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PART III

Laws, Regulations and Rules passed thereunder.

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**JAMMU AND KASHMIR GOVERNMENT
MUNICIPAL COMMITTEE, HIRANAGAR
SOLID WASTE MANAGEMENT BYE-LAWS, 2019**

Notification

Hiranagar, the 20th September, 2019.

In exercise of the powers conferred by clause (9) of rule 3 read with clauses (e), (f), (zf) and (zg) of rule 15 of the Solid Waste Management Rule, 2016, the Authority hereby make the following bye-laws ; namely :ô

CHAPTER I

1. *Short Title and Commencement.*ô (1) These bye-laws shall be called the Municipal Committee, Hiranagar Solid Waste Management Bye-Laws, 2019.

(2) They shall come into force on the date of their publication in the J&K Government Gazette.

2. *Extent of Application.* These bye-laws shall be applicable within the territorial limits of Municipal Committee, Hiranagar.

3. *Definitions.* (1) In these bye-laws, unless the context otherwise requires,

- (1) “**Agency**” means Municipal Committee, Hiranagar ;
- (2) “**Aerobic composting**” means a controlled process involving microbial decomposition of organic matter in the presence of oxygen ;
- (3) “**Anaerobic digestion**” means a controlled process involving microbial decomposition of organic matter in the absence of oxygen ;
- (4) “**Authorization**” means the permission given by the State Pollution Control Board, to the operator of a facility or Urban Local authority, or any other agency responsible for processing and disposal of Solid waste ;
- (5) “**Biodegradable waste**” means any organic material that can be degraded by micro-organism into simpler stable compounds ;
- (6) “**Bio-methanation**” means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas ;
- (7) “**Brand owner**” means a person or company who sells any commodity under a registered brand label ;
- (8) “**Bulk Garden and Parks & Horticultural Waste**” means bulk waste from parks, gardens etc. including grass clippings, weeds, woody carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;
- (9) “**Bulk Waste Generator**” means bulk waste generator defined under Rule 3(1)(8) of the Solid Waste Management

Hiranagar, in the State collectively by owners and or/occupiers of one or more premises for storage of Municipal Solid Waste in a segregated manner in the road side/premises of anyone of such owners/occupiers or in their common premises ;

- (17) **“Composting”** means a controlled process involving microbial decomposition of organic matter ;
- (18) **“Co-processing”** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes ;
- (19) **“Containerised Hand Cart”** means the hand cart provided by the Municipal Committee, Hiranagar, or the agency/agent appointed by it for point-to-point collection of solid waste ;
- (20) **“Decentralized processing”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal ;
- (21) **“Delivery”** means handing over any category of solid waste to worker of Municipal Committee, Hiranagar or any other person appointed, authorised or licensed by Municipal Committee, Hiranagar for taking delivery of such waste or depositing it in any vehicle provided by Municipal Committee, Hiranagar or by any other authorised agency or licensed by Municipal Committee, Hiranagar to do so ;
- (22) **“Disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds ;
- (23) **“Domestic hazardous waste”** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired

- (32) **“Fine”** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in rules and/or these bye-laws ;
- (33) **“Fixed Compactor Transfer Station (FCTS)”** means a powered machine which is designed to compact segregated solid waste and remains stationary when in operation. The compacts or may also be mobile when in operation, which may be called Mobile Transfer Station (MTS).
- (34) **“Handling”** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes ;
- (35) **“Hazardous waste”** means any waste which by reason of any of its physical, chemical, reactive, toxic, causing danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and all other hazardous wastes as defined in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended to date and the Hazardous and other waste (Management and Transboundary Movement) Rules, 2016.
- (36) **“Horticulture, Parks and Garden Waste”** means waste from parks, gardens traffic island etc. These include grass clipping, annual weeds woody 'brown' carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;
- (37) **“House-gully”** means a passage or strip of land, constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filling of other polluted matter by persons employed in the clearing thereof or in the removal of such matter therefrom.

local body or entity for the purpose before the waste is delivered or taken up for its processing or disposal ;

