

Bill No. 213 of 2015

THE WASTE SEGREGATION AND COLLECTION BILL, 2015

By

SHRIMATI SUPRIYA SULE, M.P.

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BILL

to provide for proper handling and disposal of household waste by prescribing norms and fixing duties on citizens and municipal authorities with regard to segregation and collection of municipal solid waste and for matters connected therewith or incidental thereto.

WHEREAS decisions were taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, to take appropriate steps for protection and improvement of human environment;

AND WHEREAS it is considered necessary further to implement the decisions of aforesaid Conference in so far as they relate to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property.

BE it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Waste Segregation and Collection Act, 2015.
- (2) It extends to the whole of India.

Short title,
extent and
commencement.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means in the case of a State the Government of that State and in all other cases, the Central Government;

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(b) “municipal authority” means Municipal Corporation, Municipality, Nagarpalika, Nagar Nigam, Nagar Panchayat, Municipal Council including Notified Area Committee (NAC) or any other local body constituted under the relevant statutes and where the management and handling of municipal solid waste is entrusted to such agency;

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(c) “prescribed” means prescribed by rules made under this Act; and

(d) “segregation” means separation of the municipal solid wastes into organic, inorganic, recyclables and hazardous wastes.

Prohibition on littering.

3. No person shall throw or dispose of any household waste in public place or on the property of any other person, except in the dustbins or waste collection points demarcated by the municipal authority.

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Duty of every citizen.

4. It shall be the duty of the every citizen to segregate the household waste before disposal.

Responsibilities of the municipal authorities.

5. It shall be the duty of the municipal authority to,—

(i) **ensure collection of segregated waste from households for further treatment and disposal;**

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(ii) notify sites demarcated as collection points;

(iii) **conduct educational and informational activities relating to segregation of waste at such interval, as may be prescribed, for the local residents; and**

(iv) **organise cleanliness drives from time to time to promote cleanliness among citizens.**

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Minimum standards and requirements for collection of solid waste.

6. (1) The appropriate Government shall prescribe minimum standards and requirements for the collection of solid waste, in such manner as may be prescribed.

(2) In particular and without prejudice to the generality of foregoing provisions, the minimum standards shall provide for—

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(a) **equipments for all collectors and other personnel directly dealing with collection of solid waste to protect themselves from the hazards of handling municipal solid wastes;**

(b) **necessary training to the collectors and personnel to ensure proper handling of solid wastes; and**

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(c) manner of collection of solid waste to prevent damage to the container and spillage or scattering of solid waste at collection points demarcated by the municipal authority.

Penalty.

7. Whoever violates the provisions of this Act shall be punished with imprisonment for a term which may extend to six months and fine which may extend to five thousand rupees.

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Central Government to provide requisite sums.

8. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite sums to the State Governments for carrying out the proposes of this Act.**

- 9.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force relating to maintenance of public cleanliness and waste management or in any instrument having effect by virtue of any law other than this Act. Act to have overriding effect.
- 5 **10.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force. Act to supplement other laws.
- 11. (1)** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.
- (2) Every rule made under this Act shall be laid, as soon as may be after it is made, 10 before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both House agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or 15 be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

India generates about sixty million tonnes of trash every year. Ten million tonnes of garbage is generated in the metropolitan cities only. The landfills of most of these cities are already overflowing, with no space to accommodate fresh garbage waste. The reason why most landfill sites are overflowing is the inefficiency of the current waste disposal system. Effective management of garbage is extremely important as it affects the health of our citizens in an extremely severe manner. Nearly twenty per cent of methane gas emissions in India are caused by landfills. Due to the decomposition of inorganic waste, the ground water is contaminated. There is also the problem of leachate when rain water percolates through the waste in a landfill.

Inefficiency in waste disposal system can only be solved by segregating waste at the source location. Recyclable waste like construction and demolition waste, organic waste like household garbage and toxic waste like medical waste, needs to be separated. “*Swaachh Bharat Abhiyan*” launched by Government of India encourages citizens not to pollute the community and make more use of dustbin to drive cleanliness. But awareness of segregation of waste is still a distant dream. Even before cleaning up the city, the government needs to sort out a concrete waste management system that ensures segregation and recycling.

The Bill aims to provide a legislative impetus to the issue of waste management by clearly outlining the roles and responsibilities of the Government, municipal authorities and the citizen. The Bill also seeks to provide for necessary standards for the collectors and personnel dealing with collection of the waste to ensure effective waste management system.

Hence this Bill.

NEW DELHI;
June 29, 2015.

SUPRIYA SULE

FINANCIAL MEMORANDUM

Clause 5 provides for certain steps to be initiated by municipal authorities for promotion of waste segregation. Clause 6 provides for provision of equipments, necessary training for collectors and other personnel directly dealing with collection of solid waste. Clause 8 provides that the Central Government shall provide adequate sums to the State Governments for carrying out the purposes of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about five hundred crore will be incurred per annum.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purpose of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of normal character.

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(Shrimati Supriya Sule, M.P.)