



THE

## JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol.132] Jammu, Thu., the 6th Feb., 2020/17th Magha, 1941. [No. 45

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It is hereby notified that vide High Court Order dated 16-11-2019 Ms. Asmat Riyaz D/o Sh. Riyaz Ahmad Bhat R/o Malyarpora, Iqbal Colony, Baramulla, A/P Diyarwani, Batamaloo, Near Hope Medicate Kashi Mohalla, Batamalo, (H. No. 1512), Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B

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Degree Certificate from the concerned University and verification of  
her character and antecedents from CID. Her name has been entered  
under Serial No. JK-511/2019 in the Roll of Advocates maintained by  
this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 900 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Akahay Kumar S/o Sh. Arun Kumar R/o Opp. Shitla Bus Stop,  
Khanpur, Nagrota, Jammu has been admitted and enrolled as an  
Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally  
for a period of one year from the date of issuance of this notification,  
subject to the verification of his Provisional/LL.B Degree Certificate  
from the concerned University and verification of his character and  
antecedents from CID. His name has been entered under Serial  
No. JK-512/2019 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 901 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Ashiq Hussain Lone S/o Sh. Mohammad Ashraf Lone R/o  
Nowpora, Jagir, Tengpora, Baramulla has been admitted and enrolled  
as an Advocate on the Rolls of Jammu and Kashmir Bar Council  
provisionally for a period of one year from the date of issuance of this  
notification, subject to the verification of his Provisional/LL.B Degree  
Certificate from the concerned University and verification of his

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character and antecedents from CID. His name has been entered under  
Serial No. JK-513/2019 in the Roll of Advocates maintained by this  
Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 902 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Abdul Majid Sheikh S/o Sh. Zahoor Ahmad Sheikh R/o Jamia,  
Baramulla has been admitted and enrolled as an Advocate on the Rolls  
of Jammu and Kashmir Bar Council provisionally for a period of one  
year from the date of issuance of this notification, subject to the  
verification of his Provisional/LL.B Degree Certificate from the  
concerned University and verification of his character and antecedents  
from CID. His name has been entered under Serial No. JK-514/2019  
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 903 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Akshay Sadotra S/o Sh. Kali Dass R/o W. No. 12, H. No. 105,  
Bishnah, Jammu has been admitted and enrolled as an Advocate on the  
Rolls of Jammu and Kashmir Bar Council provisionally for a period of  
one year from the date of issuance of this notification, subject to the  
verification of his Provisional/LL.B Degree Certificate from the

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concerned University and verification of his character and antecedents  
from CID. His name has been entered under Serial No. JK-515/2019  
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

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Notification

No. 904 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Arshad Maqbool Dar S/o Sh. Haji Mohmmad Maqbool Dar R/o  
Humhama, New Airport Road, Vision Public School, District Budgam  
has been admitted and enrolled as an Advocate on the Rolls of Jammu  
and Kashmir Bar Council provisionally for a period of one year from  
the date of issuance of this notification, subject to the verification of  
his Provisional/LL.B Degree Certificate from the concerned University  
and verification of his character and antecedents from CID. His name  
has been entered under Serial No. JK-516/2019 in the Roll of Advocates  
maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

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Notification

No. 905 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Ajay Sharma S/o Sh. Hans Raj R/o Village Marta Bassi, Khue  
Morh, Tehsil Ram Nagar, District Udhampur has been admitted and  
enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar  
Council provisionally for a period of one year from the date of issuance  
of this notification, subject to the verification of his Provisional/LL.B  
Degree Certificate from the concerned University and verification of

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his character and antecedents from CID. His name has been entered  
under Serial No. JK-517/2019 in the Roll of Advocates maintained by  
this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 906 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Abdul Basat S/o Sh. Abdul Salam R/o Village Dehri Ralyote, Tehsil  
Manjakot, District Rajouri has been admitted and enrolled as an  
Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally  
for a period of one year from the date of issuance of this notification,  
subject to the verification of his Provisional/LL.B Degree Certificate  
from the concerned University and verification of his character and  
antecedents from CID. His name has been entered under Serial  
No. JK-518/2019 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 907 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Ajaz Ahmad S/o Sh. Abdul Hamid Paul R/o Buchroo, Brothers  
Colony, Tehsil Chadoora, District Budgam has been admitted and  
enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar  
Council provisionally for a period of one year from the date of issuance  
of this notification, subject to the verification of his Provisional/LL.B  
Degree Certificate from the concerned University and verification of  
his character and antecedents from CID. His name has been entered

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The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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## Notification

No. 908 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019 Mr. Arsh Vardhak Katoch S/o Sh. Rakesh Singh R/o H. No. 28, Sector-B-1, Lane No. 1, Laxmi Puram, Chinore, Bantalab, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-520/2019 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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## Notification

No. 909 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019 Mr. Aamir Majid Shah S/o Sh. Abdul Majid Shah R/o Hajibagh, Madni Mohalla, Budgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents

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from CID. His name has been entered under Serial No. JK-521/2019  
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 910 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Mr. Akshit Raina S/o Sh. D. K. Raina R/o H. No. 1, Tower Wali Gali,  
Miran Sahib, R. S. Pura, Jammu has been admitted and enrolled as an  
Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally  
for a period of one year from the date of issuance of this notification,  
subject to the verification of his Provisional/LL.B Degree Certificate  
from the concerned University and verification of his character and  
antecedents from CID. His name has been entered under Serial  
No. JK-522/2019 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

No. 911 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019  
Ms. Bilkees Jan D/o Sh. Late Gulam Mohi-ud-Din Wani R/o Akad, New  
Colony, Tehsil Mattan, District Anantnag has been admitted and enrolled  
as an Advocate on the Rolls of Jammu and Kashmir Bar Council  
provisionally for a period of one year from the date of issuance of this  
notification, subject to the verification of her Provisional/LL.B Degree  
Certificate from the concerned University and verification of her  
character and antecedents from CID. Her name has been entered under  
Serial No. JK-523/2019 in the Roll of Advocates maintained by this  
Registry.

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The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 912 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019 Mr. Dheeraj Singh S/o Sh. Sampooran Singh R/o H. No. 19, Sector-1A, Mohalla Charakan/Thanger, Channi Himmat, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-524/2019 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 913 Dated 22-11-2019.

It is hereby notified that vide High Court Order dated 16-11-2019 Ms. Faiqah Nazki D/o Sh. Javaid Akhtar Nazki R/o 17-Hill View Colony (East), Sector-1st, Old Airport Road, Rangreth, Budgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-526/2019 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

## Notification

It is hereby notified that vide High Court Order dated 16-11-2019 Mr. Gulshan Singh S/o Sh. Balbir Singh R/o Bhatwal, P. O. Bhatodi Duggain Patya (Mandir), Near Mahakali Mandir Bhatwal, District Kathua has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-528/2019 in the Roll of Advocates maintained by this Registry.

(Sd.) MOHAMMAD YASIN BEIGH,

Additional Registrar.



THE

**JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a  
separate compilation

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Notification No. 194&Rev (LAJ) of 2019

Dated 24-10-2019.

Whereas, the land specifications whereof are given in  
Annexure-A to this notification is required for public purpose  
viz. for construction of road from Ludna to Gundna under PMGSY  
situated in Village and Tehsil Gundna, District Doda ;

Whereas, on the basis of an indent placed by Executive  
Engineer, PMGSY Division Doda, a notification under section 4 (1) was  
issued by Collector, Land Acquisition (ACR), Doda vide No. 658-64/

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Acq dated 23-08-2019 for land measuring 33 Kanals and 19 Marlas  
situated in Village Gundna, Tehsil Gundna, District Doda ;

Whereas, the Collector, Land Acquisition (ACR), Doda vide No. 853-58/Acq dated 21-09-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 56A of the Land Acquisition Act ; and

Whereas, the report furnished by the Collector, Land Acquisition vide No. referred above duly endorsed by District Collector (Deputy Commissioner), Doda vide No. 347/LAC/D/19 dated 25-09-2019, Divisional Commissioner, Jammu vide No. 502/3676/PMGSY/Gundna/Doda/19/2418 dated 05-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-5030/2019 dated 18-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars whereof are given above, is required for public purpose viz., construction of road from Ludna to Gundna under PMGSY, situated in Village and Tehsil Gundna, District Doda.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 33 Kanals 19 Marlas situated in Village Gundna, Tehsil Gundna, District Doda particulars whereof are given in "Annexure-A" is required for public purposes viz. for construction of Road from Ludna to Gundna under PMGSY, situated in Village and Tehsil Gundna, District Doda. Further, the Collector, Land Acquisition (ACR), Doda, is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved

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 in the case for making apportionment of compensation amongst all the  
 interested persons/rightful claimants in accordance with the relevant  
 laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to the Government,  
 Revenue Department.

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“Annexure-A”

Particular of Lands

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Doda	Gundna	Gundna	506/56 min	00604
			60 min	00608
			60 min	00604
			601/59 min	00602
			601/59 min	00603
			601/59 min	00612
			76 min	00605
			76 min	00603
			77 min	00615
			76 min	00605
			77 min	00614
			77 min	00617
			94	01616
			104 min	00615
			104 min	00609

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104	min	01600
104	min	00601
237	min	00610
237	min	00614
238	min	01606
238	min	02600
238	min	00617
238	min	01601
248	min	00607
248	min	00610
246	min	00615
246	min	00611
279	min	01600
279	min	00604
271	min	00604
304	min	00616
304	min	01610
298	min	00602
298	min	00608
298	min	00610
298	min	00603
298	min	01606
400	min	00605
303	min	00603
306	min	01612
308		00602
298	min	00606

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1	2	3	4	5
oo				
				K. M.
			399 min	01611
			399 min	01602
		451/406		00603
		407		01616
		408		00611
		503/9		03601
				66666
			Total	33619
				66666

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Notification No. 1936Rev (LAJ) of 2019

Dated 24-10-2019.

Whereas, the land specifications whereof are given in  
 "Annexure-A" to this notification is required for public purpose  
 viz. for construction of road from L028-Kohag to Lahri under package  
 No. JK07129, Phase X by PMGSY in Village Bhathri, Tehsil Billawar,  
 District Kathua ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY JKRRDA, Jammu a notification under section 4 (1) was issued by Collector, Land Acquisition (ADC), Billawar vide No. ADC/Blr/2018-19/229-237 dated 17-04-2018 for land measuring 33 Kanals and 08 Marlas situated in Village Bhathri, Tehsil Billawar, District Kathua ;

Whereas, the Collector, Land Acquisition (ADC), Billawar vide No. ADC/Blr/2018-19/1634 dated 25-09-2018 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the

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land owners/interested persons within the prescribed period as required  
under sections 5 & 56A of the Land Acquisition Act ; and

Whereas, the report furnished by Collector, Land Acquisition (ADC),  
Billawar vide No. referred above duly endorsed by Deputy Collector  
(Deputy Commissioner), Udhampur vide No. DDCK/LA/2019-20/825-28  
dated 05-09-2019, Divisional Commissioner, Jammu vide No. 502/3655/  
PMGSY/Bhathri/Kathua/19/2427 dated 05-10-2019 and by the Financial  
Commissioner, Revenue vide No. FC-LS/LA-5020/19 dated 18-10-2019  
has been examined and it has been found that the land owners did not file  
any objection to the proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars  
whereof are given above is required for public purpose viz. for construction  
of Road from L028-Kohag to Lahri under package No. JK07129,  
Phase X by PMGSY in Village Bhathri, Tehsil Billawar, District Kathua.

Now, therefore, in pursuance of section 6 of the J&K State  
Land Acquisition Act, Samvat 1990, it is declared that land measuring  
33 Kanals 08 Marlas situated in Village Bhathri, Tehsil Billawar, District  
Udhampur particulars whereof are given in Annexure-A is required  
for public purpose viz. for construction of Road from L028-Kohag to  
Lahri under package No. JK07129, Phase X by PMGSY in Village Bhathri,  
Tehsil Billawar, District Kathua. Further, the Collector, Land Acquisition  
(ADC), Billawar is directed under section 7 of the said Act to take  
order for acquisition of the said land after giving prescribed notice to the  
interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible  
for identification and proper title verification of all types of land involved  
in the case for making apportionment of compensation amongst all the  
interested persons/rightful claimants in accordance with the relevant  
laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to the Government,  
Revenue Department.

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*“Annexure–A”*

Particular of Lands

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Kathua	Billawar	Bathri	217 min	00613
			228 min	00607
			230 min	02611
			232 min	00604
			233 min	00608
			233 min	00615
			635/634/243 min	00610
			635/634/243 min	00610
			635/634/243 min	00618
			687/667/644/243 min	00609
			687/667/644/243 min	00609
			687/667/644/243 min	01606
			688/667/644/243 min	01603
			688/667/644/634/243 min	01601
			687/667/644/243 min	02613
			665/644/636/243 min	00613
			665/644/636/243 min	00611
			665/644/636/243 min	00612
			284 min	01617
			284 min	00612
			284 min	01600
			289 min	05617
			291 min	00609

1	2	3	4	5
oo				
				K. M.
			291 min	00616
			291 min	00609
			291 min	01601
			291 min	00613
			295 min	00609
			295 min	01618
			295 min	00612
			297 min	00608
			298 min	00608
			298 min	01606
				6666
			Total	33608
				6666

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT, REVENUE DEPARTMENT.

Dated 24-10-2019.

Whereas, the land specifications whereof are given in ðAnnexure-Að to this notification is required for public purpose viz. for construction of Manthla link road, situated in Village Ponwara, Tehsil Bhaderwah, District Doda by PW (R&B) Department ;

Whereas, on the basis of indent placed by Chief Engineer, PWD (R&B), Jammu vide No. CEJ/PMGSY/7861-63 dated 14-07-2018, a notification under section 4 (1) was issued by District Collector, Land Acquisition (DC), Doda vide No. LAC/17-18/545-53 dated 09-11-2017 for land measuring 51 Kanals and 03 Marlas situated in Village Ponwara, Tehsil Bhaderwah, District Doda ;

Whereas, the Collector, Land Acquisition (ADC), Bhaderwah vide No. ADC/LAC/17-18/1071-72 dated 26-03-2018 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 56A of the Land Acquisition Act ;

Whereas, the Government is satisfied that the land particulars whereof are given in "Annexure-A" to this notification is required for public purpose viz. for construction of Manthla link road, situated in Village Ponwara, Tehsil Bhaderwah, District Doda by PW (R&B) Department.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the

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interested persons/rightful claimants in accordance with the relevant  
laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to the Government,  
Revenue Department.

Annexure-A

Particular of Lands

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Doda	Bhaderwah	Ponwara	617/1	00608
			18	00612
			19	00601
			20 min	00608
			21	00608
			26	01601
			29 min	00613
			29 min	00609
			30	00618
			31	01606
			32	00604
			49	00614
			52	01606
			72	00602½
			73	01600
			74	00602

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1	2	3	4	5
oo				K. M.
			75	01619
			76	00615
			77	00602
		626/84		01602
		87 min		00616
		144		00608½
		145		00603
		146		00601
		164		00604
		165		00608
		167		00611
		168 min		00605½
		172		00603½
		173		00617
		174		00603
		175		00612
		183		01601
		187		01600
		192		00604
		193		00607
		655/201		00615
		202		00608
		203		00605
		656/204		00607½
		206		00600½
		207		00606
		220		00602

[illegible]

224		00604½
664/226		01609
228		00612½
229		00612
230		00608½
234		00609
242		01601
247		00612
248		00608
251		01609
252		00603
259		00611
260		00618
672/264		00608
675/264		01602½
265		00611½
267		00612½
677/268		00612
677/268		00614
278	min	01603½
289	min	03617
309		00615
310	min	00619
319		01613
320		01613
321		00602
322		00606½

1	2	3	4	5
				K. M.
			411	01601
			426	01608
			427	00610
			432 min	01616
			432 min	02602
				óóóó
			Total	51603
				óóóó

Whereas, the report furnished by the District Collector (Deputy Commissioner), Doda vide No. referred to above duly endorsed by Divisional Commissioner, Jammu vide No. 502/3696/PWD/Nari Chowana/Poonch/

612 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45  
 19/2413 dated 05-10-2019 and by the Financial Commissioner, Revenue  
 vide No. FC-LS/LA-5027/19 dated 18-10-2019 has been examined and  
 it has been found that the land owners did not file any objection to the  
 proposed acquisition ; and

Whereas, the Government is satisfied that the land particulars  
 whereof are given in "Annexure-A" to this notification is required for  
 public purpose viz. for construction of road from Lower Nari Chowana to  
 Upper Nari Chowana by PWD (R&B).

Now, therefore, in pursuance of section 6 of the J&K State  
 Land Acquisition Act, Samvat 1990, it is declared that land  
 measuring 78 Kanals 13½ Marlas situated in Village Sanai,  
 Tehsil Surankote, District Poonch, particulars whereof are given in  
 "Annexure-A" is required for public purposes viz. for construction of  
 road from Lower Nari Chowana to Upper Nari Chowana by PWD  
 (R&B). Further, the Collector, Land Acquisition (SDM), Surankote is  
 directed under section 7 of the said Act to take orders for acquisition of  
 the said land after giving prescribed notice to the interested person(s)  
 as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible  
 for identification and proper title verification of all types of land involved  
 in the case for making apportionment of compensation amongst all the  
 interested persons/rightful claimants in accordance with the relevant  
 laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to the Government,  
 Revenue Department.

\*\*\*\*\*

"Annexure-A"

Particular of Lands

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
K. M.				
Poonch	Surankote	Sanai	68	00609
			69	01613

No. 45] The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. 613  
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1 2 3 4 5  
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K. M.

70	00606
69	00608
70	00601
73	00613
74	00611
76	01609
79	00618
80	00609
81	00604
28	00604
26	01601
30	03618
29	00604
28	00610
31	00618
26	00604
28	00605
26	00607
28	01611
28	01609
28	00609
85	01612
85	01612
85	00616
85	01611
115	01616
116	00612

[illegible]

90	01616
118	00606
57	00610
117	02600
117	00613
111	01600
110	01607
108	00617
112	00606
106	00618
105	03600
245	00605
104	03605
104	03603
106	00619
553	02602
246	01604
550	02601
546	00609
548	01600
249	00605
547	01607
548	01616
540	01607
540	00604
537	00609
537	00619

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Whereas, on the basis of indent placed by Executive Engineer, PWD (R&B) Division, Chatroo vide No. 991-94 dated 02-12-2009, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Chatroo vide No. SDMC/LA/17/16-22 dated 04-04-2018 for land

616 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45  
measuring 51 Kanals 02 Marlas situated in Village Durbeel, Tehsil  
Mughalmaidan, District Kishtwar ;

Whereas, the Collector, Land Acquisition (SDM), Chatroo vide No. SDMC/LA/19/144 dated 28-09-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 56A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Chatroo vide No. referred to above duly endorsed by the District Collector (DC), Kishtwar vide No. DCK/LA/2019/570-74 dated 30-06-2018 Divisional Commissioner, Jammu vide No. 502/3710/PWD/Durbeel/Ktr/19/2485 dated 15-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-5019/2019 dated 18-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given in Annexure-A to this notification is required for public purpose viz. for construction of road from Horna to Wuyeed, situated in Village Durbeel, Tehsil Mughalmaidan, District Kishtwar by PW (R&B) Department.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 51 Kanals and 02 Marlas situated in Village Durbeel, Tehsil Mughalmaidan, District Kishtwar, particulars whereof are given in Annexure-A to this notification is required for public purposes viz. for construction of road from Horna to Wuyeed, situated in Village Durbeel, Tehsil Mughalmaidan, District Kishtwar by PW (R&B) Department. Further, the Collector, Land Acquisition (SDM), Chatroo is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

Secretary to the Government,  
Revenue Department.

*“Annexure-A”*

Name of the District	Name of the Tehsil	Name of the Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Kishtwar	Mughalmaidan	Drubeel	1015/90 min	01610
			1019/98	01602
			1019/98	01603
			102 min	01607
			104 min	01613
			125 min	04607
			131 min	00611
			127	03605
			129	02614
			1489/918/132	01618
			1490/918/132	07602
			134 min	01604
			141 min	02603

[illegible]

145	min	05609
143	min	04614
140	min	02611
144	min	00608
146	min	00605
183		01606
183		00612
1382/184		00603
1383/184		01600
1384/184		01604
964/188	min	01609
964/188	min	00606
191		01616
		6666
	Total	51602
		6666

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Dated 24-10-2019.

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY (JKRRDA), Jammu vide No. CE/PMGSY/Acctts/J/28990-92 dated 26-03-2019 a notification under section 4 (1) was

No. 45] The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. 619  
issued by Collector, Land Acquisition (ADC), Bhaderwah vide  
No. ADC/LAC/18-19/520-27 dated 27-07-2018 for land measuring  
16 Kanals and 13 Marlas situated in Village Seri, Tehsil Bhalla, District  
Doda ;

Whereas, the Collector, Land Acquisition (ADC), Bhaderwah  
vide No. ADC/LAC/19-20/377-79 dated 19-08-2018 has reported that  
the notification issued under section 4 (1) of the J&K State Land  
Acquisition Act was served upon the interested persons for filing objections,  
if any, to the proposed acquisition, but no objection was received from the  
land owners/interested persons in the prescribed time period as required  
under sections 5 & 56A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition  
(ADC), Bhaderwah vide No. referred to above duly endorsed by the  
Deputy Commissioner, Doda vide No. 349/LAC/D/19 dated 25-09-2019,  
Divisional Commissioner, Jammu vide No. 502/3672/PMGSY/Sari/Doda/  
19/2443 dated 05-10-2019 and by the Financial Commissioner, Revenue  
vide No. FC-LS/LA-4991/2019 dated 18-10-2019 has been examined and  
it has been found that the land owners did not file any objection to the  
proposed acquisition ;

Whereas, the Government is satisfied that the land particulars  
whereof are given in "Annexure-A" to this notification is required for  
public purpose viz. for construction of Road from Seri to Chatra, situated  
in Village Seri, Tehsil Bhalla, District Doda under PMGSY, PKG  
No. JK04-295 (Phase-2<sup>nd</sup>).

