

The Arunachal Pradesh Gazette

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GOVERNMENT OF ARUNACHAL PRADESH DEPARTMENT OF URBAN LOCAL BODIES ARUNACHAL PRADESH CIVIL SECRETARIAT ITANAGAR

NOTIFICATION

The 18th October, 2023

No.DTP/MUN-Scheme-27/2020-21.— Whereas, the draft of the Arunachal Pradesh Construction and Demolition Waste Management Bye-laws was published under the Notification of Government of Arunachal Pradesh, Department of Town Planning & Urban Local Bodies vide Notification No. DTP/MUN-Scheme-27/2020-21/697-714 dated 22nd September, 2021 in the Arunachal Pradesh EOG No.202. Vol-XXVII dated 24th September, 2021 of the said date inviting objections or suggestions from the persons likely to be affected thereby before the expiry of the period of one month from the publication of the said notification:

And whereas the copies of the said Gazette were made available to the public on 24th September, 2021;

And whereas, no objections were received except the suggestions of the Arunachal Pradesh Pollution Control Board which were duly considered by the State Government;

Now therefore, in exercise of the powers conferred by the Section 448 of the Arunachal Pradesh Municipal Act, 2007, sub-sections of the Section 410 (b) (e) Read with Section 412 of the Arunachal Pradesh Municipal Corporation Act, 2019 and in accordance with Sub-Rule (1) of Rule 9 of the Construction and Demolition Waste Management Rules, 2016, the Government of Arunachal Pradesh hereby makes the following rules for management of construction and demolition waste, namely-

- 1. Short title and commencement. : (1) These Bye-laws shall be called the "Arunachal Pradesh Construction and Demolition Waste Management Bye-laws- 2023"
 - (2) They shall come into force on the date of their publication in the Official Gazette.
- Application: (1)These Bye-laws shall be applicable within the territorial limits of Municipal Corporation/Municipal Council/Nagar Panchayat//District Urban Development Agency (DUDA).
 (2) And the Bye-laws shall apply to every waste resulting from construction, re-modelling, repair, and demolition of any civil structure of individual or organization or institution or industry or authority who generates construction and demolition waste such as building materials, debris, rubble etc.

3. Definitions:

In these Bye-laws, unless the context otherwise requires, capitalized words shall have the following meaning:

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986)/ Arunachal Pradesh Municipal Act, 2007 (Act No.4 of 2008)/Arunachal Pradesh Municipal Corporation Act,2019 (Act No.8 of 2019);
- (b) "APSPCB" means Arunachal Pradesh State Pollution Control Board.

