

Speed Post

F No. B-190001/NGRBA/CPCB/2012-13/

Date. 09.10.2015

TR838-12874

To,

Mayor/ Chairman,
Municipal Corporation
(As per the list enclosed)

DIRECTIONS UNDER SECTION 5 OF ENVIRONMENT (PROTECTION) ACT, 1986 FOR IMPLEMENTATION OF THE MUNICIPAL SOLID WASTES (MANAGEMENT AND HANDLING) RULES, 2000 –REG.

Whereas, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/ treated.

Whereas, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental aspects.

Whereas, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal Authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that,

- i. Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW Rules, 2000
- ii. The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water
- iii. Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site
- iv. Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available
- v. Most of the Municipalities do not have Action Plan for management of MSW

Whereas, thin uncollected plastic carry bags, thermocol and laminated plates and containers used for eating purpose in marriages, parties and other functions along with polystyrene cups and saucers as well as gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.

Whereas, the Religious and Tourists places are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.

Whereas, there are many drains joining River Ganga and its tributaries getting choked with garbage being dumped into them. The river fronts and ghats are also used for disposal of solid waste.

Whereas, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.

Whereas, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of ----- shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

Whereas, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of ----- city and its operators of a facilities shall make an application in **Form-I**, for grant of authorization for setting up waste processing and disposal facility including landfills from the State Board in order to comply with implementation of these Rules.

Whereas, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in **Form-II** as applicable;

- i. to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or
- ii. to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.

Whereas, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of the MSW Rules, 2000

Whereas, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors. [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under:

"It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures"

Whereas, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India & Ors. issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities..."

Whereas, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that,

".... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable,

taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible...."

Whereas, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel & Anr. Vs Union of India & Ors (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

- (i) *"The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes (Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"*
- (ii) *"As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or he firms authorized for handling recyclable plastic and allied waste or for making RDF...."*

AND NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, Municipal Corporation

1. Authorization and Annual Report:

- i. Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii. Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in Form II on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and steps will be taken to ensure segregation of wastes.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.....

- iii. Ensure proper door to door collection of garbage and its scientific disposal
- iv. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- v. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers.
- vi. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic
- vii. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- viii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- ix. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold/source level.
- x. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- xi. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xii. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xiii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules
- xiv. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xvi. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste, etc.

3. Waste Processing and Disposal:

The waste generated in the city shall be processed and disposed in accordance with Schedule II, III and IV of MSW Rules, which shall include:

- i. The collected waste shall not be dumped in landfills but, should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii. Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation
- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

AND NOW, THEREFORE, the Commissioner, Municipal Corporation of is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on Swach Bharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.


The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the Commissioner, Municipal Corporation of


(Arun Kumar Mehta)
Chairman

Copy to:

- i. Chief Secretary,
Government of Uttarakhand
4, Subhash Road
Secretariat, Dehradun
Uttarakhand-248001

- ii. PPS to Secretary,
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- iii. PPS to Secretary
Ministry of Water resource,
River Development & Ganga Rejuvenation
626, Shram Shakti Bhawan, Rafi Marg,
New Delhi 110001
- iv. PPS to Secretary
Ministry of Urban Development
Mulana Azad Road, Rajpath Area
Central Sectariat, New Delhi- 110001
- v. Mission Director,
National Mission for Clean Ganga,
(Ministry of Water Resources, River Development & Ganga Rejuvenation),
Rear Wing, 3rd Floor, MDDS Building
9, CGO Complex, Lodi Road, New Delhi-110003
- vi. Advisor (CP Divison),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- vii. Advisor (NRCD),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- viii. Incharge ZO (North),
Central Pollution Control Board,
Ground Floor, PICUP Bhawan, Vibhuti Khand,
Gomti Nagar, Lucknow, U.P.-226010
- ix. Incharge, ZO (East),
Central Pollution Control Board,
502, Southend Conclave,
1582, Rajdanga Main Road, Kolkata – 700107
- ✓ x. Incharge IT Division, CPCB, Delhi


