

Door-To-Door Garbage Collection & Disposal Bye - Laws 2018

Notification

The following Bye – laws made by Nagar Panchayat Gagret, for regulating The **Door to Door Garbage Collection & Disposal - 2018** in exercise of the powers conferred by section 202 and 217 of the Himachal Pradesh Municipal Act, 1994 (Act No. 12 of 1994) read with rule 15 (zf) of the Solid Waste Management Rules, 2016 having been confirmed by State enforcement, as required under section 217 of the aforesaid Acts are here by published for general information, namely.

BYE LAWS TO REGULATED DOOR TO DOOR GARBAGE COLLECTION & DISPOSAL OF NAGAR PANCHAYAT GAGRET.

Chapter – I: - General

1. **Short title and commencement:** –
 - a) These Bye – laws may be called The **Door-to-Door Garbage Collection and Disposal bye - laws 2018 of Nagar Panchayat Gagret** for municipal solid waste management & disposal.
 - b) These bye – laws shall come into force on the date of their adoption and publication in the Rajpatra the gazette of Himachal Pradesh Government
 - c) This shall apply to Gagret municipal area.

2. **Definitions:** -In these rules, unless the context otherwise requires, -
 - A) **"act"** means the Himachal Pradesh Municipal Corporation Act 1994 and Himachal Pradesh Municipal Act, 1994.
 - B) **"bulk waste generator"** means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
 - C) **"bye-laws"** means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
 - D) **"composting"** means a controlled process involving microbial decomposition of organic matter;
 - E) **"disposal"** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
 - F) **"domestic hazardous waste"** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;
 - G) **"door to door garbage collection"** means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non-residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises;

- H) **“dry waste”** means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non-recyclable waste, combustible waste and sanitary napkin and diapers, etc;
- I) **“dump sites”** means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
- J) **"fine/penalty" means** penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these or bye- laws
- K) **“municipality”** means the municipal Council / Nagar Panchayat of Himachal Pradesh
- L) **“non-biodegradable waste”** means any waste that cannot be degraded by microorganisms into simpler stable compounds;
- M) **"sanitary land filling "** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;
- N) **“sanitary waste”** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
- O) **“schedule”** means the schedule indicating the rate in respect of sign boards
- P) **"secondary storage"** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
- Q) **"segregation"** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non-biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non-recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;
- R) **“service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;
- S) **“user fee/ charge”** means a fee imposed by the local body and any entity mentioned in rule on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
- T) **“waste picker/ Collector”** means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (Prevention and Control of Pollution) Act, 1981, Himachal Pradesh Corporation Act, 1994, Himachal Pradesh Municipal Act, 1994 and Solid Waste Management Rules, 2016 shall have the same meaning as assigned to them in the respective Acts and Rules.

Chapter – II: - Management of Municipal Solid waste

3. **Municipal Solid Waste Management:** The Nagar Panchayat shall establish an integrated Solid Waste Management (SWM) system with an aim to reduce the amount of waste being disposed, while maximizing resources recovery and efficiency. The preferred waste management system shall focus on the following points, namely: -
- I. **Reduction and reuse at source:** The most preferred option for Solid Waste Management shall be prevention of waste generation. It will be helpful in reducing the handling, treatment, and disposal costs and specially reduce various environmental impacts such as leachate, air emissions and generation of greenhouse gases.
 - II. **Waste recycling:** Recovery of recyclable material resources through a process of segregation, collection and re-processing to create new products shall be the next preferred alternative.
 - III. **Composting:** As far as possible the organic fraction of waste shall be composted and used to improve soil health and agricultural production adhering to norms.
 - IV. **Waste-to-Energy:** Where material recovery from waste is not possible, energy recovery from waste through production of heat, electricity or fuel may be preferred. Bio-methanation, waste incineration, production of Refuse Derived Fuel (RDF) and co-processing of the sorted dry rejects from municipal solid waste are to be commonly adopted “Waste to Energy” technologies.
 - V. **Waste disposal:** Remaining residual waste, which ideally comprises of inerts, shall be disposed in sanitary landfills constructed in accordance with stipulations of the Solid Waste Management Rules, 2016.
 - VI. The Integrated Solid Waste Management system shall be environment friendly. Waste minimization, waste recycling, waste-to-energy strategies and landfill gas capture and use which are promoted in the Solid Waste Management Rules, 2016 shall be adopted for reduction of greenhouse gases.

