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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 373 OF 2022

IN THE MATTER OF:

SUMIT SAINI

...APPLICANT

VERSUS

HARYANA STATE POLLUTION

CONTROL BOARD & ORS. RESPONDENTS

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Applicant,



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REPLY BY APPLICANT

MOST RESPECTFULLY SHOWETH:

To,

Honorable judge and Expert Member,
National Green Tribunal,
Principle Bench, New Delhi

विषय : Detail Reply by Applicant on sent reports by the Respondents to NGT

श्रीमान जी,

सविनय निवेदन यह है कि मैं सुमित सैनी गांव निवासी दामला, जिला यमुनानगर, हरियाणा का स्थायी निवासी हूँ। मेरे द्वारा माननीय न्यायलय में case No. 373/2022 याचिका दायर की गई है। जिसको अभी तक पूरा 1 साल हो चुका है। इस दौरान ना ही जांच अधिकारियों द्वारा सही से जांच की गई है ना ही हमारी शिकायतों को पूर्ण रूप से सुलझाया गया है। ना ही किसी भी प्रतिवादी द्वारा नियमों के अनुसार काम किया जा रहा है। शायद हो सकता है कि मैं कोर्ट को पूर्ण रूप से अपने द्वारा बताई गई बातें व तथ्य सही से समझाने में असमर्थ रहा हूँ, क्योंकि मैं पेशे से ना ही वकील हूँ। ना ही कोई वकील मुझे दिया गया है हालांकि खुद माननीय कोर्ट मेरे द्वारा बताई गई बातों व दिए गए सबूत, फोटो व video के माध्यम से स्वयं कार्यवाही करने में सक्षम है। जो मैं पहले ही माननीय न्यायलय NGT के समक्ष रख चुका हूँ। मैं एक बार पुनः माननीय न्यायलय के सामने विस्तृत तर्क व तथ्य इस Letter के माध्यम से रख रहा हूँ। ताकि सही व जल्दी से नियमों का उलंघन करने वालों पर कार्यवाही शुरू हो सके।

केस की अगली सुनवाई माननीय न्यायालय द्वारा 18 May 2023 को निर्धारित की गई है।

मैं माननीय कोर्ट को बताना चाहता हूँ कि संविधान का अनुच्छेद 21 मुझे और आमजन को जीवन जीने का अधिकार एवं व्यक्तिगत स्वतंत्रता के साथ ही सम्मान सहित स्वस्थ वातावरण में जीवन जीने का अधिकार देता है। जिसका पूर्ण रूप से प्रतिवादियों द्वारा उलंघन किया जा रहा है और इसमें सम्बन्धित विभाग, शासन व प्रशासन खुद भी इसका उलंघन कर रहे हैं व इसको लागू कराने में असमर्थ हैं।

इन सब मामलों में Haryana state pollution control board, Haryana government के साथ साथ सभी प्रतिवादी (Respondent) भी सम्मान रूप से जिम्मेदार है।

Case No. 1: Status of Plywood factory

हमारे सिर्फ एक गाँव में 24 plyboard फैक्ट्रियां चल रही हैं और जिले में 700+ हैं। जिनमें हजारों टन लकड़ी boiler में जलाई जा रही हैं। जिससे पूरा इलाका विषैली गैसों, काले धुएँ व राख से ग्रसित रहता है जिससे गंभीर बिमारियाँ भी होती हैं। और बड़े पैमाने पर जनजीवन प्रभावित होता है। इतनी बड़ी स्तर की environment की अवहेलना तो पूरे देश में कहीं और नहीं होगी और HSPCB की submitted report के अनुसार सब सही है। जो जांच department ने की थी और कोर्ट में जमा करवाई थी वह कहीं से भी complete व सही नहीं लगती है मैं कोर्ट से अपील करता हूँ कि जांच centre pollution control board द्वारा कराई जाए। और साथ ही इसमें याचिकाकर्ता को भी सहभागी बनाया जाए। जिसमें CPCB की टीम के साथ याचिकाकर्ता भी sample ले सके और खुद अलग से जांच करा सके। अगर कोई online analysis site पर ही होना है तो याचिकाकर्ता उसकी पुष्टी के लिए site पर ही मौजूद रहे। ताकि पूर्ण रूप से सही मायनों में व संदेह रहित जांच हो सके।

मैंने पहले भी इससे Related picture व video कोर्ट के सामने पेश किए हैं। अगर कोर्ट चाहे तो मैं और भी video दिखा सकता हूँ। क्योंकि video का size बड़ा होने की वजह से मैं इसे इस letter के साथ attached नहीं कर सकता। इसके अलावा मैं कुछ निम्नलिखित बातें बता रहा हूँ। ताकि माननीय न्यायालय संज्ञान लेते हुए उचित कार्यवाही के निर्देश दे पाए। व हमें उचित न्याय मिल पाए।

1. जैसा कि pollution Department ने अपनी रिपोर्ट में कहा है कि सभी कम्पनिया तय मानको के अनुरूप चल रही हैं और सभी नियमों का compliance करती हैं। जबकि इनके तय मानक change ही नहीं किए गए जो कि कम्पनियों की बढ़ती संख्या व समय के अनुसार बदलने चाहिए थे। जो कि अनुच्छेद 48a का उलघन है। जो कि पर्यावरण की सुरक्षा और उसमें सुधार करने का निर्देश देता है।
2. सभी कम्पनियां glue बनाने के लिए chemicals व urea का उपयोग करती हैं जिसमें waste water generate होता है और इसको सही करने के लिए treatment plant अनिवार्य है जबकि pollution department ने अपनी रिपोर्ट में लिखा है कि इनके पास कोई treatment plant नहीं है। तब ये waste water कहीं तो डालते होंगे जिससे water pollution होता है तो water pollution act 1974 के अनुसार इन पर कार्यवाही क्यों नहीं हुई है साथ ही मेरा मानना है कि धारा 277, 278, 426, 430, 431 और 432 व सीआरपीसी की धारा 133 व फैक्ट्री एक्ट की धारा 41ए के अनुसार कार्यवाही होनी चाहिए।
3. इसके अलावा सभी कम्पनिया chemical (गुल्लू, यूरिया, formaldehyde) युक्त बची हुई लकड़ी को जलाते हैं तो विषैला काला धुआं उत्पन्न होता है। यह formaldehyde chemical आंखों व skin को नुकसान पहुँचाने के अलावा कैंसर कारक भी है तब इन पर वायु (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम, 1981 के अनुसार कार्यवाही क्यों नहीं की गई। इसमें भी सम्बन्धित धाराओं के अनुरूप मामला दर्ज होना चाहिए।
4. सभी कम्पनियां गांवों के Residential area में चल रही हैं जबकी ये नियमों के खिलाफ हैं जबकि माननीय न्यायालय high court व supreme court के judgment के बाद हरियाणा सरकार द्वारा 2016 में एक Relocation Policy for shifting of Industrial Units operating from residential areas (cwP no. 11226 of 2013 (o&M) titled as progress Industries Vs State of Haryana and others. लाई गई थी। इसकी एक प्रति मैं साथ में attached annexure-1 कर रहा हूँ। तब इनको गांव के रिहायशी इलाके से क्यों नहीं हटाया गया है। इसके लिए orange category industry को 2 साल का समय भी मिला था (Page no. 14, Point no. 8.5)। यह कोर्ट के आदेश की अवमानना है।

Case No. 2: Status of SPS Bio chem pvt. Ltd.

1. Sps bio chem द्वारा फिर से Press mud का store कम्पनी area के साथ ही साथ पास के खेतों में किया जा रहा है। जिससे इलाके में वही foul smell, मक्खी मच्छर, मिथेन ch₄, co₂ व अन्य विषैली गैसों का उत्सर्जन बना हुआ है। और ये सब जानबूझकर किया जा रहा है। और pollution department भी कोई कार्यवाही नहीं कर रहा है। इस press mud का live प्रसारण में कोर्ट को पिछली hearing के दौरान भी दिखा चुका हूँ। इसलिए प्रतिवादी द्वारा ऐसा करना अनुच्छेद 21 में दिए मेरे व आमजन के अधिकारों का हनन है। साथ ही अनुच्छेद 51A का उलघन है। जिससे sps bio chem पर water pollution act 1974 व वायु (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम, 1981 के अनुसार मामला दर्ज होना चाहिए। साथ ही मेरा मानना है कि धारा 277, 278, 426, 430, 431 और 432 व सीआरपीसी की धारा 133 व फैक्ट्री एक्ट की धारा 41a के अनुसार कार्यवाही होनी चाहिए।
2. Sps bio chem ने अपने द्वारा जमा एक रिपोर्ट में बताया था कि यह भारत सरकार के पेट्रोलियम मंत्रालय द्वारा चलाई गई scheme, जिसका नाम satat है। के अर्न्तगत यह 200 tpd का bio cng Plant लगा रही है। इसकी पूरी जानकारी SATAT.com website पर उपलब्ध हैं इसी website पर search करने से पता चलता है कि यह plant set-up करने के लिए आवश्यक सभी स्वीकृतियां क्या हैं (Page no. 16) जिसकी मैं पहले से ही एक कॉपी माननीय न्यायालय के समक्ष पेश कर चुका हूँ और दुबारा annexure-2 के माध्यम से पेश कर रहा हूँ। माननीय न्यायालय ने भी माना है। कि इस प्लांट पर स्टे लगनी चाहिए। परन्तु बिना दस्तावेजों के sps bio chem अभी तक construction work व operation work दोनों लगातार कर रहा है। इन्हीं में से एक जरूरी दस्तावेज गांव से noc लेने का है। परन्तु sps bio chem के पास नहीं है। फिर कानूनी रूप से कैसे फैक्ट्री चल रही है।
3. यह प्लांट गांव के रिहासी आबादी से महज 300-400mtr की दूरी पर लग रहा है। जबकि pollution department ने अपनी रिपोर्ट में बताया था कि इस plant द्वारा store की गई press mud से 3km के radius तक foul smell का प्रभाव रहा था। और पर्यावरण को नुकसान हुआ था। और ये plant orange category में आता है। इसलिए आसपास की सभी 3-4 गाँव की पंचायतों ने भी sps bio Chem के खिलाफ व गाँव में प्लांट ना लगाने देने का प्रस्ताव sign करके मेरे माध्यम से माननीय न्यायालय Ngt में जमा किया था। इन सबकी प्रतियां मैं दुबारा attached annexure-3 के माध्यम से भेज रहा हूँ। फिर भी यह

