

**PRIVATE AND CONFIDENTIAL**

*Prepared for:*

**BRIHANMUMBAI MUNICIPAL CORPORATION Vetting of  
Municipal Solid Waste (Management & Handling),  
Cleanliness and Sanitation Byelaws for Brihanmumbai  
Municipal Corporation, 2025**

**Dated: February, 2025**

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## **CHAPTER-I GENERAL**

### **Government of Maharashtra**

**Notification No.** \_\_\_\_\_

**Date:** \_\_\_\_\_

Under the power vested by Section 461 (ee) of the Mumbai Municipal Corporation Act, 1888 and with the object to organize & regularize Solid Waste Management and Handling Work and for regulating all matters and things connected with the Segregation, Collection, Removal, Recycling, Transportation, Processing and Disposal of Solid Waste and Wet Waste generated or brought within the jurisdiction of Brihanmumbai Municipal Corporation and in view of the Solid Waste Management Rules, 2016 issued in public interest by the Ministry of Environment, Forest and Climate Change, Government of India on 8<sup>th</sup> April 2016, the Government of Maharashtra hereby forms the following Bye-laws for Solid Waste (Management & Handling), Cleanliness and Sanitation Bye-laws for Brihanmumbai Municipal Corporation, 202\_.

#### **1. Name in Brief and Beginning**

- 1.1 These Bye-laws shall be known as Solid Waste (Management & Handling), Cleanliness and Sanitation Byelaws for Brihanmumbai Municipal Corporation, 202\_ and come into operation from the \_\_\_\_\_ (date).
- 1.2 These Bye-laws shall remain in force until amended in accordance with Mumbai Municipal Corporation Act, 1888, due notice of such amendment being published in the local newspapers of the State of Maharashtra.
- 1.3 BMC shall revise the schedules for penalties and user fees after every three (3) years by taking necessary approval as per provisions of Mumbai Municipal Corporation Act, 1888

#### **2. Applicability and Scope**

- 2.1 Except where it is otherwise expressly or impliedly provided, these Bye-laws shall apply to all persons, including all generators of waste, within the whole geographical area vested in the Brihanmumbai Municipal Corporation (hereinafter referred to as "**BMC**") from time to time by the Government including all public and private places irrespective of its use or ownership, i.e., dwelling, trading, commercial, professional, industrial, governmental, semi-governmental, administrative, educational, religious, recreational, social and all other usages which are not included herein.

#### **3. Right to Interpret**

- 3.1 If any question relating to the interpretation of these Bye-laws arises, it shall be referred to the Municipal Commissioner who shall give his/her decision and whose decision shall be final.

## **CHAPTER-II DEFINITIONS**

### **4. Definitions**

In these Bye-laws and the Schedule attached thereto the following words shall have the meaning herein defined i.e.:

- 4.1.           “aangan / premises / place”       : means the public place in front of, or adjacent on any side of any premises including residential/commercial premises owned by a person, extending to the road, kerb side including the footpath kerb, drain, nala, plot or premises;
- 4.2.           “aerobic composting”       : means a controlled process involving microbial decomposition / breaking down of organic matter in the presence of oxygen;
- 4.3.           “agency / agent / service provider”       : means any entity / person appointed or authorized by BMC to act on behalf of the BMC, for discharge of duties or functions i.e. sweeping of streets or collection, segregation, transportation, storage, treatment, processing, disposal or any other handling of waste including the operation and maintenance of any facility undertaking such as functions, collection of charges / fines, and other such delegated responsibilities etc.;
- 4.4.           “anaerobic digestion”       : means a controlled process involving microbial decomposition / breaking down of organic matter in absence of oxygen;
- 4.5.           “applicable acts and rules”       : means applicable acts and rules as prescribed in Schedule VI;
- 4.6.           “authorization”       : means the permission given by Competent Authority, 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 wherever applicable or the permission given by the urban local authority or agency responsible for solid waste. In accordance with Sub-rule 15 (y) of the Solid Waste Management Rules, 2016, every Local Authority need to obtain Authorization for processing / recycling / treatment and disposal

of solid waste. Every Urban Local Authority should apply to BMC to obtain authorization.

- 4.7. “bio-degradable waste” : means any organic material that can be degraded by microorganisms into simpler stable compounds; for example, the waste of plant and animal origin e.g. kitchen waste, food & flower waste, leaf litter, garden waste, animal dung, fish / meat waste and any other material that gets degraded / decomposed by the action of microorganisms;
- 4.8. “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 of the Bye-laws;
- 4.9. “bio-methanation” : means a process which entails enzymatic decomposition / breaking down of the organic matter by microbial action to produce methane-rich biogas;
- 4.10. “BMC” : means Brihanmumbai Municipal Corporation established under Mumbai Municipal Corporation Act, 1888;
- 4.11. “brand owner” : means a person or company who sells any commodity under a registered brand label;
- 4.12. “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 the total area allotted for the solid waste processing and disposal facility as decided by BMC;
- 4.13. “bulk garden and horticultural waste” : mean bulk waste from parks, gardens, traffic islands, road medians etc. including grass & wood clippings, 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;

- 4.14. “bulk waste generator” : means the owner, occupier, tenant or any other person representing owners and occupiers of House(s) / Flat(s), Group of Houses / Flats, housing society(s) / complex(s), Restaurant(s), Hotel(s), Market(s), Industrial Estate(s) and Shopping Complex(s) / Mall(s) and includes buildings occupied by the Central Government Ministries, Departments or Undertakings, State Government Departments or Undertakings, Local Bodies, Public Sector Undertakings or Private Companies, Hospital(s), Nursing Home(s), School(s), College(s), University(s), Other Educational Institutions, Hostel(s), Commercial Establishment(s), Places of Worship, Stadia and Sports complexes, clubs, gymkhana, marriage halls, recreation / entertainment complexes having plot area exceeding 5,000sq. mtr. and / or an average waste generation rate exceeding 100kg per day; or other establishment sources / premises that are specifically identified and notified by the Municipal Commissioner or any competent officer appointed by him / her in this regard;
- 4.15. “bye-laws” : means regulatory framework notified by State / urban local body, census town and notified area townships for facilitating the implementation of these bye-laws in their jurisdiction;
- 4.16. “census town” : means an urban area as defined by the Registrar General and Census Commissioner of India;
- 4.17. “chief engineer” : means the Chief Engineer of the Solid Waste Management Department of the BMC;
- 4.18. “collection at source” : means the collection of segregated solid waste by the BMC directly from any Generator, in accordance with these Bye-laws or as may be notified by the Commissioner or any competent officer appointed by him / her in this regard.
- 4.19. “collection” : means lifting and removal of municipal solid waste from designated collection points or any other location as may be notified by the BMC;

- 4.20. “combustible waste” : means non-biodegradable, non-recyclable, non-reusable, nonhazardous solid waste having minimum calorific value 1500 kcal / kg and excluding chlorinated materials like plastic, wood pulp, etc.;
- 4.21. “community bin” : means an approved receptacle provided to the Generator for the storage of waste which is placed at the specified Collection Point on the sides of private roads, by- lanes etc. or on the premises of societies, apartments, bungalows etc., to ensure collection of solid waste in terms of these Bye-laws;
- 4.22. “community service” : means to serve the community by sweeping of public roads.
- 4.23. “competent authority” : means any person / persons or authority / authorities; authorized by the prescribed authority as the case may be, to perform the functions as specified under these bye-laws;
- 4.24. “compost” : means the product obtained through aerobic composting or Vermi- composting;
- 4.25. “composting” : means a controlled process involving microbial decomposition / degradation / breaking down of organic matter under predominantly aerobic conditions;
- 4.26. “Construction and Demolition Waste (C&D Waste)” : means waste from building materials, debris and such rubble resulting from construction, remodeling, repair and demolition operations;
- 4.27. “contractor” : means a person or firm that undertakes a contract to provide / to perform a service or do a job for service providing authority;
- 4.28. “co-processing” : means use of non-biodegradable and non-recyclable solid waste 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;



- 4.29. “decentralized processing” : means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
- 4.30. “delivery” : means handing over any category of solid waste to BMC or any other person authorized by BMC for taking delivery of such waste;
- 4.31. “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 the Solid Waste Management Rules to prevent contamination of ground water, surface water, ambient air quality and attraction of stray animals or birds;
- 4.32. “domestic hazardous waste” : means discarded paint drums, pesticide cans, CFL bulbs, tube lights, medicines including expired medicines, broken mercury thermometers, batteries, used needles and syringes and contaminated gauge, mask, PPE Kits, soiled sanitary waste etc., generated at the household level;
- 4.33. “door to door collection” : means Collection of solid waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, residential, non-residential, etc.;
- 4.34. “Door-to-Door collection system” : means as may be defined and authorized by the Corporation.
- 4.35. “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;
- 4.36. “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.;

- 4.37. “dump sites” : means a land utilized by BMC for disposal of solid waste without sanitary land filling;
- 4.38. “Extended Producer Responsibility” (ERP) : EPR means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;
- 4.39. “facility” : means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;
- 4.40. “fine” : means penalty imposed on Persons, waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these bye- laws;
- 4.41. “generator of waste” : means any person generating municipal solid waste within the limits of BMC;
- 4.42. “ghanta-gadi” : means the vehicle provided by BMC for point-to point collection of municipal solid waste with bell-ringing / speaker/ public address mechanism; . The Sound limit for ghanta gadi speakers are to be kept below the prescribed decibel limits;
- 4.43. “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;
- 4.44. “hazardous waste” : means any waste, which by reason of any of its physical, chemical, reactive, toxic, harmful, explosive or corrosive characteristics causes 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 I of these Bye-laws;

