

**ENVIRONMENT DEPARTMENT**

New Administrative Building, Opposite Mantralaya,  
Mumbai 400 032, dated the 3rd March 2006.

**NOTIFICATION**

**MAHARASHTRA NON-BIODEGRADABLE GARBAGE (CONTROL) ORDINANCE, 2006.**

No. PLASTIC 2005/CR38/TC3.- In exercise of the powers conferred by clause (i) of sub-section (3) and sub-section (1) of section 18 of the Maharashtra Non-Biodegradable Garbage (Control) Ordinance, 2006 (Mah. Ord. IV of 2006), the Government of Maharashtra hereby makes the following rules for proper and scientific collection, sorting and disposal of non-biodegradable solid waste, the same having been made for the first time, namely :—

1. *Short title, application and commencement.*—(1) These rules may be called the Maharashtra Non-Biodegradable Solid Wastes (Proper and Scientific Collection, Sorting and Disposal in the areas of the Municipal Corporations) Rules, 2006.

(2) They shall apply to the areas of the Municipal Corporations in the State.

(3) They shall come into force at once.

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,—

(a) “Disposal” means final proper and scientific disposal of non-biodegradable solid waste in terms of the specified measures to prevent blockage of sewers, gutters, nallahs and to prevent contamination of ambient air quality ;

(b) “Form” means the Form appended to these rules ;

(c) “Generator of wastes” means persons or establishments generating non-biodegradable solid wastes ;

(d) “Municipal Corporation” means Municipal Corporation constituted under the relevant statutes and where the management and handling of municipal solid waste is entrusted to an agency such agency ;

(e) “Non-Biodegradable Waste Collection Centers” means a center for proper collection, segregation and sorting of non-biodegradable solid waste set up by Municipal Corporation or facilitated by Municipal Corporation with the help of any other agency including Non Governmental Organisation in the Municipal area ;

(f) “Ordinance” means the Maharashtra Non-Biodegradable Garbage (Control) Ordinance, 2006 (Mah. Ord. IV of 2006) ;

(g) "processing" means the process by which non-biodegradable solid wastes are transformed into new or recycled products ;

(h) "recycling" means the process of transforming segregated non-biodegradable solid wastes into raw materials for producing new products, which may or may not be similar to the original products ;

(i) "Schedule" means the Schedule appended to these rules ;

(j) "sorting" means to separate the non-biodegradable solid wastes into groups of recyclable and non-recyclable wastes ;

(k) "storage" means the temporary containment of non-biodegradable solid wastes in a manner so as to prevent littering, attraction to vectors, and stray animals and excessive foul odour ;

(l) "receptacle" means the temporary common bin, with a cap or covering facility to prevent the littering, placed at public place or any other convenient place for collection of waste in a manner so as to prevent littering, attraction of vectors, stray animals and excessive foul odour ;

(m) "transportation" means conveyance of wastes from place to place hygienically through specially designed transport system so as to prevent foul odour, littering, unsightly conditions and accessibility to vectors ;

(n) "landfilling" means disposal of residual solid wastes on land 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 ;

(o) "segregation" means to separate the municipal solid wastes into the groups of organic, inorganic, recyclable and hazardous wastes.

(II) Words and expressions used but not defined herein shall have their respective meaning as assigned to them in the Ordinance:

3. *Responsibility of Municipal Corporations.*—(1) The Municipal Corporations shall within limits its the territorial area, be responsible for the implementation of the provisions of these rules and for any infrastructure development for collection, sorting, storage, segregation, transportation, processing and disposal of non-biodegradable solid wastes.

(2) The Municipal Corporation shall,—

(i) with the help of any agency including Non Governmental Organisations and self help groups set up Non-biodegradable Waste Collection Centers at various places in each ward depending upon the estimated quantum of waste generation in the area and density of population ;

(ii) carry out segregation of waste at every collection center ;

(iii) permit the rag pickers to separate the waste and to take away non-biodegradable waste from such collection centers ;

(iv) provide enough space to deal with and enable categorywise sorting and segregation of waste ;

(v) provide appropriate arrangement to avoid mixing of non-biodegradable and biodegradable solid waste at receptacles placed for this purpose at public places ;

(vi) place a minimum of two separate receptacles of different colours for biodegradable and non-biodegradable garbage at public place to prevent mixing and spilling of the garbage at the public places and maintain uniform colour code system for the receptacles placed at public places for this purpose ;

(vii) use and provide proper vehicles for transportation of such garbage so as to avoid mixing of non-biodegradable and biodegradable waste during its transportation. Transportation vehicle shall also be covered appropriately to avoid the spillage of garbage on the roads during transportation ;

(viii) in consultation with State Pollution Control Board provide specially designed landfill site restricted to non-biodegradable inert waste and other wastes that are not suitable for recycling or for any processing and that the land filling shall be carried out in proper and scientific manner ;

(ix) through reputed institute or organization scientifically analyze each year, waste and debris excavated / removed from sewers, gutters and nallahs and total solid waste collected in a corporation area with respect to non-biodegradable waste. Itemwise categorization / classification of such non-biodegradable waste shall also be carried out. Such analysis report shall be submitted to State Government on or before the 15th day of June every year ;

(x) comply with the time limit specified in Schedule.

4. *Responsibility of owners, occupiers, co-operative societies, etc.—*

(1) The owner or occupier of the premises, co-operative housing societies, hotels, commercial establishments, shops in the Municipal Corporation area shall place a minimum of two separate receptacles of different colours, specified by the Municipal Corporation, for collecting biodegradable and non-biodegradable waste generated in their respective premises.

(2) Construction garbage shall not be thrown in the drains, sewers, nallas, wetlands and wastelands and shall be handed over by the person concerned separately to the Corporation.

(3) Without prejudice to the provisions of sub-rule (2) the person concerned may obtain permission of the Municipal Corporation for appropriate and scientific disposal of such debris.

5. *Saving.*—The provisions of clause (vii) of sub-rule (2) of rule 3 and rule 4 shall not apply to such places or areas, where on the date of commencement of these rules, the Municipal Corporation is collecting the garbage from its primary source in a way that the biodegradable and non biodegradable waste is not mixed, at any point, during collection and transportation.

**SCHEDULE**

[See rules 3 (2) (x) and 4]

**Implementation Schedule**

Serial No. (1)	Compliance Criteria (2)	Time limit (3)
1	Setting up of non-biodegradable waste collection centers.	By 1st April, 2006 or earlier
2	Setting up of coloured receptacles at public places	By 1st April, 2006 or earlier
3	Setting up of coloured receptacles at Co-operative Housing Societies, Hotels, Commercial Establishments, Shops.	By 1st April, 2006 or earlier
4	Performance Report to be sent to State Government.	At the end of every quarter of the year.

By order and in the name of the Governor of Maharashtra,

**SHARWAREE GOKHALE,**  
Principal Secretary to Government.