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Greater Mumbai Cleanliness and Sanitation Bye-laws (Draft), 2006

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Greater Mumbai Cleanliness & Sanitation Byelaws - 2006 (DRAFT)

MUNICIPAL CORPORATION OF GREATER MUMBAI

BYE-LAWS FRAMED UNDER SECTION 461(ei) of MMC Act FOR REGULATING ALL MATTERS AND THINGS CONNECTED WITH THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTE Waste.

(Approved by the corporation under Resolution No. _____ dated _____ and confirmed by the Government of Maharashtra under their Notification No. _____ of this _____ day of 2006).

1. These byelaws shall be known as Greater Mumbai Cleanliness and sanitation byelaws, 2006 and come into operation on the first day of _____, 2006. These byelaws shall remain in force until amended in accordance with M.M.C. Act, due Notice of such amendment being published in the local newspapers of the city of Greater Mumbai.

2. These byelaws shall apply to every public place within the limits of Greater Mumbai, to every generator of Municipal Solid Waste and to every premises under the ownership or occupation of any person within the limits of MCGM

3 In these byelaws and the Schedule attached thereto the following words shall have the meaning herein defined i;e;

1. “aangan” means the public place in front or adjacent to any premises extending to the kerb side and including the drain, footpath and kerb;

2 “Assistant Commissioner” means the Assistant Commissioner of the concerned ward of Brihanmumbai Municipal Corporation

3 “agency/agent” means any person/entity appointed or authorized by BMC to act on its behalf, based on an agreement between the Agent and BMC for discharge of duties or function such as sweeping of streets, collection of waste, collection of charges, etc.

4 “bio-degradable waste” means the waste of plant and animal origin e.g. kitchen waste, food & flower waste, leaf litter, garden waste, animal dung, fish/meat waste.

5 “bio-medical waste” means any waste, which is generated during the diagnosis, treatment or immunization of human beings or animals or in research activities pertaining thereto or in the production or testing of biological, and including categories mentioned in Schedule IV;

6 “bio-methanation” means a process, which involves the enzymatic decomposition of organic matter by microbial action to product methane-rich biogas;

7 "Bulk generator" means the owner, occupier or any other person representing owners and occupiers of any housing society / housing complexes, restaurants; hotels, markets, industrial estates and shopping complexes / malls and includes any government or public office building, or other users such as clubs, gymkhanas, "marriage halls", recreation/entertainment complexes or any other source/premises that are specifically identified and notified by the Assistant Commissioner of the concerned ward to be so.

8 "Chief Engineer" means the Chief Engineer of the Solid Waste Management Department of the Mumbai Municipal Corporation;

9 "collection " means lifting and removal of Municipal Solid Waste from fixed collection points or any other location;

10 "collection at source" means the collection of Municipal Solid Waste by BMC directly from within the premises of any building or common premises of a group of buildings. This is also referred to as "house-to-house collection" or doorstep collection;

11. "Community waste storage center" means any storage facility set up and maintained collectively by owners and or / occupiers of one or more premises for storage of Municipal Solid Waste in a segregated manner in the premises of any one of such owners/occupiers or in their common premises,

12 "composting" means a controlled process involving microbial decomposition of organic matter; it includes vermi-composting, which is a process of using earthworms for conversion of biodegradable waste into compost;

13. Community Services means to serve the community by sweeping the road or cleaning of walls, tree guard portion.

14 "construction and demolition waste" (C & D waste) means non-hazardous waste from building materials, debris and rubble resulting from construction, remodeling, repair and demolition operations;

15 "Dattak Vasti Yojana (Slum Adoption Scheme) means the scheme referred to by this name which operated by BMC through Community Based Organisations for achieving cleanliness in slums;

16 "delivery" means handing over any category of solid waste to a BMC worker or any other person appointed authorized or licensed by the BMC for taking delivery of such waste or depositing it in any vehicle provided by the BMC or by any other authorized or licensed by the BMC to do so;

17 "dry waste" means the category of Municipal Solid Waste referred to at byelaw

5.1 (6) of these byelaw ;

18 "dry waste sorting center" means any designated land, shed, kiosk, or structure located on any municipal or Government land or in a public space which is authorized to receive and sort dry waste;

19 "familiarization/warning period" means that specific period as provided in Schedule - I during which there is a relaxation in the Fines for contravention of these Byelaws;

20 “bulk garden and horticultural waste” means bulk waste from parks, gardens, traffic islands etc. and includes grass clippings, annual weeds, woody ‘brown’ carbon-rich material such as pruning, branches, twigs, wood chipping, straw or dead leaves and tree trimmings, which cannot be accommodated in the daily collection system for bio-degradable waste;

21 “generator of waste” means any person generated Municipal Solid Waste within the limits of BMC/MCGM;

22 “ghanta-gadi” means the bell-ringing vehicle provided by BMC for point-to-point collection of Municipal Solid Waste;

23 “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 shall include wastes specifically listed in Schedule III, of these bye-laws and all other hazardous wastes as defined in the definition No. 14 of “The hazardous wastes (Management and Handling) Byelaws, 1989” (as amended, May, 2003).