(A.B. Akolkar)
Member Secretary 9.10.15

| List of Municipal Corporation, Uttarakhand | |
|---|---|
| S.No | Identified Towns |
| 1. | Mayor/ Chairman, Haridwar Nagar PalikaParishad, HaridwarDist, Uttarakhand, India-247663 |
| 2. | Mayor/ Chairman, Rishikesh Nagar PalikaParishad,DehradunDist, Uttarakhand, India-249201 |
| 3. | Mayor/ Chairman, Gopeshwar Nagar PalikaParishad,ChamoliDist, Uttarakhand, India-246401 |
| 4. | Mayor/ Chairman, Gopeshwar Nagar PalikaParishad,ChamoliDist, Uttarakhand, India-249192 |
| 5. | Mayor/ Chairman, Srinagar Nagar PalikaParishad, TehriGarhwalDist, Uttarakhand-246174. |
| 6. | Mayor/ Chairman, Joshimath Nagar PalikaParishad, ChamoliDist, Uttarakhand, India-246472. |
| 7. | Mayor/ Chairman, Uttarkashi Nagar PalikaParishad, Uttarkashi Dist, Uttarakhand, India-249171. |
| 8. | Mayor/ Chairman, Muni kiReti Nagar Palika, TehriGarhwalDist, Uttarakhand, India- 249 201 |
| 9. | Mayor/ Chairman, Gaucher Nagar Palika, ChamoliDist, Uttarakhand, India-246429. |
| 10. | Mayor/ Chairman, Karnaprayag Nagar Palika, ChamoliDist, Uttarakhand, India-246444 |
| 11. | Mayor/ Chairman, Rudraprayag Nagar PalikaParishad, RudraprayagDist, Uttarakhand, India-246475 |
| 12. | Mayor/ Chairman, Kirtinagar Nagar Palika, ChamoliDist, Uttarakhand, India-249161 |
| 13. | Mayor/ Chairman, Nandprayag Nagar Palika, ChamoliDist, Uttarakhand, India-246449 |
| 14. | Mayor/ Chairman, Badrinath Nagar Palika, ChamoliDist, Uttarakhand, India-246422 |
| 15. | Mayor/ Chairman, Devprayag Nagar Palika, TehriGarhwalDist, Uttarakhand, India-249301 |

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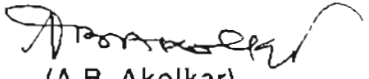
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(Arun Kumar Mehta)
Chairman

Copy to

- i. The Chief Secretary,
Government of Uttar Pradesh
Secretariat, Writers Building
Lucknow-226001

- ii. PPS to Secretary,
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- iii. PPS to Secretary
Ministry of Water resource,
River Development & Ganga Rejuvenation
626, Shram Shakti Bhawan, Rafi Marg
New Delhi 110001
- iv. PPS to Secretary
Ministry of Urban Development
Mulana Azad Road, Rajpath Area
Central Sectariat, New Delhi- 110001
- v. Mission Director,
National Mission for Clean Ganga,
(Ministry of Water Resources, River Development & Ganga Rejuvenation),
Rear Wing, 3rd Floor, MDDS Building
9, CGO Complex, Lodi Road, New Delhi-110003
- vi. Advisor (CP Divison),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- vii. Advisor (NRCD),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
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- viii. Incharge ZO (North),
Central Pollution Control Board,
Ground Floor, PICUP Bhawan, Vibhuti Khand,
Gomti Nagar, Lucknow, U.P.-226010
- ix. Incharge, ZO (East),
Central Pollution Control Board,
502, Southend Conclave,
1582, Rajdanga Main Road, Kolkata – 700107
- x. Incharge IT Division, CPCB, Delhi


(A.B. Akolkar)
Member Secretary 9.10.15

| List of Municipal Corporation, Uttar Pradesh | |
|--|---|
| S.No. | Identified Towns |
| 1 | Mayor/ Chairman, Allahabad Municipality Corporation, Allahabad Dist., Uttar Pradesh, India-211001 |
| 2 | Mayor/ Chairman, Farrukkabad Nagar Palika Parishad, Farrukkabad Dist., Uttar Pradesh, India-209601 |
| 3 | Mayor/ Chairman, Ghazipur Nagar Palika Parishad, Ghazipur Dist., Uttar Pradesh, India-233001 |
| 4 | Mayor/ Chairman, Kanpur Municipality Corporation, Kanpur Nagar Dist., Uttar Pradesh, India-208002 |
| 5 | Mayor/ Chairman, Mirzapur Nagar Palika Parishad, Mirzapur Dist., Uttar Pradesh, India-231001 |
| 6 | Mayor/ Chairman, Varanasi Municipality Corporation, Varanasi Dist., Uttar Pradesh, India-221002 |
| 7 | Mayor/ Chairman, Mughal Sarai Nagar Palika Parishad, Chandauli Dist., Uttar Pradesh, India-232101 |
| 8 | Mayor/ Chairman, Moradabad Municipality Corporation, Moradabad Dist., Uttar Pradesh, India-244001 |
| 9 | Mayor/ Chairman, Ballia Nagar Palika Parishad, Ballia Dist., Uttar Pradesh, India-277001 |
| 10 | Mayor/ Chairman, Unnao Nagar Palika Parishad, Unnao Dist., Uttar Pradesh, India-209863 |

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|----|---|
| 11 | Mayor/ Chairman, Fatehpur Nagar Palika Parishad, Fatehpur Dist., Uttar Pradesh, India-212601 |
| 12 | Mayor/ Chairman, Bijnor Nagar Palika Parishad, Bijnor Dist., Uttar Pradesh, India-246701 |
| 13 | Mayor/ Chairman, Kannauj Nagar Palika Parishad, Kannauj Dist., Uttar Pradesh, India-209731 |
| 14 | Mayor/ Chairman, Gangaghat Nagar Palika Parishad, Unnao Dist., Uttar Pradesh, India- 209861 |
| 15 | Mayor/ Chairman, Najibabad Nagar Palika Parishad, Bijnor Dist., Uttar Pradesh, India- 246701 |
| 16 | Mayor/ Chairman, Gajraula Nagar Palika, Jyotiba Phule Nagar Dist., Uttar Pradesh, India-244235 |
| 17 | Mayor/ Chairman, Nagina Nagar Palika Parishad, Bijnor Dist., Uttar Pradesh, India- 246725 |
| 18 | Mayor/ Chairman, Chandpur Nagar Palika Parishad, Bijnor Dist., Uttar Pradesh, India- 246725 |
| 19 | Mayor/ Chairman, Dhampur Nagar Palika Parishad, Bijnor Dist., Uttar Pradesh, India- 246761 |
| 20 | Mayor/ Chairman, Jahangirabad Nagar Palika Parishad, Bulandshar Dist., Uttar Pradesh, India- 202394 |
| 21 | Mayor/ Chairman, Bhadohi Nagar Palika Parishad, Sant Ravidas Nagar Dist., Uttar Pradesh, India- 221401 |

