



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Vadodara Mahanagar Seva Sadan  
Khanderao Market,  
Vadodara-390209

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Vadodara 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Vadodara 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 Gujarat State Board in order to comply with implementation of these Rules.

(10) **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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Vadodara;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Vadodara, 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 31<sup>st</sup> 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 SwachBharat. 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 Vadodara.

Copy to:

(1) Chief Secretary, Govt. of Gujarat

  
(Arun Kumar Mehta)  
Chairman







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MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Howrah Municipal Corporation  
HMC Central Office,  
4, M.G. Road, Howrah - 711101,

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
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- (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.
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- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Howrah 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Howrah 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 West Bengal State Board in order to comply with implementation of these Rules.

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(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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

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*“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*

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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"*
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**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 of Howrah;

**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.
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Copy to:

(i) Chief Secretary, Govt. of West Bengal

  
(Arun Kumar Mehta)  
Chairman







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MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Thane Municipal Corporation,  
Mahapalika Bhavan,  
Chandan Wadi Pachpakhadi,  
Thane 400602, Maharashtra

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

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- (3) **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;
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(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.

- (4) **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.
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- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Thane 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Thane 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 Maharashtra State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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.."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> February, 2015;

- 11/11/2019
- 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..."*

**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 of Thane;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Thane 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 31<sup>st</sup> 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 SwachBharat. 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 Thane.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arjun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Nashik Municipal Corporation  
Rajiv Gandhi Bhavan,  
Sharanpur Road, Nashik

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



- (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Nashik 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Nashik 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 Maharashtra State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."

**(14) 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.."*

**(15) 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 2<sup>nd</sup> 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..."*

**(16) 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 5<sup>th</sup> 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...."*

**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 of Nashik;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Nashik 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 31<sup>st</sup> 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 SwachBharat. 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 Nashik.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Kolkata Municipal Corporation  
5, S.N.Banerjee Road,  
Kolkata 700 013

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

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- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Kolkata 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Kolkata 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 West Bengal State Board in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

**(13) 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..”

- (14) 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;

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- (15) 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 2<sup>nd</sup> 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....”*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Kolkata:

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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, II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Kolkata 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 31<sup>st</sup> 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 SwachBharat. 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 Kolkata.

Copy to:

(i) Chief Secretary, Govt. of West Bengal

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Ghaziabad Municipal Corporation  
District Centre  
Ghaziabad-201001

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Ghaziabad 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Ghaziabad 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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.."*

- (15) **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 2<sup>nd</sup> September, 2014 observed that;

*".... With the framing of the rules all that remains to be done is on 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...."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Ghaziabad;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xI. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Ghaziabad 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 31<sup>st</sup> 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 SwachBharat. 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 Ghaziabad.

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehra)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Jabalpur Municipal Corporation,  
Near Teen Patti Chowk,  
Jabalpur (Madhya Pradesh)

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Jabalpur 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Jabalpur 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 Madhya Pradesh State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Jabalpur;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Jabalpur 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 31<sup>st</sup> 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 SwachBharat. 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 Jabalpur.

Copy to:

(i) Chief Secretary, Govt. of Madhya Pradesh

  
(Arun Kumar Mehta)  
Chairman

JK



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Greater Visakhapatnam Municipal Corporation  
TennetiBhavan, Ram Nagar,  
Visakhapatnam, Andhra Pradesh

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) 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 38771MT/day of waste is processed/treated.
- (2) 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 issues.
- (3) 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.
  - (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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Greater Hyderabad 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Greater Hyderabad 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 Visakhapatnam, Andhra Pradesh State Board in order to comply with implementation of these Rules.

**[10] 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-in-charge 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 30<sup>th</sup> day of June every year.

**[11] WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**[12] WHEREAS,** there have been public resistance, protests, complaints, grievances. Court cases etc. Increasing against violations of MSW Rules.

**[13] 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.."*

- (14) **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.."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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..."*

**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 Greater Visakhapatnam;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Greater Visakhapatnam 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 31<sup>st</sup> 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 SwachBharat. 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 Greater Visakhapatnam,

Copy to:

(i) Chief Secretary, Govt. of Andhra Pradesh

  
(Arun Kumar Mehta)  
Chairman

gk





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Vijaywada Municipal Corporation  
Canal Road, Jawaharlal Nehru Building  
Vijayawada: 520001 (Andhra Pradesh)

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of vijayawada 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Vijayawada 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 Andhra Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Vijayawada;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of vijayawada, 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 31<sup>st</sup> 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 SwachBharat. 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 vijaywada.

Copy to:

(i) Chief Secretary, Govt. of Andhra Pradesh

  
(Arun Kumar Mehta)  
Chairman

*stc*



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Municipal Corporation of Greater Mumbai (MCGM)  
Chhatrapati Shivaji Terminus,  
Mumbai, Maharashtra 400001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Greater Mumbai 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Greater Mumbai 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 Maharashtra State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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.."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Greater Mumbai;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Greater Mumbai 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 31<sup>st</sup> 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 SwachBharat. 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 Greater Mumbai.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Pune Municipal Corporation,  
PMC Building, Near Mangla Theatre,  
Shivajinagar, Pune-411 005

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Pune 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Pune 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 Maharashtra State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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..."*

**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 of Pune;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.


**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Pune 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 31<sup>st</sup> 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 SwachBharat. 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 Pune.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arun Kumar Mehta)  
Chairman

*file*





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Vasai Virar Municipal Corporation  
Opposite SavitribhaiPhule Market,  
Near Virar East Police  
Virar East, Thane - 401305

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Vasai Virar 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Vasai Virar 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 Maharashtra State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Vasal Virar;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



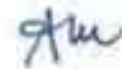
Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. 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 Vasai Virar.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Nagpur Municipal Corporation,  
MahanagarPalikaMarg,Civil Lines,  
Nagpur,Maharashtra: 440 001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Nagpur 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Nagpur and its operators of a facilities shall make an application in Form-1, for grant of authorization for setting up waste processing and disposal facility including landfills from the Maharashtra State Board in order to comply with implementation of these Rules.



