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#### NOTIFICATION

**No.M.12011/6/2014-AMC, the 16<sup>th</sup> July, 2019.** Whereas a notice of draft "*The Aizawl Municipal Corporation Plastic Waste Management Bye-Laws, 2019*" had been published in the Newspaper and the website of Aizawl Municipal Corporation and a copy of the said draft was kept for public inspection at free of cost for more than one month.

Whereas objection or proposal for alteration of clauses had not been received from public during the said period.

Therefore, In exercise of the powers conferred by Section 371 of the Mizoram Municipalities Act, 2007, the following Bye-Laws "*The Aizawl Municipal Corporation Plastic Waste Management Bye-Laws, 2019*" is hereby published for general information.

**Dr. H. Lalthlangliana,**  
Municipal Commissioner,  
Aizawl, Municipal Corporation.

#### **THE AIZAWL MUNICIPAL CORPORATION PLASTIC WASTE MANAGEMENT BYE-LAWS, 2019**

In order to regulate all matters connected with the storage, collection, transportation, processing and disposal of municipal plastic wastes and in exercise of the power conferred under Rule 6(4) of the Plastic Waste Management Rules, 2016, the Aizawl Municipal Corporation hereby makes the **Aizawl Municipal Corporation Plastic Waste Management Bye-Laws, 2019**.

**1. Short title and commencement :**

- 1) These Bye-Laws shall be called the *Aizawl Municipal Corporation Plastic Waste Management Bye-Laws, 2019*.
- 2) They shall come into force from 1<sup>st</sup> August 2019.
- 3) The Bye-Laws shall remain in force until amended, due notice of such amendment being published in the local newspapers of Aizawl.

2. **Definitions :**

In these Bye-laws, unless the context otherwise requires :-

**"Act"** means the Environment (Protection) Act, 1986 (29 of 1986);

**"brand owner"** means a person or company who sells any commodity under a registered brand label.

**"bulk waste generator"** means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;

**"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.

**"commodity"** means tangible item that may be bought or sold and includes all marketable goods or wares;

**"importer"** means a person who imports or intends to import and holds as Importer-Exporter Code Number, unless otherwise specifically exempted.

**"institutional waste generator"** means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organization, academy, hotels, restaurants, malls and shopping complexes;

**"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.

**"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 aluminum foil, either in the form of a laminate or co-extruded structure;

**"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;

**"plastic sheet"** means Plastic sheet is the sheet made of plastic;

**"plastic waste"** means any plastic discarded after use or after their intended use is over;

**"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;

**“recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products;

**“registration”** means registration with the Aizawl Municipal Corporation or the State Pollution Control Board or Pollution Control Committee concerned, as the case may be;

**“street vendor”** shall have the same meaning as assigned to it in clause (1) of sub-section (1) of Section 2 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (7 of 2014);

**“virgin plastic”** means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;

**“waste generator”** means and includes every person or group of persons or institution, residential and commercial establishments which generate plastic waste;

**“waste management”** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;

**“waste pickers”** mean individual or agencies groups of individuals voluntarily engaged or authorized for picking of recyclable plastic waste.

**“processing”** means any scientific process by which plastic waste is treated for processing for the purpose of reuse, recycling or transformation into new products or making it suitable for land filling;

**“co-processing”** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500 kcal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossilfuels in industrial processes;

**“fine”** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these rules and/or bye-laws;

**“user fee”** means a fee imposed by the Local Body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.

Words and expressions used herein but not defined in the Environment (Protection) Act, 1986, The Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977, the Air (Prevention and Control of Pollution) Act, 1981, Plastic Waste Management Rules, 2016 shall have the same meaning as assigned to them in the respective Act/Rules.

### 3. **Application :**

These Bye-Laws shall be applicable within the jurisdiction of Aizawl Municipal Corporation to every generator of municipal solid waste and to every premise under the ownership or occupation of any person within the limits of the Aizawl Municipal Corporation.

