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PART - II

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GOVERNMENT OF PUDUCHERRY PONDICHERRY MUNICIPALITY, PUDUCHERRY

F. No. 1613/PM/MHO/2022-23.

Puducherry, dated 30th November 2022.

NOTIFICATION

In exercise of powers conferred under clause (C) of Section 395 (J) read with Section 324 of Pondicherry Municipal Corporation Act, 1976, Pondicherry Municipal Corporation hereby makes the following Bye-laws, for collection, transportation and treatment of waste of onsite

sanitation systems (faecal sludge, septage and waste water) and for matters connected therewith and incidental or ancillary thereto namely, Fssm draft Bye-laws, Pondicherry-2022.

The Designated Officer who has been appointed by the Government under clause (b) of sub-section (2) of section 109 of the Puducherry Municipalities Act, 1973 (*vide* G.O. Ms. No. 34/LAS/A4/2015, dated 25-03-2015 of the Local Administration Department) to exercise all the powers and to perform all the functions of Pondicherry Municipal Council has therefore, adopted the following Draft Bye-law on "Pondicherry Municipality Faecal Sludge, Septage and Waste Water Management (FSSM) Bye-law, Pondicherry-2022".

Whereas, in exercise of the powers conferred upon by sub-section (1) of section 501 of the Puducherry Municipalities Act, 1973, the Government has authorised the Secretary to Government (Local Administration) to approve and confirm the Bye-laws of Municipal Councils, *vide* G.O. Ms. No. 292, dated 06-10-1976 of the Local Administration Department.

Whereas, in exercise of the powers conferred by section 443 of the Puducherry Municipalities Act, 1973 (No. 9 of 1973), Pondicherry Municipality has drafted this Pondicherry Municipality Bye-law on Faecal Sludge, Septage and Water Management (FSSM) Bye-law, Pondicherry-2022 and it is hereby published in the Government Gazette for information of all persons likely to be affected thereby and notice is hereby issued that the said Bye-laws shall be taken into consideration after the expiry of 30 (thirty) days from the date of its publication.

Whereas, any objections or suggestions which may be received from any person in respect of the said Draft Bye-laws before the expiry of the period specified above shall be taken into consideration before. The final objections or suggestions may be addressed to the Commissioner, Pondicherry Municipality, Bussy Street, Kamban Kalai Arangam, Puducherry-605 001. E-mail to <https://pdymun.in>. These Bye-laws may be viewed in website <http://pdymun.in>.

S. SIVAKUMAR,
Commissioner.

DRAFT BYE-LAWS**PONDICHERRY MUNICIPALITY FAECAL SLUDGE, SEPTAGE AND WASTE WATER MANAGEMENT (FSSM) BYE-LAW, PONDICHERRY-2022****CHAPTER – I**

1. **Short title and commencement.**— (i) These Bye-laws may be called "Faecal Sludge, Septage and Wastewater Management (FSSM) Bye-laws, Pondicherry-2022".

(ii) These Bye-laws shall come into force on the date of their publication in the Rajpatra (Official Gazette of Government of Puducherry) and shall be applicable within the administrative boundary of Pondicherry Municipal Corporation (PMC).

2. **Definitions.**— (i) "Access Cover" mean, an opening used to access an Onsite Sanitation System (OSS) for inspection, cleaning and other maintenance operations, fitted with a suitable cover;

(ii) "Decentralised Waste Water Treatment System (DWWTS)" is an approach which includes collection, treatment and disposal/reuse of wastewater from individual homes, residential societies, isolated communities, industries, institutions or near the point of generation. DWWTS cater to both - liquid and solid components of wastewater.

(iii) "Designated Officer" mean, an Officer of Pondicherry Municipality authorized by Commissioner, Pondicherry Municipality to issue Licence or any other work assigned to him;

(iv) "Desludging" refers to the operation of removing FSS from OSS by a Licensed Operator or trained sanitary workers of Pondicherry Municipality/Public Works Department, Puducherry;

(v) "Disposal" refers to Transportation and discharge/transfer of FSS to the notified location;

(vi) "Effluent" is the supernatant (liquid) discharged from an OSS. The liquid separated out from the septage is also referred to as effluent;

(vii) "Faecal Sludge" refer to the settled contents of Onsite Sanitation Systems. The characteristics of faecal sludge can differ widely from household to household, city to city, and country to country.

