

HEAD OFFICE

Uttarakhand Environment Protection
and Pollution Control Board

29/20, Nemi Road, Dalanwala, Dehradun (Uttarakhand)

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उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड
29/20, नेमी रोड, डालनवाला, देहरादून (उत्तराखण्ड)

Ref: UEPPCB/HO/Gen-50(III)/2017/ 9988-2044 Dehradun, February 22, 2017

Speed Post

To,

1. Nagar Aayukt, Nagar Nigam, Uttarakhand
2. Chief Executive Officer, Cantt. Board, Uttarakhand
3. Executive Officer, Nagar Palika Parisad & Nagar Panchayat, Uttarakhand
(List enclosed 1-87)

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**DIRECTIONS UNDER SECTION-5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986
FOR IMPLEMENTATION OF THE SOLID WASTE MANAGEMENT RULES, 2016 – REG.**

WHEREAS, the Ministry of Environment, Forest and Climate Change, Government of India has promulgated the **Solid Waste Management Rules, 2016** under the **Environment (Protection) Act, 1986** aiming to scientific management of solid waste including – solid or semi solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweeping, silt removal or collected from surface drains, horticulture waste, agriculture waste, dairy waste and treated biomedical wastes, generated in the area under the Urban Local Bodies, Village Panchayat and other responsible authorities as mentioned in the Rules; and the **Solid Waste Management Rules, 2016** are available in the website of the UEPPCB at: <http://ueppcb.uk.gov.in/pages/display/59-environment-rules>

WHEREAS, based on the information provided by the Directorate of Urban Development, Uttarakhand, the estimated solid waste generation from 81 Urban Local Bodies in the year 2014 was about 1400 MT per day; and so far no solid waste processing/ treatment facility is in operation; and

WHEREAS, by-and-large, solid waste so generated is being disposed / dumped of unscientifically which has been one of the major public nuisance due to foul odour, generation of leachate and other environmental aspects like - slow and continuous ignition/burning of garbage is a major cause of air pollution, and

WHEREAS, thin uncollected plastic carry bags, thermocol and laminates plates and containers used for eating purpose in marriage, parties and other functions along with polystyrene cups and saucers as well as gutka pouches, chips packets etc. remains littered / scattered and their disposal poses difficulties and burning of such wastes release obnoxious emissions; and

WHEREAS, most of the existing solid waste dumping sites have been exhausted and still in operation as land for sanitary landfills for processing and disposal of waste has not been identified or available;

WHEREAS, the **Solid Waste Management Rules, 2016** define the duties and responsibilities of various institutions and Departments of the State as well as Central Government in order to ensure scientific and environmentally disposal of solid waste; and

WHEREAS, as per the **Rule-15**, amongst others, the major duties and responsibilities of the Urban Local Bodies, Village Panchayat and Urban Agglomerations are:

1. Prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or agency authorised by the State Government.
2. Arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location.

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3. Establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste.
4. Frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation.
5. Prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency.
6. Direct waste generators not to litter i.e. throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body.
7. Collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions.
8. Collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation.
9. Transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on site processing of such waste.
10. Transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility.
11. Establish waste deposition centre for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous waste at this centre for its safe disposal. Such facility shall be established in the city or town in a manner that one centre is set up for the area of twenty square kilometres or part thereof and notify the timing of receiving domestic hazardous waste at such centres.
12. Involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility.
13. Facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as:
 - a) Bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes.
 - b) Waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns.
14. Undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per **Schedule-I** offer disposal of residual wastes in a manner prescribed under these rules.
15. Make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules.
16. Make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility.
17. Prepare and submit annual report in Form-IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer.
18. Educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility.

19. Ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex.
20. Frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed.
21. Create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
 - i) Not to litter.
 - ii) Minimise generation of waste.
 - iii) Reuse the waste to the extent possible.
 - iv) Practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source.
 - v) Practice home composting, vermi-composting, bio-gas generation or community level composting.
 - vi) Wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste.
 - vii) Storage of segregated waste at source in different bins.
 - viii) Handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies.
 - ix) Pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
22. Stop land filling or dumping of mixed waste soon after the timeline as specified in **Rule-23** for setting up and operationalisation of sanitary landfill is over.
23. Allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill.

WHEREAS, as per **Rule-20** of the **Solid Waste Rules, 2016**, the Urban local bodies located in hilly areas shall implement extra measures in addition to duties and responsibilities assigned under Rule-15; and

WHEREAS, **Rule-22** defines the timeline for establishment of necessary structure for implementation of provisions of these Rules by the Urban Local Bodies on their own, by directly or engaging agencies within the timeframe specified below:

S.N.	Activity	Time Limit from date of Notification of Rule
1.	Identification of suitable sites for setting up solid waste processing facilities.	1 Year
2.	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more.	1 Year
3.	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities.	2 Years
4.	Enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source.	2 Years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	2 Years
6.	Ensure separate storage, collection and transportation of	2 Years

	construction and demolition wastes.	
7.	Setting up solid waste processing facilities by all local bodies having 100000 or more population.	2 Years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	3 Years
9.	Setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules.	3 Years
10.	Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules.	3 Years
11.	Bio-remediation or capping of old and abandoned dump sites.	5 Years

WHEREAS, the Government of Uttarakhand vide its office order No.29/IV(2)-श0वि0-2016-35(को0के0)/15 dated 18.02.2016, formulated the Committee under the Chairmanship of District Magistrate of concerned district for identification of land for solid waste disposal and copies of same order has been communicated to all Urban Local Bodies for further necessary action; and

WHEREAS, the **Hon'ble High Court Nainital** pronounced the judgment in the matter of Writ Petition (PIL) No. 85 of 2014 Ajay Gautam Vs. Union of India & Others on dated 19.11.2016 and also directed to ensure scientific disposal of municipal solid waste as per Rules. Judgment of the **Hon'ble NGT** pronounced on dated 19.11.2016 is available at the **Board's** website at: <http://ueppcb.uk.gov.in/contents/view/8/78/>.

WHEREAS, the **Hon'ble High Court Nainital** pronounced the judgment in the matter of Writ Petition (PIL) No. 140 of 2015 Lalit Miglani Vs. State of Uttarakhand & Others on dated 02.12.2016 and directed that:

U. The Municipal Bodies, throughout the State of Uttarakhand, are directed to dispose of the garbage in scientific lines by setting up Treatment Plants, as provided under the Municipal Solid Wastes (Management & Handling) Rules, 2000 within six months.

Judgment of the **Hon'ble High Court Nainital** pronounced on dated 02.12.2016 is available at the **Board's** website at: <http://ueppcb.uk.gov.in/contents/view/8/77/>.

WHEREAS, the **Hon'ble National Green Tribunal** in the matter of O.A. No. 199 of 2014 Almitra H. Patel and Capt. J.S. Velu Vs Union of India & Others issued directions on dated 22.12.2016 regarding effective implementation of Solid waste Management Rules, 2016. Judgment of the **Hon'ble NGT** pronounced on dated 22.12.2016 is available at the **Board's** website at: <http://ueppcb.uk.gov.in/contents/view/8/76/>. Amongst other directions, major directions are as given below:

3..... Any State or Union Territory which now fails to comply with the statutory obligations as afore indicated shall be liable to be proceeded against in accordance with Section-15 of the Environment (Protection) Act, 1986. Besides that, it would also be liable to pay environmental compensation, as may be imposed by this Tribunal. In addition to this, the senior most officer in-charge in the State Government/Urban Local Body shall be liable to be personally proceeded against for violation of the Rules and orders passed by this Tribunal.

