

# **CHAPTER 25**

## **POLICY GUIDELINES**

### **25.1 INTRODUCTION**

As per the Constitution of India, Solid Waste Management is a state subject and it is the primary responsibility of state governments to ensure that appropriate solid waste management practices are introduced in all the cities and towns in the state. The role of Government of India is broadly to formulate policy guidelines and provide technical assistance to the states/cities whenever needed. It also assists the state governments and local bodies in human resource development and acts as an intermediary in mobilizing external assistance for implementation of solid waste management projects.

Though SWM is a State subject, it is basically a municipal function and as such urban local bodies are directly responsible for performing this important activity. The 74<sup>th</sup> amendment of the constitution also envisages the urban local bodies to shoulder this responsibility. The urban local bodies in the country are, therefore, responsible and required to plan, design, operate, and maintain the solid waste management system in their respective cities/towns.

Though solid waste management is an obligatory function of the urban local bodies, this service has been poorly performed by most of them resulting in problems of public health, sanitation, and environmental degradation. With rapid pace of urbanization, the situation is becoming more and more critical day-by-day. Infrastructure development is not in a position to keep pace with population growth owing to poor financial health of most of the urban local bodies. Lack of financial resources, institutional weakness, improper choice of technology, lack of public participation in solid waste management, non-involvement of private sector, etc., have made the service far from satisfactory. There is, therefore, a need to handle this problem in a concerted manner and adopt strategies to tackle all aspects of waste management scientifically involving private sector wherever necessary and possible. A policy framework is, therefore, necessary to guide and support the urban local bodies in the country for managing the solid waste scientifically and cost effectively.

## **25.2 POLICY FRAME WORK**

The State Governments should frame appropriate policies to guide the local bodies and take a lead role in activating the local bodies to perform their obligatory duties effectively. The state should also support the local bodies through legislative measures to enable the local bodies to perform better.

## **25.3 ISSUES**

The following issues need to be addressed during policy formulations:

- (i) Effective public participation in segregation of recyclable waste and storage of waste at source.
- (ii) Public participation in primary collection of waste.
- (iii) Sweeping of streets and primary collection of waste on all the days of the year irrespective of Sundays and public holidays.
- (iv) Provision of closed body mobile waste storage depots and abolition of open waste storage sites.
- (v) Safe and separate storage as well as doorstep collection of biomedical waste, hotel and restaurant waste yard waste, etc., on full cost recovery basis.
- (vi) Avoid the need of multiple handling of waste through the adoption of principal of "handle waste once only" in the matter of collection, transportation, and disposal of waste.
- (vii) Transportation of waste on day to day basis in closed body vehicles.
- (viii) Processing of waste for generating compost, power, and other useful products.
- (ix) Disposal of waste in an environmentally acceptable manner through establishment of sanitary landfill sites.
- (x) Grant of land for processing and disposal of waste.
- (xi) Institutional strengthening and human resources development.
- (xii) Improving the financial health of the local urban bodies.
- (xiii) Introducing element of cost recovery.
- (xiv) Encouraging private sector participation in waste management.
- (xv) Welfare of the staff engaged in solid waste management services.
- (xvi) Creation of public grievances redressal mechanism.

(xvii) Provision for enforcement of sanitation laws and rules.

**25.4** The following measures may be taken by the Central Government, State Governments and urban local bodies in the country to address the above issues effectively.

#### **25.4.1 The Central Government**

The Central Government may:

- Prescribe minimum standards to be maintained by the urban local bodies while providing SWM services under the E.P. Act 1986.
- Periodically update the technical manual on solid waste management for the benefit of local bodies and other agencies engaged in solid waste management.
- May arrange national workshops on solid waste management and exposure visits to foreign countries and within the country for imparting knowledge and training to the officials handling solid waste management and decision-makers.
- May conduct nationwide awareness campaign to make the cities clean using "Door Darshan" and other private channels for widespread communication taking help of experts in communication.
- Provide fiscal concessions such as exemption of central excise and custom duties in purchase of special type of vehicles and equipment necessary for solid waste management.
- Promote joint ventures in setting up industry for manufacture of solid waste management equipment and vehicles within the country.
- Allow the urban local bodies to raise tax-free municipal bonds without any upper ceiling.
- Provide financial assistance for setting up compost plants and other waste processing units.
- Set up pilot plants for waste processing and disposal for the benefit of all the urban local bodies of the country.
- Extend technical guidance for implementing solid waste management system.
- Mobilize financial assistance from external sources and bilateral agencies to the urban local bodies through the state governments.

## 25.4.2 The State Governments

The State Governments may take the following measures:

### 25.4.2.1 *Provide Legal Frame Work*

States may make suitable legislative changes in the local laws in terms of the recommendations made in Chapter 24 of the manual. This will facilitate the enforcement of the directions that may be given by the urban local bodies from time to time to the citizens for managing their waste as prescribed and would also compel the local bodies to perform by providing adequate services.

