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THANK YOU

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NOTES FOR HON'BLE GREEN TRIBUNAL FROM GUWAHATI MUNICIPAL CORPORATION

**Introduction:-**

The State of Assam has 27 districts and there are 95 ULBs with in it. It has one Municipal Corporation viz Guwahati Municipal Corporation( GMC) and rest as Town Committees and Municipal Boards.

**Solid Waste Management(SWM) History:-** Till the year 2003 SWM in Assam was collection of garbage from the road side\markets and dumping in a low lying places designated as dump yard. However with the stipulations of MSW ( management and handling) rules 2000 attempt was made for erection of a SWM structure in Guwahati Municipal Corporation(GMC). But finance was a major issue then. All the ULBs including GMC was cash starved and taking up of detailed SWM as per the rules was beyond capacity. A Consultant was engaged for preparation of Detailed project Report(DPR) for SWM of Guwahati city for funding of DONER Ministry in the year 2006. Finally MOUD approved the DPR and agreed to finance the " Integrated Solid waste Management Project for Guwahati" in the year 2008 under Jnnurm. The DPR was approved for a cost of Rs 102.0 crore and Govt funding was about Rs 32.5 crores and rest amount to be brought up through Public- Private Partnership(P-P-P) mode. Concession Agreement was signed with M/s Ramkey Enviro Enginnersin PPP mode and the SWM for the Guwahati city was handed over to them in the year 2008. As per the approved scheme M/s Ramkey was authorised to

- Collect waste from house to house.
- Transport waste without multiple handling
- Setting up of a 200 Tonnes per day(TPD) compost plant
- A waste to Energy Plant using RDF( Refused Derived Fuel)
- A Sanitary Land fill for the inert waste.
- 

Govt of Assam allotted 120 bighas of land at West Baragaon for setting up of the Composting, Waste to Energy and land fill facilities.

However the performance of the Private partner ( M/s Ramkey) was not up to the mark and kept on deteriorating leading to cancellation of the concession agreement in the year 2014.

  
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**Present scenario:-**

A. ULBs except GMC:- From 2nd October 2014 ( birth day of Mahatma Gandhiji) entire state is implementing the MANASA( Mukhya Mantrir Asomor Nirmal aru Seuj Abijan) Programme under which special emphasis are made on SWM and sanitation . All the ULBs have procured tri-cycle vans and handcarts for collection of Solid waste. The Entire system of SWM have been geared up under the direct supervision of the respective Deputy commissioners.

B. Guwahati Municipal Corporation:- After the termination of the Agreement with M/s ramkey The Guwahati Municipal Corporation has taken up the SWM in the following phases

- **Primary collection:-** There are 31 Municipal wards in Guwahati. There are ward committees for each ward under the chairmanship of each ward councillor. A NGO has been selected and entrusted with the work of primary collection for each ward. The work of the NGO are supervised by the ward committee. NGOs for each ward are authorised to collect user charges from the waste generators. NGOs also sweeps the secondary streets under each ward. This scheme of using NGOs has been successful so far.
- **Transportation:-** A total nos of 200 garbage bins are placed in the city in various location for collection of waste .GMC has 12 nos of garbage compactor of 14.0 cum capacity along with 10 JCBs , 6 mini loaders and a fleet of 30 tippers of various capacity. Using the aforesaid machineries &vehicles GMC is lifting &transporting 600 tonnes of waste per day. To augment the capacity another 10 nos of Garbage compactor trucks are ordered and is expected to be supplied with in March 2015.Further process is on for procurement of few stationary compactors. There are proposal for construction of 3 nos of transfer station in the city out of which one in nearing completion at RG Baruah road.
- **Waste processing and treatment facilities:-** GMC has 120 bighas of land under its disposal for construction of Waste processing and treatment facilities. At present a composting plant of 50 Tonnes per day is operational with civil work for another 150 tonnes per day capacity is nearly completed. Further there are plans for installation of other treatment facilities

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Annexure-X

Statement showing the ULB wise No. of wards, population as per Census-2011, households, area, road length, length of drain etc of Assam.