The physical, chemical and biological qualities of faecal sludge are influenced by the duration of storage, temperature, soil condition and intrusion of groundwater or surface water into Onsite Sanitations Systems, desludging technology and pattern;

(viii) "Faecal Sludge and Septage Treatment Plant (FSSTP)" is an independent FSS treatment facility for remediating the solid and liquid components to prescribed standards for safe disposal and reuse. This may also refer to a Sewage Treatment Plant, wherein, faecal sludge/septage is being co-treated with sewage;

(ix) "Licence" means, a written permission granted to any Person, that intends to carry out the services of Faecal Sludge and Septage Management (FSSM) having mentioned the purpose, period, name and address, route, *etc.*, under the signature of the authorized signatory of the Pondicherry Municipality;

(x) "Licensed Operator" mean, any person holding licence to carry out desludging and transportation of FSS to the notified location;

(xi) "Nodal Agency" mean, the Government Department or Pondicherry Municipality or Agency hired by it for the operation and maintenance of Sewers, STP and FSSM;

(xii) "Notified location" mean, the location of delivery and disposal of FSS, as defined and earmarked by Pondicherry Municipality;

(xiii) "Onsite Sanitation System (OSS)" is a sanitation technology system in which excreta is collected and stored and emptied from or treated on the plot where they are generated;

(xiv) "Operator" refers to person engaged in the business of desludging, transportation or treatment of FSS;

(xv) "Person" includes an individual, an Agency, a Trust, a Society, a Firm or a Company incorporated under relevant laws, an association of persons or a Body of Individuals whether incorporated or not;

(xvi) "Pondicherry Municipality Registered Vacuum Tanker" mean, a Vacuum Tanker, duly registered by the Transport Authority of the State to perform the designated purpose, having being inspected and registered by Pondicherry Municipality for desludging, transportation, and disposal of Faecal Sludge and Septage (FSS).

(xvii) "PM" mean, Pondicherry Municipality.

(xviii) "Scheduled Desludging" refer to regular emptying of OSSs at an interval of 2-3 years based on the recommendations of Central Public Health and Environmental Engineering Organisation (CPHEEO);

(xix) "Septage" is the faecal sludge desludged from a well-designed septic tank;

(xx) "Sewage" is the wastewater that is transported through the sewers;

(xxi) "Sewers" means, the underground pipelines provided for the purposes of carrying the liquid waste (wastewater) of the community, otherwise known as Sewage;

(xxii) "Sewage Treatment Plant" mean, the place where Sewage is treated to prescribed standards for safe disposal and reuse;

(xxiii) "Taskforce" mean, the City Sanitation Taskforce constituted in the city Headed by the Commissioner; the Members of the Committee may be co-opted by him from Government Departments, Public Undertakings, Educators, among other eminent people of society.

(xxiv) "Trained Sanitary Workers of Pondicherry Municipality" mean, Pondicherry Municipal staff or contracted/hired workers engaged and trained by Pondicherry Municipality/Contracted trainers for the purpose of Desludging/Emptying and Transportation of FSS using Pondicherry Municipality owned Vacuum Tanker or otherwise.

(xxv) "Transportation" mean, safe transfer of FSS through Pondicherry Municipal Registered Vacuum Tanker from the place of desludging to the Notified Location;

(xxvi) "Treatment" mean, any scientific method or process designed to alter the physical, chemical or biological and radiological character or composition of FSS/sewage/wastewater to reduce or prevent pollution.

(xxvii) "Vacuum Tanker" is a vehicle that has a pump and a tank, designed to pneumatically suck FSS from the OSS. These vehicles are also used to transport desludged FSS.

(xxviii) "Wastewater" mean, liquid effluent from domestic/ commercial human activity including effluent from toilets, kitchen and cleaning activity, but, does not include effluents from manufacturing and industrial activity. Usually such effluent flow through storm water drains, thus it includes storm water as well.

All other words and expressions used in these Bye-laws and not defined in these Bye-laws and not defined herein above, but, defined in the Act or any other law for the time being in force shall have the meaning, respectively assigned to them under the Act or Law and in absence thereof, the meaning as commonly understood in the water supply and sewage treatment/disposal industry.

CHAPTER – II

WASTE WATER MANAGEMENT

3. **Management and disposal of wastewater from premises.**—The owner/occupier of every property in Pondicherry Municipality (including, but, not limited to, residential and commercial, proposed or existing) shall be responsible to ensure that wastewater from their premises is treated or disposed of through any, or a combination of any of the following ways, namely :

(i) If, sewer is available within 30 (thirty) meters of the boundary of the premises or at such other distance as may be feasible, the the property is connected to sewerage system on payment of such fee (if any) and on completion of other procedures as may be required;

(ii) Wastewater is conveyed to a Pondicherry Municipality approved community or local area treatment facility.