19. We specifically direct that there shall be complete prohibition on open burning of waste on lands, including at landfill sites. For each such incident or default, violators including the project proponent, concessionaire, ULB, any person or body responsible for such burning, shall be liable to pay environmental compensation of Rs. 5,000/- (Rs. Five Thousand only) in case of simple burning, while Rs. 25,000/- (Rs. Twenty Five Thousand only) in case of bulk waste burning. Environmental compensation shall be recovered as arrears of land revenue by the competent authority in accordance with law.

23. That any States/UTs, local authorities, concessionaires, facility operators, any stakeholders, generators of waste and any person who violates or fails to comply with the Rules of 2016 in the entire country and the directions contained in this judgment shall be liable for penal action in accordance with Section-15 of the Environment (Protection) Act, 1986 and shall also be liable to pay environmental compensation in terms of Sections 15 & 17 of the National Green Tribunal Act, 2010 to the extent determined by the Tribunal.

25. We expect all the concerned authorities to take note of the fact that the Rules recognize only a landfill site and not dumping site and to take appropriate actions in that behalf.

WHEREAS, the Central Government vide S.O. 327(E) dated 10th April, 2001, has delegated the power vested in it under Section-5 to the Chairman, State Pollution Control Board to issue directions to any industry or any local or other authority for the violations of the standards and Rules relating to the bio-medical waste, hazardous chemicals, industrial solid waste and municipal solid waste including plastic waste notified under the Environment (Protection) Act, 1986, subject to the conditions that the Central Government may revoke such delegation of powers or may itself invoke the provisions of section-5 of the said Act, if in the opinion of the Central Government such a course of action is necessary in the public interest.

NOW THEREFORE, in view of the above, and in exercise of powers conferred under **Section-5** of the **Environment (Protection) Act, 1986**, the concerned Municipal Authority is hereby directed to comply with the following direction

1. The Municipal Authority shall ensure implementation of the provisions of the **Solid Waste Management Rules, 2016** and shall strictly adhere to the time limit for various activities given therein.
2. The Municipal Authority shall apply for authorization in Form-I to the Uttarakhand Environment Protection and Pollution Control Board for setting up waste processing, treatment or disposal facilities.
3. The Municipal Authority shall furnish its Annual report in Form-VI on or before 30th June every year to the Uttarakhand Environment Protection and Pollution Control Board and Secretary-in-Charge of the Department of Urban Development of the State.

The action taken report shall be submitted to this **Board** within **30 days** from the date of receipt of above directions.

This issues with the approval of the Competent Authority of the Board.

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Member Secretary
22/12/17

Copy to:-

1. **Chairman**, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Sahadara, Delhi for kind information please.
2. **Chairman**, UEPPCB, Dehradun for kind information please.
3. **Secretary**, Urban Development, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun for kind information please.
4. **Director**, Urban Development, 43/6, Mata Mandir Road, Dharampur, Dehradun for kind information and with request to issue necessary instructions to all Municipal Authorities for timely compliance of the Solid Waste Management Rules, 2016 and directions of the **Hon'ble High Court Nainital** dated 19.11.2016 & 02.12.2016 and **Hon'ble NGT** dated 22.12.2016 please.
5. **Regional Officer**, UEPPCB, Regional Office, Haldwani/Kashipur/Roorkee/Dehradun for information and compliance of above directions.

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Member Secretary
22/12/17

List of ULBs/Cantt. Board.

