IEAD OFFICE

Uttarakhand Environment Protection and Pollution Control Board 29/20, Nemi Road, Dalanwala, Dehradun (Uttarakhand)



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

Phone: (0135) 2658086; Fax: (0135) 2718092; E-mail: msukpcb@yahoo.com; Web: www.ueppcb.uk.gov.in

Ref: UEPPCB/HO/Gen-50(III) /2017/ 1/80-7-72

Dehradun,

September /7 , 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)

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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:

- 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.
- 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

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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 canes, tetra packs, fruit peel, wrappers, etc., or burn or burry 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, biomethanation 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.

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- 21. Create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:
 - i) Not to litter.
 - Minimise generation of waste. ii)
 - Reuse the waste to the extent possible. iii)
 - Practice segregation of waste into bio-degradable, non-biodegradable (recyclable and iv) combustible), sanitary waste and domestic hazardous wastes at source. v)
 - Practice home composting, vermi-composting, bio-gas generation or community level
 - 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.
 - Storage of segregated waste at source in different bins. vii)
 - 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. | l 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 construction and demolition wastes. | 2 Years |
| 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 |

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| 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)-'k0fo0-2016-35(dks0ds0)/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 High Court, Nainital 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, 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 incharge 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-

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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.

WHEREAS, the Uttarakhand Environment Protection and Pollution Control Board, Head office, 29/20, Nemi Road, Dalanwala, Dehradun issued directions under Section-5 of the Environment (Protection) Act, 1986 to all Urban Local Bodies and Cantonment Boards of the Uttarakhand for ensuring timely compliances of provisions of the Solid Waste Management Rules, 2016 vide its letter ref. no. UEPPCB/HO/Gen-50(III)/2017/9988-2044 dated 22.02.2017; and the State Board has not received action taken reports in this regard.

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 further directed to comply with the following directions:

- 1. The Municipal Authority/Cantonment Boards shall ensure implementation of 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/Cantonment Boards 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.
- 4. The Municipal Authority / Cantonment Boards shall strictly comply with the directions issued by the Hon'ble High Court, Nainital and Hon'ble National Green Tribunal.

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

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

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MEMBER SECRETARY

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.

Secretary, Urban Development, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun for kind information please.

4. **Project Director, SPMG, NGRBA,** 117-Indira Nagar, Dehradun for kind information please.

5. 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.

6. Regional Officer, UEPPCB, Regional Office, Haldwani/Kashipur/Roorkee/Dehradun for information and compliance of above directions.