(iii) Properties which generate more than 10 thousand litres of wastewater per day and have green area more than 500 square metres within their premises, shall install a decentralized wastewater treatment system so as to treat the wastewater generated in the property. The property owner shall ensure reuse of the treated wastewater for horticulture/flushing, thus lowering the dependence on fresh water.

(iv) The wastewater is contained in an OSS without any outlet.

CHAPTER – III

ONSITE SANITATION SYSTEMS

4. **Design, construction and maintenance of OSSs.**— (i) The design, construction and installation of OSSs shall be made in accordance with the provisions of the 'Manual on Sewerage and Sewage Treatment Systems, 2013, CPHEEO as may be modified from time to time or any other accepted sound engineering practice as may be issued by Pondicherry Municipality or the State/Central Government.

(ii) The owner(s)/resident(s) of the properties connected to OSSs, shall be responsible for upkeep, maintenance and safe disposal of the FSS from such OSSs.

(iii) The owner(s) of the properties shall undertake desludging on a regular basis (every 2-3 years) on payment of such cost as may be determined by the Pondicherry Municipality.

(iv) The owner of the premises shall ensure that no pollution is caused to the environment due to direct discharge of FSS into open areas or into the stormwater drain due to malfunctioning or faulty construction of the OSS.

(v) The owner of the premises shall ensure that the septic tanks are cleaned mechanically by Licensed Operator or Trained Sanitary Workers of Pondicherry Municipality with adequate safety measures and no manual cleaning is taken up for the purpose.

(vi) Pondicherry Municipality or Designated Officer has the right to inspect the premises for non-compliances. Pondicherry Municipality may issue notice to the owner of the premises for retrofitting/rectification of non-compliances related to management and disposal of Faecal Sludge, Septage and Wastewater (FSSW) at his own cost within a frame of time.

(vii) Pondicherry Municipality may, at its discretion, provide incentives to property owners for retrofitting/rectification of non-compliant systems and engage technical experts to suggest alternate systems.

CHAPTER – IV

REGISTRATION AND LICENSING FOR DE-SLUDGING AND
TRANSPORTATION OF FSS**5. Licence to be issued by the Pondicherry Municipality (PM).—**

(i) Pondicherry Municipality shall register the Vacuum Tanker(s) owned or hired by the vendor of the nodal agency or private operator(s) currently providing desludging services in Pondicherry Municipality.

(ii) Pondicherry Municipality shall under take Information, Education and Communication (IEC activities) for the operators including their staff, where they shall be sensitized and trained to employ best practices for safe emptying and transportation of FSS. This training shall be carried out within 1 month after last date of registration.

(iii) Once the operator thinks that (s)he complies successfully with the criteria of licensing, (s)he shall apply for using Form 1 of these Bye-laws. This shall not exceed 2 months post completion of training.

(iv) Pondicherry Municipality shall issue Licence to Operator for desludging and transportation of FSS to Notified Location(s).

(v) Licence will be issued in the format, prescribed in Form 2 of these Bye-laws, and will be valid for a year from the date of issue, unless revoked earlier, and shall be renewable on its expiry subject to fulfillment of terms and conditions by the Licensed Operator and on payment of fee prescribed.

(vi) Pondicherry Municipality shall register the Vacuum Tanker(s) owned or hired by the applicant. Pondicherry Municipality shall inspect the vehicle for its satisfaction. Pondicherry Municipality has the right to reject or revoke the registration of vehicles which Pondicherry Municipality believes does not meet the criteria mentioned in Clause 15 of these Bye-laws or poses a threat to the safety and public health of the city.

6. Criteria for issue of Licence for desludging and transport of FSS.— (i) The eligible applicant for obtaining the Licence mean, the "Person" as defined in Clause 2 (xv) of these Bye-laws.

(ii) The applicant should own or hire leak-proof, odour and spill proof Vacuum Tanker(s) proper with a vacuum/suction and discharging arrangement.

(iii) The vehicle will have a valid permit or registration certificate of the Transport Department to operate at Pondicherry Municipality.

(iv) The applicant shall register her/his Vacuum Tanker(s) with Pondicherry Municipality.

(v) The applicant shall undertake that the vacuum tankers owned/hired by her/him meet the criteria mentioned in Clause 15 of these Bye-laws.