| | |
|----|---|
| 22 | Mayor/ Chairman, Anupshahar Nagar PalikaParishad, Bulandshahr Dist., Uttar Pradesh, India-203390 |
| 23 | Mayor/ Chairman, Chunar Nagar PalikaParishad, Mirzapur Dist., Uttar Pradesh, India- 231304 |
| 24 | Mayor/ Chairman, Saidpur Nagar Palika, Ghazipur Dist., Uttar Pradesh, India-233304 |
| 25 | Mayor/ Chairman, Garhmukhteshwar Nagar PalikaParishad, Ghaziabad Dist., Uttar Pradesh, India- 245205 |
| 26 | Mayor/ Chairman, Ramnagar Nagar PalikaParishad, Varanasi Dist., Uttar Pradesh, India- 205304 |
| 27 | Mayor/ Chairman, Narora Nagar Palika, Bulandshahar Dist., Uttar Pradesh, India- 202389 |
| 28 | Mayor/ Chairman, Soron Nagar PalikaParishad, Kanshiram Nagar Dist., Uttar Pradesh, India- 207403 |
| 29 | Mayor/ Chairman, Hastinapur Nagar Palika, Meerut Dist , Uttar Pradesh, India- 250404 |
| 30 | Mayor/ Chairman, Bithoor Nagar Palika, Kanpur Nagar Dist., Uttar Pradesh, India- 208001 |
| 31 | Mayor/ Chairman, Babrula Nagar Palika, Budaun Dist., Uttar Pradesh, India- 202421 |

Speed Post

F No. B-190001/NGRBA/CPCB/2012-13/

Date: 09.10.2015

To,

Mayor/ Chairman,
Municipal Corporation
(As per the list enclosed)

DIRECTIONS UNDER SECTION 5 OF ENVIRONMENT (PROTECTION) ACT, 1986 FOR IMPLEMENTATION OF THE MUNICIPAL SOLID WASTES (MANAGEMENT AND HANDLING) RULES, 2000 –REG.

Whereas, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (**MSW**) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/treated.

Whereas, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental aspects.

Whereas, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal Authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that;

- i. Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW Rules, 2000
- ii. The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water.
- iii. Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site.
- iv. Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available
- v. Most of the Municipalities do not have Action Plan for management of MSW.

Whereas, thin uncollected plastic carry bags, thermocol and laminated plates and containers used for eating purpose in marriages, parties and other functions along with polystyrene cups and saucers as well as gutka pouches, etc.. remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.

Whereas, the Religious and Tourists places are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.

Whereas, there are many drains joining River Ganga and its tributaries getting choked with garbage being dumped into them. The river fronts and ghats are also used for disposal of solid waste.

Whereas, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.

Whereas, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of ----- shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

Whereas, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of ----- city and its operators of a facilities shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the State Board in order to comply with implementation of these Rules.

Whereas, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in Form-II as applicable;

- i. to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or
- ii. to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.

Whereas, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of the MSW Rules, 2000

Whereas, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under;

"It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures"

Whereas, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India & Ors. issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities..."

Whereas, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that;

".... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable.

taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible...."

Whereas, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel & Anr. Vs Union of India & Ors. (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

- (i) *"The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes (Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"*
- (ii) *"As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or the firms authorized for handling recyclable plastic and allied waste or for making RDF...."*

AND NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, Municipal Corporation

1. Authorization and Annual Report:

- i. Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii. Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in **Form II** on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and steps will be taken to ensure segregation of wastes.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.....

- . Ensure proper door to door collection of garbage and its scientific disposal
- . Action Plan regarding waste collection, segregation, and storage shall be prepared as per MSW Rules and implemented
- . Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers
- . Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic
- . Prohibit use of open containers to prevent rummaging of the garbage by stray animals
- iii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- ix. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold/source level.
- . Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- xii. Organize Fish Market Associations, Meat Market Associations, Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xiii. Maintaining Daily records of MSW collection and its disposal with immediate effect
- xiv. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules
- xv. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xvi. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials
- xvii. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste etc.


3. **Waste Processing and Disposal:**

The waste generated in the city shall be processed and disposed in accordance with Schedule II, III and IV of MSW Rules, which shall include

- i) The collected waste shall not be dumped in landfills but should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii) Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation.
- iii) Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

AND NOW, THEREFORE, the Commissioner, Municipal Corporation of _____ is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules **to enable** National Programme on Swachh Bharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.