1.	Nagar Aayukt, Nagar Nigam, Dehradun Distt. Dehradun
2.	Executive Officer, Nagar Palika Parishad, Mussoorie, Distt. - Dehradun
3.	Executive Officer, Nagar Palika Parishad, Vikasnagar, Distt. Dehradun
4.	Executive Officer, Nagar Palika Parishad, Rishikesh, Distt. Dehradun
5.	Executive Officer, Nagar Palika Parishad, Herbertpur, Distt. Dehradun
6.	Executive Officer, Nagar Palika Parishad, Doiwala, Distt. Dehradun
7.	Chief Executive Officer, Cantt. Board, Garhi Cantt, Distt. Dehradun
8.	Chief Executive Officer, Cantonment Board, Clement Town, Distt. Dehradun
9.	Chief Executive Officer, Cantt. Board, Chakrata, Distt. Dehradun
10.	Chief Executive Officer, Cantt. Board, Landour, Mussoorie, Distt. Dehradun
11.	Nagar Aayukt, Nagar Nigam, Haridwar, Distt. Haridwar
12.	Nagar Aayukt, Nagar Nigam, Roorkee, Distt. Haridwar
13.	Chief Executive Officer, Cantt. Board, Roorkee, Distt. Haridwar
14.	Executive Officer, Nagar Palika Parishad, Manglore, Distt. Haridwar
15.	Executive Officer, Nagar Panchayat, Shivalik Nagar- BHEL, Ranipur, Distt. Haridwar
16.	Executive Officer, Nagar Panchayat, Jhabrera, Distt. Haridwar
17.	Executive Officer, Nagar Panchayat, Laksar, Distt. Haridwar
18.	Executive Officer, Nagar Panchayat, Landhoura, Distt. Haridwar
19.	Executive Officer, Nagar Panchayat, Bhagwanpur, Distt. Haridwar
20.	Executive Officer, Nagar Palika Parishad, New Tehri, Distt. Tehri
21.	Executive Officer, Nagar Palika Parishad, Narendra Nagar, Distt. Tehri
22.	Executive Officer, Nagar Palika Parishad, Muni Ki Reti-Dhalwala, Distt. Tehri
23.	Executive Officer, Nagar Panchayat, Chamba, Distt. Tehri
24.	Executive Officer, Nagar Panchayat, Kirtinagar, Distt. Tehri
25.	Executive Officer, Nagar Panchayat, Devprayag, Distt. Tehri
26.	Executive Officer, Nagar Panchayat, Ghansali, Distt. Tehri
27.	Executive Officer, Nagar Palika Parishad, Duggada, Distt. Pauri
28.	Executive Officer, Nagar Palika Parishad, Kotdwar, Distt. Pauri
29.	Executive Officer, Nagar Panchayat, Swargaashram Jonk, Distt. Pauri
30.	Executive Officer, Nagar Panchayat, Satpuli, Distt. Pauri
31.	Executive Officer,

	Nagar Palika Parishad, Pauri, Distt. Pauri
32.	Executive Officer, Nagar Palika Parishad, Srinagar, Distt. Pauri
33.	Chief Executive Officer, Cantt. Board, Lansdown, Distt. Pauri
34.	Executive Officer, Nagar Panchayat, Pokhri, Distt. Chamoli
35.	Executive Officer, Nagar Palika Parishad, Chamoli- Gopeshwar, Distt. Chamoli
36.	Executive Officer, Nagar Palika Parishad, Joshimath, Distt. Chamoli
37.	Executive Officer, Nagar Panchayat, Badrinath, Distt. Chamoli
38.	Executive Officer, Nagar Panchayat, Nandprayag, Distt. Chamoli
39.	Executive Officer, Nagar Panchayat, Gaucher, Distt. Chamoli
40.	Executive Officer, Nagar Panchayat, Karanprayag, Distt. Chamoli
41.	Executive Officer, Nagar Panchayat, Gairsain, Distt. Chamoli
42.	Executive Officer, Nagar Palika Parishad, Rudraprayag, Distt. Rudraprayag
43.	Executive Officer, Nagar Panchayat, Kedarnath, Distt. Rudraprayag
44.	Executive Officer, Nagar Panchayat, Agastmuni, Distt. Rudraprayag
45.	Executive Officer, Nagar Panchayat, Ukhimath, Distt. Rudraprayag
46.	Executive Officer, Nagar Panchayat, Purola, Distt. Uttarkashi
47.	Executive Officer, Nagar Panchayat, Chinyalisaur, Distt. Uttarkashi
48.	Executive Officer, Nagar Palika Parishad, Uttarkashi, Distt. Uttarkashi
49.	Executive Officer, Nagar Panchayat, Barkot, Distt. Uttarkashi
50.	Executive Officer, Nagar Panchayat, Gangotri, Distt. Uttarkashi
51.	Executive Officer, Nagar Palika Parishad, Champawat, Distt. Champawat
52.	Executive Officer, Nagar Palika Parishad, Tanakpur, Distt. Champawat
53.	Executive Officer, Nagar Panchayat, Lohaghat, Distt. Champawat
54.	Executive Officer, Nagar Panchayat, Banbasa, Distt. Champawat
55.	Nagar Aayukt, Nagar Nigam, Haldwani, Distt. Nainital
56.	Executive Officer, Nagar Palika Parishad, Nainital, Distt. Nainital
57.	Executive Officer, Nagar Palika Parishad, Ramnagar, Distt. Nainital
58.	Executive Officer, Nagar Palika Parishad, Bhowali, Distt. Nainital
59.	Executive Officer, Nagar Panchayat, Kaladungi, Distt. Nainital
60.	Executive Officer, Nagar Panchayat, Lakuan, Distt. Nainital
61.	Executive Officer, Nagar Panchayat, Bheemtal, Distt. Nainital