(vi) The applicant shall undertake to have workers adequately trained for this purpose by Pondicherry Municipality or agency hired by Pondicherry Municipality.

(vii) The applicant shall undertake to equip the workers with safety gears and other personal protective equipment (PPE) required to safely desludge, transport and dispose the FSS at the Notified Locations. The required PPE shall be as per the list in Appendix-3 of these Bye-laws.

(viii) The application for obtaining licence for desludging, transportation and disposal of FSS shall be submitted in prescribed format, appended as Form-1 of these Bye-laws, including Terms and Conditions and with such documents as prescribed by the Designated Officer(s) of Pondicherry Municipality.

(ix) Pondicherry Municipality shall give wide publicity on its web site and through leading Newspapers and other print and electronic media periodically, inviting prospective applicants to apply for the Licence.

(x) Pondicherry Municipality may charge application fee as prescribed from time-to-time for processing the application grant the licence. The fee will be non-refundable and the same can be paid electronically or by Demand Draft in favour of Commissioner, Pondicherry Municipality. The Licensed Operator shall deposit prescribed amount, notified from time-to-time as performance Guarantee, in the form of Bank Guarantee which will be forfeited in case any violation under the Bye-laws.

7. IEC About FSS Management.— (i) The Pondicherry Municipality will periodically give wide publicity to the Licensed Operator(s), on its website as well as through print and electronic media.

(ii) The Pondicherry Municipality will undertake awareness campaign(s) to make the people aware of these Bye-laws as well as the need to engage only the Licensed Operator(s) for desludging, transportation and disposal of FSS.

CHAPTER – V

DESLUDGING/COLLECTION AND TRANSPORTATION OF FSS

8. Owner/Occupier of property to engage only Licensed Operator(s).— (i) It shall be the duty of each owner/occupier of the property to engage the services of Licensed Operators or Trained Sanitary Workers of Pondicherry Municipality for desludging and transportation of FSS.

(ii) The owner/occupier shall confirm that the Licence issued to the desludger(s) is valid on the date of execution of work. She/He shall also append her/his signature to the record Form for collection, transport and disposal of FSS, prescribed at Form-3 of these Bye-laws.

9. Fee for Desludging and Transportation of FSS.— (i) The fee for desludging and transportation of FSS to notified locations shall be as notified by the Designated Officer from time to time.

(ii) As and when Pondicherry Municipality decides to implement scheduled desludging in the city, the desludging fee shall be replaced by 'Sanitation Charge' or can be incorporated in property/water tax, which shall be notified by Pondicherry Municipality from time to time.

(iii) Licensed Operator shall not charge any amount from the owner/occupier of the property in excess to the amount notified by Pondicherry Municipality from time to time.

(iv) Any demand for fee for desludging and transportation of FSS in excess to the notified fee shall make the Licensed Operator liable for cancellation of Licence and imposition of penalty prescribed for violation of these Bye-laws.

10. Vehicles for transportation of FSS.— (i) The FSS shall be desludged and transported only by Licensed Operator(s) or Trained Sanitary Staff of Pondicherry Municipality.

(ii) Vacuum Tanker(s) can be registered for a period of 6 months, even if, all the required conditions are not met. In such cases, the respective operator(s) should upgrade the Vacuum Tanker within this given time frame.

(iii) Desludging vehicles to only follow designated routes (as identified by Pondicherry Municipality from time to time) for safe and efficient transportation of FSS.

(iv) A copy of Licence issued to the Operator and Pondicherry Municipality Registration of the Vehicle shall be prominently displayed on the vehicle used for desludging and transportation of FSS.

(v) The Vacuum Tanker shall be painted with Yellow colour, duly marked with (the precaution) in Red Colour "Septic Tanker" (in English) and "கழிவு நீர் ஊர்தி" (in Tamil).

(vi) Each vehicle used for transportation of FSS shall be fitted with a GPS Device and Access Rights of the same shall be given to the Office of Commissioner and the agency notified by Pondicherry Municipality for tracking of such vehicles.

(vii) The Licensed Operator shall ensure that there is no leakage/spillage of the FSS during transportation from the desludging point to the notified location for disposal.

11. Liability of Licensed Operator in the eventuality of accident and safety of workers.— (i) The Licensed Operator shall be fully and solely liable for any damage caused to an vehicle, property or environment in the eventuality of any accident or disaster and shall be liable to person, pay any damage charges/compensation on its own, if any imposed by the Authority/Court of law thereto, to the victims/their legal heirs.