- (c) "Authorization" means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
- (d) "Bye-laws" shall mean these Arunachal Pradesh Construction and Demolition Waste Management Bye-laws, 2022 as amended from time to time;
- (e) "C&D waste" means Construction and Demolition Waste comprising of building materials, debris and rubble resulting from construction, re-modeling, repair and demolition of any civil structure;
- "CMEO" means the Chief Municipal Executive Officer of the Municipal Council appointed by the State Government;
- (g) "Competent Authority" means the Municipal Commissioner/Chief Municipal Executive Officer in Municipality and Deputy Commissioner cum Chairman DUDA in the notified DUDA towns;
- "Construction" means the process if erecting of building or built facility or other structure, or building of infrastructure including alteration in these entities;
- (i) "Deputy Commissioner" means the Deputy Commissioner of the District appointed by the State Government.
- "Domestic Hazardous Waste" means household waste that can catch fire, react, contaminate
 or explode under certain circumstances, or that is corrosive or toxic, or cause injury;
- (k) "DUDA" means District Urban Development Agency; a society registered under Society Registration Act, 1860 under Department of Urban Development, Government of Arunachal Pradesh.
- (I) "Demolition" means breaking down or tearing down buildings and other structure either manually or using mechanical force (by various equipments) or by implosion using explosives.
- (m) "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 these rules and/or Bye-laws,
- (n) "Local body" means Urban Local Body with different nomenclature such as Municipal Council, Municipal Corporation, Town Panchayat, District Urban Development Agency notified by Government of Arunachal Pradesh from time to time.
- (o) "MEO" means Municipal Executive Officer of the Municipal Council appointed by the State Government.
- (p) "Municipal Commissioner" means the Municipal Commissioner of the Municipal Corporation appointed by the State Government.
- (q) "Premises" means any land, building or part of a building and includes any gardens and grounds pertaining to a building or part thereof and structures constructed on the land;
- (r) "Recyclable Waste" means waste that can be transformed through a process into raw materials for producing new products, which may or may not be similar to the original products:
- (s) "Rules" means the Construction and Demolition Waste Management Rules, 2016.
- (t) "Schedule" means schedule appended to these Bye-laws;
- (u) "Segregation" means sorting and separate storage of various components of solid waste namely biodegradable waste including agriculture and dairy waste, non biodegradable waste including recyclable waste, non-recyclable combustible waste, sanitary waste and nonrecyclable inerts waste, domestic hazardous wastes and construction and demolition wastes
- (v) "User charge" means a charge/fee imposed by the Local Bodies on the waste generator to cover full or part cost of providing C&D waste collection, transportation, processing and disposal services.
- (w) "Waste Generator" means and includes any person or group of persons, buildings occupied by the central Government departments or undertakings, State Government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, restaurants, shops and commercial establishments, markets, places of worship, stadiums and spots stations, airports and other transportation hubs, residential, apartment and housing complexes, Resident Welfare Associations and Market Associations, gated communities, corporate campus, technology parks and institutions, Indian Railways and defence establishments, which generate Solid Waste;

2023

The words and expressions used but not defined in the Bye-laws shall have the same meaning as respectively assigned to them in the Construction & Demolition Waste Management Rules, 2016.

4. Duties of waste generator:

- (a) Every waste generator shall prima-facie be responsible for collection, segregation of waste in categories such as concrete, soil, steel, wood and plastic, bricks, mortar and others. Storage of construction and demolition waste generated, as notified by the Municipal Corporation/ Municipal Council/Nagar Panchayat/ DUDA in consonance with Bye-laws.
- (b) The waste generator shall ensure that other waste (such as solid waste, E-waste, Biomedical waste, Plastic waste) does not get mixed with C&D waste and is stored and disposed separately.
- (c) The waste generator who generate more than 20 tons or more in one day or 300 tons per project in a month shall segregate the waste in streams such as concrete, soil, steel, wood and plastic, bricks, mortar and submit the waste management plan and get appropriate approvals from the Local Authority before starting construction or demolition or remodeling works and keep Local Authority informed regarding the relevant activities from the planning stage to the implementation stage and this should be on project to project basis.
- (d) Every waste generator shall keep the construction and demolition waste within the premises or get the waste deposited at the collection centre so made by the Local Authority or handover to the authorized processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains or water channel.
- (e) The waste generators who intend to avail the service of local authority to dispose of their waste in the facilities provided by the local authority shall apply in FORM-IV.
- (f) Every waste generator shall pay relevant charges for collection, transportation, processing and disposal as notified by the Local Authority; waste generator who generates more than 20 tons or more in one day or 300 tons per project in a month shall have to pay for the processing and disposal of the construction and demolition waste generated by them, apart from the payment for storage, collection and transportation.

5. Duties of service providers and their contractors :

- (a) Municipal Corporation/Municipal Council/Nagar Panchayat/ DUDA shall prepare a comprehensive waste management plan/Environmental Management Plan (EMP) covering segregation, storage, collection, reuse, recycling, transportation and disposal of construction and demolition waste generated within their jurisdiction.
- (b) Municipal Corporation/Municipal Council/Nagar Panchayat/DUDA shall remove all construction and demolition waste and clean the area every day, if possible, or depending upon the duration of the work, the quantity and type of waste generated, a reasonable timeframe shall be worked out.
- (c) In case of the service providers have no logistic support to carry out the work specified in sub Bye-laws (a) & (b), they shall tie up with the authorized agency for removal of construction and demolition waste and pay the relevant charges as notified by the local authority.