Now, therefore, in pursuance of section 6 of the J&K State  
Land Acquisition Act, Samvat 1990, it is declared that land measuring  
16 Kanals 13 Marlas situated in Village Seri, Tehsil Bhalla, District Doda,  
particulars whereof are given in "Annexure-A" to this notification is  
required for public purpose viz. for construction of Road from Seri to  
Chatra, situated in Village Seri, Tehsil Bhalla, District Doda under PMGSY,  
PKG No. JK04-295 (Phase-2<sup>nd</sup>). Further, the Collector, Land Acquisition  
(ADC), Bhaderwah is directed under section 7 of the said Act to take  
order for acquisition of the said land after giving prescribed notice to the  
interested person(s) as required under the Land Acquisition Act/Rules.

620 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45  
 620 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to the Government,  
 Revenue Department.

620 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45

# Particular of Lands

District	Tehsil	Village	Khasra Nos.	Area K. M.
Doda	Bhalla	Seri	211/189	02600
			289/189	02616
			291/189	04609
			291/189	01614
			294/189	00609
			290/191	02606
			296/189/1	02609
			Total	16613
				620 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45

620 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45

GOVERNMENT OF JAMMU AND KASHMIR,  
 CIVIL SECRETARIAT REVENUE DEPARTMENT.

Notification No. 203-Rev (LAJ) of 2019

Dated 24-10-2019.

Whereas, the land specifications whereof are given in  
 Annexure-A to this notification is required for public purpose

No. 45] The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. 621  
viz. for construction of road from Chilli to Dhandhal situated in  
Village Dhandhal, Tehsil Kastigarh, District Doda under PMGSY ;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY (JKRRDA), Jammu a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Doda vide No. 2001-09/Acq dated 25-03-2019 for land measuring 12 Kanals and 5½ Marlas situated in Village Dhandhal, Tehsil Kastigarh, District Doda ;

Whereas, the Collector, Land Acquisition (ACR), Doda vide No. 789-94/Acq dated 21-09-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 56A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ACR), Doda vide No. referred to above duly endorsed by the Deputy Commissioner, Doda vide No. 344/LAC/D/19 dated 25-09-2019 Divisional Commissioner, Jammu vide No. 502/3674/PMGSY/Dhandhal/Doda/19/2417 dated 05-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-4996/2019 dated 18-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given in "Annexure-A" to this notification is required for public purpose viz. for construction of Road from Chilli to Dhandhal situated in Village Dhandhal, Tehsil Kastigarh, District Doda under PMGSY ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 12 Kanals and 5½ Marlas situated in Village Dhandhal, Tehsil Kastigarh, District Doda particulars whereof are given in "Annexure-A" to this notification is required for public purpose viz. for construction of Road from Chilli to Dhandhal situated in Village Dhandhal, Tehsil Kastigarh, District Doda under PMGSY. Further, the Collector, Land Acquisition

622 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45  
 (ACR), Doda is directed under section 7 of the said Act to take order for  
 acquisition of the said land after giving prescribed notice to the interested  
 person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible  
 for identification and proper title verification of all types of land involved  
 in the case and apportionment of compensation amongst all the  
 interested persons/rightful claimants in accordance with the relevant  
 laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to the Government,  
 Revenue Department.

“Annexure–A”

Particulars of Land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Doda	Kastigarh	Dhandhal	1015	00602
			2911/1047	00611
			1015	00601½
			1046	00603
			2911/1047	00608
			1045	00605
			1044	00602
			1039	00609
			1039	00606
			1039	00607
			1039	00602

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Whereas, the land specifications whereof are given in  
 ̈Annexure-Ä to this notification is required for public purpose viz. for

624 The J&K Govt. Gazette, 6th Feb., 2020/17th Magha, 1941. [No. 45  
construction of 135 ft. wide strip situated in Village Treva, Tehsil Jammu South, District Jammu by Border Security Force (BSF) ;

Whereas, on the basis of an indent placed by Inspector General, Hq. Jammu, FTR BSF a notification under section 4(1) was issued by Collector, Land Acquisition (ACR), Jammu vide No. 09 of 2014 dated 04-02-2014 for land measuring 21 Kanals and 07 Marlas situated in Village Treva, Tehsil Jammu South, District Jammu ;

Whereas, the Collector, Land Acquisition (SDM), Jammu South vide No. SDM/JMU-S/1572 dated 04-09-2018 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections, 5&56A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SDM) Jammu South vide No. referred to above duly endorsed by Deputy Commissioner, Jammu vide No. DCJ/LA/Border Fencing/Treva/2018-19/1108-10 dated 10-09-2018, Divisional Commissioner, Jammu vide No. 502/2170/Acq/135ft-Border-fencing/Treva/J/18/2768-70 dated 29-09-2018 and by Financial Commissioner, Revenue vide No. FC-LS/LA-4710/2018 dated 15-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given in Annexure-A to this notification is required for public purpose viz. for construction of 135 ft. wide strip situated in Village Treva, Tehsil Jammu South, District Jammu by Border Security Force (BSF).

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 21 Kanals and 07 Marlas situated in Village Treva, Tehsil Jammu South, District Jammu, particulars whereof are given in Annexure-A to this notification is required for public purposes viz. for construction of 135 ft. wide strip situated in Village Treva, Tehsil Jammu South, District Jammu by Border Security Force (BSF). Further, the Collector, Land Acquisition (ACR), Jammu is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to the Government,  
Revenue Department.

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*Annexure “A”*

## Particulars of the land

District	Tehsil	Village	Khasra Nos.	Area K. M.
Jammu	Bishnah	Treva	527	02600
			528	02600
			529	02600
			530	00618
			531	01601
			532	00605
			533	04604
			534	00617
			535	01609
			536	00615
			537	01608
			538	01606
			539	00618
			541	02606
				66666
			Total	21607
				66666

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Whereas, the report furnished by Collector, Land Acquisition (ADC), Bhaderwah vide No. referred above duly endorsed by Deputy Commissioner, Doda vide No. 359/LAC/D/19 dated 25-09-2019, Divisional Commissioner, Jammu vide No. 502/3669/PMGSY/Rounda/Doda/19/2442 dated 05-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-4992/2019 dated 18-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 01 Kanal 14 Marlas situated in Village Rounda, Tehsil Bhaderwah, District Doda particulars whereof are given above is required for public purpose viz. for construction of Bhalra to Diggi road, situated in Village Rounda, Tehsil Bhaderwah, District Doda under PMGSY, PKG No. JK04-292 (Phase-X). Further, the Collector, Land Acquisition (ADC), Bhaderwah is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

Secretary to the Government,  
Revenue Department.

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THE

## JAMMU AND KASHMIR GOVERNMENT GAZETTE

Vol. 132] Jammu, Thu., the 6th Feb., 2020/17th Magha, 1941. [ No. 45  
Separate paging is given to this part in order that it may be filed as a  
separate compilation.

### PART II—A

#### Orders by Heads of Departments.

CHARGE REPORTS

Subject :ô Handing over and taking over the charge of General Manager,  
District Industries Centre, Jammu.

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In compliance to Government Order No. 61-JK(GAD) of 2019 dated 10-01-2020 issued under endorsement No. GAD(Ser)Genl/130/2019 dated 10-01-2020 and No. 62-JK(GAD) of 2020 dated 10-01-2020 issued under endoresment No. GAD(Ser)Genl/38/2012 dated 10-01-2020 by General Administration Department, we the undersigend hereby handed over and taken over the charge of General Manager, District Industries Centre, Jammu today on 16th of January, 2020 (F. N.) with cash in hand Nil.

(Sd.) NAMRITA DOGRA, KAS,

Relieved Officer.

(Sd.) SUBAH MEHTA, KAS,

Relieving Officer.

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In pursuance to the Government Order No. 1067-GAD of 2019 dated 04-10-2019, issued by General Administration Department under endorsement No. GAD(Ser) IAS/70/2017 dated 04-10-2019, the undersigned hereby assume the charge of Administrative Secretary, Department of Disaster Management, Relief, Rehabilitation and Reconstruction.

(Sd.) KHURSHID AHMAD SHAH, IAS,

Commissioner/Secretary to Government,  
Public Works (R&B) Department.



THE

## JAMMU & KASHMIR GOVERNMENT GAZETTE

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separate compilation.

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### PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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GOVERNMENT OF JAMMU AND KASHMIR,

(REHABILITATION DEPARTMENT)

OFFICE OF THE CUSTODIAN, EVACUEE'S PROPERTY,

JAMMU.

Notification

In pursuance of Section 6 of the Jammu and Kashmir Evacuee's  
(Administration of Property) Act VI of 2006 Svt., the Custodian is

pleased to notify for General Information the list of Evacuee's Properties specified in the schedule annexed hereto, which have vested in him :

S. No.	Description	Locality
1	2	3
1.	Evacuee Property land measuring 30 Kanals 08 Marlas covered Under Khasra No.1468 situated at Raipur Domana belonging to Mst. Kaiser and others evacuees, out of which 06 Mls. under the illegal possession of Sh. Mohd Abdullah Bhat S/o Ab. Ahad Bhat.	Village Raipur Domana, Tehsil Bhalwal, District Jammu

(Sd.) .. ...

Custodian,  
Evacuee Property, Jammu.

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OFFICE OF THE COLLECTOR LAND ACQUISITION,  
JAMMU DEVELOPMENT AUTHORITY,  
VIKAS BHAWAN, RAIL HEAD COMPLEX, JAMMU.

#### Corrigendum

In the notification issued under section 4(1) of J&K Land Acquisition Act, Svt. 1990 vide this office No. JDA/CLA/402-409 dated 14-12-2018 in respect of Village Ghou Manhasan land particulars given below is included as per this corrigendum.

#### Particulars of land

S. No.	Tehsil	Village	Type of land	Khasra No.	Area
1	2	3	4	5	
1	Marh	Gho Manhasan	State	995	K. M. 04616

Collector,  
Land Acquisition, JDA,  
Jammu.

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Notice

I, Samual, Resident of Ward No. 5, R. S. Pura, Jammu hereby state that I am applying for the change of my and my fathers name in my PAN Card bearing No. EMJPS6267N below are the details :ô

Old Name on PAN Card	New Name on PAN Card
Samuel	Samual
S/o Qadir Masih	S/o Dullah Masih

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Notice

I, Rattan Lal S/o Late Nath Ram R/o Village Salalpur, P. O. Korepunu, Tehsil Marheen, District Kathua have applied for correction of My father's name, which has been wrongly written in PAN Card No. ANTPL7271N as Amar Nath instead of correct name Late Nath Ram. Objection, if any, may be conveyed to concerned authority within 7 days from the publication of this notice.

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Notice

I, Manjeet Singh S/o Janda Singh R/o Village Banahama, Beerwah Budgam, have applying for correction of my father name which has been wrongly written in PAN Card Bearing No. COFPS7662H as Sardar Janda Singh Singh instead of correct name Janda Singh. Objection, if any, may be conveyed to concerned authority within 7 days from the date of publication of this notice.

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Notice

My name has wrongly been written as Dinesh Chand Sharma instead of Dinesh Sharma in my PAN Card bearing No. CGSPS5976D. Now I am applying for correction of the same. Objection if any body may be conveyed to Income Tax Office within seven days.

**Dinesh Sharma**  
**S/o Shri Rattan Chand Sharma**  
**R/o Village Jallo Chak, Jammu.**



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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separate compilation.

**ADVERTISEMENTS—C**

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GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE GENERAL MANAGER,  
RANBIR GOVERNMENT PRESS, JAMMU (TAWI)ô 180005.

e-Tender Notice No. 09 of 2019-20

Dated 28-01-2020.

For and on behalf of the Government of Jammu and Kashmir,  
e-Bid is invited for the finalization of Annual Rate Contract for the  
procurement of ôMACHINERY AND EQUIPMENTö for the Year  
2019-20 from manufacturers and authorized firms. Preference shall  
be given to the tenderers having BIS/ISO specification duly supported  
by documentary proof, of course other things being equal for the  
supply of Machinery/Equipments to Ranbir Government Press, Jammu  
as per details annexed to this e-Tender Notice forming part of terms

[illegible]

No.	Tender	Fee
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1. Machinery and Equipment for the year 2019-20	Rs. 500/ (Rupees five hundred only)	Rs. 2,00,000/- or equivalent to 2% of their tendered cost
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The bidding documents consisting of qualifying information, eligibility criteria, specifications, Bill of Quantities (B. O. Qs), set of terms and conditions of contract and details can be seen/downloaded from the State official website [www.jktenders.gov.in](http://www.jktenders.gov.in) as per schedule given below :ó

Date of issue of e-Bidding documents	28-01-2020 (4. P. M.)
Period of downloading of bidding documents	29-01-2020 (10. A. M.)
Bid submission start date	29-01-2020 (10. A. M.)
Bid submission end date	08-02-2020 (4 P. M.)
Date and time of opening of technical bids on or after	10-02-2020 (12 Noon)
Date and time of opening of financial bid (online)	To be notified after technical bid evaluation.

For and on behalf of the Lt. Governor of Jammu and Kashmir.

(Sd.) AIJAZ AHMAD AKHOON,

General Manager.

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No. 45] The J&K Govt. Gazette, 6th Feb., 2020/17th Magha 1941. 229  
GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE GENERAL MANAGER,  
RANBIR GOVERNMENT PRESS, JAMMU (TAWI) 180005.

Corrigendum of e-NIT No. 09 of 2019-20 dated 28-01-2020 issued under endorsement No. RGPI/PC/6606-10 dated 28-01-2020.

Please read Earnest Money of Rs. 2,00,000/- or equivalent to 2% of their tendered cost (in shape of CDR/FDR) in original favouring the General Manager, Ranbir Government Press, Jammu and Government Press, Srinagar instead of General Manager, Ranbir Government Press, Jammu in respect of item No. 2, mentioned in the e-Tender document Clause 5 (b) of e-NIT No. 09 of 2019-20 dated 28-01-2020 issued under endorsement No. RGPI/PC/6606-10 dated 28-01-2020 for procurement of Machinery and Equipments for the year 2019-20. The other terms and conditions of the e-NIT shall remain unchanged.

(Sd.) AIJAZ AHMAD AKHOON,

General Manager.

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POLICE HEADQUARTERS, JAMMU AND KASHMIR  
(Provision Section).

Tenders Cancellation Notice

Due to technical reasons, following tenders floated by PHQ, J&K are hereby cancelled :

S. No.	Tender No.	Item
1	2	3
1.	39 of 2019 dated 10-07-2019	Real Time Viewing System
2.	41 of 2019 dated 10-07-2019	Bomb Inhibitor

[illegible]

1

2

3

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3. 42 of 2019 dated 10-07-2019 RSP Tool Kit

4. 43 of 2019 dated 10-07-2019      Hook and Line Set

5. 44 of 2019 dated 10-07-2019      Telescopic Manipulator

6. 45 of 2019 dated 10-07-2019 Bomb Basket

7. 46 of 2019 dated 10-07-2019      Radiation Detection Meter

8. 47 of 2019 dated 10-07-2019	Total Containment Vessel (Truck Bomb)
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9. 48 of 2019 dated 10-07-2019      Liquid Explosive Detector

10. 49 of 2019 dated 10-07-2019      Non-Linear Junction detector (NLJD)

11. 58 of 2019 dated 25-07-2019	Remotely Operated Vehicle (ROV)
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Samples, if any, deposited with Police Central Stores shall be collected through authorized representatives by participating firms. NOC is also issued to the concerned banks for releasing EMDs deposited by the participating firms against above tenders. If required, individual NOCs will also be issued.

(Sd.) MUBASSIR LATIFI (JKPS),  
AIG (Provision and Transport)  
For Director General of Police,  
J&K, Jammu.

رجسٹرڈ نمبر جے کے-33



# جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 132۔ جموں مورخہ 6 فروری 2020ء بمطابق 17 ماگھا 1941 ویروار نمبر۔ 45

## اِستِہارات

از عدالت فسط ایڈیشنل منصف فارسٹ مجسٹریٹ جموں

سرکار بنام سنیل کمار

پرچہ علت نمبر 132 سال 2014 تھانہ پولیس جانی پور

بجرائم زیر دفعات RPC / 341,323

وارنٹ گشتی زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر بخلاف ملزم صدر

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا تعمیل آئی ہے کہ ملزم سنیل کمار ولد ٹھا کر داس ساکنہ جانی پور جموں گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

سرکار بنام کرنیل سنگھ وغیرہ

پرچہ علت نمبر 93 سال 2015

جرم زیر دفعہ RPC 379

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا تعمیل آئی ہے کہ ملزم (1) کرنیل سنگھ ولد بچن سنگھ ساکنہ نڈی تحصیل آر۔ ایس پورہ جموں۔

(2) وکاس چوہدری ولد اجل چوہدری ساکنہ نڈی تحصیل آر۔ ایس پورہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر 31-12-2019

دستخط : فسٹ ایڈیشنل منصف (فارسٹ) مجسٹریٹ درجہ اول جموں۔

## ریزولیشن

آج مورخہ 20 جنوری 2020ء کو ایک اجلاس زیر صدارت شریعتی رنجنادیوی سرینچ پنچایت حلقہ کوٹہ بلاک ہیرانگر ضلع کٹھوعہ بمقام پنچایت گھر کوٹہ میں منعقد ہوا اور حسب ذیل کاروائی عمل میں لائی گئی:-

ضمن نمبر 1 میں سیکرٹری پنچایت نے سابقہ کاروائی کو سنایا

ضمن نمبر 2 میں سیکرٹری پنچایت نے گرام سبھا میں پاس کیا ہوا بجٹ زیر بحث لایا، جس میں تمام ممبران نے کافی غور و خوض کیا؛ اور اس میں اچھی خاصی بحث کی اور پھر اس کو منظوری دی۔

بعد ازاں سرپنچ پنچائت نے تمام حاضرین کے سامنے بجٹ کو حتمی شکل دی گئی اور فیصلہ لیا کہ اس کو زیر دفعات 22/21 پنچائتی راج ایکٹ 1989 اور تحت رول 60 اور 89 پنچائتی راج رول 1996ء کے تحت گزٹ میں شائع کرنا مطلوب ہے۔

لہذا سرپنچ پنچائت گوطہ نے باتفاق رائے یہ ریزولوشن پاس کیا، بعد اس کو گورنمنٹ رنیر پریس جموں میں شائع کرنے کی منظوری دی گئی اور اُن سے گزارش کی گئی کہ اس کو گزٹ میں کم از کم 30 دن کی مہلت دیکر شائع کی جاوے، تاکہ ہر فرد پنچائت کو اگر اعتراض ہو تو وہ دفتر سرپنچ پنچائت گوطہ کو تحریری طور پر دے سکتا ہے، بعد ازاں سرپنچ پنچائت نے تمام کاروائی کو قلم بند کرنے کا حکم فرمایا اور کاپی رنیر پریس میں شائع کرنے کو دی جائے، اُس کے بعد سرپنچ پنچائت نے سب کا شکریہ ادا کیا۔

تحریر 20-01-2020

دستخط:۔ انجناد یوی

سرپنچ

پنچائت حلقہ گوطہ

بلاک ہیرانگر

دستخط:۔ سیکرٹری

حلقہ پنچائت گوطہ

بلاک ہیرانگر

شامل ممبران

دستخط:۔ بحروف انگریزی

ایضاً

(1) شامل عمل

(2) اینٹا شرما

- (3) سوریش کمار دستخط بحروف انگریزی  
 (4) کپل شرما ایضاً  
 (5) ترپتا دیوی ایضاً  
 (6) کرتار چند دستخط بحروف ہندی  
 (7) راجیش کمار دستخط بحروف انگریزی  
 (8) سمرتی رینہ ایضاً  
 (9) ست رام ایضاً  
 (10) رام چند کھجوریہ ایضاً  
 (11) مدھو دیوی ایضاً

### فہرست فیس دہندہ

کلاس	نمبر شمار	نام ادارہ	عائد سالانہ فیس
A	1	دکانداران	120/= روپے فی دکان سالانہ
B	2	دکان	100 فی دکان
C	3	دکان	80 روپے فی دکان
D	4	دکان	50 روپے فی دکان

378۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 45 مورخہ 6 فروری 2020ء بمطابق 17 ماگھا 1941۔ ضمیمہ ج

220 روپے سالانہ	پرائیویٹ سکول نمبر 1	5	
200 روپے سالانہ	پرائیویٹ سکول نمبر 2	6	
70 روپے سالانہ	پرائیویٹ سکول نمبر 3	7	
50 روپے سالانہ	پرائیویٹ سکول نمبر 4	8	
1000 روپے سالانہ	شادی گھر 1 سے 3	9	
50 روپے سالانہ	میٹاڈور	10	
20 روپے سالانہ	آٹورکشیا	11	
50 روپے سالانہ	مرغی پالن	12	
20,000 روپے سالانہ	موبائل ٹاور	13	
10,000 روپے سالانہ	مچھلی پالن	14	
100 روپے فی دکان	میلے میں دکان لگانے کا	15	
2 روپے فی مربع فٹ	فیس تعمیر مکان	16	
50 پیسے فی مربع فٹ	فیس مرمت مکان	17	
3 روپے فی مربع فٹ	فیس تعمیر کاروباری دکان وغیرہ	18	
500 روپے فی آٹا چکی	آٹا چکی	19	
100 روپے سالانہ	ٹریکٹر	20	

21	فیکٹری ٹائل اینٹ وغیرہ	5,000 روپے سالانہ
22	ٹھیکے دار	10,000 روپے سالانہ
23	ٹھیکے دار	5,000 روپے سالانہ
24	ٹھیکے دار	2500 روپے سالانہ

## از عدالت فست ایڈیشنل منصف فارسٹ مجسٹریٹ جموں

سرکار بنام شبنم تہد

علت نمبر 55 سال 2012

بجرائم زیر دفعات 353,186,504 RPC

وارنٹ گشتی زیر دفعہ 512 ض ف

حکم بنام اہلکاران پولیس ریاست جموں و کشمیر بخلاف ملزمہ

صدر معاملہ مندرجہ عنوان اُصدر میں ملزمہ کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے الا ملزمہ کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزمہ شبنم تہد دختر جدیف ساکنہ مکان نمبر 189 قاسم نگر تحصیل ضلع جموں گھر سے فرار ہے اور روپوش ہو گئی ہے جس سے ملزمہ کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزمہ کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران

پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزمہ متذکرہ بالا جہاں کہیں بھی

اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

وارنٹ ہذا تا دستیابی ملزمہ زیر کار رہے گی۔ تحریر 28-12-2019

دستخط: فسٹ ایڈیشنل منصف (فارسٹ) جوڈیشل مجسٹریٹ درجہ اول جموں۔

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Vol.132] Jammu, Sat., the 31st Aug., 2019/9th Bhad., 1941. [No. 22-14

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**Laws, Regulations and Rules passed thereunder.**

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JAMMU AND KASHMIR GOVERNMENT,  
MUNICIPAL COMMITTEE, KISTHWAR,  
SOLID WASTE MANAGEMENT BYE-LAWS, 2019

## Notification

Kishtwar, the 31st of August, 2019.

