



THE

**JAMMU & KASHMIR GOVERNMENT GAZETTE**

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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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MUNICIPAL COMMITTEE, LAKHANPUR,  
PLASTIC WASTE MANAGEMENT BYE-LAWS, 2020,  
JAMMU AND KASHMIR GOVERNMENT.

Notification

Lakhanpur, the 28th 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, Lakhanpur, Plastic Waste Management Bye-laws-2020.



consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue ;

- (i) **“Consent”** means the consent to establish and operate from Jammu and Kashmir State Pollution Control Board 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) ;
- (j) **“Disintegration”** means the physical breakdown of a material into very small fragments ;
- (k) **“Energy recovery”** means energy recovery from waste that is conversion of waste material into usable heat, electricity or fuel through a variety of processes including combustion, gasification, pyrolysis, anaerobic digestion and landfill gas recovery ;
- (l) **“Event”** means any gathering for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places etc. ;
- (m) **“Extended producer’s responsibility”** means responsibility of a producer for the environmentally sound management of the product until the end of its life ;
- (n) **“Food-stuffs”** mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form ;
- (o) **“Facility”** means the premises used for collection, storage, recycling, processing and disposal of plastic waste ;
- (p) **“Importer”** means a person who imports or intends to import and holds an Importer-Exporter Code Number, unless otherwise specifically exempted ;
- (q) **“Local Body”** for the purpose of these Bye-laws means Municipal Committee, Municipal Councils, Municipal Corporations and Village Panchayats ;
- (r) **“Manufacturer”** means and includes a person or unit or agency engaged in production of plastic raw material to be used as raw material by the producer ;

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- (s) **“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 materials such as paper, paper board, polymeric materials, metalized layers or aluminium foil, either in the form of a laminate or co-extruded structure ;
- (t) **“Nuisance Detectors”** (NDs) means those employees of the Municipal Corporations or Municipal Councils/Committees who are appointed by the authorities to detect the acts of public nuisance etc. related to plastic waste management ;
- (u) **“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-materials like acrylonitrile butadiene styrene, polyphenylene oxide, polycarbonate, polybutylene terephthalate ;
- (v) **“Plastic sheet”** means sheet made of plastic ; which are banned as per G. O. (Ms) No. 84 Environment and Forests (EC.2) Department dated 25-06-2018 ;
- (w) **“Plastic waste”** means any plastic discarded after use or after their intended use is over ;
- (x) **“Prescribed authority”** means the authorities specified in Rule 12 of Plastic Waste Management and Handling Rules, 2016, and Commissioner, Municipal Corporations, Chief Executive Officer/Executive Officer, Urban Local Bodies/ Gram Panchayat ;
- (y) **“Producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets or like, and includes industries or individuals using plastic sheets or like or covers made of plastic sheets or multilayered packaging for packaging or wrapping the commodity ;
- (z) **“Recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products ;





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- (c) Plastic sheet or like, which is not an integral part of Multilayered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except whether thickness of such plastic sheets impair the functionality of the product ;
- (d) The manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer, not having valid registration from Jammu and Kashmir Pollution Control Board ;
- (e) Sachets using plastic material shall not be used for storing, packing or selling gutkha, pan masala and tobacco ;
- (f) Plastic material, in any form including Vinyl Acetate-Maleic Acid-Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala and tobacco in all forms ;
- (g) Recycling of plastic waste shall conform to the Indian Standard : IS 14534 : 1998 titled as "Guidelines for Recycling of Plastics", as amended from time to time ;
- (h) The provision of thickness shall not be applicable to carry bags made up of compostable plastics. Carry bags made from compostable plastics bearing a label "compostable" shall conform to the Indian Standard : IS 17088 : 2008 titled as Specifications for "Compostable Plastics". The manufacturer or seller of compostable plastic carry bags shall obtain a certificate from the Central Pollution Control Board/Jammu and Kashmir Pollution Control Board as applicable before marketing or selling.

**5. Plastic Waste Management.** The plastic waste management by Municipal Committees/Councils/Corporation/Village Panchayats in its jurisdiction shall be as under :

- (a) Plastic waste, which can be recycled, shall be channelized to registered plastic waste recycler and recycling of plastic shall conform to the Indian Standard : IS 14534 : 1998 titled as Guidelines for Recycling of Plastics, as amended from time to time ;

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- (b) Plastic waste, which cannot be recycled, shall be channelized to Refuse Derived Fuel (RDF) plants/cement plants/pyrolysis plants or any other technologies. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with ;
- (c) Jammu and Kashmir Public Works Department, Municipal Corporations/Urban Local Bodies, Rural Development Departments through BDOs shall encourage the use of plastic waste (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines ;
- (d) Thermo set plastic waste shall be processed and disposed of as per the guidelines issued from time to time by the Central Pollution Control Board ; and
- (e) The inert from recycling or processing facilities of plastic waste shall be disposed of in compliance with the Solid Waste Management Rules, 2016 or as amended from time to time.

**6. Responsibilities of Municipal Corporation/Urban Local Bodies/Village Panchayats.—**

- (A) The Jammu/Srinagar, Municipal Corporations, Urban Local Bodies and Village Panchayats 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.
- (B) The Municipal Corporations, Urban Local Bodies and Gram Panchayats, shall be responsible for setting up, operationalization and coordination of the waste management system and for performing the associated functions, namely :
  - (a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste ;
  - (b) Ensuring that no damage is caused to the environment during this process ;
  - (c) Ensuring channelization of recyclable plastic waste fraction to recyclers ;
  - (d) Ensuring processing and disposal of non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board ;



- (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.
- (C) The Municipal Corporations, Urban Local Bodies and Village Panchayats 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.
- (D) Municipal Corporations and Urban Local Bodies shall endeavour and encourage
- 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.
- (E) Municipal Corporations and Urban Local Bodies 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 ;

**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



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or Operate or Renewal. The Brand Owners, 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 Bye-laws.

