

## CHAPTER I

### GENERAL

1. **Short Title and Commencement:** (1) These bye-laws shall be called the Cantonment Board Jammu Solid Waste Management Bye-Laws, 2020.  
(2) They shall come into force on the date of their publication in the Delhi Gazette.
2. **Applicability:** These bye-laws shall be applicable within the territorial limits of Cantonment Board Jammu (hereinafter referred to as 'CBJ').
3. **Definitions:**
  - 1) In these bye-laws, unless the context otherwise requires,-
    - a) **"Bulk Garden and Horticulture Waste"** means bulk waste from parks, gardens etc. including grass clippings, weeds, woody 'brown' carbon-rich material such as pruning, branches, twigs, wood clipping, straw, dead leaves, tree trimmings etc. which cannot be accommodated in the daily collection system for bio-degradable waste;
    - b) **"Bulk Waste Generator"** means bulk waste generator defined under Rule 3(1)(8) of the Solid Waste Management Rules, 2016 (Hereinafter referred to as 'SWM Rules') and any other waste generator notified by the Chief Executive Officer;
    - c) **"Collection"** means lifting and removal of solid waste from source of waste generation, collection points or any other location;
    - d) **"Competent Authority"** means the Chief Executive Officer (C.E.O) of CBJ or any person authorized by him.
    - e) **"Construction and Demolition waste"** shall have the same meaning as defined under Rule 3(1)(c) of the Construction and Demolition Waste Rules, 2016;
    - f) **"Clean Area"** means the public place in front of and all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb cleaned and so maintained in accordance with these bye-laws;
    - g) **"Community Waste Storage Bin (Dhalao)"** means any storage facility set up and maintained by CBJ or collectively by owners and./or occupiers of one or more premises for storage of solid waste in a segregated manner on the

roadside/in premises of any one of such owners/occupiers or in their common premises as authorized by the competent authority;

- h) **“Containerised Hand Cart”** means the hand cart provided by CBJ or the agency/agent appointed by it for point-to-point collection of solid waste;
- i) **“Delivery”** means handing over any category of solid waste to worker of CBJ or any other person appointed, authorized or licensed by CBJ for taking delivery of such waste or depositing it in any vehicle provided by CBJ or by any other authorized agency or licensed by CBJ to do so;
- j) **“E-waste”** shall have the same meaning as defined under Rule 3(1)(r) of the E-waste (Management) Rules, 2016.
- k) **“Litter”** means all refuse and includes any other waste material which, if thrown or deposited as prohibited under these bye-laws, tends to create nuisance or danger to any person, animal, environment or public health, safety and welfare;
- l) **“Littering”** means causing, putting, burying, permitting or allowing litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend, blow, be washed , percolate or otherwise escape into or onto any open or public place;
- m) **“Owner”** means any person who exercises the rights of an owner of any building, or land or part thereof;
- n) **“Occupier/occupant”** means any person who is in occupation of or in possession and includes any person who for the time being is using, any land or building or part thereof, for any purpose whatsoever;
- o) **“Pelletisation”** means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes fuel pellets which are also referred as refuse derived fuel;
- p) **“Prescribed”** means prescribed by SWM Rules and/or these bye-laws;
- q) **“Public Place”** means any such place which is open to the use and enjoyment to the public, whether it is actually used or enjoyed by the public or not;

- r) **“Storage”** means the temporary containment of solid waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour;
  - s) **“Sanitary worker”** means a person employed by CBJ/agency for collecting or removing solid waste or cleansing the drains in CBJ areas;
  - t) **“Schedule”** means the Schedule appended to these bye-laws;
  - u) **“User fee/ Charges”** means fees or charges imposed by CBJ, through general or special order of the Competent Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services;
  - v) **“Vacant Plot”** means any land or open space belonging to a private party/person/Govt. agency that is not occupied.
- 2) The words and expressions used but not defined herein shall have the same meaning as respectively assigned to them in the Solid Waste Management Rules, 2016 and the Construction and Demolition Waste Management Rules, 2016.