No.	Name of the District	Name of ULBs	Total nos. of wards	Urban population as per census 2011	No. of households	Total Area (In Sq. Km)	Total road length (In Km.)	Total length of Drain (In Km.)
		A. MBs /TCs located in General areas				216.79		287.00
1	Kamrup (M)	GMC	31	963429				
2		N.Guwahati TC	4	10379	2,294	8.00	112.00	25.00
3	Kamrup (R)	Palasbari MB	10	4930	1,039	1.03	13.23	9.76
4		Rangia MB	10	27584	6,075	9.25	16.95	30.00
5	Nalbari	Nalbari MB	12	27608	6,162	12.50	19.90	25.00
6		Tihu TC	4	4588	1,048	1.50	9.67	15.05
7	Barpeta	Barpeta MB	22	42663	9,298	3.86	65.70	50.67
8		Barpeta Rd. MB	10	35489	7,656	4.52	50.00	59.00
9		Howly TC	4	18312	3,738	3.75	16.00	28.00
10		Patacharkuchi TC	6	4935		1.00		
11		Pathsala TC	4	11237	2,754	2.74	30.32	29.15
12		Sarthebari TC	4	6909	1,489	2.90	14.48	32.00
13		Sorbhog TC	4	8105	1,826	1.59	6.43	8.00
14	Darrang	Kharupetia TC	8	18558	3,968	2.36	12.25	26.40
15		Mangaldoi MB	10	25835	6,078	4.62	33.12	47.05
16		Bilasipara TC	14	37412	8,179	5.19	47.40	10.13
17	Dhubri	Chapar TC	8	20320	4,324	3.79	1.36	7.75
18		Dhubri MB	16	61660	13,333	4.23	56.20	60.96
19		Gauripur TC	4	25109	5,243	2.95	40.30	45.50
20		Sapatgram TC	4	12166	2,700	2.95	16.97	20.00
21	Goalpara	Goalpara MB	19	53455	11,825	12.76	17.43	15.00
22		Lakhipur TC	4	15642	2,931	5.20	56.00	32.00
23	Bongaigaon	Abhayapuri TC	4	15576	3,606	4.74	68.20	25.00
24		Bongaigaon MB	25	68934	15,571	4.35	110.00	110.20

Part-A

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25	Morigaon	Morigaon MB	8	29182	6,839	4.00	120.00	35.00
26	Nagaon	Dhing MB	10	19210	3,990	4.00	106.81	19.09
27		Doboka TC	10	13122	2,402	5.00	38.00	18.00
28		Hojai MB	19	36544	7,149	5.28	17.40	16.00
29		Kampur TC	5	10352	2,354	6.10	43.22	31.50
30		Lanka MB	11	36803	7,463	3.60	60.71	31.75
31		Lumding MB	13	31283	6,912	7.77	43.22	25.52
32		Nagaon MB	26	116355	28,515	9.22	68.00	63.00
33		Raha TC	7	11167	2,475	1.08	N/A	30.00
34	Sonitpur	B. Chariali MB	8	18662	4,482	6.02	26.55	54.90
35		Dhekiājuli MB	10	21375	4,809	5.18	34.72	30.00
36		Gohpur TC	6	12214	2,728	10.70	17.43	5.25
37		Rangapara TC	4	18412	4,264	9.07	16.79	17.00
38		Tezpur MB	19	58016	17,988	7.10	82.88	85.60
39	Golaghat	Barpathar TC	4	7712	1,884	5.07	15.50	17.90
40		Bokakhat TC	4	10143	2,277	6.00	26.72	10.05
41		Dergaon MB	10	20097	4,591	4.92	41.83	17.00
42		Golaghat MB	13	41991	9,611	7.32	55.52	85.8
43		Sarupathar TC	4	9916	2,289	3.81	8.22	22.63
44	Jorhat	Jorhat MB	19	71398	30,167	53.01	18.97	130.00
45		Moriani TC	5	20762	4,691	3.60	14.40	37.00
46		Teok TC	4	8806	2,048	5.00	117.80	15.00
47		Titabar TC	8	17562	4,077	7.50	24.71	21.00
48	Sivasagar	Amguri MB	10	8007	1,845	1.60	10.80	12.50
49		Demow TC	7	10228	N/A	2.65	N/A	N/A
50		Morān TC	6	5669	1,201	1.60	10.96	18.45
51		Nazira MB	10	13299	3,187	8.00	4.93	18.20
52		Sivasagar MB	14	50595	12,477	10.95	33.57	71.47
53		Simaluguri TC	4	8285	2,004	8.69	11.01	28.74
54		Sonari MB	13	19792	4,611	8.00	33.70	66.85

