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14 March 2011

Comparative analysis of Central and State rules on MSW and current BBMP Garbage Tender

1. Door-to-door collection

State Urban Development Policy on SWM:

Residents would be encouraged to segregate, store and deliver the MSW to primary collection staff as per procedures set out by ULBs

Garbage Tender:

Segregation of waste at source using two different containers into bio-degradable and non-biodegradable. But if MSW generator gives mixed waste, service provider to segregate. **No penalties on generator.**

2. Recyclable waste collection – from houses:

State Urban Development Policy on SWM:

Periodical collection on scheduled days and at a specific time – once/twice in a week in a cyclic system during or after commercial waste collection. Duration of collection – 2 hours. Waste so collected would be delivered to a specified collector of recyclable waste.

Garbage tender:

Push-carts to have separate bins and auto-tippers to have a partition to collect dry and wet wastes simultaneously. No separate schedule for collecting recyclables

3. Collection from Slums and other BPL settlements:

State Urban Development Policy on SWM:

- One 40 litre – HDPE bin to be placed for every unit of 100 people of the area. (Approximately 20 house holds). 2 Pourakarmikas to be deployed for a normative area (about 1080 houses / 5400 population). Waste from Push Carts / Tricycles or from 40 litre collection bins is to be transferred to nearest secondary container.

Garbage tender:

No details about collection from slums

4. Collection from commercial establishments:

State UD Policy on SWM:

Waste to be collected during afternoon soon after green waste collection from houses. Time duration for collection – 1 ½ hrs approximately (10% of houses). Through RWA/SHG/Urban Stree Shakti who manage the waste collection in the specified area or private operator hired by ULB

Garbage Tender: No separate trip scheduled.

5. Horticultural and construction waste:

MoEF Rules

Horticultural and construction or demolition wastes or debris shall be separately collected and disposed off following proper norms. Similarly, wastes generated at dairies shall be regulated in accordance with the State laws.

Garbage tender: No *separate* collection or schedule specified

6. Collection from bulk waste generators:

State UD Policy on SWM:

Waste generators to make their own provisions as per specified storage container for storage of waste and to synchronize its collection with transport system. Waste generators may also arrange for storage and transport of waste under contract.

Garbage tender: No *separate* collection or schedule specified arrangement.

- Also, there is nothing about how hazardous waste, bulky waste (old rugs, broken furniture, torn mattresses, etc.) trade waste and vendors' wastes are to be collected.

7. Secondary storage of municipal solid wastes

MoEF Rules: Collected waste from residential and other areas shall be transferred to community bin. Storage facilities shall be hygienic; take into account quantities of waste generation in area and the population. It shall be accessible to users; wastes stored should not be exposed to open atmosphere and bins shall be aesthetic, user-friendly and easy to operate.

Bins for bio-degradable wastes - green
for recyclable wastes - white
for other wastes - black

State UD Policy on SWM:

7 m³ containers are proposed for large cities. A combination of 3 m³ and 4.5 m³ to be located in the operational area of 1000 houses based on the volume of waste generated. Additional 3 m³ and 4.5 m³ containers may be placed in commercial zones, market areas and other places of bulk waste generators. These containers are in addition to containers for houses.

The Secondary Containers are to be placed on a pre-cast cement concrete floor measuring 4.85 m x 3 m. Secondary containers are to be transported either by Dumper Placer or Tractor.

Garbage tender:

- No secondary storage bins foreseen. Wet waste to be directly transferred from push-cart or auto-tipper to compactor and dry waste to closed tipper lorry.
- No secondary storage even at markets.
- No cemented platform at transfer point
- *Good point is that all wet waste will be handed over to compactors and not to ordinary lorries.

8. Manual handling

MoEF Rules

Manual handling of waste shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper precaution with due care for safety of workers.

Garbage tender

No bar on manual handling. This should be specifically banned.

There is a stipulation, however, that garbage should not touch the ground at any stage.

9. Norms for staff

State UD policy on MSW

Normative standard for staff requirement for sweeping (For 4 hr work):

Average road width – 80 ft: One for every 350m length
Average road width – 60 ft: One for every 500m length
Average road width – 40 ft and below: One for every 750m length

Garbage tender:

There are no norms fixed for the number of employees who should be employed for covering a certain length of road.

10. Norms for number of vehicles

- Only the number of auto-tippers and push carts to be deployed for a particular number of households are specified.
1 Auto-tipper (with two compartments) per 1000 households (as per State UD policy)
1 4-bin push-cart for 200 households (State UD policy says 160 houses)
- There are no norms for the number of closed tippers lorries, compactors, to be deployed for total number of units or weight of garbage in a package.