In exercise of the powers conferred by clause (9) of rule 3 read with clauses (e), (f), (zf) and (zg) of rule 15 of the Solid Waste Management Rule, 2016, the Authority hereby make the following bye-laws ; namely :ô

# CHAPTER I

1. *Short title and commencement.* (1) These bye-laws shall be called the Municipal Committee, Kishtwar, Solid Waste Management Bye-Laws, 2019.

(2) They shall come into force on the date of their publication in the J&K Government Gazette.



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Rules, 2016 (hereinafter referred to as "SWM Rules") and any other waste generator including buildings occupied by the Central Government departments or undertakings, State Government departments or undertaking, 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 sport complexes having an average waste generation rate exceeding 100 Kg. per day ;

- (10) **"C&D waste (Construction and Demolition waste)"** means Construction and Demolition Waste (Debris) that are non-hazardous in nature generated out of building materials, debris and rubble in the jurisdiction of Municipal Committee, Kishtwar.
- (11) **"Clean Area"** means the public place in front of and all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb cleaned and so maintained in accordance with these bye-laws ;
- (12) **"Cleanliness Fee"** means an amount of fees collected by the managers/Organizers for cleaning the site by the Agency ;
- (13) **"Collection"** means lifting and removal of solid waste from source of waste generation, collection points or any other location ;
- (14) **"Collection Counter"** means where the user charges shall be remitted which will be available at all Zonal Officers and headquarters.
- (15) **"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.;
- (16) **"Community waste storage bin"** means any storage facility setup and maintained by the Municipal Committee,

Kishtwar in the State collectively by owners and or/occupiers of one or more premises for storage of Municipal Solid Waste in a segregated manner in the road side/premises of anyone of such owners/occupiers or in their common premises ;

- (17) **“Composting”** means a controlled process involving microbial decomposition of organic matter ;
- (18) **“Co-processing”** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes ;
- (19) **“Containerised Hand Cart”** means the hand cart provided by the Municipal Committee, Kishtwar, or the agency/agent appointed by it for point-to-point collection of solid waste ;
- (20) **“Decentralized processing”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal ;
- (21) **“Delivery”** means handing over any category of solid waste to worker of Municipal Committee, Kishtwar or any other person appointed, authorised or licensed by Municipal Committee, Kishtwar for taking delivery of such waste or depositing it in any vehicle provided by Municipal Committee, Kishtwar, or by any other authorised agency or licensed by Municipal Committee, Kishtwar, to do so ;
- (22) **“Disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds ;
- (23) **“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 ;

- (24) **“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, multistoried building or apartments, large residential, commercial or institutional complex or premises ;
- (25) **“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. ;
- (26) **“Dump sites”** means a land utilized by local body for disposal of solid waste without following the principles of sanitary land filling ;
- (27) **“Event”** means any gatherings for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places.
- (28) **“Extended producer responsibility”** (EPR) means responsibility of any producer of packaging products such as plastic, tin, glass, wrappers and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products ;
- (29) **“E-waste”** shall have the same meaning as defined under Rule 3(l) (r) of the E-Waste (Management) Rules, 2016.
- (30) **“Facility”** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out ;
- (31) **“Familiarization/warning period”** means that specific period, during which there is a relaxation in the fines for contravention of these bye-laws ;





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local body or entity for the purpose before the waste is delivered or taken up for its processing or disposal ;

- (46) **“Neighbourhood”** means a clearly defined locality, with reference to its physical layout, character or inhabitants ;
- (47) **“New construction”** means all buildings under construction within the limits of the Municipal Committee, Kishtwar ;
- (48) **“Non-biodegradable waste”** means any waste that cannot be degraded by microorganisms into simpler stable compounds ;
- (49) **“Nuisance”** includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property ;
- (50) **“Nuisance Detectors”** (NOs) means those employees of the Municipal Committee, Kishtwar who are appointed to detect the acts of Public nuisance, etc. ;
- (51) **“Occupier/occupant”** includes any person who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever ;
- (52) **“Operator of a facility”** means a person or entity, who owns or operates a facility for handling solid waste which includes the Municipal Committee, Kishtwar and any other entity or agency appointed by the Municipal Committee, Kishtwar ;
- (53) **“Owner”** means any person who exercises the rights of an owner of any building, or land or part thereof ;
- (54) **“Pelletisation”** means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes, fuel pellets which are also referred as refuse derived fuel ;

- (55) **“Primary collection”** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the Municipal Committee, Kishtwar.
- (56) **“Processing”** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products ;
- (57) **“Public place”** includes any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc. ;
- (58) **“Prescribed”** means prescribed by SWM Rules and/or these bye-laws ;
- (59) **“Receptacle”** means any storage container, including bins and bags, used for the storage of any category of MSW ;
- (60) **“Recycling”** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products ;
- (61) **“Recyclable Waste”** means the waste that is commonly found in the MSW. It is also called as "Dry Waste". These include many kinds of glass, paper, metal, plastic, textiles, electronics goods, etc.
- (62) **“Redevelopment”** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated ;



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- (71) **“Sanitary worker”** means a person employed by the municipal corporation for collecting or removing MSW or cleansing the drains in the municipal/corporation areas ;
- (72) **“Schedule”** means the Schedule appended to these rules ;
- (73) **“Storage”** means the temporary containment of solid waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour ;
- (74) **“Secondary storage”** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility ;
- (75) **“Segregation”** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes ;
- (76) **“Service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc. ;
- (77) **“Solid waste”** means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste, Hazardous waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities ;
- (78) **“Sorting”** means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling ;



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- (86) **“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 ;
- (87) **“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 ;
- (88) **“User fee/Charges”** means fees or charges imposed by Municipal Committee, Kishtwar through general or special order of the Competent Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services ;
- (89) **“Vacant Plot”** means any Land or open space belonging to a private party/person that is not occupied by them/him ;
- (90) **“Vermi composting”** means the process of conversion of bio-degradable waste into compost using earth worms ;
- (91) **“Waste hierarchy”** means the priority order in which the solid waste is to 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 ;
- (92) **“Waste generator”** means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, defence establishments, which generate solid waste or other institutions i. e. Hotels, restaurants, malls, private/government business/ industrial establishments falling within the limits of Municipal Committee, Kishtwar.

(93) **“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, streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

## SEGREGATION AND PRIMARY STORAGE OF SOLID WASTE

(1) It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely :

- (2) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely :ô

- (3) The colour of bins for storage of segregated waste shall be green- for biodegradable waste or wet waste blue - for non- biodegradable or dry waste and black- for domestic hazardous waste.

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(4) All resident welfare and market associations shall ensure segregation of waste at source by the generators, 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 of 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 Municipal Committee, Kishtwar.

(5) All gated communities and institutions with more than 5,000 sq. m. area shall ensure segregation of waste at source by the generators, 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 Municipal Committee, Kishtwar.

(6) All hotels and restaurants shall ensure segregation of waste at source, 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 of 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 Municipal Committee, Kishtwar.

(7) No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating Municipal Committee, Kishtwar along with payment of user fee as prescribed in the schedule, at least three working days in advance and the person or the organizer of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by Municipal Committee, Kishtwar.

(8) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a news paper or suitable biodegradable wrapping material and place the same in the bin meant for non- biodegradable waste or dry waste.

(9) Every street vendor shall keep suitable containers for storage of segregate 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 Municipal Committee, Kishtwar.

(10) Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of Municipal Committee, Kishtwar from time to time.

(11) Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle which shall be provided weekly/periodically by Municipal Committee, Kishtwar or any other Agency authorised by it for collection of such waste, or to a centre designed for collection of such waste for disposal in a manner that is mandated by the Government of Jammu and Kashmir or State Pollution Control Board.

(12) Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016.

(13) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed off in accordance with the respective rules framed under the Environment (Protection) Act, 1986.

(14) Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the Municipal Committee, Kishtwar, collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is strictly prohibited.

(15) Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.

(6) To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.

(7) Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.

(9) Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.

(11) Route plans for each primary collection and transportation vehicle shall be provided by Municipal Committee, Kishtwar or by the notified authorised waste collector. These plans in tabular as well as GIS map form, duly approved by Municipal Committee, Kishtwar shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified route. Municipal Committee, Kishtwar or the notified authorised waste collector shall provide a Board at each street to display time-table of primary collection and transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of Municipal Committee, Kishtwar and published in the local leading newspaper periodically for the information of General Public.

(12) In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

(13) In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.

(14) Smaller, narrow and congested streets/lanes where even a 3-wheeler/ rickshaw etc. cannot operate, vantage points shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of Municipal Committee, Kishtwar.

(15) Auto tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. dhalaos, open sites, ground, bins and drains etc.

(16) Municipal Committee, Kishtwar or its notified authorised waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

## SECONDARY STORAGE OF SOLID WASTE

6. *Storage of solid waste in the secondary storage points.* (1) Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by Municipal Committee, Kishtwar for secondary storage of waste.

(2) Such secondary storage points shall have covered containers (of specified colour) for separate storage of :ô

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste ;

(3) Different containers shall be used in the areas demarcated by Municipal Committee, Kishtwar to keep segregated waste in the following manner :ô

- (a) green- for biodegradable waste ;
- (b) blue - for non-biodegradable ;
- (c) black - for domestic hazardous waste ;

Municipal Committee, Kishtwar shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.

(4) Municipal Committee, Kishtwar on its own or through outsourcing agencies shall maintain the storage facilities for solid waste in a manner that does not create unhygienic and unsanitary conditions around it.

(5) Containers of various sizes in the secondary storage depots shall be provided by Municipal Committee, Kishtwar or any assigned agencies in different colours as mentioned in these bye-laws.

(6) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population.

(7) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere.

(8) All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.

(9) Municipal Committee, Kishtwar or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.

(a) Municipal Committee, Kishtwar shall convert its existing Dhalaos or identify specific location as per requirement, as 'Recycling Centers' which shall be used for segregation of dry waste received through street/door to door waste collection service. Recycling centers may be increased depending on the quantity of dry waste received.

(b) Dry (non-biodegradable) waste from street/door-to-door collection system and from commercial establishments shall be transferred only to these designated recycling centers. These designated centers shall receive only dry waste.

(c) There shall also be a provision for the households to directly deposit or sell their recyclable dry waste to the authorised agents and/or authorised waste dealers of Municipal Committee, Kishtwar at these recycling centers at pre-notified rates. A weighing scale and a counter shall be provided at each recycling unit for this purpose. The authorised agents and/or authorised waste dealers shall be allowed to dispose off or sell the recyclable waste to the secondary market or recycling units only in consonance with the provisions of SWM Rules, 2016. The authorised agents and/or authorised waste dealers will be entitled to retain sales realization thereof.

(a) For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed and notify the timing of receiving of such waste.



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and removable drain silt shall be removed immediately after the work is over.

(8) Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.

(9) The collection vehicles engaged for the purpose shall deposit/transfer waste only at the MTS (Mobile Transfer Station) or FCTS (Fixed compactor Transfer Stations) wherever provided.

(10) In case MTS/FCTS is not stationed at the designated location at that point of time for any reason, then the 'loaded vehicle' shall go to the next designated location of the MTS or FCTS or the site specified by Municipal Committee, Kishtwar to unload the waste.

(11) Fixed compactor transfer station shall be transported through hook loader.

(12) MTS or FCTS shall transport the waste directly to compost plant, waste to energy plant or any other site/plant designated by Municipal Committee, Kishtwar.

(13) There should be no inter-mixing of waste from various sources during the transportation of waste.

(14) The services of street level collection and transportation of waste shall be provided every day including holidays.

(15) MTS engaged in this service shall receive waste only from designated auto tippers, 3-wheelers or vehicle/bins collecting waste from street level operations.

(16) Dedicated MTS shall be deployed at specified locations to receive waste from the Auto Tippers, 3-Wheelers, Rickshaws etc. engaged in street-level and door-to-door collection of solid waste from households and commercial establishments as per the approved route plans.

(17) Design of MTS and FCTS shall allow unloading of waste from primary collection vehicles by consuming minimum time and without littering waste.

(18) Garbage spilled near MTS and FCTS, while transferring the solid waste, should be cleaned so that no spillage is left. Disinfectant should be used after cleaning process at that location.

(19) Municipal Committee, Kishtwar or its specified agency shall install CCTV cameras at all secondary storage facilities.

## CHAPTER VI

# PROCESSING OF SOLID WASTE

8. *Processing of solid waste.* (1) Municipal Committee, Kishtwar shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board :

- (a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste ;
- (b) through medium/large composting bio-methanation plants at centralised locations ;
- (c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feed stock to solid waste based power plants ; and/or
- (d) through construction and demolition waste management plants.

(2) Municipal Committee, Kishtwar shall endeavour to create a market for consumption of RDF (Refuse Derived Fuel). The cement factories are liable to take RDF from municipal dumping sites who have to use RDF to the order of 5% of the total fuel burnt by them in their kilns.

(3) In waste to energy plant by direct incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the relevant contracts.

(4) Municipal Committee, Kishtwar shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorised recyclers.

9. *Other guidelines for processing of solid waste.* (1) Municipal Committee, Kishtwar shall enforce processing of bio-degradable waste on site of generation of such waste through composting or bio-methanation, as far as possible, at RWAs (Resident Welfare Associations), group housing societies, markets, gated communities and institutions with more than 5000 sq. m. areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for on site processing of biodegradable waste generated by other waste generators as well.

(2) Bulk generators who fail to install waste processing units within their premises shall be liable for fine to install such processing units with time line envisaged in the notices. If they perpetually fail to establish waste disposal system within six months after first notice issued to them, the Municipal Committee, Kishtwar are empowered to seal such erring bulk waste generating business establishments.

(3) Municipal Committee, Kishtwar shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions.

(4) Municipal Committee, Kishtwar shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens by the generators.

(5) Municipal Committee, Kishtwar shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

(6) The waste generator has to pay user charges/sanitation fee to the local bodies inspite of the fact if they process their waste at their institutional level.

## DISPOSAL OF SOLID WASTE

## CHAPTER VIII

11. *User fee for collection, transportation, disposal of solid waste.* (1) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by Municipal Committee, Kishtwar. The rates of user fee are specified in Schedule-I.

(2) The user fee so fixed shall be collected from waste generators by Municipal Committee, Kishtwar or the authorised agency or person as may be authorised by Director of Urban Local Bodies, Jammu in this behalf.

(3) Municipal Committee, Kishtwar shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.

(4) Municipal Committee, Kishtwar shall adopt different methods for collection of user fee including online payment.

(5) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.

(8) The user fee shall be collected only by the institution/person authorised by the competent authority by a general or special order in this behalf.

(9) In case of default of payment of user fee/fine, the competent authority may recover the same from the defaulter as an arrear of land revenue as per the provision of Land Revenue Act, 1996. However, Municipal Corporation, Jammu/Srinagar shall be allowed to effect the recovery under the provisions of Jammu and Kashmir Municipal Corporation Act, 2000.

(1) Whosoever contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws.

(2) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be.

(3) The Commissioners shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II.

(4) The fine or penalty mentioned in Schedule-II shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(5) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the

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procedure for prosecution prescribed under provisions of the Environment  
(Protection) Act, 1986 shall follow.

(6) In realization of fines imposed on defaulters, the J&K State Pollution Control Board shall not renew the licenses of hotels and other business units unless an NOC is not procured by the business unit/s from the concerned Municipal Committee, Kishtwar.

(7) Fine shall be imposed on the hospitals and allied concerns if they are found mixing bio-medical wastes with municipal solid waste.

(h) Charges for the material recovery by rag pickers or waste dealers to be decided by the concerned Local Bodies.

(8) Concession to bulk purchasers of compost/plastic/tin and recyclables on the price of by product, if any, as a result of processing of Solid Waste shall be decided by the Municipal Committee, Kishtwar.

(j) The cement manufacturing units shall be responsible to lift the RDF from municipal dumping sites and their license renewals be linked with Municipal Committee, Kishtwar NOC.

(9) Tippers ferrying building material and causing avoidable waste on the streets shall be liable for fine to be decided by the Municipal Committee, Kishtwar but not less than Rupees Five Hundred (500/-) per default.

13. *Responsibilities of Waste Generators.* (1) Prohibition of littering

- (a) Littering in any public place : No person shall litter in any public place except in authorised public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.
- (b) Littering on any property : No person shall litter on any open or vacant property except in authorised private or public receptacles.

- (c) Litter-throwing from vehicles : No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place. No vehicle shall be washed on roads, river banks, near public parks, water bodies.
- (d) Litter from goods vehicles : No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.
- (e) Litter by owned/pet animals : It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system.
- (f) Disposal of waste in drain etc. No person shall litter in any drain/river/open pond/water bodies.

(2) Burning of waste : Disposal by burning of any type of solid waste at public places or at any private or public property is strictly prohibited.

(3) Clean Area : Every person shall endeavour that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.

(4) For Public Gatherings and Events organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police Department and/or from the Municipal Committee, Kishtwar is required, it will be the

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responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.

(5) Refundable Cleanliness Deposit, as may be notified by the Municipal Committee, Kishtwar, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organisers of the event wish to avail of the services of the Municipal Committee, Kishtwar for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the Chief Executive Officer/ Executive Officer, Municipal Committee, Kishtwar for availing the services and pay the necessary charges as may be fixed by the Competent Authority for this purpose.

(6) Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the Municipal Committee, Kishtwar in the following manner :

- (a) The Municipal Committee, Kishtwar may serve a notice on the owner/occupier of any premises, requiring such owner/ occupier to clear any waste on such premises in a manner and within a time specified in such notice.
- (b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.
- (c) If the person on whom the notice is served fails to comply with any requirements imposed by such notice, the Municipal Committee, Kishtwar may
  - (i) Enter on the premises and clear the waste ; and
  - (ii) Recover from the occupier the expenditure incurred in having done so.

- 0.5% of Annual turnover shall be chargeable from them for establishment/maintenance of solid waste management facilities to be deposited with the concerned corporation/local body.**

- (8) All industrial units using fuel and located within one hundred Km. from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.

(1) Municipal Committee, Kishtwar shall within its territorial area, be

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responsible for ensuring regular system of surface cleaning of all common streets/ roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which Municipal Committee, Kishtwar may engage private parties on contract or Public Private Partnership mechanism with the prior approval of Govt., apart from its own cleaning staff and vehicles. In addition, Municipal Committee, Kishtwar shall identify all the commercial areas for carrying out sweeping twice a day.

(2) Municipal Committee, Kishtwar or the authorised agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc.

(3) Municipal Committee, Kishtwar for the purpose of managing solid waste activities in decentralized and regular manner shall designate one officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc.

(4) The competent authority shall designate sufficient Senior Officer/s, preferably not below the rank of to be decided by the Municipal Committee, Kishtwar, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.

(5) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.

(6) Municipal Committee, Kishtwar shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning.

(7) Municipal Committee, Kishtwar shall create awareness and sensitization through Information, Education and Communication (IEC)

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campaign and educate the waste generators and other stakeholders about the various provisions of Solid Waste Management Rules and these bye-laws with special emphasis on user fee and fines/penalties.

(8) Municipal Committee, Kishtwar shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households. RWAs and institutions etc. by giving certificates by publishing their names on respective websites or rebate in property tax etc.

(9) Municipal Committee, Kishtwar shall ensure that the authorities of Agriculture Department, Floriculture Department, Horticulture, SKAUST are supplied with sufficient quantity of compost generated out of organic waste to phase out the use of chemical fertilizers and use compost in all parks, gardens maintained by them and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector and shall take up with the Directorate of Horticulture, Agriculture and Floriculture for use of compost.

(10) Municipal Committee, Kishtwar shall make efforts to streamline and formalize solid waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.

(11) Municipal Committee, Kishtwar shall 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.

(12) Municipal Committee, Kishtwar shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection transport and handling of waste by providing appropriate and adequate personal protective equipments.

(13) 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 Municipal Committee, Kishtwar immediately which shall review and issue instructions, if any, to the in-charge of the facility.

(14) Regular checks : Chief Executive Officer/Executive Officer/ Assistant Sanitation Officer, Municipal Committee, Kishtwar shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye-laws.