Chapter – III: - Municipal Solid Waste Collection & Transportation

4. **Segregation & Primary Storage of Municipal Solid waste: -**
- a) It will be prime responsibility of every waste generator/citizen to segregate the waste generated by them in three separate streams namely bio-degradable, non-biodegradable and domestic hazardous wastes in suitable covered bins and handover segregated wastes to authorised waste pickers or waste collectors designated by ULBs or Agency Hired by ULBs once a day or at the frequency as decided by respective local body on the timing fixed by the service provider. Every citizen has to pay a fixed monthly rental for the services of door to door garbage collection.
 - b) Waste generators shall be encouraged to segregate waste and store at source in three separate colour bins i.e. green- for biodegradable waste, blue - for non- biodegradable, red- for domestic hazardous waste.
 - c) All institutions with more than 5,000 sqm area shall, within one year from the date of notification of these bye laws and in partnership with the Nagar Panchayat, ensure segregation of waste at source by the generators, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised 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 the Nagar Panchayat.
 - d) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the Nagar Panchayat, 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 Nagar Panchayat.

- e) Used sanitary waste are to be securely wrapped as and when generated in thepouches provided by the manufacturers or brand owners of these products or in a newspaper or suitable biodegradable wrapping material and place the same in the bin meant for non- biodegradable waste or dry waste.
- f) 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 Municipality.
- g) 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.
- h) Bulk waste generators of garden and horticulture waste like park, stadium etc. shall store separately in their premises and dispose of the same as may be prescribed by the Nagar Panchayat from time to time.
- i) No untreated bio- medical waste, e-waste, hazardous chemicals and industrialwaste shall be mixed with municipal solid waste and such waste shall follow the rules specifically separately specified for the purpose.
- j) Every waste generator has to ensure that there is no practice of burning or burying the solid waste generated by him, throwing on streets/ open public spacesoutside his premises or in the drain or water bodies.
- k) Littering of waste on streets /open space/ water bodies /drain shall be fined on the spot. On iterative they will be punishable and can subjected to court as per rule.
- l) Time to time awareness generation campaignsshould be organised to motivate people. RWA (Resident Welfare Association), Local NGOs, representative of public association and elected local member should be involved in the programme to motivate citizen.

5. Primary Collection of Municipal Solid Waste: -

- a) Each and every house in the city/ town should approached for the primary collection of waste by means of wheel barrow, push cart, tricycle, small auto tipper depending on the size of road available.
- b) Nagar Panchayat have to arrange for daily door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- c) Nagar Panchayat have to establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- d) Nagar Panchayat have to facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration of informal waste pickers in solid waste management including door to door collection of waste.
- e) Nagar Panchayat have to 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.
- f) Nagar Panchayat have to collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible.
- g) Time for the door to door collection services will have to fixed by the concern ULBs. Generally timing should to be between 6:00 Am to 9:00 Am. For proper waste collection vehicle such as tricycle, auto tipper used for door to door garbage collection should be equipped with Alarm with audible decibel fixed as per the rules and timing should be strictly followed by the sanitation workers.

- h) For door to door garbage collection from commercial complex, offices and secondary bins timing should be between 9:00 Am to 11:00 Am.
- i) For proper solid waste management & grievance redress Nagar Panchayat should set up small office/ centre in each ward of their boundaries.
- j) Under door to door services user charge for collection should be formulated on the following criteria

Sl. No	Category of User	User Charge on monthly basis (INR)
1	Household (area less than 2000 sq. feet)	30
2	Household (area more than 2000 sq. feet)	50
3	Commercial Complex (Dhabba, sweet shop, coffee houses, provisional stores)	150
4	Pan Shop	40
5	Tea Shop	40
6	Shops (Daily needs, cloths)	50
7	Vegetables & fruits shops (Wholesale)	750
8	Vegetables & fruits shops (Retail)	150
9	Sweet /snacks shop (Big)	200
10	Offices (2 rooms)	100
11	Offices (3-5 rooms)	200
12	Offices (6-10rooms)	500
13	Offices (11 – 20 rooms)	2000
14	Offices (more than 20 rooms)	2000 for 20 rooms+100 per additional room
15	Bank Bank Floor Area > 1000 sq. feet	750 1000
16	Govt. Schools	100
17	Private Schools upto 100 students on producing student's enrolment certificate	500
18	Private Schools (more than 100 students)	1000
19	Bakeries (small)	350
20	Bakeries (manufacturing units)	1200
21	PG Hostel / Guest House (upto 10 rooms)	500
22	PG Hostel / Guest House (11 - 20 rooms)	1500
23	PG Hostel / Guest House (21 - 30 rooms)	2500
24	PG Hostel / Guest House (more 30 rooms)	2500 for 30 rooms+500 for additional room
25	Dharamsala	550
26	Factories (Manufacturing unit) other than notified in any other category	1500
27	Workshop (Tyre puncture shop)	75
28	Workshop (repair shop)	150
29	Workshop (repair + spare parts shop)	300
30	Workshop (vehicle showroom, repair + spare parts)	750