24 “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 or other polluted matter by persons employed in the clearing thereof or in the removal of such matter there from.

25 “inert solid waste” means any solid waste or remnant of processing whose physical, chemical and biological properties make it suitable for sanitary land filling;

26 “landfill” 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;

27 “litter” means all refuse and include any other waste material which, if thrown or deposited as prohibited under these Byelaws, tends to create uncleanness or a danger or nuisance to public health, safety or welfare.

28 “littering” means putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend blow, be washed, percolate or otherwise escape into or onto any public place. Or causing, permitting or allowing litter to fall, descend, blow, be washed, percolate or otherwise escape into or onto any public place.

29 “Municipal Commissioner” means the Municipal Commissioner or an Additional Commissioner of Brihanmumbai Municipal Corporation, and where the context requires, any or any officer of the Brihanmumbai Municipal Corporation who is vested or delegated with the relevant powers of the Municipal Commissioner under the MMC Act 1888 or any other law;

30 “Municipal Corporation” means the Brihan Mumbai Municipal Corporation and, where the context requires, its Agent(s);

31 “Municipal Solid Waste” includes commercial, residential and other waste generated in the Municipal Corporation of Brihan Mumbai area in

either solid or semi-solid form excluding industrial hazardous waste, but including treated bio-medical waste;

32 "neighbourhood" means a clearly defined locality, with reference to its physical layout, character or inhabitants;

33 "new construction" means all building constructed after 9th January 2003, as specified in BMC (Building Proposals) circular of the same date regarding the mandatory provision of vermin-composting units within such premises;

34. "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.

35 "nuisance detectors" (NDs) means those employees of BMC who are appointed by BMC to detect act of Public nuisance etc

36 "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;

37 "owner" means any person who exercises the rights of an owner of any building, or land or part thereof;

38 "person" means any person or persons and shall include any shop or establishment or firm or company or association or body of individuals whether incorporated or not and their Agents;

39. "point to point collection" means the system of collection of Municipal Solid Waste from specific pick-up points as designated by BMC, up to which the generator must bring the collected and stored waste for delivery to a ghanta-gadi or any other vehicle so appointed by the BMC;

40. premises" includes buildings, tenements in a building, house, outhouse, stable, shed, hut, and any other structure whether of masonry, brick, mud, wood, metal or any other material whatsoever and lands of any tenure whether open or enclosed whether built upon or not being used for the time being for purposes of residence, trade, industry, service, business, government or any other public or private purpose including weddings, banquets, meetings, exhibitions, organized events, etc. It also includes any portion of a public road that is permitted by the Municipal Commissioner to be used for the time being for parking of vehicles, street vending, storage of materials at a work site or for any public or private purpose whatsoever other than the movement of vehicles; 41. Processing" means any scientific process by which solid waste is treated for processing for the purpose of recycling or making it suitable for landfilling;

42. public place" includes any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc.; 43. receptacle"

means any container, including bins and bags, used for the storage of any category of municipal waste; 44. recycling" means the process of transforming segregated non-biodegradable solid waste into raw materials for producing new products, which may or may not be similar to the original products; 45. "Refuse" means any waste matter generated out of different activities, processes, either degradable/non-degradable/inert in nature in either solid or semi-solid form which can not be consumed, used or processed by the generator in its existing form.

46. refuse removal charges" means fees or charges notified by BMC from time-to-time for collection, transport and disposal of Municipal Solid Waste from different categories of waste generators. It includes "trade refuse charges" as made applicable to various categories of licensees;

47. "Sanitation" means the promotion of hygiene and the prevention of disease and other consequences of ill health relating to environmental factors.