**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

**(13) 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..."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Nagpur;

**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 30<sup>th</sup> 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 and house to house collection of waste...



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Nagpur, 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 31<sup>st</sup> 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 SwachBharat. 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 Nagpur.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
[Arun Kumar Mahite]  
Chairman

*Am*





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Gandhinagar MahanagarSevaSadan First Floor,  
M. S. Building, Nr. Family Court,  
Sector-11,  
Gandhinagar-382011

**Sub:** Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Gandhinagar 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Gandhinagar 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 Gujarat State Board in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Gandhinagar;

**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 30<sup>th</sup> 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 and house to house collection of waste...
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and Implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.


**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Gandhinagar 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 31<sup>st</sup> 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 SwachBharat. 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 Gandhinagar.

Copy to:

(i) Chief Secretary, Govt. of Gujarat

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
New Delhi Municipal Council  
Palika Kendra, Parliament Street,  
New Delhi-110001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

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Parivesh Bhawan, East Arjun Nagar, Delhi-110032  
दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



- (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of New Delhi Municipal Council 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of New Delhi 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 DPCC in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

**(13) 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..\**

- (14) **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..\**

- (15) **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 2<sup>nd</sup> 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....\**

- (16) **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 5<sup>th</sup> 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..."*

**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, New Delhi 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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of New Delhi 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 31<sup>st</sup> 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 SwachBharat. 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 New Delhi.

Copy to:

(i) Chief Secretary, Govt. of New Delhi

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
North Delhi Municipal Council  
Dr. S.P.M. Civic Centre,  
Minto Road, New Delhi - 110 002

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

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दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of South Delhi Municipal Corporation 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority South Delhi 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 DPCC in order to comply with implementation of these Rules.



(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **WHEREAS**, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors [1995] 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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..."*

**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, North Delhi 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 30<sup>th</sup> 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 and house to house collection of waste.



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
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- vii. 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.
- viii. 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.
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**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Commissioner, 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 31<sup>st</sup> 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 SwachBharat. 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, North Delhi Municipal Corporation,

Copy to:

(i) Chief Secretary, Govt. of Delhi.

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
South Delhi Municipal Corporation  
Dr. S.P.M. Civic Centre,  
Minto Road, New Delhi - 100 002

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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;
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Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

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- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of South Delhi Municipal Corporation 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority South Delhi 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 DPCC in order to comply with implementation of these Rules.



**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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.."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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..."*

**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 South Delhi;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.


**NOW, THEREFORE**, the Commissioner, Municipal Corporation of South Delhi, 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 31<sup>st</sup> 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

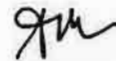
forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate **detailed action** plan and implement it in a time-bound manner. 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 South Delhi.

Copy to:

(i) Chief Secretary, Govt. of Delhi

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Indore Municipal Corporation,  
Jail Road, Nagar Nigam,  
Netaji Subash Marg, Nagar Nigam, Indore,  
Madhya Pradesh 452007

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Indore 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Indore 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 Madhya Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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..."*

**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 of Indor;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xI. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Indor 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 31<sup>st</sup> 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 SwachBharat. 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 Indor.

Copy to:

(i) Chief Secretary, Govt. of Madhya Pradesh

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Ranchi Municipal Corporation,  
Kutchary Ranchi- 834001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.~~

परिवेश भवन, पूर्वा अजुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

(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.

- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Ranchi 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Ranchi 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 Jharkhand State Board in order to comply with implementation of these Rules.



- (10) **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-in-charge 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 30<sup>th</sup> day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **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.."*

- (14) 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.."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Ranchi;

**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 30<sup>th</sup> 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 and house to house collection of waste.



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Ranchi, 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 31<sup>st</sup> 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 SwachBharat. 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 Ranchi.

Copy to:

(1) Chief Secretary, Govt. of Jharkhand

  
(Arun Kumar Mehta)  
Chairman

stst





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Dhanbad Municipal Corporation  
Bank More, Dhanbad  
Jharkhand

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Dhanbad 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Dhanbad 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 Jharkhand State Board in order to comply with implementation of these Rules.

- (10) **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 30<sup>th</sup> day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **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.."*

**(14) 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..."*

**(15) 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 2<sup>nd</sup> 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...."*

**(16) 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 5<sup>th</sup> 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..."\**

**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 of Dhanbad;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Dhanbad, 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 31<sup>st</sup> 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

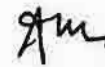
forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such 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 Dhanbad.

Copy to:

(i) Chief Secretary, Govt. of Jharkhand

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Srinagar Municipal Corporation  
Head Office, Karan Nagar,  
Srinagar (J&K)

Sub: **Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Srinagar 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Srinagar 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 J&K State Board in order to comply with implementation of these Rules.

- (10) 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-in-charge 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 30<sup>th</sup> day of June every year.
- (11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) 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.."*

- (14) **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;

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- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Srinagar;

**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 30<sup>th</sup> 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.

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- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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, II 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Commissioner, 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 31<sup>st</sup> 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 SwachBharat. 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 Srinagar.