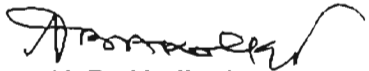
The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the Commissioner, Municipal Corporation of _____


(Arun Kumar Mehta)
Chairman

Copy to

- i) The Chief Secretary
Government of Bihar,
Old Secretariat
Patna-800015

- ii. PPS to Secretary,
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- iii. PPS to Secretary
Ministry of Water resource,
River Development & Ganga Rejuvenation
626, Shram Shakti Bhawan, Rafi Marg.
New Delhi 110001
- iv. PPS to Secretary
Ministry of Urban Development
Mulana Azad Road, Rajpath Area
Central Sectariat, New Delhi- 110001
- v. Mission Director,
National Mission for Clean Ganga,
(Ministry of Water Resources, River Development & Ganga Rejuvenation),
Rear Wing, 3rd Floor, MDDS Building
9, CGO Complex, Lodi Road, New Delhi-110003
- vi. Advisor (CP Divison),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- vii. Advisor (NRCD),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- viii. Incharge ZO (North),
Central Pollution Control Board,
Ground Floor, PICUP Bhawan, Vibhuti Khand,
Gomti Nagar, Lucknow, U.P.-226010
- ix. Incharge, ZO (East),
Central Pollution Control Board,
502, Southend Conclave,
1582, Rajdanga Main Road, Kolkata – 700107
- x. Incharge IT Division, CPCB, Delhi


(A.B. Akolkar)
Member Secretary 9.10.15

List of Municipal Corporation, Bihar

| S No. | Identified Towns |
|-------|---|
| 1 | Mayor/ Chairman, Arrah Municipality Corporation, Bhojpur Dist., Bihar India - 802301 |
| 2 | Mayor/ Chairman, Bhagalpur Municipality Corporation, Bhagalpur Dist., Bihar, India - 812001 |
| 3 | Mayor/ Chairman, Buxar Nagar Parishad, Buxar Dist., Bihar, India - 802101 |
| 4 | Mayor/ Chairman, ChapraNagar Parishad Saran Dist., Bihar, India - 841301 |
| 5 | Mayor/ Chairman, Hajipur Nagar Parishad, Patna Dist., Bihar, India-844101 |
| 6 | Mayor/ Chairman, Munger Municipality Corporation Munger Dist., Bihar, India-811201 |
| 7 | Mayor/ Chairman, Patana Municipality Corporation, Patna Dist., Bihar, India-800001 |
| 8 | Mayor/ Chairman, Danapur Nagar Parishad Patna Dist., Bihar, India-801111 |
| 9 | Mayor/ Chairman Begusarai Municipality Corporation, Begusarai Dist., Bihar, India-851101 |
| 10 | Mayor/ Chairman, KatiharMunicipality Corporation, Katihar Dist., Bihar, India-854105 |
| 11 | Mayor/ Chairman Jamalpur Nagar Parishad, Munger Dist. Bihar India-811214 |
| 12 | Mayor/ Chairman, BiharsharifMunicipality Corporation, Nalanda Dist., Bihar, India-803216 |
| 13 | Mayor/ Chairman Mokama Nagar Parishad Patna Dist., Bihar, India-803302 |
| 14 | Mayor/ Chairman, Fatuah Nagar Parishad, Patna Dist., Bihar, India- 803201 |
| 15 | Mayor/ Chairman Barh Nagar Parishad Patna Dist., Bihar, India-803213 |

| | |
|----|--|
| 16 | Mayor/ Chairman, Barauni Nagar Parishad, Patna Dist., Bihar, India-851112 |
| 17 | Mayor/ Chairman, Sultanganj Nagar Parishad, Patna Dist., Bihar, India-813213 |
| 18 | Mayor/ Chairman, Dumraon Nagar Parishad, Buxar Dist., Bihar, India- 802119 |
| 19 | Mayor/ Chairman, Bhabua Nagar Parishad, Kaimur (Bhabua) Dist., Bihar, India-821101 |
| 20 | Mayor/ Chairman, Lakhisarai Nagar Parishad, Lakhisarai Dist., Bihar, India- 811201 |
| 21 | Mayor/ Chairman, Phulwari Sharif Nagar Parishad, Patna Dist., Bihar, India- 801506 |
| 22 | Mayor/ Chairman, Barahiya Nagar Parishad, Lakhisarai Dist., Bihar, India- 811302 |
| 23 | Mayor/ Chairman, Kahelgaon Nagar Parishad, Bhagalpur Dist., Bihar, India-813203 |
| 24 | Mayor/ Chairman, Bakhtiyarpur Nagar Parishad, Patna Dist., Bihar, India-803212 |
| 25 | Mayor/ Chairman, Naugachhia Nagar Parishad, Bhagalpur Dist., Bihar, India-853204 |
| 26 | Mayor/ Chairman, Sonepur Nagar Parishad, Saran Dist., Bihar, India-841101 |

Speed Post

F. No. B-190001/NGRBA/CPCB/2012-13/

Date: 09.10.2015

To.

