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PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

Order of the Provincial Council

I, Pestheruwe Liyanaralalage Reginold Rosmend Cooray Wijewarnasooriya, the Chief Minister of the Western Province and the Minister of Law and Order, Finance and Planning, Education, Employment, Local Government, Provincial Administration, Transport, Cultural and Art Affairs of the Western Province, made this “Municipal Solid Waste Management Rules” with the powers delegated to me under Sub-section (1) of Section 20 of the Waste Management Statute No. 01 of 2007 of the Western Province.

PESTHERUWE LIYANARALALAGE REGINOLD ROSMEND COORAY WIJEWARNASOORIYA,
Chief Minister of the Western Province and the
Minister of Law and Order, Finance and Planning, Education,
Employment, Local Government, Provincial Administration,
Transport, Cultural and Art Affairs of the
Western Province.

Chief Minister's Office,
Srawasthi Mandiraya,
Colombo 07.
28th July, 2008.

MUNICIPAL SOLID WASTE MANAGEMENT RULES No. 01 OF 2008 OF THE WESTERN PROVINCE

1. These rules may be cited as Municipal Solid Waste (hereinafter referred to as “MSW”) Management Rules No. 01 of 2008 the Western Province.

CHAPTER - 01

SEPARATION OF MSW AT SOURCE

2. Every Municipal Solid waste generator (hereinafter referred to as “generator of waste”) shall maintain a minimum of two containers mainly for biodegradable and non biodegradable wastes set out in Schedule 1. Such containers shall have lids with sufficient space to accommodate the daily collection of waste without spilling any waste out side such container :

Provided however the generator of waste may have more than one container for non-biodegradable wastes such as papers, plastics and glass etc., No generator of waste shall mix their toxic or clinical wastes with the Municipal Solid Waste.

3. An industrial, medical or healthcare establishment shall separate its toxic and clinical waste from the Municipal Solid Waste and store and dispose in accordance with the National Environmental (protection and quality) Regulation No. 1 of 2008 published in *Gazette* No. 1534/18 of 1st February, 2008.

4. Electronic and bulk waste specified in Schedule 01 shall be separated by each generator of waste from his daily collection of waste and shall be handed over separately to the respective Local Authority or any person authorized in writing in that behalf by the Local Authority (hereinafter referred to as the authorized person).

5. Any solid waste generated from construction or any rubble or debris from demolition shall not be mixed with any other waste and shall be handed over to the respective Local Authority or authorized person.

6. Every Local Authority shall make the general public aware of the process of segregation, abatement, reusing and recycling of solid waste at the source.

7. It shall be the responsibility of the generator of waste to avoid littering of the premises and any road adjacent to the premises with waste and to ensure collection, segregation and delivery of waste in accordance with the provisions of these rules.

8. No person shall dispose of waste on any public or private place, other than in closed-type bins or other receptacles especially set apart for that purpose.

9. (1) No owner or occupier of any premises shall keep or cause to be kept any noxious or clinical waste with stench within their premises or keep receptacles with such matter, in a manner which causes a nuisance to his neighbours.

(2) It shall be lawful for the Commissioner or the Secretary of the Local Authority or any person of the Local Authority authorized by him or her in writing to enter upon any premise, at a reasonable time of the day on prior intimation to the occupant where any contravention of paragraph (1) hereof has taken place. The Local Authority may set a right the lapse and require the occupier of that premises to reimburse the Local Authority of any expenses thereon incurred.

10. The owner of any building shall be responsible for the repair, replacement and proper maintenance of a waste chute or chute chamber, which is serving such building or a part thereof.

11. No person shall litter or spit in any building open to public or public places, pavements, footways or conveyances.

12. No person shall burn or cause to be burned any waste in the open air.

13. No person shall bury in his garden any noxious, clinical or hazardous waste which may cause a nuisance to his neighbours or affects the flora and fauna of the area.

14. No occupier shall discharge any liquid, semi solid or solid waste which has a bad odour into any street, public place or drain.