प्लांट बिना noc के अभी भी स्थापित हो रहा है अभी तक pollution department ने भी यह नहीं बताया की ये high pollution index plant कैसे गांव के रिहाशी इलाके में लगाने दिया जा रहा है। जबकि इससे कहीं छोटा मुर्गी फार्म सिर्फ foul smell और flies के कारण गाँव से 500mtr (Page no. 29, Point no. 7) की दूरी पर लगाने के नियम है। हालांकि rule book में इन सब कारणों से निपटने के उपाय भी निर्धारित हैं। फिर भी public favour में ऐसे दूरी वाले नियम बनाए गए। तो फिर इतने बड़े प्लांट को कैसे permission या चलाने दिया जा रहा है। मुर्गी फार्म policy की प्रति मैं साथ में attached annexure-4 के माध्यम से कर रहा हूँ।

4. Sps bio chem, ने कोर्ट में झूठी रिपोर्ट पेश की है। इन्होंने कहा था कि हम co2 को कैप्चर करेंगे, foul smell को रोकेगा, जबकि ऐसा कुछ नहीं हो रहा है। उल्टा हानिकारक गैसों का उत्सर्जन इस press mud के भंडारण करने से लगातार जारी है। और इतना ही नहीं, sps bio chem ने अपनी रिपोर्ट में बताया था कि pollution department द्वारा 15 जून 2022 को Closing order देने के बाद construction work रोक लिया गया जोकि 12 December 2022 तक बिना pollution department की अनुमति के बन्द ही रहा। जबकि मैं पहले भी कोर्ट में video व picture दिखा के साबित कर चुका हूँ कि plant construction का काम 1 दिन भी बन्द नहीं हुआ। मैं पुनः कोर्ट के समक्ष यह प्रमाणित भी कर सकता हूँ। इसलिए प्रतिवादी के खिलाफ कोर्ट में झूठा affidavits व रिपोर्ट जमा करने व लोक सेवक द्वारा दिए गए आदेश को ना मानने के लिए crpc की धारा 340 व IPC की धारा 188 के अर्न्तगत कार्रवाई होनी चाहिए।
5. SPS bio chem व pollution department की मिलिभगत साफ दिखती है। Pollution department द्वारा पहले sps bio chem द्वारा environment compensation की पूरी रकम लेने में हेरा फेरी की गई। और अब बाद में sps bio chem द्वारा construction का पूरा काम किए बिना ही pollution department द्वारा प्लांट चलाने की अनुमति दे दी गई। इसके पूरे सबूत कोर्ट को दिखाने के लिए video व Picture के रूप में मेरे पास मौजूद हैं। इसलिए department व सम्बन्धित अधिकारियों के खिलाफ भी IPC 167 के तहत कार्रवाई होनी चाहिए।
6. Pollution department ने कोर्ट के आदेशनुसार अब तक सम्बन्धित plant के विषय में अपनी कोई राय नहीं दी है।

Case No. 3: Status of Municipal solid waste

हमारे गाँव की सीमा के पास औरंगाबाद गांव में यमुनानगर नगर निगम ने Municipal solid waste dump site बना रखी थी। इसकी एक शिकायत औरंगाबाद गांव के लोगों की तरफ से भी Ngt मे भेजी गई है। जिसको माननीय न्यायालय ने इसी 373 case के साथ सम्मिलित कर दिया है। इसमें कोर्ट के दखल के बाद September 2022 महीने मे एक location से MSW उठा लिया था। और उसी के समीप (रोड के दूसरे तरफ) वाली जगह पर december 2022 month से दुबारा कुड़े के ढेर लगाने शुरू कर दिए हैं और वो भी नियमों को ताक पर रख कर ऐसा किया जा रहा है। मैं याचिकाकर्ता निम्नलिखित बातों के माध्यम से कोर्ट को बताना चाहता हूँ कि

1. गाँव में चल रहे dairy फार्मों से होने वाले pollution पर अब तक municipal corporation ने कोई जवाब नहीं दिया है। ना ही नियमों के अनुसार वहा कोई STP plant लगा है। ना साफ सफाई की व्यवस्था है।
2. Pollution department ने अब तक municipal corporation से कुड़े के गलत तरीके से जमा करने व उससे होने वाले प्रदूषण व पर्यावरण नुकसान का कोई जुर्माना नहीं वसूला है। (Page no. 40, Point no. 16)
3. Municipal corporation द्वारा अभी भी SWM Act 2016 के अनुसार ना तो कुड़े को इकट्ठा (गीला सुखा कचरा अलग अलग जमा ना करना) किया जा रहा है और ना ही निस्त्राण (कुड़े के ढेर site पर ऐसे ही लगाए जा रहे) किया जा रहा है। जिससे गांव मे foul smell, मक्खी मच्छर, विषैली गैसों का उत्तर्जन बना हुआ है जो हमारे स्वास्थ्य के लिए सही नहीं है। मैं माननीय न्यायालय को pictures व video दिखा के यह साबित भी कर सकता हूँ। SWM Act 2016 rule की प्रति मैं साथ में attached annexure-5 के माध्यम से कर रहा हूँ। (Page no. 33, Point no. 4)
4. Municipal corporation ने अपनी रिपोर्ट में बताया था कि इस site पर daily 135 ton कूड़ा आएगा और SWM rule 2016 के अन्तर्गत प्लांट मे सभी कार्य होंगे। जबकि SWM 2016 में साफ साफ लिखा है कि कुड़े को घर से इकट्ठा करते समय ही अलग अलग करना होगा। Organic waste को processing and treatment किया जाएगा (Page no. 49)। जबकि इस site पर MSW के mix waste आ रहा है। उसके पहाड बनाए जा रहे हैं। कोई plantation नहीं है। मैं माननीय न्यायालय को pictures व video दिखा के यह साबित भी कर सकता हूँ

5. इसप्रकार ना तो कार्य नियमों के अनुसार हो रहा है। इतना ज्यादा कचरा गांव के रिहाशी इलाके के पास जमा किया जा रहा है। National Highway भी बिलकुल पास मे लगता है। इसको चलाने वाली कम्पनी ने भी pollution department से permission नहीं लिया है। (Page No. 41 para no. 19) इसलिए माननीय न्यायलय से अपील है कि इस प्लांट को तुरत बन्द व रिहायशी इलाके से दूर लगाने के order दिए जाए।
6. यहा तक की कूडा इक्कठा करने वाली जगह पर leache treatment plant और उसे control करने की सुविधा भी उपलब्ध नहीं है।

उपरोक्त बातों के तहत आम जन के शुद्ध वातावरण में जीवन जीने के अधिकार को छिना जा रहा है। जो सविधान हमें अनुच्छेद 21 मे देता है। जिसका पूर्ण रूप से सरकारी कर्मचारियों व विभागों द्वारा भी उलंघन किया जा रहा है। जिससे सम्बन्धित कम्पनी, अधिकारियों व विभागों पर water pollution act 1974 व वायु (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम, 1981 के अनुसार मामला दर्ज होना चाहिए। साथ ही धारा 277, 278, 426, 430, 431 और 432 व सीआरपीसी की धारा 133 व फैक्ट्री एक्ट की धारा 41ए के अनुसार कार्यवाही होनी चाहिए। साथ ही कोर्ट मे झूठी व गलत रिपोर्ट जमा करने के लिए IPC की धारा 167 के अन्तर्गत कार्यवाही होनी चाहिए।

मैं माननीय न्यायलय NGT से अपील करता हूँ कि उपरोक्त बातों व तथ्यों का संज्ञान लेते हुए हमें उचित न्याय दिलवाने की कृपया करें।

शहरी स्थानीय
निकाय निदेशालय
हरियाणा



DIRECTORATE OF URBAN
LOCAL BODIES
HARYANA

वे सं. 11-14, सेक्टर 4, पंचकुला, हरियाणा
Bay No. 11-14, Sector 4, Panchkula, Haryana

Tel.: +91 172 2570020 ; Fax: +91 172 2570021
website: www.ulbhry.gov.in ; email: dulbhry@hry.nic.in

To

The Principal Secretary to Govt. Haryana,
Industries Department

The Principal Secretary to Govt. Haryana,
Environment Department

The Director General,
Town and Country Planning Department, Haryana

The Chief Administrator,
Haryana Urban Development Authority

The Managing Director,
HSIIDC, Panchkula

The Commissioner,
Municipal Corporation, Gurgaon

The Commissioner,
Municipal Corporation, Faridabad

Memo no. DULB/CTP/TP/A2/2016/ 5534-40
Dated: 04/8/16

Subject: Relocation Policy for shifting of Industrial Units operating from residential areas (CWP no. 11226 of 2013 (O&M) titled as Progress Industries Vs State of Haryana and others.

1. Please refer to this office memo no. 53/50/2015-SCI dated 20.3.2015 vide which the committee for formulation of Relocation Policy for shifting of Industrial Units operating from residential area was constituted. (copy enclosed for ready reference)
2. I, have been directed to inform that the Relocation Policy for shifting of Industrial units operating from residential areas has been notified vide notification no. 2/29/2016-R-II dated 20th July, 2016. The copy of the same is enclosed with request to take the necessary action on the points of the policy related to your Department and send the action taken report to this office as this case is listed for 4.10.2016 and the status report regarding implementation of this policy is to be submitted before the Hon'ble High Court.

D.A: As enclosed

(Sunita Verma)
Assistant Town Planner,
for Director Urban Local Bodies,
Haryana, Panchkula

Endst. No. DULB/CTP/TP/A2/2016/ 5541-71 dated: 04/8/16

A copy of the above is forwarded alongwith the copy of the notified policy to the following with request to carry out survey regarding number of Red,

Orange, Green and House Hold Units located within the residential and send the action taken on these industries/ unit as per the clause no. 8.5 of the policy.

- i. All the Commissioners of the Municipal Corporations of Haryana State
- ii. All the Deputy Commissioners in the State

(Sunil Verma)

Assistant Town Planner,
for Director Urban Local Bodies,
Haryana, Panchkula.