(ii) The Licensed Operator shall be responsible for taking all the safety measures including provision of hand held Gas-Detectors, Gas-Masks, Protective-Gear, Oxygen-Mask with Oxygen-Cylinder and First Aid Box *etc.* and such other measures as specified in Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and Rules made thereunder, including these Bye-laws.

12. **Disposal of FSS.**— (i) The Licensed Operator shall dispose FSS only at the notified by Pondicherry Municipality from time to time or at any sewage treatment plant operated by Public Works Department, Puducherry.

(ii) The Licensed Operator shall submit duly signed FSS desludging, transportation and disposal Form prescribed in Form 3 of these Bye-laws, duly filled and signed to the official of the Pondicherry Municipality designated for this purpose.

13. **Training, health and insurance of worker(s).**— (i) The Licensed Operator shall be responsible for periodic training of the worker(s) deployed in desludging, transportation and disposal of the FSS.

(ii) The Licensed Operator shall be responsible for ensuring that every worker(s) deployed, undergoes health check-up at least twice a year and submit record of the same to Pondicherry Municipality, failing which the Licensed Operator shall be liable to pay penalty as notified from time to time.

(iii) The worker(s) deployed by the Licensed Operator shall be insured to cover compensation to be paid to the victims/their legal heirs under Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and APEX Court's Order, dated 27-03-2014 in Writ Petition, No. 583 of 2003 (Safai Karamchari Andolan and Ors. v/s. Union of India and Ors.) in the eventuality of accident during the process of desludging, transportation and disposal of FSS.

14. **Penalty.**— For any violation of any of the condition in the Bye-law either by the operator or the worker working under him the operator can be levied a penalty up to ₹ 10,000 (Rupees ten thousand) as detailed in Appendix 5.

15. **Cancellation of Licence.**— In case of violation of any of the provisions of Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 including these Bye-laws, the Licensed Operator shall be liable to pay penalty as notified from time to time, including the cancellation of licence and forfeiture of performance guarantee as per the recommendation of Taskforce or Designated Officer(s).

CHAPTER – VI

TREATMENT AND REUSE / DISPOSAL OF FSSW

16. **Identification of treatment/disposal site(s).**— The Public Works Department will identify and notify the location(s) where the FSSW shall be treated/disposed by the Licensed Operator or Trained Sanitary Staff of Pondicherry Municipality.

17. **Creation of infrastructure to receive the FSSW.**— The Public Works Department will create necessary infrastructure and provide necessary equipment at the notified location(s), to facilitate the treatment/disposal of FSSW brought by the Registered Vehicle(s).

18. **Deployment of staff and timing to receive the FSS.**—The Public Works Department shall deploy staff at each notified location(s)/STP, to receive the FSS and transfer it to the respective treatment facility. The FSS shall be received by the staff deployed by the Public Works Department at each notified location(s)/STP during the hours as notified by the Public Works Department.

19. **Industrial waste not to be allowed.**— The disposal of FSS containing industrial waste shall not be permitted at the notified location(s).

20. **Training in FSSM.**—The staff deployed by The Public Works Department at the notified location(s)/STP shall be trained for receiving and treatment/disposal of FSS.

21. **Reuse of treated FSSW.**— (i) The Pondicherry Municipality/ Public Works Department/Agriculture Department shall sensitize farmers about the health and environmental ill effects of agricultural application of untreated FSSW and encourage them to use treated FSSW from the FSSTP.

(ii) Pondicherry Municipality/Public Works Department/ Agriculture Department shall utilize treated wastewater from the DWWTS in the city for the purpose of horticulture and any other purpose wherein, it can be used in lieu of fresh water.

(iii) Project proponent of any construction activity shall consume any available treated wastewater in the vicinity (1 km. radius) of the project for construction purpose. Only in cases of inadequate availability/unavailability of treated wastewater, the proponent shall consult Pondicherry Municipality/Public Works Department to explore other available options and take approval for the same.

CHAPTER – VII

ADMINISTRATION AND ENFORCEMENT

22. **Administration and enforcement.**— (i) The administrative and enforcement powers of these Bye-laws is vested with the Commissioner or the designated official of the Pondicherry Municipality duly authorized by the Commissioner.

(ii) Pondicherry Municipality may levy user fees as determined and notified from time to time, for rendering services of desludging, transportation or treatment. For ensuring the cost recovery, the users shall be required to pay for these services.

(iii) For the purpose of effective implementation and enforcement of these Bye-laws, Pondicherry Municipality shall have the power of inspection of any premises, transportation vehicles and FSS treatment facility at any given time.