12875-12885
Mayor/ Chairman,
Municipal Corporation
(As per the list enclosed)

DIRECTIONS UNDER SECTION 5 OF ENVIRONMENT (PROTECTION) ACT, 1986 FOR IMPLEMENTATION OF THE MUNICIPAL SOLID WASTES (MANAGEMENT AND HANDLING) RULES, 2000 –REG.

Whereas, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/ treated

Whereas, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental aspects

Whereas, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal Authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that;

- i. Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW Rules, 2000.
- ii. The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water
- iii. Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site
- iv. Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available
- v. Most of the Municipalities do not have Action Plan for management of MSW

Whereas, thin uncollected plastic carry bags, thermocol and laminated plates and containers used for eating purpose in marriages, parties and other functions along with polystyrene cups and saucers as well as gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.

Whereas, the Religious and Tourists places are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.

Whereas, there are many drains joining River Ganga and its tributaries getting choked with garbage being dumped into them. The river fronts and ghats are also used for disposal of solid waste.

Whereas, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.

Whereas, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of ----- shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

Whereas, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of ----- city and its operators of a facilities shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the State Board in order to comply with implementation of these Rules.

Whereas, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in Form-II as applicable;

- i. to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or
- ii. to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc

Whereas, there have been public resistance, protests, complaints, grievances Court cases etc increasing against violations of the MSW Rules, 2000

Whereas, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors. [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under;

"It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures"

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Whereas, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr. Vs Union of India and Ors (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that:

"... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable.

taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible...."

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- (i) *"The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes (Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"*
- (ii) *"As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste, particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or the firms authorized for handling recyclable plastic and allied waste or for making RDF...."*

AND NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, Municipal Corporation

1. Authorization and Annual Report:

- i. Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii. Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in Form II on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established, operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and steps will be taken to ensure segregation of wastes.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.....

- ii. Ensure proper door to door collection of garbage and its scientific disposal.
- iv. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- v. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers.
- vi. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic.
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- Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
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- x. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- xi. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xii. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xiii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules.
- xiv. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xvi. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste etc.

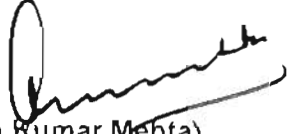
3. Waste Processing and Disposal:

The waste generated in the city shall be processed and disposed in accordance with Schedule II, III and IV of MSW Rules, which shall include;

- i The collected waste shall not be dumped in landfills but, should be utilized by adopting appropriate environmentally safe and sound waste processing technologies. The inert waste and process rejects if further found to be not usable, then to be landfilled. The ultimate aim should be to achieve zero-landfill i.e. minimize landfill operation.
- ii Undertake monitoring of ambient air quality, the ground water and surface water sources around dumping/landfill sites to assess any damages caused to the environment and implement action plan for its remediation.
- iii Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

AND NOW, THEREFORE, the Commissioner, Municipal Corporation of is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31st December, 2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on Swachh Bharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall be brought in public domain through appropriate means.

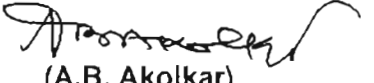
The commissioner according to these rules shall comply with the above directions. In case of failure to comply with the said directions, action under section 15 of the Environment (Protection) Act, 1986 shall be initiated against the Commissioner, Municipal Corporation of


(Arun Kumar Mehta)
Chairman

Copy to

- i. The Chief Secretary,
Government of Jharkhand,
1st Floor, Project Building
Dhurva, Ranchi-834004

- ii. PPS to Secretary,
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- iii. PPS to Secretary
Ministry of Water resource,
River Development & Ganga Rejuvenation
626, Shram Shakti Bhawan, Rafi Marg.
New Delhi 110001
- iv. PPS to Secretary
Ministry of Urban Development
Mulana Azad Road, Rajpath Area
Central Sectariat, New Delhi- 110001
- v. Mission Director,
National Mission for Clean Ganga,
(Ministry of Water Resources, River Development & Ganga Rejuvenation),
Rear Wing, 3rd Floor, MDDS Building
9, CGO Complex, Lodi Road, New Delhi-110003
- vi. Advisor (CP Divison),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- vii. Advisor (NRCD),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- viii. Incharge ZO (North),
Central Pollution Control Board,
Ground Floor, PICUP Bhawan, Vibhuti Khand,
Gomti Nagar, Lucknow, U.P.-226010
- ix. Incharge, ZO (East),
Central Pollution Control Board,
502, Southend Conclave,
1582, Rajdanga Main Road, Kolkata – 700107
- x. Incharge IT Division, CPCB, Delhi


(A.B. Akolkar)
Member Secretary 9.10.15

| List of Municipal Corporation, Jharkhand | |
|--|---|
| Sl. No. | Identified Towns |
| 1 | Mayor/ Chairman, Sahebganj Sharif Nagar Parishad, Sahebganj (Dist.), Jharkhand, India- 816109 |
| 2 | Mayor/ Chairman, Rajmahal Nagar Parishad, Sahebganj (Dist.), Jharkhand, India- 816108 |

Speed Post

F No B-190001/NGRBA/CPCB/2012-13/

Date: 09.10.2015

To,

Mayor/ Chairman,
Municipal Corporation
(As per the list enclosed)

DIRECTIONS UNDER SECTION 5 OF ENVIRONMENT (PROTECTION) ACT, 1986 FOR IMPLEMENTATION OF THE MUNICIPAL SOLID WASTES (MANAGEMENT AND HANDLING) RULES, 2000 -REG.

