such vans shall be linked to collection centers, and if provided by producers, shall be part of their EPR Plan.

Material from collection centers should be send only to the authorized dismantlers and Recyclers except in case of used Fluorescent and other mercury containing lamps, which can be sent to TSDF in case recyclers are not available.
Guidelines for Transportation of E-Waste

The sender of E-Waste, that may be a producer, manufacturer, recyclers, dismantler, bulk consumer, refurbisher and collection centre should identify transporter or make arrangements for a transporting e-waste in such a manner that environmental consequences of hazards associated with its transport could be kept at minimum.

Transport of E-Waste should be carried out as per the manifest system as per the provisions made in rule 19 of the E-Waste (M) Rules, 2016 and the transporter will be required to carry a document (three copies) as perform 6 of the rules provided by the sender. The responsibility of safe transportation of E-waste shall be with the sender of E-Waste.

Fluorescent and other mercury containing lamps may be transported to TSDF in the cases where no recyclers of CFL are available

The manufacturers and recyclers while transporting waste generated from manufacturing or recycling destined for final disposal to a treatment, storage and disposal facility will follow the provisions under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016

CHAPTER 5

Responsibilities of the Bhopal Municipal Corporation

1. The Bhopal Municipal Corporation shall be responsible for implementation of E Waste rules in BMC area and for performing the associated functions, namely:-
   a. ensuring that no damage is caused to the environment by waste;
   b. ensuring channelization of waste fraction to recyclers/dismantlers;
   c. ensuring processing and disposal one waste in accordance with the guidelines issued by the Central Pollution Control Board;
   d. creating awareness among all stakeholders about their responsibilities;
   e. engaging civil societies or groups working with waste pickers; and
   f. Ensuring that open burning of waste does not take place.

2. Setting up of system for E waste management by seeking assistance of producers.
3. Surprise checks: The Commissioner, Project Engineer/ City engineer/ municipal engineer/Health officer/sanitary officer/ sanitary inspectors or any other officer authorized by the Commissioner will conduct surprise checks in various parts of the wards in the Corporation limits at any time (day or night) with a view to encourage compliance. Any contravention will attract a fine and any litter found during these checks will be cleared by the Corporation.

Enforcement Squads in each ward: Appoint Nuisance Detectors and form Enforcement Squad.

Publicity: Citizen Information services of the Corporation shall publicize the provision of the Byelaws through the media of Signs, advertisement, leaflets, announcement on radio and televisions, newspapers articles and through any other appropriate means, so that all citizens will have the opportunity to become informed about their legal duties and fine.

Co-ordination with Government Bodies: The Corporation shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within are as under the jurisdiction or control of such bodies.

E waste collection drives will be conducted by the Corporation in association with Ward Councillors, Citizens organizations, Government bodies, Corporates, NGO's for the cleanliness of areas.

CHAPTER 6

Penalties

Penalties for contravention of these Bye-laws

On and after the date of commencement of these Bye-laws, there will be a familiarization/warning period of 30days, after which, any contravention of these Bye-laws shall be punishable with fines for every instance of breach of these byelaws. In case the generator of waste is found contravening any of these Bye-laws next time, the fine amount will be doubled.

In case of a person or any polluter is not able to pay the fine as mentioned in Schedule, while contravening any of these Bye-laws he/she will be prosecuted under the provisions of Indian Penal Code.

Provisions for spot fines would be implemented as per the decision given by the Central Govt./State Govt./council/BMC Commissioner.
Right to Appeal: Any person aggrieved or affected by this BMC waste management Bye-laws, 2018 shall have right to appeal before the commissioner. Municipal Bye-laws will take effect after the due approval of the Bhopal Municipal Corporation.