- (a) The Aizawl Municipal Corporation shall encourage the minimization of plastic use within its jurisdictional limits by generating awareness on the problems presented by excessive plastic

use, the short term and long term effects of plastic waste on the environment, alternate non-plastic substitutes of plastics etc., on a continuous basis and shall provide budget for the same.

- (b) Use of plastic carry bags or plastic products that do not conform to the specifications of the PWM Rules 2016 shall be prohibited.
- (c) Producers and retailers shall take definitive steps to substitute plastic packaging to other biodegradable and recyclable material to the extent possible as per the PWM 2016 Rules.
- (d) Waste generators shall take steps to minimize their consumption of plastics and their generation of plastic wastes.

**4. Compliance with Plastic Waste Management Rules :**

No person shall manufacture, stock, distribute, sell or use plastic carry bags, plastic sheet, cover made of plastic sheet or multi-layered packaging or any other plastic product in violation of the provisions of the Plastic Waste Management Rules, 2016. Carry bags made of virgin or recycled plastic shall not be less than fifty microns in thickness.

**5. Segregation, Collection and Storage of Plastic Waste :**

(a) Every waste generator shall segregate the waste generated by them at the source at which such wastes are generated and plastic wastes shall be stored separately from other kinds of wastes in authorized storage bins or bags. This responsibility shall fall upon the occupier or manager of the premises of the waste generator as the case may be. The aforementioned entities shall hand over such segregated plastic waste to the collection agency designated by the AMC.

(b) Plastic packaging of food wastes shall be emptied of their food content, before being segregated. Further non-plastic biodegradable waste (including food waste) shall not be disposed of in plastic bags other than plastic garbage bags manufactured specifically for the disposal of non-plastic biodegradable waste. No plastic waste shall be disposed otherwise as has provided under these Bye-Laws.

Further, no plastic waste shall be burnt in any public or private premise.

(c) No plastic, including plastic containing any liquid which by reasons of its mass or other characteristics is likely to render any collection unreasonably difficult for the AMC's employees or service provider to handle, shall be stored or placed along with other plastic wastes.

(d) Bulk generators of plastic waste such as Hotels, Institutions, Shopping Centre, Hostels, Schools, Churches, etc. shall be encouraged to initiate and undertake special drives and programs to promote segregated plastic waste collection.

**6. Collection Centers and Transportation :**

(a) The AMC shall provide for the collection of plastic waste from specific designated points on a public road or private road up to which the generator must bring the collected waste for delivery to vehicles according to the route plans as notified by the authority concerned.

(b) plastic wastes shall, upon segregation, be handed over to waste pickers designated to collect plastic wastes from the doorstep of the particular waste generator. However, where door to door collection services is not available and/or a waste generator does not avail of the waste collection services of waste pickers, such waste generator shall dispose of the segregated plastic waste at the Community Waste Collection Centers designated by the AMC.

**7. Processing of Plastic Waste :**

(a) The Aizawl Municipal Corporation shall set up treatment and processing facilities as per the requirement of quality of plastic to be processed in line with the PWM Rules 2016 and SWM Rules 2016.

- (b) The Aizawl Municipal Corporation may, for the purpose of recycling, treating, processing and disposing of plastic wastes or converting such wastes into any other matter construct, acquire, operate, maintain and manage any establishment within or outside the AMC area and run it on a commercial basis or may out source such activity.
- (c) The AMC shall encourage the adoption of suitable processing technologies such as road construction, co-incineration, co-processing etc. to reduce the disposal of plastic wastes into landfills.
- (d) The waste processing and disposal site shall be designed, constructed and maintained as per the SPCB or CPCB guidelines.
- (e) Plastic wastes, which cannot be processed further or recycled, and inert shall be disposed in landfills.
- (f) Thermo set plastic waste shall be processed and disposed off in accordance with the relevant provisions of the SPCB or CPCB guidelines.

