



THE

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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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JAMMU AND KASHMIR GOVERNMENT,
MUNICIPAL COMMITTEE, KATRA,

PLASTIC WASTE MANAGEMENT BYE-LAWS, 2020.

Notification

Katra, the 30th of July, 2020.

In exercise of the powers conferred by clause (4) of rule 6 of Plastic Waste Management Rules, 2016, the Authority hereby makes the following bye-laws ; namely :ô

CHAPTER I

1. Short Title and Commencement.ô These bye-laws shall be called the Municipal Committee, Katra, Plastic Waste Management Bye-laws-2020.

- (e) Creating awareness among all stakeholders about their responsibilities ;
 - (f) Engaging civil societies or groups working with waste pickers ; and
 - (g) Ensuring that open burning of plastic waste does not take place.
- (iii) The Municipal Committee, Katra shall seek assistance of producers and setup a system of plastic waste management as per of Plastic Waste Management Rules, 2016, or any other relevant law amended from time to time.
- (iv) Municipal Committee, Katra shall endeavour and encourageô
- a. Civil society organizations involved in plastic eradication in order to implement Plastic Waste Management Rules, 2016 and these Bye-laws ;
 - b. Self Help Groups (SHG) involved for segregation of waste processing. It may be encouraged for the purpose of technical guidance as well as implementation through appropriate organizations.
- (v) Municipal Committee, Katra, shall extend the Slum Adoption Program to the uncovered areas within their wards for solid waste management and plastic waste management, with the possible assistance of qualified Community Based Organizations (CBOs)/Non-Government Organizations (NGOs)/Voluntary Service Organizations (VSOs)/Self Help Groups (SHG) or other organizations holding statutory validations ;
- (vi) Cleanliness drives will be conducted by the Municipal Committee, Katra in association with public representatives, citizen organizations, Government bodies, corporates, NGOs for the cleanliness of areas inside the slums, from time to time, in association with CBOs participating in the Slum Adoption Program.

7. Responsibilities of waste generator. (1) The waste generator shall,

- (a) Not use plastic items banned under G. O. No. 84 Environment and Forests (EC.2) Department ;
- (b) Take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Plastic Waste Management Rules, 2016, and amendments made in these rules from time to time ;
- (c) Not litter or burn the plastic waste, and ensure segregated storage of waste at source and handover segregated waste to Municipal Committee, Katra or agencies appointed by it or registered recyclers.

(2) All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Solid Waste Management Rules, 2016, as amended from time to time and handover segregated wastes to authorized waste processing or disposal facilities or deposition centers either on its own or through the authorized waste collection agency once in a week on Wednesday or any other designated day or periodically as specified from time to time.

(3) All the waste generator shall pay integrated user fee for plastic waste management, which is included in the solid waste management user fee as per Municipal Committee, Katra under the Solid Waste Management Bye-Laws, 2019.

(4) Every person responsible for organizing an event in open space, where service of food stuff is in plastic or multilayered packaging shall segregate and manage the waste generated during such events in accordance with the SWM Rules, 2016, and SWM Bye-Laws, 2019, of Municipal Committee, Katra. Further, the organizers shall pay the user fee prescribed for events in open public places ; and shall not use single use plastic plates, disposable etc. as same are banned.

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material shall be as per the protocols of the Indian Standards listed in
Schedule-II of these Bye-laws.

10. Marking and/or labelling. (1) Each carry bag made from compostable plastics should be as per Plastic Management Rules, and multilayered packaging shall have the following information printed in **English mandatorily** and any number of other languages as optional, namely :

- (a) Name and registration number of the manufacturer in case of multilayered packaging ; and
- (b) Name of the manufacturer and certificate number [4(g) of these Bye-laws] in case of carry bags made from compostable plastics.

(2) Each carry bag made from compostable plastics shall bear a label "compostable" and shall conform to the Indian Standard : IS or ISO 17088 : 2008 titled as Specifications for "Compostable Plastics" and also the Central Pollution Control Board License Number shall be mentioned.

11. Registration of producer, recyclers and manufacturers.

No person shall manufacture carry bags made from compostable plastics/multilayered packaging without obtaining registration with Jammu and Kashmir Pollution Control Board within Municipal Committee, Katra limits.

12. Responsibilities of retailers and street vendors.

(1) Retailers or street vendors shall not sell or provide commodities to consumer in carry bags made with compostable plastics or multilayered packaging, which are not manufactured and labelled or marked, as prescribed under the Plastic Waste Management Rules, 2016, and Plastic Waste Management Bye-laws, 2020.