Whereas, based on the information received from State Pollution Control Boards/Committees, the estimated Municipal Solid Waste (MSW) generation in the country is 143499 MT/day and only 38771 MT/day of waste is processed/ treated.

Whereas, by-and-large, MSW is being disposed of unscientifically which has been one of the major causes for public nuisance due to foul odor, generation of leachate and other environmental aspects

Whereas, even after more than 14 years of notification of the Municipal Solid Wastes (Management and Handling) Rules 2000, the Municipal Authorities have failed to comply with provisions of the rules. The cities are littered with the MSW due to poor collection mechanism. Field survey of cities and the dumping sites carried out by CPCB and other organizations indicates that:

- i Most of the municipalities have not obtained authorization from SPCBs/ PCCs as required under the MSW Rules, 2000
- ii The municipalities are still following unscientific disposal of MSW and the leachate generated from the dumpsites are having high potential threat to contaminate groundwater as well as surface water.
- iii Foul odour prevails at the MSW disposal sites. The slow and continuous ignition / burning of garbage is causing air pollution at the dumping/landfill site
- iv Most of the existing landfills/sites have been exhausted and still in operation as land for new sanitary landfills for processing and disposal of MSW has neither been identified nor available.
- v Most of the Municipalities do not have Action Plan for management of MSW.



Whereas, thin uncollected plastic carry bags, thermocol and laminated plates and containers used for eating purpose in marriages, parties and other functions along with polystyrene cups and saucers as well as gutka pouches, etc., remains littered/scattered and their disposal poses difficulties. Such waste on burning release obnoxious emissions.

Whereas, the Religious and Tourists places are confronted with problems for management of municipal solid waste and plastic waste due to arrival of large number of visitors and the municipality has no adequate infrastructure to manage such waste and as a result it creates unhygienic condition.

Whereas, there are many drains joining River Ganga and its tributaries getting choked with garbage being dumped into them. The river fronts and ghats are also used for disposal of solid waste.

Whereas, as per the Ministry of Urban Development (MoUD) Report (2015), the cities and towns lack basic civic facilities and significant improvement is required to lift cleanliness status of the cities and towns. Further, MoUD vide letter dated 11th August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swatch Bharat Missions and ensuring compliance by the local bodies.

Whereas, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of ----- shall within the territorial area of Municipality is responsible for the implementation of the provisions of these Rules and for development of any infrastructure for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

Whereas, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of ----- city and its operators of a facilities shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the State Board in order to comply with implementation of these Rules.

Whereas, as per the rule 4 (4) of the MSW (M&H) Rules, 2000 the municipal authority is required to furnish its Annual Report in Form-II as applicable;

- i. to the Secretary-incharge of the Department of Urban Development of the concerned State or as the case may be of the Union Territory, in case of metropolitan city; or
- ii. to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities, with a copy to the State Board or the Committee on or before the 30th day of June every year.

either been incomplete or not updated with regard to the current status on MSW management including the quantity of MSW generation, collection, storage, transportation, treatment, disposal, etc.

Whereas, there have been public resistance, protests, complaints, grievances. Court cases etc increasing against violations of the MSW Rules,2000

Whereas, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors. [1996] INSC 352 (1 March 1996) regarding pollution in Delhi as under,

"It is no doubt correct that rapid industrial development, urbanization and regular flow of persons from rural areas to urban areas have made major contribution towards environmental degradation but at the same time the Authorities –entrusted with the work of pollution control –cannot be permitted to sit back with folded hands on the pretext that they have no financial or other means to control pollution and protect the environment. Apart from Article 21 of the Constitution of India, which guarantees 'Right of life', Article 48A and 51A(g) of the Constitution are as – 48A, protection and improvement of environment and safeguarding of forests and wildlife- the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country' and 51(g)- to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures"

Whereas, the Hon'ble Supreme Court of India in its Record of Proceeding in the matter of WP(C) No. 888/1996 Almitra H. Patel & Anr. Vs Union of India & Ors. issued order dated 04.10.2004 that;

"..It is necessary and appropriate to make a beginning that an action plan for management of MSW in respect of metro-cities and state capitals is prepared by Ministry of Urban Development in consultation with all concerned, including, Ministry of Environment and Forests and Central Pollution Control Board so that implementation, based on said plan, can be commence without further delay in the State Capitals and metro cities to be followed by other cities..."

