



Ghaziabad Nagar Nigam

(I.S.O.9001, 14001 & 18001 Certified Organisation)

Letter No.: 860.....

Dated: 24/5/19.....

ORDER

In exercise of the powers available to Ghaziabad Nagar Nigam under sub rule(1) of rule 6 of the Construction and Demolition Waste Management Rules, 2016(hereinafter referred to as ' C & D Rules, 2016') notified by the Ministry of Environment, Forest & Climate Change on 29th March, 2016, read with the provisions of rule 4 (as applicable to bulk waste generators) and rule 5(as applicable to service providers and their contractors) of the C & D Rules, 2016 any and every waste generator for the purposes of the C & D Rules, 2016 shall comply with the directions issues hereinafter:

- (a) Ensure that the collection, segregation and storage of construction and demolition waste generated by it is made timely;
- (b) Ensure that the construction and demolition waste is segregated at the project premises, into four separate streams, namely;
 - (i) Concrete
 - (ii) Soil
 - (iii) Wood and plastics
 - (iv) Bricks and motar
- (c) Ensure that the segregated waste is not mixed with MSW or each other and shall be stored separately at the project premises;
- (d) Ensure that the bulk waste generator transports, at its cost, the segregated waste to the collection centres for construction and demolition waste notified from time to time by the Nagar Nigam, Ghaziabad;
- (e) Pay a charge of Rs 445 per tonne for each kind of segregated waste as required under sub-rule (5) of rule (4) of the Construction and Demolition Waste Management Rules, 2016 to the facility operator, namely M/S Vats Realtech Private Limited, Ghaziabad, the agency authorized by Nagar Nigam, Ghaziabad for the purpose of storage, processing and disposal of construction and demolition waste;
- (f) Ensure that the resident user within the municipal limits are being facilitated by Ghaziabad Nagar Nigam against payment of Rs 440 per tonne payable in advance to the Nagar Nigam, Ghaziabad. A separate project escrow account shall be created to facilitate the Ghaziabad Nagar Nigam residents. They can also submit their request or Intimate the facility operator for providing the necessary assistance for removal of C & D Waste.

Every bulk waste generator, service providers or their contractors, prior to the commencement of construction or demolition, shall submit a plan indicating the provisions made for the collection and segregation of construction & demolition waste of different kinds as specified in item (b) above likely to be generated, and the period of project construction & demolition.

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The plan shall also include the actions that the bulk waste generators/ service provider proposes to adopt on the completion of the project and final clean-up of the project premises. Bulk waste generator/ service providers, having ongoing projects having commenced project implementation shall submit the plan within a period of thirty days from the date of this order.

All bulk waste generator/ service provider may take note that failure to comply with or contravention of these directions issued under the C & D Waste Rules of 2016 shall be punishable under sub-section (1) of section 15 of the Environment(Protection) Act, 1986, i.e. in respect of each failure or contravention after the conviction for the first such failure or contravention.

As per Section 3(a) of the said notification, 'Act' means the Environment(Protection) Act, 1986. Since the notification refers to the said act, so since there is no specific penalty provided under the statute, so penalty provided under Section 15 of the Environment (Protection) Act, 1986 shall apply. The clause provides for the following:

Under Section 15 of the Environment(Protection) Act, 1986, Penalty for contravention of the provisions of the act and the rules, orders and directions:

- (1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punished with imprisonment for a term which may extend up to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.
- (2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

The Chief Engineer, Ghaziabad Development Authority, Chief Architect Town Planner of Ghaziabad Development Authority, Executive Engineer Public Works Department, Ghaziabad, Joint Housing Commissioner, Awas Vikas Parishad, Ghaziabad, Executive Engineer, Department of Irrigation, Executive Engineer, Jal Nigam, Executive Engineer, Uttar Pradesh Rajya Setu Nigam and concerned officer of National Highway Authority of India (NHAI) are hereby directed to bring the directions contained in this order to the notice of all bulk waste generator/ service provider having projects, within the jurisdiction of the Nagar Nigam, Ghaziabad with immediate effect.


(Dinesh Chandra)
I.A.S

Municipal Commissioner,
Ghaziabad

copy to:

Note: The document shall be sent to such newspapers as the Ghaziabad Nagar Nigam may decide for publication and the same shall be done by such newspapers free of charge.]

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