Copy to:

(i) Chief Secretary, Govt. of Jammu & Kashmir

  
(Arun Kumar Mehta)  
Chairman

*AM*



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Dehradun Municipal Corporation  
Near Doon Hospital, New road,  
Dehradun, Uttarakhand-248001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Dehradun 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Dehradun 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 Uttarakhand State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Dehradun;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Dehradun 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 31<sup>st</sup> 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 SwachBharat. 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 Dehradun.

Copy to:

(i) Chief Secretary, Govt. of Uttarakhand

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,  
Chief Executive Officer,  
Panjim Municipal Council,  
Panjim, Goa

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) 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.
- (2) 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 issues.
- (3) 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.
  - (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.~~

परिवेश भवन, पूवा अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032  
दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Panjim 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Panjim 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 Goa State Board in order to comply with implementation of these Rules.



**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- [14] **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..."*

- [15] **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 2<sup>nd</sup> 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...."*

- [16] **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 5<sup>th</sup> 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..."*

**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 of Panjim;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Panjim 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 31<sup>st</sup> 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

to CPCB before 31<sup>st</sup> 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 SwachBharat. 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 BruhatBangaloreMahanageraPalike.

Copy to:

(i) Chief Secretary, Govt. of Karnataka

  
(Anil Kumar Mahta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Municipal Corporation of Thiruvananthapuram,  
VikasBhavan, Thiruvananthapuram  
Kerala-695 033

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in



- (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Thiruvananthapuram 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Thiruvananthapuram 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 Kerala State Board in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Thiruvananthapuram;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Thiruvananthapuram 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 31<sup>st</sup> 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 SwachBharat. 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 Thiruvananthapuram.

Copy to:

(i) Chief Secretary, Govt. of Kerala

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Guwahati Municipal Corporation  
Pan Bazar, Guwahati,  
Assam,

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) 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 38771MT/day of waste is processed/treated.
- (2) 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 issues.
- (3) 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.
  - (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.

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- (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.
- (4) Whereas, thin uncollected plastic carry bags, Thermocool 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Guwahati 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Guwahati 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 Assam State Board in order to comply with implementation of these Rules.

- (10) **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 30<sup>th</sup> day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has **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.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.
- (13) **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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*"..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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Guwahati;

**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 30<sup>th</sup> 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:

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- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
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- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
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- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
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### 3. Waste Processing and Disposal:

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

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- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Guwahati 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 31<sup>st</sup> 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 SwachBharat. 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 Guwahati.

Copy to:

(i) Chief Secretary, Govt. of Assam,

  
(Arun Kumar Mehta)  
Chairman

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Imphal Municipal Corporation  
Imphal - 795 001  
Manipur

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
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- (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.
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- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Imphal 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Imphal 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 Manipur State Board in order to comply with implementation of these Rules.



**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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..."*

**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 of Imphal;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Imphal 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 31<sup>st</sup> 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 SwachBharat. 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 Imphal.

Copy to:

(i) Chief Secretary, Govt. of Manipur

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Greater Hyderabad Municipal Corporation  
CC Complex Tank Bund Road, Lower Tank Bund  
Hyderabad: 500029

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



- (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.
- (4) **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,
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Greater Hyderabad 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Greater Hyderabad 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 Telangana State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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..."*

**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 of Greater Hyderabad

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city,
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- x. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Greater Hyderabad 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 31<sup>st</sup> 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 SwachBharat. 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 Greater Hyderabad.

Copy to:

(i) Chief Secretary, Govt. of Telangana

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Varanasi Nagar Nigam  
Sagra Varanasi  
Uttar Pradesh

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Varanasi Nagar Nigam 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Varanasi Nagar Nigam 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **WHEREAS**, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India &Ors [1996] INSC 353 (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.."

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> February, 2015;

- 1
- 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..."*

**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 Varanasi Nagar Nigam.:

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Varanasi Nagar Nigam 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 31<sup>st</sup> 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 SwachBharat. 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, Varanasi Nagar Nigam.

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Rajkot Municipal Corporation,  
Dhebarbhai Road,  
Rajkot (Gujarat)

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) 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 38771MT/day of waste is processed/treated.
- (2) 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 issues.
- (3) 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.
  - (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Rajkot Municipal Corporation 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Rajkot (Gujarat) 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 Gujarat State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

(13) **WHEREAS**, the Hon'ble Supreme Court had cited in the matter of Dr. B. L. Wadhwa Vs Union of India & Ors [1996] 1NSC 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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Rajkot;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Rajkot 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 31<sup>st</sup> 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 SwachBharat. 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 Rajkot.

Copy to:

(i) Chief Secretary, Govt. of Gujarat.

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावाण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Executive Officer,  
Aizwal Municipal Council  
Aizwal, Mizoram

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 --reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.

(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.~~

परिवेश भवन, पूवा अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



(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.

- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Aizwal 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Aizwal 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 Mizoram State Board in order to comply with implementation of these Rules.

(10) **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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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..."*

**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 CEO, Municipal Council of Alzwal;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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 I,II 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.

**NOW, THEREFORE,** the CEO, Municipal Council of Alwar 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 31<sup>st</sup> 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 SwachBharat. 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 CEO, Municipal Council of Aizwal.

Copy to:

(i) Chief Secretary, Govt. of Mizoram

  
(Arun Kumar Mehta)  
Chairman

9/16



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Shimla Nagar Nigam  
Mall Rd, Shimla,  
Himachal Pradesh 171001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parvesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Shimla Nagar Nigam 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Shimla Nagar Nigam 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 Himachal Pradesh State Board in order to comply with implementation of these Rules.



(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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, Shimla Nagar Nigam;

**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 30<sup>th</sup> 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 and house to house collection of waste.**



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Shimla Nagar Nigamis 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 31<sup>st</sup> 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 SwachBharat. 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, Shimla Nagar Nigam.