48. Schedule" means a schedule appended to these Byelaws;

49. segregation" means to separate Municipal Solid Waste into the specified groups of bio-degradable, hazardous, bio-medical, construction and demolition, bulk garden and horticultural, and all other inert waste;

50. Source" mean the premises in which waste is generated or a community storage centre used by owners / occupiers of one or more premises for segregated storage of Municipal Solid Waste;

51. stabilised biodegradable waste" means the biologically stabilized (free of pathogens) waste resulting from the mechanical / biological treatment of biodegradable waste; only when stabilised can such waste be used with no further restrictions;

52. "storage" means the temporary containment of Municipal Solid Waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour;

53. "Superintendent of Gardens" means the Superintendent of Gardens of the Brihanmumbai Municipal Corporation;

54. "transportation " means conveyance of Municipal Solid Waste from place to place;

55. "ward" means an administrative ward of BMC unless specified otherwise;

56. "ward office" means the office of an administrative ward which is headed by an Assistant Commissioner of BMC;

Words and expressions used in these Byelaws but not defined shall have the meanings respectively assigned to them in the Mumbai Municipal Corporation Act, 1888, or the Municipal Solid Waste (Management and Handling) Byelaws 2000, unless the context otherwise requires.

(4) Prohibition of littering, and other nuisances and ensuring "Saaf Aangan"

4.1 Littering in any public place: No person shall throw or deposit litter in any public place except in authorized public or private litter receptacles.

- 4.2 Littering on any private property: No person shall throw or deposit litter on any occupied, open or vacant private property, whether or not occupied by such person, except in authorized private or public receptacles.
- 4.3 Litter –throwing from vehicles: No person, whether a driver or passenger in a vehicle, shall throw or deposit litter upon any street, road, sidewalk, playground, garden traffic island or other public place.
- 4.4 Litter from carrying vehicles: No person shall driver or move any truck or other vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.
- 4.5 Creating Public Nuisance: No person shall bathe, spit, urinate, defecate, feed animal or birds, repair/wash vehicles, utensils or any other object or keep any type of storage in any public place except in such public facilities or convenience specifically provided for any of these purposes.
- 4.6 Ensuring “Saaf Aangan” Every person shall ensure that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.

(5) Segregation, storage, delivery and collection of Municipal Solid Waste:

- 5.1 Segregation of waste into six specified groups: Every generator of Municipal Solid Waste shall store unmixed in or separate the waste at the source of waste generation into the following six categories:
- 1) Bio-degradable (wet) waste
 - 2) Specified hazardous waste
 - 3) Bio-medical waste
 - 4) Construction and demolition waste
 - 5) Bulk garden and horticulture waste including recyclable tree trimmings.
 - 6) All other nonbiodegradable (dry) waste including recyclable and non-recyclable waste.

Proviso: The Municipal Commissioner may separately notify different stages for implementation of this rule by initially limiting these above categories taking into account the level of awareness among generators of waste as well as availability of infrastructural support in the city.

5.2) Delivery of segregated waste: At the co-operative society/multi-storied building/community level, as well as at the point of collection-at-source or the point of delivery, waste shall be kept unmixed / segregated and stored and delivered in the above specified groups. If the waste delivered is found to be mixed, this will be considered a breach of the Byelaws, and a fine will be applied as per the Schedule of Fines. Repeated breach may also result in other penal measures.

Proviso: The Municipal Commissioner may separately notify from time to time the 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 manual handling or spillage of waste, which generators of different types of solid waste shall have to adhere to.

5.3) Bio-degradable waste: Segregated Bio-degradable Municipal Solid Waste (as per the illustrative list in Schedule II) if not composted by the generator, shall be stored by generators of such waste within their premises and its delivery shall be ensured by every such generator to the ghanta-gadi or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste or to the designated biodegradable waste storage centers from where BMC shall collect such waste daily at such times as the concerned Assistant Commissioner may notify from time to time.

5.4 Composting by all generators: With a view towards achieving the larger objective of reducing the cost of transportation of waste, local composting of waste shall be promoted.

5.5 Specified household hazardous waste: (as listed in Schedule III) shall be stored and delivered by every generator of waste to the collection vehicle which shall be provided weekly/periodically by BMC or any other Agency authorized by the Maharashtra Pollution Control Board (MPCB) for collection of such waste, or to a center designed for collection of such waste for disposal in a manner that is mandated by the Government of Maharashtra or the MPCB.

5.6 Untreated bio-medical waste (as listed in Schedule IV) shall be stored in specified type of covered receptacles and delivered by every generator of such waste to the collection vehicle which shall be provided weekly/periodically by BMC or any other Agency authorized by the MPCB, or to a center designated for collection of such waste, for disposal in manner that is mandated by MPCB in accordance with the Bio-Medical Waste (Management & Handling) Rules 1998 (as amended to date).

5.7 Construction and Demolition waste (C & D waste) shall be stored and delivered separately as per the Construction & Demolition and Desilting Waste (Management and Disposal) Rules 2006 of BMC. These Byelaws state that for Category 4 i.e. Small Generators (household level), it will be the responsibility of the generator to store the segregated C&D waste at source. The generator must then call a local Help-line of BMC or the Agent of BMC, who will then send a vehicle to pick up the segregated C&D waste from the generator, with a specified charge, and then further transport this waste to a processing centre, details of which are available in the respective ward offices of BMC. Non-compliance will attract fines as per the Construction & Demolition & De-silting waste (Management & Disposal) Rules 2006.