(16) Municipal Committee, Kishtwar shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at Hq./all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration.

(18) Municipal Committee, Kishtwar shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws.

## MISCELLANEOUS

16. *Co-ordination with Government Bodies.* Municipal Committee, Kishtwar shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies. In case of any difficulty matter shall be placed before Chief Secretary of Government of J&K.

17. The Competent Authority may issue general or special orders from time to time for proper implementation of Solid Waste Management Rules, 2016 and these bye-laws.

(19) *Jurisdiction.* For filing cases against the Bye-Laws the Jurisdiction is Jammu and Srinagar only.

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## SCHEDULE-I

## USER FEE SOLID WASTE MANAGEMENT

S.No.	Categories	User Fee from each premises/ House/Dwelling Unit/Flat per month (In Rupees)	
		Municipal Councils	Municipal Committees
1	2	3	
1.	Residential dwelling unit (Covered area)		
	i. Up to 2000 Sq. ft.	50	50
	ii. Over 2000 Sq. ft.	75	75
2.	Street Vendor	50	50
3.	Commercial Establishments, Shops, Eating Places (Dhaba/Sweet/Shops/ Coffee house, Saloon etc.)	250	100
4.	Guest House/Dharamshalas/Hostels/ Paying Guest	1000	500
5.	Restaurant up to sitting of 50 person	1000	500
6.	Restaurant with sitting of more than 50 person	2000	1000
7.	Hotel (Up to 3 star)	1000	1000
8.	Hotel (above 3 star)	5000	5000
9.	Commercial offices, government officers, bank, insurance offices, coaching classes, educational institutes etc.	500	100
10.	Kinder Garten, Cretches etc.	--	--
11.	Clinic, dispensary, laboratories,	1000	500

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12(a) Nursing home (up to 50 beds)	1000	500
only non-bio medical waste		

(above 50 beds)

13	Small and cottage industry workshop	1000	500
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(only non-hazardous waste)

14. Godowns, cold storages	2000	1000
----------------------------	------	------

(only non-hazardous waste)

15. Automobiles, showrooms	2000	1000
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16	Service Stations, Automobile Workshops	1000	500
----	--	------	-----

17	Marriage/Party Halls, Festivals Halls	2000	1000
----	---------------------------------------	------	------

Party Lawns, exhibition and fairs.

18. Clubs, cinemas halls, pubs, multiplexes	2000	1000
---	------	------

and other such places:

religious or charitable institution not

covered in any of above categories.

20	Dairies & Kennels	1000	500
----	-------------------	------	-----

21. Other places/activity not	As decided	As decided
-------------------------------	------------	------------

marked as above. by the by the  
concerned concerned

	continued	continued
	CEO/EQ	CEO/EQ

Municipal Municipal

	Councils	Committees
1. <i>Chairman</i>	1	1
2. <i>Members</i>	10	10
3. <i>Staff</i>	1	1
4. <i>Advisors</i>	1	1
5. <i>Guests</i>	1	1
6. <i>Other</i>	1	1
7. <i>Total</i>	15	15

by general    by general

or special or special

order order

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## SCHEDULE-II

FINE/PENALTY

S.No	Rule/Bye-Laws No.	Offences	Applicable to	Fine for every default (In Rs.)
1.	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the Rule	Residential  Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and  Clubs, Cinema Halls, Pubs, Community Halls, Multiplexes and other such places with area less than 5000 sq. m. Other non-residential entities with area less than 5000 sq.m.	500  10,000  5000  1000
2.	Rule 4 (1) (b) and (d) of SWM Rules	o Failure to deal with sanitary waste in accordance with the Rule o Failure to deal with horticulture waste and garden waste in accordance with the Rule	Residential   Non-Residential	500   1000

1	2	3	4	5
3.	Rule 4 (1) (c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the Rule	Residential  Non-Residential	2000  5000
4.	Rule 4 (2) of SWM Rules	Open burning of solid waste	Violator	5000
5.	Rule 4 (4) of SWM Rules	Organizing an event or gathering of more than one hundred person at any unlicensed place without following the prescribed procedure	Person(s), who has/ve organised such event or gathering or, on whose behalf such event or gathering has been organized and the event manager(s), if any, who has/ve organized such event or gathering	5000
6.	Rule 4 (5) of SWM Rules	Street vendor failing to deal with waste in accordance with the Rule	Violator	500

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7.	Bye-Law 13 (i) read with Rule 15 (g) of SWM Rules	Littering	Offender	500
8.	Rule 4 (6) of SWM Rules	Failure to deal with waste in accordance with the Rule	Resident Welfare Association Market Association	5000 10,000
9.	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community Institution	10,000 15,000
10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel Restaurant	20,000 10,000
11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	50,000
12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	50,000

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SWM Rules	replace fuel requirement by refuse derived fuel
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FORM-A

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## FORMAT TO PREPARE AND SUBMIT ANNUAL REPORT ON SOLID WASTE MANAGEMENT- 2016

Calendar Year:

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## 2 Population :

#### 4 Name and Address of local body

Fax No.

E-mail:

Phone No.

Fax No.

E-mail :

Number of non-residential premises  
in the city

Number of election/administrative  
wards in the City/town

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Estimated Quantity of Solid Waste  
generated in the local body area

Quality of solid waste disposal at  
dumpsite/landfill

## Segregation and storage of waste at source

Percentage of non-residential  
premise dispose or throw solid

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waste on the streets

Whether solid waste is stored at  
source in segregated form, if yes.

Percentage of premises  
segregating the waste at source

Door to Door Collection of  
solid waste

Whether door to door collection  
(D2D) of solid waste is being done  
in the city/town, if yes

Number of wards covered in D2D  
collection of waste

Number of household covered

Number of non-residential  
premises including commercial  
establishments, hotels, restaurant,  
educational Institution/offices  
etc. covered

Percentage of residential and  
non-residential premises covered in  
door to door collection through:

Motorized vehicle

Contained tricycle/Handcart

Other device

If not, method of primary  
collection adopted

Sweeping of streets

Length of roads, streets, lanes,  
bye-lanes in the city that need  
to be cleaned

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Frequency of street sweeping and  
percentage of population covered

Total used

Manual sweeping

Mechanical Sweeping

Whether long handle broom used  
by sanitation workers

Whether each sanitation worker is  
given handcart/tricycle for  
collection of waste

Whether handcart/tricycle is  
containerized

Whether the collection tools  
synchronizes with collection/waste  
storage containers utilized

Secondary Waste Storage facilities

No. and type of waste storage  
depots in the city/town

Open waste storage sites

Masonry bins

Cement concrete cylinder bins

Dhalao/covered rooms/space

Covered metal/plastic containers

Up to 1.1 m<sup>3</sup> bins

2 to 5 m<sup>3</sup> bins

Above 5 m<sup>3</sup> containers

Bin-less city

Bin/Population ratio

Ward-wise details of waste

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storage depots (attach):

Ward No. :

Area :

Population :

No. of bins placed

Total volume of bins placed

Total storage capacity of waste  
storage facilities in cubic meters

Total Waste actually stored at the  
waste storage depots daily

Give frequency of collection of  
waste from the depots

Number of bins cleared

Whether storage depots have facility  
for storage of segregated waste in  
green, blue and black bins

Whether lifting of solid waste from  
storage depots in manual or mechanical,  
give percentage

(%) of manual lifting of solid waste

(%) of mechanical lifting

If mechanical specify the method used

Whether solid waste is lifted from door  
to door and transported to treatment plant  
directly in a segregated form

Waste transportation per day Type

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and number of vehicles used

Animal cart

Tractors

Non-tipping Truck

Tipping Truck

Dumper Placers

Refuse Collectors

Compactors

Others

JCB/Loader

Frequency of transportation  
of waste

Quantity of waste transported  
each day

Percentage of total waste  
transported daily

Waste Treatment Technologies used

Whether solid waste is processed

If yes, Quantity of waste  
processed daily

Whether treatment is done by local  
body or through an agency

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Land (s) available with the local  
body for waste processing

Land currently utilized for  
waste processing

Solid Waste processing facilities  
in operation

Solid Waste processing under construction

Distance of processing facilities  
from city/town boundary

Details of technologies adopted

Composting

Vermi composting

Bio-methanation

Refuse Derived Fuel

Waste to Energy technology such as  
incineration, gasification, pyrolysis or  
any other technology

Co-processing

Combustible waste supplied to  
Cement plant

Combustible waste supplied to  
solid waste based power plants

Others

Solid waste disposal facilities

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oo	No. of dumpsite sites available with the local body
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No. of sanitary Landfill sites available with the body
---

Area of each such sites available for waste disposal
---

Area of land currently used for waste disposal
---

Distance of dumpsites/landfill facility from city/town
---

Distance from the nearest habitation
--------------------------------------

Distance from water body
--------------------------

Distance from state/national highway
--------------------------------------

Distance from Airport
-----------------------

Distance from important religious place or historical monument
---

Whether it falls in flood prone area
--------------------------------------

Whether it falls in earthquake fault line area
---

Quantity of waste land filled each day
--

Whether landfill site is fenced
---------------------------------

Whether Lighting facility is available on site
---

Whether Weigh bridge facility available
---

Vehicle and equipments used at  
landfill (specify)

Manpower deployed at landfill site

Whether covering is done on daily basis

If, not Frequency of covering the  
waste deposited at the landfill

Cover material used

Whether adequate covering  
material is available

Provisions for gas venting provided

Provision for Leachate Collection

Whether an Action Plan has been  
prepared from improving solid waste  
management practices in the City

- 10 What separate provisions are made for  
Dairy related activities  
Slaughter house waste  
C&D waste (construction debris)

- 11 Details of post Closure plan

- 12 How many slums are identified and  
whether these are provided with Solid  
Waste Management facilities

- 13 Give details of :  
Local Body's own manpower deployed  
for collection including street sweeping,  
secondary storage, transportation,  
processing and disposal of waste

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14 Give details of :

Contractor/concessionaire's manpower  
deployed for collection including street  
sweeping, secondary storage,  
transportation, processing and  
disposal of waste

15 Mention briefly the difficulties being  
experienced by the local body in  
complying with provision of these  
rules

16 Mention briefly if any innovative  
idea is implemented to tackle a  
problem related to solid waste, which  
could be replicated by other local bodies

(Sd.) .....

Executive Officer,  
Municipal Committee, Kishtwar.



**THE**  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Srinagar, Wed., the 18th Sept., 1919/27th Bhad., 1941. [ No. 24-3

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

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**SRINAGAR MUNICIPAL CORPORATION.**

Subject :ôôSrinagar Municipal Corporation Solid Waste Management  
Bye-Laws 2019.

Reference :ôô(i) OM No. GDC-51/CM/2019 dated 30-07-2019 from  
the GAD ;

(ii) Government Order No. 168-HUD of 2019  
dated 31-07-2019 issued under endorsement No. HUD/  
Lit/2018/100-NGT/SMC dated 31-07-2019.

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Notification No. 01 of 2019

Dated 18-09-2019.

In exercise of the powers conferred by Clause 9 of the  
Rule-3, Clause (e), (f), (zf) and (zg) of Rule 15 of the Solid Waste

Management Rules 2016 readwith Government Order No. 168-HUD of 2019 dated 31-07-2019 issued by Housing and Urban Development Department, the Srinagar Municipal Corporation hereby notifies the Srinagar Municipal Corporation Solid Waste Management Bye-Laws, 2019 forming Annexureö to this order for its implementation within the territorial limits of Srinagar Municipal Corporation.

(Sd.) KHURSHID AHMAD SANAI (KAS),

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or any other agency responsible for processing and disposal of  
Solid waste ;

(5) **“Bio-degradable waste”** means any organic material that can  
be degraded by micro-organism into simpler stable compounds ;

(6) **“Bio-methanation”** means a process which entails enzymatic  
decomposition of the organic matter by microbial action to produce methane  
rich biogas ;

(7) **“Brand owner”** means a person or company who sells any  
commodity under a registered brand label ;

(8) **“Bulk Garden and Parks and Horticultural Waste”** means  
bulk waste from parks, gardens etc. including grass clippings, weeds, woody  
brown carbon-rich material such as branches, twigs, wood chipping, straw,  
dead leaves, tree trimmings etc. which cannot be accommodated in the  
daily collection system for bio-degradable waste ;

(9) **“Bulk Waste Generator”** means bulk waste generator defined  
under Rule 3(1)(8) of the Solid Waste Management Rules, 2016 (hereinafter  
referred to as “SWM Rules”) and any other waste generator including  
buildings occupied by the Central Government Departments or  
undertakings, State Government Departments or undertaking, 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 sport complexes having an average waste  
generation rate exceeding 100 kg per day ;

(10) **“C&D waste (Construction and Demolition waste)”**  
means construction and demolition waste (Debris) that are non-hazardous  
in nature generated out of building materials, debris and rubble in the  
jurisdiction of Srinagar Municipal Corporation ;

(11) **“Clean Area”** means the public place in front of and all  
around or adjacent to any premises extending to the kerb side and including

(13) "Collection" means lifting and removal of solid waste from source of waste generation, collection points or any other location ;

(15) “**Combustible waste**” means non-bio-degradable, 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. ;

(17) “**Composting**” means a controlled process involving microbial decomposition of organic matter ;

(19) **“Containerized Hand Cart”** means the hand cart provided by the Srinagar Municipal Corporation or the agency/agent appointed by it for point-to-point collection of solid waste ;

(20) “**Decentralized 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 ;

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(21) **“Delivery”** means handing over any category of solid waste to worker of Srinagar Municipal Corporation or any other person appointed, authorized or licensed by Srinagar Municipal Corporation for taking delivery of such waste or depositing it in any vehicle provided by Srinagar Municipal Corporation or by any other authorized agency or licensed by Srinagar Municipal Corporation to do so ;

(22) **“Disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds ;

(23) **“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 ;

(24) **“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, multistoried building or apartments, large residential, commercial or institutional complex or premises ;

(25) **“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. ;

(26) **“Dump sites”** means a land utilized by local body for disposal of solid waste without following the principles of sanitary land filling ;

(27) **“Event”** means any gatherings for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places ;

(28) “**Extended Producer Responsibility (EPR)**” means responsibility of any producer of packaging products such as plastic, tin,

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

(30) **“Facility”** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out ;

(32) “**Fine**” means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in rules and/or these bye-laws ;

(34) “**Handling**” includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes ;

(35) “**Hazardous waste**” means any waste which by reason of any of its physical, chemical, reactive, toxic, causing danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and all other hazardous wastes as defined in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended to date and the Hazardous and other Waste (Management and Transboundary Movement) Rules, 2016 ;

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(36) **Horticulture, Parks and Garden Waste**” means waste from parks, gardens traffic island etc. These include grass clipping, annual weeds woody brown carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;

(37) **“House-gully”** means a passage or strip of land, constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filling of other polluted matter by persons employed in the clearing thereof or in the removal of such matter there from ;

(38) **“Incineration”** means an engineered process involving burning or combustion of solid waste to thermally degraded waste materials at high temperatures ;

(39) **“Inerts”** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains ;

(40) **“Informal waste collector”** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials ;

(41) **“Leachate”** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it ;

(42) **“Litter”** means all refuse and include any other waste material which, if thrown or deposited as prohibited under these bye-laws, tends to create uncleanliness or a danger or nuisance to public health, safety or welfare ;

(43) **“Littering”** means putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend blow, be washed, percolate or otherwise escape into or onto

any public place, or causing, permitting or allowing litter to fall, descend, blow, washed, percolate or otherwise escape into or onto any public place ;

(45) **“Materials Recovery Facility (MRF)”** means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity for the purpose before the waste is delivered or taken up for its processing or disposal ;

(47) “**New construction**” means all buildings under construction within the limits of the Srinagar Municipal Corporation ;

(49) **“Nuisance”** includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property ;

(51) **“Occupier/occupant”** includes any person who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever ;

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(52) **“Operator of a facility”** means a person or entity, who owns or operates a facility for handling solid waste which includes the Srinagar Municipal Corporation and any other entity or agency appointed by the Srinagar Municipal Corporation ;

(53) **“Owner”** means any person who exercises the rights of an owner of any building, or land or part thereof ;

(54) **“Pelletisation”** means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes fuel pellets which are also referred as refuse derived fuel ;

(55) **“Primary collection”** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the Srinagar Municipal Corporation ;

(56) **“Processing”** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products ;

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

(58) **“Prescribed”** means prescribed by SWM Rules and/or these bye-laws ;

(59) **“Receptacle”** means any storage container, including bins and bags, used for the storage of any category of MSW ;

(60) **“Recycling”** means the process of transforming segregated non-bio-degradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products ;

(62) **“Redevelopment”** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated ;

(63) **“Refuse”** means any waste matter generated out of different activities, processes, either Bio-degradable/Non-bio-degradable/recyclable in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form ;

(64) **“Refuse Derived Fuel (RDF)”** means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;

(65) “**Residual solid waste**” means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing ;

(66) “**Rule**” means Solid Waste Management Rules, 2016 ;

(67) “**Sanitation**” means the promotion of hygiene and the prevention of disease and other consequences of ill health relating to environmental factors ;

(68) **“Sanitary Landfill Facility”** means a waste disposal site for the deposit of residual solid waste in a facility designed with protective measures against pollution of ground water, surface water and air fugitive

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dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents,  
green house gas emissions, slope instability and erosion ;

(69) **“Sanitary land filling”** means the final and safe disposal of  
residual solid waste and inert wastes on land in a facility designed with  
protective measures against pollution of ground water, surface water and  
fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace,  
bird menace, pests or rodents, green house gas emissions, persistent  
organic pollutants slope instability and erosion ;

(70) **“Sanitary waste”** means wastes comprising of used diapers,  
sanitary towels or napkins, tampons, condoms, incontinence sheets and  
any other similar waste ;

(71) **“Sanitary worker”** means a person employed by the  
municipal corporation for collecting or removing MSW or cleansing the  
drains in the municipal/corporation areas ;

(72) **“Schedule”** means the Schedule appended to these rules ;

(73) **“Storage”** means the temporary containment of solid waste  
in a manner so as to prevent littering, attraction to vectors, stray animals  
and excessive foul odour ;

(74) **“Secondary storage”** means the temporary containment  
of solid waste after collection at secondary waste storage depots or MRFs  
or bins for onward transportation of the waste to the processing or disposal  
facility ;

(75) **“Segregation”** means sorting and separate storage of  
various components of solid waste namely bio-degradable wastes  
including agriculture and dairy waste, non-biodegradable wastes including  
recyclable waste, non-recyclable combustible waste, sanitary waste and  
non-recyclable inert waste, domestic hazardous wastes, and construction  
and demolition wastes ;

(78) **“Sorting”** means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling ;

(79) “**Source**” means the premises in which the waste is generated or a community storage centre used by owners/occupiers of one or more premises for segregated storage of MSW ;

(80) “**Spittoon**” means a metal or earthenware pot typically having a funnel-shaped top, used for spitting into ;

(81) “**Stabilising**” means the biological decomposition of bio-degradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation :

(82) “**Stabilised bio-degradable waste**” means the biologically stabilized (free of pathogens) waste resulting from the mechanical/ biological treatment of bio-degradable waste; only when stabilised can such waste be used with no further restrictions :

(83) **“Street vendor”** means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath,

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pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific ; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly ;

(84) **"Tipping fee"** means a fee or support price determined by the local authorities or any state agency authorised by the State Government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill ;

(85) **"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 ;

(86) **"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 ;

(87) **"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 ;

(88) **"User fee/Charges"** means fees or charges imposed by Srinagar Municipal Corporation, through general or special order of the Competent Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services ;

(89) **"Vacant Plot"** means any land or open space belonging to a private party/person that is not occupied by them/him ;

(90) **"Vermi composting"** means the process of conversion of bio-degradable waste into compost using earth worms ;

(91) “**Waste hierarchy**” means the priority order in which the solid waste is to 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 ;

(93) “**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, streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

## SEGREGATION AND PRIMARY STORAGE OF SOLID WASTE

(i) It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely :

- (c) domestic hazardous waste; and deposit it into covered waste bins, and handover segregated waste to designated waste collectors as per the direction of Srinagar Municipal Corporation from time to time ;

- (ii) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams, namely :<sup>66</sup>

- (a) non-biodegradable or dry waste ;  
(b) biodegradable or wet waste ;

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(c) hazardous waste in suitable bins; and handover segregated waste to authorized waste processing or disposal facilities or deposition centers through the authorized waste collection agency with paying the carrying charges specified by Srinagar Municipal Corporation from time to time ;

(iii) The colour of bins for storage of segregated waste shall be green- for biodegradable waste or wet waste, blue for non- biodegradable or dry waste and black- for domestic hazardous waste ;

(iv) All resident welfare and market associations shall ensure segregation of waste at source by the generators; 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 Srinagar Municipal Corporation ;

(v) All gated communities and institutions with more than 5,000 Sqm area shall ensure segregation of waste at source by the generators, 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 Srinagar Municipal Corporation ;

(vi) All hotels and restaurants shall ensure segregation of waste at source, 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 Srinagar Municipal Corporation ;

(vii) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating Srinagar

Municipal Corporation along with payment of user fee as prescribed in the schedule, at least three working days in advance and the 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 Srinagar Municipal Corporation ;

(viii) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a newspaper or suitable biodegradable wrapping material and place the same in the bin meant for non- biodegradable waste or dry waste ;

(ix) Every street vendor shall keep suitable containers for storage of segregated 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 Srinagar Municipal Corporation ;

(x) Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of Srinagar Municipal Corporation from time to time :

(xi) Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle which shall be provided weekly/periodically by Srinagar Municipal Corporation or any other Agency authorized by it for collection of such waste, or to a centre designed for collection of such waste for disposal in a manner that is mandated by the Government of Jammu and Kashmir or State Pollution Control Board ;

(xii) Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016 ;

(xiii) No untreated bio-medical waste, E-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed off in accordance with the respective rules framed under the Environment (Protection) Act, 1986 ;

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(xiv) Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the Srinagar Municipal Corporation collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is strictly prohibited ;

(xv) Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time ;

### **CHAPTER III**

#### **SOLID WASTE COLLECTION**

##### **5. Collection of Solid Waste:-**

(i) In compliance with SWM Rules, 2016, door to door collection of segregated solid waste shall be implemented in all areas or Wards of Srinagar Municipal Corporation to collect garbage from every house, including slums and informal settlements on a daily basis by integrating the informal door to door collection system with Srinagar Municipal Corporation collection system.