Copy to:

(i) Chief Secretary, Govt. of Himachal Pradesh

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
घरघोडापा, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Ghaziabad Municipal Corporation  
District Centre  
Ghaziabad-201001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for Implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

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दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Ghaziabad 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Ghaziabad 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."

- (14) **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.."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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..."*

**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 of Ghaziabad;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and Implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- x. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xi. 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.
- xii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiii. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xiv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Ghaziabad 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 31<sup>st</sup> 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 SwachBharat. 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 Ghaziabad.

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehta)  
Chairman

*JK*



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

The Authority,  
Lakshadweep Municipal Administration (UT),  
Kavaratti, Lakshadweep.

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.

(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.

परिवेश भवन पूवा अजुन नगर, दिल्ली-110032

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दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in



(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of Lakshadweep Municipal Administration (UT) 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the Authority of Lakshadweep Municipal Administration (UT) 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 Lakshadweep PCC in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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.."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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...."*

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 Authority of Lakshadweep Municipal Administration (UT);

**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 30<sup>th</sup> 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** and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Authority of Lakshadweep Administration (UT) 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 31<sup>st</sup> 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 SwachBharat. 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 Authority of Lakshadweep Municipal Administration (UT).

Copy to:

(I) Chief Secretary, Govt. of Lakshadweep UT

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
BruhatBangaloreMahanagaraPalike,  
N. R. Square, Bengaluru : 560 002  
Karnataka

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Bruhat Bangalore Mahanagara Palike, 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Bruhat Bangalore Mahanagara Palike 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 Karnataka State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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..”

- (14) 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...”*

- (15) 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 2<sup>nd</sup> 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...”*

- (16) 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 5<sup>th</sup> 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..."*

**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 of BruhatBangaloreMahanagaraPalike;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- x. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of BruhatBangaloreMahanagaraPalike 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

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 SwachBharat. 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 Panjim.

Copy to:

(i) Chief Secretary, Govt. of Goa

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Surat Municipal Corporation  
Muglisara, Main Road, Surat - 395003

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 -reg.

- (1) 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.
- (2) 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 issues.
- (3) 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.

(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.

परिवेश भवन, पूवा अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, It is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Surat 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Surat 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 Gujrat State Board in order to comply with implementation of these Rules.



(10) **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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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..."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> February, 2015;

*1) "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...."*

**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 of Surat;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Surat, 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 31<sup>st</sup> 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 SwachBharat. 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 Surat.

Copy to:

(i) Chief Secretary, Govt. of Gujarat

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Executive Officer,  
Office of Cantonment Board  
Sadar Bazar, Delhi Cantt-10

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

परिवेश भवन, पूर्वी अरजुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



- (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, It is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Cantonment Board 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Cantt. Board and its operators of a facilities shall make an application in Form-4, for grant of authorization for setting up waste processing and disposal facility including landfills from the DPCC in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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 & Arr. 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.."*

- (15) **WHEREAS**, Hon'ble Supreme Court while transferring the matter of Almitra H. Patel and Arr. Vs Union of India and Ors. (888 of 1996) to Hon'ble NGT on 2<sup>nd</sup> 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...."*

- (16) **WHEREAS**, the Hon'ble National Green Tribunal in the matter of Almitra H. Patel &Arr. Vs Union of India &Ors. (199 of 2014) issued the following directions vide Order dated 5<sup>th</sup> 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..."*

**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 CEO, Deihi Cantt. Board;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Chief Executive Officer, 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 31<sup>st</sup> 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 SwachBharat. 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 CEO, Delhi Cantonment Board.

Copy to:

(i) Chief Secretary, Govt. of

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

The Municipal Administrator,  
Puduchery Municipal Council,  
Near Police Station, Cuddalore Rd,  
Mudaliarpet, Puducherry, 605004

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

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दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of Puduchery Municipal Council 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the Authority of Puduchery Municipal Council 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 Puducherry PCC in order to comply with implementation of these Rules.

(10) **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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 Authority of Puduchery Municipal Council;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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,II 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.

**NOW, THEREFORE**, the Authority ofPuduchery Municipal Councilis 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 31<sup>st</sup> 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 SwachBharat. 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 Authority of Puduchery Municipal Council.

Copy to:

(i) Chief Secretary, Govt. of Puducherry UT

  
(Arun Kumar Mehta)  
Chairman

*AKM*





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Executive Officer,  
Kohima Municipal Council  
Kohima, Nagaland

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.

(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.

पारिवेश भवन, पूवा अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in

(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of Kohima Municipal Council 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the Authority of Kohima Municipal Council 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 Nagaland State Board in order to comply with implementation of these Rules.



(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. Increasing against violations of MSW Rules.

(13) **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*





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Kota Municipal Corporation  
Rajeev Gandhi Bhawan  
Opp. DussheraGround, C.A.D Circle, Kota, Rajasthan.

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

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.."

(14) **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.."*

(15) **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 2<sup>nd</sup> 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...."*

(16) **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 5<sup>th</sup> 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..."*

**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 Authority of Kohima Municipal Council;

**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 30<sup>th</sup> 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 and house to house collection of waste.



- (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Kota 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Kota 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 Rajasthan State Board in order to comply with implementation of these Rules.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Authority of Kohima Municipal Council 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 31<sup>st</sup> 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 SwachBharat. 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 Authority of Kohima Municipal Council.