- (46) “**Neighbourhood**” means a clearly defined locality, with reference to its physical layout, character or inhabitants ;
- (47) “**New construction**” means all buildings under construction within the limits of the Municipal Committee, Hiranagar ;
- (48) “**Non-biodegradable waste**” means any waste that cannot be degraded by microorganisms into simpler stable compounds ;
- (49) “**Nuisance**” includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property ;
- (50) “**Nuisance Detectors**” (NOs) means those employees of the Municipal Committee, Hiranagar who are appointed to detect the acts of Public nuisance, etc. ;
- (51) “**Occupier/occupant**” includes any person who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever ;
- (52) “**Operator of a facility**” means a person or entity, who owns or operates a facility for handling solid waste which includes the Municipal Committee, Hiranagar and any other entity or agency appointed by the Municipal Committee, Hiranagar ;
- (53) “**Owner**” means any person who exercises the rights of an owner of any building, or land or part thereof ;
- (54) “**Pelletisation**” means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes, fuel pellets which are also referred as refuse derived fuel ;

- (63) **“Refuse”** means any waste matter generated out of different activities, processes, either Bio-degradable/Non-biodegradable/recyclable in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form.
- (64) **“Refuse Derived Fuel” (RDF)** means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;
- (65) **“Residual solid waste”** means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing ;
- (66) **“Rule”** means Solid Waste Management Rules, 2016 ;
- (67) **“Sanitation”** means the promotion of hygiene and the prevention of disease and other consequences of ill health relating to environmental factors ;
- (68) **“Sanitary Landfill Facility”** means a waste disposal site for the deposit of residual solid waste in a facility designed with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion ;
- (69) **“Sanitary land filling”** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion ;
- (70) **“Sanitary waste”** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste ;

- (79) **“Source”** means the premises in which the waste is generated or a community storage centre used by owners/occupiers of one or more premises for segregated storage of MSW ;
- (80) **“Spittoon”** means a metal or earthenware pot typically having a funnel-shaped top, used for spitting into.
- (81) **“Stabilising”** means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation ;
- (82) **“Stabilised biodegradable waste”** means the biologically stabilized (free of pathogens) waste resulting from the mechanical/biological treatment of bio degradable waste ; only when stabilised can such waste be used with no further restrictions ;
- (83) **“Street vendor”** means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words ÷street vendingø with their grammatical variations and cognate expressions, shall be construed accordingly ;
- (84) **“Tipping fee”** means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill ;
- (85) **“Transportation”** means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions ;

- (93) “**Waste picker**” means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation, streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

CHAPTER II

SEGREGATION AND PRIMARY STORAGE OF SOLID WASTE

4. *Segregation and storage of solid waste at source.* (1)

It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste; and deposit it into covered waste bins, and handover segregated waste to designated waste collectors as per the direction of Municipal Committee, Hiranagar from time to time.

(2) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) hazardous waste in suitable bins ; and handover segregated waste to authorised waste processing or disposal facilities or deposition centres through the authorised waste collection agency with paying the carrying charges specified by Municipal Committee, Hiranagar from time to time.

(3) The colour of bins for storage of segregated waste shall be green- for biodegradable waste or wet waste blue - for non- biodegradable or dry waste and black- for domestic hazardous waste.

(9) Every street vendor shall keep suitable containers for storage of segregate waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by Municipal Committee, Hiranagar.

(10) Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of Municipal Committee, Hiranagar from time to time.

(11) Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle which shall be provided weekly/periodically by Municipal Committee, Hiranagar or any other Agency authorised by it for collection of such waste, or to a centre designed for collection of such waste for disposal in a manner that is mandated by the Government of Jammu and Kashmir or State Pollution Control Board.

(12) Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016.

(13) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed off in accordance with the respective rules framed under the Environment (Protection) Act, 1986.

(14) Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the Municipal Committee, Hiranagar collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is strictly prohibited.

(15) Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.

(7) Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.

(8) Waste generators shall be responsible to deposit their segregated waste in the Auto-Tipper/Rickshaws etc. deployed by Municipal Committee, Hiranagar. Segregated waste from multistoried buildings, apartments, housing complexes may be collected from the entry gate or any other designated location.

(9) Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.

(10) Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.

