



Office of the Chairperson,
DIBRUGARH MUNICIPAL BOARD
Dibrugarh, Assam.
Estd 1873

NO: DM/Tech/SBM/Bye Laws/331/2016/3393

Dated Dibrugarh the 21st. Nov.2016

NOTIFICATION

In pursuance of notification No SO 1353(E) dated New Delhi, the 8th April,2016 by Ministry of Environment, Forest and Climate Change , Government of India and its publication in the Gazette of India Extraordinary Part II – Section 3 Sub Section (i) , No 861 , Dated New Delhi April 8,2016 , the Dibrugarh Municipal Board in its board meeting held on 20th.Oct.2016 framed the following bye laws as per Rule 15(e) of Solid Waste Management Rules ,2016 incorporating the provisions of rules and are as below :

1. **Short title and commencement and Jurisdiction :** (1)These rules shall be called “the Bye laws for Solid Waste Management ,2016” and will be applicable in the areas covered under Dibrugarh Municipal Board and will come into force from the date of this notification and publication in the official Gazette of Assam.
2. They shall come into force on the date of their publication in the Official Gazette.

2. Application.-These rules shall apply to every urban local body State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

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

1. “aerobic composting” means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;



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2. "anaerobic digestion" means a controlled process involving microbial decomposition of organic matter in absence of oxygen;

3. "Authorisation" means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;

4. "biodegradable waste" means any organic material that can be degraded by micro-organisms into simpler stable compounds;

5. "bio-methanation" means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;

6. "brand owner" means a person or company who sells any commodity under a registered brand label.

7. "buffer zone" means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total area allotted for the solid waste processing and disposal facility.

8. "bulk waste generator" means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;

9. "bye-laws" means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction

10. "census town" means an urban area as defined by the Registrar General and Census Commissioner of India;

11. "combustible waste" means non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;



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12."Composting" means a controlled process involving microbial decomposition of organic matter;

13."contractor" means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;

14."co-processing" means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;

15."decentralised processing" means establishment of dispersed facilities for maximizing the processing of bio-degradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;

16."disposal" means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;

17."domestic hazardous waste" means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;

18."door to door collection" means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises;

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19."dry waste" means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc;

20."dump sites" means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;

21."extended producer responsibility" (EPR) means responsibility of any producer of packaging



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products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;

22. "facility" means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;

23. "fine" means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these rules and/or bye-laws

24. "Form" means a Form appended to these rules;

25. "handling" includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;

26. "inerts" means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;

27. "incineration" means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;

28. "informal waste collector" includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;

29. "leachate" means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;

30. "local body" for the purpose of these rules means and includes the Dibrugarh Municipal Board.

31. "materials recovery facility" (MRF) means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity mentioned in rule 2 or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;

32. "non-biodegradable waste" means any waste that cannot be degraded by micro organisms into simpler stable compounds;



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33."operator of a facility"means a person or entity, who owns or operates a facility for handling solid waste which includes the local body and any other entity or agency appointed by the local body;

34.primary collection"means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the local body;

35."processing"means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;

36."recycling" means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the originalproducts;

37."redevelopment"means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;

38."refused derived fuel"(RDF) means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;

39."residual solid waste"means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;

40."sanitary land filling " means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;

41."sanitary waste"means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;

42."Schedule" means the Schedule appended to these rules;

43."secondary storage" means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;

44."segregation" means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable



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wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;

45."service provider"means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;

46."solid waste"means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities mentioned in rule 2;

47."sorting" means separating various components and categories of recyclables such as paper, plastic, card-boards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling;

48."stabilising"means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land ,soil erosion control and soil remediation;

49."street vendor"means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;

50."tipping fee" means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill;

51."transfer station" means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;



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52."transportation"means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;

53."treatment"means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;

54."user fee"means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.

55."vermi composting" means the process of conversion of bio-degradable waste into compost using earth worms;

56."waste generator" means and includes every person or group of persons, every residential premises and non residential establishments including Indian Railways, defense establishments, which generate solid waste;

57."waste hierarchy" means the priority order in which the solid waste is to should be managed by giving emphasis to prevention, reduction, reuse, recycling , recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;

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

(2) Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (prevention and Control of Pollution) Act, 1981 shall have the same meaning as assigned to them in the respective Acts.

4 .Duties of waste generators.-

(1) Every waste generator shall,-



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(a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non bio-degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorised waste pickers or waste collectors as per the direction or notification by the Dibrugarh Municipal Board from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;

(c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016; and

(d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

(3) All waste generators including households (rented or own) shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies at a rate fixed by the Dibrugarh Municipal Board.