(ii) In order to collect garbage from every house, area-wise specific time slot shall be set and published at conspicuous parts of that area and on the website of Srinagar Municipal Corporation. Commonly, time for house to house garbage collection shall be set from 5.30 AM to 10.30 AM for summer and for winter 7.00 AM to 11.00 AM. For collection of garbage from trading establishments, shops in commercial areas or any other institutional waste generators, commonly the time shall be from 7.30 AM to 11.00 AM. However, sweeping can be undertaken twice daily if required at public and commercial places. The timing for collection of garbage from the trading establishments, shops in commercial areas or

any other institutional waste generators shall be decided by the Srinagar Municipal Corporation accordingly.

(iv) Residual solid waste from vegetable, fruit, flower, meat, poultry and fish market shall be collected on day to day basis.

(vi) To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.

(viii) Waste generators shall be responsible to deposit their segregated waste in the Auto-Tipper/Rickshaws etc. deployed by Srinagar Municipal Corporation. Segregated waste from multi-storied buildings, apartments, housing complexes may be collected from the entry gate or any other designated location.

(ix) Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.

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(x) Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.

(xi) Route plans for each primary collection and transportation vehicle shall be provided by Srinagar Municipal Corporation or by the notified authorized waste collector. These plans in tabular as well as GIS map form, duly approved by Srinagar Municipal Corporation shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified route. Srinagar Municipal Corporation or the notified authorized waste collector shall provide a Board at each street to display time table of primary collection and transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of Srinagar Municipal Corporation and published in the local leading newspaper periodically for the information of General Public.

(xii) In narrow streets that cannot be serviced by auto-tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

(xiii) In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle Rickshaws or any other type of suitable equipment shall be deployed.

(xiv) Smaller, narrow and congested streets/lanes where even a 3-wheeler/rickshaw etc. cannot operate, vantage points shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of Srinagar Municipal Corporation.

(xv) Auto-tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. Dhalaos, open sites, ground, bins and drains etc.

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(xvi) Srinagar Municipal Corporation or its notified authorized waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

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## **CHAPTER IV SECONDARY STORAGE OF SOLID WASTE**

### **6. Storage of solid waste in the secondary storage points:-**

(i) Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by Srinagar Municipal Corporation for secondary storage of waste ;

(ii) Such secondary storage points shall have covered containers (of specified colour) for separate storage ofô

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste.

(iii) Different containers shall be used in the areas demarcated by Srinagar Municipal Corporation to keep segregated waste in the following manner :ôô

- green- for biodegradable waste ;
- blue - for non-biodegradable ;
- black - for domestic hazardous waste.

Srinagar Municipal Corporation shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.

(iv) Srinagar Municipal Corporation on its own or through outsourcing agencies shall maintain the storage facilities for solid waste in a manner that does not create unhygienic and unsanitary conditions around it ;

(v) Containers of various sizes in the secondary storage depots shall be provided by Srinagar Municipal Corporation or any assigned agencies in different colours as mentioned in these bye-laws ;

(vi) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population ;

(vii) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere ;

(vii) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere ;

(viii) All the housing co-operative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited ;

(ix) Srinagar Municipal Corporation or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis ;

(x) Recycling Centres for Dry Waste (Non-Biodegradable Waste)ô

a. Srinagar Municipal Corporation shall convert its existing Dhalaos or identify specific location as per requirement, as ~~Recycling Centres~~ which shall be used for segregation of dry waste received through street/door to door waste collection service. Recycling centres may be increased depending on the quantity of dry waste received ;

b. Dry (non-biodegradable) waste from street /door- to-door collection system and from commercial establishments shall be transferred only to these designated recycling centres. These designated centres shall receive only dry waste ;

- (xi) Deposition Centre for specified Domestic Hazardous Waste
  - a. For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed and notify the timing of receiving of such waste.
  - b. Srinagar Municipal Corporation may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.
  - c. Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

## CHAPTER V

## TRANSPORTATION OF SOLID WASTE

### 7. Transportation of solid Waste :—

- (i) Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by Srinagar Municipal Corporation ;
- (ii) The storage facilities set up by Srinagar Municipal Corporation shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned ;

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(iii) Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost plants, bio- methanation plants or any such other facilities in a covered manner ;

(iv) Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste ;

(v) Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities ;

(vi) Construction and Demolition Waste shall be transported as per the provisions of the Construction and Demolition Waste Management Rules, 2016 ;

(vii) Srinagar Municipal Corporation shall make arrangements for transportation of inerts in a proper manner. The street sweeping waste and removable drain silt shall be removed immediately after the work is over ;

(viii) Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided ;

(ix) The collection vehicles engaged for the purpose shall deposit/transfer waste only at the MTS (Mobile Transfer Station) or FCTS (Fixed Compactor Transfer Stations) wherever provided ;

(x) In case MTS/FCTS is not stationed at the designated location at that point of time for any reason, then the loaded vehicle shall go to the next designated location of the MTS or FCTS or the site specified by Srinagar Municipal Corporation to unload the waste ;

(xi) Fixed compactor transfer station shall be transported through hook loader ;

(xii) MTS or FCTS shall transport the waste directly to compost plant, waste to energy plant or any other site/plant designated by Srinagar Municipal Corporation ;

(xiii) There should be no inter-mixing of waste from various sources during the transportation of waste ;

(a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as

bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste ;

(b) through medium/large composting bio-methanation plants at centralised locations ;

(c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants ; and/or

(d) through construction and demolition waste management plants ;

(ii) Srinagar Municipal Corporation shall endeavour to create a market for consumption of RDF (Refuse Derived Fuel). The cement factories are liable to take RDF from municipal dumping sites who have to use RDF to the order of 5% of the total fuel burnt by them in their kilns ;

(iii) In waste to energy plant by direct incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the relevant contracts ;

(iv) Srinagar Municipal Corporation shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorized recyclers ;

## 9. Other guidelines for processing of solid waste

(i) Srinagar Municipal Corporation shall enforce processing of biodegradable waste on site of generation of such waste through composting or bio-methanation, as far as possible, at RWAs (Resident Welfare Associations), group housing societies, markets, gated communities and institutions with more than 5000 sqm areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for onsite processing of biodegradable waste generated by other waste generators as well ;

(ii) Bulk generators who fail to install waste processing units within their premises shall be liable for fine to install such processing units with

time line envisaged in the notices. If they perpetually fail to establish waste disposal system within six months after first notice issued to them, the Srinagar Municipal Corporation is empowered to seal such erring bulk waste generating business establishments ;

(iii) Srinagar Municipal Corporation shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions ;

(iv) Srinagar Municipal Corporation shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens by the generators ;

(v) Srinagar Municipal Corporation shall involve communities in waste management and promote home composting, bio-gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility ;

(vi) The waste generator has to pay user charges/sanitation fee to the local bodies inspite of the fact if they process their waste at their institutional level.

## CHAPTER VII

## DISPOSAL OF SOLID WASTE

### 10. Disposal of Solid waste :—

Srinagar Municipal Corporation shall undertake on its own or through any other agency, the construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual waste and inert street sweepings and silt from surface drains in a manner prescribed under SWM Rules and any other obligation imposed by any other law for the time being in force.

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## **CHAPTER VIII**

### **USER FEE AND LEVYING OF SPOT FINE/PENALTY**

#### **11. User fee for collection, transportation, disposal of solid waste :—**

(a) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by Srinagar Municipal Corporation. The rates of user fee are specified in Schedule-I ;

(b) The user fee so fixed shall be collected from waste generators by Srinagar Municipal Corporation or the authorised agency or person as may be authorized by Commissioner of Srinagar Municipal Corporation in this behalf ;

(c) Srinagar Municipal Corporation shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/ recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly ;

(d) Srinagar Municipal Corporation shall adopt different methods for collection of user fee including online payment ;

(e) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee ;

(f) There shall also be a system of yearly or half yearly payment. If the user fee is paid in advance for the entire year, then amount for ten months will be charged instead of twelve months. Similarly, for six months advance payment, five and half months demand amount will be charged instead of six months ;

(g) The user fee mentioned in Schedule-I shall stand automatically increased by 5% after every 3 years with effect from 1<sup>st</sup> January of the year ;

(h) The user fee shall be collected only by the institution/person authorized by the competent authority by a general or special order in this behalf ;

(a) Whosoever, contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws ;

(b) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be ;

(c) The Commissioner shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II ;

(d) The fine or penalty mentioned in Schedule-II shall stand automatically increased by 5% after every 3 years with effect from 1<sup>st</sup> January of the year ;

(e) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the procedure for prosecution prescribed under provisions of the Environment (Protection) Act, 1986 shall follow ;

(f) In realization of fines imposed on defaulters, the J&K State Pollution Control Board shall not renew the licenses of hotels and other business units unless an NOC is not procured by the business unit/s from the concerned Srinagar Municipal Corporation ;

(g) Fine shall be imposed on the hospitals and allied concerns if they are found mixing bio-medical wastes with municipal solid waste ;

(h) Charges for the material recovery by rag pickers or waste dealers to be decided by the concerned Local Bodies ;

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(i) Concession to bulk purchasers of compost/plastic/tin and recyclables on the price of by product, if any, as a result of processing of Solid Waste shall be decided by the Srinagar Municipal Corporation ;

(j) The cement manufacturing units shall be responsible to lift the RDF from municipal dumping sites and their license renewals shall remain linked with Srinagar Municipal Corporation NOCø ;

(k) Tippers ferrying building material and causing avoidable waste on the streets shall be liable for fine to be decided by the Srinagar Municipal Corporation but not less than Rupees Five Hundred (500/-) per default.

### **13. Responsibilities of Waste Generators :—**

(i) Prohibition of littering

(a) Littering in any public place No person shall litter in any public place except in authorized public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes ;

(b) Littering on any property No person shall litter on any open or vacant property except in authorized private or public receptacles ;

(c) Litter-throwing from vehicles No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place. No vehicle shall be washed on roads, river banks, near public parks, water bodies ;

(d) Litter from goods vehicles No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place ;

(e) Litter by owned/pet animals It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up

any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system ;

(ii) Burning of waste Disposal by burning of any type of solid waste at public places or at any private or public property is strictly prohibited ;

(iv) For Public Gatherings and Events organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police Department and/or from the Srinagar Municipal Corporation is required, it will be the responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas ;

(v) Refundable Cleanliness Deposit, as may be notified by the Srinagar Municipal Corporation, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organisers of the event wish to *avail* of the services of the Srinagar Municipal Corporation for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the Commissioner, SMC for availing the services and pay the necessary charges as may be fixed by the Competent Authority for this purpose ;



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(b) 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 ;

(c) 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 ;

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

(viii) All industrial units using fuel and located within one hundred km from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced ;

#### **14. Responsibilities of Srinagar Municipal Corporation :—**

(i) Srinagar Municipal Corporation shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which Srinagar Municipal Corporation may engage private parties on contract or Public Private Partnership mechanism with the prior approval of Govt., apart from its own cleaning staff and vehicles. In addition, Srinagar Municipal Corporation shall identify all the commercial areas for carrying out sweeping twice a day ;

(ii) Srinagar Municipal Corporation or the authorized agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc. ;

(iii) Srinagar Municipal Corporation for the purpose of managing solid waste activities in decentralized and regular manner shall designate

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one officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc. ;

(iv) The competent authority shall designate sufficient senior Officer/s, preferably not below the rank of Additional Deputy Commissioner or equivalent, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste ;

(v) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions ;

(vi) Srinagar Municipal Corporation shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning ;

(vii) Srinagar Municipal Corporation shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of Solid Waste Management Rules and these bye-laws with special emphasis on user fee and fines/penalties ;

(viii) Srinagar Municipal Corporation shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households. RWAs and institutions etc. by giving certificates by publishing their names on respective websites or rebate in property tax etc. ;

(ix) Srinagar Municipal Corporation shall ensure that the authorities of Agriculture Department, Floriculture Department, Horticulture, SKAUST are supplied with sufficient quantity of compost generated out of organic waste to phase out the use of chemical fertilizers and use compost in all

(xi) Srinagar Municipal Corporation shall 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 ;

(xii) Srinagar Municipal Corporation shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection transport and handling of waste by providing appropriate and adequate personal protective equipments ;

(xiii) 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 Srinagar Municipal Corporation immediately which shall review and issue instructions, if any, to the in-charge of the facility ;

(xiv) Regular checks The Commissioners, Joint Commissioners/ Additional Deputy Commissioner or equivalent or any other officer authorised by the Commissioner shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye-laws ;

(xv) Srinagar Municipal Corporation shall develop a Public Grievance Redressal System (PGRS) by setting up of Call Centre at its headquarter. The PGRS may include SMS based service mobile application or web based services ;

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(xvi) Srinagar Municipal Corporation shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at HQ/all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration ;

(xvii) Transparency and Public Accessibility: To ensure greater transparency and public accessibility, Srinagar Municipal Corporation shall provide all necessary information through its website ;

(xviii) Srinagar Municipal Corporation shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws ;

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## **CHAPTER X**

### **MISCELLANEOUS**

15. If any doubt or difficulty arises in the interpretation or implementation of these bye-laws the same shall be placed before Administrative Secretary of Housing and Urban Development Department, whose decision in the matter shall be final ;

16. Co-ordination with Government Bodies : Srinagar Municipal Corporation shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies. In case of any difficulty matter shall be placed before Chief Secretary of Government of J&K ;

17. The Competent authority may issue general or special orders from time to time for proper implementation of Solid Waste Management Rules, 2016 and these bye- laws.

#### **18. Right to Appeal :—**

Any person aggrieved or affected by Jammu and Kashmir Solid Waste Management Bye-Laws, 2018 shall have the right to appeal before Commissioner, Municipal Corporation within 30 days and in case he is not

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 satisfied with the disposal of Commissioner concerned, the second appellate  
 authority shall be Administrative Secretary of Housing and Urban  
 Development Department whose decision shall be final and binding.

#### 19. Jurisdiction :—

For filing cases against the Bye-Laws, the Jurisdiction is Jammu  
 and Srinagar only.

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#### Schedule – I

#### USER FEE SOLID WASTE MANAGEMENT

S. No.	Categories	User Fee from each premises/House/Dwelling Unit/Flat per month (In Rupees)
1	2	3
Municipal Corporations		
1.	Residential dwelling unit (Covered area)	
	i. Up to 2000 Sq. ft.	100
	ii. Over 2000 Sq. ft.	200
2.	Street Vendor	100
3.	Commercial Establishments, Shops, eating places ( <b>Dhaba/Sweet/Shops/ Coffeehouse, saloon etc.</b> )	500
4.	Guest House/Dharamshalas/Hostels/ Paying Guest	2000
5.	Restaurant upto sitting of 50 person	1000
6.	Restaurant with sitting of more than 50 persons	2500
7.	Hotel (Up to 3 star)	3000

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1	2	3
8.	Hotel (above 3 star)	5000
9.	Commercial offices, government officers, bank, insurance offices, coaching classes, educational institutes etc.	1800
10.	Kinder Garten, Cretches etc.	66
11.	Clinic, dispensary, laboratories,	2000
12(a).	Nursing homes (upto 50 beds) only non-biomedical waste.	2500
12(b).	Hospital, Nursing Homes (above 50 beds)	5000
13.	Small and cottage industry, Workshop (only non-hazardous waste)	2000
14.	Godowns, cold storages (only non-hazardous waste)	4000
15.	Automobiles, showrooms	3000
16.	Service Stations, Automobile, workshops	2000
17.	Marriage/Party Hall, Festivals Hall, Party Lawns, exhibition and fairs.	5000
18.	Clubs, Cinemas Halls, pubs, multiplexes and other such places	4500
19.	Any other non-commercial, commercial, religious or charitable institution not covered in any of above categories	1000
20.	Dairies and Kennels	2000
21.	Other places/activity not marked as above	as decided by the Commissioner SMC by general or special order.

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1	2	3	4	5
1.	Rule 4 (1) (a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the rule	Residential  Marriage/Party Halls, Farms, Banquet Hall, Festivals Halls, Party Lawns, Shopping Malls, etc.  Clubs, Multiplexes, Cinemas Halls, Pubs, Community Halls, Exhibition and Fairs and other such places	500  10,000  5000
2.	Rule 4 (1)(b) and (d) of SWM Rules	Failure to deal with sanitary waste in accordance with the Rule. Failure to deal with Horticulture waste and garden waste in accordance with the Rule	Residential  Non-Residential	500  1000
3.	Rule 4 (1)(c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the rule	Residential  Non-Residential	2000  5000





**FORM-A**

## APPLICATION FOR REMITTING SOLID WASTE MANAGEMENT USER CHARGES

From

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1 1 1 1 1 1 1 1 1 1 1 1 1 1

To

The Commissioner,  
Srinagar Municipal Corporation.

Sir,

[illegible]

I/We further affirm to state that in the event I/We change the place of business I/We would duly intimate the Commissioner, SMC/JMC/Local Bodies in writing before 30 days for the consequent action to be taken for cancellation of the SWM user charges.

Yours faithfully,

(Signature of the applicant  
with date)

EXTRAORDINARY

REGD. NO. JKô 33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Wed., the 25th Sept., 2019/3rd Asv., 1941. [No. 25-17

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR,  
DEPARTMENT OF URBAN LOCAL BODIES, KASHMIR, SRINAGAR  
OFFICE OF THE MUNICIPAL COMMITTEE, KUNZER.

Subject :ô J&K Municipal Committee, Kunzer-Solid Waste Management  
Bye-Laws, 2019.

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**Notification**

In terms of Rule 3 (9) r/w Rule 15 (e), (zf) and (zg) of Solid Waste Management Rules, 2016, the J&K Municipal Committee, Kunzer Solid Waste Management Bye-Laws, 2019 already published by Housing and Urban Development Department vide Govt. Order No. 168-HUD of 2019 dated 03-07-2019 is hereby notified for adoption and implementation within the limits of Municipal Committee, Kunzer. The copy of Bye-Laws is available at the Office of Municipal Committee, Kunzer and can be visited on website of Housing and Urban Development Department.

(Sd.) .....

Executive Officer,  
Municipal Committee, Kunzer.

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JAMMU AND KASHMIR GOVERNMENT,  
MODEL SOLID WASTE MANAGEMENT BYE-LAWS, 2019.

CHAPTER I

1. *Short Title and Commencement.* (1) These bye-laws shall be called the Municipal Committee, Kunzer Solid Waste Management Bye-Laws, 2019.

(2) They shall come into force on the date of their publication in the J&K Government Gazette.

2. *Extent of Application.* These bye-laws shall be applicable within the territorial limits of Municipal Committee, Kunzer.

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

- (1) “**Agency**” means Municipal Committee, Kunzer ;
- (2) “**Aerobic composting**” means a controlled process involving microbial decomposition of organic matter in the presence of oxygen ;
- (3) “**Anaerobic digestion**” means a controlled process involving microbial decomposition of organic matter in the absence of oxygen ;
- (4) “**Authorization**” means the permission given by the State Pollution Control Board, to the operator of a facility or Urban Local authority, or any other agency responsible for processing and disposal of Solid waste ;
- (5) “**Biodegradable waste**” means any organic material that can be degraded by micro-organism into simpler stable compounds ;
- (6) “**Bio-methanation**” means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas ;
- (7) “**Brand owner**” means a person or company who sells any commodity under a registered brand label ;

- (8) **“Bulk Garden and Parks & Horticultural Waste”** means bulk waste from parks, gardens etc. including grass clippings, weeds, woody -brown carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;
- (9) **“Bulk Waste Generator”** means bulk waste generator defined under Rule 3(1)(8) of the Solid Waste Management Rules, 2016 (hereinafter referred to as 'SWM Rules') and any other waste generator including buildings occupied by the Central Government departments or undertakings, State Government departments or undertaking, 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 sport complexes having an average waste generation rate exceeding 100 Kg. per day ;
- (10) **“C&D waste (Construction and Demolition waste)”** means Construction and Demolition Waste (Debris) that are non-hazardous in nature generated out of building materials, debris and rubble in the jurisdiction of Municipal Committee, Kunzer.
- (11) **“Clean Area”** means the public place in front of and all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb cleaned and so maintained in accordance with these bye-laws ;
- (12) **“Cleanliness Fee”** means an amount of fees collected by the managers/Organizers for cleaning the site by the Agency ;
- (13) **“Collection”** means lifting and removal of solid waste from source of waste generation, collection points or any other location ;

- (14) **“Collection Counter”** means where the user charges shall be remitted which will be available at all Zonal Officers and headquarters.
- (15) **“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.;
- (16) **“Community waste storage bin”** means any storage facility setup and maintained by the Municipal Committee, Kunzer, in the State collectively by owners and or/occupiers of one or more premises for storage of Municipal Solid Waste in a segregated manner in the road side/premises of anyone of such owners/occupiers or in their common premises ;
- (17) **“Composting”** means a controlled process involving microbial decomposition of organic matter ;
- (18) **“Co-processing”** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes ;
- (19) **“Containerised Hand Cart”** means the hand cart provided by the Municipal Committee, Kunzer or the agency/agent appointed by it for point-to-point collection of solid waste ;
- (20) **“Decentralized processing”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal ;
- (21) **“Delivery”** means handing over any category of solid waste to worker of Municipal Committee, Kunzer or any other person appointed, authorised or licensed by Municipal

Municipal Committee, Kunzer for taking delivery of such waste or depositing it in any vehicle provided by Municipal Committee, Kunzer, or by any other authorised agency or licensed by Municipal Committee, Kunzer, to do so ;

- (22) **“Disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds ;
- (23) **“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 ;
- (24) **“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, multistoried building or apartments, large residential, commercial or institutional complex or premises ;
- (25) **“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. ;
- (26) **“Dump sites”** means a land utilized by local body for disposal of solid waste without following the principles of sanitary land filling ;
- (27) **“Event”** means any gatherings for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places.