Copy to:

(i) Chief Secretary, Govt. of Nagaland

  
(Arun Kumar Mehta)  
Chairman



(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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;

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*".... 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..."*

**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 of Kota;

**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.
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- iv. 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.
- v. 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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- vii. 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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- iii. Formulate action plan and implement for remediation, capping and rehabilitation of old /abandoned/filled dumpsites.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Kota 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 31<sup>st</sup> 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 SwachBharat. 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 Kota.

Copy to:

(i) Chief Secretary, Govt. of Rajasthan.

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Bhopal Municipal Corporation,  
Harshwardhan complex, Mata Mandir,  
Bhopal

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) 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.
- (2) 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 issues.
- (3) 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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Bhopal 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Bhopal 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 Madhya Pradesh State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS,** it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS,** there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."

- (14) 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.."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Bhopal;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xí. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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, II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Bhopal 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 31<sup>st</sup> 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 SwachBharat. 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 Bhopal.

Copy to:

(i) Chief Secretary, Govt. of Madhya Pradesh

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Bhubaneswar Municipal Corporation,  
Vivekananda Marg, Bhubaneswar - 751014

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.~~

पारिवेश भवन पूवा अर्जुन नगर, दिल्ली-110032

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दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Bhubaneswar 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Bhubaneswar 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 Odisha State Board in order to comply with implementation of these Rules.



- (10) **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 30<sup>th</sup> day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **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..."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Bhubaneswar:

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Bhubaneswar 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 31<sup>st</sup> 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 SwachBharat. 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 Bhubaneswar.

Copy to:

(i) Chief Secretary, Govt. of Odisha

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Executive Officer,  
Itanagar Municipal Council,  
Naharalgun,  
Arunachal Pradesh

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Itanagar 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Itanagar 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 Arunachal Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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..”*

- (14) **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...”*

- (15) **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 2<sup>nd</sup> 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....”*

- (16) **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 5<sup>th</sup> 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...."*

**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 Authority, Municipal Council of Itanagar;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Authority, Municipal Council of Itanagaris 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 31<sup>st</sup> 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 SwachBharat. 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 Authority, Municipal Council of Itanagar.

Copy to:

(1) Chief Secretary, Govt. of Arunachal Pradesh

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Municipal Corporation Faridabad  
Haryana

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.

(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.

परिवेश भवन पूवा अजुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Faridabad 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Faridabad 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 Haryana State Board in order to comply with implementation of these Rules.



- (10) **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 30<sup>th</sup> day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **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..."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> February, 2015;

*1) "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...."*

**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 of Faridabad;

**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 30<sup>th</sup> 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 and house to house collection of waste.



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

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- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

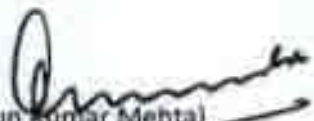
**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Faridabad, is directed to acknowledge the receipt of these directions within two weeks and submit a time bound action plan for compliance of the above directions to CPCB before 31<sup>st</sup> December, 2015. The Municipal Commissioner shall 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 SwachBharat. 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 Faridabad.

Copy to:

(1) Chief Secretary, Govt. of Haryana

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Agra Municipal Corporation  
Agra Nagar Nigam,  
Near Sur Sadan,  
Agra-82002, Uttar Pradesh

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

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दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas,** the Religious places and Tourists Centres 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.
- (6) **Whereas,** it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS,** as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Agra 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.
- (9) **WHEREAS,** as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Agra 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

(10) **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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

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*"..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..."*

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*"... 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Agra:

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Agra 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 31<sup>st</sup> 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 SwachBharat. 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 Agra.

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Ahmedabad Municipal Corporation  
Mahanagar Seva Sadan  
Sardar Patel Bhavan  
Danapith, Ahmedabad - 380001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parvesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, It is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Ahmedabad Municipal Corporation 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Sardar Patel Bhavan Danapith, Ahmedabad - 380001 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 Gujarat State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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.."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Ahmedabad;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Ahmedabad 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 31<sup>st</sup> 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 Ahmedabad.

Copy to:

(i) Chief Secretary, Govt. of Gujarat.

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Meerut Nagar Nigam,  
Dharmashala, Meerut,  
Uttar Pradesh 250002,

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

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दूरभाष/Tel : 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Meerut Nagar Nigam 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Meerut Nagar Nigam 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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 51A(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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*"..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.."*

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*"... 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..."*

**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 Authority, Meerut Nagar Nigam;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and Implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**the Authority, Meerut Nagar Nigam 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 31<sup>st</sup> 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 SwachBharat. 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 13 of the Environment (Protection) Act, 1986 shall be initiated against the Authority, Meerut Nagar Nigam .

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Gwalior Nagar Nigam Mukhyalay,  
Commissioner Office, City Center,  
Gwalior (MP)

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Gwalior Nagar Nigam Mukhyalay, 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Gwalior Nagar Nigam Mukhyalay 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 Madhya Pradesh State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Gwalior Nagar Nigam Mukhyalay;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Gwalior Nagar Nigam Mukhyalay 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

31<sup>st</sup>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 SwachBharat. 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 Gwalior Nagar Nigam Mukhyalay

Copy to:

(i) Chief Secretary, Govt. of Madhya Pradesh.

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Kanpur Nagar Nigam  
Motijheel, Kanpur 208 001  
Uttar Pradesh

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Kanpur Nagar Nigam 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Kanpur Nagar Nigam 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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..."*

- (16) **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 5<sup>th</sup> 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..."*

**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 of Kanpur Nagar Nigam;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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,II 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.

**NOW, THEREFORE**, the Commissioner of Kanpur Nagar Nigamis 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 31<sup>st</sup> 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 SwachBharat. 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 of Kanpur Nagar Nigam.