31	Workshop (those not touching any NH or SH)	300
32	Restaurants	1000
33	Restaurants + Bar	1200
34	Cinema Hall (Theatre, multiples)	1500
35	Govt. College	1000
36	Private College	1500
37	Hospital /Nursing Home (upto 50 beds)	1500
38	Hospital /Nursing Home (51 - 100 beds)	2000
39	Hospital /Nursing Home (more than 100 beds)	2000+250 per additional bed
40	Clinics	100
41	Clinics with medicines shops	200
42	Chemist shop	150
43	Laboratory	200
44	Banquet Hall/ Hotel	2000&2000 per trip on demand
45	Special Hotels more than 50 Rooms	15000&2000 per trip on demand
46	Vehicle on demand for Dumper	3000 per trip
47	Big Malls	2000 per floor
48	Meat Shops (other than subscribed with chicken waste collection vehicle)	500
49	Confectionary + Veg Shop	250
50	Scrap Dealers	400
51	Street Vendor	100
52	Cow Dung from cattle at households	350
53	Barber Shop	100

Note: User charge as prescribed above can be revised by the ULB time to time keeping in view the polluter pay principal to meet the operation and maintenance cost of the services under Solid waste management.




- k) User charge mentioned above for door to door services needs to be collected from each and every household & other establishments of all the wards in the municipal boundaries of the ULBs. Users charge decided above, contact person's name & number needs to be conveyed to general public through different mediasuch asdisplay on the vehicles used for these services, hoardings, pamphlets etc. Also, awareness generation campaigns need to be organised.
- l) No manual loading or unloading of waste in compactor should be practised with open hand or without safety measure as per the Solid Waste Management Rules, 2016.

6. Secondary Storage of Municipal Solid Waste: -

Municipality by their own or with help of Agency hired needs to develop storage bins/ secondary storage points for the collection of waste generated in the town, they will also be responsible to monitor the condition of these bins so that no filthy or unhygienic condition develops around. While establishing or monitoring secondary storage bins following precaution needs to be taken care.

- a. Storage / Secondary storage bins should be designed and develop on the basis of the quantity of waste generated, density of population in the notified municipal boundaries. Minimum distance between two bins should be 500 meters and within radius of 1 Km maximum numbers of bins

should limited upto to 5. Established bins must be covered with movable lid and must be approachable/connected with metallic or non-metallic road.

- b. Bins provided by Nagar Panchayat or any hired agency should be designed in such a manner so that waste disposed in does not get scattered in open atmosphere and it should be artistic in nature so that it motivates people to dispose their waste in the bins not in open.
- c. Bins placed at designated place by Nagar Panchayat or any hired agency should motivate people to practice waste segregation and it should be placed as per Solid Waste Management Rule, 2016 having colour coding for different types of waste.
 -  Green: - Biodegradable waste (Food Waste, garden waste)
 -  Blue: -Non-Biodegradable waste
 -  Red: - Hazardous or toxics waste
- d. Well-designed Vehicle like auto Tipper/Compactor should be used for the purpose of transportation of waste and evacuating the bins.
- e. All the cooperative society, residential welfare association/ society, institutional organisation will be responsible to place suitable quantity of bins approved by the Nagar Panchayat on the fixed place in their compound so that waste generated from there can be stored properly and collected from time to time by the municipal vehicle. User charge for these services fixed by the ULBs should be collected by the authorised person of local body.
- f. It will be prime responsibility of all the waste generators/ citizens to store and sell/handover the recyclable waste to the Ragpickers/ Kabadiwala or person/organisation designated by the Nagar Panchayat. They have to ensure that no such waste is being disposed on the road/ drain / secondary storage bins/ open space.
- g. Door to door garbage collection, secondary storage bins, collection & transportation, processing of waste and disposal of waste in sanitary land fill site, all these services will be provided by Nagar Panchayat or any hired agency. ULBs will charge user fee for all these services and violator will be fined on the spot or punished and can be subjected to court as per rule.
- h. Waste from the slaughter house, fish market, fruit & vegetable market is biodegradable in nature, so proper storage facility should be designed so that no health hazard spreads from this & facility for composting should be developed to make use of such waste in generating organic manure from it. For ensuring proper disposal of such waste every generator have to ensure best storage facility and segregation of such waste at source and door to door collection should be practiced by ULBs to collect 100% of such waste and take to processing plant. On Violation, waste generator should be fined on the spot or punished and can be subjected to court as per rule.
- i. Nagar Panchayat have to 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 kilometres or part thereof and notify the timings of receiving domestic hazardous waste at such centres.
- j. Bio medical & industrial waste should not be mixed with municipal waste and such waste should be stored and disposed separately as per the rules applicable. For the disposal of bio-medical waste common Biomedical Waste treatment facility (CBMWTF) should be developed in each ULB either separately or on the cluster basis. By paying the fixed user fee such waste can be easily disposed off.
- k. Construction and demolition waste should be store separately as and when generated, in his/her own premises and shall be disposed off as per the Construction and Demolition Waste Management Rules, 2016. ULBs should fix user charge for transportation and disposal of C&D waste and generator should dispose this waste by paying the charge as per the rules and at the designated place. Disposing of such waste in open space, road side, common place will be treated as illegal and fined as per the rules.