(2) Every retailer or street vendor selling or providing commodities in carry bags made with compostable plastics or multilayered packaging which are not manufactured or labelled or marked in accordance with

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these Bye-laws shall be liable to pay such fines as specified under the Bye-laws listed in Schedule-I.

13. Penalties for contravention of these Bye-laws. (1) On and after the date of Notification of these Bye-laws, there will be a familiarization/awareness 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. Subsequent contravention apart from first time will attract fine amount of minimum two times to maximum ten times for each and every act of offence.

In case of an offender not able to pay the fine as mentioned in Schedule-I, prosecution under the provisions made in City Police Act and District Police Act/Indian Penal Code/and other applicable Acts/Laws will be applicable on the offender.

14. Enforcement mechanism for Municipal Committee, Katra. (1) The Chief Executive Officer, Municipal Committee, Katra shall be the authority for enforcement of the provisions of these rules relating to plastic waste management by waste generator.

(2) The Chief Executive Officer, Municipal Committee, Katra, shall take the assistance of the Deputy Commissioner concerned within the territorial limits of the jurisdiction of the Municipal Committee in the enforcement of the provisions of these Bye-laws.

(3) Periodical and Surprise checks : The Chief Executive Officer, Municipal Committee, Katra, or any other officer as authorized by the Chief Executive Officer will conduct surprise checks in various parts of the wards in the Committee limits at any point of time to enforce compliance of the Bye-laws. Any contravention of any clause of this Bye-law shall attract a fine as per Schedule-I of the Bye-laws.

(4) Enforcement Squads in each ward : The Nuisance Detectors defined in the Solid Waste Management Bye-laws, 2018 shall enforce the Plastic Waste Management Bye-laws, 2020.

15. Ban on one time use and throwaway plastics. (1) As per G. O. (Ms) No. 84 Environment and Forests (EC.2) Department dated

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25-06-2018, Chief Executive Officer, Municipal Committee, Katra, shall
enforce the direction of one time use throwaway plastic ban in exercise
of power conferred on him/her by, law in their jurisdiction. The notification
will come into effect on 1st January, 2020 :

- (a) No industry or person shall manufacture, store, supply, transport, sale or distribute, use and throwaway plastics as described in the definition ;
- (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 purposes are exempted.
- (c) The plastic carry bags, manufactured exclusively for export purpose against any export order in a plastic industry located in Special Economic Zone (SEZ) and Export Oriented Units (EOU) ;
- (d) The plastic bags which constitute or form an integral part of packaging in which goods are sealed prior to use at manufacturing/processing units ;
- (e) The plastic bags and sheets used in Forestry and Horticulture nurseries against the orders from the Government Departments ;
- (f) The plastic used for packing of milk and milk products (dairy products), oil, medicine and medical equipments.

(2) Enforcement mechanism for ban on one time use and throwaway plastics is as follows :

- (a) Periodical and Surprise checks : Chief Executive Officer, Municipal Committee, Katra, or any other Officer as authorized by the Executive Officer, will conduct surprise checks in various parts of the wards in the corporation limits at any point of time to enforce compliance of G. O. 84. Any contravention of any clause of this Bye-law shall attract a penalty as per Schedule-I of the Bye-laws ;
- (b) Inspection Authority : Sanitary Inspector shall serve in the capacity of Inspection Authority. Fine levying authorities

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i. e., the concerned Sanitary Inspector is, hereby, authorized to levy fines for violation of G. O. and notification cited in Schedule-I of the Bye-laws in their respective jurisdictions. The fine levying authority shall maintain a register mentioning details of commercial establishment name, offence number, fine amount, Committee trade license number and for street vendors, street vending ID card number. The fine levying authority shall deposit the fine amount (i. e. 1st/2nd/3rd instances) in GCC Treasury/Bank through challan within 24 hours/next working day ;

- (c) Zonal Level Committee for monitoring : Zonal Level Committee will be headed by Health Officer (Head)/Assistant Sanitation Officer, with/Enforcement Officer, Anti-polythene Officer, and Revenue Officer as its members for Municipal Committee, Katra. The Urban Local bodies shall be represented by concerned CEOs/EOs as the member of the Committee. The Committee shall periodically monitor the implementation ;
- (d) Appellate Authority : The Zonal Officers shall serve in the capacity of "Appellate Authority". If the violator has any grievances related to the fines levied by the Inspection Authority, the violator after payment of fine may appeal to the Appellate authority i. e., Zonal Officer within 15 days of receipt of fine imposition challan from Inspection Authority. Upon receipt of such appeals, the Appellate Authority shall enquire and dispose the appeal by passing speaking orders. If the appellant submits evidence and Appellate Authority is convinced that fine is levied wrongly or in excess, it may be rectified immediately and fine levied and paid may be returned ;
- (e) Revision Authority : The Director, ULB, Jammu shall serve as the "Revision Authority". Further, against the orders of the Appellate Authority, appellants can file review petition with the Revision Authority i. e., respective Deputy Commissioner within 15 days of receipt of orders by Appellate Authority. The Revision Authority shall enquire and dispose the appeal with final orders. If the appellant submits evidence and Revision