15. No occupier of any premises shall -

- (a) deposit or cause to be deposited any waste except in a covered vessel ; and
- (b) place or cause to be placed any receptacle except on the street adjoining his or her premises at such hours in accordance with the notice of the Commissioner or Secretary of the Local Authority.

CHAPTER - 02

PROPER COLLECTION/ACCEPTANCE OF MSW FROM COLLECTION CENTERS OR SOURCES OF GENERATION

16. Every Local Authority shall arrange for door to door collection of biodegradable waste, at least twice a week and the time and the manner of collection shall be by prior notification to each chief occupant.

17. Every Local Authority shall arrange for door to door collection of non biodegradable waste specified in schedule - 01 at least once in two weeks and time and the manner of collection shall be notified to each chief occupant.

- 18. (i) Every chief occupant of a premises shall be liable to pay a “User fee” in addition to the taxes payable to the respective Local Authority, to cover the expenses of door to door waste collection, in such some within the limits specified in the Schedule 02.
- (ii) This user fee shall be charged under paragraph (i) of this rule within the Local Authority at Wards or Grama Niladhari Divisions with the written consent of the Chairman of the Waste Management Authority. The Chairman of the Waste Management Authority shall give his written consent on satisfying himself of the standard of the infrastructure provided for the collection, cleaning and transportation of Municipal Solid Waste within that area.

19. Every Local Authority shall collect the bulk waste specified in Schedule 01 at least once in two weeks and the time and the manner of collection shall be by prior to notification to each chief occupant. The Local authority shall charge a user fee in such sum within the limits specified in the Schedule 03 for its service.

20. The Local Authority or any authorized person shall at the request of any person collect rubble and debris of construction waste, on payment of a service charge specified in Schedule 04, imposed by the Local Authority based on the priority and distance.

21. (1) Every Local Authority shall be in charge of levy in a “Spot Fine” specified in the Schedule 02 of the Waste Management Statute No. 01 of 2007 of the Western Provincial Council for littering and mixing of waste.

(2) The provisions of paragraph (1) shall be applicable only in the areas where user fee is levied.

22. Every Local Authority shall transfer twenty percent of the total revenue gained from the service charge on monthly basis, to the fund of the Authority established under Section 10 of the Waste Management Authority Statute No. 1 of 2007 and maintained by the Waste Management Authority for the purpose of promotion of the provincial waste management activities.

23. No Local Authority or any authorized person shall mix different categories of waste (specified in Schedule 01) which are collected or accepted separately in accordance with the preceding provisions.

24. (1) Every Local Authority shall conduct awareness program on segregation of waste and shall promote recycling and reusing of segregated materials.

(2) For the purposes of these rules, regular programs at frequent intervals shall be conducted by a Local authority with representatives of local community based organizations and non-governmental organizations. Details of such programs shall be forwarded in advance to the Waste Management Authority.

25. Every person other than any Local Authority who engaged in collection of waste or cleaning shall obtain valid license for a period of one year from the respective Local Authority or Waste Management Authority in the form and manner specified in Schedule 9 hereto on payment of an annual license fee specified in Schedule 05. The relevant records shall be kept and maintained by the said Authority and shall be given to any person who required information relating to such collection or cleaning.

26. No person or any company registered with the Local Authority shall collect wastes from any premises without an identity card issued by the respective Local Authority or the Waste Management Authority of the western province.

27. No waste collector shall maintain outdoor waste collection yards adjoining a "A" grade road other than by "sampath Piyasa" which is established by the Waste Management Authority for proper collection of sorted household waste.

28. No waste collector shall store the collected waste or keep them in side adjoining any grade " B " road or any grade " C " public road.

29. (1) No waste collector shall keep or cause to be kept any waste in an unhygienic manner, which may cause a nuisance to his neighbours or provide a facility for mosquito breeding.

(2) It shall be lawful for the Commissioner or Secretary of the Local Authority or any person authorized by the Commissioner in writing in that behalf to enter upon any premises where he has reasonable grounds to believe that a contravention of the provisions of Paragraph (1) hereof has taken place and remove or cause to be removed such nuisance. The expenses incurred due to such activity shall be recovered from the respective waste collector or the company.

