

Plastic Waste Management Bye-Law, 2019

In exercise of the powers conferred by sections 6,8 and 25 of the Environment (protection) Act,1986(29 of 1986), the central government have enacted the Plastic Waste Management Rules,2016 to regulate the management of Plastic waste.

The Plastic Waste Management Rules, 2016 shall apply to every waste generator, local body, manufacturer, importers and producers.

1.0 Title: This shall be called as the Yamunanagar-Jagadhari Municipal Corporation, Plastic Waste Management Bye-Law, 2019.

2.0 Extent of application: This Bye-law applies to every waste generator in Yamunanagar-Jagadhari Municipal Corporation, manufacturer, importers and producers within the limits of Yamunanagar-Jagadhari Municipal Corporation.

Definition: In this bye-law and the schedule attached there to, the words and expressions used but not defined shall have the meaning respectively assigned to the Yamunanagar-Jagadhari Municipal Corporation, unless the context otherwise requires,-

1. Act means of the Environment (protection) Act, 1986(29 of 1986),"brand owner "means a persons or company who sells any commodity under a registered brand label.
2. "Carry bags" mean bags made from plastic material or compostable plastic material used for the purpose of carrying or dispensing commodities which have a self carrying feature but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use.
3. "Commodity" means tangible item that may be bought or sold and include all marketable goods or ware.
4. "Compostable plastic "mean plastic that undergoes degradation by biological processes during composting to yield CO₂ ,water, inorganic compound and biomass consistent with other known compostable materials, excluding conventional petro-based plastic, and does not leave visible ,distinguishable or toxic residue;
5. "Consent means the consent to establish and operate from the concerned state pollution control board or pollution control committee granted under the water (prevention and control of pollution) Act,1974(6 of 1974),and the air (prevention and control of pollution Act,1981(14 of 1981);
6. "Disintegration " mean the physical break down of a material into very small fragments;
7. "Extended producer's responsibility " means the responsibility of a producer for the environmentally sound management of the product until the end of its life;
8. "Food-stiff" mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;
9. "Facility" means the premises used for collection, storage ,recycling, processing and disposal of plastic waste;



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10. "Importer" means a person who imports or intends to import and holds an importer-exporter code number, unless otherwise specifically exempted;
11. "Institutional waste generators" means and include occupier of the institutional building such as building occupied by central govt. Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organisation, academy, hotels, restaurants, malls and shopping complexes;
12. "manufacturer" means and include a person or unit or agency engaged in production of plastic raw material to be used as raw material by the producer;
13. "multilayered packaging" means any material used or to be used for packaging and having at least one layer of plastic as the main ingredients in combination with one or more layers of material such as paper, paperboard, polymeric materials, metalized layers or aluminium foil, either in the form of a laminate or co-extruded structure;
14. "Plastic" means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, vinyl, low density polyethylene, polypropylene, polystyrene resins, multi material like acrylonitrile butadiene styrene, polyphenylene oxide, poly carbonate, polybutylene terephthalate;
15. "Plastic sheet" means plastic sheet made of plastic;
16. "Plastic waste" means any plastic discarded after use or after their intended use is over;
17. "Prescribed authority" means the authorities specified in rule 12;
18. "Producer" means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity;
19. "Recycling" means the process of transforming segregated plastic waste into a new producer raw material for producing new product;
20. "Registration" means registration with the state pollution control board or pollution control committee concerned, as the case may be;
21. "street vendor" shall have the same meaning as assigned to it in clause (l) of sub-section (l) of section 2 of the street vendors (protection of livelihood and regulation of street vending) Act, 2014 (7 of 2014);
22. "Local body" means Urban Local Body i.e. Yamunanagar- Jagadhari Municipal Corporation;
23. "Virgin Plastic" means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;
24. "waste generator" means and include every person or group of persons or institution, residential and commercial establishment or any other establishment including Indian railways, airport, and defence establishment or any other establishment which generate plastic waste;
25. "Waste management" means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;
26. "Waste picker" means individuals or agencies or group of individual voluntarily engaged or authorised for picking of recyclable plastic waste.

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Ban On single use of plastic

In exercise of the power conferred under section 5 of the Environment (Protection) Act, 1986(Central Act 29 of 1986) read with Government of India , Ministry of Environment.

The Directions:

1(a) No Industry or person small manufacture store, supply, transport,sale or distribute, use and throwaway plastics.