CC:

1. PS to CS, Haryana for kind information of Chief Secretary, Haryana
2. PS to PS, ULB for kind information of Principal Secretary to Govt. Haryana, Urban Local Bodies, Haryana, Chandigarh
3. PA to DULB for kind information of Director, Urban Local Bodies, Haryana, Panchkula

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**Haryana Government
Urban Local Bodies Department
Notification**

Dated : 20th, July, 2016

No. 2/29/2016-R-II, In exercise of the power conferred by Section 398 (2) (a) of the Haryana Municipal Corporation Act, 1994 and power conferred by Section 250 (a) of Haryana Municipal Act, 1973, the Governor of Haryana hereby directs for the information of general public the following Relocation Policy for shifting of Industries operating in the Residential Areas.

1. Introduction/Background:-

The formulation of the re-location policy has been necessitated consequent to orders of Hon'ble High Court in CWP No. 11226 of 2013 (O & M) titled as Progress Industries v/s State of Haryana and others. The court issued directions to the State for framing a policy for shifting the industrial units operating in the residential areas.

2. Operative part of the order of the High Court:-

The above mentioned Civil Writ Petition alongwith other CWP Nos. 13134 to 13140 of 2013 were listed together for hearing and disposed of by a common judgment titled as CWP No.11226 of 2013 (O&M) titled as Progress Industries Vs. State of Haryana and others on dated 9.07.2014. All the aforementioned 8 writ petitions preferred by the petitioner(s) originated due to the closure of the factories by the respondents (Joint Commissioner, Municipal Corporation, Ballabgarh and Faridabad) on the ground that they were running in notified residential area localities and such industrial activities could not be permitted in violation of the notified zoning/master plan.

In addition to above, there was another prayer with regard to framing of policy for shifting such units from the residential area. It was felt that it was dire need of the day not only in the interest of public at large, but also in the interest of the industrial units and in addition, this would avoid unnecessary litigation. It was, therefore, directed that the Government shall do the needful after giving due publicity and after hearing all concerned.

First part of the order of the court pertains to the shifting of the manufacturing units out of the residential areas in case not permitted under the Municipal Committee Act and units in contravention of the municipal laws. The Hon'ble High Court mandated that there should be a non-discriminatory treatment of the manufacturing units operating in the residential areas in the municipal limits. Therefore, the policy needs to apply uniformly in all such similarly situated cases.

The second part of the order of the Hon'ble High Court refers to the running of the dangerous and hazardous factories specifically the pollution causing units. For the purpose of making policy recommendations, both have been considered.

3. Constitution of Committee:-

In pursuance of order dated 24.02.2015, Sh. Depinder Singh Dhosi, Chief Secretary, Haryana and Sh. S.N. Roy, Principal Secretary to Government, Haryana, Urban Local Bodies Department assured that they will make efforts to frame the policy for the entire State of Haryana and they will also direct the Pollution Control Board to identify the polluting industries and their categories. They assured the Hon'ble High Court that the requisite policy will be framed within four months. Affidavit filed by Sh. Roy in Court was taken on record.

Since framing of a State Level Policy for shifting of industries from the residential areas is a major policy decision, involving different departments, therefore Chief Secretary of Govt. Haryana approved the Constitution of the following committee, for formulating the policy:-

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1.	Principal Secretary to Govt. Haryana, Industries Department	Chairman
2.	Principal Secretary to Govt. Haryana, Urban Local Bodies Dept.	Member
3.	Principal Secretary to Govt. Haryana, Environment Dept.	-do-
4.	Director General, Town and Country Planning Dept. Haryana	-do-
5.	Chief administrator, HUDA	-do-
6.	Managing Director, HSIIDC	-do-
7.	Director, Urban Local Bodies, Haryana	-do-
8.	Commissioner, Municipal Corporation, Faridabad	-do-
9.	Commissioner, Municipal Corporation, Gurgaon	-do-

The committee was required to formulate the policy and notify the same before the next date of hearing, which was 15.07.2015.

The committee observed in its first meeting that a similar exercise of relocation of industrial units from the residential areas was implemented by the State of Delhi ensuing an order of the Hon'ble Supreme Court of India. The policy of Delhi, since it was approved by the highest court of India, was taken as the reference document for the preparation of the policy for Haryana State.

4. Relocation of Industry in Delhi:-

A similar exercise arising out of a Supreme Court Order was implemented in the capital city of Delhi, where appx. 1,29,000 units that employed nearly 14, 40,000 workers were identified for relocation from residential areas. The committee decided that it will be instructive and useful to study the case of Delhi in some detail and draw lessons from the same for the purpose of making policy recommendation in the instant case especially in view of the fact that the highest court of the country had seen and ratified the policy prescriptions in case of Delhi.

The Hon'ble Supreme Court, vide Judgment dated 7th May, 2004 delivered in the matter of closure/shifting of unauthorized industrial activities in Delhi in residential/non-conforming areas, had passed certain directions in Writ Petition (Civil) No. 4677 of 1985 titled "M.C. Mehta Vs. Union of India & Others" which inter-alia included :-

- 4.1 "All Industrial units that have come up in residential/non-conforming areas in Delhi on or after 1st August 1990 shall close down and stop operating as per the following schedule:-
- 4.1.1 Industrial units pertaining to extensive (Extensive Industries have been classified as 'F' Category, Extensive industries include Auto parts, castings, acid, chemicals, paint, varnish etc.) industries within a period of four month;
 - 4.1.2 Industrial units pertaining to light and service industries within five months;
 - 4.1.3 Impermissible household industries within six months and
 - 4.1.4 6,000 industrial units on waiting list for allotment of industrial plots within 18 months.
 - 4.1.5 House Hold units that have been classified as per the attached list may continue to operate from the residential areas".

In case of Delhi, 122 household industrial activities were allowed to operate in the residential areas after obtaining necessary licenses from the relevant authority.

5. Consultation Committee-Stake Holder Comments:-

In compliance of the court order a committee for the purpose of policy formulation was constituted and after due deliberations with various experts and stake holders has attempted to address the

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issue. Keeping in view the spirit of the order of Hon'ble Court, the committee formed under the chairmanship of the Principal Secretary Industries met every 15 days and held extensive consultative sessions to formulate a rational and practically implementable policy. A total of seven meetings were held with various stake holders at Chandigarh and Delhi to consider diverse viewpoints regarding shifting and relocation of industry.

6. Representations of the Industrial Associations:-

Industries Association of Jagadhri had in the year 2000 and later in the year 2005 given representations to the Director Town and Country Planning to recognize the typical nature of industrial activity of the Jagadhri town. During the publishing of the draft development plans, the Department was urged to declare the town as an industrial town and identify / allocate larger geographic areas for the manufacturing units and declare certain industry occupied areas as industrial zones, as major industrial activity was prevalent in those areas and it was not possible to distinguish between residential and industrial activity areas, as both co-existed.

6.1 Deliberations with Jagadhri Metal Association:-

During the deliberations, the representative of industrial units, broadly agreed that industrial units falling under the red category should be closed or shifted from the residential area. The units falling under orange category should be allowed to continue subject to compliance of rules and procedures and stipulations of Haryana State, Water and Air Pollution Control Board as well as other authorities of the State Government. The units falling under the Green category should be exempted from shifting as per the court order. The industry representatives were of views that the residential area wherein industrial units have occupation of more than 70% physical/ geographic area, (eg: Faridabad has a number of such industries occupied areas) should be declared/considered as industrial zone in-situ.

7. Inter Departmental Consultations:-

Inter Departmental consultations were held with Departments of Labour, HUDA, Urban Local Bodies and Town & Country Planning Department and the comments thereof alongwith counter comments of Department of Industries are given at Annexure -A.

8. Policy Recommendations:-

The following norms shall be followed with regard relocation of Industrial units working in residential areas:-

- 8.1 Clusters of Industrial concentration in controlled area pockets delineated as "residential areas" in the development plans, having more than 70% plotted geographic area within the cluster under industrial activity/use would be considered for regularization on the basis of actual surveys after review of the development plans by following the due procedure prescribed under the Act.
- 8.2 The due process shall diligently be followed before reviewing the development Plan by inviting comments from the general public on the draft need to be followed strictly in such a situation before modifying and revising the development plan.
- 8.3 In case a decision is taken to modify the land use and the development plan, the necessary provision with respect to charging of fees, prescription of zoning etc. need to be mandated accordingly.
- 8.4 Some Departments i.e. ULB, T& CP, Labour and Haryana State Pollution Control Board have opposed the idea of regularization of industrial colonies operating from the residential area, a conscious view needs to be taken whether a larger public interest would be served by shifting such a large number of industrial units enmass or they be retained by modifying the development plan, especially the areas, where the current existing land use is determined

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after conduct of actual survey on the ground (Ground Truthing exercise) and found to be predominantly industrial as mentioned above, although the area is earmarked as residential.

8.5 Categorization for the purposes of Relocation;

The following categorization for the purposes of relocation shall be for industrial units (for manufacturing industries) only.

- 8.5.1 Red category Industries-To be shifted with immediate effect by giving them six months time.
- 8.5.2 Orange category Industries-To be shifted with immediate effect as in case of red category, but if these units comply with Pollution Control Norms, then they may be given two years of time to shift to conforming areas.
- 8.5.3 Green category Industries-These units may continue to be dealt with as per the existing provisions and norms of the Pollution Control Department and other relevant approvals from the concerned authorities.
- 8.5.4 House Hold Units-Attached list of manufacturing activities can continue in residential areas provided they are not operating from HUDA sectors or other planned and approved residential colonies.
- 8.5.5 Only non-hazardous and non-noxious industries having clearance from Pollution Control Department shall be permitted to operate from the residential areas.

8.6 Facilitation for shifting of Industry to conforming Industrial Zones:-

The State Government shall facilitate shifting/relocation of Industrial units to the conforming areas. In case of short fall of the industrial zone space, additional zones shall be identified and notified by the Department of Town & Country Planning Department / Urban and Local Bodies as per their respective mandates, in consultation with the Dept of Industries. Accordingly existing/new Development Plans shall be marked on map and the designated industrial zones shall be earmarked as the new hub of manufacturing.