CHAPTER - 03

CLEANING OF ROADS AND PUBLIC PLACES

30. (1) Every Local Authority shall clean all categories of public roads, pavements, culverts, drains and all public places within its administrative limits at regular intervals.

(2) Every person other than a Local Authority whom engages in cleaning of public places shall obtain valid license for a period of one year from the respective Local Authority or Waste Management Authority in the form of manner specified in Schedule 9 hereto on payment of annual license fees specified in Schedules 05.

31. Every Local Authority shall prohibit littering of any type of domestic, trade, industrial and institutional waste on streets, public recreational places, drains waterways and water bodies.

32. Every Local Authority shall provide and maintain sufficient number of separate closed-type waste bins or receptacles for biodegradable and non-biodegradable waste on both sides of all categories of roads and all public places.

33. Every Local Authority shall provide extra closed-type separate movable bins or receptacles for biodegradable and non-biodegradable waste for festival seasons and special events at all public places.

34. No person shall grow or cut trees by the side of any road, reservation, park or any public place without the written consent from the Commissioner or Secretary of the respective Local Authority.

35. No occupier shall grow and plant or keep any permanent obstacle to obstruct the utility area of the street or pavement adjoining his or her premises.

36. (i) No person shall display any advertisement, notice, poster or a decoration in a public place without a written consent from the Commissioner or Secretary of the respective Local Authority.

(ii) The written consent required under Paragraph (i) shall be given for a period specified in the license with a condition to remove the said advertisement, notice, decoration or poster within 07 days from the date of expiry of the period permitted for display.

37. Every Local Authority may establish and maintain sufficient number of places for displaying advertisements within its administrative limits, without prejudice to any provision of any other written law.

38. No owner of a premises adjacent to a private road shall permit any waste to be deposited to remain on such road, adjoining pavements or drains and he shall be required to keep such places clean and tidy.

CHAPTER - 04

ABOLISHING OF OPEN WASTE STORAGE RECEPTACLES

39. Every Local Authority shall within a period of two years from the date of coming into operation of this rule do away with all open-type waste storage facilities, either by replacing them with closed type mobile or permanent receptacles or by transporting waste directly from the source of generation to a transfer station or a final disposal facility.

40. Every Local Authority or any authorized person, who wishes to use closed type waste receptacles in the administrative limits of the local Authority shall be responsible for providing separate receptacles to accommodate volume for biodegradable and non-biodegradable waste and shall maintain those receptacles in clean and usable condition.

41. Every Local Authority or its authorized person who wishes to use closed type temporary receptacles in the administrative limits of the Local Authority shall educate the general public about proper usage of closed type waste receptacles.

42. Every Local Authority shall be responsible for providing receptacles based on the population density and quality of waste generated in that area. Such receptacles shall be easily accessible to user and shall be easy to handle, transfer and transport.

43. No Local Authority or authorized person shall operate an open waste transfer station visible to be the “A” and “B” category roads.

44. Every Local Authority or any authorized person shall provide appropriate size, closed-type, separate waste receptacles for biodegradable and non-biodegradable waste for public places. Every Local Authority shall provide a minimum of four sets of receptacles of such description for an area of one square kilometer.

45. Every Local Authority or an authorized person shall clean every waste receptacle at regular intervals before it causes a foul or odour to the general public of the area.

46. Every Local Authority or a person authorized by the Local Authority writing shall during every festival season provide additional waste receptacles in public places and remove waste at frequent intervals.

47. Every Local Authority or its authorized persons shall make the general public of the area aware of proper usage of closed-typed waste receptacles and places where those receptacles are allocated.

48. Every Local Authority or an authorized person shall directly transport wastes from the source such waste is generated to the transfer station (Radial Collections.)

49. No Local Authority or an authorized person shall spill, dump or unload waste on the ground or any road during the transfer of waste from radial collection to central collection.