- 4.45. “house-gully / lane / Service Lane” : means a passage or strip of land, constructed, set apart or utilized for the purpose of serving for utilities for water pipeline;
- 4.46. “incineration” : means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
- 4.47. “inert solid waste” : means any solid waste or remnant of processing whose physical, chemical and biological properties make it suitable for sanitary land filling;
- 4.48. “inerts” : means wastes which are not bio-degradable / non-recyclable / non-combustible and silt removed from the surface drains;
- 4.49. “informal waste collector” : includes individuals, associations or waste traders who are involved in collection, sorting, sale and purchase of recyclable materials;
- 4.50. “land filling” : means the final and safe disposal of residual solid wastes and inert waste on land in a facility designed in accordance with various Central or State Rules and regulations with protective measures against pollution of ground water, surface water and air fugitive dust, windblown litter, bad odor, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion;
- 4.51. “Leachate” : means the liquid that oozes and seeps through solid waste or other medium and has extracts of dissolved or suspended material from the media;
- 4.52. “Litter” : means all refuse and includes any other waste material which, if thrown or deposited, tends to create nuisance, dirt, insanitary conditions, ugliness and endangers cleanliness, public orderliness & movement, environment, public health, safety, life and welfare as prohibited under these Bye-laws (or any other law in force);

- 4.53. “littering” : means carelessly spreading litter that falls, descends, blows, seeps, percolates or otherwise escapes or is likely to fall, descend, blown, seep, percolate or otherwise escape into or onto any public or private place; Or causing, permitting or allowing litter to fall, descend, blow, seep, percolate or otherwise escape into or onto any public or private place;
- 4.54. “local body” : for the purpose of these Bye-laws means and includes the BMC;
- 4.55. “market” : includes any place where persons assemble for the sale of, or for the purpose of exposing of sale, meat, fish, fruits, vegetables, animals intended for human food or any other articles of human needs whatsoever, with or without the consent of the owner of such place notwithstanding that there may be no common regulation for the concourse of buyers and sellers and whether or not any control is exercised over the business of, or the person frequenting, the market by the owner of the place or by any other person;
- 4.56. “materials recovery facility” : means a facility where non-compostable solid waste can be temporarily stored by the BMC or any other entity mentioned in rule 2 or any person or agency authorized by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorized informal sector of waste pickers, informal recyclers or any other work force engaged by the BMC or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;
- 4.57. “Municipal Commissioner” : means the Chief Executive Officer of the BMC and under whose authority all projects of the BMC are carried out.
- 4.58. “municipal corporation / council / municipality / urban local body” : means the BMC under Mumbai Municipal Corporation Act, 1888.

- 4.59. "Municipal Solid Waste" : includes commercial, residential and other waste generated within the limits of BMC either in solid or semi-solid form excluding industrial hazardous waste, but includes treated bio-medical waste;
- 4.60. "non-biodegradable waste" : means any waste that cannot be degraded by micro-organisms into simpler stable compounds;
- 4.61. "nuisance detectors" : means employees or agents of BMC appointed by BMC to detect acts of public nuisance etc. under the Bye laws;
- 4.62. "nuisance" : includes any act, omission, place, animal or thing which causes or is likely to cause injury, danger, annoyance or offense to the sense of sight, smell, hearing, breath, or disturbance to movement, work, rest or sleep, or which is or may be dangerous to life or injurious to health or property;
- 4.63. "occupier" : Includes:-
- (a) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable; in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever;
  - (b) an owner in occupation of, or otherwise using his land or building;
  - (c) a rent- free tenant of any land or building;
  - (d) a licensee in occupation of any land or building; and
  - (e) any person who is liable to pay to the owner damages for the use and occupation of any land or building;
  - (f) the custodian of evacuee property in respect of evacuee property vested in him under the Administration of Evacuee Property Act,1950;
  - (g) the Estate Officer to the Government, of India, Secretary, Maharashtra Housing and Area Development Authority

constituted under the MHADA ACT, 1976;  
and

(h) the General Manager of a Railway and the head of a Government Department, in respect of properties under their respective control.

- 4.64. "office" : means head office and other ward/ departmental offices of BMC;
- 4.65. "operator of a facility / operator of concession" : means a person or entity, who owns or operates the concession for handling, collection, sorting, storage, transportation, processing and disposal of municipal solid waste and it also includes any other agency appointed by the BMC/ municipal authority for management and handling of municipal solid waste in its area and any other entity or agency appointed by the BMC;
- 4.66. "pellet forming" : means a process used to make pellets, which will be small cubes / cuboids or cylindrical pieces from solid waste and will also include fuel pellets which is obtained from garbage.
- 4.67. "Person" : means any individual/s and shall include any shop or establishment or firm or company or association or body of individuals or agents; assignee etc.;
- 4.68. :
- 4.69. "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 segregated, collected and stored waste for delivery in vehicles so provided / deployed by the BMC;
- 4.70. "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 BMC;

- 4.71. “processing” : means any scientific process by which solid waste is treated for processing for the purpose of reuse, recycling or transformation into new products or making it suitable for land filling;
- 4.72. “public nuisance” : means any act, omission, offence or wrongdoing which causes or is likely to cause nuisance (as defined) in any public place;
- 4.73. “public place” : means any place which is open to the use and enjoyment of the public, whether it is actually used or enjoyed by the public or not;
- 4.74. “receptacle” : means container, including bins and bags, used for the storage of any category of municipal waste as permitted by BMC from time to time;
- 4.75. “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;
- 4.76. “redevelopment” : means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;
- 4.77. “Refuse Derived Fuel” (RDF) : 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;
- 4.78. “refuse” : means any waste matter generated out of different activities, processes, either degradable / non-degradable garbage and rubbish / inert in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form;
- 4.79. “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;

- 4.80. “rubbish” : includes ashes, broken bricks, broken glasses, dust, mortar and refuse of any kind which is not filth;
- 4.81. “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 odor, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;
- 4.82. “sanitary waste” : means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
- 4.83. “sanitation” : means the promotion of hygiene and the prevention of disease and other Causes of ill health related to environmental factors However, the relevant provisions in respect of sanitation and health in Mumbai Municipal Corporation Act, 1888 (updated); shall continue to prevail, as usual;
- 4.84. “schedule” : means the Schedule appended to these Byelaws;
- 4.85. “secondary storage” : means the temporary containment of solid waste after collection at secondary waste storage depots/ transfer stations or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
- 4.86. “segregation” : means sorting and separate storage of various components of solid waste such as biodegradable wastes including agriculture and dairy waste, non-biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non-recyclable inert waste, domestic hazardous wastes, and C&D Waste as may be directed by the Municipal Commissioner;



- 4.87. “service provider” : means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc.;
- 4.88. “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 biomedical waste excluding industrial waste, biomedical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities mentioned in Rule 2 of Solid Waste Management Rules, 2016;
- 4.89. “sorting” : means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling; means separating organic, inorganic, recyclable and hazardous wastes into categories to facilitate recycling;
- 4.90. “source” : means the premises from which waste is generated;
- 4.91. “stabilized biodegradable waste” : means the biologically stabilized (free of pathogens) waste resulting from the mechanical / biological treatment of biodegradable waste; only when stabilized such waste can be used with no further restrictions;
- 4.92. “stabilizing” : means the process of making something physically more stable and non-volatile;
- 4.93. “state board or committee” : means, as applicable, State Pollution Control Board of Maharashtra State;
- 4.94. “storage” : means the temporary containment of municipal solid waste in receptacles; prevent littering, attraction to vectors, stray animals and excessive foul odor;

- 4.95. “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;
- 4.96. “street” : includes any way, road, lane, square, court, alley, gully, passage, whether a thoroughfare or not and whether built upon or not, over which the public have a right of way and also the roadway or footway over any bridge or causeway;
- 4.97. “tipping fee” : means a fee or support price determined by the local authorities or any state agency authorized 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;
- 4.98. “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;
- 4.99. “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 odor, littering and unsightly conditions and accessibility to vectors, animals and birds;
- 4.100. “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;

- 4.101. “user fee” : means a fee imposed by the BMC and any entity mentioned in rule 2 of the Solid Waste Management Rules, 2016 on the waste generator to cover full or part cost of providing street sweeping, solid waste collection, transportation, processing and disposal services.
- 4.102. “vermi composting” : means the process of conversion of bio-degradable waste into compost using earth worms;
- 4.103. “waste generator” : means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, Defense establishments, etc. which generate solid waste;
- 4.104. “waste hierarchy” : means the priority order in which the solid waste 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;
- 4.105. “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 on streets, bins, MRFs, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood;
- 4.106. “waste traders” : includes small waste traders, scrap retailers, and inert buyers, who are involved in sorting, sale and purchase of recyclable materials;
- 4.107. “waste” : means unwanted and unusable materials and is regarded as a substance which is of no use. Waste that we see in our surroundings is also known as garbage. Garbage is mainly considered as a solid waste that includes wastes from our houses (domestic waste), wastes from schools, offices, etc. (municipal wastes) and wastes from industries and factories (industrial wastes).

- 4.108. “wrapper waste” : means a plastic or other suitable or approved material covering that totally encloses bales or slugs of compacted waste;
- 4.109. “zonal office” : means the office of an administrative zone; as referred in the Mumbai Municipal Act, 1888, which is headed by a Deputy Commissioner of BMC and expressions used in these Bye-laws but not defined shall have the meanings respectively assigned to them in the Mumbai Municipal Corporation Act, 1888;
- 4.110. “zone” : means a geographical area defined by the competent authority;
- 4.111. 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, the Air (Prevention and Control of Pollution) Act, 1981 and all the Waste Management Rules shall have the same meaning as assigned to them in the respective Acts/Rules.

**CHAPTER-III (PROHIBITION OF LITTERING, AND OTHER NUISANCES AND ENSURING “CLEAN AANGAN/PREMISES/PLACE”)**

**5. Prohibition of Littering, and other Nuisances and Ensuring “Clean Aangan/Premises/Place”**

- 5.1 Littering on any public/private place: No person shall throw or deposit litter in any occupied/unoccupied/open/vacant public or private place except in authorized public or private litter receptacles.
- 5.2 Littering from vehicles: No person shall throw or deposit litter upon any street, road, sidewalk, playground, garden, traffic island or other public/private place from any vehicle either moving or parked.
- 5.3 Litter from waste carriage vehicles: No person shall drive or move any truck or other vehicle filled with litter unless such vehicles are so designed to cover the litter and loaded as to prevent any litter from being blown off or deposited upon any road, sidewalks, traffic islands, playground, garden or other public place.
- 5.4 Creating Public Nuisance: No person shall cook, bath, spit, urinate, defecate, feed animals / birds or allow their droppings/poop, wash utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.
- 5.5 Ensuring Clean Aangan / Water Bodies (Open drains, Nallah, lake, ponds , etc) / Shop Premises: Every person shall ensure that any public place in front of or adjacent to any premises owned or occupied by such person including the footpath and open drain/gutter and kerb area are clean or free of any waste, either in solid or liquid form or any polluted matter by any person.