5.8 All other Non-biodegradable ("Dry") waste – both recyclable and non-recyclable – referred to at 5.1(6) in these byelaw shall be stored and delivered by every generator of waste to the dry waste collection vehicle which shall be

provided by BMC or its Agents at such spots and at such times as may be notified by the concerned Assistant Commissioner from time-to-time for collection of such waste, or to the licensed dry waste sorting centers.

5.9 Bulk garden and horticultural waste shall be kept un-mixed and composted at source. The Superintendent of Gardens or the concerned Assistant Commissioners shall notify Instructions/guidelines with regard to pruning of trees and storage and delivery of tree trimmings including collection schedules. Where it is not possible to compost at site, BMC will continue to collect and transport segregated garden and horticultural waste by charging suitable fees as notified by it from time to time.

5.10 Community waste storage centers: Where any type of Municipal Solid Waste is collected by a BMC vehicle directly from any community waste storage centers whether located in an open space or a closed shed located inside any premises or in a public place, the waste shall be deposited inside separate receptacles to be provided for different types of segregated waste, and not around or in the general vicinity of any such receptacle.

5.11 Burning of waste: Disposal by burning of any type of solid waste at roadsides, dump sites, or any private or public property is prohibited. (This does not refer to the facilities set up for close and controlled incineration of specific types of waste which are authorised by the MPCB)

6. Obligatory Responsibilities of MCGM

6.1) Action against Transport Contractors / BMC Employees: BMC shall take strict and swift action against the Transport Contractor and/or BMC employees, including levying a penalty, if any worker of the contractor or any BMC employee mixes segregated waste at any point of collection; or does not pick up waste as per the specified time schedule.

6.2) Infrastructure facilities: MCGM will provide adequate infrastructure facilities to assist citizen's compliance with these Byelaws. In addition to waste collection services, litter bins, conveniently located community storage centers, dry waste sorting centers, and composting centers will be set up, wherever possible and essential, in consultation with local citizens. Adequate community toilet will be provided in slum localities with the participation of local community based organizations to prevent nuisance such as squatting, washing and bathing on public roads.

6.3) Assistance for reducing and recycling waste: Exemptions and discounts will be provided on the basis of savings made by MCGM on account of in-situ processing or recycling by generators of waste at source.

6.4) Citizen Resource Base: The Chief Engineer will prepare and publish lists of composting experts, licensed scrap dealers, dealers of recyclables, containers/ bin manufacturers, agencies with expertise in recycling, etc. who are registered by the Solid Waste Management Department of the MCGM so as to facilitate and support the citizens in recycling waste. The name and the

telephone number of officials and registered persons/organizations who can provide training, guidance and assistance in respect of this process will be made available. The details will also be made available at the website of BMC at www.mcgm.gov.in.

6.5) Trade Refuse Charges: MCGM will rationalise the Trade Refuse Charges applicable to hotels, restaurants, and other generators of waste, so that it is linked to the volume of net waste generated and not to the licence fee charged against any license issued to such a generator of waste. Such information will be available at all Ward Offices and on MCGM website.

6.6) Local Bio-degradable waste processing units: Wherever possible MCGM set up small scale processing units (composting or bio-methanation) in public parks, playgrounds, recreation grounds, gardens, markets, large vacant lands owned and maintained by MCGM or any other public authority or Government department, or will cause such units to be set up by adopting agencies / caretakers / contractors / tenants responsible for the maintenance of public spaces or private owners / occupiers of such vacant lands. These will also serve as demonstration models for the local community and will be maintained in such a manner that no nuisance or inconvenience is caused to the public and no damage is caused to the environment.

6.7) Bio-degradable puja articles: The Assistant Commissioner of every ward will himself undertake or will authorise interested organizations to collect bio-degradable 'puja' articles (flowers, leaves, fruits only) at certain designated sites near water-bodies such as beaches, lakes, ponds, etc. as notified, in special receptacles or "kalashes". The collection from such receptacles will then be composted at a suitable location, and the receptacles as well as the composting units will be manned specifically for this purpose

6.8) Point-to-Point waste collection services: The Chief Engineer will provide for the collection of the Municipal Solid Waste from specific pick-up points on a public or private road up to which the generator must bring the collected and stored waste for delivery to a "ghanta-gadi" (bell-ringing vehicle) that shall be provided by MCGM. The services of the ghanta-gadi shall be provided by MCGM for point-to-point collection of waste according to the route plans at such times and at spots as may be notified by the concerned Assistant Commissioners in advance for specified types of waste for different localities.