CHAPTER - 05

IMPROVING THE SYSTEMS FOR MASS TRANSPORTATION OF MSW

50. Every Local Authority shall transport Municipal Solid Waste to a specified final disposal facility and shall maintain relevant records.

51. Every vehicle involved in mass transportation of Municipal Solid Waste shall be maintained in a clean condition.

52. During the mass transportation, waste shall be covered and shall not be visible to the general public.

53. Every Local Authority or an any person engaged in disposal of waste shall employ a driver and an assistance with required experience in their respective jobs.

54. Waste shall be transported only to the designated facility and every driver shall maintain the relevant records and shall hand them over to the Commissioner or the Secretary of the respective Local Authority on weekly basis.

55. Every person other than any Local Authority who engaged in mass transportation of waste shall obtain valid license for a period of one year from the Waste Management Authority in the form and manner specified in Schedule 9 hereto on payment of annual license fee specified in the Schedule 06. The relevant records of such Transportation shall be kept and maintained by the said Authority and shall be given to Local Authority if requested.

CHAPTER - 06

TREATING THE COLLECTED MSW AS A "RESOURCE"

56. Every Local Authority or any authorized person shall arrange to utilize the primary level recovered resource from waste in a manner to minimize the burden on landfills within its administrative limits.

57. Every Local Authority and any authorized person shall promote marketing of recovered resources from the waste.

58. Every operator having the facility of waste recycling or reusing shall obtain from the Waste Management Authority a license for a period of one year in the form and manner specified in Schedule 9 on payment of a license fee calculated in accordance with daily waste requirements specified in Schedule 07 for his business.

59. Every Local Authority shall organize community level treatment facility for organic biodegradable waste through process of aerobic composting or any other appropriate state-of-the-art technologies under the guidance of Waste Management Authority. The relevant records shall kept and maintained by the Waste Management Authority and shall be given to any Local Authority if requested.

60. Every Local Authority shall encourage the recycling industry in order to use waste as a recourse within their administrative limits under the guidance of Waste Management Authority.

61. Every Local Authority shall maintain a Directory of Waste Recyclers within its administrative limits in order to furnish the information to the Waste Management Authority if requested.

62. Waste Management Authority shall assist any Local Authority to find waste recyclers if and when request in writing is made by such Local Authority.

63. Every Local Authority shall promote the concept of “Reduce and Reuse of Waste” within its administrative limits and forward their progress report quarterly to the Waste Management Authority.

64. Every Local Authority and any authorized person shall dispose non-biodegradable rejects or inerts, which are generated from their waste treatment facilities, to a final waste disposal facility and the records of such disposal shall be maintained and furnished to the Provincial and Local Authorities on monthly basis.

65. Every Local Authority or any authorized persons shall operate their waste reusing or recycling facility in accordance with the Technical Guidelines (June 2005) of the Central Environmental Authority of Sri Lanka.

66. (1) No Company or any person who engages in waste reusing or recycling shall keep or cause to be kept any waste in unhygienic manner, which may cause a nuisance to his neighbours or provide a facility to breed mosquitoes.

(2) It shall be lawful for the Commissioner or the Secretary of the Local Authority or any person authorized by the Commissioner to enter upon any premises where he has reasonable grounds to believe of a contravention of provision of Paragraph (1) hereof and to remove or caused to be removed of such nuisance. The expenses incurred due to such activity shall be recovered from the respective company or such person who engages in waste reusing or recycling.

CHAPTER - 07

INTRODUCING AN IMPROVED FACILITY FOR THE FINAL DISPOSAL MSW

67. (1) Waste Management Authority shall maintain and monitor final disposal facility within the Western Province.

(2) Any private operator operates such facility shall obtain license specified in Schedule 8 for a period of one year in the form and manner specified in Schedule 9 hereto from the Waste Management Authority.

68. Every Local Authority shall deliver their Municipal Solid Wastes to the final waste disposal facility after recovering all valuables from their Municipal Solid Waste.