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| 3. | Nagar Aayukt, |
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| | Nagar Nigam, |
| 0. | Rudrapur, Distr. US Nagar Nagar Anyukt, |
| | Nagar Nigam, |
| 7 | Kashipur, Distt. US Nagar Executive Officer. |
| . | Nagar Palika Parishad, |
| _ | Mussoorie, Distt Dehradun |
| 8 | Executive Officer, Napar Palika Parishad, Vikasnagar, Distt. |
| | Debrachin |
| 9. | Executive Officer, |
| | Nagar Palika Parishad. Kishikesh, Distt. Dehradun |
| 10. | Executive Officer, |
| | Nagar Palika Parishad, |
| 11. | Manglore, Distt. Haridwar Executive Officer, |
| | Nagar Palika Parishad, Shivalik Nagar-BHEL, |
| 12 | Rampur, Distt. Haridwar Executive Officer, |
| 14 | Nagar Palika Parishad, |
| wan lade | Uttarkashi, Distt. Uttarkashi |
| 13. | Executive Officer, Napar Palika Parishad, Chamoli-Gopeshwar, |
| | Distt. Chamoli |
| 14 | Executive Officer, |
| | Nagar Palika Parishad, Joshimath, Distt. Chamoli |
| 15. | Executive Officer, |
| | Nagar Palika Parishad, New Tehri, Distt. Tehri |
| 16. | Executive Officer, |
| | Nagar Palika Parishad. |
| 17 | Narendra Nagar, Distt. Tehri Executive Officer, |
| | Nagar Palika Parisad, |
| 18 | Muni Ki Reti-Dhalwala, Distt. Tehri Executive Officer, |
| " | Nagar Palika Parishad, Rudraprayag, Distt. |
| - | Rudraprayag |
| 19 | Executive Officer, Nagar Palika Parishad. |
| | Pauri, Distt. Pauri |
| 20. | Executive Officer, Nagar Palika Parishad, |
| | Srinagar, Distt. Pauri |
| 21. | Executive Officer, |
| - 10 | Nagar Palika Parishad, Duggada, Distt. Pauri |
| 22 | Executive Officer, |
| | Nagar Palika Parishad. Kotdwar, Distt. Pauri |
| 23 | Executive Officer. |
| | Nagar Palika Parishad, Pithoragarh, Distt. |
| 24 | Pithoragarh Executive Officer, |
| 24 | Nagar Palika Parishad. |
| | Dharchula, Distt. Pithoragarh |
| 25 | Executive Officer, Nagar Palika Parishad, Champawat, Distt. |
| | Champawat |
| 26 | Executive Officer, |
| | Nagar Palika Parishad. Tanakpur, Distt. Champawat |
| 27 | Executive Officer, |
| | Nagar Palika Parishad, |
| 28 | Almora, Distt. Almora Executive Officer, |
| 28 | Nagar Palika Parishad, Bageshwar, Distt. |
| | Bageshwar |
| 29 | Nagar Palika Parishad, |
| | Namital, Distr. Namital |
| 30 | Executive Officer, Nagar Palika Parishad, Ramnagar, |
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| 1 | 40. | Doiwala, Distt. Dehradun |
| | 40. | Executive Officer, Nagar Panchayat, |
| | | Jhabrera, Distt. Haridwar |
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| | | Laksar, Distt. Haridwar |
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| | | Nagar Panchayat, Barkot, Distt. Uttarkashi |
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| | 10. | Nagar Panchayat, |
| | 49. | Badrinath, Distt. Chamoli Executive Officer, |
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| | | Nandprayag, Distt. Chamoli |
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| | 58. | Executive Officer, Nagar Pagelinyat, |
| 1 | | Kedamath, Distt. Rudraprayag |
| | 59. | Executive Officer, Nagar Panchayat, |
| 1 | | Agastmuni, Distt. Rudraprayag |
| | 60. | Executive Officer, |
| 1 | | Nagar Panchayat, Ukhimath, Distt. Rudraprayag |
| | 61. | Executive Officer, |
| 1 | 1 | Nagar Panchayat, |

| Executive Officer, Angar Panchayat, Angar Panchayat, Didihat, Distt. Pithoragarh Executive Officer, Angar Panchayat, Dangolihat, Distt. Pithoragarh Executive Officer, Angar Panchayat, Berinag, Distt. Pithoragarh Executive Officer, Angar Panchayat, Berinag, Distt. Pithoragarh Executive Officer, Angar Panchayat, Capkot, Distt. Bageshwar Executive Officer, Angar Panchayat, Danbasa, Distt. Champawat Executive Officer, Angar Panchayat, Distt. Almora Executive Officer, Angar Panchayat, Distt. Almora Executive Officer, Angar Panchayat, Distt. Almora Executive Officer, Angar Panchayat, Executive Officer, Angar Panchayat, Ballouria, Distt. Nainital Executive Officer, Angar Panchayat, Ballouria, Distt. US Nagar Executive Officer, Angar Panchayat, Mahua Dabra, Distt. US Nagar Executive Officer, Nagar Panchayat, Mahua Dabra, Distt. US Nagar Executive Officer, Nagar Panchayat, Mahua Dabra, Distt. US Nagar Executive Officer, Nagar Panchayat, Nagar Panchayat, Nagar Panchayat, Distt. US Nagar Executive Officer, Nagar Panchayat, Nagar Panchayat, Distt. US Nagar Executive Officer, Nagar Panchayat, Nagar Pancha |
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