6. Duties of Local Body:

- (a) The local body shall issue detailed directions with regard to proper management of construction and demolition waste within its jurisdiction in accordance with the provision of Construction and Demolition Waste Management Rules, 2016 and make a detailed plan or undertaking as applicable from the waste generator;
- (b) The local body shall incorporate all the provisions of these Bye-laws before permitting and issuing the building permission.
- (c) The local body shall chalk out stages, methodology and equipment, material involved in overall activity and final clean up after completion of the construction and demolition for safe disposal of construction and demolition waste.
- (d) The local body shall make a separate mechanism for collection and transportation of C& D waste or by appointing private operators. And also should make helpline number for the same.
- (e) The local body shall take user charges for collection and transportation, recycling and disposal of C&D waste. And also, shall penalize if the user charges are not being paid by the waste generator. The rates and penalty shall be fixed by the concerned local authority or any other authority designated by the State Government based on ground reality.

- (f) In case the waste generator is found littering or depositing C& D waste leading to obstruction to traffic or public or drains or water channel, the local authority shall immediately issue a notice in FORM-VI to the waste generator for clearing the area within 24 hours.
- (g) And in case waste generator fails to respond to the notice served by the local body or does not segregate the waste as per the prescribed categories, there shall be a spot fine for any littering or deposition of C&D waste so as to prevent obstruction to the traffic or the public or drains or water channel. The spot fine shall be as per the notification/order issued by the local body in accordance with Arunachal Pradesh Solid Waste (Management & Handling) Bye-laws from time to time.
- (h) The local body shall also impose spot fine if any littering or deposition of C&D waste occurs during the transportation of building materials such as Sand, aggregate, cement, bricks and stone etc. so as to prevent obstruction to the traffic or the public or drains or water channel.
- (i) The local body shall provide appropriate incentives to waste generator for salvaging, processing and recycling within the premises preferably in-situ.
- (j) The local body shall examine and sanction the waste management plan/Environmental Management Plan (EMP) of the waste generators within a period of one month from the date of its submission.
- (k) The local body shall keep track of the generation of construction and demolition waste within its jurisdiction and establish a data base and update on monthly basis.
- (I) The local body shall use at least 40% of raw C & D waste obtained in approved construction activities in non structure application such as lower layer of road pavements, inner colony roads, filling of plinth and basements etc.
- (m) The local body shall use at least 10% of material made out of C& D waste in Municipal Corporation/Municipal Council/Nagar Panchayat/ DUDA construction activities such as kerbed stones, structure concrete as manufactured aggregate, paving blocks, bricks etc.
- (n) The local body shall device appropriate measure in consultation with expert institutions for management of construction and demolition waste generated including processing facilities and for using the recycled products in the best possible manner.
- (o) The local body shall create sustained system of information, education and communication for construction and demolition waste through collaboration with experts, institutions and civil societies and also disseminate the same through their own website.
- (p) The local body shall make provision for giving incentives for use of material made out of construction and demolition waste in the construction activity including in non-structure concrete, paving blocks, lower layers of road pavements, colony and rural roads etc.

Criteria for storage, processing or recycling facilities for C&D waste and application for C&D waste and its products:

- (a) The site for storage and processing or recycling facilities for construction and demolition waste shall be selected as per the criteria given in **Schedule-I** of the Construction and Demolition Waste Management Rules, 2016.
- (b) Application of materials made from construction and demolition waste in operation of sanitary landfill shall be as per the criteria given in **Schedule-II** of the Construction and Demolition Waste Management Rules, 2016.
- (c) The operator of the facility shall apply in Form-I of the Construction and Demolition Waste Management Rules, 2016 for authorization from APSPCB.
- (d) The Arunachal Pradesh State Pollution Control Board shall issue authorization to the operator in the format in Form-II of the Construction and Demolition Waste Management Rules, 2016.
- (e) The Local Body shall submit the annual report for construction and demolition waste to State Pollution Control Board in Form-III of the Construction and Demolition Waste Management Rules, 2016.
- (f) The waste generators who intend to avail the service of local authority to dispose of their waste in the facilities provided by the local authority shall apply in Form-IV

(g) The Local Body shall submit the accident report for construction and demolition waste to State Pollution Control Board in Form-V of the Construction and Demolition Waste Management Rules, 2016.

