

Summary of the Solid Waste Management (SWM) Rules - 2024 (Draft)

Key Takeaways

The SWM Rules - 2024 document provides a comprehensive framework for environmentally sound management of solid waste. It outlines the duties of various stakeholders, the processing and disposal of waste, regulatory measures, and enforcement mechanisms with certain timelines.

It stipulates a structured and accountable framework for solid waste management, promoting **sustainability, circular economy principles, and environmental protection**.

1. Key Deadlines and Targets

Action	Deadline
Setup of Material Recovery Facilities (MRFs) in million-plus cities	March 2025
Setup of MRFs in smaller cities	March 2028
Completion of dumpsite mapping	March 2026 (urban), Oct 2026 (rural)
Full integration of informal waste workers	2026
Achieve 100% waste segregation in all local bodies	2027
Ensure zero-waste-to-landfill approach	2030

2. Summary of Key Takeaways

- **Strict segregation and processing mandates** for all waste generators.
- **Increased accountability for bulk waste generators and industries.**
- **Clear guidelines for landfill use and waste-to-energy projects.**
- **Stronger monitoring, penalties, and environmental compensation.**
- **Centralized digital tracking for better compliance enforcement.**
- **State and local authorities empowered to implement waste management programs.**

3. Waste Segregation and Responsibilities

3.1 Duties of Waste Generators

Every individual or organization generating waste must:

- **Prevent environmental pollution** by managing waste responsibly.
- **Segregate waste into four categories** at the source:
 - **Wet waste** (food scraps, organic waste)
 - **Dry waste** (plastics, paper, metals)
 - **Sanitary waste** (diapers, sanitary pads)
 - **Special care waste** (hazardous or medical waste)
- **Ensure proper disposal** through authorized waste pickers or collectors.
- **Store construction and demolition (C&D) waste separately** and dispose of it per regulations.
- **Not litter, burn, or bury waste** in public spaces or water bodies.
- **Pay a user fee for waste management** as specified by local authorities.
- **Seek permission for large events** (100+ people) and ensure waste management during the event.
- **Ensure that biomedical waste** is disposed of separately, following the **Biomedical Waste Management Rules, 2016**.

3.2 Duties of Bulk Waste Generators (BWGs)

Entities such as residential complexes, markets, institutions, and businesses generating large amounts of waste must:

- **Register with the local body** through a centralized portal.
- **Segregate and hand over dry and special care waste** to authorized collectors.
- **Process wet waste on-site** using composting or biomethanation facilities.
- **Obtain Extended Bulk Waste Generator Responsibility (EBWGR) Certificates** if unable to process waste on-site.
- **Submit annual waste management reports** to authorities.
- **Avoid dealing with unregistered waste handlers** to ensure compliance.

4. Collection, Processing, and Disposal of Waste

4.1 Duties of Local Authorities and Waste Collection Agencies

Local authorities or their authorized agencies must:

- **Ensure collection, segregation, and processing of waste** according to environmental standards.
- **Provide separate collection vehicles for different waste streams** (wet, dry, sanitary, special care).
- **Maintain records of collected waste** and file periodic reports.
- **Monitor and enforce segregation compliance** among citizens and businesses.
- **Implement waste tracking systems** (GPS, RFID) for better monitoring.

4.2 Duties of Waste Processing Facilities

Facilities processing waste (composting, bimethanation, waste-to-energy) must:

- **Register with authorities** and submit periodic reports.
- **Ensure safe and environmentally sound operations** per Central Pollution Control Board (CPCB) guidelines.
- **Not mix hazardous or biomedical waste** with municipal solid waste.
- **Hand over residual waste** to authorized landfills or waste processors.

4.3 Industrial Waste Management

Industries generating solid waste (excluding hazardous waste) must:

- **Register and provide detailed reports** on waste generation and disposal.
- **Process organic waste on-site** or obtain an EBWGR certificate.
- **Ensure waste is recycled or repurposed responsibly.**

5. Special Waste Management Regulations

5.1 Horticultural and Agricultural Waste

- **Local bodies must set up composting pits** for processing green waste.
- **Burning of agri-residue is strictly prohibited**, with penalties for violations.
- **Industries must report their use of agri-residue** in energy production.

5.2 Refuse-Derived Fuel (RDF) Regulations

Industries using solid fuel (cement kilns, power plants) within 100–400 km of an RDF plant must:

- **Use a minimum percentage of RDF as fuel**, increasing over time.
- **File annual reports** on RDF usage with the pollution control board.

5.3 Waste-to-Energy (WTE) Plants

- **High-calorific-value waste (>1500 Kcal/kg) cannot be landfilled** and must be used for energy recovery.
 - **Power from WTE plants must be purchased** by electricity distribution companies.
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6. Landfill Management and Dumpsite Remediation

6.1 Landfill Regulations

- **Only non-recyclable and non-energy recoverable waste** may be landfilled.
- **Landfill fees will be charged for unsegregated waste**, with funds used for waste processing infrastructure.
- **Sanitary landfills must comply with environmental standards** and undergo periodic audits.