6.9) Collection at source: MCGM will provide for the collection of Municipal Solid Waste at source from within the premises of a building or group of buildings from waste storage receptacles kept on the premises to which BMC vehicles / workers are provided access at such times as may be notified by the concerned Assistant Commissioners.

6.10) Data about waste received at landfill: MCGM will release publicly, the monthly data about the quantity of each category of waste going to the different landfills and waste processing sites. Such information will be available at the Ward Office and on BMC website.

6.11) Community waste storage centres in public places: In exceptional cases, where point-to-point collection or collection at source is not possible or

has not been started for the time being, MCGM will provide and maintain community waste storage centres on public roads or other public spaces wherever essential and possible, as determined by the Assistant Commissioner, by MCGM itself or through an Agent, until it becomes possible to make arrangements for collection at source or point-to-point collection by ghanta-gadis at the required frequencies.

Segregated waste shall be delivered by the concerned generators to such community waste storage centres, and thereafter collected by MCGM. These community waste storage centres will be manned by MCGM or its Agents to ensure compliance of segregation and avoidance of public nuisance and health hazards. Every community waste storage centre shall have at least two separate receptacles for bio-degradable and non-bio-degradable waste. Where possible, composting will also be carried out at these spots. Details of all such centres including the arrangements and schedules of waste collection from such centres will be available at the Ward Office and on MCGM website.

Assistant Commissioner of respective wards will ensure that at no point of time the community bins are overflowing or refuse are splattered either by rags pickers or dogs etc.

6.12) Dry waste sorting centers: In order to regulate and facilitate the sorting of the recyclable and non-recyclable waste the concerned Assistant Commissioners will provide for as many dry waste sorting centers as needed & possible, where dry waste is collected and then sorted. These dry waste sorting centers may be on BMC land or land belonging to the Government or other bodies, made available especially for this purpose, or in the form of sheds or kiosks provided at suitable public places and will be manned/operated by registered cooperative societies of ragpickers / licensed recyclers or any other Agents authorised / appointed by BMC. The non-recyclable waste which remains after sorting will be further transported from such sorting centers from time-to-time to waste disposal sites for processing or land-filling. Facilities for purchase and sale of different types of waste at notified prices at such dry waste sorting centres will also be considered and authorised by concerned Assistant Commissioner such center will be fenced/screened in such way that waste will be not be visible to passers by.

6.13) Time schedule and route of collection: The daily and weekly time schedules and routes of BMC's collection of different types of Municipal Solid Waste such as i) biodegradable, ii) recyclable and non-recyclable (dry), iii) household hazardous, and iv) bio-medical waste, will be fixed and notified in advance by the concerned Assistant Commissioners. Details will be available at all Ward Offices and on the BMC website. Similarly, the arrangements for the collection of construction and demolition waste, and garden and horticultural waste, by BMC or its licensees will be made available to the public as well as to the bulk generators of waste by the Chief Engineer, the Superintendent of Gardens, or the concerned Assistant Commissioner as the case may be.

6.14) Surprise checks: Assistant Commissioner will organise surprise checks in various parts of their respective wards in Municipal limits at any time (day or night), with a view to encourage compliance. Any contravention will attract a Fine and any litter found during these checks will be cleared by BMC.

6.15) Enforcement Squads in each ward: The Chief Engineer will strengthen the existing system of Nuisance Detectors (both in numbers and capabilities) and Enforcement Squads by providing suitable uniforms and vehicles to Nuisance Detectors and creating a system of incentives for nuisance detection, and non-revenue targets.

6.16) Publicity: - Citizen information services The MCGM shall publicize the provision of the Byelaws through the media of Signs, advertisement, leaflets, announcement on radio and televisions, newspapers articles and through any other appropriate means, so that all citizens will have the opportunity to become informed about their legal duties and about MCGM's recycling, refuse & anti-litter services and fines.

6.17) Designated officers and periodic reports: The Chief Engineer and the Assistant Commissioner will designate officers under their control who shall be responsible for implementing the obligatory responsibilities of MCGM specified under these Byelaws in accordance with the micro-plans and time schedules for implementation during the financial year. The specific plans and time schedules and achievements against the same along with reasons for short falls, if any, will also be shared publicly by the Chief Engineer through the MCGM website.

6.18 Transparency and Public Accessibility: In order to ensure greater transparency and public accessibility of BMC, it is necessary to that all such information that BMC is required to publicize through its website www.mcgm.gov.in.

6.19 Co-ordination with Government Bodies: MCGM shall co-ordinate with other government agencies and authorities, to ensure compliance of these Byelaws within areas under the jurisdiction or control of such bodies.