- 8.6.1 Keeping in view the demographics, the social & economic impact on the shifting of industry from the residential areas, a phased but time bound shifting is planned.
- 8.6.2 State shall identify and notify zones and areas for the industry.
- 8.6.3 State shall facilitate the Change of land use for the mass scale shifting and relocation of the industry to conforming zones. The new Haryana Enterprises Promotion Policy-2015 envisages 31 blocks as No CLU zones and 75 Blocks as Auto CLU zones for the purpose of establishing Industries. These provisions of the policy can be fruitfully utilized for the shifting units out of residential areas.
- 8.6.4 Modernization and technological up-gradation shall also be encouraged and incentivized.
- 8.6.5 Green and clean technology adoption as provisioned in the new Enterprises policy shall be incentivized.
- 8.6.6 Applicable norms with regard to pollution control shall be enforced.
- 8.6.7 Suitable incentives and other measures, for shifting and relocation of industrial units not conforming to the land use norms shall be provided as per the provisions of the new Enterprises Promotion Policy.

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- 8.6.8 Tiny industries operating from the residential area that are non hazardous and cottage industries are meant to augment family incomes of the poor/lower middle class of society shall be identified and permitted to operate.

9. Future Plan and prescription:-

- 9.1 To take specific measures to encourage cluster based industrial infrastructure.
- 9.2. Pollution norms shall be strictly enforced in the residential areas. Zero tolerance shall be enforced for effluent air and noise pollution.
- 9.3 In order to prevent re-occurrences of such non conformance, geo referenced smart card linked to filing EM-2 shall be made a mandatory instrument for availing incentives. These cards shall be made by empanelled agencies on a chargeable basis on PPP mode. The recent introduction of UAM (Udyog Aadhar Memorandum) by Ministry of MSME can also be adopted for this purpose.

10. Implementation and Monitoring:-

Since, majority of units to be impacted by this policy are located within Municipal limits in different towns of the State, for effective implementation of the policy for relocation of the Industry already running in residential area of the District, a committee under the chairmanship of Commissioner, Municipal Corporation and where Municipal Corporation is not existing of Deputy Commissioner will be constituted with the following members:-

1.	Commissioner, Municipal Corporation/ Deputy Commissioner	Chairman
2.	District Town Planner of the concerned District	Member
3.	Estate Officer , HUDA of the concerned District	Member
4.	Estate Officer of HSIIDC of the concerned District.	Member
5.	Secretary, Municipal Committee of the concerned District	Member
6.	RO, Pollution Control Board of the concerned District.	Member
7.	Joint/Deputy Director/ DIC of the concerned District.	Member Secretary

- 10.1 A Monitoring mechanism shall be put in place to ensure that the re-location policy is implemented in the letter and spirit.

11. Revoking earlier permissions:-

All other permissions, licenses, consents for the purpose of the manufacturing/conducting business for the Red and Orange units shall stand revoked from the respective dates of end of the period mentioned in para 8.5.1 and 8.5.2 beginning from the date of notification of this policy.

12. House Hold Industry:-

The traditional house hold industry that has been operating from the residential areas of the old towns, within the MC limits shall be permitted to operate. The same shall however, not be applicable to HUDA and other planned and approved residential colonies as these are governed by their own Acts, Rules and Bylaws. A list of house hold Industries and showing the permissible activities and the negative list of Industries is enclosed herewith.

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(Refinery) Notes:

- i) A public utility service involving any of the activities referred to above shall be permitted subject to environmental laws.
- ii) Further additions /alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the State Government to do so.

Anil Kumar
Principal Secretary to Govt. Haryana
Urban Local Bodies Department

Endst No. 2/29/2016-R-II

Dated : 20th, July, 2016

DUB (copy)
20/7/16

A copy is forwarded to the Controller, Printing and Stationary Department, Haryana, Chandigarh with the request that the above notification in English may please be published in the Haryana Government Gazette (Extra Ordinary). He is requested to supply 150 printed copies to the said notification to this office for record.

CTP
Ard
20/7/16
ATD-IV

- Sd.
Superintendent Committee-II
for Principal Secretary to Govt. Haryana
Urban Local Bodies Department

Dated : 20th, July, 2016

Endst No. 2/29/2016-R-II

A copy of the above mentioned notification is forwarded to the following for information and necessary action:-

1. Director General, Information, Public Relation & Cultural Affairs, Haryana.
2. Director, Urban Local Bodies Department, Haryana, Bays No.11-14, Sector-4, Panchkula.
3. All Deputy Commissioners in Haryana State.
4. All Commissioner, Municipal Corporation, Haryana.
5. All Sub Divisional Officers (Civil), Haryana.
6. All President/E.O/Secretary, Municipal Council/Committee, Haryana.

25.7.2016
APR-IV
Please provide the
APR form AD.
Banc. related to
this case.
AZ

R. Singh
Superintendent Committee-II
for Principal Secretary to Govt. Haryana
Urban Local Bodies Department

Director Urban Local Bodies Haryana
21/07/2016-29040
21 JUL 2016

Annexure - 2

2/16/23, 4:14 PM

Satat : FAQ

Following major approvals are required. However the list are not exhaustive and State / district Authorities may be approached for further clearances required (if any)

S.No	Approvals Required	Before Construction (New Factory)	After Construction but Before Production / Operation	Annual Renewal
1	Land conversion to Non Agricultural (applicable for non-industrial land)	Conversion and registration	Not Applicable	Not Applicable
2	DIC (District Industry Centre)	Registration as MSME(Micro , Small & Medium Enterprises)	Not Required	Not Required
3	Fire	NOC (No Objection Certificate)	License	Required
4	Health & Safety	NOC	License	Required
5	IOF(Indian Ordinance Factories) - Plan approval	NOC, BoCW Registration(Building & Other Construction Workers Registration)	License (Sub contractor License)	Required
6	DTCP - District Town & Country Planning	Plan Approval & Tax	Not Required	Not Required
7	Local Panchayat	Plan submission, NoC and Tax payment based on construction area	Yearly tax (if applicable)	Not Required. Tax to be paid (if applicable)
8	BDO(Block Development Officer) - Running License	Not Required	Running License	Required
9	PCB(Pollution Control Board)	Consent for Establishment	Consent for Operation	Required
10	PESO(Petroleum and Explosives Safety Organization)	Consent for Establishment	Consent for Operation	Required
11	MNRE (Ministry of New and Renewable Energy)	CFA(Central Financial Assistance) Approval	CFA approval after 72 hours plant operation	Not Required

Mob. : 9812022608



पासकर्ता

ग्राम पंचायत दामला

खण्ड जगाधरी, जिला यमुना नगर (हरियाणा)



क्रमांक : दिनांक : 03/01/2023

सेवा में,

माननीय न्यायालय
NGT, New Delhi

श्रीमान जी,

निवेदन यह है कि ग्राम पंचायत दामला में आबादी के पास M/S SPS bio chem Pvt Ltd, द्वारा waste to energy CNG plant लगाया जा रहा है जिसमें बड़ी मात्रा में biodegradable waste (press mud - शुगर मिल की मल्ली) का उपयोग किया जाएगा। जोकि काफी दुर्गंध के साथ साथ मच्छी व मच्छर के पनपने का भी कारण बनती है। इससे पर्यावरण भी दूषित होगा व लोगों के स्वास्थ्य पर भी बुरा असर पड़ेगा। इसलिए गांव दामला व इसके आस पास के सभी गांव भी (दूधला, दुधली, रेतगढ) इस plant को अपनी गांव की सीमा व आबादी के पास नहीं लगाने देना चाहते हैं। इसलिए हम सभी ग्राम पंचायतों के नव निर्वाचित सरपंच व पंच मिलकर माननीय न्यायालय से अपिल करते हैं। कि हमारी इस application को case No. 373 (Sumit Saini vs HSPC) के साथ सम्मिलित किया जाए। व इस Plant को गांव में लगाने व चलाने से तुरंत प्रभाव से रोका जाए। हम सब ग्रामवासी आपके आभारी रहेंगे।

धन्यवाद,

निवेदन कर्ता, सरपंच व समस्त पंच, ग्राम पंचायत दामला

सरपंच Gur Baksh
ग्राम पंचायत दामला
खण्ड जगाधरी, जिला यमुनानगर

<u>Mohit Kumar</u>	<u>Neha Rani</u>	<u>Indu</u>
<u>Sushil Kumar</u>	<u>Shally Kamloj</u>	<u>Rajat</u>
<u>Bhanna</u>	<u>Sonia Sharma</u>	<u>Sarita</u>
<u>Rachha</u>	<u>Zhanmerdot High</u>	
<u>Dharampal</u>	<u>Laxmi Singh</u>	
	<u>Sumita Pan</u>	

कार्यालय :

गांव व डा10 दामला, जिला यमुना नगर-135001 (हरियाणा)

खण्ड समिति जगाधरी

वार्ड न० 3 दामला

सेवा में,

माननीय न्यायालय
NGT, New Delhi

श्रीमान जी,

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धन्यवाद,

निवेदन कर्ता,

नेहा सैनी

सदस्य वार्ड नं 3, दामला

खण्ड समिति जगाधरी,

ग्राम पंचायत

ग्राम पंचायत दुधला, खण्ड जगाधरी, जिला यमुनानगर(हरियाणा)

संदर्भ संख्या.....३.....

दिनांक ५-१-२०२३

सेवा में,
माननीय न्यायालय,
NGT, New Delhi
श्रीमान जी,

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धन्यवाद

निवेदन कर्ता

Dippi Saini
DIPPI SAINI
SARPANCH
Gram Panchayat, Dudhla

सरपंच व सम्मत पंच,
ग्राम पंचायत दूधला।

हरदेव कुमार
Vikas Kumar
Gulshan Kumar

Parveen Kumar

Taj Meen
Asad Ali
दीना

सुमित-नन्द

सेवा में,

माननीय न्यायालय,
NGT, New Delhi.

सुमित जी,

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धन्यवाद,

निवेदन कर्ता,

सरपंच व समस्त पंच,
ग्राम पंचायत रोडचप्पर

किरण देवी
Sarpanch

Gram Pan. Avat Road Chhapper
Block Jagadhri. (Yamuna Nagar)
Haryana
Beema

Savita

Parmod Kumar

Annexure - 4

I/110439/2022

File No.HSPCB-080002/112/2020-COORDINATION CELL-HSPCB

885

**HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA**

Ph. 0172-2577870-73

**Email:hspcbcoordination@gmail.com
Website: hspcb.gov.in**

Dated:-29/04/2022

To

Sr. Env. Engineer , Publicity Cell,
HSPCB, Panchkula.**Sub: Regarding "Environmental Guidelines for Poultry Farm".**

Kindly refer to the subject noted above.