- (28) **“Extended producer responsibility”** (EPR) means responsibility of any producer of packaging products such as plastic, tin, glass, wrappers and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products ;
- (29) **“E-waste”** shall have the same meaning as defined under Rule 3(l) (r) of the E-Waste (Management) Rules, 2016.
- (30) **“Facility”** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out ;
- (31) **“Familiarization/warning period”** means that specific period, during which there is a relaxation in the fines for contravention of these bye-laws ;
- (32) **“Fine”** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non- compliance of the directions contained in rules and/or these bye-laws ;
- (33) **“Fixed Compactor Transfer Station (FCTS)”** means a powered machine which is designed to compact segregated solid waste and remains stationary when in operation. The compacts or may also be mobile when in operation, which may be called Mobile Transfer Station (MTS).
- (34) **“Handling”** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes ;
- (35) **“Hazardous waste”** means any waste which by reason of any of its physical, chemical, reactive, toxic, causing danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and all other hazardous wastes as defined in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended

to date and the Hazardous and other waste (Management and Transboundary Movement) Rules, 2016.

- (36) **“Horticulture, Parks and Garden Waste”** means waste from parks, gardens traffic island etc. These include grass clipping, annual weeds woody 'brown' carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;
- (37) **“House-gully”** means a passage or strip of land, constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filling of other polluted matter by persons employed in the clearing thereof or in the removal of such matter therefrom.
- (38) **“Incineration”** means an engineered process involving burning or combustion of solid waste to thermally degraded waste materials at high temperatures ;
- (39) **“Inerts”** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains ;
- (40) **“Informal waste collector”** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials ;
- (41) **“Leachate”** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it ;
- (42) **“Litter”** means all refuse and includes any other waste material which, if thrown or deposited as prohibited under these Bye-Laws, tends to create uncleanness or a danger or nuisance to public health, safety or welfare.
- (43) **“Littering”** means putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise

escapes or is likely to fall, descend blow, be washed, percolate or otherwise escape into or onto any public place, or causing, permitting or allowing litter to fall, descend, blow, washed, percolate or otherwise escape into or onto any public place.

- (44) **“Local body”** for the purpose of these bye-laws means JMC/SMC and other Local Bodies including Municipal Councils, Municipal Committees, Town Area Committees, in the State.
- (45) **“Materials Recovery facility”** (MRF) means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity for the purpose before the waste is delivered or taken up for its processing or disposal ;
- (46) **“Neighbourhood”** means a clearly defined locality, with reference to its physical layout, character or inhabitants ;
- (47) **“New construction”** means all buildings under construction within the limits of the Municipal Committee, Kunzer ;
- (48) **“Non-biodegradable waste”** means any waste that cannot be degraded by microorganisms into simpler stable compounds ;
- (49) **“Nuisance”** includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property ;
- (50) **“Nuisance Detectors”** (NOs) means those employees of the Municipal Committee, Kunzer who are appointed to detect the acts of Public nuisance, etc. ;

- (51) **“Occupier/occupant”** includes any person who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever ;
- (52) **“Operator of a facility”** means a person or entity, who owns or operates a facility for handling solid waste which includes the Municipal Committee, Kunzer and any other entity or agency appointed by the Municipal Committee, Kunzer ;
- (53) **“Owner”** means any person who exercises the rights of an owner of any building, or land or part thereof ;
- (54) **“Pelletisation”** means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes, fuel pellets which are also referred as refuse derived fuel ;
- (55) **“Primary collection”** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the Municipal Committee, Kunzer.
- (56) **“Processing”** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products ;
- (57) **“Public place”** includes any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc. ;
- (58) **“Prescribed”** means prescribed by SWM Rules and/or these bye-laws ;

- (59) **“Receptacle”** means any storage container, including bins and bags, used for the storage of any category of MSW ;
- (60) **“Recycling”** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which mayor may not be similar to the original products ;
- (61) **“Recyclable Waste”** means the waste that is commonly found in the MSW. It is also called as "Dry Waste". These include many kinds of glass, paper, metal, plastic, textiles, electronics goods, etc.
- (62) **“Redevelopment”** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated ;
- (63) **“Refuse”** means any waste matter generated out of different activities, processes, either Bio-degradable/Non-biodegradable/recyclable in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form.
- (64) **“Refuse Derived Fuel” (RDF)** means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;
- (65) **“Residual solid waste”** means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing ;
- (66) **“Rule”** means Solid Waste Management Rules, 2016 ;
- (67) **“Sanitation”** means the promotion of hygiene and the prevention of disease and other consequences of ill health

relating to environmental factors ;

- (68) **“Sanitary Landfill Facility”** means a waste disposal site for the deposit of residual solid waste in a facility designed with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion ;
- (69) **“Sanitary land filling”** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion ;
- (70) **“Sanitary waste”** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste ;
- (71) **“Sanitary worker”** means a person employed by the municipal corporation for collecting or removing MSW or cleansing the drains in the municipal/corporation areas ;
- (72) **“Schedule”** means the Schedule appended to these rules ;
- (73) **“Storage”** means the temporary containment of solid waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour ;
- (74) **“Secondary storage”** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility ;
- (75) **“Segregation”** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-

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

- (76) **“Service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc. ;
- (77) **“Solid waste”** means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste, Hazardous waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities ;
- (78) **“Sorting”** means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling ;
- (79) **“Source”** means the premises in which the waste is generated or a community storage centre used by owners/occupiers of one or more premises for segregated storage of MSW ;
- (80) **“Spittoon”** means a metal or earthenware pot typically having a funnel-shaped top, used for spitting into.
- (81) **“Stabilising”** means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation ;
- (82) **“Stabilised biodegradable waste”** means the biologically stabilized (free of pathogens) waste resulting from the mechanical/biological treatment of bio degradable waste ; only when stabilised can such waste be used with no further restrictions ;

- (83) **“Street vendor”** means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street vending” with their grammatical variations and cognate expressions, shall be construed accordingly ;
- (84) **“Tipping fee”** means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill ;
- (85) **“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 ;
- (86) **“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 ;
- (87) **“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 ;
- (88) **“User fee/Charges”** means fees or charges imposed by Municipal Committee, Kunzer through general or special order of the Competent Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services ;

- (89) **“Vacant Plot”** means any Land or open space belonging to a private party/person that is not occupied by them/him ;
- (90) **“Vermi composting”** means the process of conversion of bio-degradable waste into compost using earth worms ;
- (91) **“Waste hierarchy”** means the priority order in which the solid waste is to 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 ;
- (92) **“Waste generator”** means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, defence establishments, which generate solid waste or other institutions i. e. Hotels, restaurants, malls, private/government business/industrial establishments falling within the limits of Municipal Committee, Kunzer.
- (93) **“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, streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

## CHAPTER II

### Segregation and Primary Storage of Solid Waste

#### 4. *Segregation and storage of solid waste at source.*

(1) It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste; and deposit it into covered waste bins, and handover segregated waste to designated waste

collectors as per the direction of Municipal Committee, Kunzer, from time to time.

(2) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely :ô

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) hazardous waste in suitable bins ; and handover segregated waste to authorised waste processing or disposal facilities or deposition centres through the authorised waste collection agency with paying the carrying charges specified by Municipal Committee, Kunzer from time to time.

(3) The colour of bins for storage of segregated waste shall be green- for biodegradable waste or wet waste blue - for non- biodegradable or dry waste and black- for domestic hazardous waste.

(4) All resident welfare and market associations shall ensure segregation of waste at source by the generators, 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 of 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 Municipal Committee, Kunzer.

(5) All gated communities and institutions with more than 5,000 sq. m. area shall ensure segregation of waste at source by the generators, 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 Municipal Committee, Kunzer.

(6) All hotels and restaurants shall ensure segregation of waste at source, 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 of 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 Municipal Committee, Kunzer.

(7) No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating Municipal Committee, Kunzer along with payment of user fee as prescribed in the schedule, at least three working days in advance and the person or the organizer of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by Municipal Committee, Kunzer.

(8) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a news paper or suitable biodegradable wrapping material and place the same in the bin meant for non-biodegradable waste or dry waste.

(9) Every street vendor shall keep suitable containers for storage of segregate 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 Municipal Committee, Kunzer.

(10) Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of Municipal Committee, Kunzer from time to time.

(11) Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle which shall be provided weekly/periodically by Municipal Committee, Kunzer or any other Agency authorised by it for collection of such waste, or to a centre designed for collection of such waste for disposal in a manner that is mandated by the Government of Jammu and Kashmir or State Pollution Control Board.

(12) Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016.

(13) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed off in accordance with the respective rules framed under the Environment (Protection) Act, 1986.

(14) Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the Municipal Committee, Kunzer collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is strictly prohibited.

(15) Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.

### CHAPTER III

#### **Solid Waste Collection**

5. *Collection of Solid Waste.* (1) In compliance with SWM Rules, 2016, door to door collection of segregated solid waste shall be implemented in all areas or Wards of Municipal Committee, Kunzer, to collect garbage from every house, including slums and informal settlements on a daily basis by integrating the informal door to door collection system with Municipal Committee, Kunzer collection system.

(2) In order to collect garbage from every house, area-wise specific time slot shall be set and published at conspicuous parts of that area and on the website of Municipal Committee, Kunzer. Commonly, time for house to house garbage collection shall be set from 5.30 A. M. to 10.30 A. M. for summer and for winter 7:00 A. M. to 11:00 A. M. For collection of garbage from trading establishments, shops in commercial

areas or any other institutional waste generators, commonly the time shall be from 7.30 A. M. to 11.00 A. M. However, sweeping can be undertaken twice daily, if required at public and commercial places. The timing for collection of garbage from the trading establishments, shops in commercial areas or any other institutional waste generators shall be decided by the Municipal Committee, Kunzer accordingly.

(3) Arrangements shall be made for collection of residual solid waste from bulk waste generators, which are processing waste *in situ*.

(4) Residual solid waste from vegetable, fruit, flower, meat, poultry and fish market shall be collected on day to day basis.

(5) Horticulture and garden waste shall be separately collected and disposed off. One or two days in a week shall be specified for this purpose.

(6) To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.

(7) Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.

(8) Waste generators shall be responsible to deposit their segregated waste in the Auto-Tipper/Rickshaws etc. deployed by Municipal Committee, Kunzer. Segregated waste from multistoried buildings, apartments, housing complexes may be collected from the entry gate or any other designated location.

(9) Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.

(10) Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.

(11) Route plans for each primary collection and transportation vehicle shall be provided by Municipal Committee, Kunzer or by the notified authorised waste collector. These plans in tabular as well as GIS map form, duly approved by Municipal Committee, Kunzer shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified route. Municipal Committee, Kunzer or the notified authorised waste collector shall provide a 'Board' at each street to display time-table of primary collection and transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of Municipal Committee, Kunzer and published in the local leading newspaper periodically for the information of General Public.

(12) In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

(13) In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.

(14) Smaller, narrow and congested streets/lanes where even a 3-wheeler/ rickshaw etc. cannot operate, vantage points shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of Municipal Committee, Kunzer.

(15) Auto tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. dhalaos, open sites, ground, bins and drains etc.

(16) Municipal Committee, Kunzer or its notified authorised waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

#### CHAPTER IV

##### **Secondary Storage of Solid Waste**

###### *6. Storage of solid waste in the secondary storage points.*

(1) Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by Municipal Committee, Kunzer for secondary storage of waste.

(2) Such secondary storage points shall have covered containers (of specified colour) for separate storage of :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste ;

(3) Different containers shall be used in the areas demarcated by Municipal Committee, Kunzer to keep segregated waste in the following manner :

- (a) green- for biodegradable waste ;
- (b) blue - for non-biodegradable ;
- (c) black - for domestic hazardous waste ;

Municipal Committee, Kunzer shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.

(4) Municipal Committee, Kunzer on its own or through outsourcing agencies shall maintain the storage facilities for solid waste

in a manner that does not create unhygienic and unsanitary conditions around it.

(5) Containers of various sizes in the secondary storage depots shall be provided by Municipal Committee, Kunzer or any assigned agencies in different colours as mentioned in these bye-laws.

(6) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population.

(7) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere.

(8) All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.

(9) Municipal Committee, Kunzer or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.

(10) Recycling Centers for Dry Waste (Non-Biodegradable Waste)ô

- (a) Municipal Committee, Kunzer shall convert its existing Dhalaos or identify specific location as per requirement, as 'Recycling Centers' which shall be used for segregation of dry waste received through street/door to door waste collection service. Recycling centers may be increased depending on the quantity of dry waste received.
- (b) Dry (non-biodegradable) waste from street/door-to-door collection system and from commercial establishments shall be transferred only to these designated recycling centers. These designated centers shall receive only dry waste.
- (c) There shall also be a provision for the households to directly deposit or sell their recyclable dry waste to the authorised agents and/or authorised waste dealers of Municipal Committee, Kunzer at these recycling centers at pre-notified

rates. A weighing scale and a counter shall be provided at each recycling unit for this purpose. The authorised agents and/or authorised waste dealers shall be allowed to dispose off or sell the recyclable waste to the secondary market or recycling units only in consonance with the provisions of SWM Rules, 2016. The authorised agents and/or authorised waste dealers will be entitled to retain sales realization thereof.

(11) Deposition Centre for specified Domestic Hazardous Waste

- (a) For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed and notify the timing of receiving of such waste.
- (b) Municipal Committee, Kunzer may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.
- (c) Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

## CHAPTER V

### Transportation of Solid Waste

7. *Transportation of solid waste.* (1) Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by Municipal Committee, Kunzer.

(2) The storage facilities set up by Municipal Committee, Kunzer shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned.

(3) Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost

plants, bio-methanation plants or any such other facilities in a covered manner.

(4) Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste.

(5) Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities.

(6) Construction and Demolition Waste shall be transported as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

(7) Municipal Committee, Kunzer shall make arrangements for transportation of inerts in a proper manner. The street sweeping waste and removable drain silt shall be removed immediately after the work is over.

(8) Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.

(9) The collection vehicles engaged for the purpose shall deposit/transfer waste only at the MTS (Mobile Transfer Station) or FCTS (Fixed compactor Transfer Stations) wherever provided.

(10) In case MTS/FCTS is not stationed at the designated location at that point of time for any reason, then the 'loaded vehicle' shall go to the next designated location of the MTS or FCTS or the site specified by Municipal Committee, Kunzer to unload the waste.

(11) Fixed compactor transfer station shall be transported through hook loader.

(12) MTS or FCTS shall transport the waste directly to compost plant, waste to energy plant or any other site/plant designated by Municipal Committee, Kunzer.

(13) There should be no inter-mixing of waste from various sources during the transportation of waste.

(14) The services of street level collection and transportation of waste shall be provided every day including holidays.

(15) MTS engaged in this service shall receive waste only from designated auto tippers, 3-wheelers or vehicle/bins collecting waste from street level operations.

(16) Dedicated MTS shall be deployed at specified locations to receive waste from the Auto Tippers, 3-Wheelers, Rickshaws etc. engaged in street-level and door-to-door collection of solid waste from households and commercial establishments as per the approved route plans.

(17) Design of MTS and FCTS shall allow unloading of waste from primary collection vehicles by consuming minimum time and without littering waste.

(18) Garbage spilled near MTS and FCTS, while transferring the solid waste, should be cleaned so that no spillage is left. Disinfectant should be used after cleaning process at that location.

(19) Municipal Committee, Kunzer or its specified agency shall install CCTV cameras at all secondary storage facilities.

## CHAPTER VI

### Processing of Solid Waste

8. *Processing of solid waste.* (1) Municipal Committee, Kunzer shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board :

- (a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste ;

- (b) through medium/large composting bio-methanation plants at centralised locations ;
- (c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feed stock to solid waste based power plants ; and/or
- (d) through construction and demolition waste management plants.

(2) Municipal Committee, Kunzer shall endeavour to create a market for consumption of RDF (Refuse Derived Fuel). The cement factories are liable to take RDF from municipal dumping sites who have to use RDF to the order of 5% of the total fuel burnt by them in their kilns.

(3) In waste to energy plant by direct incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the relevant contracts.

(4) Municipal Committee, Kunzer shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorised recyclers.

9. *Other guidelines for processing of solid waste.* (1) Municipal Committee, Kunzer shall enforce processing of bio-degradable waste on site of generation of such waste through composting or bio-methanation, as far as possible, at RWAs (Resident Welfare Associations), group housing societies, markets, gated communities and institutions with more than 5000 sq. m. areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for on site processing of biodegradable waste generated by other waste generators as well.

(2) Bulk generators who fail to install waste processing units within their premises shall be liable for fine to install such processing units with time line envisaged in the notices. If they perpetually fail to establish waste disposal system within six months after first notice issued to them, the Municipal Committee, Kunzer are empowered to seal such erring bulk waste generating business establishments.

(3) Municipal Committee, Kunzer shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions.

(4) Municipal Committee, Kunzer shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens by the generators.

(5) Municipal Committee, Kunzer shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

(6) The waste generator has to pay user charges/sanitation fee to the local bodies inspite of the fact if they process their waste at their institutional level.

## CHAPTER VII

### **Disposal of Solid Waste**

10. *Disposal of Solid waste.* Municipal Committee, Kunzer shall undertake on its own or through any other agency, the construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual waste and inert street sweepings and silt from surface drains in a manner prescribed under SWM Rules and any other obligation imposed by any other law for the time being in force.

## CHAPTER VIII

### **User Fee and Levying of Spot Fine/Penalty**

11. *User fee for collection, transportation, disposal of solid waste.* (1) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by Municipal Committee, Kunzer. The rates of user fee are specified in Schedule-I.

(2) The user fee so fixed shall be collected from waste generators by Municipal Committee, Kunzer or the authorised agency or person as may be authorised by Commissioners/Director of Municipal Committee, Kunzer in this behalf.

(3) Municipal Committee, Kunzer shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.

(4) Municipal Committee, Kunzer shall adopt different methods for collection of user fee including online payment.

(5) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.

(6) There shall also be a system of yearly or half yearly payment. If the user fee is paid in advance for the entire year, then amount for ten months will be charged instead of twelve months. Similarly, for six months advance payment, five and half months demand amount will be charged instead of six months.

(7) The user fee mentioned in Schedule-I shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(8) The user fee shall be collected only by the institution/person authorised by the competent authority by a general or special order in this behalf.

(9) In case of default of payment of user fee/fine, the competent authority may recover the same from the defaulter as an arrear of land revenue as per the provision of Land Revenue Act, 1996. However, Municipal Corporation, Jammu/Srinagar shall be allowed to effect the recovery under the provisions of Jammu and Kashmir Municipal Corporation Act, 2000.

12. *Fine/Penalty for contravention of SWM Rules.*

(a) Whosoever contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws.

(b) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be.

(c) The Commissioners shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II.

(d) The fine or penalty mentioned in Schedule-II shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(e) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the procedure for prosecution prescribed under provisions of the Environment (Protection) Act, 1986 shall follow.

(f) In realization of fines imposed on defaulters, the J&K State Pollution Control Board shall not renew the licenses of hotels and other business units unless an NOC is not procured by the business unit/s from the concerned Municipal Committee, Kunzer.

(g) Fine shall be imposed on the hospitals and allied concerns if they are found mixing bio-medical wastes with municipal solid waste.

(h) Charges for the material recovery by rag pickers or waste dealers to be decided by the concerned Local Bodies.

(i) Concession to bulk purchasers of compost/plastic/tin and recyclables on the price of by product, if any, as a result of processing of Solid Waste shall be decided by the Municipal Committee, Kunzer.

(j) The cement manufacturing units shall be responsible to lift the RDF from municipal dumping sites and their license renewals be linked with Municipal Committee, Kunzer NOC.

(k) Tippers ferrying building material and causing avoidable waste on the streets shall be liable for fine to be decided by the Municipal Committee, Kunzer but not less than Rupees Five Hundred (500/-) per default.

13. *Responsibilities of Waste Generators.*ô (1) Prohibition of litteringô

- (a) Littering in any public place : No person shall litter in any public place except in authorised public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.
- (b) Littering on any property : No person shall litter on any open or vacant property except in authorised private or public receptacles.
- (c) Litter-throwing from vehicles : No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place. No vehicle shall be washed on roads, river banks, near public parks, water bodies.
- (d) Litter from goods vehicles : No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.
- (e) Litter by owned/pet animals : It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system.

- (f) Disposal of waste in drain etc. No person shall litter in any drain/river/open pond/water bodies.

(2) Burning of waste : Disposal by burning of any type of solid waste at public places or at any private or public property is strictly prohibited.

(3) Clean Area : Every person shall endeavour that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.

(4) For Public Gatherings and Events organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police Department and/or from the Municipal Committee, Kunzer is required, it will be the responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.

(5) Refundable Cleanliness Deposit, as may be notified by the Municipal Committee, Kunzer, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organisers of the event wish to avail of the services of the Municipal Committee, Kunzer for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the (Appropriate officer in the concerned ULB) for availing the services and pay the necessary charges as may be fixed by the Competent Authority for this purpose.