7 Obligatory Responsibilities of MCGM and /or generators of waste in case of some specific categories/situations:

Keeping in mind the particular nature of some situations, the following responsibilities are specifically mandated:

7.1. Slums

7.1.1 Assistant Commissioners will extend the Dattak Vasti Yojana (Slum Adoption Program) to currently uncovered areas within their wards for solid waste management, wherever qualified Community Based Organisations (CBOs) come forward.

7.1.2 Where applicable, MCGM's ghanta-gadi will be provided at fixed times to a point outside the slum, for the collection of segregated solid waste.

7.1.3 In exceptional cases, until the services of a ghanta-gadi at required frequencies can be provided at designated spots on a public road or

any other public space for the time being, manned community waste storage bins will be maintained by MCGM, where segregated waste will be deposited by the generator, and from where BMC will collect such waste. The CBO's participating in the Dattak Vasti Yojana will be involved in the maintenance of such community waste storage centers.

7.1.4 Cleanliness drives will be conducted by BMC in association with local councilors, Citizens organizations, Government bodies/Corporates for the cleanliness of areas inside the slums, from time to time, in association with CBOs participating in the Dattak Vasti Yojna.

7.2.1 Poultry, Fish and Slaughter Waste (From all areas other than designated slaughter houses and markets)

7.2.1. 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 MCGM collection vehicle provided for this purpose. Deposit of such waste in any community waste bin is prohibited and will attract fines as indicated in the schedule of Fines.

7.2.2 The market department of MCGM will be responsible for remodeling of such markets to provide maximum hygiene and sanitary conditions.

7.3 Vendor/Hawkers All vendors/hawkers shall keep their bio-degradable and other waste unmixed in containers / bins at the site of vending for the collection of any waste generated by that vending activity. It will be the responsibility of the generator/vendor to deliver this waste duly segregated to the ghanta-gadi of MCGM or to the nearest designated community waste storage bin. Failure to do so will attract fines as per the Schedule of Fines. Each Vendor/hawker will be responsible to maintain 'Saaf Aangan'

7.4 House-gullies:

7.4.1 It will be the responsibility of the owner/occupier of premises with house-gullies to ensure that no waste is dumped in the house-gully, and to segregate and deliver any solid waste to the waste collection vehicle which shall be provided by MCGM at such spots and at such times as may be notified by BMC. Failure to do so will attract a fine as per the Schedule of Fines.

7.4.2 where owners/occupiers of such premises wish to avail of the services of MCGM for the cleaning of the house gully, they must apply to the concerned Ward Office of MCGM and pay suitable refuse removal charges as notified by MCGM from time to time. It will be the

responsibility of the owners/occupiers to provide access to the house gully for cleaning purposes.

7.5 Litter by owned/pet animals

It shall be the responsibility of the owner of any pet animal to promptly scoop/clean up any litter created by pet animals on the street or any public place, and take adequate steps for the proper disposal of such waste possibly by their own sewage system. Failure to do so will attract fines as per the Schedule of Fines.

7.6) Public Gatherings and Events:

7.6.1 For Public Gatherings and Events, organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where Police and/or MCGM permission 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.

7.6.2 A Refundable Cleanliness Deposit, as may be notified by MCGM, will be taken from the Organiser, by the concerned ward 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 MCGM for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the concerned Ward Office of MCGM and pay the necessary charges as may be fixed for this purpose by MCGM.

7.7 Receptacles on private property

Every owner or occupant of private property may maintain authorized refuse receptacles on private premises provided the receptacles are not visible from public street/roads and sidewalks.

7.8 Problems of Car parkings on streets/roads

As private cars/other vehicles are parked on public streets or roads over night and also during day time in public commercial area, road sweeping beneath the vehicle cannot be done. In such places, where road/street sweeping is not effected, it will be the responsibility of the car/vehicle owner to get that place cleaned or otherwise pay fine as specified in Schedule I.

7.9 Other public places

Any other public premises owned, occupied by Government / Semi-government, statutory bodies shall be responsible for implementation of these Bye-laws within the premises occupied by them.

8) Penalties for contravention of these Byelaws

8.1 On and after the date of commencement of these byelaws, there will be a familiarization / warning period of 30 days, after which, any contravention of these byelaws shall be punishable with fines as per the Schedule of Fines (Schedule I) for every instance of breach of these byelaws. In case the generator of waste is found contravening any of these byelaws next time, the fine amount will be doubled.

8.2 In case the person or any other generator of garbage is not able to pay the fine as mentioned in Schedule I while contravening any of these byelaws he will be required by the byelaws implementing authority or Nuisance Detectors or Enforcement Squad to do the community work for atleast one hour like road sweeping or graffiti cleaning etc.