#### **8. Plastic Waste Management System:**

The AMC shall establish, operate, administer and co-ordinate a Plastic Waste Management System (PWMS). The key goals of the Plastic Waste Management System are:

- (a) To ensure the safe collection, storage, segregation, transportation, processing and disposal of plastic waste within its jurisdictional limits as may be mandatory for the AMC in accordance with the Plastic Waste Management Rules, 2016;
- (b) To set up plastic waste collection centres/material recovery facilities for plastic waste;
- (c) To ensure its channelizing to recyclers including through the existing formal/ informal waste recycling sector;
- (d) To create awareness among all the stakeholders about their responsibilities;
- (e) To ensure the financial sustainability of plastic waste management;
- (f) To implement Environment Protection Rules (RPR) and levy user charges, penalty etc. for effective implementation of plastic waste management.

#### **9.1 Waste generators :**

- (a) Individual household and institutional waste generator shall take steps to minimize generation of plastic waste and segregate plastic waste at source.
- (b) Waste generators will segregate the plastic waste at source and store it separately.
- (c) All institutional generators of plastic waste, shall segregate and store the waste generated by them in accordance with the Solid Waste Management, Rules 2016 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.
- (d) The waste generators shall not litter or burn the plastic waste. No generator shall dispose the plastic waste to drains/ unauthorized place within municipal area.
- (e) 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 2016.

#### **9.2 Organized retailers, un-organized retailers and street vendors :**

- (a) No person shall sell or provide commodities to consumers in plastics carry bags, plastic sheet or multi-layered packaging which is manufactured, labeled or marked in contravention of the PWM Rules, 2016.
- (b) No plastic carry bags shall be made available free of cost by organized retailers, unorganized retailers, vendors, wholesalers, hawkers etc. to any consumers.

- (c) The organized retailers, un-organized retailers and street vendors willing to provide plastic carry bags for dispensing any commodity shall register with the AMC and pay a waste management charges as decided from time to time. Only the registered organized retailers, un-organized retailers and street vendors can provide plastic carry bags that conform to the PWM Rules 2016. They shall sign a declaration as given in FORM-I in ANNEXURE-A.
- (d) Unregistered organized , and un-organized retailers and street vendors found guilty of using plastic carry bags shall be penalized as specified in these Bye-Laws and by PWM Rules 2016.
- (e) Every organized and un-organized retailer or street vendors selling or providing commodities in plastic carry bags or multi-layered packaging or plastic sheets or like or covers made of plastic sheets which are not manufactured or labeled or marked in accordance with these rules shall be liable to pay such charges as specified in these Bye-Laws.
- (f) Street vendors using plastic products to serve their goods shall ensure that the waste is collected, segregated and handed over to designated waste collection agency.

### 9.3 Producers and Brand Owners:

Producers and brand owner shall adhere to Plastic Waste Management Rules 2016, and other regulations in conformance with the State Pollution Control Board.

- (a) The primary responsibility for setting up collection systems-for plastic waste lies with producers and brand owners;
- (b) The AMC shall work out the modalities of a mechanism based on Environment Protection Rules (EPR) involving producers and brand owner.
- (c) Primary responsibility for collection of used multi-layered plastic sachet or pouches or packaging is of Producers, Importers and Brand Owners who introduce the products in the market. They need to establish a system for collecting back the plastic waste generated due to their products. This plan of collection to be submitted to the State Pollution Control Boards while applying for registration to Establish or Operate or Renewal. The Brand Owners whose registration 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 within two years thereafter.

### 9.4 Recyclers and Operators of Plastic Treatment Plants:

Recyclers and Operators shall adhere to Plastic Waste Management Rules 2016, and other regulations in conformance with the State Pollution Control Board.

- (a) Recycling of plastic shall be carried out in accordance with the Indian Standard: IS 14534:1998 titled as Guidelines for recycling of Plastic, as amended from time to time;
- (b) Recyclers shall ensure that recycling facilities are in accordance with the Indian Standard: IS 14534: 1998 titled as Guidelines for Recycling of Plastic and in compliance with the rules under the Environment (Protection) Act, 1986 as amended from time to time;
- (c) Recyclers shall work with the AMC to ensure that the residue generated from recycling process is disposed of in accordance with the relevant schedules under the SWM, 2016.