Commissioner
Bhopal Municipal Corporation
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<td>Rs. 2000</td>
<td>1500</td>
<td>500</td>
</tr>
<tr>
<td>11</td>
<td>No.5.8</td>
<td>For not delivering “dry” waste in a segregated manner as specified</td>
<td>Rs. 200</td>
<td>100</td>
<td>50</td>
</tr>
<tr>
<td>12</td>
<td>No.5.9</td>
<td>For not delivering garden waste and tree trappings as specified</td>
<td>Rs. 200</td>
<td>100</td>
<td>50</td>
</tr>
<tr>
<td>13</td>
<td>No.5.10</td>
<td>For burning waste.</td>
<td>Rs. 500</td>
<td>200</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>No.7.2</td>
<td>For not delivering (non-household) fish, poultry and meat waste in a segregated manner, as specified</td>
<td>Rs. 750</td>
<td>300</td>
<td>150</td>
</tr>
<tr>
<td>15</td>
<td>No.7.3</td>
<td>For a vendor / hawker without a container / waste basket a) For a vendor / hawker who does not deliver waste in a segregated manner as specified</td>
<td>Rs. 750</td>
<td>300</td>
<td>150</td>
</tr>
<tr>
<td>16</td>
<td>No.7.4</td>
<td>For not keeping a house gully clean</td>
<td>Rs. 500</td>
<td>200</td>
<td>100</td>
</tr>
<tr>
<td>17</td>
<td>No.7.5</td>
<td>For littering/defecation by pet / owned animals</td>
<td>Rs. 1000</td>
<td>500</td>
<td>300</td>
</tr>
<tr>
<td>18</td>
<td>No.7.6</td>
<td>For not cleaning-up after public gathering / event within 4 hours</td>
<td>Forfeiture of the Cleanliness deposit</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Biodegradable Waste

"Biodegradable waste" means "wet" waste of plant and animal origin.

- Kitchen Waste including: tea leaves, egg shells, fruit and vegetable peels
- Meat and bones
- Garden and leaf litter, including flowers
- Soiled paper
- House dust after cleaning
- Coconut shells
- Ashes

Recyclable waste

"Recyclable waste" means "dry" waste that can be transformed through a process into raw materials for producing new products, which may or may not be similar to the original products.

- Newspapers
- Paper, books and magazines
- Glass
- Metal objects and wire
- Plastic
- Cloth Rags
- Leather
- Rexene
- Rubber
- Wood / furniture
- Packaging

Schedule III:
Specified hazardous waste:

Specified Household Hazardous Waste

- Aerosol cans
- Batteries and button cells
- Bleaches and household kitchen and drain cleaning Agents & its Containers.
- Car batteries, oil filters and car care products and consumables
- Chemicals and solvents and their containers
- Cosmetic items, chemical-based Insecticides and their containers
- Light bulbs, tube-lights and compact fluorescent lamps (CFL)
- Discarded Medicines and its containers,
- Paints, oils, lubricants, glues, thinners, and their containers
- Pesticides and herbicides and their containers
- Photographic audio/video tapes and their containers, chemicals
- Styrofoam and soft foam packaging of furniture, packaging and equipment
- Thermometers and mercury-containing products
Waste sharps such as tubing, catheters, intravenous needles, syringes, scalpels, blades, glass, etc., that may cause puncture and cuts. This category includes both used and unused sharps.

Category No 5 Discarded Medicines and Cytotoxic Drugs (waste comprising of outdated, contaminated and discarded medicines).

Category No 4 Waste sharps pertaining thereof or in the production or testing of biologicals.

Bio-medical waste means any waste which is generated during the diagnosis, treatment or immunization of human beings or animals or in research activities.

List of Bio-medical Waste: (Extract from the Bio-Medical Waste Rules)

Schedule IV:
विषय:- कब्रदान हेतु उपभोक्ता प्रभार लगाये जाने बाबत।

मो.मो.नगर पालिका निगम अधिनियम, 1956 की धारा 132 क (1) (g) के
अन्तर्गत वित्तीय वर्ष 2011-12 के लिए दोस्त अपशिष्ट के प्रबंध हेतु भ्रमार के निर्धारण
बाबत में पर इन कोंसिल के संकल्प क्रं 10 दिव 22/03/2011 एवं निगम समिलन
संकल्प क्रं 04 दिव 30/03/2011 दी गई स्वीकृति के तहत वित्तीय वर्ष 2011-12 के लिए
नगर पालिका निगम मोटाप में दोस्त अपशिष्ट के प्रबंध हेतु उपभोक्ता प्रभार
का अधिरोपण निम्नानुसार किया जाता है:-

