

121/MEMSECC/2018

No. PCC/DDD/SWM-16/16.17/
Pollution Control Committee,
DD & DNH,
Daman.

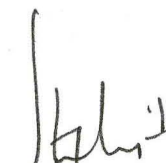
Dated:-19/02/18

CIRCULAR

Sub: Implementation of Solid Waste Management Rules, 2016

As per the Judgement dated 22nd December 2016 and 2nd January, 2017 in the matter of Almitra Patel Vs. Union of India & Others (Original Application No. 199 of 2014) Hon'ble National Green Tribunal, Principal Bench, New Delhi had issued comprehensive directions to the UT Administration of Daman & Diu and Pollution Control Committee Daman & Diu to ensure effective and expeditious implementation of the Solid Waste Management Rules, 2016 in the UT of Daman & Diu.

For further information of the salient features of Solid Waste Management Rules, 2016 which are applicable for its implementation in the UT of Daman & Diu are enclosed specifying the roles and responsibilities of all the stakeholders.


(Sandeep Kumar Singh)
Member Secretary,
Pollution Control Committee,
Daman & Diu,
Daman.

Copy to:

1. The Chairman, Pollution Control Committee Daman & Diu and Dadra Nagar Haveli.
2. The Member Secretary, Pollution Control Committee Dadra Nagar Haveli.
3. The Collector, Diu.
4. The Chief Officer, Municipal Council, Daman/ Diu.
5. The Chief Executive Officer (DP), Daman/ Diu.
6. The General Manager, District Industries Center, Daman
7. The Zonal Agriculture Officer, Daman/ Diu.
8. All the Head of Offices of Daman & Diu to display on notice board for wide publicity.
- 9.) Nic (S:0)

The salient features of the Solid Waste Management Rules, 2016 applicable for Solid Waste Management in the UT of Daman & Diu:

A. The Waste Generators

1. Every household/Residential area including informal settlements or slums.
2. Gated Community having more than area 5000 sq.m.
3. Hotels/ Bar & restaurants/ Tea stalls/ Street Vendors etc.
4. Industrial Area
5. Hospitals/Educational Institutes/ Government Buildings/ Commercial units
6. Market/ Places of pilgrims/ Public places
7. Event organizers

B. Type of Waste

1. Biodegradable Waste/ Wet waste of plant and animals:
 - a. Kitchen Waste including: tea leaves, egg shells, fruit and vegetable peels.
 - b. Meat and bones.
 - c. Garden and leaf litter, including flowers.
 - d. Soiled paper.
 - e. House dust after cleaning.
2. Non Biodegradable/ Dry/ Recyclable Waste:
 - a. Newspapers, Paper, books and magazines
 - b. Glass
 - c. Metal objects and wire
 - d. Plastic
 - e. Cloth/ Rags
 - f. Leather/ Rexene
 - g. Rubber
 - h. Wood /furniture
3. Other Domestic Wastes:
 - a. Aerosol cans.
 - b. Batteries and button cells.
 - c. Bleaches and household kitchen and drain cleaning Agents & its Containers.
 - d. Car batteries, oil filters and car care products and consumables.
 - e. Chemicals and solvents and their containers.
 - f. Cosmetic items, chemical-based Insecticides and their containers.
 - g. Light bulbs, tube-lights and compact fluorescent lamps (CFL).
 - h. Discarded Medicines and its containers, Sanitary napkins, Dippers and Condoms.
 - i. Paints, oils, lubricants, glues, thinners, and their containers.
 - j. Pesticides and herbicides and their containers.
 - k. Photographic audio/video tapes and their containers, chemicals.
 - l. Styrofoam and soft foam packaging of furniture, packaging and equipment.
 - m. Thermometers and mercury-containing products.

C. Duties of waste generators

(1) Segregation:- Every waste generator shall:

- a) Segregate and store the waste generated by them in three separate streams in suitable bins/bags/containers namely:

Sr. No.	Type of Waste	Colour of containers
1.	Biodegradable	Green
2.	Dry/ Recyclable/ Non Biodegradable	White
3.	Other Domestic Wastes	Black

- b) Wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste.
- c) Store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016.
- d) Store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.
- e) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body.
- (2) No waste generator shall throw, burn or burry the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.
- (3) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the local body.
- (4) Within 3 months hotels, restaurants, all resident welfare & market associations/ gated communities and institutions with more than 5,000 sqm area in partnership with the local body shall ensure segregation of waste at source by the generators as prescribed in SWM rules.
- a) Facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers.
- b) The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible.
- c) The residual waste shall be given to the waste collectors or agency as directed by the local body.

D. SWM Rules, 2016 are applicable to;

1. Pollution Control Committee
2. Urban Development Department/Rural Development Department
3. District Collector
4. Municipal Council and District/Village Panchayat
5. Department of Agriculture
6. Manufacturers or Brand owners
7. Other Government/Non-governmental Organisations i.e. Coastguard, Port Authority, Industrial/Hotel Associations.