(4) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the local body.

(5) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body and shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies at a rate fixed by the Dibrugarh Municipal Board.



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(6) All resident welfare and market associations shall in partnership with the local body and paying such user fee for solid waste management, as specified in the bye-laws of the local bodies and at a rate fixed by the Dibrugarh Municipal Board, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8) All hostels, hospital, hotels and restaurants shall in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body. All waste generators shall pay such user fee or charge as may be specified under for plastic waste management such as waste collection or operation of the facility thereof, etc.;



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Type of users	Duration	Amount	Fine for not following bye laws(in Rs.)
Private function	1- 3 days	1000	3000
	Up to 7 days	3000	9000
	7<	10000	30000
Public Event	1- 3 days	5000	15000
	3 -7 days	10000	30000
Wedding Hall /	Per event	2000	5000

Hotels not having facilities for processing of biodegradable waste to pay user charges for collection of solid waste at a rate to be fixed by the Dibrugarh Municipal Board per month per bed in the hostel.

Hospitals not having facilities for processing of biodegradable waste to pay user charges for collection of biodegradable waste only at a rate to be fixed by the Dibrugarh Municipal Board per month per bed in the hospital . Hotels not having facilities for processing of biodegradable waste to pay user charges for collection of biodegradable waste at a rate to be fixed by the Dibrugarh Municipal Board per month per bed and

Restaurants facilities for not having having processing of biodegradable waste to pay user charges for collection of such waste at a rate to be fixed by the Dibrugarh Municipal Board per month per 4 square metre of restaurant space.

(9) Every person responsible for organising an event in open space/pandal, which involves service of foodstuff in plastic or multi-layered packaging shall segregate and manage the waste generated during such events in accordance with the Solid Waste Management Rules, 2016.

5. Duties of Dibrugarh Municipal Board

There will be a Ward Level Committee for each ward with Ward Commissioner as the Member Secretary and one Social Worker as the President and at least ten other members of which atleast 5 must be ladies which will create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-



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- (i) not to litter;
- (ii) to dispose waste in the dustbins provided by the Dibrugarh Municipal Board after 8 PM and before 6 AM. (fill door to door collection of waste non-functional);
- (iii) Minimise generation of waste;
- (iv) Reuse the waste to the extent possible;
- (v) Practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
- (vi) Practice home composting, vermi-composting, bio-gas generation or community level composting;
- (vii) 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;
- (viii) Storage of segregated waste at source in different bins;
- (ix) Handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
- (x) Pay monthly user fee or charges to waste collectors or ward level committee or any other person authorised by the Dibrugarh Municipal Board for sustainability of solid waste management.
- (xi) Spot Fine for littering by individual on roads, drain, parks, religious places is fixed at 100/- for the first time , Rs 500 if found repeating.
- (xii) Spot fine of Rs 1000 for road side or in throwing of waste by street vendors/shop owner/ business establishment is fixed at Rs 500 for first time , Rs 2000 for second time and if found repeating fine of ten times the renewal fees of trade license and cancellation of trade license.
- (xiii) Person authorised to spot fine are:
 - 1. The Asstt Executive Engineer, Dibrugarh Municipal Board.
 - 2. Asstt Engineers, Dibrugarh Municipal Board.
 - 3. Junior Engineers, Dibrugarh Municipal Board.



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4. Sanitary Inspectors, Dibrugarh Municipal Board.
 5. Asstt Sanitary Inspectors, Dibrugarh Municipal Board.
 6. License Inspectors, Dibrugarh Municipal Board.
 7. Tax Collectors, Dibrugarh Municipal Board.
 8. Any other officer /employee engaged by Municipal Board by a special order.
- (xiii) This Municipality shall conduct raids when necessary at places suspected to be keeping stocks of solid waste materials and shall take action shall be initiated against the offender as per the law.

These Bye Laws come into force with immediate effect.

Signed/-

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Dibrugarh Municipal Board
Dibrugarh

Dated Dibrugarh the 21st. Nov.2016

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Copy for information to :

1. The Director, Directorate of Municipal Administration, Guwahati with a request to send the notification to Assam Govt. Press for publication in the next issue of Official Gazette.
2. The Deputy Commissioner, District Dibrugarh, Dibrugarh.
3. The Director, Printing & Stationary, Govt of Assam to print this notification in the next issue of Official Gazette and provide 100 copies to Dibrugarh Municipal Board.
4. All Ward Commissioner, Dibrugarh Municipal Board.
5. Concerning branch.

Signed/-

Chairperson,
Dibrugarh Municipal Board
Dibrugarh