Part - B

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Sl. No.	Name of the District	Name of ULBs	Total nos. of wards	Urban population as per census 2011	No. of households	Total Area (In Sq. Km)	Total road length (in Km)	Total length of Drain (In Km.)
55	Lakhimpur	Bihpuria MB	10	11997	2652	2.00	93.62	153.0
56		Dhakuakhana TC	4	13508	3,049	5.00	86.33	4.99
57		N.Lakhimpur MB	14	59793	14,393	13.74	117.00	45.15
58		Narayanpur TC	6	5998	1388	7.38	21.33	32.00
59	Dibrugarh	Chabua TC	4	8788	1,331	0.94	8.54	9.00
60		Dibrugarh MB	22	138661	32,046	15.50	56.95	195.00
61		Naharkatia TC	4	18924	4,065	5.34	22.10	12.00
62		Namrup TC	8	5000	N/A	N/A	N/A	N/A
63	Tinsukia	Chapakhowa TC	4	10302	2,282	2.24	N/A	N/A
64		Digboi TC	8	21791	4,658	4.03	46.91	24.00
65		Doom Dooma TC	10	21469	4,275	4.30	17.10	20.00
66		Makum TC	8	16875	3,489	3.66	12.12	37.50
67		Margherita TC	4	26913	6,078	4.70	17.86	75.00
68		Tinsukia MB	15	98798	26,405	10.54	276.19	193.60
69	Hailakandi	Hailakandi MB	16	33671	7,181	4.55	118.20	100.40
70		Lala TC	10	11771	2,581	4.20	14.00	16.00
71	Cachar	Lakhipur MB	10	10943	2,031	1.66	5.22	10.00
72		Silchar MB	28	172709	40,702	15.76	26.00	190.00
73	Karimganj	Badarpur TG	4	13235	2,831	4.90	24.23	16.19
74		Karimganj MB	27	57585	12,353	6.09	39.00	45.00
75	Dhemaji	Dhemaji TC	4	12823	3,218	3.50	46.00	18.00
76		Silapathar TC	4	25640	5,220	8.00	66.00	33.00
		Total of General area	756	3074988	492988	674.34	3032.364	3048.53
		B. MB/TCs located in Sixth Schedule areas						
77	Karbi-Anglong	Bokajan TC	7	19936	4,471	3.00	79.55	N/A
78		Bokolia TC	7	9625	N/A	N/A	N/A	N/A
79		Diphu TC	10	63654	13,544	16.48	N/A	N/A
80		Dokmoka TC	6	4761	987	2.00	N/A	N/A
81		Dorkamokam TC	5	9121	1,581	4.00	N/A	N/A
82		Hamren TC	7	8694	1,828	10.00	40.90	N/A
83		Howaraghat TC	5	5430	1,096	1.51	N/A	N/A
84	Dima Hasao	Haflong TC	4	42972	9,016	12.79	75.74	N/A
85		Mahur TC	1	2121	483	3.00	15.00	N/A
86		Maibong TC	1	6240	1,400	2.00	28.80	N/A
87		Umrangshu TC	1	9894	2,490	N/A	N/A	N/A
88	Udalguri	Tangla TC	4	17195	3,941	3.19	38.46	N/A
89		Udalguri TC	6	15268	3,374	4.69	31.70	N/A
90	Chirang	Basugaon TC	4	13853	3,041	4.90	2.25	N/A
91		Bijni TC	4	13249	2,930	3.00	20.58	N/A
92		Kajalgaon TC	N/A	26487	N/A	2.25	N/A	N/A
93	Kokrajhar	Gossaigaon TC	4	9139	1,951	4.00	9.00	N/A
94		Kokrajhar MB	10	34202	7,449	8.24	48.45	N/A
		Total of Sixth schedule area	86	311841	59581	85.05	390.43	0
		Grand Total	842	3386829	552570	759.39	3422.794	3048.53