In this connection, please find enclosed herewith a copy of Environmental Guidelines for Poultry Farm issued by Central Pollution Control Board, Ministry of Environment, Forest & Climate Change, Government of India.

I have been directed by the competent authority to request you to publish the same in the newspaper.

DA/as above**Signed by Sanjiv Kumar
Date: 29-04-2022 11:22:47
Reason: Approved****Sr. Env. Engineer (H.Q)
For Member Secretary****Copy to:**

A copy of above is forwarded to the SEE, IT Cell, HSPCB to request for upload the guidelines of poultry farms on the portal of HSPCB.

DA/as above

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Environmental Guidelines for Poultry Farms



Central Pollution Control Board
(Ministry of Environment, Forest and Climate Change, Govt. of India)
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

(January 2022)

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Based on the number of handling of birds, Poultry farms may be classified into three categories.

- Small (5,000-25,000 bird)
- Medium (above 25,000-1,00,000 birds).
- Large (above 1,00,000 birds)

The poultry farms under small category are in un-organized sector run by economically weaker farmers and are of rural background.

5.0 Environmental issues & Current practices to address the environmental issues in Poultry Farms

Environmental nuisance arising from poultry farms is due to the generation of NH_3 & H_2S gases causing odor, dust from feed mill, storage & management of Solid Waste (Manure, Dead Birds and Hatchery Waste) also causing odour & water from cleaning operations. Breeding of flies and rodents etc. are the other issues in poultry farms.

(i) Gaseous emission (NH_3 & H_2S) and Feed Mill Dust

- The gaseous emission viz Ammonia (NH_3) and Hydrogen Sulphide (H_2S) are emanated from the excreta generated from the birds causes odour. The odour is produced due to anaerobic conditions in the litter occurs due to its storage at one place for longer period. The general practice followed by poultry farms to control odour is by maintaining good ventilation and free flow of air.
- Dust is generated from the feed mill operation during mixing and grinding of various ingredients of feed. The feed mill operations are typically located inside the mill buildings. Dust extraction systems are generally used to collect the dust and to improve the shop floor environment.

(ii) Solid Waste

Sources of solid waste are (i) Poultry droppings/Manure/Litter (ii) Dead Birds & (iii) Hatchery Waste.

- In case of cage system, excreta are collected just below the bird cages directly on ground, made of stone slabs or concrete or impermeable compacted clay. Litter is collected and kept dry by maintaining good ventilation and free air flow to undergo aerobic composting. The manure is removed once in four to six months & sold to the farmers. In deep litter system, excreta are collected in bed made up of agro residue (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) itself. Once in a day or two days the bed is scratched for mixing of litter. Once the chicken is sold for meat, the bed (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) is removed once the cycle of 42 to 45 days gets over along with the excreta and sold as

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manure. The shed is washed and lime is applied as disinfectant and allows the area for quarantine period.

- Death of the birds in poultry farms is a common phenomenon and their disposal is an issue. Dead birds cause nuisance, odor and aesthetic problems like disease, insect, rodent and predator problems if the birds are not disposed immediately. Dead birds are either burned at relatively high temperatures using different fuels which causing atmospheric pollution and also odour nuisance or buried in the burial pit in the premises.
- During hatching operation, large quantity of solid waste comprising of egg shells, unhatched eggs, dead embryos and chickens and a viscous liquid from eggs etc is generated. This waste is disposed through open burning or through rendering plant.

(iii) Waste water generation from cleaning operation

- Water in poultry farms is used for drinking of birds, sprinkling during the summer and for cleaning sheds and equipment in between batch replacement.
- As such there is no process waste water generation from the poultry farming. However, wastewater is generated during cleaning operations. The waste water is collected in holding tank and utilized in gardening in the premises.

(iv) Other issues:

- Breeding of flies and rodents, etc. are the other issues in poultry farms

6.0 Environmental Guidelines for Poultry Farms farms:

Following are the revised guidelines addressing environmental issues of Poultry Farms.

6.1 Gaseous emission (NH₃ & H₂S) and Feed Mill Dust*(i) Minimization of odour/gaseous pollution*

- Proper ventilation and free flow of air over manure collection points to keep it dry shall be ensured.
- Manure should be protected from Run-off water and from unwanted pests/insects.
- Well-designed storage facilities should be provided to contain manure /litter.
- Carcasses of dead birds shall be promptly collected on regular basis and disposed appropriately without damaging the environment as per the prescribed methods under section 6.2 (iii) of the guidelines.

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(ii) Dust from Feed Mills

- Feed mill and Go-down should be located on a well elevated ground preferably near the entrance of the farm and isolated from other poultry sheds.
- Dust collector system should be installed to control emissions from mixing and grinding section of the feed mill.
- Workers in the feed mill shall be provided with dust masks to protect them from dust.
- Provision for vehicle tyre dip shall be made at the entrance to remove impurities/dust carried by vehicle tyres;
- Floor of the feed mill and Go-down shall be concrete and raised above the ground level by a minimum of 2 feet.

6.2 Management of solid wastes (Solid Wastes contains Manure/litter, Hatchery Debris and Dead Birds)*(i) Manure handling and disposal*

- Proper ventilation and free flow of air over manure collection points to keep it dry (by blowing dry air over it or by conveying ventilation air through the manure pit) shall be ensured to prevent obnoxious odour in the area.
- Poultry housing shall be ventilated allowing sufficient supply of fresh air to remove humidity, dissipate heat and prevent build-up of gases such as methane, carbon dioxide, ammonia, etc.
- Excreta shall be scratched at least once in two days as needed for mixing of litter and to keep bedding material (rice husk, saw dust, wood shavings etc.) dry in case of deep litter houses the waste material. This waste shall be utilised for composting after completion of the cycle.
- Manure collected under cages on high raised platforms shall be stored for further processing and utilized by using following options:

Sl. No.	Poultry Farms	Methods for Disposal/Utilization of manure
1.	Small Poultry Farms	• Composting
2.	Medium & Large Poultry Farms	• Composting or Biogas production for disposal/utilization of manure/litter • Combination of any of the methods for disposal/utilization of manure/litter
3.	Poultry Farms in Cluster	• Common facilities for Biogas production or Composting or their combination

- Land application of manure to the nutritional requirements of soil and crop shall be balanced.
- The litter / manure storage facilities shall be minimum 2 m above the water table and of adequate size based on type and number of birds handled. Its base should be constructed with stone slabs or concrete or impermeable compacted clay.

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- Manure shall be protected from run off water and cover it to avoid dust and odours in storage pits. The dry manure dump shall be covered with permanent roof or with plastic / similar material to prevent air emissions and the precipitation falling on it.
- Mortalities on farm by proper animal care and disease prevention program shall be reduced.
- Proper facilities (Burial Pit/Composting/Incineration) shall be provided for Collection, storage, transport and disposal of dead birds
- Domestic hazardous wastes (vaccines, vials, medicines, syringes, etc.) shall be disposed as per provisions of "Solid Waste Management Rules, 2016".

Composting of Manure:

- Proper mixing the waste with a carbon rich material (e.g., paddy straw / husk, wood shavings) should be done in the pits. Carbon to nitrogen ratios of 20-25:1 is usually recommended. Pure manure can also be composted following the procedure and monitoring all parameters. The composting facilities may be designed through expert institutions in the field as per the size of poultry farms.
- Periodic stirring of compost material should be done for its proper mixing.
- Moisture levels should be maintained between 35 to 50%.
- Temperature monitoring should be done to determine composting conditions.

(ii) Hatchery Waste

- Efforts shall be made in converting the shells to animal feed to supply as a source of calcium, especially for poultry feeds.
- Extrusion with soya bean meal can be used to make a shell/hatchery meal.
- Un-hatched eggs shall be disposed of by composting or rendering.

(iii) Dead Birds Disposal

The dead birds arising from day to day farm activity shall be separated from other live birds promptly and stored in closed containers and disposed off within 24 hours by following any of the disposal methods.

A) Burial Method:

- The dead birds arising from day to day farm activity should be separated from other live birds promptly and should be stored in closed containers \ disposed off within 24 hours
- The dead bird burial pit shall be of minimum 3 to 4 m in depth and 0.8 to 1.2 m diameter and this size may vary as per the capacity of poultry farm and shall be located above minimum 3 m from the ground water table.

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- The dead bird burial pit shall be provided with a vermin/fly proof cover made up of wooden / metal / concrete having a central operable lid of proper size for day to day dropping of carcasses.
- Carcasses shall be covered by a thin layer of soil (at least 40 cm deep) along with calcium hydroxide.
- When the pit is full, a compacted soil cover of 0.5 m shall be provided with the top of the covered soil well above the ground level.
- The distance between any two burial pits should not be less than 1 m.

B) Composting

- The composting facility shall not be located within 300 m from the nearest dwelling and 100 m from any well or water course.
- The capacity of the composting facility shall be sufficient to handle the average mortalities on the farm.
- The roof of the composting facility shall be permanent with concrete bottom.
- The composting facility shall be secured with link mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by straw dogs etc.
- A proper mixture of smaller and larger particle sizes to obtain an optimum air exchange within the mixture and build-up of temperature.
- Moisture content of the composting pile shall be approximately 60%. More than this may result in odour problems and less than this will reduce the efficiency of the composting process.
- Carbon and nitrogen are vital nutrients for the growth and reproduction of bacteria and fungi. The carbon-to-nitrogen ratio shall be in the range of 20:1 and 25:1 for proper composting. This is obtained by carefully balancing the dead bird and carbon sources.
- The optimum temperature for composting is 54 to 66°C which pasteurizes the compost. If temperature falls below 49°C after a week or so, the material should be moved to the secondary stage unit. To facilitate the easy transfer of the first stage material to the secondary stage, the proper designing of the primary stage (first stage) facility is desirable as illustrated in figure 5.5. Failure to do so will result into poor compost. The temperature in the secondary stage unit will begin to raise as beneficial bacterial activity begins and will peak in 5 to 10 days.