(11) Route plans for each primary collection and transportation vehicle shall be provided by Municipal Committee, Hiranagar or by the notified authorised waste collector. These plans in tabular as well as GIS map form, duly approved by Municipal Committee, Hiranagar shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified route. Municipal Committee, Hiranagar or the notified authorised waste collector shall provide a 'Board' at each street to display time-table of primary collection and transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of Municipal Committee, Hiranagar and published in the local leading newspaper periodically for the information of General Public.

(12) In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

(3) Different containers shall be used in the areas demarcated by Municipal Committee, Hiranagar to keep segregated waste in the following manner :

- (a) green- for biodegradable waste ;
- (b) blue - for non-biodegradable ;
- (c) black - for domestic hazardous waste ;

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

(4) Municipal Committee, Hiranagar on its own or through outsourcing agencies shall maintain the storage facilities for solid waste in a manner that does not create unhygienic and unsanitary conditions around it.

(5) Containers of various sizes in the secondary storage depots shall be provided by Municipal Committee, Hiranagar or any assigned agencies in different colours as mentioned in these bye-laws.

(6) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population.

(7) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere.

(8) All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.

specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed and notify the timing of receiving of such waste.

- (b) Municipal Committee, Hiranagar may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.
- (c) Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

CHAPTER V

TRANSPORTATION OF SOLID WASTE

7. *Transportation of solid waste.* (1) Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by Municipal Committee, Hiranagar.

(2) The storage facilities set up by Municipal Committee, Hiranagar shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned.

(3) Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost plants, bio-methanation plants or any such other facilities in a covered manner.

(4) Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste.

(5) Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities.

in street-level and door-to-door collection of solid waste from households and commercial establishments as per the approved route plans.

(17) Design of MTS and FCTS shall allow unloading of waste from primary collection vehicles by consuming minimum time and without littering waste.

(18) Garbage spilled near MTS and FCTS, while transferring the solid waste, should be cleaned so that no spillage is left. Disinfectant should be used after cleaning process at that location.

(19) Municipal Committee, Hiranagar or its specified agency shall install CCTV cameras at all secondary storage facilities.

CHAPTER VI

PROCESSING OF SOLID WASTE

8. *Processing of solid waste.* (1) Municipal Committee, Hiranagar shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board :

- (a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste ;
- (b) through medium/large composting bio-methanation plants at centralised locations ;
- (c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feed stock to solid waste based power plants ; and/or

(5) Municipal Committee, Hiranagar shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

(6) The waste generator has to pay user charges/sanitation fee to the local bodies inspite of the fact if they process their waste at their institutional level.

CHAPTER VII

DISPOSAL OF SOLID WASTE

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

CHAPTER VIII

USER FEE AND LEVYING OF SPOT FINE/PENALTY

11. *User fee for collection, transportation, disposal of solid waste.* (1) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by Municipal Committee, Hiranagar. The rates of user fee are specified in Schedule-I.

(2) The user fee so fixed shall be collected from waste generators by Municipal Committee, Hiranagar or the authorised agency or person as may be authorised by Director of Urban Local Bodies, Jammu in this behalf.

(3) Municipal Committee, Hiranagar shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.

(4) The fine or penalty mentioned in Schedule-II shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(5) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the procedure for prosecution prescribed under provisions of the Environment (Protection) Act, 1986 shall follow.

(6) In realization of fines imposed on defaulters, the J&K State Pollution Control Board shall not renew the licenses of hotels and other business units unless an NOC is not procured by the business unit/s from the concerned Municipal Committee, Hiranagar.

(7) Fine shall be imposed on the hospitals and allied concerns if they are found mixing bio-medical wastes with municipal solid waste.

(h) Charges for the material recovery by rag pickers or waste dealers to be decided by the concerned Local Bodies.

(8) Concession to bulk purchasers of compost/plastic/tin and recyclables on the price of by product, if any, as a result of processing of Solid Waste shall be decided by the Municipal Committee, Hiranagar.

(j) The cement manufacturing units shall be responsible to lift the RDF from municipal dumping sites and their license renewals be linked with Municipal Committee, Hiranagar NOC.

(9) Tippers ferrying building material and causing avoidable waste on the streets shall be liable for fine to be decided by the Municipal Committee, Hiranagar but not less than Rupees Five Hundred (500/-) per default.

