

Salient Features of Solid Waste Management Rules, 2016

1. Application

The Rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbase, Port and harbour, defense establishments, special economic zones, State and Central government organizations, places of pilgrims, religious & historical importance as may be notified by respective state government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste.

2. Duties of waste generators

- All waste generators shall segregate and store the waste generated by them in three separate streams namely bio-degradable, non bio-degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorized rag-pickers or waste collectors;
- Shall 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 and shall place the same in the bin meant for dry waste / non- bio-degradable waste;
- Shall store separately construction and demolition waste, as and when generated and dispose off as per the Construction and Demolition Waste Management Rules, 2016
- Shall store horticulture waste and garden waste generated from his premises separately and dispose of as per the directions of the local authority.
- Shall not 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.
- Shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies.
- No person shall organize an event or gathering of more than 100 persons at any unlicensed place without intimating the local authority, at least three working days in advance. Such person or the organizer of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by local authority.

- 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 authority.
- All Resident Welfare and Market Associations, Gated communities and institution with an area >5,000 sq m and all hotels and restaurant shall, within one year from the date of notification of these rules and in partnership with the local authority ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material 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 the local authority.

3. Duties of Ministry of Urban Development

- MoUD shall formulate National Policy and Strategy on Solid Waste Management including policy on Waste to Energy, promote research and development, undertake training and capacity building of local bodies, provide technical guidelines and project finance and review periodically the measures taken by the States .

4. Duties of Department of Fertilisers, Ministry of Chemicals and Fertilizers

- Shall provide market development assistance on city compost and ensure promotion of co-marketing of compost with chemical fertilizers in the ratio of 3 to 4 bags: 6 to 7 bags by the fertilizer companies to the extent compost is made available for marketing to the companies.

5. Duties of Ministry of Agriculture, Government of India.-

- MoA shall provide flexibility in Fertiliser Control Order for manufacturing and sale of compost, propagate utilisation of compost on farm land, set up laboratories to test quality of compost produced by local authorities or their authorized agencies

6. Duties of the Ministry of Power

- MoP shall decide tariff or charges for the power generated from the Waste to Energy plants based on solid waste and ensure compulsory purchase power generated from such Waste to Energy plants by DISCOMs.

7. Duties of Ministry of New and Renewable Energy Sources

- MNRE shall facilitate infrastructure creation for Waste to Energy plants and provide appropriate subsidy or incentives for such Waste to Energy plants

8. Duties of the Secretary-in-charge, Urban Development in the States and Union Territories. and Duties of the Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union Territory.-

- The Secretary, State Urban Development Department in the State or Union Territory through the Commissioner or Director of Municipal Administration or Director of Local Bodies shall prepare a state policy on solid waste management within a year,
- ensure identification and allocation of suitable land for setting up processing and disposal facilities for solid wastes within one year and incorporate them in the master plan,
- ensure that a separate space for segregation, storage, decentralized 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;
- ensure that the developers of Special Economic Zone, Industrial Estate, Industrial park earmark at least 5% of the total area of the plot or minimum 5 plots/ sheds for recovery and recycling facility.
- notify buffer zone for the solid waste processing and disposal facilities of more than 5 tons per day in consultation with the State Pollution Control Board and
- start a scheme on registration of waste pickers and waste dealers.

9. Duties of Central Pollution Control Board

- The Central Pollution Control Board shall co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities; formulate / review the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;
- review the proposals of state pollution control boards or pollution control committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;
- prepare an Annual Report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;
- publish guidelines for maintaining buffer zone restricting any residential,

commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than 5 tons per day of solid waste;

- publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of the rules; and
- provide guidance to States or Union Territories on inter-state movement of waste.

10. Duties and Responsibilities of local authorities and village Panchayats of census towns and urban agglomerations.

- The local authorities and Panchayats shall prepare a solid waste management plan as per State Policy within six months
- arrange for door to door collection of segregated solid waste; integrate rag pickers / informal waste collectors in solid waste management
- frame bye-laws incorporating the provisions of these rules within one year, prescribe user fee;
- direct waste generators not to litter and to segregate the waste at source and hand over the segregated waste to authorized waste pickers the waste collector authorized by the local authority;
- setup material recovery facilities or secondary storage facilities and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste;
- establish waste deposition centre/s for domestic hazardous waste and ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the state pollution control board/committee;
- 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 authority;
- provide training on solid waste management to waste-pickers and waste collectors;
- promote setting up of decentralized compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- 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.;

- collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference should be given for on site processing of such waste;
- transport non-bio-degradable waste to the respective processing facility or material recovery facilities (MRF) or secondary storage facility;
- transport construction and demolition waste as per the provisions of Construction and Demolition Waste management Rules, 2016
- involve communities in waste management and promotion of 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;
- phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by local authority and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- facilitate construction, operation and maintenance of solid waste processing facilities such as bio-methanation, microbial composting,vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilization of biodegradable wastes;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;
- make an application for grant of authorization for setting up waste processing, treatment or disposal facility if the volume of waste is exceeding five metric tones per day;
- prepare and submit annual report before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer and be send to the Secretary, -in-Charge of State Urban Development Department orvillage panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- 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;

- ensure that provisions for setting up of centers 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; and
- 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 on SWM
- stop land filling or dumping of mixed waste soon after the timeline as specified in Rule 23 for setting up and operationalization of sanitary landfill is over;
- allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects & residues from waste processing facilities to go to sanitary landfill;
- investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible , take necessary actions to bio-mine or bio-remediate the sites.
- 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.

11. Duties of District Magistrate or District Collector or Deputy Commissioner

- The District Magistrate or District Collector or Deputy Commissioner shall facilitate identification and allocation of suitable land for setting up solid waste processing and disposal facilities and review the performance of local bodies, at least once in a quarter

12. Duties of State Pollution Control Board or Pollution Control Committee.-

- The State Pollution Control Board or Pollution Control Committee shall enforce these rules in their State; monitor environmental standards; examine the proposal for grant of authorization; regulate Inter-State movement of waste.

13. Duty of manufacturers or Brand owners of disposable products and sanitary napkins and diapers.-

- 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.
- All such brand owners who sale 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.

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

14. Duties of the industrial units located within one hundred km from the RDF and Waste to Energy plants based on solid waste

- All industrial units using fuel and located within 100 km from a solid waste based RDF plant shall make arrangements within six months from the date of notification of these rules to replace at least 5 % of their fuel requirement by RDF so produced.

15. Criteria for setting-up solid waste processing and treatment facility.-

- The department dealing the allocation of land will be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities;
- The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee and responsible for safe and environmentally sound operations of the solid waste processing and or treatment facilities.
- The operator of the solid waste processing and treatment facility shall submit annual report by 30th April to the State Pollution Control Board/ Pollution Committee and Local authority.

16. Criteria and actions to be taken for solid waste management in hilly areas

- Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary landfill.
- In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.

Criteria for waste to energy process.-

- Non recyclable waste having calorific value of 1500 K/cal/kg or more shall not be disposed of on landfills and shall only be utilized for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

- High calorific wastes shall be used for co-processing in cement or thermal power plants.

State Level Advisory Body. –

- Every Department in-charge of Local bodies of the concerned State Government or Union Territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules

Time frame for implementation

- Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own directly or by engaging agencies within the time frame specified in the rules and
- setting up solid waste processing facilities by all local bodies having 100000 or more population within two years, local bodies and census towns below 100000 population, setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population and setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population three years, bio-remediation or capping of old and abandoned dump sites five years.

Specifications for Sanitary Landfills

- The rules specifies criteria for site selection, development of facilities at the sanitary landfills, specifications for land filling operations and closure on completion of landfilling, pollution prevention, Closure and Rehabilitation of Old Dumps, **specifies Criteria for special provisions for hilly areas**
- **The rules specifies Standards of processing and treatment of solid waste, composting, treated leachates, incineration.**

Monitoring

- The Ministry of Environment, Forest and Climate Change shall be responsible for over all monitoring the implementation of these rules in the country. It shall constitute a Central Monitoring Committee under the chairmanship of Secretary, Ministry of Environment, Forest and Climate Change comprising of the Ministry of Urban Development, Ministry of Rural Development, Ministry of Chemicals and Fertilizers, Ministry of Agriculture, Central Pollution Control Board, Three State Pollution Control Boards /Pollution Control Committees, Urban Development Departments of three State Governments, Rural Development Departments from two State Governments, Three Urban Local Bodies , Two census towns, FICCI, CII and Two subject experts.
- This committee shall meet at least once a year to monitor and review the implementation of the rules. The Ministry may co-opt other experts, if needed. The Committee shall be renewed every three years.