**CHAPTER-IV (SEGREGATION OF MUNICIPAL SOLID WASTE AND STORAGE  
AND DELIVERY OF MUNICIPAL SOLID WASTE)**

**6. Segregation of Municipal Solid Waste**

- 6.1 Segregation of waste into separate specified groups: Every generator of Municipal Solid Waste shall separate the waste at source of generation into the following categories as applicable and shall store separately, without mixing it for segregated storage in authorized storage bins, private/public receptacles for handing over or delivering to authorized waste pickers or waste collectors as directed by the BMC from time to time;
- 6.1.1 Bio-degradable (wet) waste,
- 6.1.2 Specified domestic hazardous waste,
- 6.1.3 Pretreated Bio-medical waste (as per applicable rules),
- 6.1.4 C&D Waste,
- 6.1.5 Bulk garden and horticulture waste including tree and plant trimmings,
- 6.1.6 All other non-biodegradable (dry) waste including recyclable and non-recyclable waste. Sanitary waste like napkins, diapers, tampons etc. shall be securely wrapped in pouches provided by the manufacturers or brand owners or in suitable wrappers as instructed by the official / authority and shall be stored separately or handing over.
- 6.1.7 All bulk generators shall manage the waste at their premises as per instructions notified by the BMC from time to time.
- 6.2 The BMC may separately notify different stages for implementation of the bye-laws taking into account the level of awareness among generators of waste as well as availability of infrastructural support in their operational Local Body.
- 6.3 The BMC 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 mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.
- 6.4 The BMC body may ensure arrangements for cleaning daily or at set intervals and all the year through at all the public roads, places, colonies, slums, markets and tourism places, parks under BMC on grounds etc. and the BMC shall collect and carry the garbage from these places door

to door or from the nearest garbage bin/container/facility and transport it from there to the final disposal place in closed vehicles.

- 6.5 The BMC may utilize its own/ outsourced/ contract sanitation workers and vehicles in carrying out sanitation and solid waste management functions for daily cleaning work, so that the urban body is able to keep its area neat and clean in public interest.
- 6.6 In order to manage the cleaning system of the city, the BMC shall establish a ward office (complaint center) in each administrative ward / a common digital platform or facility to register complaint or suggestion, garbage bin/container, public toilets/urinals, transfer stations to transport the garbage to the processing unit, landfill for final disposal, etc. at suitable places as required.
- 6.7 A time will be fixed in each area to collect garbage from each house/premises/Aangan. The BMC shall ensure compliance with the timed fixed for any special cleaning purpose. A bell/horn/announcement shall be fitted on the vehicle of garbage collection/blown by worker so that the residents can be made aware of collection being undertaken.

## **7. Storage and Delivery of Municipal Solid Waste**

- 7.1 In addition to the provisions of these bye-laws, all generators shall be liable to store solid waste in a manner specified under rules and regulations of the BMC, Central and State Governments, as applicable.
- 7.2 Bio-degradable waste: Segregated Bio-degradable Municipal Solid Waste (as per the illustrative list in Schedule II SWM Rule 2016) if not composted by the generator, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the biodegradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.
- 7.3 Composting by all generators: Local composting of biodegradable waste shall be promoted to minimize transportation of waste.
- 7.4 Specified household hazardous waste: (as listed in Schedule III) shall be stored separately and delivered by every generator of waste to the collection vehicle, which shall be provided periodically by BMC or any other Agency authorized by the Maharashtra Pollution Control Board (hereinafter referred to as "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 MPCB.
- 7.5 Untreated bio-medical waste: (as listed in Schedule IV) shall be collected

& 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, 2016.

- 7.6 All other Non-biodegradable (“Dry”) waste - both recyclable and non-recyclable - 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 them from time-to-time for collection of such waste.
- 7.7 Construction and Demolition Waste (C&D Waste): All generators shall store the segregated C&D Waste at such spot as notified by BMC or its agent from time to time, in a location convenient for delivery and collection. Small generators (household level) shall be responsible to segregate the C&D Waste as directed by BMC at source by contacting a local help-line of BMC or avail the “Debris on Call” scheme by contacting the ward office or the Agent who shall then send a vehicle to pick up such segregated C&D Waste on payment of necessary charges by the said generator and transport this waste to a processing center. The details of local help-line/ “Debris on Call” scheme of BMC shall be available in the Offices of the BMC and on their website.
- 7.8 Bulk Garden and Horticultural Waste: shall be kept unmixed and composted at source. The BMC shall also notify Instructions/ guidelines with regard to pruning of trees and storage and delivery of tree trimmings including segregated garden and horticultural waste by charging suitable fees as notified by it from time to time, for collection and transport to its facility.
- 7.9 Burning of waste: Disposal by burning of any type of solid waste at roadsides, or at any private or public property is prohibited.



**CHAPTER-V (RESPONSIBILITIES AND DUTIES OF GENERATORS,  
BRIHANMUMBAI MUNICIPAL CORPORATION, AGENTS AND  
CONTRACTORS)**

**8. Responsibilities of Agents/Contractors of BMC**

All Contractors/Agents engaged by the BMC shall:

- 8.1 comply with provisions of these bye-laws;
- 8.2 be liable to ensure that their employees/ agents comply with the provisions of these bye-laws.

**9. Responsibilities and Duties of Generators**

Every Generator shall as prescribe herein:

- 9.1 segregate all waste at source i.e., where waste is created, in manner prescribed by BMC in section 6 of these Bye Laws ;
- 9.2 collect or cause to be collected, all permitted waste generated and segregated at source within the generator's premises;
- 9.3 provide and maintain separate receptacles of approved specification, including community bins or litter bins within the generator's premises, as the case may be, for each category of segregated waste;
- 9.4 Store, and where ever prescribed, label the segregated waste.
- 9.5 ensure that segregated waste is not mixed at any time and is delivered to BMC/ authorized agency in a segregated manner as prescribed by BMC;
- 9.6 Ensure that receptacle used for storage of Solid waste should not be causing or likely to cause nuisance to the public or visible from public street/roads/sidewalks and prevent their scattering by stray animals or birds etc.
- 9.7 Undertake or ensure processing of wet waste at or nearest to the source of generation as may be directed or prescribed by the BMC in accordance with these bye-laws;
- 9.8 To pay notified User Charges as may be directed and in the manner by BMC as per Schedule V.
- 9.9 Be liable for paying fine in case of burning, littering, throwing, burying or dumping solid/ wet waste in any manner or allowing any solid/ wet waste to spill into streets or public areas abutting their properties or accumulate onto or get deposited or flow onto the streets and/or into the storm water drains or water bodies.

- 9.10 Ensure that any waste generated in public or private areas during special events, festivals, occasions etc. Wet waste during Festivals, Political Events, Rallies, social gatherings, personal events, sports events etc.) shall be duly segregated, stored and delivered in the manner prescribed in these bye-laws or as may be notified by the Commissioner from time to time.
- 9.11 While organizing an event or gathering of more than 50 persons at any unlicensed place or public place, the organizers shall intimate the BMC at least three working days in advance. Further, they shall undertake the segregation and collection of waste no later than 24 hours after the completion of the event and hand over such wastes to the BMC by paying prescribed user charges to the BMC.
- 9.12 Bulk waste generator shall process wet waste (Bio-degradable waste) to the extent feasible in premises itself and develop a system of reuse of products of processing, that is, compost or biogas etc.
- 9.13 In Case of gated Communities residential/ commercial (like Housing society, Commercial complexes) the managing committee/ office bearers of the aforesaid establishments shall be responsible for ensuring the responsibilities and duties of the generators as mentioned in 9.1 to 9.12.

**10. Responsibilities of BMC and/or Generators of Waste in Case of Some Specific Categories/Situations**

Keeping in mind the particular nature of some situations, BMC should extend their responsibilities which are specifically mandated as per bye-laws:

- 10.1 The Waste Generator has to pay user charges as per Schedule V and adhere to BMC bye laws. BMC reserves the right to impose fine as per Schedule I on all waste generators.
- 10.2 Vendor/Hawkers: All vendors/hawkers shall keep their biodegradable and other waste unmixed in containers/ bins at the site of vending for segregated storage of waste generated by that vending activity. It shall be the responsibility of the generator/ vendor to deliver this waste duly segregated to the Municipal Collection Vehicle of BMC or to the nearest designated community bins. Failing which fine shall be imposed as per the Schedule of Fines. Each Vendor/hawker shall be responsible to maintain their 'Clean Aangan'.
- 10.3 House-gullies/Service Lanes: It shall be the responsibility of the owner/occupier of premises within house-gullies to ensure that no waste is dumped or thrown in the house-gully and to segregate and deliver any solid/ wet waste to the waste collection vehicle which shall be provided by BMC at such spots and at such times as may be notified by

official/authority.

- 10.4 Litter by owned/ pet animals: It shall be the responsibility of the owner of any pet animal to promptly scoop/clean up any poop/litter created by any owned/pet animals on the street or any public place, and take adequate steps for the proper disposal of such waste by their own sewage or such other sanitary system.
- 10.5 Public Gatherings and Events: For Public Gatherings and Events, organized in public places for any reason (including for processions, exhibitions, circus, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where Police and/or BMC permission is required, it shall be the responsibility of the Organizer of the event or gathering to ensure the cleanliness of that area as well as all appurtenant BMC immediately after the event.
- 10.6 A Refundable Cleanliness Deposit: The Organizer of the event shall pay required deposit, as may be fixed for this purpose by BMC with the concerned office for the duration of the event, which shall be refundable on the completion of the event on notifying 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, to the satisfaction of official/authority concerned. This deposit shall be only for the cleanliness of the public place and does not cover any damage to property. This section shall also, apply to various other events which are being organized outside the Municipal Parks i.e. on roads/lanes etc. In case the Organizers of the event wishes to avail of the services of BMC for the cleaning, collection and transport of waste generated as a result of that event, they shall apply in advance to the concerned office of BMC and pay the necessary charges in advance as may be fixed for this purpose by BMC.
- 10.7 Receptacles on private property: Every owner or occupant of private property shall maintain authorized refuse receptacles on private premises provided the receptacles are neither encroaching public street/roads and sidewalks nor accessible to animals.
- 10.8 All vehicles used for services related to solid waste management department shall be mandated to be equipped with an approved vehicle tracking system irrespective of the ownership of the vehicle by BMC/ Contractor/ Agency, ensuring compatibility with future monitoring systems."
- 10.9 Other public places: The Government / Semi-government, statutory bodies shall be responsible for implementation of these Bye-laws within the public premises owned/occupied by them.