OFFICE OF THE COMMISSIONER  
GUWAHATI MUNICIPAL CORPORATION  
PANBAZAR: GUWAHATI-01

3209

Annexure - XI

No. GCS/NURM/341/2014, 2<sup>nd</sup>

Date: 18/12/2014

**NOTIFICATION**

In suppression of the earlier notification vide No: GCS/NURM/40/08-09/Pt-II/164 dated 13/08/2014 of this office regarding User Charges for the Primary Collection of Solid Waste, the following Notification of User Charges will come into force with immediate effect

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The respective NGOs are authorised by Guwahati Municipal Corporation to collect the user charges on behalf of GMC from household and commercial establishment per month as per the rate fixed as follows.

Sl. No.	Category	User Charges ( Rupees Per month)
1	Housholds	30
2	Flats in Apartment (each flats)	20
3	Govt Quarters ( Each Quarters )	30
4	Road Side Vendors Like Tea Stall, Fresh Coconut, Sugarcane, Chai Corners, Parathawalas, Momostalls, other mobile Stalls etc (per day)	20
5	Temporary Dally Shop like vegetable shops on riverside in Uzan Bazar, etc (per day)	20
6	Daily Market like Paltan Bazar, etc (per day)	20
7	Weekly Market like Gorchuk, Boragaon etc (per day)	20
8	Paying Guest Hostel ( Per Bed )	50
9	Lodge (per room)	50
10	Coaching Centers, Playgroups, etc	100
11	Creches	100
12	Hotels with food & Lodge (per room)	100
13	Pan Shop- Small	100
14	Fruits, Vegetables & Meat Vendors	100
15	Small Restaurants	200
16	Gracery Shops	200
17	Pan Shop- Big	200
18	Small Beauty Parlours and Saloons	200
19	Hardware Dealers	200
20	Petrol Pumps	200
21	Small Printing Press like Flex printing, DTP, etc	300
22	Flower Shop	300
23	Medical Laboratory / Diagnostic Centers/ Pathological Centers	300
24	Clubs & Gyms	300
25	Govt & Private Offices	500
26	Non-Residential Schools and Colleges	500
27	Wine Shops	500
28	Small Fast food Corner	500
29	Small Sweet Shops	500
30	Juice Shops	500
31	Medicine Wholeseller	500
32	Medicine Retailers	500
33	Showrooms (Garments, Shoes, Toys, etc)	500
34	Big Beauty Parlours and Saloons	500
35	Other Garages	500
36	Automobile spare parts shop	500
37	Exhibition Theatre & ground etc (per function per day)	500
38	Large Printing Press like Flex printing, DTP, etc	600

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39	Dhabas on Highway	1000
40	Furniture Houses	1000
	Vehicle dealers and Service Centers	1000
	For dumping of Waste directly at Dumpsite upto 2.0 CuM (per trip)	1000
43	Small Shopping Complexes like Bhriгу Market Ganeshguri, Tewari Market Fancy Bazar, etc	1500
44	Cinema Halls (Small)	1500
45	For dumping of Waste directly at Dumpsite (2.0 -5.0 CuM) (per trip)	1500
46	Hotel without lodging like Maa Kali, etc	2000
47	Small hospitals / Nursing Homes like Borthakur Clinic, Winthrobes, etc	2000
48	Godowns/ Warehouses	2000
49	Restrobar	2500
50	Medium Fast food Corners like J14, Momo Ghar, etc	2500
51	Cinema Halls (Big)	2500
52	Marr age Halls (Per Month Rate)	3000
53	Small Industries	3000
54	Restaurant like Kiranshree, JB's, khonka etc	3500
55	Big Sweet Shops like Govindam, Makhan Bhog, etc	3500
56	News paper office cum press (Like Assam Tribune, Janambhumi etc.)	4000
57	Poultry Farms like UD, Alpina, Lotus, etc	4000
58	Hotel below five star like Vishwaratna, Landmark, Nandan, etc	4500
59	Residential Schools and Colleges like Royal Global	5000
60	Big Shopping Complexes like Big Bazar, Vishal, Pantaloons Hub, Dona Planet, Sohun, etc.	5000
61	Big Fast food Corners like KFC, Dominos, Pizza Huts, etc	5000
62	Big Hospitals GNRC, Down Town, Good Health, International Hospitals, etc	5000
63	Medium Industries	5000
64	Five Star Hotel	8000