13. *Responsibilities of Waste Generators.* (1) Prohibition of littering

(a) Littering in any public place : No person shall litter in any public place except in authorised public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in

rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police Department and/or from the Municipal Committee, Hiranagar is required, it will be the responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.

(5) Refundable Cleanliness Deposit, as may be notified by the Municipal Committee, Hiranagar, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organisers of the event wish to avail of the services of the Municipal Committee, Hiranagar for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the Chief Executive Officer/ Executive Officer, Municipal Committee, Hiranagar for availing the services and pay the necessary charges as may be fixed by the Competent Authority for this purpose.

(6) Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the Municipal Committee, Hiranagar in the following manner :ô

- (a) The Municipal Committee, Hiranagar may serve a notice on the owner/occupier of any premises, requiring such owner/occupier to clear any waste on such premises in a manner and within a time specified in such notice.
- (b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.

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

14. *Responsibilities of Municipal Committee, Hiranagar.* (1) Municipal Committee, Hiranagar shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/ roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which Municipal Committee, Hiranagar may engage private parties on contract or Public Private Partnership mechanism with the prior approval of Govt., apart from its own cleaning staff and vehicles. In addition, Municipal Committee, Hiranagar shall identify all the commercial areas for carrying out sweeping twice a day.

(2) Municipal Committee, Hiranagar or the authorised agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc.

(3) Municipal Committee, Hiranagar for the purpose of managing solid waste activities in decentralized and regular manner shall designate one officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc.

(4) The competent authority shall designate sufficient Senior Officer/s, preferably not below the rank of to be decided by the Municipal Committee, Hiranagar, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.

(5) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.

(13) In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to Municipal Committee, Hiranagar immediately which shall review and issue instructions, if any, to the in-charge of the facility.

(14) Regular checks : Chief Executive Officer/Executive Officer/ Assistant Sanitation Officer, Municipal Committee, Hiranagar shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye-laws.

(15) Municipal Committee, Hiranagar shall develop a public grievance redressal system (PGRS) by setting up of call centre at its headquarter. The PGRS may include SMS based service mobile application or web based services.

(16) Municipal Committee, Hiranagar shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at Hq./all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration.

(17) Transparency and Public Accessibility : To ensure greater transparency and public accessibility, Municipal Committee, Hiranagar shall provide all necessary information through its website.

(18) Municipal Committee, Hiranagar shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws.

CHAPTER-X

MISCELLANEOUS

15. If any doubt or difficulty arises in the interpretation or implementation of these bye-laws the same shall be placed before Administrative Secretary of Housing and Urban Development Department, whose decision in the matter shall be final.

16. *Co-ordination with Government Bodies.*—Municipal Committee, Hiranagar shall co-ordinate with other government agencies

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and authorities, to ensure compliance of these bye-laws within areas
under the jurisdiction or control of such bodies. In case of any difficulty
matter shall be placed before Chief Secretary of Government of J&K.

17. The Competent Authority may issue general or special orders
from time to time for proper implementation of Solid Waste Management
Rules, 2016 and these bye-laws.

18. *Right to Appeal.* Any person aggrieved or affected by Jammu
and Kashmir Solid Waste Management Bye-Laws, 2018 shall have the
right to appeal before Director, Urban Local Bodies, Jammu within 30
days and in case he is not satisfied with the disposal of Director concerned,
the second appellate authority shall be Administrative Secretary of Housing
and Urban Development Department whose decision shall be final and
binding.

(19) *Jurisdiction.*—For filing cases against the Bye-Laws the
Jurisdiction is Jammu and Srinagar only.