## **CHAPTER-VI**

### **(I) SOLID WASTE**

#### **11. Management of Solid Waste**

- 11.1 Definitions: Words and expressions used herein but not defined in BMC BYE Laws, but defined in the Solid Waste (Management) Rules, 2016 shall have the same meaning as assigned to them in the respective Acts.
- 11.2 “Waste Generator” means and includes every person or group of persons, every residential premise, non-residential establishments including Indian Railways, Defense Establishments, etc. which generate solid waste.
- 11.3 Generator shall:
- 11.3.1 Segregate and store the waste generated by them in separate stream namely bio-degradable, non-biodegradable and domestic hazardous and any other wastes in suitable bins and handover segregated wastes to authorized waste pickers waste collectors as per the direction per notification by BMC or the competent authority from time to time.
- 11.3.2 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 suitable wrapping material as instructed by the local authorities shall place the same in the bin meant for dry waste or non-biodegradable waste;
- 11.3.3 Store separately the construction and demolition waste, as in when generated in his own premise and dispose as per the Construction And Demolition Waste Management Rules 2016; and store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions from BMC from time to time.
- 11.4 No waste generator shall throw, burn, or burry any solid waste generated by him on the streets, open public spaces outside the premises or in drain or in water bodies. All waste generators shall pay such user fee for solid waste management rules as specified in the bye laws of BMC.
- 11.5 No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating the BMC, at least three working days in advance and such person or the organizer of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by BMC.
- 11.6 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 BMC.

- 11.7 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 Solid Waste Management Rules 2016; facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorized waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation or any other scientifically approved process within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the BMC.
- 11.8 All hotels and restaurants shall ensure segregation of waste at source as prescribed in Solid Waste Management Rules 2016, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorized waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off by such hotels and restaurants through composting or bio-methanation or any other scientifically approved process within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the BMC.

## **12. Materials Recovery Facilities (MRFs)**

- 12.1. Bulk Generators of non-biodegradable waste shall set-up and maintain their own MRFs (i.e. sorting sheds) or give the residual waste to the waste collectors or agency in accordance with any conditions laid down by BMC.
- 12.2. The Authorized operator of all MRFs shall comply to the following:
- 12.2.1. MRFs can accept segregated Dry Waste / Non-Biodegradable Waste;
- 12.2.2. MRFs will not accept any mixed waste, biodegradable waste, Wet Waste, construction and Demolition Waste, Domestic/ Commercial Hazardous Waste etc. unless specifically notified by BMC after provision of separate adequate facilities for such categories of waste in accordance with the provisions, standards and specifications under these Bye-Laws and other applicable Rules;
- 12.2.3. MRFs shall have adequate space and facilities for:
- 12.2.4. Accepting dry waste from collection vehicles/ waste-collectors/ agents;

- 12.2.5. Sorting, baling, packing and required equipment's etc. and temporary storage of dry waste;
- 12.2.6. Appropriate and separate receptacles for temporary storage of inert waste, non-recyclable waste, non-reusable waste and for other categories of waste for which facilities have been provided;
- 12.2.7. Transfer to secondary collection of inert, non-recyclable, non-reusable dry waste and for other categories of waste for which facilities have been provided.
- 12.2.8. MRFs shall have adequate utilities to ensure smooth of functioning and to avoid unhygienic conditions, nuisance to public or to waste-pickers/ workers within the facility, including:
  - 12.2.8.1. Water for Drinking and Washing;
  - 12.2.8.2. Washing Area/Toilets;
  - 12.2.8.3. Electricity and appropriate equipment for handling of waste;
  - 12.2.8.4. Storage Compartments/ Closets for Tools' clothes etc.;
  - 12.2.8.5. Fire Safety Equipment as may be prescribed;
  - 12.2.8.6. Sanitization/ disinfection and Cleaning of MRFs, especially sections where Domestic / Hazardous Waste is temporarily stored.
- 12.2.9. MRFs shall be constructed within delineated premises;
- 12.2.10. Waste-Pickers, informal waste traders or operators of any MRFs shall ensure that all recyclable waste shall enter the recycling stream and that only inert, non-recyclable, domestic/hazardous and non-reusable waste rejected from the facility is transferred to BMC facility for further processing or disposal.

## **(II) BIO-MEDICAL WASTE**

### **13. Management of Bio-Medical Waste**

13.1 Definitions: Words and expressions used herein but not defined BMC BYE Laws, but defined in the Bio Medical Waste (Management) Rules, 2016 shall have the same meaning as assigned to them in the respective Acts.

- 13.1.1 “Authorization” : means the permission granted by BMC for the generation, collection, reception, storage, transportation, treatment, processing, disposal or any other form of handling of bio-medical waste in accordance with these rules and guidelines issued by the central government or Central Pollution Control Board;
- 13.1.2 “Authorized person” : means an occupier or operator authorized by the prescribed authority to generate, collect, receive, store, transport, treat, process, dispose or handle bio-medical waste in accordance with these rules and the guidelines issued by the Central Government or the Maharashtra Pollution Control Board as the case may be;
- 13.1.3 “Bio-medical waste treatment and disposal facility” : means any facility wherein treatment, disposal of bio medical waste or processes incidental to such treatment and disposal is carried out, and includes bio medical waste treatment facilities;
- 13.1.4 “Bio-medical Waste” : means any waste, which is generated during the diagnosis, treatment or immunization of human beings or animals or research activities pertaining thereto or in the production or testing of biological or in health camps;
- 13.1.5 “BWTF” : means a Bio-medical Waste Treatment Facility appointed by BMC for collection, transportation, storage, treatment, processing, disposal or handling of bio-medical waste in the whole or any part of its geographical jurisdiction;
- 13.1.6 “Generator” : include all persons who generate, collect, receive, store, transport, treat, dispose or handle bio-medical waste in any form including hospitals, nursing homes, clinics, dispensaries, consultants, Ayurveda/

Homeopathy/ Naturopathy practitioners, pharmacy/ pharmacist, veterinary hospital/ clinic/ college/ institution, animal house, pathological laboratory, blood bank, autopsy centers, ayush hospitals, mortuaries, medical colleges, forensic laboratories, medical research and animal research institutes, immunization centers, medical/ health/ blood donation/ vaccination camps, first aid rooms of schools, tattoo shops etc.;

- 13.1.7 “Occupier” : in relation to any Generator means a person who has administrative control over the Generator and/or its premises;
- 13.1.8 “Operator of BWTF” : means a person who owns or controls or operates a BWTF;
- 13.1.9 “Rules” : means the Bio-Medical Waste Management Rules, 2016 as may be amended from time to time.

### 13.2 Duties of Occupier:

- 13.2.1 No Occupier shall carry on any activity generating bio-medical waste unless the Generator has been duly registered with BMC as a generator of bio-medical waste;
- 13.2.2 Occupier has to take all necessary steps to ensure that bio-medical waste is handled without any adverse effect to human health and the environment in accordance with the Bio-medical Waste Management Rules, 2016;
- 13.3 After coming into force of these bye-laws, BMC shall not grant or renew, as the case may be, any license to operate under the MMC Act in respect of a Generator unless the Generator has been registered in accordance with this chapter;

### 13.4 Duties of Generator: Every Generator shall:

- 13.4.1 create a waste management plan with such details as may be prescribed by BMC;
- 13.4.2 register as a generator of bio-medical waste with Operator of BWTF and BMC;



- 13.4.3 pay such charges as may be notified by BMC or any BWTF appointed by it, including charges for:
- 13.4.3.1 Registration as a bio-medical waste generator with BMC, which may include an advance against charges for collection and treatment of bio-medical waste by the Operator of BWTF;
  - 13.4.3.2 Collection and treatment of bio-medical waste by the Operator of BWTF.
- 13.4.4 purchase of such receptacles (including non-chlorinated bags), as may be duly specified by the Commissioner, for temporary storage at point of generation, from any person authorized by the commissioner in this behalf including the Operator of BWTF;
- 13.4.5 segregate, store, pre-treat and deliver bio-medical waste to the Operator of BWTF at the time and place and in the manner prescribed by BMC or the Operator of BWTF;
- 13.4.6 segregate, store, deliver and dispose all other waste in the manner prescribed under the respective waste management rules and bye-laws;
- 13.4.7 report every incidence of failure to collect bio-medical waste by Operator of BWTF to BMC;
- 13.4.8 maintain daily records of total bio-medical waste generated, delivered, treated, disposed or otherwise handled;
- 13.4.9 undertake adequate precautions to address any accident with respect to bio-medical waste;
- 13.4.10 undertake appropriate training, immunization and annual health check-ups of all workers handling bio-medical waste and submit report thereof to BMC;
- 13.4.11 provide appropriate and adequate personal protective equipment to workers in accordance with any guidelines prescribed in this behalf;
- 13.4.12 establish a bar-code system for bags or containers containing bio-medical waste;
- 13.4.13 ensure that bio-medical waste and other hospital waste is not delivered to any unauthorized person;
- 13.4.14 submit a copy of the Annual Report filed with the MPCB to BMC.

