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AGARTALA MUNICIPAL CORPORATION AGARTALA, TRIPURA

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Dated Agartala the 18th August, 2017

NOTIFICATION

AGARTALA MUNICIPAL CORPORATION SOLID WASTEMANAGEMENT REGULATION, 2017

In exercise of the powers conferred by Rule 15 (e) of the Solid Waste Management Rules, 2016 and Section 275 of the Tripura Municipal Act, 1994, the Agartala Municipal Corporation hereby makes the following regulation namely "Agartala Municipal Corporation Solid Waste Management Regulation-2017" as approved by Mayor-in-Council of Agartala Municipal Corporation on 28th July, 2017.

1. **Short title and commencement and Jurisdiction:** This regulation shall be called "Agartala Municipal Corporation Solid Waste Management Regulation-2017" and will be applicable in the areas covered under Agartala Municipal Corporation. This regulation shall come into force on the date of its publication in the Official Gazette.
 2. **Definitions** --(A) In this regulation, unless the context otherwise requires,-
 - (1) "aerobic composting" means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;
 - (2) "anaerobic digestion" means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
 - (3) "authorization" means the permission given by the State Pollution Control Corporation or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
 - (4) "biodegradable waste" means any organic material that can be degraded by micro-organisms into simpler stable compounds;
 - (5) "bio-methanation" means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
 - (6) "brand owner" means a person or company who sells any commodity under a registered brand label.
 - (7) "buffer zone" means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total area allotted for the solid waste processing and disposal facility.
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- (8) "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;
- (9) "combustible waste" means non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1500kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
- (10) "Composting" means a controlled process involving microbial decomposition of organic matter;
- (11) "contractor" means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
- (12) "co-processing" means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500kcal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
- (13) "decentralised processing" means establishment of dispersed facilities for maximizing the processing of bio-degradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
- (14) "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 of rules to prevent contamination of groundwater, surface water, ambient air and attraction of animals or birds;
- (15) "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;
- (16) "door to door 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-storeyed building or apartments, large residential, commercial or institutional complex or premises;
- (17) "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.;

- (18) "dumpsites" means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
- (19) "extended producer responsibility" (EPR) means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;
- (20) "facility" means any establishment where in the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;
- (21) "fine" means penalty imposed on waste generators as specified in this regulation for non-compliance of the directions contained in this regulation
- (22) "handling" includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;
- (23) "inerts" means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;
- (24) "incineration" means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
- (25) "informal waste collector" includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;
- (26) "leachate" means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;
- (27) "local body" for the purpose of these regulations means and includes the Agartala Municipal Corporation.
- (28) "materials recovery facility" (MRF) means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity mentioned in rule 2 or any person or agency authorized by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorized informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;
- (29) "non-biodegradable waste" means any waste that cannot be degraded by micro-organisms into simpler stable compounds;
- (30) "operator of a facility" means a person or entity, who owns or operates a facility for handling solid waste which includes the local body and any other entity or agency appointed by the local body;

- (31) "primary collection" means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the local body;
- (32) "processing" means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;
- (33) "recycling" means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products;
- (34) "redevelopment" means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;
- (35) "refused derived fuel"(RDF) means fuel derived from combustible waste fraction of solid waste like plastic, wood, of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste;
- (36) "residual solid waste" means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;
- (37) "rules" unless otherwise specifically mentioned , shall mean, Solid Waste Management Rules, 2016 as notified by Govt. of India, including its amendments from time to time.
- (38) "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, green house gas emissions, persistent organic pollutants slope instability and erosion;
- (39) "sanitary waste" means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
- (40) "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;
- (41) "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;
- (42) "service provider "means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;

- (43) "solid waste" means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio- medical waste and e-waste, battery waste, radio-active waste generated in the area under the local body;
- (44) "sorting" means separating various components and categories of recyclables such as paper, plastic, card-Corporations, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling;
- (45) "stabilising" means the biological decomposition of biodegradable wastes to a state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation;
- (46) "street vendor" means any person engaged in vending of articles, goods, warè, food items or merchandise of everyday use or offering services to the general public, in a street lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all others which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions ,shall be construed accordingly;
- (47) "tipping fee" means a fee or support price determined by the local authorities or any state agency authorized by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill;
- (48) "transfer station" means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
- (49) transportation""means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;
- (50) "treatment" means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;
- (51) "user fee" means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.

- (52) "vermin composting" means the process of conversion of bio-degradable waste into compost using earth worms;
- (53) "waste generator" means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, defence establishments, which generate solid waste;
- (54) "waste hierarchy" means the priority order in which the solid waste is to be managed by giving emphasis to prevention, reduction, reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;
- (55) "waste picker" 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.

(B) 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, Air (prevention and Control of Pollution) Act, 1981, The Tripura Municipal Act, 1994 and Solid Waste Management Rules, 2016 shall have the same meaning as assigned to them in the respective Acts.

3. Duties of Waste generators-

- (1) Every waste generator shall, -
 - (a) segregate and store the waste generated by them in three separate streams namely biodegradable, non-bio degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorized waste pickers or waste collectors as per the direction or notification by the Agartala Municipal Corporation from time to time;
 - (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- biodegradable waste;
 - (c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose of as per the Construction and Demolition Waste Management Rules, 2016;and
 - (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.
- (2) No generators shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

- (3) All waste generators shall pay such user fee for solid waste management, as specified by Agartala Municipal Corporation in the notification for this purpose from time to time.
- (4) No person shall organize 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 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 the local body and shall pay such user fee for Solid Waste management, as specified by Agartala Municipal Corporation in the notification for this purpose from time to time.
- (5) 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 and shall pay such user fee for solid waste management, as specified by Agartala Municipal Corporation in the notification for this purpose from time to time.
- (6) All resident welfare and market associations shall in partnership with Agartala Municipal Corporation, ensure segregation of waste at source by the generators as prescribed in the rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the waste pickers or agencies for recycling authorized by Agartala Municipal Corporation and pay such user fee for solid waste management as specified in the notification by Agartala Municipal Corporation for this purpose. The biodegradable 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 authorised waste collectors or agency as directed by Agartala Municipal Corporation.
- (7) All gated communities and institutions with more than 5,000 sqm area shall in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in the rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the waste pickers or agencies for recycling authorized by Agartala Municipal Corporation and pay such user fee for solid waste management as specified in the notification by Agartala Municipal Corporation for this purpose. The biodegradable 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 authorised waste collectors or agency as directed by Agartala Municipal Corporation.