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SCHEDULE-I

USER FEE SOLID WASTE MANAGEMENT

S.No.	Categories	User Fee from each premises/ House/Dwelling Unit/Flat per month (In Rupees)	
		Municipal Councils	Municipal Committees
1	2	3	
1.	Residential dwelling unit (Covered area)		
	i. Up to 2000 Sq. ft.	50	50
	ii. Over 2000 Sq. ft.	75	75
2.	Street Vendor	50	50
3.	Commercial Establishments, Shops, Eating Places (Dhaba/Sweet/Shops/ Coffee house, Saloon etc.)	250	100
4.	Guest House/Dharamshalas/Hostels/ Paying Guest	1000	500
5.	Restaurant up to sitting of 50 person	1000	500
6.	Restaurant with sitting of more than 50 person	2000	1000
7.	Hotel (Up to 3 star)	1000	1000
8.	Hotel (above 3 star)	5000	5000
9.	Commercial offices, government officers, bank, insurance offices, coaching classes, educational institutes etc.	500	100
10.	Kinder Garten, Cretches etc.	--	--
11.	Clinic, dispensary, laboratories,	1000	500
12.(a)	Nursing homes (up to 50 beds) only non-bio medical waste.	1000	500
12.(b)	Hospitals, Nursing Homes (above 50 beds)	4000	4000

SCHEDULE II

FINE/PENALTY

S.No	Rule/Bye-Laws No.	Offences	Applicable to	Fine for every default (In Rs.)
1	2	3	4	5
1.	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the Rule	Residential Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and Clubs, Cinema Halls, Pubs, Community Halls, Multiplexes and other such places with area less than 5000 sq. m. Other non-residential entities with area less than 5000 sq.m.	500 10,000 5000 1000
2.	Rule 4 (1) (b) and (d) of SWM Rules	o Failure to deal with sanitary waste in accordance with the Rule o Failure to deal with horticulture waste and garden waste in accordance with the Rule	Residential Non-Residential	500 1000

1	2	3	4	5
8.	Rule 4 (6) of SWM Rules	Failure to deal with waste in accordance with the Rule	Resident Welfare Association Market Association	5000 10,000
9.	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community Institution	10,000 15,000
10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel Restaurant	20,000 10,000
11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	50,000
12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	50,000
13.	Rule 18 of SWM Rules	Failure to replace fuel requirement by refuse derived fuel	Industrial Unit	50,000

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Whether solid waste is stored at source in segregated form, if yes.	
Percentage of premises segregating the waste at source	
Door to Door Collection of solid waste	
Whether door to door collection (D2D) of solid waste is being done in the city/town, if yes	
Number of wards covered in D2D collection of waste	
Number of household covered	
Number of non-residential premises including commercial establishments, hotels, restaurant, educational Institution/offices etc. covered	
Percentage of residential and non-residential premises covered in door to door collection through:	
Motorized vehicle	
Contained tricycle/Handcart	
Other device	
If not, method of primary collection adopted	
Sweeping of streets	
Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned	

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Ward-wise details of waste
storage depots (attach):

Ward No. :

Area :

Population :

No. of bins placed

Total volume of bins placed

Total storage capacity of waste
storage facilities in cubic meters

Total Waste actually stored at the
waste storage depots daily

Give frequency of collection of
waste from the depots

Number of bins cleared

Whether storage depots have facility
for storage of segregated waste in
green, blue and black bins

Whether lifting of solid waste from
storage depots in manual or mechanical,
give percentage

(%) of manual lifting of solid waste

(%) of mechanical lifting

If mechanical specify the method used

Whether solid waste is lifted from door
to door and transported to treatment plant
directly in a segregated form

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Others

Solid waste disposal facilities

No. of dumpsite sites available
with the local body

No. of sanitary Landfill sites
available with the body

Area of each such sites available
for waste disposal

Area of land currently used
for waste disposal

Distance of dumpsites/landfill
facility from city/town

Distance from the nearest habitation

Distance from water body

Distance from state/national highway

Distance from Airport

Distance from important religious
place or historical monument

Whether it falls in flood prone area

Whether it falls in earthquake
fault line area

Quantity of waste land filled each day

Whether landfill site is fenced

1	2
	Whether Lighting facility is available on site
	Whether Weigh bridge facility available
	Vehicle and equipments used at landfill (specify)
	Manpower deployed at landfill site
	Whether covering is done on daily basis
	If, not Frequency of covering the waste deposited at the landfill
	Cover material used
	Whether adequate covering material is available
	Provisions for gas venting provided
	Provision for Leachate Collection
	Whether an Action Plan has been prepared from improving solid waste management practices in the City
10	What separate provisions are made for Dairy related activities Slaughter house waste C&D waste (construction debris)
11	Details of post Closure plan
12	How many slums are identified and whether these are provided with Solid Waste Management facilities