**13.5 BWTF Operator's Duties: The Operator of BWTF shall:**

- 13.6.1 obtain all requisite authorizations under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of

Pollution) Act, 1981, prior environmental clearance under the Environment Impact Assessment Notification, 2020 and other applicable laws prior to commencement of operations;

- 13.6.2 unless otherwise specified by BMC, undertake daily collection of bio-medical waste, including holidays:
  - 13.6.2.1 from every Generator registered with BMC for disposal of bio-medical waste through CBWTF;
  - 13.6.2.2 from each Collection Point specified by BMC from time to time, including MRFs, Waste Management Facilities, satellite storage/ collection point etc.;
  - 13.6.2.3 from households where necessary;
  - 13.6.2.4 using vehicles equipped with GPS or other technological tracking device.
- 13.6.3 not collect unsegregated bio-medical waste from any Generators;
- 13.6.4 maintain daily records of different categories of bio-medical waste collected, transported, treated, disposed and otherwise handled, failure to segregate by individual Generators, unauthorized handling of bio-medical waste by any person etc. and report to BMC on a weekly basis;
- 13.6.5 undertake appropriate training, immunization and quarterly health check-ups of all workers handling bio-medical waste;
- 13.6.6 provide appropriate and adequate personal protective equipment to workers in accordance with any guidelines prescribed in this behalf;
- 13.6.7 not sell or deliver treated bio-medical waste or treated - recyclable waste to any person other than an operator of a recycling, processing or disposal facility duly authorised by the MPCB or any other prescribed authority, as the case may be;
- 13.6.8 not handle or dispose any incineration ash or other by-product/residue of processing otherwise than in accordance with the bye-laws, the Hazardous and Other Wastes (Management and Trans boundary Movement) Rules, 2016 or any guidelines prescribed in this behalf by the CPCB or any other prescribed authority;
- 13.6.9 supply non-chlorinated plastic-colored bags to occupiers / generators on chargeable basis, if required;
- 13.6.10 establish bar-coding and global positioning system for handling bio-medical waste;

- 13.6.11 maintain records of each Generator registered with the BWTF including registration details, frequency of bio-medical waste disposal, quantum of bio-medical waste generated etc. and such other records as may be directed by the Commissioner from time to time;
- 13.6.12 submit a copy of all reports filed with the MPCB to BMC or such other documents as may be directed by the Commissioner from time to time;
- 13.6.13 allow for inspection by an authorised official of BMC pursuant to these bye-laws and the Environment (Protection) Act, of the BWTF or any equipment, vehicles, staff or premises used by the Operator of BWTF for handling of bio-medical waste;
- 13.6.14 report any untoward incident or accident during collection, transportation, storage, segregation, treatment, processing, disposal or any other handling of bio-medical waste which may cause reasonable apprehension of injury to the public, environment or human health;
- 13.6.15 be solely liable for any damage or injury to the public, property, environment or human health arising out any breach of the Bye-laws or any accident or any improper collection, transportation, storage, segregation, treatment, processing, disposal or any other handling of bio-medical waste.

### **(III) E-WASTE**

#### **14. Management of E-Waste**

- 14.1 Definition: Words and expressions used herein but not defined BMC BYE Laws, but defined in the, E-Waste (Management) Rules, 2016 shall have the same meaning as assigned to them in the respective Acts;
- 14.1.1 In this Chapter, unless the context otherwise requires 'Zero E-Waste' means zero land filling of e-waste, i.e. 100% management of e-waste through increased reduction, segregation, reuse, efficient collection, safe handling, monitoring and channelization to authorized collection centers, dismantlers or recyclers;
- 14.1.2 "authorisation" means permission for generation, handling, collection, reception, storage, transportation, refurbishing, dismantling, recycling, treatment and disposal of e-waste, granted to manufacturer, dismantler, refurbisher and recycler";
- 14.1.3 "collection centre" means centre or a collection point or both established by producer individually or as association jointly to collect e-waste for channelizing the e-waste to recycler and play such role as indicated in the authorization for extended producer responsibility granted to the producer and having facilities as per the guidelines of Central Pollution Control Board, including the collection centre established by the Dismantler or Refurbisher or recycler which should be a part of the authorization issued by the State Pollution Control Board where the facility exists;
- 14.1.4 "consumables" means an item which participates in or is required for a manufacturing process or for functioning of the electrical and electronic equipment and may or may not form part of end-product Items, which are substantially or totally consumed during a manufacturing process, shall be deemed to be consumables;
- 14.1.5 "consumer" means any person using electrical and electronic equipment excluding the bulk consumers;
- 14.1.6 "channelization" means to direct the path for movement of e-wastes from collection onwards to authorized dismantler or recycler. In case of fluorescent and other mercury containing lamps, where recyclers are not available this means path for movement from collection centre to Treatment, Storage and Disposal Facility;
- 14.1.7 "dealer" means any individual or firm that buys or receives electrical and

electronic equipment as listed in E-waste Management Rules and their component or consumables or parts or spares from producers of sale;

- 14.1.8 “dismantler” means any person or organization engaged in dismantling of used electrical and electronic equipment into their components having facilities as per the guidelines of Central Pollution control Board and having authorization from concerned State Pollution Control Board;
- 14.1.9 “disposal” means any operation which does not lead to recycling, recovery or reuse and includes physicochemical or biological treatment, incineration in secured landfill;
- 14.1.10 “e-waste” means electrical and electronic equipment whole or in part discarded as waste by the consumer or bulk consumer as well as rejects from manufacturing, refurbishment, and repair processes;
- 14.1.11 “facility” means any location wherein the process incidental to the collection, reception, storage, segregation, refurbishing, dismantling, recycling, treatment and disposal of e-waste are carried out;
- 14.1.12 “manufacturer” means a person or an entity or a company as defined in the Companies Act, 2013 (18 of 2013) or a factory as defined in the Factories Act, 1948 (63 of 1948) or Small and Medium Enterprises as defined in Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006), which has facilities for manufacture of electrical and electronic equipment;
- 14.1.13 “producer” means any person who, irrespective of the selling technique used such as dealer, retailer, e-retailer, etc.;
- 14.1.13.1. manufactures and offers to sell electrical and electronic equipment and their components or consumables or parts or spares under its own brand; or
- 14.1.13.2. offers to sell under its own brand, assembled electrical and electronic equipment and their components or consumables or parts or spares produced by other manufacturers or suppliers; or
- 14.1.13.3. offers to sell imported electrical and electronic equipment and their components or consumables or parts or spares;
- 14.1.14 “recycler” means any person who is engaged in recycling and reprocessing of waste electrical and electronic equipment or assemblies or their components;
- 14.1.15 Duties of Manufacturer: A manufacturer shall:

- 14.1.15.1 ensure segregation, sorting, storage and channelization of e-waste generated during the manufacture of any electrical and electronic equipment to authorized collection centers, dismantlers or recyclers in accordance with the rules and bye-laws;
- 14.1.15.2 obtain authorization from the MPCB in accordance of the E-waste Management Rules, 2016;
- 14.1.15.3 ensure that no damage is caused to the environment during storage and transportation of e-waste;
- 14.1.16 Duties of Producers/Dismantlers/Recyclers:
- 14.1.17 Producer shall:
  - 14.3.1 ensure segregation, sorting, storage and channelization of e-waste to authorized collection centers, dismantlers or recyclers in accordance with the E-waste Management Rules, 2016;
  - 14.3.2 store the generated e-waste in such manner as prescribed by the BMC and as per the E-waste Management Rules, 2016 for a period not exceeding one hundred and eighty days and shall maintain a record of collection, sale, transfer and storage of wastes and make these records available for inspection;
  - 14.3.3 be responsible for ensuring that E-waste pertaining to orphaned products is collected and channelized to authorized dismantler or recycler;
  - 14.3.4 In the case the dealer has been given the responsibility of collection on behalf of the producer, the dealer shall collect the e-waste by providing the consumer a box, bin, or a demarcated area to deposit e-waste, or through take back system and send e-waste so collected to collection center or dismantler or recycler as designated by the producer.
- 14.1.18 Dismantler Shall:
  - 14.1.18.1 Ensure that the facility and dismantling processes are in accordance with the standards or guidelines prescribed by Central Pollution Control Board from time to time;
  - 14.1.18.2 store the generated e-waste in such manner as prescribed by the BMC and as per the E-waste Management Rules, 2016 for a period not exceeding one hundred and eighty days and shall maintain a record of collection, sale, transfer and storage of wastes and make these records available for inspection;

- 14.1.18.3 Obtain authorization from the concerned state pollution Control Board in accordance of the E waste Management Rules 2016 and also ensure that no damage is caused to the environment during the storage and transportation of e-waste;
- 14.1.18.4 Ensure that dismantling processes do not have any adverse effect on the health and the environment and also ensure that e-waste are segregated and sent to the authorized recycling facilities for recovery of materials;
- 14.1.18.5 Ensure that non-recyclable or non-recoverable components are sent to the authorized treatment storage and disposal facilities and to record e-waste collected, dismantled and sent to the authorized recycler in Form-2 of the E-waste management Rules 2016 and make such record available for scrutiny by the central Pollution Control Board and the concerned state Pollution Control Board;
- 14.1.18.6 Dismantler should not process any E waste for recovery or refining of materials, unless he is authorized with concerned State Pollution control Board as are recycler for refining and recovery of materials;
- 14.1.18.7 Operation without authorization by any dismantler as defined in the Bye laws shall be considered as causing damage to the environment.
- 14.1.19 Recycler Shall:
- 14.1.19.1 ensure that the facility and recycling processes are in accordance with the standards or guidelines prescribed by competent authority from time to time;
- 14.1.19.2 store the generated e-waste in such manner as prescribed by the BMC and as per the E-waste Management Rules, 2016 for a period not exceeding one hundred and eighty days and shall maintain a record of collection, sale, transfer and storage of wastes and make these records available for inspection;
- 14.1.19.3 Obtain authorization from concerned State Pollution Control Board in accordance with the procedure under the Sub-Rule (3) of Rule 13;
- 14.1.19.4 Ensure that no damage is caused to the environment during the storage and transportation of E-waste and to ensure the recycling processes do not have any adverse effect on the health and the environment;
- 14.1.19.5 Make available all records to the BMC or the competent authority for inspection;

- 14.1.19.6 Ensure that the fractions or material not recycled process is disposed of in and authorized treatment storage disposal facility and operating without authorization would be considered as causing damage to the environment.