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Sd.  
Commissioner,  
Guwahati Municipal Corporation,

Memo No- GCS/NURM/341/2014/293 -A

Date: 18/12/2014

Copy:

- 1) Shri. MGVK Bhanu, IAS, Principal Secretary to the Chief Minister, Assam for favour of kind information.
- 2) Principal Secretary to the Govt. of Assam, Guwahati Development Department etc., for favour of kind information.
- 3) Staff Officer to Chief Secretary to the Govt of Assam, for kind appraisal of the Chief Secretary.
- 4) Deputy Commissioner, Karmup (Metro) District, for information.
- 5) SSP, Guwahati, Pan Bazar, Ghy-01, for information.
- 6) Deputy Secretary to the Govt. of Assam, Guwahati Development Department, for information.
- 7) Chief Engineer, GMC, for information and necessary action.
- 8) Municipal Secretary, GMC, for kind appraisal of the Hon'ble Mayor and Member, Mayor-in-Council, SWM, GMC.
- 9) Collector, GMC / Chief Accounts & Audit Officer, GMC for information
- 10) Director, DIPR, Assam for publishing in one issue of The Assam Tribune, Amar Assam, Agradoot & Duinik Jagaran.
- 11) All Councillors, GMC for information.
- 12) All Divisional Engineers/ Medical Officer/ Veterinary Officer/ Project Manager, SWM/ Control Room, GMC for information.
- 13) All selected NGOs for strict compliance of this notification.

Sd.  
18/12/14  
Commissioner,  
Guwahati Municipal Corporation.

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Annexure - XII

গঞ্জীভূক্ত নম্বৰ - ৭৬৮/৯৭

Registered No: 768/97

অসম



ৰাজপত্ৰ

# THE ASSAM GAZETTE

অসাধাৰণ

EXTRA ORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

নং 197 দিশপুৰ, বৃহস্পতিবাৰ, 24 আগষ্ট, 2006, 2 ভাদ, 1928 (শক)  
No. 197 Dispur, Thursday, 24th August, 2006, 2nd Bhadra, 1928 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 23rd August, 2006

No. LGL.68/2006/6. — The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XIV OF 2006

(Received the assent of the Governor on 18th August, 2006)

**THE GUWAHATI NON-BIODEGRADABLE GARBAGE (CONTROL AND PREVENTION)**

**ACT, 2006.**

**AN**

**ACT**

to provide for the prevention of throwing or depositing non-biodegradable garbage in public drains, road, wet lands, wastelands, water bodies, places open to public view, to regulate the use of non-biodegradable material and for matters connected therewith or incidental thereto.

Preamble

Whereas it is expedient to provide for prevention of throwing or depositing non-biodegradable garbage in public drains, roads, wet land wasteland, water bodies, places open to public view all over the areas under the Guwahati Municipal Corporation and the Guwahati Metropolitan Development Authority to regulate the use of non-biodegradable material, in the manner hereinafter appearing;

It is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:-

Short title,  
extent and  
commence  
ment

- (1) This Act may be called the Guwahati Non-biodegradable Garbage (Control and Prevention) Act, 2006.
- (2) It extends to the whole of the area under the Guwahati Municipal Corporation and the Guwahati Metropolitan Development Authority.

Definitions

- In this Act, unless the context otherwise requires,-
  - "bio-degradable garbage" means the garbage or washed materials capable of being destroyed by the activity of living beings.