(b) No person including shopkeeper, vendor, wholesaler, retailer, trader, hawker or salesmen shall use , "use and throwaway plastics."

Provided that the plastic used for the following purpose are exempted:-

- (a) The plastic carry bag manufactured exclusively for export purpose against any export order in a plastic industry located in special zone (SEZ) and export oriented units (EOU).
- (b) The plastic bags which constitute or form an integral part of packaging in which goods are sealed prior to use at manufacturing /processing units.
- (c) The plastic bags and sheets used in forest and horticulture nurseries against the order from the Government departments.
- (d) The plastic used for packing of milk and milk products (Dairy product) , oil, medicines and medical equipments.
- (e) Carry bags made from compostable plastic bearing a label " compostable" on forming to the IS Or ISO specifications for "compostable Plastic"

2 District Environment Engineers shall ensure prevention of manufacturing of the above said plastic items.

Explanation 1 – Plastic means material; which contains as an essentials ingredient a high polymer such as polyethylene terephthalate high density polyethylene, Vinyl, lowdensity polyethylene , polypropylene, polyesyrene resins, multi material like acryl nitrite butadiene styrene, polyphenylene, Polybutylene terephththalate.

Explanation2 – use and throwaway plastics – means items such as plastic carry bags or plastic flags, plastic sheets used for food wrapping, spreading on dining table etc. Plastic plates, plastic coated tea cups and plastic tumblers', water pouches and packets, plastic straw irrespective of thickness.

Explanation 3 – "Plastic sheets' means sheets made of plastic.

Explanation4- "Carry bags "means bags made from plastic material used for the purpose of carrying or dispensing commodities which have a self carrying features but do not include bag that constitute or form an integral part of the packaging in which goods are sealed prior to use.

Explanation 5 – The word" compostable plastic" means plastic that undergoes degradation by biological processes during composting to yield carbon dioxide, water inorganic compounds, and biomass at a rate consistent with other known compostable materials , excluding conventional petro- based plastics. And does not leave visible distinguishable or toxic residue.


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Responsibilities of waste generators

The waste generator shall take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2016 or as amended from time to time. Not litter the plastic and ensure segregated storage of waste at source and handover segregated waste to Yamunanagar-Jagadhari Municipal Corporation or agencies appointed by them or registered waste picker, registered recyclers or waste collection agencies;

All institutional generators of plastic waste shall segregate and store the waste generated by the in accordance with the Municipal Solid Waste Rules, 2016 or amendment from time to time and handover segregated waste to authorized waste processing or disposal facilities or deposition centres either on its own or through the authorized waste collection agency.

All waste generators shall pay such as user fees or charges as may be specify in the bye-laws of the local bodies for plastic waste management such as waste collection or operation of the facility there of, etc;

Every person responsible for organizing an event in open space, which involves service of food stuff in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the solid waste management rules, 2019 or amendment from time to time.

Responsibilities of Yamunanagar-Jagadhari Municipal Corporation

Yamunanagar-Jagadhari Municipal Corporation either on its own or by engaging an agency shall set up, operationalise and co-ordinate for waste management in the rural area under their control and for performing the associate function, namely-ensuring segregation, collection, storage ,transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment during this process; creating awareness among all stakeholder about their responsibilities; and end ensuring that open burning of plastic waste does not take place .

Responsibilities of producers, importers and brand owners-

The producers, within a period of six months from the date of publication of these rules, shall work out modalities for waste collection system based on extended producers' responsibility and involving state urban development department, either individually or collectively, through their own distribution channel or through the local body concerned.

Primary responsibility for collection of used multi-layered plastic sachet or pouches or packaging is of producers, importer and brand owner who introduced the product in the market. They need to establish a system for collecting back the plastic waste generated due to their product. This plan of collection to be submitted to the state pollution control boards while applying for consent to establish or operate or renewal. The brand owner whose consent has been renewed before the notification of these rules shall submit such plan within one year from the date of notification of these rules and implement with two years thereafter.



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Manufacture and use of non-recyclable multi-layered plastic if any should be phased out in two years time.

The producer, within a period of three months from the date of final publication of these rules in the official gazette shall apply to the pollution control board or the pollution control committee as the case may be, of the states or the union territories administration concerned, for grant of registration.

No producer shall on and after the expiry of a period of six months from the date of final publication of these rules in the official gazette manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned state pollution control board or pollution control committees.

Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multilayered packaging.

Responsibilities of Yamunanagar-Jagadhari Municipal Corporation

Yamunanagar-Jagadhari Municipal Corporation shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers. Shall be responsible for setting up, operationalization and co-ordination of the waste management system and for performing the associate function namely: ensuring segregation, collection, storage, transportation, processing and disposal of the plastic waste; ensuring that no damage is caused to the environment during this process; ensuring channelization of recyclable plastic waste fraction to recyclers; ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guideline issued by the central pollution control board; creating awareness among all stakeholders about their responsibilities; engaging civil societies or group working with waste pickers; and ensuring that open burning of plastic waste does not take place. Setting up of system for plastic waste management by seeking assistance of producers and such system shall be set up within one year from date of final publication of these rules in the official gazette of India.

To frame, the bye-laws incorporating the provision of these rules.

Obligatory Responsibilities of Yamunanagar-Jagadhari Municipal Corporation

Surprise checks: The Commissioner, SE/EO/ municipal/ engineer/health officer/sanitary officer/ sanitary inspector or any other officer authorized by the Commissioner will conduct surprise check in various parts of the wards in the corporation limits at any time (day or night) with a view to encourage compliance. Any contravention will attract a fine and any litter found during these checks will be cleared by the corporation.

Enforcement squads in each ward: Appoint nuisance detectors and form enforcement squad for SWM and PWM services the designated officer will supervise the nuisance detectors and enforcement squads.

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Publicity: citizen information services of the corporation shall publicize the provision of the bye-laws through the media of sign , advertisement, leaflets, announcement on radio and television, newspaper article and through any other appropriate means , so that all citizen will have the opportunity to come and inform about their legal duties and about corporations recycling , refuse & antilitter services and fines.

Co-ordination with government bodies: The Corporation shall co-ordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies.

The commissioner/ designated officers will extend the slum adoption program to the uncovered areas within their ward for solid waste management and plastic waste management , with the possible assistance of qualified community based organization (CBOs)/nongovernment organisation (NGO's)/voluntary service organization (VSO's) /self help group(SHG).

Cleanliness drive will be conducted by the corporation in association with Ward Councillors, citizen's organizations, government bodies, corporate, NGO's for the cleanliness of areas.

Penalties for contravention of these Bye-laws

On and after the date of commencement of these bye-laws, there will be a familiarization/warning period of 30 days, after which any contravention of these bye-laws shall be punishable with fines as per the schedule of fines (schedule-I) for every instance of breach of these bye-laws. In case the generator of waste is found contravene in gamy of these bye-laws next time, the fine amount will be doubled.

Provisions for spot fines would be implemented as per the decision given by the central Govt, /State Govt./Council/MC Commissioner.

In case of a person or any polluters not able to pay the fine as mentioned in schedule, while contravening any of these bye-laws. She/he will be prosecuted under the provision of Indian Penal Code.

Right to appeal:

Any person aggrieved or affected by this Yamunanagar Municipal Corporation plastic Waste Management Bye-laws, 2019 shall have the right to appeal before the Commissioner of Municipal bye-laws will take effect after the due approval of the Yamunanagar-Jagadhari Municipal Corporation.



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Schedule -1

The offences committed under the Act as per the following criteria:-

S. No.	Description	Amount
1	Upto 100grams	500.00
2	101-500 Grams	1500.00
3	501-1000 Grams	3000.00
4	Above 1 kg to 5 Kg	10000.00
5	Above 5 Kg to 10 KG	20000.00
6	More than 10 Kg	25000.00
7	Littering of thermo cols, Cutlery, like cups, plate, glasses spoons etc. waste by any institution commercial establishment (educational institutes, offices, hotels, shops, restaurants, sweet shops , dhabhas, temple complexes, industrial establishments, banquet halls etc.) with in its premises and on roads, streets, hill slopes , drains, forests areas, public parks, all public places etc.	5000.00
8	Littering of thermo cols, Cutlery, like cups, plate, glasses spoons etc. waste by any individuals in the premises of any private or commercial establishment (educational institutes, offices, hotels, shops, restaurants, sweet shops , dhabhas, temple complexes, industrial establishments, banquet halls etc.) with in its premises and on roads, streets, hill slopes , drains, forests areas, public parks, all public places etc.	1000.00

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