23. **Violations and penalties.**— (i) Any person guilty of violation of any of the provisions of these Bye-laws, shall be issued with a notice for compliance.

(ii) Any person shall be subject to penal provisions under these Bye-laws, if such person—

(a) contravenes or fails to comply with any provisions of these Bye-laws;

(b) obstructs, hinders or interferes with an authorized official or other officials of the Pondicherry Municipality acting under power delegated to her/him in the exercise of any power or the performance of any duty under these Bye-laws;

(c) resorts to manual desludging of any OSS/Sewer.

(iii) The person found to be guilty of violation of provisions of these Bye-laws shall be punished to the extent to the amount as indicated in Appendix and prosecution under relevant law and shall be subjected to seizure of the FSS transport vehicle, FSSW treatment facility or property as the case may be.

(iv) Whoever, in any case, in which a penalty is not expressly provided in Appendix is found to be guilty, shall be punishable with a fine of Two Thousand Indian Rupees (₹ 2,000) and in case of continuing contravention with an additional fine amounting to Five Hundred Indian Rupees (₹ 500) for every day during which such contravention continues.

(v) For removal of doubt, it is hereby declared that nothing in these Bye-laws shall prevent any person from being prosecuted and punished under any other relevant Act, for the time being in force, or any act or omission made punishable under these Bye-laws.

24. **Appeal.**—Any person aggrieved by the decision of an authorized official of Pondicherry Municipality under Bye-laws, may appeal (in format appended in Form 4 of these Bye-laws) against such decision to the Commissioner and if, the decision is made by the Commissioner, the appeal shall lie to the Taskforce within a period of thirty days from the date of receipt of a copy of the order appealed against.

25. **Dispute resolution clause.**— Any dispute, arising out or in the connection with the operation of these Bye-laws, shall be resolved under Indian Laws by Competent Court of Law having jurisdiction of Pondicherry Municipality only.

26. **Reference Documents.**— For the ease of implementation and rolling out of the Bye-laws, a list of standards, strategies, manuals, guidelines and policies, as provided in Appendix of these Bye-laws, may be referred to, as those shall stand modified from time to time.

APPENDIX – 1

FORM -1

Application Form for Licence or Collection, Transportation and Disposal of Faecal Sludge and Septage in Pondicherry Municipality

1. Name(s) of the Applicant : (Mr/Ms.)
2. Nationality : (Indian/Other)
3. Address of correspondence :
4. Address of Head Office / :
Regd. Office.
5. Telephone Numbers : *Office* :
Mobile :
6. E-mail ID :
7. Registration No. of vehicle(s) :
 - (i) (ii)
 - (iii) (iv)
8. Fitness Certificate of the vehicle(s) valid up to:
 - (i) (ii)
 - (iii) (iv)
9. Insurance of the vehicle(s) valid up to:
 - (i) (ii)
 - (iii) (iv)
10. Pollution Certificate of the vehicle(s) valid up to:
 - (i) (ii)
 - (iii) (iv)

Paste self attested passport size photograph
--

11. Vehicle (s), whether fitted with: Yes / No
GPS tracker.
12. Details of payment of processing fee for licence:
Demand Draft No. :
Date :
Bank :
13. List of attached documents (self-attested copy) (tick):
- (i) Identity proof :
 - (ii) Registration Certificate(s) :
 - (iii) Pollution Certificate(s) :
 - (iii) Address proof :
 - (iv) Fitness Certificate(s) :
 - (v) Driving Licence :
 - (vi) Certificate(s) of Insurance and :
Policy Schedule.
 - (vii) Passport size photographs :
 - (viii) List of employees :
- Total Number of attachments :

I / We certify that information given by me/us in column 1 to 13 are true to the best of my knowledge and belief. I also certify that I have read and understand the attached terms and conditions and agree to abide by them. I agree that if, any information given by me is found wrong, the application for licence will be liable for cancellation at any time.