Schedule-I

Criteria for Site Selection for Storage and Processing or Recycling Facilities for construction and Demolition Waste:

(See Rule 7(1) of C&D Waste Rules, 2016)

- The concerned department in the State Government dealing with land shall be responsible for
 providing suitable sites for setting up of the storage, processing and recycling facilities for
 construction and demolition and hand over the sites to the concerned local authority for
 development, operation and maintenance, which shall ultimately be given to the operators by
 Competent Authority and wherever above Authority is not available, shall lie with the concerned
 local authority.
- The Local authority shall co-ordinate (in consultation with Department of Urban Development of the State or the Union territory) with the concerned organizations for giving necessary approvals and clearances to the operators.
- Construction and demolition waste shall be utilized in sanitary landfill for municipal solid waste of
 the city or region as mentioned at Schedule-I of this rule. Residues from construction and
 demolition waste processing or recycling industries shall be land filled in the sanitary landfill for
 solid waste.
- The processing or recycling shall be large enough to last for 20-25 years (project based on-site recycling facilities).
- The processing or recycling site shall be away from habitation clusters, forest areas, water bodies, monuments, National Parks, Wetlands and places of important cultural, historical or religious interest.
- 6. A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local authority in consultation with concerned State Pollution Control Board.
- Processing or recycling site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles or other modes of transportation.
- The approach and or internal roads shall be concreted or paved so as to avoid generation of dust
 particles due to vehicular movement and shall be so designed to ensure free movement of vehicles
 and other machinery.
- 9. Provisions of Weigh Bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- 10. Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided and Safety provisions including health inspections of workers at landfill sites shall be carried out made.
- 11. In order to prevent pollution from processing or recycling operations, the following Provisions shall be made, namely:
 - (a) Provision of storm water drains to prevent stagnation of surface water;
 - (b) Provision of paved or concreted surface in selected areas in the processing or recycling facility for minimizing dust and damage to the site.
 - (c) Prevention of noise pollution from processing and recycling plant:
 - (d) provision for treatment of effluent if any, to meet the discharge norms as per Environment (Protection) Rules, 1986
- Work Zone air quality at the Processing or Recycling site and ambient air quality at the vicinity shall be monitored.
- 13. The measurement of ambient noise shall be done at the interface of the facility with the surrounding area, i.e., at plant boundary;
- 14. The following projects shall be exempted from the norms of pollution from dust and noise as mentioned above :

For construction work, where at least 80 percent construction and demolition waste is recycled or reused in-situ and sufficient buffer area is available to protect the surrounding habitation from any adverse impact

15. A vegetative boundary shall be made around Processing or Recycling plant or site to strengthen the buffer zone.

Schedule-II

Application of materials made from construction and demolition waste and its products.

(See Rule 7(3) of C&D Waste Rules, 2016)

SI. No.	Parameters	Compliance Criteria	
1	Drainage layer in leachate collection system at bottom of Sanitary Landfill. Gas Collection Layer above the waste at top of Sanitary Landfill and Drainage Layer in top Cover System above Gas Collection Layer of Sanitary Landfill For capping of sanitary landfill or dumpsite, drainage layer at the top	Only crushed and graded hard material (stone, concrete etc.) shall be used having coarse sand size graded material (2mm – 4.75mm standard sieve size). Since the coarse sand particles will be angular in shape (and not rounded as for riverbed sand), protection layers of non-woven geo-textiles may be provided, wherever required, to prevent puncturing of adjacent layers or components	
2	Daily cover	Fines from construction and demolition processed waste having size up to 2 mm shall be used for daily cover over the fresh waste.	
		Use of construction and demolition fines as landfill cover shall be mandatory where such material is available. Fresh soil (sweet earth) shall not be used for such places and borrow-pits shall not be allowed. Exception – soil excavated during construction of the same landfill.	
		During hot windy days in summer months, some fugitive dust problems may arise. These can be minimised by mixing with local soil wherever available for limited period.	
3	Civil construction in a sanitary landfill	Non-structural applications, such as kerb stones, drain covers, paving blocks in pedestrian areas.	