1. नगर निगम द्वारा वार्ड क्रं.-52,53,54,55,56,58,59,60,61,62 एवं 63 में घर-घर से
कवरा उठाने की दोस्त अपशिष्ट प्रबंध प्रणाली लागू की है। इन वार्डों में
निम्नानुसार दोस्त अपशिष्ट प्रबंध हेतु उपभोक्ता प्रभार लिया जायेगा।

<table>
<thead>
<tr>
<th>स. क्र</th>
<th>संरचनाएं</th>
<th>श्रेणी</th>
<th>प्रतिबंधित उपभोक्ता प्रभार शुल्क (User charges)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>निजी आवासीय</td>
<td>-</td>
<td>30 रुपये प्रतिमाह</td>
</tr>
<tr>
<td>2.</td>
<td>दुकानें/अस्थायी कार्यालय</td>
<td>100 वर्ग फुट तक (सुधर बाजार से हटकर)</td>
<td>30 रुपये प्रतिमाह</td>
</tr>
<tr>
<td>3.</td>
<td>दुकानें/</td>
<td>100 वर्ग फुट तक (सुधर बाजार से स्थित)</td>
<td>60 रुपये प्रतिमाह</td>
</tr>
<tr>
<td>4.</td>
<td>दुकानें</td>
<td>100 वर्ग फुट से अधिक</td>
<td>60 रुपये प्रतिमाह</td>
</tr>
</tbody>
</table>

जैसे-जैसे अन्य वार्डों अथवा क्षेत्रों में यह प्रणाली आरम्भ की जायेगी वहां
उपरोक्तानुसार निर्धारित उपभोक्ता प्रभार प्रभावशील होंगे।

2. संपूर्ण नगर निगम सीमा क्षेत्र में निम्नानुसार दोस्त अपशिष्ट प्रबंध हेतु
उपभोक्ता प्रभार प्रभावशील होंगे।

<table>
<thead>
<tr>
<th></th>
<th>होटल, रेस्टोरेंट, शादी हाल, मैरिज गार्डन</th>
<th>5000 वर्ग फुट तक</th>
<th>500 रुपये प्रतिमाह</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td>5000 वर्ग फुट से अधिक</td>
<td>1000 रुपये प्रतिमाह</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td>5000 वर्ग फुट से अधिक</td>
<td>1000 रुपये प्रतिमाह</td>
</tr>
</tbody>
</table>
• ऐसे क्षेत्र जिनमें घर-घर से कवरा एलेक्ट्रिकरियन की प्रणाली लागू की गई है, उनकी निजी आवासीय इकाईयों से लिये जाने वाला ठोस अपशिष्ट प्रबंध उपभोक्ता प्रभार वार्ड में इस बावत पृथक से खोले गये विशिष्ट खाते में जमा होगा।

• शेष अन्य भवनों/भूमियों से लिये जाने वाला ठोस अपशिष्ट प्रबंध उपभोक्ता प्रभार वार्ड में जमा किया जायेगा।

• ठोस अपशिष्ट प्रबंध उपभोक्ता प्रभार जमा किये जाने वाले स्थान-संबंधित क्षेत्र में स्थित वार्ड कार्यालय।

आयुक्त
नगर निगम, भोपाल

369-442
पुष्टांकन क्रम0........../सामग्री0/2011
प्रतिलिपि:
1. मानो महापौर/अध्यक्ष महोदय की ओर निज सहा0 के माध्यम से सूचनारथ।
2. मानो नेता प्रतिपक्ष
3. प्रभारी राजस्व/बाजार/स्वास्थ्य सदस्य मेयर इन कॉन्सिल
4. अपर आयुक्त 1 एवं 2
5. उप संचालक (वित्त)
6. सहा0 संचालक, आवासीय संपर्क नगर निगम भोपाल
7. उपायुक्त (राजस्व/संपत्ति/स्वास्थ्य)
8. जनसंपर्क अधिकारी
9. समस्त विभागाध्यक्ष/शाखा प्रभारी/प्रभारी जोन/जोनल अधिकारी/सहायक स्वास्थ्य अधिकारी की ओर सूचनारथ एवं आवश्यक कार्यवाही हेतु।

आयुक्त
मेयर निगम, भोपाल