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- (b) "competent authority" means any authority, officer or person appointed by the State Government, by notification in the official Gazette, for enforcement of any provision of this Act;
- (c) "garbage receptacle" means the common bin placed in a public place or any other convenient place for collection of waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour;
- (d) "State Government" means the Government of Assam;
- (e) "house-gully" means a passage or strip of land constructed, set apart or utilised for the purpose of serving as or carrying a drain or offering access to the latrine, urinal, cesspit or other receptacle for filth or other polluted matter by persons employed in the clearing thereof or in the removal of such matter therefrom;
- (f) "local authority" means the Guwahati Municipal Corporation and the Guwahati Metropolitan Development Authority constituted under the Guwahati Municipal Corporation Act, 1969 and the Guwahati Metropolitan Development Authority Act, 1985;
- (g) "market" means any place where persons assemble for exposing for sale of meat, fish, fruits, vegetables, food or any other articles for human use or consumption with or without the consent of owner of such places, notwithstanding that there may be no common regulation for the concourse of the buyers and the sellers and whether or not any control is exercised over the business of, for the persons frequenting the market by the owner of the place or by any other persons;
- (h) "non-biodegradable garbage" means the garbage or washed materials made up of non-biodegradable materials and not capable of being destroyed by the activity of living beings or by biological natural process which remains in the environment for a long period of time and has potential to harm eco-system;
- (i) "non-biodegradable material" means the material which cannot be decomposed or degraded by action of micro-organisms, sunlight or other natural action and includes goods made or manufactured from polyethylene, nylon or other plastic substances such as poly-vinyl-chloride (PVC), poly-propylene and polystyrene, specified in the Schedule to this Act;
- (j) "place open to public view" includes any private place or building, public offices, hut, monument, statue, water pipe line, structure, wall (including compound wall), retaining wall, tree, fence post, pole or any other erection or contrivance visible to person being in or passing along, any public place;

Assam  
Act of  
1971  
Assam  
Act XX of  
1987

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- (k) "public place" means, any place including a road, street or way whether a thoroughfare or not and a landing place to which the public are granted access or have a right to resort or over which they have a right to pass;
- (l) "writing" includes decoration, lettering, ornamentations, drawing caricature and other modes for representing or reproducing words or figures in visible form.
- (m) "occupier" includes --
- (i) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;
  - (ii) an owner in occupation of or otherwise using his land or building;
  - (iii) a rent free tenant of any land or building; and
  - (iv) any person who is liable to pay the owner, damages for the use of occupation of any land or building;
- (n) "owner" includes a person who for the time being is receiving or is entitled to receive the rent of any land or building, whether on his own account or of other person or as an agent, trustee, guardian or receiver or any other person who should so receive the rent or be entitled to receive it if the land or building or part thereof were let to a tenant;
- (o) "prescribed" means prescribed by rules made under this Act.
- (p) "Public Analyst" means the persons appointed by the State Government in a laboratory established or recognized by the State, as Public Analyst;
- (q) "wetland" includes swamps and marshes, wet grass land and pit lands, estuaries, deltas and oxbow areas mangroves, wastelands and creeks and human made sites such as fish ponds, rice paddies, reservoirs and beels.

Prohibition to throw bio-degradable and non-biodegradable garbage

3. (1) No person by himself or through another, shall knowingly or otherwise, throw or cause to be thrown, in any drain, ventilation, shaft, pipe and fittings connected with the private or public drainage works, natural or man made lakes, wetland, any non-biodegradable garbage or construction debris, or any biodegradable garbage by planting in a non-biodegradable bag or container likely to --

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(iii) be dangerous or cause nuisance or be prejudicial to the public health; and

(iv) damage the lake, river water or wetland.

- (2) No person shall knowingly or otherwise, place or permit to be placed, except in accordance with such procedure or after complying with such safeguards as may be prescribed, any biodegradable or non bi-degradable garbage in any public place or in a place open to public view, unless:
  - (a) the garbage is placed in a garbage receptacle;
  - (b) the garbage is deposited in a location designated by a local authority having jurisdiction on an area for the disposal of such garbage.

Restriction or prohibition or use of certain non-biodegradable material

- 4. (1) The State Government may, by notification in the Official Gazette, impose restriction or prohibition on the use of non-biodegradable material, or any other material harmful to environment within the Guwahati Municipal Corporation area and the Guwahati Metropolitan Development Authority area, which is contrary to the norms, as the State Government may, by notification in the Official Gazette, specify.
- (2) The State Government may, by general or special order, impose requirements on manufacturers, distributors, and other persons who produce or handle commodities, with respect to the type, size, thickness, labeling and composition of packaging with respect to its use and disposal including standards or norms for material degradability and re-cyclability.