(6) Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the Municipal Committee, Kunzer in the following manner :

- (a) The Municipal Committee, Kunzer may serve a notice on the owner/occupier of any premises, requiring such owner/

occupier to clear any waste on such premises in a manner and within a time specified in such notice.

- (b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.
- (c) If the person on whom the notice is served fails to comply with any requirements imposed by such notice, the Municipal Committee, Kunzer may
  - (i) Enter on the premises and clear the waste ; and
  - (ii) Recover from the occupier the expenditure incurred in having done so.

(7) Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers

- (a) All manufacturers/sole distributors/whole sellers of disposal products such as tin, glass, plastics packaging, wrappers etc., or brand owners who introduce such products in the market within the jurisdiction of Municipal Committee, Kunzer shall provide necessary financial assistance to Municipal Committee, Kunzer for establishment of waste management system. Municipal Committee, Kunzer may also coordinate with the concerned departments of Central Govt. and/or the Govt. of J&K for implementation of this provision.

**0.5% of Annual turnover shall be chargeable from them for establishment/maintenance of solid waste management facilities to be deposited with the concerned corporation/local body.**

- (b) 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.
- (c) 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.

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

(8) All industrial units using fuel and located within one hundred Km. from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.

*14. Responsibilities of Municipal Committee, Kunzer.*

(1) Municipal Committee, Kunzer shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/ roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which Municipal Committee, Kunzer may engage private parties on contract or Public Private Partnership mechanism with the prior approval of Govt., apart from its own cleaning staff and vehicles. In addition, Municipal Committee, Kunzer shall identify all the commercial areas for carrying out sweeping twice a day.

(2) Municipal Committee, Kunzer or the authorised agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc.

(3) Municipal Committee, Kunzer for the purpose of managing solid waste activities in decentralized and regular manner shall designate one officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc.

(4) The competent authority shall designate sufficient Senior Officer/s, preferably not below the rank of to be decided by the (to be decided by the ULB concerned) as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.

(5) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.

(6) Municipal Committee, Kunzer, shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning.

(7) Municipal Committee, Kunzer shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of Solid Waste Management Rules and these bye-laws with special emphasis on user fee and fines/penalties.

(8) Municipal Committee, Kunzer shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households. RWAs and institutions etc. by giving certificates by publishing their names on respective websites or rebate in property tax etc.

(9) Municipal Committee, Kunzer shall ensure that the authorities of Agriculture Department, Floriculture Department, Horticulture, SKAUST are supplied with sufficient quantity of compost generated out of organic waste to phase out the use of chemical fertilizers and use compost in all parks, gardens maintained by them and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector and shall take up with the Directorate of Horticulture, Agriculture and Floriculture for use of compost.

(10) Municipal Committee, Kunzer shall make efforts to streamline and formalize solid waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.

(11) Municipal Committee, Kunzer shall 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.

(12) Municipal Committee, Kunzer shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection transport and handling of waste by providing appropriate and adequate personal protective equipments.

(13) 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 Municipal Committee, Kunzer immediately which shall review and issue instructions, if any, to the in-charge of the facility.

(14) Regular checks : (Designations of the officers in the concerned ULBs) shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye-laws.

(15) Municipal Committee, Kunzer shall develop a public grievance redressal system (PGRS) by setting up of call centre at its headquarter. The PGRS may include SMS based service mobile application or web based services.

(16) Municipal Committee, Kunzer shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at Hq./all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration.

(17) Transparency and Public Accessibility : To ensure greater transparency and public accessibility, Municipal Committee, Kunzer, shall provide all necessary information through its website.

(18) Municipal Committee, Kunzer shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws.

## CHAPTER X

### Miscellaneous

15. If any doubt or difficulty arises in the interpretation or implementation of these bye-laws the same shall be placed before Administrative Secretary of Housing and Urban Development Department, whose decision in the matter shall be final.

16. *Co-ordination with Government Bodies.*—Municipal Committee, Kunzer shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies. In case of any difficulty matter shall be placed before Chief Secretary of Government of J&K.

17. The Competent Authority may issue general or special orders from time to time for proper implementation of Solid Waste Management Rules, 2016 and these bye-laws.

18. *Right to Appeal.*—Any person aggrieved or affected by Jammu and Kashmir Solid Waste Management Bye-Laws, 2018 shall have the right to appeal before concerned Commissioner, Municipal Corporation or Director, Municipal Committee, Kunzer within 30 days and in case he is not satisfied with the disposal of Commissioner/Director concerned, the second appellate authority shall be Administrative Secretary of Housing and Urban Development Department whose decision shall be final and binding.

(19) *Jurisdiction.*—For filing cases against the Bye-Laws the Jurisdiction is Jammu and Srinagar only.

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## SCHEDULE-I

## USER FEE SOLID WASTE MANAGEMENT

S.No.	Categories	User Fee from each premises/ House/Dwelling Unit/Flat per month (In Rupees)		
		Municipal Corporations	Councils	Committees
1	2	3		
1.	Residential dwelling unit (Covered area)			
	i. Up to 2000 Sq. ft.	100	50	50
	ii. Over 2000 Sq. ft.	200	75	75
2.	Street Vendor	100	50	50
3.	Commercial Establishments, Shops, Eating Places (Dhaba/Sweet/Shops/ Coffee house, Saloon etc.)	500	250	100
4.	Guest House/Dharamshalas/ Hostels/Paying Guest	2000	1000	500
5.	Restaurant up to sitting of 50 person	1000	1000	500
6.	Restaurant with sitting of more than 50 person	2500	2000	1000
7.	Hotel (Up to 3 star)	3000	1000	1000
8.	Hotel (above 3 star)	5000	5000	5000
9.	Commercial offices, government officers, bank, insurance offices, coaching classes, educational institutes etc.	1800	500	100
10.	Kinder Garten, Cretches etc.	--	--	--
11.	Clinic, dispensary, laboratories,	2000	1000	500

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SCHEDULE II					
FINE/PENALTY					
S.No	Rule/Bye-Laws No.	Offences	Applicable to	Fine for every default(In Rs.)	
				J&K	Chennai Delhi
1	2	3	4	5	
1.	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the Rule	Residential	500 1000	200 200
			Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and	10,000 25,000	10,000
			Clubs, Cinema Halls, Pubs, Community Halls, Multiplexes and other such places with area less than 5000 sq. m.	5,000 25,000	5,000

2.	Rule 4 (1) (b) and (d) of SWM Rules	o Failure to deal with sanitary waste in accordance with the Rule	Other non-residential entities with area less than 5000 sq.m.	1,000	2,000	500
				Residential	1,000	200
		o Failure to deal with horticulture waste and garden waste in accordance with the Rule	Non-Residential	1,000	2,000	500
				Residential	1,000	1,000
3.	Rule 4 (1) (c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the Rule	Non-Residential	5,000	2,000	5,000
				Residential	2,000	1,000

1	2	3	4	5
4.	Rule 4 (2) of SWM Rules	Open burning of solid waste	Violator	5,000 Resi. 1000 Comm. 2,000 5,000
5.	Rule 4 (4) of SWM Rules	Organizing an event or gathering of more than one hundred person at any unlicensed place without following the prescribed procedure	Person(s), who has/ve organised such event or gathering or, on whose behalf such event or gathering has been organized and the event manager(s), if any, who has/ve organized such event or gathering	5,000 25,000 10,000

6.	Rule 4 (5) of SWM Rules	Street vendor failing to deal with waste in accordance with the Rule	Violator	500	100	200
7.	Bye-Law 13 (i) read with Rule 15 (g) of SWM Rules	Littering	Offender	500	100	500
8.	Rule 4 (6) of SWM Rules	Failure to deal with waste in accordance with the Rule	Resident Welfare Association	5,000	---	10,000
			Market Association	10,000	---	20,000

1	2	3	4	5
9.	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community  Institution	---  10,000  15,000  ---  10,000  20,000
10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel  Restaurant	---  20,000  10,000  20,000
11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	---  50,000  1,00,000

12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	50,000	---	50,000
13.	Rule 18 of SWM Rules	Failure to replace fuel requirement by refuse derived fuel	Industrial Unit	50,000	---	1,00,000

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FORM-A

APPLICATION FOR REMITTING SOLID WASTE  
MANAGEMENT USER CHARGES

From

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To

The Executive Officer,  
Municipal Committee, Kunzer

Sir,

I/We hereby affirm to state that I/We do carry out business at (address of the applicant with the nature of business). I/We hereby agree to hand over the Municipal Solid Waste generated by me/us at my/our premises in segregated form and also agree to pay the SWM User Charges of Rs. í í í í í í í í (in words) as fixed in the SWM Bye-Laws.

I/We further affirm to state that in the event I/We change the place of business I/We would duly intimate the Commissioner, SMC/JMC/Local Bodies in writing before 30 days for the consequent action to be taken for cancellation of the SWM User Charges.

Yours faithfully

(Signature of the applicant with date)

EXTRAORDINARY

REGD. NO. JK 33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Mon., the 30th Sept., 2019/8th Asv., 1941. [No. 26-20

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR,  
DEPARTMENT OF URBAN LOCAL BODIES, KASHMIR,  
OFFICE OF THE CHIEF EXECUTIVE OFFICER,  
MUNICIPAL COUNCIL BARAMULLA.

Subject :ô Jammu and Kashmir Model Solid Waste Management Bye-  
Laws, 2018.

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**Notification**

In terms of Rule 3 (9) r/w Rule 15 (e), (zf) and (zg) of Solid Waste Management Rules, 2016, the Jammu and Kashmir Model Solid Waste Management By-Laws already published by Housing and Urban Development Department vide Government Order No. 168-HUD of 2019 dated 03-07-2019, is hereby notified for adoption and implementation within the limits of Municipal Council, Baramulla.

(Sd.) .....,

Chief Executive Officer,  
Municipal Committee, Baramulla.

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## Chapter I

1. *Short Title and commencement.* (1) These bye-laws shall be called the Municipal Council, Baramulla Solid Waste Management Bye-Laws, 2019.

(2) They shall come into force on the date of their publication in the J&K Government Gazette.

2. *Extent of Application.* These bye-laws shall be applicable within the territorial limits of Municipal Council, Baramulla.

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

- (1) “**Agency**” means Municipal Council, Baramulla ;
- (2) “**Aerobic composting**” means a controlled process involving microbial decomposition of organic matter in the presence of oxygen ;
- (3) “**Anaerobic digestion**” means a controlled process involving microbial decomposition of organic matter in the absence of oxygen ;
- (4) “**Authorization**” means the permission given by the State Pollution Control Board, to the operator of a facility or Urban Local authority, or any other agency responsible for processing and disposal of Solid waste ;
- (5) “**Biodegradable waste**” means any organic material that can be degraded by micro-organism into simpler stable compounds ;
- (6) “**Bio-methanation**” means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas ;
- (7) “**Brand owner**” means a person or company who sells any commodity under a registered brand label ;

- (8) **“Bulk Garden and Parks & Horticultural Waste”** means bulk waste from parks, gardens etc. including grass clippings, weeds, woody -brown carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;
- (9) **“Bulk Waste Generator”** means bulk waste generator defined under Rule 3(1)(8) of the Solid Waste Management Rules, 2016 (hereinafter referred to as 'SWM Rules') and any other waste generator including buildings occupied by the Central Government departments or undertakings, State Government departments or undertaking, 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 sport complexes having an average waste generation rate exceeding 100 Kg. per day ;
- (10) **“C&D waste (Construction and Demolition waste)”** means Construction and Demolition Waste (Debris) that are non-hazardous in nature generated out of building materials, debris and rubble in the jurisdiction of Municipal Council, Baramulla.
- (11) **“Clean Area”** means the public place in front of and all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb cleaned and so maintained in accordance with these bye-laws ;
- (12) **“Cleanliness Fee”** means an amount of fees collected by the managers/Organizers for cleaning the site by the Agency ;
- (13) **“Collection”** means lifting and removal of solid waste from source of waste generation, collection points or any other location ;
- (14) **“Collection Counter”** means where the user charges shall be remitted which will be available at all Zonal Officers and headquarters.

- (15) **“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.;
- (16) **“Community waste storage bin”** means any storage facility setup and maintained by the Municipal Council, Baramulla, in the State collectively by owners and or/occupiers of one or more premises for storage of Municipal Solid Waste in a segregated manner in the road side/premises of anyone of such owners/occupiers or in their common premises ;
- (17) **“Composting”** means a controlled process involving microbial decomposition of organic matter ;
- (18) **“Co-processing”** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes ;
- (19) **“Containerised Hand Cart”** means the hand cart provided by the Municipal Council, Baramulla or the agency/agent appointed by it for point-to-point collection of solid waste ;
- (20) **“Decentralized processing”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal ;
- (21) **“Delivery”** means handing over any category of solid waste to worker of Municipal Council, Baramulla or any other person appointed, authorised or licensed by Municipal Council, Baramulla for taking delivery of such waste or depositing it in any vehicle provided by Municipal Council, Baramulla, or by any other authorised agency or licensed by Municipal Council, Baramulla, to do so ;

- (22) **“Disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds ;
- (23) **“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 ;
- (24) **“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, multistoried building or apartments, large residential, commercial or institutional complex or premises ;
- (25) **“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. ;
- (26) **“Dump sites”** means a land utilized by local body for disposal of solid waste without following the principles of sanitary land filling ;
- (27) **“Event”** means any gatherings for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places.
- (28) **“Extended producer responsibility”** (EPR) means responsibility of any producer of packaging products such as plastic, tin, glass, wrappers and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products ;

- (29) **“E-waste”** shall have the same meaning as defined under Rule 3(l) (r) of the E-Waste (Management) Rules, 2016.
- (30) **“Facility”** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out ;
- (31) **“Familiarization/warning period”** means that specific period, during which there is a relaxation in the fines for contravention of these bye-laws ;
- (32) **“Fine”** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non- compliance of the directions contained in rules and/or these bye-laws ;
- (33) **“Fixed Compactor Transfer Station (FCTS)”** means a powered machine which is designed to compact segregated solid waste and remains stationary when in operation. The compacts or may also be mobile when in operation, which may be called Mobile Transfer Station (MTS).
- (34) **“Handling”** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes ;
- (35) **“Hazardous waste”** means any waste which by reason of any of its physical, chemical, reactive, toxic, causing danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and all other hazardous wastes as defined in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended to date and the Hazardous and other waste (Management and Transboundary Movement) Rules, 2016.
- (36) **“Horticulture, Parks and Garden Waste”** means waste from parks, gardens traffic island etc. These include grass clipping, annual weeds woody 'brown' carbon-rich material

such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;

- (37) **“House-gully”** means a passage or strip of land, constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filling of other polluted matter by persons employed in the clearing thereof or in the removal of such matter therefrom.
- (38) **“Incineration”** means an engineered process involving burning or combustion of solid waste to thermally degraded waste materials at high temperatures ;
- (39) **“Inerts”** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains ;
- (40) **“Informal waste collector”** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials ;
- (41) **“Leachate”** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it ;
- (42) **“Litter”** means all refuse and includes any other waste material which, if thrown or deposited as prohibited under these Bye-Laws, tends to create uncleanliness or a danger or nuisance to public health, safety or welfare.
- (43) **“Littering”** means putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend blow, be washed, percolate or otherwise escape into or onto any public place, or causing, permitting or allowing litter to fall, descend, blow, washed, percolate or otherwise escape into or onto any public place.

- (44) **“Local body”** for the purpose of these bye-laws means JMC/SMC and other Local Bodies including, Municipal Councils, Municipal Committees, Town Area Committees, in the State.
- (45) **“Materials Recovery facility”** (MRF) means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity for the purpose before the waste is delivered or taken up for its processing or disposal ;
- (46) **“Neighbourhood”** means a clearly defined locality, with reference to its physical layout, character or inhabitants ;
- (47) **“New construction”** means all buildings under construction within the limits of the Municipal Council, Baramulla ;
- (48) **“Non-biodegradable waste”** means any waste that cannot be degraded by microorganisms into simpler stable compounds ;
- (49) **“Nuisance”** includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property ;
- (50) **“Nuisance Detectors”** (NOs) means those employees of the Municipal Council, Baramulla who are appointed to detect the acts of Public nuisance, etc. ;
- (51) **“Occupier/occupant”** includes any person who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever ;

- (52) **“Operator of a facility”** means a person or entity, who owns or operates a facility for handling solid waste which includes the Municipal Council, Baramulla and any other entity or agency appointed by the Municipal Council, Baramulla ;
- (53) **“Owner”** means any person who exercises the rights of an owner of any building, or land or part thereof ;
- (54) **“Pelletisation”** means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes, fuel pellets which are also referred as refuse derived fuel ;
- (55) **“Primary collection”** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the Municipal Council, Baramulla.
- (56) **“Processing”** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products ;
- (57) **“Public place”** includes any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc. ;
- (58) **“Prescribed”** means prescribed by SWM Rules and/or these bye-laws ;
- (59) **“Receptacle”** means any storage container, including bins and bags, used for the storage of any category of MSW ;

- (60) **“Recycling”** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products ;
- (61) **“Recyclable Waste”** means the waste that is commonly found in the MSW. It is also called as "Dry Waste". These include many kinds of glass, paper, metal, plastic, textiles, electronics goods, etc.
- (62) **“Redevelopment”** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated ;
- (63) **“Refuse”** means any waste matter generated out of different activities, processes, either Bio-degradable/Non-biodegradable/recyclable in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form.
- (64) **“Refuse Derived Fuel” (RDF)** means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;
- (65) **“Residual solid waste”** means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing ;
- (66) **“Rule”** means Solid Waste Management Rules, 2016 ;
- (67) **“Sanitation”** means the promotion of hygiene and the prevention of disease and other consequences of ill health relating to environmental factors ;
- (68) **“Sanitary Landfill Facility”** means a waste disposal site for the deposit of residual solid waste in a facility designed with protective measures against pollution of ground water,

surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion ;

- (69) **“Sanitary land filling”** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion ;
- (70) **“Sanitary waste”** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste ;
- (71) **“Sanitary worker”** means a person employed by the municipal corporation for collecting or removing MSW or cleansing the drains in the municipal/corporation areas ;
- (72) **“Schedule”** means the Schedule appended to these rules ;
- (73) **“Storage”** means the temporary containment of solid waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour ;
- (74) **“Secondary storage”** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility ;
- (75) **“Segregation”** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes ;
- (76) **“Service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc. ;

- (77) **“Solid waste”** means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste, Hazardous waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities ;
- (78) **“Sorting”** means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling ;
- (79) **“Source”** means the premises in which the waste is generated or a community storage centre used by owners/occupiers of one or more premises for segregated storage of MSW ;
- (80) **“Spittoon”** means a metal or earthenware pot typically having a funnel-shaped top, used for spitting into.
- (81) **“Stabilising”** means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation ;
- (82) **“Stabilised biodegradable waste”** means the biologically stabilized (free of pathogens) waste resulting from the mechanical/biological treatment of bio degradable waste ; only when stabilised can such waste be used with no further restrictions ;
- (83) **“Street vendor”** means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words ÷street

vending with their grammatical variations and cognate expressions, shall be construed accordingly ;

- (84) **“Tipping fee”** means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill ;
- (85) **“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 ;
- (86) **“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 ;
- (87) **“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 ;
- (88) **“User fee/Charges”** means fees or charges imposed by Municipal Council, Baramulla through general or special order of the Competent Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services ;
- (89) **“Vacant Plot”** means any Land or open space belonging to a private party/person that is not occupied by them/him ;
- (90) **“Vermi composting”** means the process of conversion of bio-degradable waste into compost using earth worms ;
- (91) **“Waste hierarchy”** means the priority order in which the solid waste is to 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 ;

- (92) **“Waste generator”** means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, defence establishments, which generate solid waste or other institutions i. e. Hotels, restaurants, malls, private/government business/industrial establishments falling within the limits of Municipal Council, Baramulla.
- (93) **“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, streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

## Chapter II

### Segregation and Primary Storage of Solid Waste

#### 4. *Segregation and storage of solid waste at source.*

(1) It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste; and deposit it into covered waste bins, and handover segregated waste to designated waste collectors as per the direction of Municipal Council, Baramulla, from time to time.

(2) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely :

- (a) non-biodegradable or dry waste ;

(b) biodegradable or wet waste ;

(c) hazardous waste in suitable bins ; and handover segregated waste to authorised waste processing or disposal facilities or deposition centres through the authorised waste collection agency with paying the carrying charges specified by Municipal Council, Baramulla from time to time.

(3) The colour of bins for storage of segregated waste shall be green- for biodegradable waste or wet waste blue - for non- biodegradable or dry waste and black- for domestic hazardous waste.

(4) All resident welfare and market associations shall ensure segregation of waste at source by the generators, 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 of 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 Municipal Council, Baramulla.

(5) All gated communities and institutions with more than 5,000 sq. m. area shall ensure segregation of waste at source by the generators, 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 Municipal Council, Baramulla.

(6) All hotels and restaurants shall ensure segregation of waste at source, 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 of 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 Municipal Council, Baramulla.

(7) No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating Municipal Council, Baramulla along with payment of user fee as prescribed in the schedule, at least three working days in advance and the person or the organizer of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by Municipal Council, Baramulla.

(8) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a news paper or suitable biodegradable wrapping material and place the same in the bin meant for non-biodegradable waste or dry waste.

(9) Every street vendor shall keep suitable containers for storage of segregate 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 Municipal Council, Baramulla.

(10) Waste generator of garden and horticulture waste generated from his premises shall store such waste separately in his own premises and dispose of the same as per the directions of Municipal Council, Baramulla from time to time.