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehta)  
Chairman

gmu



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Allahabad Nagar Nigam  
Civil Lines, Allahabad,  
Uttar Pradesh 211001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) 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.
- (5) Whereas, the Religious places and Tourists Centres 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.
- (6) Whereas, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) 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 11<sup>th</sup> 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.
- (8) WHEREAS, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Allahabad Nagar Nigam 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.
- (9) WHEREAS, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Allahabad Nagar Nigam 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances, Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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.."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Allahabad Nagar Nigam;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Allahabad Nagar Nigamis 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 31<sup>st</sup> December,

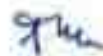
2015. The Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. 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 Allahabad Nagar Nigam.

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Corporation Of Chennai,  
Ripon Building, EVR Salai,  
Chennai - 600003

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, It is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Chennai 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Chennai 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 Tamil Nadu State Board in order to comply with implementation of these Rules.

(10) **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-in-charge 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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Chennai;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Chennai 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 31<sup>st</sup> 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 SwachBharat. 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 Chennai.

Copy to:

(i) Chief Secretary, Govt. of Tamil Nadu

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Coimbatore Municipal Corporation  
Corporation of Coimbatore,  
Coimbatore - 641 001

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for Implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Coimbatore 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Coimbatore 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 Tamil Nadu State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Coimbatore;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Coimbatore 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 31<sup>st</sup> 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 SwachBharat. 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 Coimbatore.

Copy to:

(1) Chief Secretary, Govt. of Tamil Nadu

  
(Arun Kumar Menta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Madurai Municipal Corporation  
Thallakulam, Madurai,  
Tamilnadu - 625002

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Madurai 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Madurai 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 Tamilnadu State Board in order to comply with implementation of these Rules.

(10) **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 30<sup>th</sup> day of June every year.

(11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

(12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

(13) **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.."*

- (14) 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.."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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..."*

**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 of Madurai;

**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 30<sup>th</sup> 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:

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- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

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- xii. 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.
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### **3. Waste Processing and Disposal:**

The waste generated in the city shall be processed and disposed in accordance with Schedule II,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Madurai 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 31<sup>st</sup> 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 SwachBharat. 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 Madurai.

Copy to:

(i) Chief Secretary, Govt. of Tamilnadu

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
GangtokMunicipal Corporation  
Urban Development and Housing department (UD&HD)  
Gangtok

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 only38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

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- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Gangtok 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Gangtok 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 Sikkim State Board in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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;

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*"... 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..."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Gangtok;

**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 30<sup>th</sup> 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.

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- i. Segregation of waste at source shall be the essential activity for management of MSW and Steps will be taken to ensure segregation and house to house collection of waste.
- ii. Ensure dally sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.


**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Gangtok 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 31<sup>st</sup> 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 SwachBharat. 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 Gangtok.

Copy to:

(1) Chief Secretary, Govt. of Sikkim

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Executive Officer,  
Agartala Municipal Council-Head Office  
City Centre Complex,  
Paradise Chowmuhani Agartala-799001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Authority of Agartala Municipal Council 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the Authority of Agartala Municipal Council 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 Tripura State Board in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 Authority of Agartala Municipal Council;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Authority of Agartala Municipal Council 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 31<sup>st</sup> 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 SwachBharat. 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 Authority of Agartala Municipal Council.

Copy to:

(i) Chief Secretary, Govt. of Tripura



(Arjun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Executive Officer,  
SHILLONG MUNICIPAL BOARD,  
BISHOP COTTON ROAD,  
SHILLONG 793001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Shillong 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Shillong 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 Maghalya State Board in order to comply with implementation of these Rules.



**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

**(14) 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..."*

**(15) 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 2<sup>nd</sup> 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...."*

**(16) 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 5<sup>th</sup> 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...."*

**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 of Shillong;

**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 30<sup>th</sup> 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 and house to house collection of waste.



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Chief Executive officer, Municipal Council of Shillong 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 31<sup>st</sup> 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 SwachBharat. 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 Chief Executive officer, Municipal Council of Shillong.

Copy to:

(i) Chief Secretary, Govt. of Maghalya

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

The Authority,  
Port Blair Municipal Council,  
Port Blair.

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.~~

परिवेश भवन पूवा अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Port Blair 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Port Blair 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 Andaman & Nicobar PCC in order to comply with implementation of these Rules.

- (10) **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 30<sup>th</sup> day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **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.."*

**(14) 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.."*

**(15) 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 2<sup>nd</sup> 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 manitaring 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...."*

**(16) 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 5<sup>th</sup> 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..."*

**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 Municipal Authority of Port Blair;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.

**NOW, THEREFORE,** the Municipal Authority of Port Blair 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 31<sup>st</sup> 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

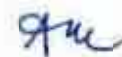
CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation 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 Municipal Authority of Port Blair.

Copy to:

(i) Chief Secretary, Govt. of Andaman & Nicobar UT

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Municipal Corporation Chandigarh  
New Deluxe Building, Sector 17  
Chandigarh

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Chandigarh 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Chandigarh 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 Chandigarh PCC in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Chandigarh;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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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- 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Chandigarh 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 31<sup>st</sup> 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 SwachBharat. 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 Chandigarh.

Copy to:

(i) Chief Secretary, Govt. of ChandigarhUT

  
(Arup Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Officer,  
Silvassa Municipal Council  
ShahidChowk, Near Town Hall,  
U.T. of Dadra & Nagar Haveli,  
Silvassa- 396230

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
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- (3) **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;
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दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

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- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Silvassa 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Silvassa 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 Dadra & Nagar Haveli PCC in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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..”*

- (14) **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...”*

- (15) **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 2<sup>nd</sup> 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....”*

- (16) **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 5<sup>th</sup> 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...."*

**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 Silvassa;

**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 30<sup>th</sup> 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 and house to house collection of waste.