6.3 Waste water Management

- The waste water generated from the cleaning operations (after each batch removal) shall be collected in appropriate holding tank and put to use in the green belt. Efforts may be made for dry cleaning of the sheds with use of disinfectant so as to avoid use of water.

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- Water use and spills from drinking devices shall be reduced by preventing overflow or leakages and using calibrated, well-maintained self-watering devices;
- Improve drainage, reduce standing water and water ditches to control mosquitoes and flies
- Use of pressure pumps, hot water or steam in cleaning activities instead of cold water and plain water scrubs may be encouraged to improve sanitation and reduce the quantities of wash water.

6.4 Other issues

- *Control of Flies:* Proper treatment and disposal of manure, ventilation of sheds, control of temperature, good sanitation, swift repairs of leaks, avoidance of feed spills, prompt removal of broken eggs and dead birds shall be ensured for control of flies in the poultry farms. The farm should have provisions of wire nettings, traps, fly-repellents, insecticides etc.
- *Control of Rodents:* Methods for the control of rodents may include: i) Exclusion ii) Trapping Glue boards iii) Tracking powder iv) rodent proof doors and windows to eliminate rodents/pest infestation.
- As per Bureau of Indian Standards 1374: 2007, on poultry feed specifies that the use of antibiotic growth promoters is not recommended in poultry feed, hence use of antibiotics should not be mixed with feed or administered for non-therapeutic purposes without prescription for diseased birds. ***Regulation for use of antibiotics shall be regulated as per the advisory/directions issued by Department of Animal Husbandry, Dairying and Fisheries and Ministry of Health and the Drug Controller General of India.***

7 Siting Criteria**New Poultry Farms (Set up after issuance of Guidelines) should preferably be established**

- 500 m from residential zone in order to avoid nuisance caused due to odour& flies
- 100 m from major water course like River, Lakes, canals and drinking water source like wells, summer storage tanks, in order to avoid contamination due to leakages/spillages, if any.
- 100 m from national Highway (NH) and 50 m from State Highway (SH) in order to avoid nuisance caused due to odour& flies.
- 10-15 m from rural roads/internal roads/village pagdandis
- The Poultry sheds should not be located within 10 m from farm boundary for cross ventilation and odour dispersion

**THE SOLID WASTE
MANAGEMENT RULES,
2016**
(as amended to date)

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 8th April, 2016

S.O. 1357(E).—Whereas the draft of the Solid Waste Management Rules, 2015 were published under the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number G.S.R. 451 (E), dated the 3rd June, 2015 in the Gazette of India, part II, Section 3, sub-section (i) of the same date inviting objections or suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the publication of the said notification on the Solid Waste Management Rules, 2015 in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000;

And whereas, copies of the said Gazette were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely: -

1. Short title and commencement. –

- (1) These rules may be called the Solid Waste Management Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Application.- These rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, ¹[villages with population more than 3000,] notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non-residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

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

1. **“aerobic composting”** means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;
2. **“anaerobic digestion”** means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
3. **“authorisation”** means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
4. **“biodegradable waste ”** means any organic material that can be degraded by micro-

¹ Ins. the words and figure vide S.O. 1152(E) dated 19th March, 2020

- organisms into simpler stable compounds;
5. "**bio-methanation**" means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
 6. "**brand owner**" means a person or company who sells any commodity under a registered brand label.
 7. "**buffer zone**" means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total land area allotted for the solid waste processing and disposal facility.
 8. "**bulk waste generator**" means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
 9. "**bye-laws**" means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
 10. "**census town**" means an urban area as defined by the Registrar General and Census Commissioner of India;
 11. "**combustible waste**" means non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
 12. "**composting**" means a controlled process involving microbial decomposition of organic matter;
 13. "**contractor**" means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
 14. "**co-processing**" means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500 kcal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
 15. "**decentralised processing**" means establishment of dispersed facilities for maximizing the processing of bio-degradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
 16. "**disposal**" means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
 17. "**domestic hazardous waste**" means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;
 18. "**door to door collection**" means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises;
 19. "**dry waste**" means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc;

51. **“transfer station”** means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
52. **“transportation”** means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;
53. **“treatment”** means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;
54. **“user fee”** means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
55. **“vermi composting”** means the process of conversion of bio-degradable waste into compost using earth worms;
56. **“waste generator”** means and includes every person or group of persons, every residential premises and non residential establishments including Indian Railways, defense establishments, which generate solid waste;
57. **“waste hierarchy”** means the priority order in which the solid waste is to should be managed by giving emphasis to prevention, reduction, reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;
58. **“waste picker”** means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

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

4. Duties of waste generators. - (1) Every waste generator shall, -

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

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

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

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

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

(3) All waste generators shall pay such user fee for solid waste management, as specified

in the bye-laws of the local bodies.

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

(5) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body.

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

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

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

5. Duties of Ministry of Environment, Forest and Climate Change. - (1) The Ministry of Environment, Forest and Climate Change shall be responsible for over all monitoring the implementation of these rules in the country. It shall constitute a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Environment, Forest and Climate Change comprising officer not below the rank of Joint Secretary or Advisor from the following namely, -

- 1) Ministry of Housing and Urban Affairs
- 2) Ministry of Rural Development
- 3) Ministry of Chemicals and Fertilizers
- 4) Ministry of Agriculture
- 5) Central Pollution Control Board
- 6) Three State Pollution Control Boards or Pollution Control Committees by rotation
- 7) Urban Development Departments of three State Governments by rotation
- 8) Rural Development Departments from two State Governments by rotation
- 9) Three Urban Local bodies by rotation
- 10) Two census towns by rotation
- 11) FICCI, CII

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on solid waste.

(b) compulsory purchase power generated from such waste to energy plants by distribution company.

10. Duties of Ministry of New and Renewable Energy Sources- The Ministry of New and Renewable Energy Sources through appropriate mechanisms shall, -

- (a) facilitate infrastructure creation for waste to energy plants; and
- (b) provide appropriate subsidy or incentives for such waste to energy plants.

11. Duties of the Secretary-in-charge, Urban Development in the States and Union territories. - (1) The Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of local bodies shall, -

(a) prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the Ministry of Housing and Urban Affairs, in a period not later than one year from the date of notification of these rules;

(b) while preparing State policy and strategy on solid waste management, lay emphasis on waste reduction, reuse, recycling, recovery and optimum utilisation of various components of solid waste to ensure minimisation of waste going to the landfill and minimise impact of solid waste on human health and environment;

(c) state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or informal waste collectors in the waste management system.

(d) ensure implementation of provisions of these rules by all local authorities;

(e) direct the town planning department of the State to ensure that master plan of every city in the State or Union territory provisions for setting up of solid waste processing and disposal facilities except for the cities who are members of common waste processing facility or regional sanitary landfill for a group of cities; and

(f) ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the State or as the case may be, cities through metropolitan and district planning committees or town and country planning department;

(g) direct the town planning department of the State and local bodies to ensure that a separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters;

(h) direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility.

(i) facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills;

(j) arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source;

(k) notify buffer zone for the solid waste processing and disposal facilities of more than

five tons per day in consultation with the State Pollution Control Board; and

- (l) start a scheme on registration of waste pickers and waste dealers.

12. Duties of District Magistrate or District Collector or Deputy Commissioner. - The District Magistrate or District Collector or as the case may be, the Deputy Commissioner shall, -

- (a) facilitate identification and allocation of suitable land as per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules;

- (b) review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or Director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development.

13. Duties of the Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory. - (1) The Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory shall have the same duties as the Secretary-in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.

14. Duties of Central Pollution Control Board. -The Central Pollution Control Board shall, -

- (a) co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities;

- (b) formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;

- (c) review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required;

- (d) review through State Pollution Control Boards or Pollution Control Committees, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them;

- (e) review the proposals of State Pollution Control Boards or Pollution Control Committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;

- (f) monitor through State Pollution Control Boards or Pollution Control Committees the implementation of these rules by local bodies;

- (g) prepare an annual report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;

- (h) publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tons per day of solid waste;

- (i) publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules; and

- (j) provide guidance to States or Union territories on inter-state movement of waste.

15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations. - The local authorities and Panchayats shall, -

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed ¹[blue] and those for storage of other wastes shall be printed black;
- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;

¹ Substituted for the word "white" the word "blue" by G.S.R. 298(E) dated 10.4.2019

- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on-site processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Housing and Urban Affairs from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
 - a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule I for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tones per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;
- (za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;

(zb) the annual report shall then be sent to the Secretary-in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;

(zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;

(zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;

(ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and

(zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and

(zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely: -

- (i) not to litter;
- (ii) minimise generation of waste;
- (iii) reuse the waste to the extent possible;
- (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
- (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
- (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non- biodegradable waste;
- (vii) storage of segregated waste at source in different bins;
- (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
- (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.

(zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;

(zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;

(zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;

(zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

¹[(zl) collect and transport bio-degradable, non-bio-degradable and domestic hazardous waste from households including slums and informal settlements, commercial, institutional and other nonresidential premises, multi-storey buildings, large commercial complexes, malls, housing complexes and the like in compartmentalised and covered vehicle to the respective processing facility].

16. Duties of State Pollution Control Board or Pollution Control Committee. - (1) The State Pollution Control Board or Pollution Control Committee shall, -

(a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;

(b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;

(c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;

(d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any;

(e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised by local body stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;

(f) synchronise the validity of said authorisation with the validity of the consents;

(g) suspend or cancel the authorization issued under clause (a) any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated:

provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and

(h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance.

(2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation.

(3) In case of new technologies, where no standards have been prescribed by the Central Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified.

(4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year.

(5) The State Pollution Control Board or the Pollution Control Committee may give

¹ Ins. sub-rule (zk) vide S.O. 1152(E) dated 19th March, 2020

directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities.

(6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste.

17. Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers. - (1) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market shall provide necessary financial assistance to local authorities for establishment of waste management system.

(2) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.

(3) Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.

(4) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.

18. Duties of the industrial units located within one hundred km from the refused derived fuel and waste to energy plants based on solid waste- All industrial units using fuel and located within one hundred km from a solid waste based refused derived fuel plant shall make arrangements within six months from the date of notification of these rules to replace at least five percent of their fuel requirement by refused derived fuel so produced.