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#### **(IV) CONSTRUCTION AND DEMOLITION WASTE**

##### **15. Management of Construction and Demolition Waste (C & D Waste)**

15.1 Definitions: Words and expressions used herein but not defined in BMC BYE Laws, but defined in the Construction and Demolition (Management) Rules, 2016 shall have the same meaning as assigned to them in the respective Acts;

15.1.1 “Construction and Demolition Waste” means the waste comprising of building materials, debris and rubble resulting from construction, remodeling, repair and demolition of any civil structure;

15.1.2 “Authorized C&D Agency” means an agency authorised by BMC to collect, transport and dispose the C&D Waste within a specific area;

15.1.3 “Designated Disposal Site/Processing facility” means any site approved by BMC for the safe disposal of C&D Waste. A designated disposal site may be a public site managed by BMC or a private site that is approved by BMC for a specific time period and/or for a specific quantity of C&D Waste that can be deposited at that location;

15.1.4 “Public Site/Processing Facility” or “public designated disposal site/processing Facility” is a site located on land owned or controlled by BMC which is approved for disposal of C&D Waste and shall be available for the disposal of C&D Waste by BMC, an agency authorized by it or C&D generators themselves subject to conditions specified herein;

15.1.5 “Private Site” means any private land whose owner wishes to allow disposal of C&D Waste subject to approval of BMC.;

15.1.6 “C&D Waste Management Plan” means a prescribed document which is to be submitted to and approved by BMC by Category I, Category II and Category III C&D Waste generators that should include the quantum of C&D Waste expected to be generated, the quantum of waste that will be re-used or recycled and the quantum that will be transported to a designated disposal site/s;

15.1.7 “Authorized C&D Transport agency” means an authorized C&D agency or any other agency that has been granted permission to transport C&D Waste at a specific site for a specified time period;

15.2 “Types of Generators: With respect to each project/ site where C&D waste may be generated:

15.2.1 Category I - all agencies, private or public, that carry out works that require the approval of BMC;

15.2.2 Category II - all contractors that are engaged by BMC for carrying out public works; and work undertaken by BMC itself;

15.2.3 Category III - all those carrying out works that does not require any prior permission or approval of BMC;

15.3 Responsibility of all generators:

15.8.1 Any C&D Waste generated must be kept segregated in containers or in gunny bags or in a manner approved by BMC and either the service provided by BMC must be engaged for its pickup or it must be deposited at a designated disposal site or at a transit station in a manner and within such time limit as prescribed by BMC;

15.8.2 All Generators shall segregate and store segregated C&D Waste in the following manner:

15.8.2.1 Waste shall be segregated into concrete, soil, steel, wood and plastic, bricks and mortar or as may be notified by BMC to facilitate recovery and recycling of such material;

15.8.2.2 Segregated waste shall be stored within the premises with adequate protection from erosion and scattering, in a manner that does not cause inconvenience to the public, passer-by or nearby residents / occupants of nearby premises or which may cause obstruction to the traffic or public or drains;

15.8.2.3 Those materials which can be reused at the site for construction, land-filling, road paving etc. shall be kept separately from other C&D Waste;

15.8.2.4 In case of C&D Waste generated from utility services like road construction, water pipes, underground cables and pipelines, the concerned department and/or contractor shall store the waste without causing inconvenience to the public passer-by or nearby occupants of premises and shall be disposed of by following due procedure;

15.4 Responsibility of specific generators:

15.9.1 All Category I generators must submit a C&D Waste Management Plan along with the fees assessed and carry out the disposal of the C&D Waste as per the waste management plan, failing which they shall be levied a fine;

15.9.2 All Category II generators must submit a C&D Waste Management Plan before commencement of work and adhere to the terms and conditions of the plan as submitted and approved by BMC;

- 15.9.3 All Category III generators must submit a C&D Waste Management Plan along with the fees assessed and carry out the disposal of the C&D Waste as per the waste management plan, failing which they shall be levied a fine;
- 15.9.4 In event of identification of a defaulting C&D waste generator post completion of development work, etc. the following measures will be deployed to penalise the offender retrospectively;
- 15.9.5 A committee consisting of the following members shall be formed to estimate the quantity of C&D waste generated and transported unauthorized:
- 15.9.5.1. Land Owner / HOD in case of governmental works, Zonal Executive Engineers, Assistant Engineers (SWM) Ward, Deputy Chief Engineer SWM Operation;
- 15.9.5.2. The committee's decision upon the quantum of C&D Waste identified shall be final and binding upon the developers / contractors.

## **CHAPTER-X BULK GARDEN AND HORTICULTURAL WASTE**

### **16. Management of Bulk Garden Waste and Horticultural Waste**

- 16.1 Burning of bulk garden and horticultural waste within BMC limits is strictly prohibited and will be subject to charges as specified in these Bye-laws;
- 16.2 The collection and appropriate disposal of garden waste from private properties, including such waste scattering/ falling onto adjoining streets or public property is the responsibility of the property owner or cooperative society or institution etc. as the case may be and if found to be accumulated on the streets shall be deemed to be littering by the appropriate authority (Empowered officer);
- 16.3 In case of any instance of littering, the empowered officer shall issue one notice to the property owner for clearance of such litter within a specified time upon expiry of which charges will be imposed in accordance with these Bye-laws;
- 16.4 Generators of bulk garden waste and horticultural waste shall:
  - 16.4.1 set up in-situ composting, bio-methanation or other suitable processing facilities within their own premises, including shredders if necessary, so as to minimize the load on BMC;
  - 16.4.2 in the event, processing of bulk garden waste is not possible in-situ due to land or other constraints, such waste shall be separately stored in large bags or bins on site with adequate protection from scattering or in any other manner that does not cause inconvenience to the public and delivered to the designated collection vehicle or collection point that is either arranged by BMC on a periodic basis or is available on demand by the generator as specified by BMC.
- 16.5 BMC shall seek to process at source garden waste and horticultural waste generated by departments or institutions within its control;
- 16.6 BMC may notify and provide services for collection, transportation and processing of bulk garden and horticultural waste, on-site or pre-processing shredding of branches etc. for such fee as may be notified by BMC from time to time. The Solid Waste Management charge imposed by BMC shall not include charges (if any) for collection of Bulk Garden and Horticultural Waste;

## **CHAPTER-XI PLASTIC WASTE**

### **17. Management of Plastic Waste**

- 17.1 Words and expressions used herein but not defined BMC BYE Laws, but defined in the, Plastic-Waste (Management) Rules, 2016 shall have the same meaning as assigned to them in the respective Acts;
- 17.1.1 “brand owner” means a person or company who sells any commodity under a registered brand label;
- 17.1.2 “carry bags”: mean bags made from any plastic material or compostable plastic material, used for the purpose of carrying or dispensing commodities, which have a self-carrying features, but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use. The same to be in compliance with rules and regulations in respect of specifications of plastic bags;
- 17.1.3 “commodity” means a tangible item that may be bought or sold and includes all marketable goods or wares;
- 17.1.4 “compostable plastics” mean plastic that undergoes degradation by biological processes during composting to yield CO<sub>2</sub>, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;
- 17.1.5 “food-stuff” means ready to eat food products, fast foods, processed or cooked food in liquid, powder, solid or semi-solid form;
- 17.1.6 “importer” means a person who imports or intends to import and holds an Importer - Exporter Code number, unless otherwise specifically exempted;
- 17.1.7 “institutional waste generator” means and includes occupiers of institutional buildings such as buildings occupied by Central/ State/ Local Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organization, academy, hotels, restaurants, malls and shopping complexes;
- 17.1.8 “manufacturer” means and include a person or unit or agency engaged in production of plastic raw material including inter alia granules, resins and additives and other materials, which are used or are to be used as raw material for the manufacture of plastics by the producer;

- 17.1.9 “multi-layered packaging” means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of materials such as paper, paper board, polymeric materials, metalized layers or aluminium foil, either in the form of a laminate or co-extruded structure;
- 17.1.10 “non-institutional waste generator” means individual households, apartments, complexes and residential areas;
- 17.1.11 “organized retailers” means trading activities undertaken by licensed retailers, that is, those who are registered for sales tax, income tax, etc. These include the corporate-backed hypermarkets and retail chains, and also the privately owned large retail businesses;
- 17.1.12 “plastic” means material which contains as an essential ingredient a high polymer such as Polyethylene Terephthalate (PET), High Density Polyethylene (HDPE), Vinyl (PVC), Low Density Polyethylene (LDPE), Polypropylene (PP), Polystyrene Resins (PS), multimaterials like Acrylonitrile Butadiene Styrene (ABS), Polyphenylene Oxide (PPO), polycarbonate (PC), Polybutylene terephthalate (PBT) etc. The same to be in compliance with rules and regulations in respect of specifications of plastic bags;
- 17.1.13 “Plastic sheet” means sheet made of plastic;
- 17.1.14 “Plastic waste” means any plastic discarded after being used;
- 17.1.15 “Plastic Waste Collection Centre” means a facility where plastic waste can be temporarily stored by BMC or any agency authorised by any of them to facilitate segregation, sorting and recovery of plastic from various components of plastic waste by waste pickers, before the waste is delivered or taken up for its processing or disposal;
- 17.1.16 “producer” means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity;
- 17.1.17 “PWM System” means the Plastic Waste Management System as defined in this chapter;
- 17.1.18 “Recycler” means a unit, agency or entity, which engages in recycling, and includes units, agencies or entities engaging in the flaking of plastic;

- 17.1.19 “Scrap Shop” means shops or agencies that purchase the recyclable waste products from waste pickers and others, aggregate it, process it and further sell it to waste recyclers;
- 17.1.20 “Stakeholders” includes, unless the context requires otherwise, the following persons:
- 17.1.21.1 Manufacturers;
- 17.1.21.2 Producers and brand owners;
- 17.1.21.3 Organized and un-organized retailers;
- 17.1.21.4 Waste generators;
- 17.1.21.5 Waste pickers;
- 17.1.21.6 Recyclers.
- 17.1.21 “Un-organized retailers” means traditional formats of low-cost retailing, for example, the local grocery shops, owner manned general stores, paan/ beedi shops, convenience stores, hand cart and pavement vendors, etc.;
- 17.1.22 “Virgin plastic” means plastic material which has not been subjected to use or recycling earlier and has also not been blended with scrap or waste;
- 17.1.23 “Zero Plastic”: Zero Plastic means zero land filling of plastic waste, i.e. 100% management of plastic waste through reduction, reuse, recycling and recovery of plastic waste;
- 17.1.24 “Waste Generator” means and includes every persons or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Mumbai Port Trust and Harbour and Defence Establishments etc which generate Plastic Waste;
- 17.1.25 “Waste pickers” mean individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste;
- 17.1.26 Waste Generators’ Duties”: waste Generator Shall:
- 17.1.26.1. Not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to BMC or agencies appointed by BMC or registered waste pickers’, registered recyclers or waste collection agencies;