### 25.4.2.2 *Promote Financial Health of the Urban Local Bodies to Meet Obligatory Duties*

#### (i) **Minimum Tax to be Levied:**

Merely giving power to local bodies to impose taxes have not yielded satisfactory results. Several local bodies are shy of imposing adequate taxes resulting in inadequacy of services in urban areas. The State Governments may, therefore, prescribe a minimum amount of property tax per square metre of property, the local body shall impose or levy from the property holder or take some percentage of the value of property or rent derived as property tax, which may generate adequate income to the ULB to meet their constitutional obligations. ULBs may also be allowed/ motivated to generate non-tax revenues to augment their financial resources. The ULBs are also required to be directed not to spend their funds on non-essential activities till they adequately meet their demand on obligatory duties.

#### (ii) **Extend Need Based Financial Assistance for Capital Expenditure:**

Government may assess the need of the ULBs, their capability, their compliance to government directions to raise revenues and then extend financial support to them for procurement of vehicles and equipment to improve solid waste management practices.

#### (iii) **Linking of Incentives with Performances:**

Government may link fiscal incentives in the form of grants / loans / subsidies to the ULBs with their performance in the financial sector and keep on motivating them to avail of the incentives.

**iv) Facility of Long Term Loans:**

Government loans may be extended to ULBs for modernization of solid waste management practices on a long-term basis to enable them to repay the loans easily.

Government may also provide technical assistance to local bodies for preparing project proposals for availing of loans from World Bank, ADB and other national and international financial institutions and give necessary guarantees/ sanctions for availing of such loan facilities.

**25.4.2.3 *Grant of Land for Treatment Facility and Disposal of Waste***

In the cities where local bodies do not have adequate land suitable for setting up facilities for the treatment and disposal of waste, state governments may, as a policy grant to the ULBs, adequate government waste land suitable for the treatment and disposal of waste keeping in view the need of ULB of at least 25 to 30 years. Such lands may be given to the urban local bodies free or on a token lease rent for a long term of not less than 30 years. The land for the disposal of waste could also be given to the urban local bodies for a period till the land so given is reclaimed through sanitary land filling and government may take back the land, after the same is appropriately reclaimed. This will serve the purpose of the local body as well as of the state governments.

Special organized system (cell) may be created in the State Governments to access the needs of the local bodies and give fast track clearance for the allotment of land for the above purposes.

**25.4.2.4 *Identification of Suitable Land for Treatment and Disposal of Municipal Solid Waste in City's Development Master Plan***

While preparing the development master plan of the cities, the State Govts may ensure earmarking of appropriate land for treatment and disposal of municipal solid waste keeping in view long term requirement of the cities

**25.4.2.5 *Permit Allotment of Land to Private Sector for Setting up Treatment Facilities and Landfill Sites for Waste Disposal***

The grant of government land to ULB should have an enabling provision allowing urban local bodies to give part of that land to private entrepreneur for setting up treatment/disposal facility for the urban local body. It should also be permitted to give such lands to private entrepreneurs on a token lease rent for a

period of 15 to 30 years subject to conditions that maybe prescribed by the urban local bodies not inconsistent with the terms prescribed by state government while granting the same land to ULB. It would be desirable to give land on appropriate token lease rent of per year for a long term as indicated above to attract private entrepreneurs to invest in waste management sector.

#### **25.4.2.6 *Payment of Tipping Fees***

The private sector participation may be encouraged in such away that it does not affect the interest of the existing labour, it does not violate the existing provisions of the law, does not exploit the private labour and yet reduce the burden of urban local body of new establishment. This will substantially help in improving the quality of service of the urban local bodies, effect economy in expenditure and would also give a scope to private sector in waste management market.

#### **25.4.2.7 *Promote Recycling Industry***

The State Governments may declare a policy to promote industries for recycling of municipal solid waste by giving priority in allotment of land/sheds/power/water, etc. and give necessary clearances / NOCs expeditiously. Government may also direct the government organizations and local bodies to purchase recycled products to encourage such industries.

#### **25.4.2.8 *Provide Tax Benefits***

The State Government may consider granting local tax benefits / exemptions to solid waste recycling industries / treatment plants for at least 5 years.

#### **25.4.2.9 *Promote Use of Compost***

State Governments through their agriculture departments and outreach net work, may propagate use of compost made from municipal solid waste on the farm land after being satisfied that the product meets the necessary standards for the application on the farm- lands. Government may also consider subsidizing the sale of such compost.

#### **25.4.2.10 *Promote Energy Recovery, Power Generation, etc., from MSW***

Government may support proven technologies for power generation from municipal solid waste by grant of land on token rents, license for power generation

and making power purchase agreements at the rates that may be affordable to power producers keeping in view the social benefits derived from such activity



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 (Regulation & Abolition) Act 1970 and prepare standard concession agreements to guide the urban local bodies.

**25.4.2.12 Develop IEC Material**

The state governments may develop appropriate information, education and communication material (IEC) according to the local needs and take up statewide awareness campaign and help the urban local bodies to build public awareness in their cities and towns and promote the principle of "Reduce, Reuse And Recycle" municipal waste.