FORM – I See (Rule 7 (2) of C&D Waste Rules, 2016) Application for obtaining authorization

To,	The Member Secretary		
		_Name of the local authority or Name of the ag	jency :
	appointed by the municipa	I authority	

Correspondence address Telephone No. Fax No.	
Nodal Officer and designation (Officer authorized by the competent authority or agency responsible for operation of processing or recycling or disposal facility)	
Authorisation applied for (Please tick mark)	Setting up of processing or recycling facility of construction and demolition waste
Detailed proposal of construction and demolition waste processing or recycling facility to include the following Location of site approved and allotted by the Competent Authority.	
Average quantity (in tons per day) and composition of construction and demolition waste to be handled at the specific site.	
Details of construction and demolition waste processing or recycling technology to be used. Quantity of construction and demolition waste to be processed per day	

Site clearance from Prescribed Authority Salient points of agreement between competent authority or local authority and operating agency (attach relevant document).	
Plan for utilization of recycled product Expected amount of process rejects and plan for its disposal (e.g., sanitary landfill for solid waste).	
Measures to be taken for prevention and control of environmental pollution.	
Investment on project and expected returns.	
Measures to be taken for safety of workers working in the processing or recycling plant.	
Any preventive plan for accident during the collection, transportation and treatment including processing and recycling should be informed to the Competent Authority (Local Authority) or Prescribed Authority	
Date:	Signature of Nodal Officer

Form-II

See (Rule (7) (3) of C&D Waste Rules, 2016) Format for Issue of Authorisation to the Operator

		File No.: Date :
To,		
Dof	f : Your application numberDt.	
prop	e State Pollution Control Board or Pollution posal hereby authorizes	having their administrative office
at_	to set up and ste processing facility at on the terms an	operate construction and demolition
	nply) attached to this authorisation letter.	d conditions (including the standards to
1.	The validity of this authorisation is till Afte renewal of authorisation is to be sought.	r expiry of the validity period,
2.	The State Pollution Control Board of any time, for justifiable reason, revoke any of the conditions shall communicate the same in writing.	
3.	Any violation of the provision of the construction and demolition attract the penal provision of the Environment (Protection) Act,	•
Date	e :	Member Secretary
Plac	ce:	State Pollution Control Board/
		Pollution Control Committee.

1.

2.

(ii) Others, please specify

Form -III

See (Rule 8(2)of C&D Waste Rules, 2016)

Format of Annual Report to be submitted by Local Authority to the State Pollution Control Board

(i)	Name of the City or Town	
(ii)	Population	
(iii)	Name and address of local authority or com Telephone No: Fax: Email ID: Website: Name of In-charge or Nodal Officer deal management with designation	
(a)	Total quantity of construction and demolitic ton Any figures for lean period and peak period Average generation of construction and demolitic Any Processing / Recycling Facility set up Status of the facility	emolition waste (TPD) on waste collected per day
(b)	Non-structural concrete aggregate Manufactured sand Ready-mix concrete (RMC) Paving blocks GSB	on waste processed / recycled (in metric ton) : : : :
(c)	(last option) or filling low lying areas No. of landfill sites used : Used : Whether weight-bridge : Facility used for quantity estimate? Whether construction and demolition was Schedule-III :	n waste disposed by land filling without processing Area Yes No te used in sanitary landfill (for solid waste) as per
Sto	Others, if any, please specify : rage facilities :	
		for all asion of Construction and Describing and
(a) (b) (c)	Area or location or plot or societies covered No. of large Projects (including roadways prowhether Area or location or plot or societies or Non-Governmental Organization):	
(d)	Storage Bins :	Specifications Existing Proposed (Shape & Size) Number for future
	(i) Containers or receptacle (Capacity)	