- 17.1.26.2. Take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2016;
- 17.1.26.3. All waste generators shall pay such user fee or charge as may be specified in the bye-laws of the BMC for plastic waste management such as waste collection or operation of the facility thereof, etc.; and;
- 17.1.26.4. Every person responsible for organising an event in open space, which involves service of food stuff 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,
- 17.1.27 Responsibility of retailers and street vendors:
- 17.1.27.1. Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multi-layered packaging, which are not manufactured and labelled or marked, as per prescribed under the Plastic Waste Management Rules;
- 17.1.27.2. Every retailers or street vendors selling or providing commodities in, plastic carry bags or multi-layered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labelled or marked in accordance with these rules shall be liable to pay such fines as specified under the bye-laws of the BMC;
- 17.1.27.3. Every person engaged in recycling or processing of plastic waste shall prepare and submit an annual report to BMC by the 30th April, of every year.

## **18. Segregation, Collection and Storage of Plastic Waste**

- 18.1 Every waste generator shall segregate the wastes generated by them at the source at which such wastes are generated, and plastic wastes shall be stored separately from other kinds of wastes, within the premises of the waste generator. This responsibility shall fall upon the, occupier or manager of the premises of the waste generator, as the case may be. The aforementioned entities shall hand over such segregated plastic wastes that to the collection agency designated by BMC;
- 18.2 Plastic packaging of food wastes shall be emptied of their food contents, before being segregated. Further, non-plastic biodegradable wastes (including food wastes) shall not be disposed off in plastic bags other than plastic garbage bags manufactured specifically for the disposal of non--



plastic biodegradable waste;

- 18.3 No plastic waste shall be disposed otherwise as has been provided under these bye-laws. Further, no plastic waste shall be burnt in any public or private premise;
- 18.4 No plastic, including plastic containing any liquid, which by reason of its mass or other characteristics is likely to render any collection unreasonably difficult for the ULB's employees or service provider to handle, shall be stored or placed along with other plastic wastes;
- 18.5 Generators of solid waste such as retail malls, institutions, all educational institutions shall be encouraged to initiate and undertake special drives and programs to promote segregated waste collection. This could be in the form of one day collection drives, incentive based collection etc. The plastic thus collected should be transported to the Community Waste Collection Centres.

## **19. Collection Centres and Transportation**

- 19.1 Plastic wastes shall, upon segregation, be handed over to waste pickers designated to collect plastic wastes from the doorstep of the particular waste generator. However, where door step collection services are not available and/or a waste generator does not avail of the waste collection services of waste pickers, such waste generator shall dispose of the segregated plastic waste at the Community Waste Collection Centres, designated by BMC;

## **20. Processing of Plastic Wastes**

- 20.1 BMC may, for the purpose of recycling, treating, processing and disposing of plastic wastes or converting such wastes into any other matter construct, acquire, operate, maintain and manage any establishment within or outside BMC area and run it on a commercial basis or may contract out such activity;
- 20.2 The waste processing and disposal site shall be designed, constructed and maintained as per the Central Pollution Control Board (for short "CPCB") guidelines.

## **21. Plastic Waste Management System**

- 21.1 BMC shall establish, operate, administer and co-ordinate a PWM System. The key goals of the PWM System are:
- 21.1.1 To ensure the safe collection, storage, segregation, transportation, processing and disposal of plastic waste within its jurisdictional limits

as may be mandatory for BMC in accordance with the PWM Rules, 2016;

- 21.1.2 To set up plastic waste collection centres/ material recovery facilities for plastic waste;
- 21.1.3 To ensure its channelization to recyclers including through the existing formal / informal waste recycling sector;
- 21.1.4 To create awareness among all the stakeholders about their responsibilities;
- 21.1.5 To ensure the financial sustainability of plastic waste management;
- 21.1.6 To implement and levy user charges, penalty etc. for effective implementation of plastic waste management;
- 21.2 Waste generators Responsibilities:
  - 21.2.1 Individual household and institutional waste generator shall take steps to minimize generation of plastic waste and segregate plastic waste at source;
  - 21.2.2 Waste generators will segregate the plastic waste at source and store it separately;
  - 21.2.3 The waste generator shall not litter or burn the plastic waste. No generator shall dispose the plastic waste to drains/unauthorized place within municipal area. Waste generators shall be liable to pay user fees as stipulated by BMC from time to time.

## **22. Organized retailers, un-organized retailers and street vendors**

- 22.1 No person shall sell or provide commodities to consumers in plastic carry bags, plastic sheet or multi-layered packaging which is manufactured, labelled or marked in contravention of the PWM Rules, 2016;
- 22.2 No plastic carry bags shall be made available by organized retailers, un-organized retailers, vendors, wholesalers, hawkers etc. to any consumers;
- 22.3 and un-organized retailers and street vendors found guilty of using plastic carry bags shall be penalized as specified by PWM rules, 2016/ BMC in this regard from time to time;
- 22.4 Every organized and un-organized retailer or street vendors selling or providing commodities in plastic carry bags or multi-layered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labelled or marked in accordance with these rules shall

be liable to pay penalty as specified in these bye-laws;

22.5 Producers and Brand Owners: Producers and brand owner shall adhere to Plastic Waste Management Rules 2016, and other regulations in conformance with the SPCB.

22.6 Recyclers and Operators of Plastic Treatment Plants:

22.6.1 Recycling of plastic shall be carried out in accordance with relevant Indian Standard: IS 14534: 1998 titled as Guidelines for recycling of Plastic, as amended from time to time;

22.6.2 Recyclers shall ensure that recycling facilities are in accordance with the relevant Indian Standard: IS 14534: 1998 titled as Guidelines for Recycling of Plastic and in compliance with the rules under the Environment (Protection) Act, 1986 as amended from time to time;

22.6.3 Recyclers shall work with BMC to ensure that the residues generated from recycling process are disposed off in accordance with the relevant schedules under the Solid Waste Management Rules, 2016 as amended from time to time;

22.6.4 Treatment plants and recyclers shall comply with the prescribed standards in respect of pollution norms, as prescribed by the appropriate authority in this regard.

22.7 Self-Compliance:

22.7.1. Treatment plants and recyclers shall comply with the prescribed standards in respect of pollution norms, as prescribed by the appropriate authority in this regard;

22.7.2. Every waste generator, organized or un-organized retailer, recycler, operator, etc. of plastic treatment plants shall maintain a self-compliance register, which shall be mandatory evidence for proof of compliance with these byelaws;

22.7.3. Such self-compliance register shall be maintained in the format prescribed by BMC in Annexure 2 - Form 1, and shall be filled with such periodicity as to correspond to the frequency of the disposal of plastic wastes, by the maintaining entity;

22.7.4. Persons failing to maintain the self-compliance register, shall be subjected to the penalty stipulated under these rules.

**23. Monitoring and Grievance Redressal**

- 23.1 Any person aggrieved or affected by this Solid Waste (Management & Handling), Cleanliness and Sanitation Byelaws for Brihanmumbai Municipal Corporation, 2025 shall have the right to file a complaint before the Deputy Municipal Commissioner of Solid Waste Management Department of BMC within 30 days.
- 23.2 The Deputy Municipal Commissioner of Solid Waste Management Department may entertain the complaint after expiry of the said period of 30 days, if it is satisfied that the complainant was prevented by sufficient and reasonable cause from filing the said complaint within such prescribed time.
- 23.3 Any person aggrieved or affected by the actions of BMC's ward staff invoked by citing Bye-laws shall have the right to file a complaint before the Assistant Commissioner of the concerned ward of BMC within 30 days.
- 23.4 The Assistant Commissioner may entertain the complaint after expiry of the said period of 30 days, if it is satisfied that the complainant was prevented by sufficient and reasonable cause from filing the said complaint within such prescribed time.

## **CHAPTER-XIII ENFORCEMENT OF THE PROVISIONS OF THESE BYE-LAWS**

### **24. Enforcement of the provisions of these Bye-Laws**

- 24.1 BMC is at liberty to initiate appropriate proceedings under any other law in addition to proceedings under these Bye-laws and Mumbai Municipal Corporation Act, 1888 such as the Environmental Protection Act, 1986, Mumbai Municipal Corporation Act, 1888, the Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016, E-Waste Management Rules, 2016 Construction and Demolition Waste Management Rules 2016, and Bio-Medical Waste Management Rules, 2016; the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 etc. for violation of any provisions thereunder.

## **CHAPTER-XIV PENALTY**

### **25. Penalties for contravention of these Bye-laws**

Whosoever contravenes any of the provisions of these Bye-laws or fails to comply with the requirements made under any of these Byelaws shall be punished with a fine as mentioned in Schedule-I appended to these Bye-laws, failing which, the said defaulter shall be liable to do the community service for at least one hour like road sweeping or cleaning etc. as directed / ordered by the Nuisance Detector or Implementing Authority or any person authorized to do so.

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## **CHAPTER-XV MISCELLANEOUS PROVISIONS**

### **26. Miscellaneous Provisions**

- 26.1 If a person is found spreading pollution or filth in public parks etc. by throwing dead animal/cattle or its parts, it will be a punishable offense and penalty shall also be levied.

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## **CHAPTER-XVI RIGHT TO APPEAL**

### **27. Power of Municipal Commissioner to make Rules/Regulations under this Bye-laws**

The Municipal Commissioner of BMC may make Rules/Regulations from time to time consistent with these Byelaws.