Signature of Applicant(s)

Date :

Terms and conditions

- (i) Faecal Sludge and Septage (FSS) shall be collected and transported only by an agency having a valid licence for this purpose issued by the Pondicherry Municipality.
- (ii) The fee for collection and transportation of FSS up to the Faecal Sludge and Septage Treatment Plant (FSSTP) shall be as prescribed by the Pondicherry Municipality from time to time. No Licenced Operator shall charge any amount from the OSS owner in excess of the prescribed fee.
- (iii) FSS shall be transported only in the vehicles approved for this purpose by the Officer authorized for this purpose by Pondicherry Municipality.
- (iv) The Licenced Operator shall ensure that there is no leakage of FSS during transportation from the collection point to the FSSTP.
- (v) The vehicle carrying FSS shall be fitted with prescribed equipment to take care of threat of pollution due to any accident during the movement of the vehicle from desludging point to the FSSTP.
- (vi) Each vehicle used for transportation of FSS shall be fitted with GPS device and access rights of the same shall be given to Pondicherry Municipality and the agency notified by Pondicherry Municipality for tracking of such vehicles.
- (vii) The licence shall be fully and completely liable for any damage to any person, vehicles, property and environment in case of any accident or disaster.
- (viii) A copy of licence shall be prominently displayed on the vehicle used for transportation of FSS.
- (ix) The vehicle/tanker shall be painted with Yellow colour duly marked with the precaution in Red colour "Septic Tank Waste" (in English) and "செப்டிக் டேங்க் கழிவு" (in Tamil).
- (x) The licensee shall dispose of FSS only at the FSSTP/designated place.
- (xi) FSS will be received at the FSSTP on all days from 7.00 a.m. to 7.00 p.m. The licensee shall plan the trip in such a way that the decanting can be done within the given time slot.

- (xii) The licensee shall be responsible for regular training of the staff deployed to provide effective services of collection, transportation and disposal of FSS, use of protective equipment for taking measures for to minimize the damage to the environment in case of an accident.
- (xiii) The licensee shall be responsible for ensuring that every staff Member undergoes health check-up at least once in every year and submit record of the same to Pondicherry Municipality at the time of renewal of licence.
- (xiv) The staff deployed by the licensee shall be insured for accident during the process of cleaning, transportation and disposal of FSS.
- (xv) In case of violation of any of the provisions of these Bye-laws the licence shall be liable to be cancelled, security of the licensee shall be forfeited and he shall also be liable to pay penalty as prescribed for violation of these Bye-laws.

APPENDIX – 2

FORM - 2

Award of licence to collect, transport and dispose FSS
**Licence for Collection, Transportation and Disposal of Faecal Sludge
and Septage in Pondicherry Municipality**

Paste passport size photograph with stamp of Pondicherry Municipality

In accordance with all the terms and conditions of the Bye-laws/ Regulations, Municipality Act, 1994 rules, the special licence conditions accompanying this licence and applicable rules and laws of Government of Puducherry, the permission is hereby granted to:

1. Name(s) of the applicant : (Mr/Ms.)
2. Address of Head Office / :
Registered Office.

For the collection, transportation and disposal of faecal sludge and septage from onsite containments in Pondicherry Municipality.

The licence is based on information provided in the FSS Collection, Transportation and Disposal Licence Application Form. This licence is effective for a period of one year from date of issue, set forth below.

3. Licence No. :
4. Effective Date :
5. Expiration Date :

They may be suspended or revoked for Condition of Non-Compliance and is not transferable. The original licence shall be kept on file in the Licensee's Office. A copy of this licence shall be carried in every registered vehicle used by the licensee.

6. Signatures :

Emptier/Operator/Owner

Commissioner

APPENDIX – 3

List of Protective Gear and Safety Equipment

The following Protective Gear and Safety Equipment shall be available at work site:

- (i) Safety body clothing predominantly made out of polyester, which is reflective and offers chemical splash resistance.
- (ii) Safety body harness/Safety belt.
- (iii) Surgical Face Mask/respirators which protects against dust, fumes, mists, microorganisms.
- (iv) Safety Torch
- (v) Heavy chemical resistant Hand Gloves, made out of Butyl with added advantage of mechanical protection and hazardous material spills.
- (vi) Safety Goggles with ability to withstand chemical splash to avoid infectious substances from reaching the eyes.

- (vii) Safety Helmet (corded) fitted with a torch, helpful in dark working conditions.
- (viii) Reusable earplugs, preferably connected to a flexible band that can be worn around the neck when not needed. These should be made out of silicon and helpful around the vacuum tankers where average sound levels exceed 85dBa.
- (ix) Emergency Medical Oxygen Resuscitator Kit.
- (x) Gas Monitor
- (xi) Guide Pipe Set
- (xii) Safety Tripod Set
- (xiii) Wader Boots
- (xiv) Air Compressor and Blower
- (xv) Modular Airlines Supply Trolley System
- (xvi) Head Lamp
- (xvii) Raincoat