11. Norms for tools and equipment

No norms for quantum and frequency of supply of equipment, tools, cleaning materials, etc. – what quantity of drums, phenyle, brooms, gloves, etc. should be supplied at what frequency, etc.

12. Numbers to be specified in Packages and Implementation Plan

- The number of closed tippers, compactors, number of workers and equipment is to be specified in the individual Packages to be drawn up by BBMP and the Implementation Plan to be supplied by the contractor but the **norms for this are not part of the contract.**
- The tender merely says “Yes” against each of these items to be deployed instead of specifying the standard and specification.
- The bidder can come out with his own work-plan ‘with appropriate justification’. This gives a complete escape route from all norms.

13. Standby staff & vehicles

For giving weekly off to staff

To the required number of PKs, 1/7 additional staff needs to be recruited to enable 1/7th staff to be given a **whole day weekly off** by rotation (not two half-days as at present). (Recommendation of committee appointed by the Supreme Court).

For staff on leave

It is also found that at least 20% staff are either on leave or absent on any given day. Hence, at least 20% additional staff needs to be recruited to act as stand-by staff for those on leave or absent.

Stand-by arrangements for vehicles

Since SWM is a mandatory function of BBMP with great impact on health of citizens, in case of repair of vehicles, alternative vehicle should be made available same day by the bidder and not after an unstipulated length of time.

14. Cleaning of public toilets

Earlier contract required contractor to clean all public toilets, community toilets, toilets in government and BBMP school buildings, anganwadis and other government buildings where there are no specially appointed cleaners. This has been done away with.

15. Penalties

Persons giving mixed waste need to be penalised. There is no mention of how this is to be done.

Citizens found littering or throwing garbage or debris at collection points need to be penalised. Bidder could be made to devise a system of overseeing that no one litters by appointing staff who stand at collection points or black spots and monitor that no one litters.

16. Space for sorting, parking of vehicles

- There is no provision that space will be earmarked for the sorting of recyclables and collection by recyclers.
- Tender says bidder has to find space for parking of push-carts, vehicles, etc. This will mean that garbage compactors and push-carts will continue to be parked on roads and public land. Land needs to be provided by BBMP.

17. Cleaning, disinfecting & safety

Garbage tender says:

- Bidder should make arrangements to clean the equipment and tools of the workers once weekly. Needs to be done **daily**.
- Disinfection of collection vehicles and secondary collection points once a week. Needs to be done **daily**
- Workers should be persuaded to adhere to health and safety rules and use protective gear. It cannot be only left to persuasion. Needs to be made **mandatory**.

18. Monitoring by CBOs/NGOs

- Tender says NGOs, RWAs and others are supposed to be merely 'actively involved'. They have not been given any clear role in the monitoring process.
- They cannot be merely 'actively involved'. Their participation has to be institutionalised through appointment of formal committees with multi-stakeholder participation at each ward level. The frequency of their meetings, and their duties, powers and functions need to be specified.
- The bidder should be made accountable to these committees.

19. Workers' welfare

- There are no specific stipulations that the bidder shall provide rest-rooms, drinking water, toilets (a specific number for a certain no. of workers) and crèches to the workers as per the Contract Labour Act.
- Applicable law does not mention the Child Labour (Prohibition & Regulation) Act 1986 or the Inter-State Migrant Workmen's Act which has strict provisions regarding the employment of migrants from other States.
- Tender says BBMP is not responsible for any disputes between bidder and engaged workers. BBMP cannot say this as it remains 'principal employer' with obligations towards workers under the Contract Labour Act. It has to make good any deficiencies towards workers and recover the amounts from the bidder.
- There is no requirement to submit details of list of workers or their attendance. This could provide a means of siphoning off a lot of money in the names of ghost workers.
- The relevant extracts of the MoEF Municipal Solid Waste Handling Rules 2000, the Minimum Wages Act, Contract Labour Act, Workmen's Compensation Act, Child Labour Act, etc. should be made a part of the contract so that even the public knows what the requirements are.
- Transparency by publicising complete contract details and means of receiving complaints from citizens on sign-boards at each package area would lead to accountability.

20. Other penalties

- Penalties on bidder for violation of labour laws, non-payment of ESI, PF, non-provision of mandatory facilities and equipment for workers, have to be specified.
- Penalties on officials also need to be specified for failing to check these malpractices of the contractors.