	(e)	Whether all storage bins/collection attended for daily lifting	n spots are	: Yes	No
	(f)	Whether lifting of Construction &	Demolitation	Waste from	Storage bins is manual or mechanica
		(please tick mark) please specify equipment used (specify equipme		:	Manual Mechanical and Others,
3.	Trai	nsportation :	:	•••••	
			:		tually Required/Propsed
	Truc	ck	:		
	Truc	ck-Hydraulic	:		
	Trac	ctor-Trailer	:		
	Dun	nper-placers	:		
	Tric	ycle	:		
	Ref	use-collector Others	:		
	(Ple	ease specify)	:		
4.		ether any proposal has been nagement practices :	made to	improve Co	onstruction and Demolition wast
5.		re any efforts been made to in ste : If yes, what is (are) the tech			ing of Construction & Demolition uch as:
		cessing/recycling (hnology	Quantity to b	e processed) Steps taken
	Drv	Process :			
	•	Process :			
	Oth	ers, if any,			
	Plea	ase specify			
6.	Wh	at provisions are available to ch	eck unauth	orized opera	ations of :
		roachment on river bank or wet bo		:	
	Una	authorized filling of low line areas		:	
		ing with solid waste		;	
	Enc	roachment in Parks, Footpaths etc) .	:	
7.	Hov	w many slums are provided with o	onstruction	and demolit	tion waste receptacles facilities :
8.	Аге				on for non-compliance with these
	(If y	yes, how many cases registered &	settled durir	ng last three y	years (give year wise details)
	Date	ed :			Signature of Municipal Commissioner

FORM- IV

See (Bye-law 4 (e))

Application for availing services from Local Authority

Α.	Ap	Applicant details					
	1.	. Name of Applicant :					
	2.	Address		:			
	3.	Contact	No.	:			
	4.	Email id		:			
	5.	5. Identity card to be enclosed		:	Aadhar/office ID/voter ID		
	6.	Service	required for	:	Collection/Transportation/Demolition/Storage Any other, please specify		
В.	Site	e Details ((To be filled by site inspec	to	r)		
	1.	Location	of proposed site	:			
	2.	Source 8	& type of waste	:	Construction / demolition Any other, please specify		
	3.	Machinery, Manpower and other material requirement:					
		(i)	List of machinery require	ed			
		(ii)	List of Manpower require	ed			
		(iii)	List of other material red	qui	red.		
	4.	Site insp	ection				
		(i)	Name of officer		:		
		(ii)	Designation		:		
		(iii)	Date of inspection		:		
	5.	Charges to be deposited (in ₹)			·		
	6.	Tentative	e date for execution of wo	rk	:		
	7.	Application	on Status: Pending/Comp	let	ted/Under process/Denied/ Rejected		

Signature of Inspector

Signature of Applicant

Form-V See (Rule14) Accident reporting

- 1. Date and time of accident
- 2. Sequence of events leading to accident
- 3. The type of construction and demolition waste involved in accident:
- 4. Assessment of the effects of the accidents
 - (a) on traffic, drainage system and the environment :
- 5 Emergency measures taken :
- 6 Steps taken to alleviate the effects of accidents
- 7 Steps taken to prevent the recurrence of such an accident
- 8. Regular monthly health checkups of workers at Processing / recycling site:
- 9. Any accident during the collection,
 - (a) transportation and treatment including
 - (b) processing and recycling should be informed
 - (c) to the Competent Authority (Local Authority) or
 - (d) Prescribed Authority

Dated	:
Place	

Authorized Signatory Designation

Pawan Kuman Sain, IAS
Commissioner to the
Department of Urban Local Bodies,
Government of Arunachal Pradesh,
Itanagar.