6.2 Legacy Waste and Dumpsite Remediation

- **All dumpsites must be mapped** by 2026 (urban) and 2026 (rural).
 - **Bioremediation must be carried out** to recover soil and recyclable materials.
 - **Audit reports on legacy waste clearance** must be submitted annually.
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7. Monitoring, Implementation, and Enforcement

7.1 Centralized Online Portal

- **A national dashboard will track waste management data**, including waste collection, processing, and landfill usage.
- **All stakeholders must register** and submit annual waste management reports.

7.2 Environmental Compensation (Fines & Penalties) for Violations

Environmental Compensation (EC) will be levied on individuals, bulk waste generators, industries, and local bodies that fail to comply with SWM rules.

7.2.1 Entities Liable for Environmental Compensation

Fines will be imposed on:

- **Entities operating without mandatory registration** under SWM rules.
- **Individuals and businesses failing to segregate waste** at source.
- **Waste generators who dump, burn, or bury waste** in unauthorized locations.
- **Industries not using RDF (Refuse-Derived Fuel)** as mandated.
- **Waste processing facilities violating environmental standards.**
- **Urban Local Bodies (ULBs) failing to ensure proper waste collection & processing.**

7.2.2 Implementation & Collection of Fines

- **Fines will be collected by the SPCB, District Collector, or Local Body.**
- **Collected funds will be used for improving waste management infrastructure.**
- **Repeated violations will lead to higher penalties and legal action.**

7.2.3 Legal Actions Under the Environment Protection Act, 1986

*For serious violations, legal action will be taken under **Sections 15, 15A, 15B, 15C, 15D, 15E, and 15F** of the **Environment (Protection) Act, 1986.***

7.2.4 Offenses Punishable Under the Act

- ***Providing false information or concealing facts** related to waste management.*
- ***Using false or forged waste management certificates** (e.g., EBWGR Certificates).*
- ***Failing to comply with CPCB/SPCB directions** for waste disposal.*
- ***Non-compliance with segregation, disposal, and processing guidelines** even after repeated warnings.*

7.2.5 Penalties for Violations

- ***Fine up to ₹1 lakh per violation.***
- ***Imprisonment up to 5 years, extendable to 7 years in case of repeated offenses.***
- ***Closure of business operations** in extreme cases.*

7.2.6 Specific Penalties for Local Authorities & Waste Collectors

- ***Failure to provide proper waste collection services** → Fine on local body.*
- ***Improper transport, mixing of waste during collection** → Fine on waste collectors.*

- **Failure to meet waste processing facility standards** → Fine on facility operators.
 - **Failure to file quarterly/annual waste management reports** → Legal action against responsible officers.
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7.2.7 Penalties for Industrial Waste & RDF Non-Compliance

- **Industries failing to use RDF as fuel** → Heavy fines, cancellation of licenses.
 - **Dumping industrial waste improperly** → Strict penalties & environmental compensation.
 - **Failure to register/report waste generation data** → Legal action & financial penalties.
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7.2.8 Penalties for Landfill Misuse & Dumpsite Violations

- **Unauthorized dumping at landfills** → Heavy fines on violators.
 - **Failure to conduct remediation of old dumpsites** → Penalty on local bodies & project contractors.
 - **Illegal landfilling of high-calorific-value waste** → Strict legal action.
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7.2.9 Penalties for Horticultural & Agricultural Waste Mismanagement

- **Burning of horticultural/agri-residue** → Heavy fines on farmers & violators.
 - **Failure to comply with composting or biogas usage** → Action against local bodies.
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7.2.10 Oversight & Enforcement Mechanisms

- **SPCBs and District Magistrates will monitor compliance and impose fines.**
 - **Annual audits and public reporting will ensure transparency.**
 - **Strict timelines for compliance (e.g., 100% segregation by 2027)**
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8. Roles and Responsibilities of Government Bodies

8.1 Central Government Bodies

- **Ministry of Environment, Forest & Climate Change (MoEFCC):** Monitors overall implementation.
- **Ministry of Housing & Urban Affairs (MoHUA):** Supports local bodies with funding and technical guidance.
- **Ministry of Agriculture & Farmers Welfare:** Develops standards for organic manure and composting.
- **Ministry of Power:** Ensures purchase of power from WTE plants.
- **Ministry of Petroleum & Natural Gas:** Promotes biogas production.
- **Ministry of Finance:** Provides tax incentives for waste management infrastructure.

8.2 State & Local Governments

- **State Pollution Control Boards (SPCBs):** Enforce compliance, conduct audits, and penalize violators.
 - **Urban & Rural Local Bodies:** Implement waste management at the ground level, provide infrastructure, and collect user fees.
 - **District Collectors:** Oversee local implementation and review waste management performance.
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