Whereas, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Anr Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2nd September, 2014 observed that,

".... With the framing of the rules all that remains to be done is an effective enforcement of the said rules and possible upgradation of technology wherever necessary. Enforcement of the rules and efforts to upgrade the technology relevant to handling of municipal solid waste is a perennial challenge and would require constant efforts and monitoring with a view to making the municipal authorities concerned accountable,

taking note of dereliction, if any, issuing suitable directions consistent with the said rules such as upgradation of technology wherever possible "

Whereas, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel & Anr Vs Union of India & Ors (199 of 2014) issued the following directions vide Order dated 5th February, 2015;

- (i) *"The municipal solid waste so collected shall be transported by corporation separately and in different containers/vehicles duly covered as per the Municipal Solid Wastes (Management and Handling) Rules, 2000. There would be complete segregation of the waste at the site into wet and dry waste without fail. The wet waste shall be composted scientifically through approved techniques"*
- (ii) *"As far as the remaining MSW is concerned, it shall be further segregated into recyclable and un-recyclable waste particularly plastic and other wastes. In relation to former the Corporation shall frame a proper policy so that it can be collected from the site, transported in accordance with law and can be provided to the persons or the firms authorized for handling recyclable plastic and allied waste or for making RDF.. "*

AND NOW, THEREFORE, in view of the above observations and gaps in implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 and in exercise of powers vested under section 5 of Environment (protection) Act, 1986 to the Chairman Central Pollution Control Board (CPCB) the following directions are being issued to the Commissioner, Municipal Corporation

1. Authorization and Annual Report:

- i. Apply immediately for Authorization from to SPCBs/ PCCs, if not done. If authorization is granted, copy shall be forwarded to CPCB.
- ii. Ensure submission of Annual Reports on MSW Management to State Government or SPCB/PCC in Form II on or before 30th June every year. The Annual Report should reflect vital information on; (a) the quantity of MSW generation, collection, treatment and disposal (b) the number of treatment and disposal facilities, (c) the details of treatment and disposal facilities established operational, under plan, etc.

2. Segregation, Collection, storage and transportation of waste:

- i. Segregation of waste at source shall be the essential activity for management of MSW and steps will be taken to ensure segregation of wastes
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city ..

- iii. Ensure proper door to door collection of garbage and its scientific disposal
- iv. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented
- v. Prepare and implement action plan for establishment of secondary storage centers for segregation of waste collected from houses and other sources and transporting the segregated recyclable waste for processing to approved/registered recyclers
- vi. Provide properly designed storage containers community bins so to prohibit solid waste spillages on the ground. However, at locations where keeping multi-containers is difficult, municipality shall ensure lifting of filled containers/ bins regularly to avoid over-flowing of waste. Such storage facilities should be aesthetic and hygienic
- vii. Prohibit use of open containers to prevent rummaging of the garbage by stray animals
- viii. Ensure placement of adequate number of storage containers in high waste generation areas such as vegetable markets, fish/ meat markets, business centers, street markets/Haats and places where eateries are concentrated. As per requirement, the waste from these areas should be removed twice in a day or more to ensure hygienic conditions in such areas.
- ix. Seek public participation and viability of roping of NGOs and other voluntary groups for organizing Rag pickers/ waste-pickers in the campaign for primary collection and segregation of MSW. The emphasis should be given on segregation of waste at source i.e. at house hold source level.
- x. Create Awareness through interactive programmes for segregation of waste and collection. Waste collectors must be provided with facilities for personal protection and hygiene and organising regular health check-up and immunization.
- xi. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste
- xii. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xiii. Transportation of collected waste shall be properly executed so that it is not spilled during travel and not causing public nuisance. The waste transporting equipment and vehicles or other adopted means shall be in accordance with MSW Rules
- xiv. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules
- xv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials
- xvi. Make provisions for separate collection of slaughter house waste, domestic hazardous wastes, Horticultural waste, E- waste etc

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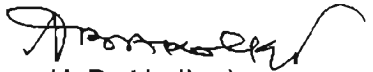
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(Arun Kumar Mehta)
Chairman

Copy to:

- i. The Chief Secretary,
Government of West Bengal
Secretariat, Writers Building
Kolkata-700001

- ii. PPS to Secretary,
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- iii. PPS to Secretary
Ministry of Water resource,
River Development & Ganga Rejuvenation
626, Shram Shakti Bhawan, Rafi Marg.
New Delhi 110001
- iv. PPS to Secretary
Ministry of Urban Development
Mulana Azad Road, Rajpath Area
Central Sectariat, New Delhi- 110001
- v. Mission Director,
National Mission for Clean Ganga,
(Ministry of Water Resources, River Development & Ganga Rejuvenation),
Rear Wing, 3rd Floor, MDDS Building
9, CGO Complex, Lodi Road, New Delhi-110003
- vi. Advisor (CP Division),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- vii. Advisor (NRCD),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road,
New Delhi-110003
- viii. Incharge ZO (North),
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- ix. Incharge, ZO (East),
Central Pollution Control Board,
502, Southend Conclave,
1582, Rajdanga Main Road, Kolkata – 700107
- x. Incharge IT Division, CPCB, Delhi