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Silvassa 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 31<sup>st</sup> 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 SwachBharat. 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 Silvassa.

Copy to:

(i) Chief Secretary, Govt. of Dadra & Nagar Haveli UT

  
(Arun Kumar Menta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Lucknow Nagar Nigam  
Lucknow, Uttar Pradesh

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

परिवेश भवन, पूवा अजुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Lucknow Nagar Nigam 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Lucknow Nagar Nigam 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 Uttar Pradesh State Board in order to comply with implementation of these Rules.

- (10) 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 30<sup>th</sup> day of June every year.
- (11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) 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.."*

- (14) **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.."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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...."*

**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 Lucknow Nagar Nigam;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Lucknow Nagar Nigam 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 31<sup>st</sup> 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 SwachBharat. 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, Lucknow Nagar Nigam.

Copy to:

(i) Chief Secretary, Govt. of Uttar Pradesh

  
(Arun Kumar Mehta)  
Chairman

*gme*



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Chief Officer,  
Daman Municipal Council  
Daman

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Daman 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Daman 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 Daman & Diu PCC in order to comply with implementation of these Rules.

- (10) **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 30<sup>th</sup> day of June every year.
- (11) **WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.
- (12) **WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.
- (13) **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.."*

**(14) 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..."*

**(15) 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 2<sup>nd</sup> 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...."*

**(16) 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 5<sup>th</sup> 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...."*

**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 Municipal Authority of Daman;

**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 30<sup>th</sup> 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 and house to house collection of waste

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Municipal Authority of Damanis 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 31<sup>st</sup> 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

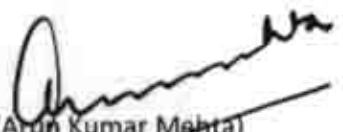


the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such plan of implementation shall 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 Municipal Authority of Daman.

Copy to:

(i) Chief Secretary, Govt. of Daman & Diu UT

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
East Delhi Municipal Corporation  
419, Udyog Sadan Patparganj Industrial Area  
New Delhi - 110 096

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Vasai Virar 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Vasai Virar 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 Maharashtra State Board in order to comply with implementation of these Rules.



**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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..."*

**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 of Vasai Virar;

**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 30<sup>th</sup> 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 and house to house collection of waste.



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of East Delhi 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 31<sup>st</sup> 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 SwachBharat. 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 East Delhi.

Copy to:

(i) Chief Secretary, Govt. of Delhi

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Patna Nagar Nigam,  
Buddha marg,  
Patna - 800 001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Patna 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Patna 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 Bihar State Board in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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..."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Patna;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.


**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Patna 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 31<sup>st</sup> 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 SwachBharat. 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 Patna.

Copy to:

(i) Chief Secretary, Govt. Bihar

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Navi Mumbai Municipal Corporation (Head Quarter)  
Plot No. 1, Sector- 15A, Palm Beach Junction,  
Belapur, Navi Mumbai 400614

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Navi Mumbai 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Navi Mumbai 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 Maharashtra State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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..”

- (14) **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...”*

- (15) **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 2<sup>nd</sup> 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....”*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Navi Mumbai;

**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 30<sup>th</sup> 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 and house to house collection of waste..
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

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 SwachBharat. 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 Navi Mumbai.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Municipal Corporation, Raipur (C.G.)  
Nagar Nigam Head Office  
Near Mahila Police Thana,  
Chhattisgarh 492001

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Raipur (C.G.) 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Chhattisgarh 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 Near Mahila Police Thana, Chhattisgarh 492001 State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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..."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Raipur;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.



- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Raipur 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 31<sup>st</sup> 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 SwachBharat. 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 Raipur.

Copy to:

(i) Chief Secretary, Govt. of Chhattisgarh

  
(Arun Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Kalyan Dombivali Municipal Corporation,  
ShankarraoChowk,  
Kalyan West - 421301

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Kalyan Dombivali 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Kalyan Dombivali 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 Maharashtra State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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..”

- (14) 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...”*

- (15) 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 2<sup>nd</sup> 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....”*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Kalyan Dombivali;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Kalyan Dombivali 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 31<sup>st</sup> December, 2015. The

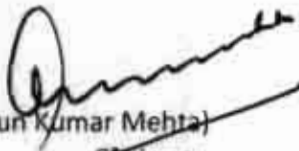


Municipal Commissioner shall ensure that municipal solid waste (MSW) generated in the areas of his jurisdiction is quantified and characterized and data on these aspects shall be forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. 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 Kalyan Dombivali.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arun Kumar Mehta)  
Chairman

*AM*



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Ludhiana Municipal Corporation  
Mata Rani Chowk, Ludhiana.

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.

(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.

परिवेश भवन पूवा अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

(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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Ludhiana 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Ludhiana 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 Punjab State Board in order to comply with implementation of these Rules.



**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

**(14) 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..."*

**(15) 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 2<sup>nd</sup> 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...."*

**(16) 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 5<sup>th</sup> 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...."*

**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 of Ludhiana;

**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 30<sup>th</sup> 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 and house to house collection of waste.



- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Ludhiana 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 31<sup>st</sup> 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 SwachBharat. 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 Ludhiana.

Copy to:

(i) Chief Secretary, Govt. of Punjab

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Jaipur Municipal Corporation -  
Head Quarter, Jaipur Nagar Nigam,  
Jaipur, Rajasthan

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> August 2015 to CPCB has expressed to achieve the 100 percent target for scientific management of MSW under Swachh Bharat Missions and ensuring compliance by the local bodies.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Jaipur 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Jaipur 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 Rajasthan State Board in order to comply with implementation of these Rules.