- l. Gardening / Horticultural waste should also be stored separately at source. ULBs should fix a day or two in week and some place where generator should give their waste and from there it should be transported to disposal site.
- m. Dry leaves, plastic and other such waste should not be burnt in open, doing such activity will be treated as illegal and punishable, violator should be fined as per the rules.
- n. Stray animal should be restricted from roaming in and around the waste disposal site & secondary storage bins or any public place in the town.
- o. Every citizen, institutions, office buildings, commercial complexes has to ensure that there is no open discharge of grey water, black water or any other such polluted water in drain, open space or on road which can spread health issues, doing such activity will be treated as illegal and punishable as per the rules.
- p. No person should dispose dead animal or any such material in open space, road side, community park or any other place which can spread pollution and health issues, doing such activity will be treated as illegal and punishable as per the rules.
- q. Nagar Panchayat have to 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 transportation vehicle is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body.
- r. Nagar Panchayat can develop bins free solid waste management facility but for this 100% waste collection from the door step of the generator should be ensured.

7. Secondary Collection & Transportation of Municipal Solid Waste: -

- a) Each storage bins/ secondary storage bins should be attended daily by the help of auto tipper, tractor, compactor etc.
- b) Closed vehicle should be used for the transportation of waste. To reduce the frequency of loading and unloading of waste compactor should be used.
- c) Nagar Panchayat will have to ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility.
- d) Transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for onsite processing of such waste.
- e) Transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility. Ensure transportation of construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

Chapter – IV: - Municipal Solid Waste Processing & Disposal

8. Waste Processing Plant: -

Nagar Panchayat with help of State Pollution Control Board approval needs to develop solid waste management / processing plant to make use of daily generated biodegradable waste so that it can reduce the quantity of waste being disposed at the sanitary land fill site.

- a) Nagar Panchayat have to 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.
- b) 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.
- c) For processing of biodegradable waste Nagar Panchayat have to establish waste processing plant such as composting plant – windrow compost plant, vermicomposting plant, waste to energy or any other such technology by their own or with help of any other licensed company/firm /organisation on Build – operate - transfer (BOT)/ object oriented (OO) method.

- d) For processing of mixed recyclable waste Nagar Panchayat have to establish recycling unite such as incineration, RDF Plant or other such recycling technology by their own or with help of any other licensed company/firm /organisation on Build – operate - transfer (BOT)/ object oriented (OO) method.
- e) Municipality may also send the non-biodegradable/dry waste as RDF to nearby cement factories for co-processing.

9. Waste Disposal: -

- a) Nagar Panchayat have to stop land filling or dumping of mixed waste soon after the timeline for setting up and operationalisation of sanitary landfill is over.
- b) Nagar Panchayat have to allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill.
- c) Sites shall meet the specifications as given in Schedule-I of Solid Waste Management Rules, 2016, however, every effort shall be made to recycle or reuse therejects to achieve the desired objective of zero waste going to landfill.
- d) Nagar Panchayat have to investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of biomining and bio-remediation and where so ever feasible, take necessary actions to bio-mine or bio-remediate the sites.
- e) Nagar Panchayat have to ensure that 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.