69. No Local Authority, company or person shall dispose their final waste except to a final disposal facility.

70. Final disposal site shall be operated in accordance with the Technical Guidelines (June 2005) of the Central Environmental Authority of Sri Lanka.

71. In this rules, unless the context otherwise require : -

“**Art of Technologies**” means bio mechanization, vermi composting etc ;

“**Authorization**” means the written consent given by the Chairman of the Waste Management Authority or the Mayor or the Chairman of a Local Authority as the case may be ;

“**Authorized Person**” means a person or a company authorized in writing to do a specific duty by an Executive Chief of a Local Authority ;

“**Collection**” means removal of solid wastes from collection points or any other location ;

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

“**Demolishing and Construction Waste**” means waste of building materials debris and rubble etc. resulting from construction or demolishing activities ;

“**Disposal**” means final disposal of municipal solid wastes in terms of the specified measures to prevent contamination of ground water, surface water, soil ambient air ;

“**Final Disposal Facility**” means a facility which accommodate more than 25MT of mixed or stored Municipal Solid Waste per day to use as a resource of any disposal facility such as a land fill ;

“**Generator of Waste**” means a person, an institution, or a group of people who generates municipal solid wastes ;

“**Hazardous Waste**” has the same meaning as in the National Environmental (Protection Quality) Regulations published in the *Gazette* No. 1534/18 of 1st February, 2008 ;

“**Land Filling**” means disposal of residual solid wastes on land in a facility designed with protective measures against pollution of ground water, surface water due to air fugitive dust, wind blown litter, bad odour, fire hazard, bird menace, pest or rodents, green house gas emissions, slope instability and erosion ;

“**Local Authority**” means Municipal Councils, Urban Councils and Pradeshiya Shabas established under the Chapter 252 of Municipal Council Ordinance and Chapter 255 of Urban Council Ordinance and Pradeshiya Sabha Act, No. 15 of 1987 respectively and includes any authority created and established by or under any law to exercise perform and discharge powers duties and functions corresponding or similar to the powers, duties and functions, exercised performed and discharged by any such council or Sabha with power to impose and levy a rate on property ;

“**Municipal Solid Waste**” means composition of houses hold waste residential, commercial, industrial and treated clinical waste generated in a local authority area or notified areas in either solid or semi-solid form excluding clinical, industrial hazardous wastes ;

“**Operator of a Facility**” means a company or a person who owns or operates a facility for collection, segregation, storage, transportation, processing and disposal of municipal solid waste, appointed by a Local Authority for the management and handling of municipal solid wastes in a respective area ;

“**Owner**” means a person or a company who has a legal rights to a property or authorized to execute any activity of that property ;

“**Processing**” means the process by which solid waste are transformed in to new or recycled products ;

“**Recycling**” means the process of transforming segregated solid wastes in to raw materials for producing new products. Which may or may not be similar to the original products ;

“**Receptacle**” means temporary containment of municipal solid wastes in a manner so as to prevent littering, attraction of vectors, stray animals and excessive foul odour. Designed in accordance with the dimensions approved by the Chairman of Waste Management Authority or Mayer/a Chairman of a Local Authority ;

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

“**Sampath Piyasa**” means a place specifically designated by the Waste Management Authority to separately accommodate non-biodegradable wastes such as plastic, polythene, paper, glass, metal scraps ;

“**Transportation**” means conveyance of municipal solid wastes from one place to another hygienically through specially designed transport system so as to prevent foul odour, littering, mixing and accessibility to vectors and visible to general public ;

“**Vermi Composting**” means a process of using earthworms for conversion of bio-degradable wastes into compost ;

“**Waste Management Zones**” by the WMA (WP) means a management setup of a group of Local Authorities formulated with the intention of managing their wastes generated within a particular area of the Western Province.