(11) Domestic Hazardous Waste shall be stored and delivered by every waste generator to the collection vehicle which shall be provided weekly/periodically by Municipal Council, Baramulla or any other Agency authorised by it for collection of such waste, or to a centre designed for collection of such waste for disposal in a manner that is mandated by the Government of Jammu and Kashmir or State Pollution Control Board.

(12) Construction and Demolition Waste shall be stored and delivered separately as per the Construction and Demolition Waste Management Rules, 2016.

(13) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with solid waste. Such waste shall be disposed off in accordance with the respective rules framed under the Environment (Protection) Act, 1986.

(14) Every owner/occupier of any premises other than designated slaughter houses and markets, who generates poultry, fish and slaughter waste as a result of any commercial activity, shall store the same separately in closed, hygienic condition and deliver it at a specified time, on a daily basis to the Municipal Council, Baramulla collection vehicle provided for this purpose. Depositing of such waste in any community waste bin is strictly prohibited.

(15) Segregated bio-degradable solid waste if not composted by the generators, shall be stored by them within their premises and its delivery shall be ensured to the municipal worker/vehicle/waste picker/waste collector or to the bio-degradable waste collection vehicle provided for specified commercial generators of bulk bio-degradable waste at such times as may be notified from time to time.

### Chapter III

#### **Solid Waste Collection**

5. *Collection of Solid Waste.* (1) In compliance with SWM Rules, 2016, door to door collection of segregated solid waste shall be implemented in all areas or Wards of Municipal Council, Baramulla, to collect garbage from every house, including slums and informal settlements on a daily basis by integrating the informal door to door collection system with Municipal Council, Baramulla collection system.

(2) In order to collect garbage from every house, area-wise specific time slot shall be set and published at conspicuous parts of that area and on the website of Municipal Council, Baramulla. Commonly, time for house to house garbage collection shall be set from 5.30 A. M. to 10.30 A. M. for summer and for winter 7:00 A. M. to 11:00 A. M. For collection of garbage from trading establishments, shops in commercial areas or any other institutional waste generators, commonly the time shall be from 7.30 A. M. to 11.00 A. M. However, sweeping can be undertaken twice daily, if required at public and commercial places. The timing for collection of garbage from the trading establishments, shops in commercial areas or any other institutional waste generators shall be decided by the Municipal Council, Baramulla accordingly.

(3) Arrangements shall be made for collection of residual solid waste from bulk waste generators, which are processing waste *in situ*.

(4) Residual solid waste from vegetable, fruit, flower, meat, poultry and fish market shall be collected on day to day basis.

(5) Horticulture and garden waste shall be separately collected and disposed off. One or two days in a week shall be specified for this purpose.

(6) To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.

(7) Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.

(8) Waste generators shall be responsible to deposit their segregated waste in the Auto-Tipper/Rickshaws etc. deployed by Municipal Council, Baramulla. Segregated waste from multistoried buildings, apartments, housing complexes may be collected from the entry gate or any other designated location.

(9) Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.

(10) Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.

(11) Route plans for each primary collection and transportation vehicle shall be provided by Municipal Council, Baramulla or by the

notified authorised waste collector. These plans in tabular as well as GIS map form, duly approved by Municipal Council, Baramulla shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified route. Municipal Council, Baramulla or the notified authorised waste collector shall provide a 'Board' at each street to display time-table of primary collection and transportation vehicles to allow residents avail the facility at prescribed time. Such information shall also be uploaded on the website of Municipal Council, Baramulla and published in the local leading newspaper periodically for the information of General Public.

(12) In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

(13) In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.

(14) Smaller, narrow and congested streets/lanes where even a 3-wheeler/ rickshaw etc. cannot operate, vantage points shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of Municipal Council, Baramulla.

(15) Auto tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. dhalaos, open sites, ground, bins and drains etc.

(16) Municipal Council, Baramulla or its notified authorised waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

#### Chapter IV

#### Secondary Storage of Solid Waste

6. *Storage of solid waste in the secondary storage points.*

(1) Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by Municipal Council, Baramulla for secondary storage of waste.

(2) Such secondary storage points shall have covered containers (of specified colour) for separate storage of :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste ;

(3) Different containers shall be used in the areas demarcated by Municipal Council, Baramulla to keep segregated waste in the following manner :

- (a) green- for biodegradable waste ;
- (b) blue - for non-biodegradable ;
- (c) black - for domestic hazardous waste ;

Municipal Council, Baramulla shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.

(4) Municipal Council, Baramulla on its own or through outsourcing agencies shall maintain the storage facilities for solid waste in a manner that does not create unhygienic and unsanitary conditions around it.

(5) Containers of various sizes in the secondary storage depots shall be provided by Municipal Council, Baramulla or any assigned agencies in different colours as mentioned in these bye-laws.

(6) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population.

(7) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere.

(8) All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.

(9) Municipal Council, Baramulla or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.

(10) Recycling Centers for Dry Waste (Non-Biodegradable Waste)ô

- (a) Municipal Council, Baramulla shall convert its existing Dhalaos or identify specific location as per requirement, as 'Recycling Centersø which shall be used for segregation of dry waste received through street/door to door waste collection service. Recycling centers may be increased depending on the quantity of dry waste received.
- (b) Dry (non-biodegradable) waste from street/door-to-door collection system and from commercial establishments shall be transferred only to these designated recycling centersø These designated centers shall receive only dry waste.
- (c) There shall also be a provision for the households to directly deposit or sell their recyclable dry waste to the authorised agents and/or authorised waste dealers of Municipal Council, Baramulla at these recycling centers at pre-notified rates. A weighing scale and a counter shall be provided at each

recycling unit for this purpose. The authorised agents and/or authorised waste dealers shall be allowed to dispose off or sell the recyclable waste to the secondary market or recycling units only in consonance with the provisions of SWM Rules, 2016. The authorised agents and/or authorised waste dealers will be entitled to retain sales realization thereof.

(11) Deposition Centre for specified Domestic Hazardous Waste

- (a) For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed and notify the timing of receiving of such waste.
- (b) Municipal Council, Baramulla may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.
- (c) Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

## Chapter V

### Transportation of Solid Waste

7. *Transportation of solid waste.* (1) Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by Municipal Council, Baramulla.

(2) The storage facilities set up by Municipal Council, Baramulla shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned.

(3) Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost plants, bio-methanation plants or any such other facilities in a covered manner.

(4) Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste.

(5) Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities.

(6) Construction and Demolition Waste shall be transported as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

(7) Municipal Council, Baramulla shall make arrangements for transportation of inerts in a proper manner. The street sweeping waste and removable drain silt shall be removed immediately after the work is over.

(8) Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.

(9) The collection vehicles engaged for the purpose shall deposit/transfer waste only at the MTS (Mobile Transfer Station) or FCTS (Fixed compactor Transfer Stations) wherever provided.

(10) In case MTS/FCTS is not stationed at the designated location at that point of time for any reason, then the 'loaded vehicle' shall go to the next designated location of the MTS or FCTS or the site specified by Municipal Council, Baramulla to unload the waste.

(11) Fixed compactor transfer station shall be transported through hook loader.

(12) MTS or FCTS shall transport the waste directly to compost plant, waste to energy plant or any other site/plant designated by Municipal Council, Baramulla.

(13) There should be no inter-mixing of waste from various sources during the transportation of waste.

(14) The services of street level collection and transportation of waste shall be provided every day including holidays.

(15) MTS engaged in this service shall receive waste only from designated auto tippers, 3-wheelers or vehicle/bins collecting waste from street level operations.

(16) Dedicated MTS shall be deployed at specified locations to receive waste from the Auto Tippers, 3-Wheelers, Rickshaws etc. engaged in street-level and door-to-door collection of solid waste from households and commercial establishments as per the approved route plans.

(17) Design of MTS and FCTS shall allow unloading of waste from primary collection vehicles by consuming minimum time and without littering waste.

(18) Garbage spilled near MTS and FCTS, while transferring the solid waste, should be cleaned so that no spillage is left. Disinfectant should be used after cleaning process at that location.

(19) Municipal Council, Baramulla or its specified agency shall install CCTV cameras at all secondary storage facilities.

## Chapter VI

### Processing of Solid Waste

8. *Processing of solid waste.* (1) Municipal Council, Baramulla shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board :

- (a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste ;

- (b) through medium/large composting bio-methanation plants at centralised locations ;
- (c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feed stock to solid waste based power plants ; and/or
- (d) through construction and demolition waste management plants.

(2) Municipal Council, Baramulla shall endeavour to create a market for consumption of RDF (Refuse Derived Fuel). The cement factories are liable to take RDF from municipal dumping sites who have to use RDF to the order of 5% of the total fuel burnt by them in their kilns.

(3) In waste to energy plant by direct incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the relevant contracts.

(4) Municipal Council, Baramulla shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorised recyclers.

9. *Other guidelines for processing of solid waste.* (1) Municipal Council, Baramulla shall enforce processing of bio-degradable waste on site of generation of such waste through composting or bio-methanation, as far as possible, at RWAs (Resident Welfare Associations), group housing societies, markets, gated communities and institutions with more than 5000 sq. m. areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for on site processing of biodegradable waste generated by other waste generators as well.

(2) Bulk generators who fail to install waste processing units within their premises shall be liable for fine to install such processing units with time line envisaged in the notices. If they perpetually fail to establish waste disposal system within six months after first notice issued to them,

the Municipal Council, Baramulla are empowered to seal such erring bulk waste generating business establishments.

(3) Municipal Council, Baramulla shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions.

(4) Municipal Council, Baramulla shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens by the generators.

(5) Municipal Council, Baramulla shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

(6) The waste generator has to pay user charges/sanitation fee to the local bodies inspite of the fact if they process their waste at their institutional level.

## Chapter VII

### **Disposal of Solid Waste**

10. *Disposal of Solid waste.* Municipal Council, Baramulla shall undertake on its own or through any other agency, the construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual waste and inert street sweepings and silt from surface drains in a manner prescribed under SWM Rules and any other obligation imposed by any other law for the time being in force.

## Chapter VIII

### **User Fee and Levying of Spot Fine/Penalty**

11. *User fee for collection, transportation, disposal of solid waste.* (1) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by

Municipal Council, Baramulla. The rates of user fee are specified in Schedule-I.

(2) The user fee so fixed shall be collected from waste generators by Municipal Council, Baramulla or the authorised agency or person as may be authorised by Commissioner/Director of Municipal Council, Baramulla in this behalf.

(3) Municipal Council, Baramulla shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/recovery of user charges, within three months from the date of notification of these bye-laws. The database shall be updated regularly.

(4) Municipal Council, Baramulla shall adopt different methods for collection of user fee including online payment.

(5) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.

(6) There shall also be a system of yearly or half yearly payment. If the user fee is paid in advance for the entire year, then amount for ten months will be charged instead of twelve months. Similarly, for six months advance payment, five and half months demand amount will be charged instead of six months.

(7) The user fee mentioned in Schedule-I shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(8) The user fee shall be collected only by the institution/person authorised by the competent authority by a general or special order in this behalf.

(9) In case of default of payment of user fee/fine, the competent authority may recover the same from the defaulter as an arrear of land revenue as per the provision of Land Revenue Act, 1996. However, Municipal Corporation, Jammu/Srinagar shall be allowed to effect the recovery under the provisions of Jammu and Kashmir Municipal Corporation Act, 2000.

12. *Fine/Penalty for contravention of SWM Rules.*

(a) Whosoever' contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws.

(b) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be.

(c) The Commissioners shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II.

(d) The fine or penalty mentioned in Schedule-II shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(e) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the procedure for prosecution prescribed under provisions of the Environment (Protection) Act, 1986 shall follow.

(f) In realization of fines imposed on defaulters, the J&K State Pollution Control Board shall not renew the licenses of hotels and other business units unless an NOC is not procured by the business unit/s from the concerned Municipal Council, Baramulla.

(g) Fine shall be imposed on the hospitals and allied concerns if they are found mixing bio-medical wastes with municipal solid waste.

(h) Charges for the material recovery by rag pickers or waste dealers to be decided by the concerned Local Bodies.

(i) Concession to bulk purchasers of compost/plastic/tin and recyclables on the price of by product, if any, as a result of processing of Solid Waste shall be decided by the Municipal Council, Baramulla.

(j) The cement manufacturing units shall be responsible to lift the RDF from municipal dumping sites and their license renewals be linked with Municipal Council, Baramulla NOC.

(k) Tippers ferrying building material and causing avoidable waste on the streets shall be liable for fine to be decided by the Municipal Council, Baramulla but not less than Rupees Five Hundred (500/-) per default.

13. *Responsibilities of Waste Generators.* (1) Prohibition of littering

- (a) Littering in any public place : No person shall litter in any public place except in authorised public or private litter receptacles. No person shall repair vehicles, wash/clean utensils or any other object or keep any type of storage in any public place except in such public facilities or conveniences specifically provided for any of these purposes.
- (b) Littering on any property : No person shall litter on any open or vacant property except in authorised private or public receptacles.
- (c) Litter-throwing from vehicles : No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place. No vehicle shall be washed on roads, river banks, near public parks, water bodies.
- (d) Litter from goods vehicles : No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.
- (e) Litter by owned/pet animals : It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system.
- (f) Disposal of waste in drain etc. No person shall litter in any drain/river/open pond/water bodies.

(2) Burning of waste : Disposal by burning of any type of solid waste at public places or at any private or public property is strictly prohibited.

(3) "Clean Area" : Every person shall endeavour that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.

(4) For Public Gatherings and Events organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police Department and/or from the Municipal Council, Baramulla is required, it will be the responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.

(5) Refundable Cleanliness Deposit, as may be notified by the Municipal Council, Baramulla, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organisers of the event wish to avail of the services of the Municipal Council, Baramulla for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the Secretary, Municipal Council, Baramulla for availing the services and pay the necessary charges as may be fixed by the Competent Authority for this purpose.

(6) Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the Municipal Council, Baramulla in the following manner :

- (a) The Municipal Council, Baramulla may serve a notice on the owner/occupier of any premises, requiring such owner/

occupier to clear any waste on such premises in a manner and within a time specified in such notice.

- (b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.
- (c) If the person on whom the notice is served fails to comply with any requirements imposed by such notice, the Municipal Council, Baramulla may
  - (i) Enter on the premises and clear the waste ; and
  - (ii) Recover from the occupier the expenditure incurred in having done so.

(7) Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers

- (a) All manufacturers/sole distributors/whole sellers of disposal products such as tin, glass, plastics packaging, wrappers etc., or brand owners who introduce such products in the market within the jurisdiction of Municipal Council, Baramulla shall provide necessary financial assistance to Municipal Council, Baramulla for establishment of waste management system. Municipal Council, Baramulla may also coordinate with the concerned departments of Central Govt. and/or the Govt. of J&K for implementation of this provision.

**0.5% of Annual turnover shall be chargeable from them for establishment/maintenance of solid waste management facilities to be deposited with the concerned corporation/local body.**

- (b) 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.

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

(8) All industrial units using fuel and located within one hundred Km. from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.

*14. Responsibilities of Municipal Council, Baramulla.*

(i) Municipal Council, Baramulla shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/ roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the garbage from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which Municipal Council, Baramulla may engage private parties on contract or Public Private Partnership mechanism with the prior approval of Govt., apart from its own cleaning staff and vehicles. In addition, Municipal Council, Baramulla shall identify all the commercial areas for carrying out sweeping twice a day.

(ii) Municipal Council, Baramulla or the authorised agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc.

(iii) Municipal Council, Baramulla for the purpose of managing solid waste activities in decentralized and regular manner shall designate one officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc.

(iv) The competent authority shall designate sufficient Senior Officer/s, preferably not below the rank of to be decided by the Municipal Council,

Baramulla, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of solid waste.

(v) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions.

(vi) Municipal Council, Baramulla, shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning.

(vii) Municipal Council, Baramulla shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of Solid Waste Management Rules and these bye-laws with special emphasis on user fee and fines/penalties.

(viii) Municipal Council, Baramulla shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households. RWAs and institutions etc. by giving certificates by publishing their names on respective websites or rebate in property tax etc.

(ix) Municipal Council, Baramulla shall ensure that the authorities of Agriculture Department, Floriculture Department, Horticulture, SKAUST are supplied with sufficient quantity of compost generated out of organic waste to phase out the use of chemical fertilizers and use compost in all parks, gardens maintained by them and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector and shall take up with the Directorate of Horticulture, Agriculture and Floriculture for use of compost.

(x) Municipal Council, Baramulla shall make efforts to streamline and formalize solid waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given

priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.

(xi) Municipal Council, Baramulla shall 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.

(xii) Municipal Council, Baramulla shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection transport and handling of waste by providing appropriate and adequate personal protective equipments.

(xiii) 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 Municipal Council, Baramulla immediately which shall review and issue instructions, if any, to the in-charge of the facility.

(xiv) Regular checks : Assistant Sanitation Officer/Sanitary Inspector of MC, Budgam shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye-laws.

(xv) Municipal Council, Baramulla shall develop a public grievance redressal system (PGRS) by setting up of call centre at its headquarter. The PGRS may include SMS based service mobile application or web based services.

(xvi) Municipal Council, Baramulla shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at Hq./all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration.

(xvii) Transparency and Public Accessibility : To ensure greater transparency and public accessibility, Municipal Council, Baramulla, shall provide all necessary information through its website.

(xviii) Municipal Council, Baramulla shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws.

## Chapter X

### Miscellaneous

15. If any doubt or difficulty arises in the interpretation or implementation of these bye-laws the same shall be placed before Administrative Secretary of Housing and Urban Development Department, whose decision in the matter shall be final.

16. *Co-ordination with Government Bodies.*—Municipal Council, Baramulla shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies. In case of any difficulty matter shall be placed before Chief Secretary of Government of J&K.

17. The Competent Authority may issue general or special orders from time to time for proper implementation of Solid Waste Management Rules, 2016 and these bye-laws.

18. *Right to Appeal.*—Any person aggrieved or affected by Jammu and Kashmir Solid Waste Management Bye-Laws, 2018 shall have the right to appeal before concerned Commissioner, Municipal Corporation or Director, Municipal Council, Baramulla within 30 days and in case he is not satisfied with the disposal of Commissioner/Director concerned, the second appellate authority shall be Administrative Secretary of Housing and Urban Development Department whose decision shall be final and binding.

(19) *Jurisdiction.*—For filing cases against the Bye-Laws the Jurisdiction is Jammu and Srinagar only.

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## SCHEDULE-I

## USER FEE SOLID WASTE MANAGEMENT

S.No.	Categories	User Fee from each premises/ House/Dwelling Unit/Flat per month (In Rupees)
1	2	3
1.	Residential dwelling unit (Covered area)	
	i. Up to 2000 Sq. ft.	50
	ii. Over 2000 Sq. ft.	75
2.	Street Vendor	50
3.	Commercial Establishments, Shops, Eating Places (Dhaba/Sweet/Shops/ Coffee house, Saloon etc.)	250
4.	Guest House/Dharamshalas/ Hostels/Paying Guest	1000
5.	Restaurant up to sitting of 50 person	1000
6.	Restaurant with sitting of more than 50 person	2000
7.	Hotel (Up to 3 star)	1000
8.	Hotel (above 3 star)	5000
9.	Commercial offices, government officers, bank, insurance offices, coaching classes, educational institutes etc.	500
10.	Kinder Garten, Cretches etc.	Nil
11.	Clinic, dispensary, laboratories,	1000
12.(a)	Nursing homes (up to 50 beds) only non-bio medical waste.	1000

1	2	3
12.(b)	Hospitals, Nursing Homes (above 50 beds)	4000
13.	Small and cottage industry, workshop (only non-hazardous waste)	1000
14.	Godowns, cold storages (only non-hazardous waste)	2000
15.	Automobiles, showrooms	2000
16.	Service Stations, Automobile Workshops	1000
17.	Marriage/Party Halls, Festivals Halls, Party Lawns, exhibition and fairs	1000
18.	Clubs, cinemas halls, pubs, multiplexes and other such places	2000
19.	Any other non-commercial, commercial, religious or charitable institution not covered in any of above categories	500
20.	Dairies & Kennels	1000

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## SCHEDULE-II

## FINE/PENALTY

S.No	Rule/Bye-Laws No.	Offences	Applicable to	Fine (In Rs.)
1	2	3	4	5
1.	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the Rule	Residential Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and Clubs, Cinema Halls, Pubs, Community Halls, Multiplexes and other such places with area less than 5000 sq. m. Other non-residential entities with area less than 5000 sq.m.	200 10,000 5000 1000
2.	Rule 4 (1) (b) and (d) of SWM Rules	o Failure to deal with sanitary waste in accordance with the Rule o Failure to deal with horticulture waste and garden waste in accordance with the Rule	Residential Non-Residential	500 1000

1	2	3	4	5
3.	Rule 4 (1) (c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the Rule	Residential  Non-Residential	2000  5000
4.	Rule 4 (2) of SWM Rules	Open burning of solid waste	Violator	5000
5.	Rule 4 (4) of SWM Rules	Organizing an event or gathering of more than one hundred person at any unlicensed place without following the prescribed procedure	Person(s), who has/ve organised such event or gathering or, on whose behalf such event or gathering has been organized and the event manager(s), if any, who has/ve organized such event or gathering	5000
6.	Rule 4 (5) of SWM Rules	Street vendor failing to deal with waste in accordance with the Rule	Violator	500

1	2	3	4	5
7.	Bye-Law 13 (i) read with Rule 15 (g) of SWM Rules	Littering	Offender	500
8.	Rule 4 (6) of SWM Rules	Failure to deal with waste in accordance with the Rule	Resident Welfare Association Market Association	5000 10,000
9.	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community Institution	10,000 15,000
10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel Restaurant	20,000 10,000
11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	50,000
12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	50,000

Chief Executive Officer,  
Municipal Council, Baramulla.