

**GOVERNMENT OF KERALA**

No:WM2/478/2025-LSGD

Local Self Government (WM) Department

Thiruvananthapuram,

Dated:30-09-2025

CIRCULAR

Sub: Local Self Government Department-Inter -District Transport of Poultry Waste – Enforcement under Section 340B of the Kerala Municipality (Amendment) Act, 2024 & Section 219U of the Kerala Panchayat Raj (Amendment) Act, 2024 and KSPCB SOP – Clarification – Reg.

- Ref: 1. Kerala Municipality (Amendment) Act, 2024 – Section 340B
2. Kerala Panchayat Raj (Amendment) Act, 2024 – Section 219U
3. Circular No. WM1/37/2023/LSGD Dated 05/12/2024
4. KSPCB – Standard Operating Procedure for Rendering Plants

1. Background

Section 340B of the Kerala Municipality (Amendment) Act, 2024 (6 of 2024) empowers the Secretary of the Municipality, an authorized officer, or a Police Officer not below the rank of Sub-Inspector to seize vehicles engaged in the illegal transport of waste. Such vehicles are to be produced before the Sub-Divisional Magistrate (SDM), who is vested with the power to order confiscation after due hearing, and to auction the vehicles post-confiscation.

An identical provision is incorporated under Section 219U of the Kerala Panchayat Raj (Amendment) Act, 2024 (5 of 2024).

The Hon'ble High Court of Kerala, in WP(C) No. 7844 of 2023, clarified that Section 340B itself lays down the procedure for confiscation by the SDM and that the absence of Rules cannot be a ground to refrain from exercising such powers. Accordingly, as per the Circular referred above, all SDMs were directed to invoke the powers conferred under the aforesaid provisions.

2. SOP for Inter-District Transport of Poultry Waste (KSPCB)

As per the Standard Operating Procedure (SOP) issued by the Kerala State Pollution Control Board (KSPCB) for Rendering Plants, the transport of poultry waste outside the district is prohibited, except under the following conditions with prior approval of the District Level Facilitation & Monitoring Committee (DLFMC):

- i. Where a Rendering Plant in another district is closer than the available plants within the same district.*
- ii. Where the Rendering Plants within the district do not have sufficient processing capacity.*
- iii. Where the Rendering Plants within the District are non-functional due to breakdown or other reasons.*
- iv. Any other circumstances specifically approved by the DLFMC.*

3. Clarification & Directive

Accordingly, it is clarified that inter-district transport of poultry waste except the conditions specified above is strictly prohibited. All Sub Divisional Magistrates, Municipal Secretaries, Panchayat Secretaries, and enforcement officers are directed to comply with the directions contained in the circular referred above and hereby directed to :

- Seize and produce before the Sub Divisional Magistrate (SDM) any vehicles transporting poultry waste in contravention of the above provisions.
- Issue Order for confiscation of such vehicles after affording an opportunity of hearing to the owner.
- Take steps for auctioning of vehicles post-confiscation, wherever applicable.

Enforcement action shall be undertaken strictly in accordance with Sections 340B and 219U, read with the SOP issued by KSPCB, ensuring environmental protection and safeguarding of public health.

4. Purpose

This circular is issued with the objectives of:

- Preventing illegal inter-district transport of poultry waste.

- Ensuring scientific processing of waste in strict compliance with KSPCB guidelines.
- Implementing the directions of the Hon'ble High Court effectively at the district level.

5. All concerned authorities shall take immediate action and ensure strict adherence to this Circular.

ANUPAMA T V IAS
SPECIAL SECRETARY TO GOVERNMENT

State Police Chief, Thiruvananthapuram
The Principal Director, Local Self Government Department.
Executive Director, Suchitwa Mission
Member Secretary, Kerala State Pollution Control Board
The District Collectors
All District Police Chiefs (Through State Police Chief)
Secretaries of all Local Self Government Institutions (through
Principal Director, LSGD)
The I&PR (Web & New Media) Department.
The Executive Director, IKM.
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