## **CHAPTER II**

### **SEGREGATION AND PRIMARY STORAGE OF SOLID WASTE**

#### **4. Segregation and storage of solid waste at source:-**

- i. It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely:-
  - a) non-biodegradable or dry waste
  - b) biodegradable or wet waste
  - c) domestic hazardous waste and deposit it into covered waste bins, and handover segregated waste to designated waste collectors as per the direction of CBJ from time to time.
- ii. Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely:-
  - a) non-biodegradable or dry waste
  - b) biodegradable or wet waste
  - c) hazardous waste in suitable bins and handover segregated waste to authorized waste processing or disposal facilities or deposition centres through the authorized

waste collection agency with paying the carrying charges specified by CBJ from time to time.

- iii. The colour of bins for storage of segregated waste shall be green- for biodegradable waste, blue- for non-biodegradable or dry waste, black- for domestic hazardous waste.
- iv. All resident welfare and market associations shall, in partnership with CBJ, ensure segregation of waste at source by the generators, 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 CBJ.
- v. All gated communities and institutions with more than 5,000 sqm area shall, in partnership with CBJ, ensure segregation of waste at source by the generators; 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 CBJ.
- vi. All hotels and restaurants shall, in partnership with CBJ, ensure segregation of waste at source; 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 CBJ.
- vii. No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating CBJ online along with payment of user fee as prescribed in the schedule, 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 CBJ.
- viii. Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a news paper or

suitable biodegradable wrapping material and place the same in the bin meant for non-biodegradable waste or dry waste.

- ix. Every street vendor shall keep suitable containers for storage of segregated 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 CBJ.
- x. Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of CBJ from time to time.
- xi. Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle which shall be provided weekly/periodically by CBJ or any other Agency authorized by it or Govt. of U.T of Jammu & Kashmir or the Jammu Pollution Control Board (JPCB) for collection of such waste, or to a centre designed for collection of such waste for disposal in a manner that is mandated by the Government of U.T of Jammu & Kashmir or JPCB.
- xii. Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016.
- xiii. No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed of in accordance with the respective rules framed under the Environment (Protection) Act, 1986.
- xiv. Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the CBJ's collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is prohibited.
- xv. Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.
- xvi.

## **CHAPTER III**

### **SOLID WASTE COLLECTION**

#### **5. Collection of Solid Waste:-**

- i. In compliance of SWM Rules, door to door collection of segregated solid waste shall be implemented in all areas or wards of CBJ, to collect garbage from every house, including slums and informal settlements on a daily basis by integrating the informal door to door collection system with CBJ collection system.
- ii. In order to collect garbage from every house, area-wise specific time slot shall be set and published at conspicuous parts of that area and on the website of CBJ. Commonly, time for house to house garbage collection will be set from 6 am to 11 am. For collection of garbage from trading establishments, shops in commercial areas or any other institutional waste generators, commonly the time shall be from 7 am to 12 noon.
- iii. Arrangements shall be made for collection of residual solid waste from bulk waste generators, which are processing waste in-situ.
- iv. Residual solid waste from vegetable, fruit, flower, meat, poultry and fish market shall be collected on day to day basis.
- v. Horticulture and garden waste shall be separately collected and disposed of. One or two days in a week will be specified for this purpose.
- vi. To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.
- vii. Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.
- viii. Waste generators shall be responsible to deposit their segregated waste in the Auto/Tippers/Rickshaws etc deployed by CBJ or by the notified authorized waste collector. Segregated waste from multi-storied buildings, apartments, housing

complexes (other than those falling under sub-clauses (iv) and (v) of clause 4 of these bye-laws) may be collected from the entry gate or any other designated location.