Proviso: Penalty of 'Community Service' will first be implemented in notified areas, as decided by the Municipal Commissioner, for the first 3 months on pilot basis, and after its successful implementation will be made applicable in the whole of the MCGM jurisdiction.

Sd/-

Addl. Municipal Commissioner (City)

Date:

X-X-X-X-X

Schedule – I (Schedule of Fines)

Sr. No.	Byelaw No.	Sub-division / Description of Byelaw	Amount of Fine applicable for breach of Byelaw
Byelaw No. 4.1: Littering, Creating Nuisance, and Saaf Aangan			
1	No. 4.1 to 4.4	Littering	Rs. 500
2	No. 4.5 Creating Nuisance	Spitting	Rs. 500
3		Bathing	Rs. 500
4		Urinating	Rs. 500
5		Defecating	Rs. 500
6		Feeding animals/birds	Rs. 500

		in non-designated areas	
7		Washing vehicles	Rs. 1000
8		Washing utensils /clothes/any other object	Rs. 500
9	No. 4.6	For not maintaining Saaf Aangan: for a) for owners / occupiers of single premises b) for others	Rs.1000 Rs.10000
Byelaw No. 5: Segregation, storage, delivery and collection			
10	No 5.1 and 5.2	For delivering waste that is not segregated and stored as specified in separate bins: a)individual b) bulk generator	Rs.1000 Rs. 10000
11	No. 5.3	For not delivering bio-degradable waste in a segregated manner as specified	Rs.1000
12	No. 5.6	For not delivering specified hazardous waste in a segregated manner as	Individual Rs. 5000 Bulk Rs. 10000

		specified	
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13	No. 5.7	For not delivering biomedical waste in a segregated manner as specified	Rs. 20000
14	No. 5.8	For not delivering Construction and Demolition waste in a segregated manner as specified	Rs. 20000
15	No.5.9	For not delivering “dry” waste in a segregated manner as specified	Rs. 1000
16	No. 5.10	For not delivering garden waste and tree trimmings as specified	Rs. 5000
17	No. 5.11	For depositing waste outside designated community waste storage bin or in any non-designated area	Rs. 1000
18	No. 5.12	For disposal of waste by burning	Rs. 5000
Byelaw No. 7: Specific Categories / Situations			
19	No. 7.2	For not delivering (non-household) fish, poultry and meat waste in a segregated manner as specified	Rs. 5000
20	No. 7.3	a) For a vendor/hawker without a container/waste basket	Rs.1000
		b) For a vendor/hawker who does not deliver waste in a segregated manner as specified	Rs. 1000
21	No. 7.4	For not keeping a house gully clean	Rs. 10000

22	No. 7.5	For littering by pet/owned animals	Rs. 500
23	No. 7.6	For not cleaning-up after public gathering/event within 24 hours	Forfeiture of the Cleanliness Deposit & Rs. 10000 to 50000
24	7.8	Uncleanliness due to Car/vehicles parking on the road at the sweeping	Rs. 500/- one time
25	No. 7.10	Sticking of posters & Painting of walls as per area	Rs. 500 to Rs. 10000 Forfeiture of the Cleanliness

SCHEDULE – II –

Illustrative list of biodegradable and recyclable waste

Biodegradable Waste	Recyclable waste
"Biodegradable waste" means "wet" waste of plant and animal origin.	"Recyclable waste" means "dry" waste that can be transformed through a process into raw materials for producing new products, which may or may not be similar to the original products.
<ul style="list-style-type: none"> • Kitchen Waste including: tea leaves, egg shells, fruit and vegetable peels • Meat and bones • Garden and leaf litter, including flowers • Animal litter • Soiled paper • House dust after cleaning • Coconut shells • Ashes 	<ul style="list-style-type: none"> • Newspapers • Paper, books and magazines • Glass • Metal objects and wire • Plastic • Cloth Rags • Leather • Rexine • Rubber • Wood /furniture • Packaging

Schedule III:

Specified hazardous waste:

Specified Household Hazardous Waste
<ul style="list-style-type: none">• Aerosol cans• Batteries from flashlights and button cells• Bleaches and household kitchen and drain cleaning Agents & its containers.• Car batteries, oil filters and car care products and consumables• Chemicals and solvents and their containers• Cosmetic items, chemical-based Insecticides and their containers• Light bulbs, tube-lights and compact fluorescent lamps (CFL)• Discarded Medicines and its containers,• Paints, oils, lubricants, glues, thinners, and their containers• Pesticides and herbicides and their empty containers• Photographic audio/video tapes and their containers, chemicals• Styrofoam and soft foam packaging of furniture, packaging and equipment• Thermometers and mercury-containing products

Schedule IV:

List of Bio-medical waste: (Extract from the Bio-Medical Waste (M & H) , 1998)

Bio-medical waste
“Bio-medical waste” means any waste, which is generated during the diagnosis, treatment or immunisation of human beings or animals or in research activities pertaining thereto or in the production or testing of biologicals.