19. Criteria for Duties regarding setting-up solid waste processing and treatment facility. -

(1) The department in-charge of the allocation of land assignment shall be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities and notify such sites by the State Government or Union territory Administration.

(2) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Housing and Urban Affairs.

(3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee.

(4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities.

(5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Housing and Urban Affairs and updated from time to time.

(6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30th April to the State Pollution Control Board or Pollution Committee and concerned local body.

20. Criteria and actions to be taken for solid waste management in hilly areas. - In the hilly areas, the duties and responsibilities of the local authorities shall be the same as mentioned in rule 15 with additional clauses as under:

(a) Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary

landfill.

(b) In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.

(c) Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.

(d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.

(e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.

(f) The department in-charge of the allocation of land assignment shall identify and allot suitable space on the hills for setting up decentralised waste processing facilities. Local body shall set up such facilities. Step garden system may be adopted for optimum utilisation of hill space.

21. Criteria for waste to energy process. - (1) Non recyclable waste having calorific value of 1500 Kcal/kg or more shall not be disposed of on landfills and shall only be utilised for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

(2) High calorific wastes shall be used for co-processing in cement or thermal power plants.

(3) The local body or an operator of facility or an agency designated by them proposing to set up waste to energy plant of more than five tones per day processing capacity shall submit an application in Form-I to the State Pollution Control Board or Pollution Control Committee, as the case may be, for authorisation.

(4) The State Pollution Control Board or Pollution Control Committee, on receiving such application for setting up waste to energy facility, shall examine the same and grant permission within sixty days.

22. Time frame for implementation. - Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

Sl. No.	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	Identification of suitable sites for setting up solid waste processing facilities	1 year
2.	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more .	1 year
3.	Procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	Enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic	2 years

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	hazardous and inert solid wastes at source ,	
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	2 years
6.	Ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	Setting up solid waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	3 years
9	Setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	Setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	Bio-remediation or capping of old and abandoned dump sites	5years

23. State Level Advisory Body. – (1) Every Department in-charge of local bodies of the concerned State Government or Union territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules comprising the following members, namely: -

Sl. No	Designation	Member
(1)	(2)	(3)
1.	Secretary, Department of Urban Development or Local self-government department of the State	Chairperson, ex-officio
2.	One representative of Panchayats or Rural development Department not below the rank of Joint Secretary to State Government	Member, ex-officio
3.	One representative of Revenue Department of State Government	Member, ex-officio
4.	One representative from Ministry of Environment, Forest and Climate Change Government of India	Member, ex-officio
5.	One representative Government of India from Ministry of Housing and Urban Affairs,	Member, ex-officio
6.	One representative Government of India from Ministry of Rural Development,	Member, ex-officio
7.	One representative from the Central Pollution Control Board	Member, ex-officio
8.	One representative from the State Pollution Control Board or Pollution Control Committee	Member, ex-officio
9.	One representative from Indian Institute of Technology or National Institute of Technology	Member, ex-officio
10.	Chief town planner of the state	Member
11.	Three representatives from the local bodies by rotation	Member
12.	Two representatives from census towns or urban agglomerations by rotation.	Member
13.	One representative from reputed Non-Governmental Organisation or Civil Society working for the waste pickers or informal recycler or solid waste management	Member

14.	One representative from a body representing Industries at the State or Central level	Member
15.	One representative from waste recycling industry	Member
16.	Two subject experts	Member
17.	Co-opt one representative each from agriculture department, and labour department of State Government.	Member

(2) The State Level Advisory Body shall meet at least one in every six months to review the matters related to implementation of these rules, state policy and strategy on solid waste management and give advice to state government for taking measures that are necessary for expeditious and appropriate implementation of these rules.

(3) The copies of the review report shall be forwarded to the State Pollution Control Board or Pollution Control Committee for necessary action.

24. Annual report. - (1) The operator of facility shall submit the annual report to the local body in Form-III on or before the 30th day of April every year.

(2) The local body shall submit its annual report in Form-IV to State Pollution Control Board or Pollution Control Committee and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in -Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year

(3) Each State Pollution Control Board or Pollution Control Committee as the case may be, shall prepare and submit the consolidated annual report to the Central Pollution Control Board and Ministry of Housing and Urban Affairs on the implementation of these rules and action taken against non complying local body by the 31st day of July of each year in Form-V.

(4) The Central Pollution Control Board shall prepare a consolidated annual review report on the status of implementation of these rules by local bodies in the country and forward the same to the Ministry of Housing and Urban Affairs and Ministry of Environment, Forest and Climate Change, along with its recommendations before the 31st day of August each year.

(5) The annual report shall be reviewed by the Ministry of Environment, Forest and Climate Change during the meeting of Central Monitoring Committee.

25. Accident reporting. - In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the Officer- in- charge of the facility shall report to the local body in Form-VI and the local body shall review and issue instructions if any, to the in- charge of the facility.

SCHEDULE I

[see rule 15 (w), (zi), 16 (1) (b) (e), 16 (4)]

Specifications for Sanitary Landfills

(A) Criteria for site selection. –

- (i) The department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites.
- (ii) The sanitary landfill site shall be planned, designed and developed with proper documentation of construction plan as well as a closure plan in a phased manner. In case a new landfill facility is being established adjoining an existing landfill site, the closure plan of existing landfill should form a part of the proposal of such new landfill.

- (iii) The landfill sites shall be selected to make use of nearby wastes processing facilities. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.
- (iv) Landfill sites shall be set up as per the guidelines of the Ministry of Housing and Urban Affairs, Government of India and Central Pollution Control Board.
- (v) The existing landfill sites which are in use for more than five years shall be improved in accordance with the specifications given in this Schedule.
- (vi) The landfill site shall be large enough to last for at least 20-25 years and shall develop 'landfill cells' in a phased manner to avoid water logging and misuse.
- (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However, in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority/ Air force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas.
- (viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department's land-use plans.
- (ix) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board.
- (x) The biomedical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as amended from time to time. The hazardous waste shall be managed in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended from time to time. The E- waste shall be managed in accordance with the e-Waste (Management) Rules, 2016 as amended from time to time.
- (xi) Temporary storage facility for solid waste shall be established in each landfill site to accommodate the waste in case of non-operation of waste processing and during emergency or natural calamities.

(B) Criteria for development of facilities at the sanitary landfills. –

- (i) Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles, to prevent entry of unauthorised persons and stray animals
- (ii) The approach and / internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
- (iii) The landfill site shall have waste inspection facility to monitor waste brought in for landfilling h, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed.
- (iv) Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (v) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided.
- (vi) Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- (vii) Provisions for parking, cleaning, washing of transport vehicles carrying solid waste shall

be provided. The wastewater so generated shall be treated to meet the prescribed standards.

(C) Criteria for specifications for land filling operations and closure on completion of land filling. –

- (i) Waste for land filling shall be compacted in thin layers using heavy compactors to achieve high density of the waste. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.
- (ii) Till the time waste processing facilities for composting or recycling or energy recovery are set up, the waste shall be sent to the sanitary landfill. The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material.
- (iii) Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and grading to prevent infiltration during monsoon. Proper drainage shall be constructed to divert runoff away from the active cell of the landfill.
- (iv) After completion of landfill, a final cover shall be designed to minimise infiltration and erosion. The final cover shall meet the following specifications, namely: --
 - a) The final cover shall have a barrier soil layer comprising of 60 cm of clay or amended soil with permeability coefficient less than 1×10^{-7} cm/sec.
 - b) On top of the barrier soil layer, there shall be a drainage layer of 15 cm.
 - c) On top of the drainage layer, there shall be a vegetative layer of 45 cm to support natural plant growth and to minimise erosion.

(D) Criteria for pollution prevention. – In order to prevent pollution from landfill operations, the following provisions shall be made, namely: -

- (i) The storm water drain shall be designed and constructed in such a way that the surface runoff water is diverted from the landfilling site and leachates from solid waste locations do not get mixed with the surface runoff water. Provisions for diversion of storm water discharge drains shall be made to minimise leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions.
- (ii) Non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) shall have liner of composite barrier of 1.5 mm thick high density polyethylene (HDPE) geo-membrane or geo-synthetic liners, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than 1×10^{-7} cm/sec. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer provided at the bottom of landfills.
- (iii) Provisions for management of leachates including its collection and treatment shall be made. The treated leachate shall be recycled or utilized as permitted, otherwise shall be released into the sewerage line, after meeting the standards specified in Schedule- II. In no case, leachate shall be released into open environment.
- (iv) Arrangement shall be made to prevent leachate runoff from landfill area entering any drain, stream, river, lake or pond. In case of mixing of runoff water with leachate or solid waste, the entire mixed water shall be treated by the concern authority.

(E) Criteria for water quality monitoring. –

- (i) Before establishing any landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality

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within 50 meter of the periphery of landfill site shall be periodically monitored covering different seasons in a year that is, summer, monsoon and post-monsoon period to ensure that the ground water is not contaminated.

- (ii) Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) shall be considered only after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely: -

S. No.	Parameters	IS 10500:2012, Edition 2.2(2003-09) Desirable limit (mg/l except for pH)
(1)	(2)	(3)
	Arsenic	0.01
	Cadmium	0.01
	Chromium(as Cr ⁶⁺)	0.05
	Copper	0.05
	Cyanide	0.05
	Lead	0.05
	Mercury	0.001
	Nickel	-
	Nitrate as NO ₃	45.0
	pH	6.5-8.5
	Iron	0.3
	Total hardness (as CaCO ₃)	300.0
	Chlorides	250
	Dissolved solids	500
	Phenolic compounds (as C ₆ H ₅ OH)	0.001
	Zinc	5.0
	Sulphate (as SO ₄)	200

(F) Criteria for ambient air quality monitoring. –

- (i) Landfill gas control system including gas collection system shall be installed at landfill site to minimize odour, prevent off-site migration of gases, to protect vegetation planted on the rehabilitated landfill surface. For enhancing landfill gas recovery, use of geomembranes in cover systems along with gas collection wells should be considered.
- (ii) The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).
- (iii) The landfill gas from the collection facility at a landfill site shall be utilized for either direct thermal applications or power generation, as per viability. Otherwise, landfill gas shall be burnt (flared) and shall not be allowed to escape directly to the atmosphere or for illegal tapping. Passive venting shall be allowed in case if its utilisation or flaring is not possible.
- (iv) Ambient air quality at the landfill site and at the vicinity shall be regularly monitored. Ambient air quality shall meet the standards prescribed by the Central Pollution Control Board for Industrial area.