“**Premise**” means a house, group of houses, a flat, a shop, a factory, a workshop, restaurant, hotel and the land pertaining thereto ;

“**Person**” - means an individual or a company or body of persons or any government institution responsible for the activity ;

“**Occupier**” means an owner or a lessee, tenant or resident of any premise ;

“**Waste**” means ash, dust, litter, feces, soil, during and other types of refuses ;

“**Heavy Vehicles**” means vehicles other than light vehicles, agricultural vehicles and land vehicles ;

(a) “**A Grade Roads**” means inter provincial ; and

(b) “**B Grade Roads**” means roads that connect either A grade roads or two major cities ;

(c) “**C and D Roads**” means roads starting from A and B grade roads.

SCHEDULE 01

TYPES OF WASTE

No.	Waste Category	Item
1	Daily generated easily bio-degradable waste	Vegetable and fruit refuse, meet and fish refuse, processed food refuse / left cover, animal dung, garden litter, animal carcass, human feces, diapers and organic soft materials.
2	Daily generated non/low bio-degradable waste	Thin papers, hard papers, hardboard, plastics, polythene, fabric refuse / cutting, coconut scraps, metals, ceramics, ash, sand, silk, gravel, filament bulbs, glass, inorganic foam materials, packing materials, rubbers and rubberized materials, coir based item, hair clippings and other non organic hard material.
3	Electronic waste	Refrigerators, mobile phones, radios, televisions, computers, toy items, electronic circuits.

No.	Waste Category	Item
4	Bulk waste	Household waste more than 10 kg, used furniture, tyres, tree cuttings.
5	Demolishing / construction waste	Sheets, roofing materials, soil / earth removals, pipes / gutters, concrete and cement materials, iron bars, used scaffolding materials etc ;
6	House hold clinical / toxic waste	Batteries, tube lights, burn oil, injection needles, thermometers, pesticides, fungicides and other toxic liquid contains, sanitary towels.
7	Hazardous waste	Waste specified by the Extraordinary Gazette No. 924/13 of 1996.

SCHEDULE 02

USER FEES

Premises	Monthly Rate (Rs.)	
	Maximum	Minimum
Household		
Area less than 1,000 ft ²	200	30
Area between 1,000 ft ² to 3,000 ft ²	300	50
Area more than 3,000 ft ²	500	100
Commercial		
Area less than 1,000 ft ²	750	100
Area between 1,000 ft ² to 3,000 ft ²	1,000	200
Area more than 3,000 ft ²	1,500	250
Industrial		
Area less than 1,000 ft ²	750	100
Area between 1,000 ft ² to 3,000 ft ²	1,000	200
Area more than 3,000 ft ²	2,000	250
Hotels, Restaurants, Nursing Homes		
Area less than 1,000 ft ²	500	100
Area between 1,000 ft ² to 3,000 ft ²	2,000	200
Area more than 3,000 ft ²	5,000	300
Temples, Government Hospitals and Government Institution (Non profit oriented)	Charge could be estimated by the respective Local Authority.	

SCHEDULE 03

USER FEES (BULK WASTE)

<i>Quantity of Waste</i>	<i>User fees per trip (Rs)</i>
(a) Less than hand cart (about 0.25 m ³)	No charge
(b) Half a tractor load (about 0.5 m ³)	200 - 500
(c) Full tractor load (about 1m ³)	500 - 1,000
(d) More than a tractor load	Multiplication of (b) and (c)

* The actual amount will be based on the type of waste and distance to the transfer station or final disposal site.

SCHEDULE 04

USER FEES (DEMOLISHING AND CONSTRUCTION WASTE)

<i>Load of Waste</i>	<i>Within 24 hours collection (Rs)</i>	<i>Within one week collection (Rs)</i>
(a) Less than hand cart Load (about 0.25 m ³)	300 - 1,000	No additional charges
(b) For a half a tractor load (about 0.5 m ³)	500 - 1,500	200 - 750
(c) For a tractor load (about 1 m ³)	1,000 - 2,000	300 - 700
(d) More than a tractor load	Multiplication of (b) and (c)	Multiplication of (b) and (c)

Actual charges will be based on the distance to the transfer / final disposal site.