### 9.5 Self-Compliance:

- (a) Every Institutional waste generator organized and un-organized retailer, recycler and operator of plastic treatment plants shall maintain a self-compliance register, which shall be mandatory evidence for proof of compliance with these Bye-Laws.
- (b) Such self-compliance register shall be maintained in the format prescribed by the AMC in FORM-II in ANNEXURE-B and shall be filled with such periodicity as to correspond to the frequency of the disposal of plastic wastes, by the maintaining entity.
- (c) Persons failing to maintain the self-compliance register, shall be subjected to the penalty as stipulated in the Schedule.

**10 User Charges or Fees :**

Waste generators, retailers and producers shall be liable for all charges incurred towards plastic waste management in the city as prescribed by the AMC from time to time.

**11 Prohibition of certain plastic items:**

- (a) No person shall carry, use or store any plastic carry bags below the permissible minimum thickness (as prescribed from time to time ) and size or any plastic articles having single use such as disposable plastic bottles, cups, plates, spoons, forks etc. within premises owned, managed or controlled by the AMC or any Department of the State Government.
- (b) The prohibition under clause (a) above shall not affect the use of plastic carry bags as specified under the Bio-Medical Waste Management Rules, 2016.
- (c) Any person in breach of such prohibition shall be liable to charges prescribed in schedule of Fines under the Bye- laws and any other law in force at the time being. Notice will be provided as per FORM-III in ANNEXURE-C.
- (d) The Aizawl Municipal Corporation may, by notification -
  - i) Extend such prohibition to any other place or premises, whether private or public, including premises owned, managed or controlled by Departments of the Central or State governments within the jurisdiction of the AMC as may be specified in such notification;
  - ii) Direct minimum standards of non-plastic carry bags, such as a minimum recycled content for paper bags provided by shopkeepers, vendors, wholesalers, retailers, hawkers etc.

**12 The AMC shall -**

- (a) Attempt to integrate the scrap shops within the city, so far as they comply with regulations prescribed by the Municipal Commissioner from time to time and register with the Corporation. These units shall be granted registration for a period of one year, unless revoked, suspended or cancelled, prior to the expiry of one year as per FORM-IV of ANNEXURE-D. No registration fee will be applicable to scrap shop recyclers.
- (b) Encourage the recycling of plastic wastes and adoption of suitable processing technologies such as road construction, incineration, coprocessing etc, to reduce the disposal of plastic wastes into landfills.
- (c) Prepare and submit an Annual Report in FORM -V given in the PWM Rules 2016 to the State Secretary-in-charge of the Urban Development Department and intimate the Mizoram SPCB of the same.
- (e) Review and amend the PWM plan once in every 5 years for purposes of ensuring their sustainability, viability, effectiveness and relevance in relation to regulatory and technological developments.

**13. Penalties for contravention of these Bye-Laws :**

- (a) Whosoever contravenes any of the provisions of these Bye-Laws or fails to comply with the requirements made under any of these Bye-Laws shall be punished with a fine as mentioned in SCHEDULE OF FINES appended to these Bye-Laws failing which the defaulter shall be liable to do the community service or as directed by the AMC.
- (b) In the event of continuation of the breach of the provisions of these Bye-Laws, the fine amount will be doubled.

**14. Miscellaneous provisions :**

- (a) The Municipal Commissioner may appoint or designate any individuals or agencies to assist in connection with enforcement and implementation of these Bye-Laws.
- (b) Any person or persons aggrieved or affected by this AMC Plastic Waste Management Bye-Laws, 2019 shall have the right to submit his/her grievances to Nodal Officer on Plastic Waste Management. If he/she is not satisfied with the decision of Nodal Officer he/she may appeal to the Commissioner of the AMC.