Category No 4 Waste sharps (needles, syringes, scalpels, blades, glass, etc. that may cause puncture and cuts. This includes both used and unused sharps)

Category No 5 Discarded Medicines and Cytotoxic drugs (waste comprising of outdated, contaminated and discarded medicines)

Category No 6 Solid Waste (Items contaminated with blood, and body fluids including cotton, dressings, soiled plaster casts, lines, beddings, other material contaminated with blood)

Category No. 7 Solid Waste (waste generated from disposable items other than the waste sharps such as tubing's, catheters, intravenous sets etc).

DRAFT

VOTE TODAY FOR CLEANER MUMBAI TOMORROW

Dear Mumbaikar,

To address the issue of Solid Waste Management effectively MCGM has planned to introduce 'Greater Mumbai Cleanliness & Sanitation Byelaws 2006'. Since these Byelaws directly concern all of us in our day-to-day activities and its efficient implementation will depend on your cooperation, we invite your comments and recommendations before finalizing them. A period of 14th August 2006 to 14th September 2006 has been specially earmarked for this participatory process and is golden opportunity for every concerned citizen to note this/her opinion. Fill the feedback form given below and post it to CHIEF ENGINEER, Solid Waste Management Department, MCGM, Palton Road Office, CST, Mumbai – 400 001.

By introducing these Byelaws, MCGM intends to penalize erring citizens as well as the erring staff. MCGM intends to convey the importance of sanitation to all the citizens of the City and it acknowledges the role of people & their participation in effective governance. Active Citizen Groups, NGOs & CBOs can make valuable Contribution in effective implementation of the Byelaws.

Any citizens in following ways can access the Greater Mumbai Cleanliness & Sanitation Byelaws 2006 and feedback form for the same.

1) Visit our website www.mcgm.gov.in and download the Byelaws and feedback form.

2) The printed copy is available at Public Relations Officer (PRO) of MCGM Head Office opposite CST Railway Station from 11.00 a.m. to 1.00 p.m. and at respective ward offices for inspection.

3) The proposed byelaws' copy can be purchased at PRO office for price of Rs. 25/-.

Looking forward for your co-operation and continuous interaction.

Shri Datta Dalvi,

Mayor, Mumbai

Sr No	Provision Under The Bylaw	Agree	Don't Agree	Can't say
1.	Littering in any public place, bathing, spitting, defecating, urinating, washing clothes and utensils, sticking posters in public places strictly prohibited.			
2.	Fine of Rs. 500/- to Rs. 5,000/- imposed on different categories of waste generators as per severity (Please refer the document available at ward offices, PRO office for necessary details)			
3.	If a person fails to pay the fine amount, he/she will have to do community service like sweeping, for atleast an hour in public places.			
4.	All community waste receptacles, even in private property to be placed in such a way so that they are not visible to any one from public roads/place etc.			
5.	Every citizen, family, housing colony, organization(whether Government owned or private) to segregate and deliver the solid waste into six specified categories, i.e., biodegradable, recyclable dry, hazardous, bio-medical, garden & horticultural, construction & demolition waste.			

6.	Organizers of a public event, gathering to clean the hired hall/ground within 24 hours from the event OR to pay the applicable fine on failing to do so			
7.	Disposal of ANY type of solid waste by burning is strictly prohibited.			
8.	All vendors and hawkers to keep their 'wet' and 'dry' waste in segregated manner in their own waste baskets.			
9.	All commercial generators of poultry, fish and slaughter waste to store their waste in closed hygienic waste bins and to submit to MCGM authorized vehicles with a care not to spill it in open.			
10.	All pet owners will be responsible to clean the litter created by the pet. On failing to do so, pet owners to pay fine as specified in the Byelaws.			
11.	MCGM shall encourage people's participation in solid waste management through enhancing its schemes like Slum Adoption Scheme, Advanced Lane Management, Local Area Citizens Group etc.			
12.	All generators (individuals, housing and commercial complexes) to compost their bio-degradable waste within premises.			
13.	Car owners to ensure that sweeping activity on public roads/spaces is not hampered due to parking of the vehicle.			
14.	The daily and weekly routes and schedules for waste collection shall be fixed by MCGM and notified to the general public through circulars at ward offices and MCGM website.			
15.	Cleanliness Byelaws should be implemented very strictly and fine should be levied ruthlessly.			