Chapter – V: - Monitoring by Ward Committee

Constitution of Ward Sanitation Committee: A Ward Sanitation Committee shall be constituted in each ward of the Nagar Panchayat. The Ward Sanitation Committee shall have 11 to 15 members. The members of the WSC would comprise of ward member, sanitary inspector, tax collector or a designated officer by Nagar Panchayat for each ward, representatives of Residential Welfare Associations (RWAs) of the ward, representatives from slum sanitation committee, representatives of Community Based Organisations (SHGs, youth club etc), local leaders, senior citizens etc. The Ward Sanitation Committee shall oversee the sanitation activity in the ward.

Chapter – VI: - Stakeholder's Responsibilities

10. Responsibilities of various stakeholders: -

10.1 Responsibilities of Waste Generators:

- a) No waste generator shall throw the waste generated by him on the street, open spaces, drain or water bodies.
- b) No person shall let the dirty water, mud, night soil, cow dung, urine, polluted water from their own house, organisation, commercial establishments to accumulate in their own compound nor let it flow on common streets in a way that the environment gets polluted by foul smell or poses a threat to public health.
- c) To wrap securely used sanitary waste as and when generated in a newspaper or suitable biodegradable wrapping material and place the same in the domestic bin meant for non-biodegradable waste.
- d) All citizens shall have the responsibility to dispose of the recyclable waste generated in their complexes to the waste pickers authorised by the Nagar Panchayat or waste collector or containers of the Nagar Panchayat and not put it on the road under any circumstances.

- e) All waste generators shall pay user fees as specified in these bye-laws.
- f) 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,
- g) No dead animals or their remains to be thrown in any public places or any such place, which create any kind of pollution.
- h) If any person is found violating activities prohibited for doing, fine charges shall be collected from the offender by the Nagar Panchayat.

10.2 Responsibility of Ward Sanitation Committee:

- a) The Ward Sanitation Committee shall oversee the sanitation and cleanliness activities in ward.
- b) The Ward Sanitation Committee shall act as a grievances redressal point on sanitation issues at ward level.
- c) The Ward Sanitation Committee shall have the power to impose fine on any offender and also have the power to waive of penalties.
- d) The Ward Sanitation Committee will promote home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygiene around the facility.
- e) The Ward Sanitation Committee will give warning to any offenders of these bye-laws. After two warning by the Ward Sanitation Committee or the Nagar Panchayat, penalty shall be collected from the violator as per the provisions of these bye-laws.

10.3 Responsibility of the Nagar Panchayat:

- a) The Nagar Panchayat shall within its territorial area , be responsible for ensuring daily and throughout the year system of cleaning of all common roads, places, temporary settlements, slums, areas, markets, its own parks, gardens, tourist spots, cemeteries and shall be bound to collect the garbage from the nearest declared storage containers, and transport it every day to the final disposal point in closed vehicles for which the municipal authority may engage private parties on contract or Public Private Partnership mode, apart from its own permanent cleaning staff and vehicles.
- b) The Nagar Panchayat or the authorized agency engaged by the Nagar Panchayat shall provide and maintain suitable community bins on public roads or other public spaces.
- c) The Nagar Panchayat for the purpose of managing such sanitation activities in decentralised and regular manner shall designate one ward officer, in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc. for final disposal of city's garbage.
- d) The designated ward officer by the Nagar Panchayat shall also be a member of the concerned Ward Sanitation Committee which shall act as the first point of grievance redressal on sanitation issues of the concern ward and meet complains of citizens on issues of sanitation.
- e) The Nagar Panchayat shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the technologies and the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board.
- f) The Nagar Panchayat shall create awareness through Information, Education and communication (IEC) campaign and educate the waste generators on minimal generation of waste, not to litter, re-use the waste to the extent possible, practice segregation of wet bio-degradable waste, dry recyclable and combustible waste and domestic hazardous waste at source, wrap securely used sanitary waste as and when generated in a newspaper or suitable bio- degradable wrapping material and place the same in the domestic bin meant for non-biodegradable waste, storage of segregated waste at source and payment of monthly user fee.
- g) Chemical fertilizers shall be replaced by use of compost in all parks, gardens maintained by the Nagar Panchayat and any other places within two years of notification.
- h) Promote recycling initiatives by informal waste recycling sector.

- i) The Nagar Panchayat shall make efforts to streamline and formalize Solid Waste Management systems and endeavour that the informal sector workers in waste management (rag pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of Solid Waste Management in cities.
- j) 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.
- k) Ensure occupational safety of the Nagar Panchayat own staffs and staffs of outsource agency involved in collection, transport and handling waste by providing appropriate and adequate personal protective equipment's,
- l) 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 the Nagar Panchayat immediately which shall review and issue instructions if any, to the in- charge of the facility.