- ix. Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with-hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.
- x. Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.
- xi. Route plans for each primary collection and transportation vehicle shall be provided by CBJ or by the notified authorized waste collector. These plans in tabular as well as GIS map form, duly approved by CBJ shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified Route. CBJ or the notified authorized waste collector shall provide a 'Board' at each street to display time-table of primary collection & transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of CBJ.
- xii. In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or small motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.
- xiii. In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.
- xiv. Smaller, narrow and congested streets/lanes where even a 3-Wheeler/ rickshaw etc. cannot operate, vantage point/s shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting

solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of CBJ.

- xv. Auto tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. dhalaos, open sites, ground, bins and drains etc.
- xvi. CBJ or its notified authorized waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

## **CHAPTER IV**

### **SECONDARY STORAGE OF SOLID WASTE**

#### **6. Storage of solid waste in the secondary storage points:-**

- i. Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by CBJ for secondary storage of waste.
- ii. Such secondary storage points shall have covered containers (of specified colour) for separate storage of:
  - a) non-biodegradable or dry waste.
  - b) biodegradable or wet waste
  - c) domestic hazardous waste
- iii. Different containers shall be used in the areas demarcated by CBJ to keep segregated waste in the following manner:
  - green- for biodegradable waste,
  - blue- for non-biodegradable,
  - black- for domestic hazardous waste.

CBJ shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.



- iv. CBJ on its own or through outsourcing agencies shall maintain the storage facilities for solid waste in a manner that does not create unhygienic and unsanitary conditions around it.
- v. Containers of various sizes in the secondary storage depots shall be provided by CBJ or any assigned agencies in different colours as mentioned in these bye-laws.
- vi. Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population;
- vii. Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere;
- viii. All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.
- ix. CBJ or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.
- x. Recycling Centers for Dry Waste (Non-Biodegradable Waste)
  - a. CBJ shall convert its existing Dhalaos or identify specific location as per requirement, as 'Recycling Centers' which shall be used for segregation of dry waste received through street/door to door waste collection service. Recycling centers may be increased depending on the quantity of dry waste received.
  - b. Dry (non-biodegradable) waste from street/ door-to-door collection system and from commercial establishments shall be transferred only to these designated 'recycling centers'. These designated centers shall receive only dry waste.
  - c. There shall also be a provision for the households to directly deposit or sell their recyclable dry waste to the authorized agents and/or authorized waste dealers of CBJ at these recycling centers at prenotified rates. A weighing scale and a counter shall be provided at each recycling unit for this purpose. The authorized agents and/or authorized waste dealers shall be allowed to dispose of or sell the recyclable waste to the secondary market or recycling units only in consonance with the

provisions of SWM Rules. The authorized agents and/or authorized waste dealers will be entitled to retain sales realization thereof.

xi. Deposition Centre for specified Domestic Hazardous Waste.

- a. For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed by the Government and notify the timing of receiving of such waste.
- b. CBJ may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.
- c. Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

## **CHAPTER V**

### **TRANSPORTATION OF SOLID WASTE**

#### **7. Transportation of Solid waste:-**

- i. Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by CBJ.
- ii. The storage facilities set up by CBJ shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned.
- iii. Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost plants, bio- methanation plants or any such other facilities in a covered manner.
- iv. Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste.
- v. Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities.
- vi. Construction and Demolition Waste shall be transported as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

- vii. CBJ shall make arrangements for transportation of inerts in a proper manner. The street sweeping waste and removable drain silt shall be removed immediately after the work is over.
- viii. Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.
- ix. There should be no inter-mixing of waste from various sources during the transportation of waste.
- x. CBJ or its specified agency shall install CCTV cameras at all secondary storage facilities.