**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Jaipur;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Jaipur 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 31<sup>st</sup> 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 SwachBharat. 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 Jaipur.

Copy to:

(i) Chief Secretary, Govt. of Rajasthan

  
(Aruh Kumar Mehta)  
Chairman





केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Amritsar Municipal Corporation  
Municipal Corporation Amritsar  
Town Hall, Amritsar,  
Punjab.

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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.
- (2) **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 issues.
- (3) **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.
  - (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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Amritsar 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Amritsar 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 Punjab State Board in order to comply with implementation of these Rules.

**(10) 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) **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.."*

- (15) **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 2<sup>nd</sup> 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...."*

- (16) **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 5<sup>th</sup> 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...."*

**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 of Amritsar;

**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 30<sup>th</sup> 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 and house to house collection of waste..

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
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- vii. 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.
- viii. 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.
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- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.

- xii. 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.
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- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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, II 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Amritsar 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 31<sup>st</sup> 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

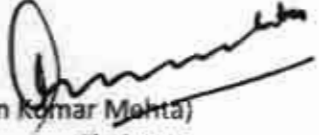


forwarded to CPCB along with the Action Plan as required on the directions issued. The intention of these directions is to ensure compliance to MSW rules to enable National Programme on SwachBharat. Municipal Authority shall formulate detailed action plan and implement it in a time-bound manner. Such 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 Amritsar.

Copy to:

(i) Chief Secretary, Govt. of Punjab

  
(Arun Kumar Mehta)  
Chairman

*Am*



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Pimpri Chinchwad Municipal Corporation  
Mumbai-Pune Road,  
Pimpri, Pune-411018,  
Maharashtra

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Pimpri Chinchwad 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Pimpri Chinchwad 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 Maharashtra State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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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*"..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..."*

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*".... 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...."*

- (16) 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 5<sup>th</sup> 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...."*

**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 of Pimpri Chinchwad;

**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 30<sup>th</sup> 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 and house to house collection of waste.
- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.

- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.
- xii. 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.
- xiii. Collect, segregate and properly dispose plastics and recyclable/non-recyclable waste in accordance with Plastics Waste Management Rules.
- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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.


**NOW, THEREFORE**, the Commissioner, Municipal Corporation of Pimpri Chinchwad 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 31<sup>st</sup> 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 SwachBharat. 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 Pimpri Chinchwad.

Copy to:

(i) Chief Secretary, Govt. of Maharashtra

  
(Arun Kumar Mehta)  
Chairman







केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/1/PCP/2015-16/

Date: 09.10.2015

To,

Commissioner,  
Jodhpur Municipal Corporation,  
Polytechnic College Campus,  
Residency Road, Jodhpur

**Sub: Directions under Section 5 of Environment (Protection) Act, 1986 for implementation of the Municipal Solid Wastes (Management and Handling) Rules, 2000 –reg.**

- (1) **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 38771MT/day of waste is processed/treated.
- (2) **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 issues.
- (3) **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.
  - (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.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (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.
- (4) **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.
- (5) **Whereas**, the Religious places and Tourists Centres 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.
- (6) **Whereas**, it is a fact that storm water drains now carrying sewage/sullage are also carriers of garbage being dumped into them which ultimately joins river and other water bodies.
- (7) **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 11<sup>th</sup> 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.
- (8) **WHEREAS**, as per the rule 4 (1) of the Municipal Solid Wastes (Management and Handling) Rules, 2000 the Municipal Authority of Jodhpur 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.
- (9) **WHEREAS**, as per the rule 4(2) of the MSW (M&H) Rules, 2000 the municipal authority of Jodhpur 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 Rajasthan State Board in order to comply with implementation of these Rules.

**(10) 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-in-charge 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 30<sup>th</sup> day of June every year.

**(11) WHEREAS THE FACTS**, it has been observed that the Annual Reports received from the SPCBs/ PCCs reveal that most of the Municipalities have not complied with the Municipal Solid Wastes (Management and Handling) Rules, 2000. The information provided in the annual reports has 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.

**(12) WHEREAS**, there have been public resistance, protests, complaints, grievances. Court cases etc. increasing against violations of MSW Rules.

**(13) 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.."*

- (14) 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..."*

- (15) 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 2<sup>nd</sup> 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...."*

- (16) 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 5<sup>th</sup> 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 fall. 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...."*

**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 of Jodhpur;

**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 30<sup>th</sup> 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 and house to house collection of waste.

- ii. Ensure daily sweeping of streets/market places and daily lifting of garbage to maintain cleanliness in the town/city.
- iii. Action Plan regarding waste collection, segregation and storage shall be prepared as per MSW Rules and implemented.
- iv. 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.
- v. 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.
- vi. Prohibit use of open containers to prevent rummaging of the garbage by stray animals.
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- viii. 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.
- ix. 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.
- x. Organize Fish Market Associations, Meat Market Associations Central Markets including slaughter houses to ensure proper collection and transportation of waste.
- xi. Maintaining Daily records of MSW collection and its disposal with immediate effect.



- xii. 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.
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- xiv. Collect construction and demolition (C&D) waste separately and utilize them after reprocessing/recycling for other civil construction materials.
- xv. 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,II and IV of MSW Rules, which shall include;

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- 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.

**NOW, THEREFORE,** the Commissioner, Municipal Corporation of Jodhpur 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 31<sup>st</sup> 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 SwachBharat. 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 Jodhpur.

Copy to:

(i) Chief Secretary, Govt. of Rajasthan

  
(Arun Kumar Mehta)  
Chairman

