



THE

**JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 133] Jammu, Tue., the 7th July, 2020/16th Asad., 1942. [No. 14-1

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 COUNCIL, POONCH,

PLASTIC WASTE MANAGEMENT BYE-LAWS, 2020

Notification

Poonch, the 7th 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 Council, Poonch, Plastic Waste Management Bye-laws-2020.



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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 Councils, Municipal Committee, 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 ;













- (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 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.
- (iv) 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.
- (v) Municipal Corporation 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 ;
- (vi) Cleanliness drives will be conducted by the Municipal Corporation, Local Bodies and Village Panchayats 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.





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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 Jammu and Srinagar Municipal Corporation/Urban Local Bodies/Village Panchayats 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 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.



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of power conferred on him/her by, law in their jurisdiction. The notification  
will come into effect on 1st January, 2020 :ô

- (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 :ô

- (a) 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) ;
- (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, 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 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 i. e., the concerned Sanitary Inspector is, hereby, authorized

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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 GCC 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 Revenue Officer as its members for Municipal Corporations. The Urban Local Bodies shall be represented by concerned CEOs/EOs while as for Gram Panchayats concerned BDOs and Panchayat Officers shall be members 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 concerned Commissioners of Corporations/Directors of concerned ULBs/ACD, Rural Development and District Panchayat Officers, 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













6.	Occupational safety and health aspects	Please provide details of facilities
7.	Pollution Control Measures :	
	Whether the unit has adequate pollution control systems or equipment to meet the standards of emission or effluents	If yes, please furnish details
	Whether unit is in compliance with conditions laid down in the said rules	Yes/No
	Whether conditions exist or are likely to exist of the material being handled or processed posing adverse immediate or delayed impacts on the environment	Yes/No
	Whether conditions exist (or are likely to exist) of the material being handled or processed by any means capable of yielding another material (e. g. leachate) which may possess eco-toxicity.	Yes/No
8.	Any other relevant information including fire or accident mitigative measures	
Date :		Name and signature
Place :		Designation

Executive Officer,  
 Municipal Council, Poonch.

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