Provision for placement of receptacle and places for deposit of non-biodegradable garbage and establishment of waste collection system

- 5. It shall be the duty of the local authority, or any officer authorized by it, to -
  - (a) place or provide or place in proper and convenient situation public receptacles, depots or places for temporary deposit or collection of non-biodegradable garbage;
  - (b) provide separate dustbins for temporary deposit of non-biodegradable garbage other than those kept and maintained for deposit of bio-degradable garbage;
  - (c) provide for the removal of contents of receptacles, deposit and of the accumulation at all places provided or appointed by it under clause (a); and
  - (d) arrange for recycling of the non-biodegradable garbage so collected by local body or through private agencies.

Duty of the owners and occupiers to collect and deposit non-biodegradable garbage etc.

- 6. It shall be the duty of the owners and occupiers of every land and building to -
  - (i) collect or to cause to be collected from their respective land and building the non-biodegradable garbage and to deposit, or cause to be deposited in garbage receptacles, deposits or places provided for temporary deposits or collection of the non-biodegradable garbage by the local authority concerned in the area;
  - (ii) provide separate garbage receptacles, other than those kept and maintained for deposit of bio-degradable garbage, of the type and in the manner specified by the local authority or its officers for collection therein of all the non-biodegradable waste from such land and building and to keep such receptacles or dustbins in good condition and repair.

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Power of local authority or competent authority to remove non-biodegradable garbage or non-biodegradable material

7. The local authority or the Competent Authority may, after giving notice in writing to the owner or occupier or part-owner or person claiming to be the owner or part-owner of any land or building, which has become a place of unauthorized stacking or deposit of non-biodegradable garbage or non-biodegradable material which is likely to cause a nuisance or is likely to injure the drainage and sewerage system or is likely to be dangerous to life and health, remove or cause to be removed the garbage or material so stacked or collected, or take such steps as it may think necessary and dispose of the said garbage or material at the cost of such person in the manner as provided under sub-section (5) of section 8.

Power of entry and inspection

8. (1) Subject to the provision of this section, any person empowered by the State Government, by notification in the Official Gazette or any person so authorized by the Guwahati Municipal Corporation or the Guwahati Metropolitan Development Authority, shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place, for the purpose of -

(i) performing any of the functions entrusted to him by the State Government; or

(ii) determining whether, and if so, in what manner, any such functions are to be performed, or whether any provisions of this Act or the rules made thereunder, or any notice, order or direction served, made or, given under this Act is being, or has been complied with; or

(iii) examining any record, register, document or any other material object or for conducting a search of any building in which he has reason to believe that an offence under this Act or the rules made thereunder has been, or is being, or is about to be committed, and for seizing such, record, register, document or other material object if he has reason to believe that it may furnish evidence of the commission of offence punishable under this Act or the rules made thereunder.

(2) Every person handling any non-biodegradable material or non-biodegradable garbage, shall be bound to render all assistance to the person empowered under sub-section (1) for carrying out the functions under that sub-section, and if he fails to do so without any reasonable cause or excuse, he shall be liable to be punished under this Act.

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(3) If any person willfully delays or obstructs any person,

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(4) The provisions of Code of Criminal Procedure, 1973, shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code.

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(6) Any non-biodegradable garbage or non-biodegradable material seized under this section, shall be disposed of in the prescribed manner.

Penalty

9. (1) Whoever contravenes any of the provisions of this Act or any rules, notification or order made under this Act for throwing of biodegradable garbage or use of non-biodegradable garbage or restricted use of certain non-biodegradable material shall, on conviction, be punished -

- (a) for the first offence with a fine which may extend to two thousand rupees;
- (b) for the second offence with a fine which may extend to five thousand rupees;
- (c) for the subsequent offence, with an imprisonment for a term which may extend to three months and with a fine which may extend to twenty-five thousand rupees;

(2) Whoever in any manner aids, abets or is accessory to the commission of an offence under this Act, shall, on conviction, be punished with the punishment provided for the offence.

Offences by companies

10. (1) If the person committing any offence punishable under this Act is a company, every person, who, at the time of the commission of the offence, was in-charge of and responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or attributable to any gross negligence on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.