62.	Chief Executive Officer, Cantt. Board, Bhowali Road, Nainital, Distt. Nainital
63.	Executive Officer, Nagar Palika Parishad, Bageshwar, Distt. Bageshwar
64.	Executive Officer, Nagar Panchayat, Kapkot, Distt. Bageshwar
65.	Executive Officer, Nagar Palika Parishad, Pithoragarh, Distt. Pithoragarh
66.	Executive Officer, Nagar Palika Parishad, Dharchula, Distt. Pithoragarh
67.	Executive Officer, Nagar Panchayat, Didihat, Distt. Pithoragarh
68.	Executive Officer, Nagar Panchayat, Gangolihat, Distt. Pithoragarh
69.	Executive Officer, Nagar Panchayat, Berinag, Distt. Pithoragarh
70.	Executive Officer, Nagar Palika Parishad, Almora, Distt. Almora
71.	Executive Officer, Nagar Panchayat, Dwarahat, Distt. Almora
72.	Chief Executive Officer, Cantt. Board, Ranikhet Cantt, Distt. Almora
73.	Chief Executive Officer, Cantt. Board Almora, Distt. Almora
74.	Executive Officer, Nagar Panchayat, Shaktigarh, Distt. US Nagar
75.	Executive Officer, Nagar Palika Parishad, Gadarpur, Distt. US Nagar
76.	Executive Officer, Nagar Palika Parishad, Jaspur, Distt. US Nagar
77.	Executive Officer, Nagar Palika Parishad, Bazpur, Distt. US Nagar
78.	Executive Officer, Nagar Palika Parishad, Kichha, Distt. US Nagar
79.	Executive Officer, Nagar Palika Parishad, Sitarganj, Distt. US Nagar
80.	Executive Officer, Nagar Palika Parishad, Khatima, Distt. US Nagar
81.	Executive Officer, Nagar Panchayat, Mahua Dabra, Distt. US Nagar
82.	Executive Officer, Nagar Panchayat, Mahuakheraganj, Distt. US Nagar
83.	Executive Officer, Nagar Panchayat, Sultanpur Patti, Distt. US Nagar
84.	Executive Officer, Nagar Panchayat, Kelakhera, Distt. US Nagar
85.	Executive Officer, Nagar Panchayat, Dineshpur, Distt. US Nagar
86.	Executive Officer, Nagar Palika Parishad, Rudrapur, Distt. US Nagar
87.	Nagar Aayukt, Nagar Nigam, Kashipur, Distt. US Nagar

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