## **CHAPTER VI**

### **PROCESSING OF SOLID WASTE**

#### **8. Processing of solid waste:-**

- i. CBJ shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilization of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Pollution Control Board:-
  - a. to minimize transportation cost and environmental impacts, preference shall be given to decentralized processing such as bio-methanation, microbial composting, vermin-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste;
  - b. through medium/large composting/bio-methanation plants at centralized locations;
  - c. through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants; and/or
  - d. through construction and demolition waste management plants.
- ii. In waste to energy plant by direct incineration, absolute segregation shall be, mandatory and be part of the terms and conditions of the relevant contracts.
- iii. CBJ shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorized recyclers.

**9. Other guidelines for processing of solid waste-**

- i. CBJ shall enforce processing of bio-degradable waste on site of generation of such waste through composting or bio-methanation, as far as possible at RWAs, group housing societies, markets, gated communities and institutions with more than 5000 sqm. Areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for on site processing of biodegradable waste generated by other waste generators as well.
- ii. CBJ shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions.
- iii. CBJ shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens as far as possible.
- iv. CBJ shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

**CHAPTER VII**

**DISPOSAL OF SOLID WASTE**

**10. Disposal of Solid waste:**

CBJ shall undertake on its own or through any other agency, the construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual waste and inert street sweepings and silt from surface drains in a manner prescribed under SWM Rules and any other obligation imposed by any other law for the time being in force.

**CHAPTER VIII**

**USE FEE AND LEVYING OF SPOT FINE/ PENALTY**

**11. User fee for collection, transportation, disposal of solid waste:-**

- a) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by CBJ. The rates of user fee are specified in Schedule-I.

- b) The user fee so fixed shall be collected from waste generators by CBJ or the authorized agency or person as may be authorized by Chief Executive Officer in this behalf.
- c) CBJ shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing /collection/recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.
- d) CBJ shall adopt different methods for collection of user fee including online payment.
- e) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.
- f) There shall also be a system of yearly or half yearly payment. If the user fee is paid in advance for the entire year, then amount for ten months will be charged instead of twelve months. Similarly, for six months advance payment, five and half months demand amount will be charged instead of six months.
- g) The user fee mentioned in Schedule- I shall stand automatically increased by 5% per year with effect from 1<sup>st</sup> January of each successive year.
- h) The user fee shall be collected only by the institution /person authorized by the competent authority may recover the same from the defaulter as an arrear of tax under the provisions of the Cantonments Act, 2006.

## **12. Fine / Penalty for contravention of SWM Rules:-**

- a) Whosoever contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws.
- b) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be.
- c) The Chief Executive Officer shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II.

- d) The fine or penalty mentioned in Schedule –II shall stand automatically increased by 5% per year with effect from 1<sup>st</sup> January of each successive year.
- e) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the procedure for prosecution prescribed under provisions of the Environment (Protection) Act, 1986 shall follow.

## **CHAPTER IX**

### **RESPONSIBILITIES OF STAKEHOLDERS**

#### **13. Responsibilities of Waste Generators:**

- i. Prohibition of littering
  - a) Littering in any public place: No person shall litter in any public place except in authorized public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.
  - b) Littering on any property: No person shall litter on any open or vacant property except in authorized private or public receptacles.
  - c) Litter-throwing from vehicles: No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place.
  - d) Litter from goods vehicles: No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.
  - e) Litter by owned/pet animals: It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system.
  - f) Disposal of waste in drain etc.: No person shall litter in any drain/river/open pond/water bodies.

- ii. Burning of waste: Disposal by burning of any type of solid waste at public places or at any private or public property is prohibited.
- iii. “Clean Area”: Every person shall endeavour that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.
- iv. For Public Gatherings and Events organized in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police department and/or from the CBJ is required, it will be the responsibility of the organizer of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.
- v. Refundable Cleanliness Deposit, as may be notified by the CBJ, will be taken from the organizer, by the authorized officer for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organizers of the event wish to avail the services of the CBJ for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the concerned Department of the CBJ and pay the necessary charges as may be fixed by the Competent Authority for this purpose.
- vi. Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the CBJ in the following manner:
  - a) The CBJ may serve a notice on the owner/occupier of any premises, requiring such owner/occupier to clear any waste on such premises in a manner and within a time specified in such notice.
  - b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.