APPENDIX – 4

FORM - 3

Record of collection, transport and disposal of FSS

**Form to Maintain Record of Collection, Transportation and Disposal
of Faecal Sludge and Septage in Pondicherry Municipality**

Date :

Time :

I. Onsite System Owner Details :

- 1. Name :
- 2. Address :
- 3. Telephone No. :
- 4. Nature of establishment :

II. Containment:

1. Year of construction :
2. Previous desludging (dd/mm/yyyy) :
3. Outlet present : (Yes/No)
4. If Yes, connected to :
5. Shape of containment :
6. Lining (Yes/No) : Walls Bottom
7. No. of chambers :
8. No. of openings in each baffle wall :
9. Dimension (Feet) :
Length : Breath: Depth :
Diameter : Depth :
10. GPS co-ordinates:
Latitude : Longitude :
11. Location of the containment within :
the Property.

III. Desludging:

1. Volume of FSS (cu.m) :
2. Time in desludging (hrs.) :
3. Trip Length (km.) :
4. Time in commuting (hrs.) :

IV. Details of desludging service provider:

1. Name of the operator :
2. Vehicle Registration No. :
3. Pondicherry Municipality :
Licence No.

V. Signatures :

Emptier staff on duty *Emptier/Operator/Owner* *OSS owner*

VI. Decanting:

1. Time (hh:mm) :
2. Volume of FSS (cu.m.) :
3. Name of the emptier staff :
4. Name of the FSSTP operator :

VII. Signatures:

Emptier staff on duty *Emptier operator/owner* *FSSTP owner*

APPENDIX – 5

Penalties and Fines

Sl. No.	Description	Bye-Laws (clause)	Indicative fines (in ₹)	Penalty (in ₹ or any other penal action)
(1)	(2)	(3)	(4)	(5)
1.1	Direct/Unsafe discharge of wastewater into drain/road/open area.	3	500	
1.2	Continuing breach 2nd instance	3	500	
1.3	Continuing breach 3rd and subsequent.	3	100 per day	Withdrawal of NOC for electricity and water.
2.1	Unscientific Design and Construction of OSS.	4	500	
2.2	Failure to bring it in conformity with approved design within 30 days.	4	1,000	

(1)	(2)	(3)	(4)	(5)
2.3	Continuing breach 3rd and subsequent.	4	100 per day	Withdrawal Planning permission and subsequent action.
3.1	Plying of vacuum tanker(s) without Pondicherry Municipality Registration.	5	1,000	
3.2	Continuing breach 2nd instance	5	2,000	
3.3	Continuing breach 3rd and subsequent.	5	10,000	Seizure of vehicle.
4.1	Plying of Vacuum tanker(s) without valid certification (s) as recommended in the Traffic Rules.	6	1,000	
4.2	Continuing breach 2nd instance	6	2,000	
4.3	Continuing breach 3rd and subsequent.	6	10,000	Seizure of vehicle.
5.1	Non-compliance of attend accidental spillage.	11	1,000	
5.2	Continuing breach 2nd instance	11	3,000	
5.3	Continuing breach 3rd and subsequent.	11	500 per day	Seizure of vehicle.
6.1	Discharge of untreated FSS at location other than the Notified by Pondicherry Municipality/ Public Works Department.	15,16,21	1,000	
6.2	Continuing breach 2nd instance	15,16,21	2,000	
6.3	Continuing breach 3rd and subsequent.	15,16,21	5,000	Seizure of vehicle.

APPENDIX – 6

FORM - 4

Form of Memorandum of Appeal preferred before the Appellate Authority

(..... Designation)

1. Full name of the Appellant :
2. Address of the Appellant :
3. Particulars of the Municipal Officer who issued order appealed against.
Name :
Designation :
4. Date of receipt of the order :
appealed against.
5. Date for filing of the appeal :
6. Particulars of information :
 - (a) Subject matter of the appeal in brief (Attach copy of the order appealed against).
 - (b) Grounds for the appeal (Details if any to be enclosed in separate sheet).

VERIFICATION

I (name of the appellant), son/daughter/wife declare of hereby that the particulars furnished in the appeal are to the best of my knowledge, belief and true and correct and that I have not suppressed any material fact.

Signature of the Appellant

Place :

Date :

List of documents submitted as enclosure:

- 1.
- 2.

..... tear here

ACKNOWLEDGMENT

No. : Date :

Received Memorandum of Appeal along with enclosure from
.....

Place :

Date :

*Seal and signature of Authorized Officer
By Order of Pondicherry Municipality.*

*(Signature of Commissioner)
Pondicherry Municipality.*