### **28. Right to Appeal**

28.1 Any person aggrieved or affected by any order passed by the Assistant Commissioner under Point No. 23 of these Bye Laws shall have the right to appeal before the Zonal Deputy Municipal Commissioner of the concerned Zone within 30 days of the date of order and the decision of Zonal Deputy Municipal Commissioner shall be final, conclusive and binding on the parties.

28.2 The Zonal Deputy Municipal Commissioner may entertain the appeal after expiry of the said period of 30 days, if it is satisfied that the appellant was prevented by sufficient and reasonable cause from filing the said appeal within such prescribed time.

### **29.**

#### **SCHEDULE-I (Schedule of Penalty)**

<b>S. No.</b>	<b>Bye-law No.</b>	<b>Sub-division/Description of Bye-law</b>	<b>Amount of fine if the offence is committed for the first time (per instance)</b>
1	No.5.1 to 5.3	Littering on roads/ streets/ Footpaths, Gardens/ Public areas	Rs500
2	No.5.4	Spitting	Rs250
3	Creating Nuisance at Public spaces and Open spaces	Bathing (Open and public spaces)	Rs300
4		Urinating	Rs500
5		Defecating	Rs500
6		Feeding animals/birds (at Open spaces and public spaces which will create nuisance spots i.e feeding birds along the major streets, feeding cows, dogs on footpaths etc.)	Rs500



7		Washing utensils / clothes / any other objects in public places	Rs300
8		Washing Vehicles	Rs500
9	No.5.1, 5.3  AND  U/s. MMC Act, 1988	For the first offence of delivering waste that is not segregated and not stored in separate bins:  a) Individual b) Bulk Generator	Rs200 Rs1000
11	No.5.5	For not maintaining Clean Aangan: for  a) for owners / occupiers of single premises b) for others	Rs_ 500_____ Rs _1500_____
12	No 6.4	for indiscriminate dumping of C & D waste at unauthorized or non-designated sites.	Rs20,000 per vehicle
		For transportation of C&D without approved plan by zonal EE(SWM)	Rs 25,000 per vehicle
13	No 6.5	For not delivering “dry” waste in a segregated manner as specified	Rs200
14	No 6.6	For not delivering garden waste and tree trimmings as specified	Rs200
15	No 6.7	For Burning for commercial purposes / large scale, etc.	Rs 10,000
16	No. 8.2	For not delivering (non-household) fish, poultry and meat waste in a segregated manner, as specified	Rs750
17	No. 8.3	For a vendor / hawker without a container / waste basket/ dustbin	Rs750
		a) For a vendor / hawker who does not deliver waste in a segregated manner as specified	Rs750

18	No. 8.4	For not keeping a house gully clean	Rs500
19	No. 8.5	For littering/defecation by pet / owned animals	Rs1000
20	No. 8.6	For not cleaning-up after public gathering / event within 4 hours	Forfeiture of the Cleanliness deposit

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**SCHEDULE-II (Illustrative list of biodegradable and recyclable waste)**

<p><b>Biodegradable Waste</b></p> <p>“<b>Biodegradable waste</b>” means “wet” waste of plant and animal origin.</p>	<p><b>Recyclable waste</b></p> <p>“<b>Recyclable waste</b>” 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.</p>
<ul style="list-style-type: none"> <li>• Kitchen Waste including: tea leaves, egg shells, fruit and vegetable peels</li> <li>• Meat and bones</li> <li>• Garden and leaf litter, including flowers</li> <li>• Soiled paper</li> <li>• House dust after cleaning</li> <li>• Coconut Shells</li> <li>• Ashes</li> </ul>	<ul style="list-style-type: none"> <li>• Newspapers</li> <li>• Paper, books and magazines</li> <li>• Glass</li> <li>• Metal objects and wire</li> <li>• Plastic</li> <li>• Cloth Rags</li> <li>• Leather</li> <li>• Rexene</li> <li>• Rubber</li> <li>• Wood /furniture</li> <li>• Packaging</li> </ul>

Note: Without prejudice to the rights and contention of BMC for Collection of User Charge shall only be linked with Garbage Collection and waste management. Merely payment of User Charge does not create a right of individual to title and interest of the house/premises from which the waste is collected. The above examples are illustrative and not exhaustive

### **SCHEDULE-III (Specified Household Hazardous Waste)**

#### **Specified Household Hazardous Waste**

- Aerosol cans
- Batteries 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 containers
- Photographic audio/video tapes and their containers
- Styrofoam and soft foam packaging of furniture, packaging and equipment
- Thermometers and mercury-containing products
- Soiled Sanitary Pads

Note : The above examples are illustrative and not exhaustive.

## **SCHEDULE-IV (List of Bio-medical waste)**

### **List of Bio-medical waste:**

<b>Bio-medical waste</b>
1. Waste sharps  (Needles, syringes, scalpels, blades, glass, etc. that may cause puncture and cuts. This includes both used and unused sharps)
2. Discarded Medicines and Cytotoxic drugs (waste comprising of outdated, contaminated and discarded medicines)
3. Solid Waste  (Items contaminated with blood, and body fluids including cotton, dressings, soiled plaster casts, lines, beddings, other material contaminated with blood)
4. Solid Waste (waste generated from disposable items other than the waste sharps such as tubing's, catheters, intravenous Sets etc).

Note : The above examples are illustrative and not exhaustive.

### SCHEDULE-V (User Fees)

User charges shall be collected as part of property tax and shall not be levied or collected separately. The Rates/User Charges/Fees for collecting garbage from home and establishments for Garbage Collection are fixed as follows:-

Sr. No.	Category of customer	Amount (from each premises) per month
1	Houses up to 50 sq. m. built-up area	Rs. 100/-
2	Houses over 50 sq. m. built-up area up to 300 sq. m.	Rs. 500/-
3	Houses with over 300 sq. m. built-up area	Rs. 1000/-
4	Commercial offices, Government offices, Bank, Insurance offices, coaching classes, education institutes etc.	Rs. 750/-
5	Commercial establishments, shops, eating places (Dhaba/sweet shops/coffee house etc)	Rs. 100/-
6	eating places (Dhaba/sweet shops/coffee house etc)	RS.500/-
7	Guest House	Rs.750/-
8	Hostel	Rs. 750/-
9	Hotel Restaurant (Unstarred)	Rs. 1500/-
10	Hotel Restaurant (Up to 3 star)	Rs. 2500/-
11	Hotel Restaurant (over 3 star)	Rs. 7500/-
12	Clinic, dispensary (up to 50 beds)	Rs. 100/-
13	Laboratories (up to 50 sq. m)	Rs. 2000/- Rs. 2500/-
14	Health Care Establishments more than 50 beds) Laboratories (more than 50 sq. m)	Rs. 4000/- Rs. 5000/-
15	Small and cottage industry workshops (only non- hazardous), waste up to 10 Kg per day	Rs. 1500/-
16	Marriage halls, festival halls, exhibition and fairs with area up to 3000 sq. m.	Rs. 5000/-
17	Marriage halls, festival halls, exhibition and fairs with area over 3000 sq. m.	Rs. 7500/-
18	Bulk Waste Generators (delivering only residual inert to BMC)	_____
19	Bulk Waste Generators (delivering entire unprocessed waste to BMC)	_____
20	Other places not marked as above	As assessed by the BMC

## **SCHEDULE-VI (Statutes, Rules, Notifications, Circulars, Guidelines)**

### **I. Environment**

1. Environmental (Protection) Act, 1986 and Rules;
2. The Water (Prevention and Control of Pollution) Act, 1974 and Rules;
3. The Air (Prevention and Control of Pollution) Act, 1981 and Rules;
4. Solid Waste Management Rules, 2016 and the Municipal Solid Waste Manual, 2000 [Draft Manual, 2014];
5. Plastic Waste Management Rules, 2016;
6. E-Waste Management Rules, 2016;
7. Hazardous and Other Wastes (Management and Trans boundary Movement) Rules, 2016;
8. Bio-Medical Waste Management Rules, 2016;
9. Batteries (Management & Handling) Rules, 2001;
10. Maharashtra Non-Biodegradable Garbage (Control) Act, 2006;
11. Maharashtra Plastic Carry Bags (Manufacture and Usage) Rules, 2006;
12. Maharashtra Non-Biodegradable Solid Wastes (Proper and Scientific Collection, Sorting and Disposal in the areas of Municipal Corporations) Rules, 2006;
13. CAG Report: Management of Waste in India, Performance Audit - Report No. 14 of 2008;
14. 2010 Ministry of Urban Development Circular: MSW Rules and Waste-pickers [D.O. No. Z- 14013/3/2009-PHE II, March 22, 2010];
15. Report of the committee set up to frame National Sustainable Habitat Standards for the Municipal Solid Waste Management;
16. Report of the committee to evolve road map on management of wastes in India, Ministry of Environment and Forests, March, 2010;
17. Guidelines for establishment of Common Bio-Medical Waste Treatment Facilities throughout the country, CPCB;
18. The National Environment Policy, 2006;
19. The National Urban Sanitation Policy, 2008;

20. The National Action Plan on Climate Change, 2008.

## **II. Labour Related**

1. The Minimum Wages Act, 1948;
2. The Maharashtra Minimum Wages Rules, 1963;
3. The Contract Labour (Regulation and Abolition) Act, 1970;
4. The Maharashtra Contract Labour (Regulation and Abolition) Rules, 1971;
5. Employees' Provident Fund and Miscellaneous Provisions Act, 1952;
6. Employees' State Insurance Act, 1948;
7. Maharashtra Workers Minimum House Rent Allowance Act, 1983 and Rules;
8. Workmen's Compensation Act, 1923;
9. Child Labour (Prohibition and Regulation) Act, 1986;
10. Industrial Disputes Act, 1947;
11. Payment of Wages Act, 1936;
12. Payment of Bonus Act, 1965;
13. Payment of Gratuity Act, 1972;
14. Maternity Benefit Act, 1961;
15. Maharashtra Recognition of Trade unions and Prevention of Unfair Labour Practices Act, 1971.

## **III. Other**

1. Maharashtra Municipal Corporations Act (LXI of 1949);
2. Bombay Shops and Establishments Act, 1948;
3. Indian Penal Code, 1860.