BBMP's obligations for total solution at ward level

In addition to the garbage tender, simultaneously, BBMP has to do the following to provide a total solution at ward level

- No wet waste should leave the ward/city
- No dry waste should leave the ward/city
- Only compacted rejects should leave the city
- BBMP should enter into MoUs with NGOs for large-scale Information, Education, Awareness (IEC) Campaign on MSW management.
- Efforts of informal sector and voluntary sector to be integrated and supported in SWM Plan

Transfer stations

Space needs to be set apart for transferring garbage from auto-tippers/push-carts to trucks. This space needs to be cemented to form a platform so that it can be cleaned easily

Composting/bio-methanation sites

Adequate space needs to be earmarked in each ward and market area for local composting/bio-methanation of wet waste. Facility for using the bio-gas for street lighting or community kitchens needs to be created.

Drop-off centres

Space needs to be provided in all 198 wards for drop-off centres for dry waste (and also for collecting hazardous wastes) of different types which also has sufficient space for storage.

Sorting stations

Space needs to be ear-marked in every ward for sorting dry waste collected by dry waste collectors. Space for storage of sorted waste and to act as transfer station for inert waste is required.

Hawking zones

Space needs to be set apart for creating hawking zones with food courts, one per health ward, on vacant land or a road with wide footpath, so that proper collection and storage facilities for vendors' wastes can be provided.

Incentives for self-processing of waste

Individuals and bulk-waste generators who do their own composting/bio-methanation of wet waste to be provided exemption from payment of solid waste cess. Other-wise, bulk-generators to be charged for their garbage collection. This waste to be collected through separate charged trips.

Cow-sheds to aid in composting

Establish cow-sheds as per norms and provide them wet waste / link them to bulk generators of wet waste

Accommodation of SWM efforts by RWAs/SHGs/ NGOs

BBMP should ensure that garbage contractors cooperate and integrate voluntary efforts of NGOs/SHGs/RWAs to collect garbage door-to-door, recycle and compost it, into their own work-plans and not disrupt or kill these efforts.

Linkage with informal sector collection and recycling of dry waste

BBMP has to have separate trips for collection of dry waste and/or ensure its linkage with and support to informal recyclers like rag-pickers and kabaddiwalas in the area. Backward and forward linkages for trade wastes and dry recyclables to be created. It should be considered whether garbage contractor should be asked to collect only wet waste and informal sector organised and enabled to collect all dry waste.

Hard & Bulky Waste

Hard bulky wastes, such as broken furniture, carpentry remnants, torn mattresses, rugs, etc., generated by households **to be collected once a quarter by a dedicated trip after prior notification of date and time to residents,**

for instance, the 1st Sunday of January, April, July & October. Residents to place these items on the pavement for pick up only on these days.

Garden waste

Garden waste **to be collected by a dedicated trip once a week as already notified** by BMP. Residents to neatly bundle garden cuttings and place in front of house. Leaves to be bagged. All garden waste and leaves from street-sweeping to be composted through pit method at BBMP parks or other appointed place.

Small Litter Bins

Small-sized litter bins carrying sponsored ads, which can be emptied easily need to be placed at every bus-shelter and along commercial streets at every 50-100 mts for wastes such as bus tickets, cigarette packs, etc.

Obligations of residents/commercial establishments

Storage and segregation at source

- All individual shops and residences to have two **closed bins for storing wet and dry garbage separately** within/outside their own premises.
- All apartment complexes and commercial complexes to install **two common bins** for 'wet' and 'dry' garbage **in basement / ground floor** for easy access by waste-collecting staff. **Bins to be compatible for direct mechanical loading into compactor**
- **All garbage to be 'bagged' and tied and not given loose; all common facility bins to be lined with garbage bags** (needs to be discussed). This to prevent exposure of garbage to environment in the interest of hygiene and aesthetics.
- All bins to have 100% surplus capacity for storing 2 days' garbage if necessary.
- **On failure of residents or commercial units to install bins within given deadline, bins to be provided by the BBMP compulsorily and residents charged for it.**
- Free distribution of individual bins with lids to households or of common bins with lids or bio-bins (whichever is preferred) to slum-dwellers and low-income households to be considered.
- The possibility of supplying bags for garbage to each household on a monthly basis to be considered.
- Debris, garden waste, drain silt, bulky waste (broken furniture, mats, rugs, mattresses, etc.) hazardous waste such as batteries, sharps, medical waste, trade waste such as leather trimmings, tailor's waste, etc., not to be mixed with wet and dry waste.