Chapter – VII: - Prosecution & Penalties

11. Prosecution: -

- I. Prosecution can be made on violation of above said rules Under Municipal Solid Waste Management rules, 2016, Himachal Pradesh Council / Nagar Panchayat Act, 1994 and Environmental Protection Act, 1986. Even the prosecution can be made on the official / workers responsible for implementing so called services under the above said Bye - laws if they are not performing their task or delaying their responsibility to implement the services.
- II. Whosoever contravenes the provision of above said Bye - laws shall be in addition to the penalties already mentioned under any act/ rules/ laws/ bye – laws for time being in force would be liable for disconnection of water supply, electricity and other civic amenities and the Executive Officer / Secretaries of the ULB may request the competent authorities to withdraw any other services if granted in favour of Institution/ Commercial Establishment/ person committing the offence.

12. Penalties: -

On the violation of above said municipal Bye - laws fixed penalties are as below:

Sl. No	Offence	Nagar Panchayat
1	Littering by People of residential colony	Rs 500 per day
2	Open dumping by shopkeepers	Rs 1000 per day
3	Littering/ open dumping by restaurants owners	Rs 2000 per day
4	Littering/ open dumping by Hotel Owners	Rs 2000 per day
5	Littering/ open dumping by Industries	Rs 5000 per day
6	Street Vendor like fast-food, chat, ice-cream, juice corner etc.	Rs250 per day
7	Open defecation/ urination in public place	Rs500 per offence committed
8	Disposal of dung in open space / public place	Rs 2000 per day
9	Disposal of construction & demolition waste in open space/ road side/ public place by resident	Rs 2000 per day
10	Littering of waste like dung, construction & demolition waste on	Rs 2000 per

	road while transporting through private tractor/ vehicle	day
11	Disposal of waste water from house in non-authorized place	Rs 2000 per day
12	Disposal of sewer in non-authorized place	Rs 5000 per day
13	Not keeping of closed dust bins in adequate number & quantity by owners mention from Sl. No 2- 6	Rs 5000 per day
14	Spilling of Oil, Dust, water & other material by road side Motar, Bike, Bicycle repair mechanics	Rs 1000 per day
15	Disposal of Skin, feather, blood, flash or any other material of animal(s) by shopkeeper	Rs 2000 per day
16	Littering by pet animals like dogs, cow, etc. on road side/ open space/ community place	Rs 1000 per day
17	Littering or disposal of waste in front of Marriage hall, community place, exhibition hall, Mela ground	Rs 5000 per day
18	Encroachment of Road for by Dhabas or any other such shop and disposing of waste on road side, open space	Rs 1000 per day
19	Encroachment of Road for by fruit, vegetable local vendor and disposing of waste on road side, open space	Rs250 per day
20	Encroachment of Road Hair cutting salon and disposing of waste on road side, open space	Rs 250 per day
21	Encroachment & Disposal of construction & demolition waste in open space/ road side/ public place by Business man, shopkeepers	Rs 5000 per day
22	Disposal of waste by Private Nursing home/ hospital, Clinics, Dispensaries on road side, open space	Rs 5000 per day
23	Non-Segregation of waste at source	
i	Residents	Rs 250 for first offence and Rs 500 for second & subsequent offences in a month
ii	Shopkeepers	Rs500 for first offence and Rs1000 for second & subsequent offences in a month
iii	Restaurants owners	Rs1000 for first offence and Rs2000 for second & subsequent offences in a month
iv	Hotel Owners	Rs1500 for first offence and Rs2500 for second & subsequent offences in a

		month
v	Industrial Establishment	Rs3000 for first offence and Rs 5000 for second & subsequent offences in a month
vi	Sweets, snacks, fast food. Ice-creams, sugarcane & other juice and vegetables vendor carts	Rs 250 for first offence and Rs500 for second & subsequent offences in a month

13. Repeal / Contradict: -

- ✓ Once these bye - laws come into force any other rules, bye- laws, policy with regard to this matter adopted by any ULB will be considered as disaffirm.
- ✓ Any work done or scheme implemented under any previous rules/bye - laws will not be impugned unless until it is just opposite or completely contrary to the action to be taken under the above said bye - laws.

Sd/-

**Secretary,
Nagar Panchayat Gagret,
Distt.Una(H.P.)**