**25.4.3 The Urban Local Bodies**

The urban local bodies on their part may frame their policies as under: -

**25.4.3.1 Provision of Daily Service**

Local bodies, as a policy, should provide SWM services such as sweeping of streets, primary collection of waste and disposal of waste on all the days of the year including Sundays and public holidays. As the waste is generated on all the days of the year, its collection can not be deferred on Sundays or public holidays in absence of adequate arrangements to clear the back log on the next working day. For the maintenance of health and sanitation in the urban areas, it is necessary that this service be provided round the year.

**25.4.3.2 Segregation and Storage of Waste at Source**

The local body should formulate and notify a policy that no waste shall be disposed of on the streets, open spaces, drains, water bodies, etc., and instead the recyclable and other biodegradable shall be stored separately at the source of waste generation and shall be handed over to the waste collectors as per the arrangements that may be notified by the local body from time to time.

**25.4.3.3 Abolish Open Waste Storage Depots and Other Inefficient Waste Storage Devices**

The local bodies may immediate phase out abolition of all open waste storage sites, cement, concrete, pipes, masonry bins,

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al services to the commercial and industrial units towards the collection, transportation and disposal of solid waste.

#### **25.4.3.5 Levy of Sanitation Tax to Meet & Cost of SWM Services**

The urban local body should impose adequate sanitation tax to cover the cost of SWM services. Whereas efforts should be made to effect cost recovery from the beneficiaries who get doorstep service, the shortfall of funds should be made good from general sanitation tax, which should be adequately imposed, as a matter of policy by the urban local bodies.

#### **25.4.3.6 Public Private Partnership in SWM Services**

There is a need to promote a healthy competition in the SWM service being provided by the urban local bodies and the private sector. The manpower cost is going up steeply in the local bodies and efficiency levels are coming down. There is, therefore, a need to induct private sector to provide SWM services in un-served and under-served areas in a cost effective and efficient manner. This will reduce the costs and promote an element of healthy competition between public and private sector.

#### **25.4.3.7 Private Sector Participation**

The ULBs may promote private sector participation on the lines indicated in Chapter 20 of this Manual. They may as a policy decide to set up treatment facilities and doorstep collection service with the private sector participation on suitable terms and conditions for which standard concession agreements/formats may be drawn up with legal assistance to ensure protection of ULB interest.

#### **25.4.3.8 Provision of SWM Services in Slums**

The local bodies should frame a policy of providing community bins for the storage of waste or daily door-to-door collection service in the slums to ensure sanitary conditions in the slums irrespective their legal or illegal status iY

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**25.4.3.9 O P E Y**

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save of Chapteration and maintenance of SWM services.  
Appropriate percentage of the budget of the local body should be earmarked for  
efficient management of SWM services.

#### **25.4.3.10 Identification and Allotment of Suitable Lands for Treatment and Waste Disposal**

The local body should assess the need of land for treatment and disposal of waste disposal for the next 25 to 30 years and identify suitable municipal land for allotment to the solid waste management department. If suitable land is not available the same should be acquired or obtained from the state government expeditiously.

#### **25.4.3.11 Human Resources Development**

The local body as a policy should provide adequate training to the staff engaged in solid waste management services and arrange for short term and refresher courses for updating the knowledge of the supervisory staff to maintain the high standards of service. All components of SWM services, including the workshop, should be under one umbrella to ensure effective supervision and control.

#### **25.4.3.12 Public Grievances Redressal Mechanism**

The local bodies should draw up a citizens charter and create a system to register public grievances in all the wards and set up a mechanism for expeditious redressal of grievances through decentralized municipal administration.

#### **25.4.3.13 Enforcement**

While all efforts may be made to build awareness among the community for public participation in solid waste management services in the urban areas, a mechanism for enforcement should be simultaneously created to discipline the citizens who do not adhere to the directions of the urban local bodies. Those who litter the streets or create unhygienic conditions, in spite of the facilities provided by the urban local bodies, should be punished through levy of fines, administrative charges, etc. Mobile sanitation courts could be established in metropolitan cities to have a salutary effect.

#### **25.4.3.14**     *Welfare of the Staff*

The staff engaged in handling of solid waste need to be given adequate protection and health care facilities. The local body, as a policy, should provide adequate protective clothing and health check up from time to time to the staff to ensure that their health is not adversely affected on account of their handling of solid waste. Free medical services should be made available to those whose health is affected on account of handling solid waste

### **25.5**     **POLICY ORDERS ISSUED BY SOME STATES**

Some of the policy orders issued by the state governments to promote waste to energy projects are given in Annexure 25.1 for the information of other state governments and ULBs.

State governments may consider issuing suitable policy guidelines to promote treatment and disposal of municipal solid waste by various processes through private sector participation.

**25.6**     Ministry of Environment & Forests, Government of India have issued draft notification for Municipal Waste (Management & Handling) Rules, 1999 vide notification No.SO 783(E) dated 27<sup>th</sup> September, 1999 covering various aspects of SWM (copy at Annexure 1.1). These rules would be applicable throughout the country as and when finalised and state policies on SWM have to be shaped accordingly.