(2) The producers shall work out modalities for waste collection system based on Extended Producers Responsibility and inform Municipal Corporation, Urban Local Bodies and Village Panchayats accordingly within 6 months from the notification of Plastic Waste Management Bye-Laws, 2020.

(3) Multilayered plastic which is non-recyclable or non-energy recoverable or with no alternate use of plastic shall not be used in Municipal Corporation/Urban Local Bodies/Village Panchayats limits.

(4) All producers shall submit an application to the Jammu and Kashmir Pollution Control Board for grant of registration, for production of plastics.

(5) No producer shall use any plastic or multilayered packaging for packaging of commodities without registration from the Jammu and Kashmir Pollution Control Board.

(6) All marketing companies, manufacturers, brand owners shall educate masses for disposal of plastic waste.

**9. Protocols for compostable plastic materials.** Determination of the degree of degradability and degree of disintegration of plastic 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.



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Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies shall be the authority for enforcement of the provisions of these rules relating to plastic waste management by waste generator.

(2) The Commissioner, Jammu/Srinagar Municipal Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies, shall take the assistance of the Deputy Commissioner within the territorial limits of the jurisdiction of the Municipal Corporation in the enforcement of the provisions of these Bye-laws.

(3) Periodical and Surprise checks : The Commissioner, Jammu/Srinagar Municipal Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies or any other officer as authorized by the Commissioner/Chief Executive Officer/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 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, 2019 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 25-06-2018, the Commissioner, Jammu/Srinagar Municipal Corporations and Chief Executive Officer/Executive Officer, Urban Local Bodies, shall enforce the direction of one time use throwaway 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 :

- (a) The plastic carry bags, manufactured exclusively for export purpose against any export order in a plastic industry

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located in Special Economic 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 Forestry and  
Horticulture nurseries against the orders from the  
Government Departments ;

(d) 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 :ô

(a) Periodical and Surprise checks : The Commissioner, Jammu/  
Srinagar Municipal Corporations and Chief Executive Officer/  
Executive Officer, Urban Local Bodies or any other Officer  
as authorized by the Commissioner/CEO/EO, will conduct  
surprise checks in various parts of the wards in the Committee  
limits at any point of time to enforce compliance of G. O. 84.  
Any contravention of any clause of these Bye-laws 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  
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, Corporation/Council/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 GTC Treasury through challan  
within 24 hours/next working day ;

(c) Zonal Level Committee for monitoring : Zonal Level Committee  
will be headed by Health Officer (Head), with Chief  
Sanitation Officer/Assistant Sanitation Officer/Chief  
Enforcement Officer, Anti-polythene Officer, and Chief







**SCHEDULE-I**

**Schedule of Fines**

<b>S. No.</b>	<b>Description of Bye-law</b>	<b>Amount of fine applicable for breach for By-law</b>
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1.	<p>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, 2019.</p>	

(a) 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.

(b) 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.

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- 2. Open Burning of Plastic Waste in any Public Place/Private Property/vacant sites
  - (a) Individuals within their private premises Rs. 1000/-
  - (b) Individuals in Public Places Rs. 2000/-
  - (c) Institutions and Establishments Rs. 10000/-
- 3. Littering, non-segregation of plastic waste at par with Solid Waste Management Bye-laws, 2019
  - (a) Littering of Plastic Waste Rs. 500/-
  - (b) Non-segregation of plastic waste at source by individual households Rs. 500
  - (c) Non-segregation of Plastic Waste at source by apartments and group households Rs. 1000/-
  - (d) Non-segregation of plastic waste at source by bulk generators or institutional waste generators categories Rs. 5000/-
- 4. Non-recycling of PET Bottles by Bulk Waste Generator
  - (a) Residential Rs. 5000/-
  - (b) Commercial Rs. 15000/-
  - (c) Institutional Rs. 10000/-
- 5. Non-registration in Jammu/Srinagar Municipal Corporation/Urban Local Bodies. Format-1 Rs. 5000/-
- 6. Failure to submit Annual Report to Jammu/Srinagar Municipal Corporation/Urban Local Bodies by 30th April of every year. Rs. 5000/-

Executive Officer,  
Municipal Committee, Lakhanpur.  
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**FORM-III**

[See Rule 16(2)]

**FORMAT FOR ANNUAL REPORT ON PLASTIC  
WASTE MANAGEMENT TO BE SUBMITTED  
BY THE LOCAL BODY**

Period of Reporting :

1. Name of the City or Town and State :
2. Population :
3. Area in Sq./Kilometers :
4. Name and Address of Local bodyô
  - Telephone No. :
  - Fax No. :
  - E-Mail :
5. Total number of the wards in the area under jurisdiction
6. Total number of Households in the area under jurisdiction
7. Number of households covered by door to door collections
8. Total number of commercial establishments and Institutions in the area under jurisdictionô
  - Commercial establishments
  - Institutions
9. Number of commercial establishments and Institutions covered by door to door collectionô
  - Commercial establishments
  - Institutions
10. Summary of the mechanisms put in place for management of plastic waste in the area under jurisdiction along with the details of agencies involved in door to door collection