- c) If the person on whom the notice is served fails to comply with any requirements imposed by such notice, the CBJ may-
    - i. Enter on the premises and clear the waste; and
    - ii. Recover from the occupier the expenditure incurred in having done so.
- vii. **Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers:**
  - a) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market within the jurisdiction of CBJ shall provide necessary financial assistance to CBJ for establishment of waste management system. CBJ may also coordinate with the concerned departments of Central Govt. and/or the Govt. of Jammu for implementation of this provision.
  - b) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.
  - c) 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.
  - d) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.
- viii. All industrial units using fuel and located within one hundred km from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.

#### **14. Responsibilities of CBJ:**

- i. CBJ shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which CBJ may engage private parties on contract or Public Private



Partnership mechanism, apart from its own cleaning staff and vehicles. In addition, CBJ shall identify all the commercial areas for carrying out seeping twice a day.

- ii. CBJ or the authorized agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc.
- iii. CBJ for the purpose of managing solid waste activities in decentralized and regular manner shall designate one ward officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garage, landfill processing units etc.
- iv. The competent authority shall designate Sanitary Inspector, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.
- v. Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.
- vi. CBJ shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning.
- vii. CBJ shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of SWM Rules and these bye laws with special emphasis on user fee and fines/penalties.
- viii. CBJ shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households, RWAs and institutions etc. by giving certificates, by publishing their names on respective websites or rebate in property tax etc.
- ix. CBJ shall phase out the use of chemical fertilizers and use compost in all parks, gardens maintained by it and wherever possible in other places under its

jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.

- x. CBJ shall make efforts to streamline and formalize solid waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.
- xi. CBJ shall ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce.
- xii. CBJ shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection, transport and handling of waste by providing appropriate and adequate personal protective equipments.
- xiii. In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to CBJ immediately which shall review and issue instructions, if any, to the in-charge of the facility.
- xiv. Regular checks: The Chief Executive Officer, Sanitary Inspector or any other officer authorized by the Chief Executive Officer shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye laws.
- xv. CBJ shall develop a public grievance redressal system (PGRS) by setting up of call centre at its office. The PGRS may include SMS based service, mobile application or web based services.
- xvi. CBJ shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at office and field and shall make an endeavour to integrate such system with the salary/wages/remuneration.
- xvii. Transparency and Public Accessibility: To ensure greater transparency and public accessibility, CBJ shall provide all necessary information through its website.

- xviii. CBJ shall perform all other duties mentioned in SWM rules, which have not been specifically mentioned in these bye-laws.

## **CHAPTER X**

### **MISCELLANEOUS**

- 15.** If any doubt or difficulty arises in the interpretation or implementation of these bye-laws, the same shall be placed before the Chief Executive Officer, CBJ, whose decision in the matter shall be final.
- 16.** Co-ordination with Government Bodies: CBJ shall co-ordinate with other Government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies.
- 17.** The competent authority may issue general or special orders from time to time for proper implementation of Solid Waste Management Rules, 2016 and these bye-laws.

### **SCHEDULE-I**

#### **USER FEE FOR SOLID WASTE MANAGEMENT**

<b>1</b>	<b>2</b>	<b>3</b>
<b>S.No</b>	<b>Categories</b>	<b>User Fee from each premises/House/Dwelling Unit/Flat per month (in Rupees)</b>
<b>1.</b>	Residential dwelling unit	
<b>(i)</b>	up to 50 sq. m.	50
<b>(ii)</b>	over 50 sq. m. up to 200 sq. m.	100
<b>(iii)</b>	over 200 sq. m.	200
<b>2.</b>	Street Vendor	100
<b>3.</b>	Commercial establishments, shops, eating places (Dhaba/sweet shops/coffee house etc.)	500
<b>4.</b>	Guest House/Dharmshalas	2,000
<b>5.</b>	Hostel	2,000