SCHEDULE 05

ANNUAL LICENSE FEE FOR WASTE COLLECTORS AND CLEANERS

<i>Area of Operation</i>	<i>Annual fee (Rs)</i>	
	<i>Non toxic / Non Hazardous</i>	<i>Toxic / Hazardous</i>
In one UC or PS Area	1,000	5,000
In one MC area	2,000	10,000
1 - 5 Local Authorities (UC / PS)	3,000	20,000
1 - 10 Local Authorities with maximum 2 MC	5,000	30,000
More than 10 Local Authorities	10,000	50,000

PS - Pradeshiya Sabha

UC - Urban Council

MC - Municipal Council

SCHEDULE 06

REGISTRATION FEE FOR MASS TRANSPORTERS

<i>Type</i>	<i>Annual Fees (Rs)</i>
A company or a person with more than 10 heavy vehicles	5,000
A company or a person with more less than 10 heavy vehicles	2,500

SCHEDULE 07

REGISTRATION FEES FOR RECYCLING AND REUSING FACILITY

<i>Facility</i>	<i>Daily Waste Requirement (MT)</i>	<i>Annual Fees (Rs)</i>
Composting or paper	Between 10 MT to 25 MT	5,000
	Between 3 MT to 10 MT	3,000
	Less than 3 MT	1,000
Plastic, glass and others	Between 2 MT to 25 MT	5,000
	Between 0.5 MT to 2 MT	3,000
	Less than 0.5 MT	1,000

SCHEDULE 08

ANNUAL LICENSE FEE FOR OPERATORS OR FINAL DISPOSAL FACILITY

<i>Capacity MT/day</i>	<i>Type of Waste Accept</i>	<i>Annual Fee (Rs.)</i>
25 - 50 MT	Non Toxic	7,500
	Toxic	25,000
50 - 100 MT	Non Toxic	15,000
	Toxic	50,000
100 - 300 MT	Non Toxic	25,000
	Toxic	100,000
More than 300 MT	Non Toxic	40,000
	Toxic	150,000

SCHEDULE 09

(1) A license issued under Regulations 25, 55 and 58 shall be valid for a period of two years from the date of issuance of the license unless cancelled earlier.

(2) A license shall be renewable on an application made to the Chairman or the authorized officer not less than thirty days before the expiry of such license.

(3) The Chairman or the Authorized Officer as the case may, shall renew the license if he is satisfied that -

- (i) the license has observed the terms and conditions of such license ;
- (ii) the licensee has paid fee specified in the appropriate Schedule hereto for the renewal of the license.

(4) Chairman shall cancel a license granted by him under this Regulation if he is satisfied that the licensee -

- (a) has contravened any of the provisions of these Regulations or any terms and condition of such licensee ; or
- (b) has been convicted of an offence under the Waste Management Statute.

(5) (a) Where the Chairman, refuses to grant or renew a license or cancels a license he shall communicate such decision and the reason therefore to the applicant or the licensee as the case may be, by registered post.

(b) Any such decision shall be deemed to have been communicated to the applicant or the licensee as the case may be, after the expiry of a period of thirty days reckoned from the date of dispatch of such communication by registered post to the usual place of business or resident of such applicant or licensee, as the case may be.

(6) (a) The applicant or the licensee, as the case may be, who is aggrieved by a decision communicated to him under this Regulation, may appeal against such decision to the Chief Secretary in writing, within thirty days from the date on which the decision is communicated to him.

(b) The Chief Secretary may either -

(i) allow the appeal and direct the Chairman to grant, renew or revoke the cancellation of the license ; or

(ii) disallow the appeal.

(c) The Chairman shall comply with any direction issued to him in pursuant to the decision under sub paragraph (b) of Paragraph (10) by the Chief Secretary.

(d) When an application for a license or the renewal of a license is refused under any of the preceding provisions of this Regulations, the Chairman shall refund the applicant or the licensee, as the case may be, the fee accompanying such application.

(7) No license granted this Regulation shall be transferable except with the approval of the Chairman, which shall be endorsed upon such license.

(8) No person whose license has been cancelled shall be entitled to have a license transferred to him.