(8) All hostels, hospital, hotels and restaurants shall in partnership with the local body ensure segregation of waste at source as prescribed in the solid waste rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorized waste pickers or AMC. The bio-degradable waste shall be processed, treated and disposed off through compost in 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 body. All waste generators shall pay such user fee or charge as may be specified in the notification for this purpose.

(9) Every person responsible for organizing an event in open space/residential or non-residential/commercial places which involves service of foodstuff in plastic or multi-layered packaging shall segregate and manage the waste generated during such events in accordance with the Solid Waste Management Rules, 2016 and pay such user fee for solid waste management as notified by Agartala Municipal Corporation from time to time.

4. Duties of manufacturers or brand owners of disposable products and sanitary napkins and diapers

(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 Agartala Municipal Council for establishment of waste management system as notified by Agartala Municipal Council from time to time.

(2) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place 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.

5. Duties of Industrial Units located within one hundred km from the refused derived fuel and waste to energy plants based on solid waste –

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

6. Criteria of duties regarding setting up of Solid Waste processing and Treatment Facility

(1) The operator of the facility shall design and set up the facility as per the technical guidelines issued by Central Pollution Control Board in this regard from time to time and the manual on Solid Waste Management prepared by the Ministry of Urban Development.

(2) The operator shall obtain necessary approvals from State Pollution Control Board or Pollution Control Committee.

(3) The operator of the facility shall be responsible for the safe & environmentally sound operations of the Solid Waste processing and or treatment facilities as per the guidelines issued Central Pollution Control Board from time to time and the manual on Solid Waste Management published by the Ministry of Urban Development.

(4) The operator of the Solid waste processing and treatment facility shall submit annual report in Form III of the rules each by 30th April to the State Pollution Control Board or Pollution Control Committee and concerned local body.

7. Duties and responsibilities of Agartala Municipal Corporation

(1) Agartala Municipal Corporation shall:

(a) arrange for 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;

(b) 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;

(c) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;

- (d) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (e) direct waste generators not to litter i.e. throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (f) 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;
- (g) 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 or the Pollution Control Committee;
- (h) 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;
- (i) provide training on solid waste management to waste-pickers and waste collectors;
- (j) 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;
- (k) 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;
- (l) 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;
- (m) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;

- (n) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on-site processing of such waste;
- (o) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (p) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016;
- (q) 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;
- (r) 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.
- (s) 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 Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and
 - Environmental impacts such as-
 - i) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - ii) 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;
- (t) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these rules;
- (u) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;

(v) 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;

(w) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, rain coats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;

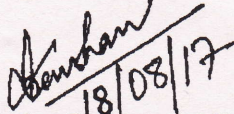
(2) There shall be a Ward Level Solid Waste Management Committee in each ward of Agartala Municipal Corporation with the Councillor as the Chairperson and including 20 other members in which least 10 must be women. This committee shall create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-

- (i) not to litter;
- (ii) to store the waste in the household bins in segregated manner and ensuring it so that it can be collected under Door to Door collection. Practice segregation bio-degradable waste into GREEN BIN, non-biodegradable (recyclable and combustible) in BLUE BIN, sanitary waste and domestic hazardous wastes in RED BIN;
- (iii) Minimize generation of waste;
- (iv) Reuse the waste to the extent possible;
- (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-bio degradable 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; and
- (ix) Pay monthly user fee or charges as notified or fixed by AMC to waste collectors or ward level committee or any other person authorized by the Agartala Municipal Corporation for sustainability of solid waste management.

- 3) Any waste generator who violates the provisions of this regulation or fails to discharge his duty as per provisions of this regulation shall pay spot fines as follows for each violation:

Solid Waste (Other than Construction & Demolition Waste)			
Individual/Household		Non-Residential/Commercial Establishment	
Rs. 500 /-	For First violation/failure	Rs. 1000/-	For First violation/failure
Rs. 1000/-	For Second violation/failure	Rs. 2000/-	For Second violation/failure
Rs. 2000/-	For Third and subsequent violations/failures	Rs. 5000/-	For Third and subsequent violations/failures
For Construction & Demolition Waste			
Individual/Household		Non-Residential/Commercial Establishment	
Rs. 1000 /-	For First violation/failure	Rs. 2000/-	For First violation/failure
Rs. 3000/-	For Second violation/failure	Rs. 4000/-	For Second violation/failure
Rs. 4000/-	For Third and subsequent violations/failures	Rs. 5000/-	For Third and subsequent violations/failures

Provided that, the spot fines as mentioned in this section shall be in addition to the fee chargeable by the local body for removal of the solid waste or construction and demolition waste as notified from time to time. Provided further that, Assistant Municipal Commissioners of Various Zones of Agartala Municipal Corporation and such other officers as notified by Agartala Municipal Corporation shall be authorized persons to collect "spot fines" and "fees" chargeable by the local body for removal of the solid waste or construction and demolition waste" as notified from time to time.


 18/08/17
 (Debapriya Barohan, IAS)
 Municipal Commissioner
 Agartala Municipal Corporation