SCHEDULE-I

Schedule of Fines

S. No.	Description of Bye-law	Amount of fine applicable for breach for By-law*
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Separator line

1. Retailers, Street Vendors and Commercial establishments selling or providing commodities to consumer in compostable carry bags, carry bags made of compostable plastics, and multilayered packaging which are **NOT MARKED AND LABELLED** as per norms prescribed in Plastic Waste Management By-laws, 2020.

(xxxiv) Name, Registration Number of manufacturer and thickness in case of Multilayered packaging and should be labeled as " Recyclable " or " compostable " printed in English mandatorily and any number of other languages as optional,- Any breach of this.	Rs. 1000/-
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(xxxv) Name of the manufacturer and certificate number (Bye-law 4h) in case of carry bag made from compostable plastics with ISO Code as approved by Central Pollution Control Board/J&K Pollution Control Board and should be labeled as " compostable " printed in English mandatorily and any number of other languages as optional,- Any breach of this.	Rs. 1000/-
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SCHEDULE-II

(See By-Law 9)

1. IS/ISO 14851 : 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by measuring the oxygen demand in a closed Respirometer.

2. IS/ISO 14852 : 1999 Determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium-Method by analysis of evolved carbon dioxide.

3. IS/ISO 14853 : 2005 Plastics-Determination of the ultimate anaerobic biodegradation of plastic materials in an aqueous system-Method by measurement of biogas production.

4. IS/ISO 14855-1 : 2005 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-1 General Method).

5. IS/ISO 14855-2 : 2007 Determination of the ultimate aerobic biodegradability of plastic materials under controlled composting conditions-Method by analysis of evolved carbon dioxide (Part-2 : Gravimetric measurement of carbon dioxide evolved in a laboratory-scale test).

6. IS/ISO 15985 : 2004 Plastics-Determination of the ultimate anaerobic biodegradation and disintegration under high-solids anaerobic digestion conditions-Methods by analysis of released biogas.

7. IS/ISO 16929 : 2002 Plastics-Determination of degree of disintegration of plastic materials under defined composting conditions in a pilot-scale test.

8. IS/ISO 17556 : 2003 Plastics-Determination of ultimate aerobic biodegradability in soil by measuring the oxygen demand in a Respirometer or the amount of carbon dioxide evolved.

9. IS/ISO 20200 : 2004 Plastics-Determination of degree of disintegration of plastic materials under simulated composting conditions in a laboratory-scale test.

Chief Executive Officer,
Municipal Committee, Katra.

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FORM-II

[See Rule 16 (1)]

**FORMAT OF ANNUAL REPORT BY OPERATOR OF
PLASTIC WASTE PROCESSING OR RECYCLING FACILITY
TO THE LOCAL BODY**

Period of Reporting :

1. Name and Address of operator of the facility :
2. Name of officer incharge of the facility (Telephone/Fax/Mobile/e-Mail) :
3. Capacity :
4. Technologies used for management of plastic waste :
5. Quantity of plastic waste received during the year being reported upon along with the source :
6. Quantity of plastic waste processed (in tons) : Plastic waste recycled (in tons)-Plastic waste processed (in tons)-Used (in tons) :
7. Quantity of inert or rejects sent for final disposal to landfill sites :
8. Details of landfill facility to which inert or rejects were sent for final disposal : Address-Telephone :
9. Attach status of compliance to environmental conditions, if any, specified during grant of consent or registration :

Date :

Signature of Operator.

Place :

11. Attach details of infrastructure put in place for management of plastic waste generated in the area under jurisdiction
12. Attach details of infrastructure required, if any, along with justification
13. Quantity of Plastic Waste generated during the year from area under jurisdiction (in tons)
14. Quantity of Plastic Waste collected during the year from area under jurisdiction (in tons)
15. Quantity of Plastic Waste channelized for recycling during the year (in tons)
16. Quantity of Plastic Waste channelized for use during the year (in tons)
17. Quantity of inert or rejects sent to landfill sites during the year (in tons)
18. Details of each of facilities used for processing and disposal of plasticô

Facility-I :

1. Name of operator
2. Address with Telephone Number or Mobile
3. Capacity
4. Technology Used
5. Registration Number
6. Validity of Registration (up to)