E. Duties and Responsibilities of various departments under the Administration of Daman and Diu:

a. Duties of Pollution Control Committee DD & DNH

1. Enforce SWM rules in UT of Daman & Diu through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with Municipal Council or Urban Development Department.
2. Shall issue Consent & authorisation to the local body or an operator of a facility, monitor the compliances and regulate standards prescribed by the CPCB.
3. In case of new technologies, where no standards have been prescribed by the CPCB, as the case may be, PCC DD & DNH shall approach CPCB for getting standards specified.
4. May give directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators.
5. Shall regulate Inter-State movement of waste.

b. Duties of Urban Development Department

1. Through the Municipal Council or Director of local bodies shall prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the ministry of urban development, in a period not later than one year from the date of notification of these rules.
2. For implementation of rule 23 of the SWM Rules, 2016 shall constitute State Level Advisory Body for the UT of Daman and Diu within six months from the notification of SWM Rules, 2016.
 - a) The State Level Advisory Body shall meet at least one in every six months to review the matters related to implementation of these rules, state policy and strategy on solid waste management and give advice to state government for taking measures that are necessary for expeditious and appropriate implementation of these rules.
 - b) The copies of the review report shall be forwarded to the Pollution Control Committee DD & DNH for necessary action.
3. Ensure implementation of provisions of SWM Rules, 2016 by all local authorities.

4. Direct the town planning department of the UT of Daman & Diu to ensure that master plan of every city in the UT of Daman & Diu provisions for setting up of solid waste processing and disposal facilities.
5. Ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the UT of Daman & Diu through metropolitan and district planning committees or town and country planning department.
6. Direct the town planning department of the UT of Daman & Diu and local bodies to ensure that a separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters.
7. Direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility.
8. Arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source.
9. Notify buffer zone for the solid waste processing and disposal facilities of more than five tons per day in consultation with the PCC DD & DNH.
10. Start a scheme on registration of waste pickers and waste dealers.
11. Facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills.

c. Duties of District Collector

1. Facilitate identification and allocation of suitable land as per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules.
2. Review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Municipal Council or Director of local bodies and secretary Urban Development.

d. Duties of Municipal Council and District/Village Panchayat

1. Prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of UT of Daman & Diu Administration or agency authorised by the UT of Daman & Diu Administration.
2. Arrange for door to door collection of segregated solid waste from all waste collection points either the entry gate or any other designated location.
3. Frame bye-laws incorporating the provisions of these rules within one year from the date of notification of SWM Rules, 2016 and ensure timely implementation.
4. Prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own...

5. Setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities.
6. Establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres.
7. Direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body.
8. Provide training on solid waste management to waste-pickers and waste collectors.
9. Collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions.
10. Collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation.
11. Set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body.
12. Collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible.
13. Involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility.
14. Phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
15. Facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the CPCB. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as:-
 - a. Bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes.

- b. Waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns.
16. Make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tones per day including sanitary landfills from the PCC DD & DNH as the case may be.
- a. Ensure that provisions for setting up of centres for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex.
 - b. Frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed and create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
 - i. Not to litter
 - ii. Minimise generation of waste
 - iii. Reuse the waste to the extent possible
 - iv. Practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source
 - v. Practice home composting, vermi-composting, bio-gas generation or community level composting
 - vi. Wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste
 - vii. Storage of segregated waste at source in different bins
 - viii. Handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies
 - ix. Pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management
 - c. Investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wherever feasible, take necessary actions to bio-mine or bio-remediate the sites.
 - d. In absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.
 - e. **Duties of Department of Agriculture**
 - (1) Propagate utilisation of compost on farm land.
 - (2) Set up laboratories to test quality of compost produced by local authorities or their authorised agencies.
 - (3) Issue suitable guidelines for maintaining the quality of compost and ratio of use of compost and chemical fertilizers while applying compost to farmland.

f. Duties of Manufacturers or Brand owners

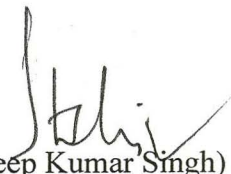
1. All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market shall provide necessary financial assistance to local authorities for establishment of waste management system.
2. All such brand owners who sell or market 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.
3. Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable 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.
4. All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

F. Time Frame for Implementation of SWM Rules, 2016:

Landfill Identification	1 Year
Procurement of waste processing facilities	2 Year
Ensure segregation of waste	2 Year
Ensure door to door collection & transportation	2 Year
Ensure separate storage, collection & transportation of C & D waste.	2 Year
Setting up SW processing facilities	2 Year
Setting up sanitary landfills	3 Year
Bioremediation/capping of old landfills	5 Year

G. Annual report

1. The operator of facility shall submit the annual report to the local body in Form-III on or before the 30th day of April every year.
2. The Municipal Council, District Panchayat/ other local bodies shall submit its annual report in Form-IV to Pollution Control Committee DD & DNH and the Secretary-in-Charge of the Department of Urban Development of UT of Daman & Diu on or before the 30th day of June every year.
3. Pollution Control Committee DD & DNH shall prepare and submit the consolidated annual report to the CPCB and Ministry of Urban Development on the implementation of these rules and action taken against non complying local body by the 31st day of July of each year in Form-V.


(Sandeep Kumar Singh)
Member Secretary,
Pollution Control Committee,
Daman & Diu,
Daman.