

## BYELAWS

### Jaipur Municipal Corporation Solid waste Management Bye - Law, 2018

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

2. **Definitions:**

(1) 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 JMC.
- 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 JMC or any person authorized by him.
- e) **"Construction and Demolition Waste"** shall have the same meaning as defined under Rule 3(1 )(c) of the kerb side and including the drain, foot path and kerb cleaned so maintained in accordance with these bye- laws;
- f) **"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 JMC for point-to-point collection of Segregated Solid Waste;
- i) **"E-Waste"** shall have the same meaning as defined uijder Rule 3(1 )(r) of the E-Waste (Management) Rule, 2016.

- j) **“Fixed Compactor Transfer Station (FCTS)”** means a powered machine which 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:
- 1) **“Littering”** means causing, putting, burying, permitting or allowing litter in such 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 JMC for collecting and removing solid waste or cleansing the drains in JMC area;
- t) **“Schedule”** means the schedule appended to these bye-laws;
- u) **“User fee/ Charges”** means fees or charges imposed by JMC 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
  - o Domestic hazardous waste and deposit it into covered waste bins, and handover segregated waste to designated waste collection centers/vehicles as per the direction of JMC
- 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 JMC 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 JMC, 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 JMC.
- V. All gated communities and institutions with more than 5000 sqm area shall, in partnership with JMC 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 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 JMC.
- vi. All hotels and restaurants shall in partnership with JMC, 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 JMC.
  - vii. No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating JMC along with payment of user fee as prescribed/decided, at least three working days in advanced 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 JMC.
  - 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 news paper 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 JMC/ firm as specified by JMC.
  - 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 JMC from time to time.
  - xi. Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle of JMC/ collection centers of JMC.
  - 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 JMC collection vehicle or firm as specified by JMC 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 JMC, to collect garbage from every house, including slums and informal settlements on a daily basis door to door collection system with JMC 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 JMC. Commonly, time for house to house garbage collection will be set from 7 am to 12 Noon, to collection are garbage from trading establishments, shops in commercial area or any other institutional waste generators, commonly the time shall be from 10 am to 1 pm and in evening from 4 pm-11 pm or as decided by Commissioner, JMC.
- iii. Arrangements shall be made for collection of residual solid waste from bulk waste generators, which are processing waste in-situ.
- iv. 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.
- vii. Waste generators shall be responsible to deposit their segregated waste in the Auto - Tippers/ Rickshaws etc. deployed by JMC 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.

- viii 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.
- ix. Automatic voice recorded device, bell or bom having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.
- x. Route plans for each primary collection and transportation vehicle shall be provided by JMC or by the notified authorized waste collector. These plans in tabular as well as GIS map form, duly approved by JMC 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 JMC.
- xi 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 hooter, compatible with mobile transfer station shall be deployed.
- xii. 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.
- xiii. 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 JMC.
- xiv. Auto tippers, 3 - wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households.
- xv. JMC 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 JMC
- 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 of the construction and demolition waste management rules, 2016.
- vi. JMC 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 JMC.
- 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. JMC 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 decentralised 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. JMC 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. JMC shall enforce processing of bio degradable 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 5000 sqm. Areas, 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. JMC shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio - degradable waste ensure hygienic conditions.
- iii. JMC shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens as far as possible.
- iv. JMC 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:**

JMC 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 JMC. The rates of users fee will be as per decision given by the council/ JMC Commissioner from time to time.
- b) The user fee so fixed shall be collected from waste generators by JMC.
- c) JMC 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) JMC 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)11. 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 order of Directorate of local bodies order no. F55()CE/DLB/15/6625 dated 11.03.2015 or as per decision given by the council/ JMC Commissioner from time to time.  
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.
- 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**

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 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.) Refundable Cleanliness Deposit, as may be notified by the JMC, 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 JMC 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 JMC 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 JMC in the following manner :

- a) The JMC 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 JMC 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 JMC shall provide necessary financial assistance to JMC for establishment of waste management system. JMC may also coordinate with the concerned departments of central Govt, and/or the Govt, of Rajasthan of Jaipur 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.

### 13. Responsibilities of JMC

- i. JMC 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 JMC may engage private parties on contract or public private partnership mechanism, apart from its own cleaning staff and vehicle. In addition, JMC shall identify all the commercial area for carrying out sweeping twice a day.
- ii. JMC 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. JMC 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. JMC shall employ latest road/ street cleaning machine, mechanical sweepers or other equipment's which improves the efficiency of sweeping and drainage cleaning.
- vii. JMC 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. JMC shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, 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. JMC 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. JMC 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. JMC 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. JMC 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 JMC 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. JMC 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. JMC 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, JMC shall provide all necessary information through its website.
- xviii. JMC shall perform all other duties mentioned in SWM rules, which have not been specifically mentioned in the bye - laws.

14. If any doubt or difficulty arises in the interpretation or implementation of these bye - laws, the same shall be placed before the Chairperson, JMC, whose decision in the matter shall be final.
15. Co-ordination with government bodies: JMC 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 Rajasthan of Jaipur.
16. 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.
17. Provisions for User charges and spot fines will be as per the order of Directorate of local bodies order no. F55()CE/DLB/15/6625 dated 11.03.2015 or as per decision given by the council/ JMC Commissioner from time to time.