(A.B. Akolkar)
Member Secretary 9.10.15

| List of Municipal Corporation West Bengal | |
|---|--|
| S.No | Identified Towns |
| 1. | Mayor/ Chairman, Kolkata Municipality Corporation, Kolkata (Dist.), West Bengal- 700013 |
| 2. | Mayor/ Chairman, English Bazaar Municipality, Maldah (Dist.), West Bengal-732101 |
| 3. | Mayor/ Chairman, Bahrapur Municipality, Murshidabad (Dist.), West Bengal-742101. |
| 4. | Mayor/ Chairman, Santipur Municipality, Nadia (Dist.), West Bengal-741404. |
| 5. | Mayor/ Chairman, Haldia Municipality, Purba Medinipur (Dist.), West Bengal-721657. |
| 6. | Mayor/ Chairman, Raiganj Municipality, Uttar Dinajpur (Dist.), West Bengal-7733134. |
| 7. | Mayor/ Chairman, Krishnanagar Municipality, Nadia (Dist.), West Bengal -741101. |
| 8. | Mayor/ Charman, Nabadwip Municipality, Nadia (Dist.), West Bengal-741302. |
| 9. | Mayor/ Chairman, Barrackpore Municipality, North 24 Parganas (Dist.), West Bengal -700120. |
| 10. | Mayor/ Chairman, Uttarpara Kotrung Municipality, Hugli (Dist.), West Bengal -712258. |
| 11. | Mayor/ Chairman, Rishra Municipality, Hugli (Dist.) West Bengal -712248. |
| 12. | Mayor/ Charman, Baidyabati Municipality, Hugli (Dist.) West Bengal -712223. |
| 13. | Mayor/ Chairman, Champdani Municipality, Hugli (Dist.), West Bengal -712222. |
| 14. | Mayor/ Charman, Bhadreshwar Municipality, Hugli (Dist.), West Bengal -712136. |

| | |
|-----|---|
| 15. | Mayor/ Chairman, Kamarhati Municipality, North 24 Parganas (Dist.), West Bengal -700058. |
| 16. | Mayor/ Chairman, Baranagar Municipality, North 24 Parganas (Dist.), West Bengal -700129. |
| 17. | Mayor/ Chairman, Naihati Municipality, North 24 Parganas (Dist.), West Bengal -743165. |
| 18. | Mayor/ Chairman, Kanchrapara Municipality, North 24 Parganas (Dist.), West Bengal -743145. |
| 19. | Mayor/ Chairman, Serampore Municipality, Hugli (Dist.), West Bengal -712201. |
| 20. | Mayor/ Chairman, Hugli-Chinsurah Municipality, Hugli (Dist.), West Bengal -712101. |
| 21. | Mayor/ Chairman, Maheshtala Municipality, South 24 Parganas (Dist.), West Bengal -700141. |
| 22. | Mayor/ Chairman, Panihati Municipality, South 24 Parganas (Dist.), West Bengal -700114. |
| 23. | Mayor/ Chairman, Bally Municipality, Haora (Dist.), West Bengal -711201. |
| 24. | Mayor/ Chairman, Ulluberia Municipality, Haora (Dist.), West Bengal -711315. |
| 25. | Mayor/ Chairman, Khardah Municipality, South 24 Parganas (Dist.), West Bengal -700117. |
| 26. | Mayor/ Chairman, Howrah Municipality Corporation, Haora (Dist.), West Bengal -711101. |
| 27. | Mayor/ Chairman, Bansberia Municipality, Hugli (Dist.), West Bengal -712502. |
| 28. | Mayor/ Chairman, Chandannagar Municipality Corporation, Hugli (Dist.), West Bengal -712136. |
| 29. | Mayor/ Chairman, Titagarh Municipality, South 24 Parganas (Dist.), West Bengal -700119. |

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|-----|--|
| 30. | Mayor/ Chairman, Halishahar Municipality, South 24 Parganas (Dist.), West Bengal -743134. |
| 31. | Mayor/ Chairman, Kalyani Municipality, Nadia (Dist.), West Bengal -741235. |
| 32. | Mayor/ Chairman, Bhatpara Municipality, South 24 Parganas (Dist.), West Bengal -743123. |
| 33. | Mayor/ Chairman, Dhulian Municipality, Murshidabad (Dist.), West Bengal -742202. |
| 34. | Mayor/ Chairman, Jangipur Municipality, Murshidabad (Dist.), West Bengal -742213. |
| 35. | Mayor/ Chairman, Ranaghat Municipality, Nadia (Dist.), West Bengal -741201. |
| 36. | Mayor/ Chairman, Jiaganj-Azimganj Municipality, Murshidabad (Dist.), West Bengal -742149. |
| 37. | Mayor/ Chairman, Katwa Municipality, Bardhaman (Dist.), West Bengal -713130. |
| 38. | Mayor/ Chairman, Chakdah Municipality, Nadia (Dist.), West Bengal -741222. |
| 39. | Mayor/ Chairman, Konnagar Municipality, Hugli (Dist.), West Bengal -712235. |
| 40. | Mayor/ Chairman, Budge Budge Municipality, South 24 Parganas (Dist.), West Bengal -700141. |
| 41. | Mayor/ Chairman, Gayespur Municipality, Nadia (Dist.), West Bengal -7412345. |
| 42. | Mayor/ Chairman, Garulia Municipality, North 24 Parganas (Dist.), West Bengal -743133. |
| 43. | Mayor/ Chairman, Murshidabad Municipality, Murshidabad (Dist.), West Bengal -742101. |
| 44. | Mayor/ Chairman, Diamond Harbour Municipality, South 24 Parganas (Dist.), West Bengal -743331. |