(G) Criteria for plantation at landfill Site. - A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely: -

- (a) Locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be planted;
 - (b) The selection of plants should be of such variety that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilized;
 - (c) Selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition;
 - (d) Plantation to be made in sufficient density to minimise soil erosion.
 - (e) Green belts shall be developed all around the boundary of the landfill in consultation with State Pollution Control Boards or Pollution Control Committees.
- (H) Criteria for post-care of landfill site.** - (1) The post-closure care of landfill site shall be conducted for at least fifteen years and long term monitoring or care plan shall consist of the following, namely: -
- (a) Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover;
 - (b) Monitoring leachate collection system in accordance with the requirement;
 - (c) Monitoring of ground water in and around landfill;
 - (d) Maintaining and operating the landfill gas collection system to meet the standards.
- (2) Use of closed landfill sites after fifteen years of post-closure monitoring can be considered for human settlement or otherwise only after ensuring that gaseous emission and leachate quality analysis complies with the specified standards and the soil stability is ensured.
- (I) Criteria for special provisions for hilly areas.** - Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid waste by the local body with the approval of the concerned State Pollution Control Board or the Pollution Control Committee. The local body shall set up processing facilities for utilisation of biodegradable organic waste. The non-biodegradable recyclable materials shall be stored and sent for recycling periodically. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. In case of constraints in finding adequate land in hilly areas, waste not suitable for road-laying or filling up shall be disposed of in regional landfills in plain areas.
- (J) Closure and Rehabilitation of Old Dumps-** Solid waste dumps which have reached their full capacity or those which will not receive additional waste after setting up of new and properly designed landfills should be closed and rehabilitated by examining the following options:
- (i) Reduction of waste by bio mining and waste processing followed by placement of residues in new landfills or capping as in (ii) below.
 - (ii) Capping with solid waste cover or solid waste cover enhanced with geomembrane to enable collection and flaring / utilisation of greenhouse gases.
 - (iii) Capping as in (ii) above with additional measures (in alluvial and other coarse grained soils) such as cut-off walls and extraction wells for pumping and treating contaminated ground water.
 - (iv) Any other method suitable for reducing environmental impact to acceptable level.

SCHEDULE II

[see rule 16 (1), (b), (e), 16 (4)]

Standards of processing and treatment of solid waste

- A. Standards for composting.** - The waste processing facilities shall include composting as one of the technologies for processing of bio degradable waste. In order to prevent pollution from compost plant, the following shall be complied with namely: -
- (a) The incoming organic waste at site shall be stored properly prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;
 - (b) Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard;
 - (c) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of waste to the temporary processing site or temporary landfill sites which will be again reprocessed when plant is in order;
 - (d) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclable high calorific fractions to be segregated and sent to waste to energy or for RDF production, co-processing in cement plants or to thermal power plants. Only rejects from all processes shall be sent for sanitary landfill site(s).
 - (e) The windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay of 50 cm thick having permeability coefficient less than 10^{-7} cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off;
 - (f) Ambient air quality monitoring shall be regularly carried out. Odour nuisance at down-wind direction on the boundary of processing plant shall also be checked regularly.
 - (g) Leachate shall be re-circulated in compost plant for moisture maintenance.
 - (h) The end product compost shall meet the standards prescribed under Fertilizer Control Order notified from time to time.
 - (i) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely: -

Parameters	Organic Compost (FCO 2009)	Phosphate Rich Organic Manure (FCO 2013)
(1)	(2)	(3)
Arsenic (mg/kg)	10.00	10.00
Cadmium (mg/kg)	5.00	5.00
Chromium (mg/kg)	50.00	50.00
Copper (mg/kg)	300.00	300.00
Lead (mg/kg)	100.00	100.00
Mercury (mg/kg)	0.15	0.15
Nickel (mg/kg)	50.00	50.00
Zinc (mg/kg)	1000.00	1000.00
C/N ratio	<20	Less than 20:1
pH	6.5-7.5	(1:5 solution) maximum 6.7

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Moisture, percent by weight, maximum	15.0-25.0	25.0
Bulk density (g/cm ³)	<1.0	Less than 1.6
Total Organic Carbon, percent by weight, minimum	12.0	7.9
Total Nitrogen (as N), percent by weight, minimum	0.8	0.4
Total Phosphate (as P ₂ O ₅) percent by weight, minimum	0.4	10.4
Total Potassium (as K ₂ O), percent by weight, minimum	0.4	-
Colour	Dark brown to black	-
Odour	Absence of foul Odor	-
Particle size	Minimum 90% material should pass through 4.0 mm IS sieve	Minimum 90% material should pass through 4.0 mm IS sieve
Conductivity (as dsm-1), not more than	4.0	8.2

* Compost (final product) exceeding the above stated concentration limits shall not be used for food crops. However, it may be utilized for purposes other than growing food crops.

B. Standards for treated leachates. -The disposal of treated leachates shall meet the following standards, namely: -

S. No	Parameter	(Mode of Disposal)		
		Inland surface water	Public sewers	Land disposal
(1)	(2)	(3)	(4)	(5)
1.	Suspended solids, mg/l, max	100	600	200
2.	Dissolved solids (inorganic) mg/l, max.	2100	2100	2100
3	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
4	Ammonical nitrogen (as N), mg/l, max.	50	50	-
5	Total Kjeldahl nitrogen (as N), mg/l, max.	100	-	-
6	Biochemical oxygen demand (3 days at 27 °C) max.(mg/l)	30	350	100
7	Chemical oxygen demand, mg/l, max.	250	-	-
8	Arsenic (as As), mg/l, max	0.2	0.2	0.2
9	Mercury (as Hg), mg/l, max	0.01	0.01	-
10	Lead (as Pb), mg/l, max	0.1	1.0	-
11	Cadmium (as Cd), mg/l, max	2.0	1.0	-
12	Total Chromium (as Cr), mg/l, max.	2.0	2.0	-
13	Copper (as Cu), mg/l, max.	3.0	3.0	-
14	Zinc (as Zn), mg/l, max.	5.0	15	-
15	Nickel (as Ni), mg/l, max	3.0	3.0	-
16	Cyanide (as CN), mg/l, max.	0.2	2.0	0.2
17	Chloride (as Cl), mg/l, max.	1000	1000	600
18	Fluoride (as F), mg/l, max	2.0	1.5	-
19	Phenolic compounds (as C ₆ H ₅ OH) mg/l, max.	1.0	5.0	-

Note: While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

C. Standards for incineration: The Emission from incinerators /thermal technologies in Solid Waste treatment/disposal facility shall meet the following standards, namely: -

Parameter (1)	Emission standard	
	(2)	(1)
Particulates	50 mg/Nm ³	Standard refers to half hourly average value
HCl	50 mg/Nm ³	Standard refers to half hourly average value
SO ₂	200 mg/Nm ³	Standard refers to half hourly average value
CO	100 mg/Nm ³	Standard refers to half hourly average value
	50 mg/Nm ³	Standard refers to daily average value
Total Organic Carbon	20 mg/Nm ³	Standard refers to half hourly average value
HF	4 mg/Nm ³	Standard refers to half hourly average value
NO _x (NO and NO ₂ expressed as NO ₂)	400 mg/Nm ³	Standard refers to half hourly average value
Total dioxins and furans	0.1 ng TEQ/Nm ³	Standard refers to 6-8 hours sampling. Please refer guidelines for 17 concerned congeners for toxic equivalence values to arrive at total toxic equivalence.
Cd + Th + their compounds	0.05 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.
Hg and its compounds	0.05 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.
Sb + As + Pb + Cr + Co + Cu + Mn + Ni + V + their compounds	0.5 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.

Note.- All values corrected to 11% oxygen on a dry basis.

Note:

- Suitably designed pollution control devices shall be installed or retrofitted with the incinerator to achieve the above emission limits.
- Waste to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- Incineration of chlorinated plastics shall be phased out within two years.
- If the concentration of toxic metals in incineration ash exceeds the limits specified in the Hazardous Waste (Management, Handling and Trans boundary Movement) Rules, 2008, as amended from time to time, the ash shall be sent to the hazardous waste treatment, storage and disposal facility.
- Only low sulphur fuel like LDO, LSHS, Diesel, bio-mass, coal, LNG, CNG, RDF and bio-gas shall be used as fuel in the incinerator.
- The CO₂ concentration in tail gas shall not be more than 7%.

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- (g) All the facilities in twin chamber incinerators shall be designed to achieve a minimum temperature of 950°C in secondary combustion chamber and with a gas residence time in secondary combustion chamber not less than 2 (two) seconds.
- (h) Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, as to achieve total Organic Carbon (TOC) content in the slag and bottom ash less than 3%, or the loss on ignition is less than 5% of the dry weight.
- (i) Odour from sites shall be managed as per guidelines of CPCB issued from time to time

FORM – I

[see rule 15 (y) 16 (1) (c), 21(3)]

Application for obtaining authorisation under solid waste management rules for processing/recycling/treatment and disposal of solid waste

To,
The Member Secretary,
State Pollution Control Board or Pollution Control Committee, of.....

Sir,

I/We hereby apply for authorisation under the Solid Waste Management Rules, 2016 for processing, recycling, treatment and disposal of solid waste.

1.	Name of the local body/agency appointed by them/ operator of facility	
2.	Correspondence address Telephone No. Fax No. e-mail:	
3.	Nodal Officer & designation(Officer authorised by the local body or agency responsible for operation of processing/ treatment or disposal facility)	
4.	Authorisation required for setting up and operation of the facility (Please tick mark)	waste processing recycling treatment disposal at landfill
5.	Attach copies of the Documents Site clearance (local body) Proof of Environmental Clearance Consent for establishment Agreement between municipal authority and operating agency Investment on the project and expected return	
6.	Processing/recycling/treatment of solid waste (i) Total Quantity of waste to be processed per day Quantity of waste to be recycled Quantity of waste to be treated Quantity of waste to be disposed into landfill (ii) Utilisation programme for waste processed (Product utilisation) (iii) Methodology for disposal (attach details)	