<b>6.</b>	Restaurants up to the sitting of 50 persons	2,000
<b>7.</b>	Restaurants with sitting of more than 50 persons	3,000
<b>8.</b>	Hotel (Unstarred)	2,000
<b>9.</b>	Hotel (Up to 3 star)	3,000
<b>10.</b>	Hotel (Over 3 star)	5,000
<b>11.</b>	Commercial offices, Government offices, bank, insurance offices, coaching classes, educational institutes etc.	2,000
<b>12.</b>	Clinic, dispensary, laboratories (up to 50 beds) only non-bio medical waste	2,000
<b>13.</b>	Clinic, dispensary, laboratories (more than 50 beds) only non-bio medical waste	4,000
<b>14.</b>	Small and cottage industry, workshops (only non-hazardous waste)	3,000
<b>15.</b>	Godowns, cold storages (only non-hazardous waste)	5,000
<b>16.</b>	Marriage/Party Halls, festivals halls, Party Lawns, exhibition and fair's	5,000
<b>17.</b>	Clubs, Cinema Halls, Pubs, Multiplexes and other such places	4,000
<b>18.</b>	Any other non-commercial, commercial, religious or charitable institutions not covered in any other category	2,000
<b>19.</b>	Other places/activity not marked as above	As decided by the C.E.O

Late Payment Surcharge (LPSC) shall be charged at the rate of 10% of the user fee/charges if the user fee/charges are not paid within 30 days of raising the demand.

**SCHEDULE-II**  
**FINE/PENALTY**

<b>S.No</b>	<b>Rule/Bye Laws No.</b>	<b>Offences</b>	<b>Applicable to</b>	<b>Fine for every default (in Rupees)</b>
<b>1</b>	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the Rule	Residential	200
			Marriage/Party Halls, Festival Halls, Party Lawns	10,000
			Exhibition and fairs with area less than 5000 sqm	5,000
			Clubs, Cinema Halls, Pubs, community halls, Multiplexes and other such places with area less than 5000 sqm	5,000
			Other non-residential entities with area less than 5000 sqm	500
<b>2</b>	Rule 4 (1) (b) and (d) of SWM Rules	* Failure to deal with sanitary waste in accordance with the Rule. * Failure to deal with horticulture waste and garden waste in accordance with the Rule	Residential	200
			Non residential	500
<b>3</b>	Rule 4 (1) (c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the Rule	Residential	500
			Non Residential	1000
<b>4</b>	Rule 4 (2) of SWM Rules	Open burning of solid waste	Violator	5,000
<b>5</b>	Rule 4 (4) of SWM Rules	Organizing an event or gathering of more than one hundred	Person(s), who has/ve organized such event or gathering or, on whose	10,000

		person at any unlicensed place without following the prescribed procedure	behalf such event or gathering has been organized and the event manager(s), if any, who has/ve organized such event or gathering	
<b>6</b>	Rule 4 (5) of SWM Rules	Street Vendor failing to deal with waste with the Rule	Violator	200
<b>7</b>	Bye-Law 13 (1) read with rule 15 (g) of SWM Rules	Littering	Offender	500
Fine shall levied only once in a month for the following violations				
<b>8</b>	Rule 4 (6) of SWM Rules	Failure to deal with waste in accordance with the Rule	Resident Welfare Association	10,000
			Market Association	20,000
<b>9</b>	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community	10,000
			Institution	20,000
<b>10</b>	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel	50,000
			Restaurant	20,000
<b>11</b>	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufactures and/or Brand Owner	1,00,000
<b>12</b>	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufactures and/or Brand Owner and/or marketing companies	50,000
<b>13</b>	Rule 18 of SWM Rules	Failure to replace fuel requirement by refuse derived fuel	Industrial Unit	1,00,000