



COOCH BEHAR MUNICIPALITY

COOCH BEHAR

No : Estt/862/23

Date : 28/02/2023

DRAFT NOTIFICATION

BYE LAWS FOR PLASTIC WASTE MANAGEMENT, 2023

In exercise of the powers conferred under Rule 4 of the Plastic Waste Management Rules, 2016 and the Plastic Waste Management(Amendment) Rules, 2018, framed under the Environment (Protection) Act, 1986 (29 of 1986), the Cooch Behar Municipality shall act as Prescribed Authority for enforcement of the provisions of these rules relating to the use, collection, segregation, transportation and disposal of the plastic waste, under his jurisdiction and following the Rules the Bye-Laws are as follows :-

1. During the course of manufacture, stocking, distribution, sale and use of carry bags and sachets, the following conditions shall be fulfilled, namely :-
 - (a) Carry bags shall either in natural shade (Colourless) which is without any added pigments or made using only those pigments and colourants which are in conformity with Indian Standard: IS: 9833:1981 titled as List of Pigments and colourants for use in plastic in contact with foodstuffs, pharmaceuticals and drinking water, as amended from time to time.
 - (b) No person shall use carry bags made of recycled plastics or compostable plastics for storing, carrying, dispensing or packaging food stuffs.
 - (c) No person shall manufacture, stock, distribute or sell any carry bag made of virgin or recycled or compostable plastic which is less than 40 microns in thickness.
 - (d) Sachets using plastic materials shall not be used for storing, packing or selling **GUTKHA, TOBACCO and PAN MASALA**.
 - (e) Recycled carry bags shall conform to the Indian Standard IS: 14534:1998 titled as **Guidelines for Recycling of Plastics**, as amended from time to time.
 - (f) Carry bags made from compostable Plastics shall conform to the Indian Standard :IS/ISO 17088:2008 titled as specifications for Compostable plastics, as amended from time to time;
 - (g) Plastic material, in any form, shall not be used in any package for packing **GUTKHA, PAN MASALA and TOBACCO** in all forms.

2. The Plastic Waste Management shall be as under :-

- (a) Recycling, recovery or disposal of plastic waste shall be carried out as per the

- (b) Recycling of plastics shall be carried out in accordance with the Indian Standard IS 14534:1998 titled as **Guidelines for Recycling of Plastics**, as amended from time to time.
- (c) This Municipality shall set up, operate and co-ordinate the Waste Management System and for performing the associated function, namely :-
- A. To ensure safe collection, storage, segregation, transportation, processing and disposal of plastic waste;
 - B. To ensure that no damage is caused to the environment during this process;
 - C. To ensure setting up of collection centers for plastic waste involving manufactures;
 - D. To ensure its channelization to recycles;
 - E. To create awareness among all stakeholders about their responsibilities;
 - F. To engage agencies or groups working in waste management including waste pickers;
 - G. To ensure that open burning of **plastic waste is not permitted;**
- (d) (i) Since the responsibility for setting up collection systems for plastic waste shall be of this Municipality and for this purpose, this Municipality may seek the assistance of manufacturers of plastic carry bags, multilayered plastic pouches or sachets or of brand owners using such products.
- (e) (ii) This Municipality may work out the modalities of a mechanism based on Extended Producer's Responsibility involving such manufacture, registered within its jurisdiction and brand owners with registered offices within its jurisdiction either individually or collectively, as feasible or setup such collection systems through its own agencies.
- (e) Recycler shall ensure that recycling facilities are in accordance with the Indian Standard: IS 14534: 1998 titled as Guidelines for Recycling of Plastics and in compliance with the rules under the Environment (Protection) Act, 1986 as amended from time to time.
- (f) This Municipality shall encourage the use of plastic waste by adopting suitable technology such as in road construction, co-incineration etc. This Municipality or the operator intending to use such technology shall ensure the compliance with the prescribed standard including pollution control norms prescribed by the competent authority in this regard.

3. In respect of Marking or Labeling it shall be ensured that :-

- (a) Each plastic carry bag and multilayered plastic pouch or sachet shall have the following information printed in English or in local language, namely :-
- (i) Name, registration number of manufacturer and thickness in case of carry bag.
 - (ii) Name and registration number of the manufacturer in case of multilayered plastic pouch or sachet.
- (b) Each recycled carry bag shall bear a label or a mark "Recycled" and shall conform to the Indian Standard: IS/ISO 17088: 1998 titled as Guidelines for Recycling of Plastics, as amended from time to time.

(d) Retailers shall ensure that plastic carry bags and multilayered plastic pouch or sachet sold by them are properly labeled as per stipulations under these rules.

4. For the purpose of Registration of Manufacturers and Recyclers it shall be ensured that :-

(a) Any person recycling or proposing to recycle carry bags or multilayered plastic pouch or sachet or any plastic waste shall apply to the SPCB or PCC for grant of registration or renewal of registration for the recycling unit 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);

(b) No person shall manufacture plastic carry bags, multilayered plastic pouch or sachet or recycle plastic carry bags or multilayered plastic pouch or sachet or any plastic waste without obtaining registration certificate from the State Pollution Control Board or Pollution Control Committee, as the case may be, prior to the commencement of its production;

5. Besides, no carry bag shall be made available free of cost by retailers to consumers. The minimum price for carry bags depending upon their quality and size which covers their material and waste management costs in order to encourage re-use so as to minimize plastic waste generation. The price of the carry bag shall not less than Rs.1.00 which shall be realized from the customers.

6. For effective control of use of unauthorized carry bags, "Pollution Cost" will be realized in the following manner as notified in Notification No.EN/1209/3C-22/2019 dt. Kolkata, 27th June, 2022 issued by the Additional Chief Secretary to the Government of West Bengal, Environment Deptt., this Municipality shall realize the cost as follows :-

a. In respect of shop owners

Rs. 500.00

b. In respect of users

Rs. 50.00

7. Besides Manufacturers and Stockists of unauthorized plastic carry bags are liable to face prosecution and other regulatory orders as conferred under the Environment (Protection) Act, 1986 and rules made there under, apart from the aforementioned payment of pollution cost.

8. In addition 'Raids' will be conducted by this Municipality with the assistance of local Police as and when necessary.

9. As per Section 340(f) of The West Bengal Municipal Act 1993 no person shall use sale and distribute plastic within this municipal area or throw in public streets and tanks, whether private or public and defile water of public and private tanks.

These Bye-Laws are given effect from the date of acceptance by the Board of Councillors of Cooch Behar Municipality in its meeting held on 29th March, 2023.