**SCHEDULE OF FINES**

<b><u>By-Laws Ref.</u></b>	<b><u>Description/Offence</u></b>	<b><u>Amt. of Fines</u></b>
No. 4	Sale and use of carry bags less than 50 micron	Rs. 300
No. 5(a)	Non-segregation of plastic waste	
	(i) Individual	Rs. 200
	(ii) Bulk generator	Rs. 1,000
No. 5 (b)	Open burning of plastic waste	Rs. 2,000
No. 9.1 (d)	Littering on roads/drains	Rs. 200
No. 9.2 (c)	Selling/dispensing of plastic bags without License/Registration from AMC	Rs. 1,000
No. 9.3 (c)	Producers/Brand Owner failure to register with SPCB	Rs. 1,000
No. 9.5	Failure to maintain Self-Compliance Register	Rs. 300

**NOTE :** Any other type of violations not listed in the SCHEDULE, the amount of fine for breach of Bye-Laws shall be decided by the Commissioner subsequently based on the occurrence and necessity as per section 374 of the Mizoram Municipalities Act, 2007

**ANNEXURE - A**

**FORM - I  
(FORM OF DECLARATION)**

[vide - Sec. 9.2(c) of the AMC PWM By-Laws, 2019]

Name of the Shop : \_\_\_\_\_  
 Name of the Owner : \_\_\_\_\_  
 Address : \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Contact no : \_\_\_\_\_  
 Date of Filing the FORM : \_\_\_\_\_

I/We the owner of this Shop declare that I/We do not use any type of plastic bags, containers, cups, plates or any other plastic product to sell, serve, and carry the goods sold at my shop which do not conform to PWM Rules, 2016.

If during any inspection we are found using any type of plastic of plastic bags, containers, cups, plates or any other plastic product to sell, serve, carry the goods; I/We would be liable to be fined as per the AMC Plastic Waste Management Bye-Laws, 2019.

I/We pledge to adhere by the Plastic Waste Management Rules, 2019 and the AMC Plastic Waste Management Bye-Laws, 2019.

Signature : \_\_\_\_\_

Date : \_\_\_\_\_



ANNEXURE - B

**FORM - II**  
**(FORMAT OF SELF COMPLIANCE REGISTER)**  
[vide - Sec. 9.5(b) of the AMC PWM By-Laws, 2019]

Type of Entity :

- Institutional Waste Generators
- Organized and Unorganized Retailers
- Street Vendor
- Waste Picker
- Recycler and Operator of Plastic Waste

Treatment

----- Others (mention) \_\_\_\_\_

Year : \_\_\_\_\_

Name : \_\_\_\_\_

Address : \_\_\_\_\_

Contact no : \_\_\_\_\_

**Quantity of Plastic Waste :**

Month	Quantity of plastic waste	In case of organized and un-organized retailer, street vendor-Number of carry bags given per month
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
Total		

I/We pledge to adhere to the Plastic Waste Management Rules, 2019 and the AMC Plastic Waste Management Bye-Laws, 2019.

Signature : \_\_\_\_\_

Date : \_\_\_\_\_

**FORM - III**  
**( NOTICE OF OFFENCE )**  
 [vide - Sec. 11(c) of the AMC PWM By-Laws, 2019]

Notice No : \_\_\_\_\_  
 Date : \_\_\_\_\_  
 Time : \_\_\_\_\_  
 Name of Person/Agency against whom the offence is registered : \_\_\_\_\_  
 Type of Waste Generator/ Retailer : \_\_\_\_\_  
 Address : \_\_\_\_\_  
 Contact no : \_\_\_\_\_  
 PAN Card/Aadhar : \_\_\_\_\_

**Type of Offence :**

- (a) Sale and use of carry bags less than 50 micron
- (b) Non-segregation of plastic waste
  - (i) Individual
  - (ii) Bulk generator
- (c) Open burning of plastic waste
- (d) Littering on roads/drains
- (e) Selling/dispensing of plastic bags without License/Registration from AMC
- (f) Producers/Brand Owner failure to register with SPCB
- (g) Non-maintain Self-Compliance Register
- (h) Other : \_\_\_\_\_

REMARKS :

**Authorised to Issue**  
 Aizawl Municipal Corporation

**FORM - IV**  
**(REGISTRATION OF SCRAP SHOP)**  
[vide - Sec. 12(a) of the AMC PWM By-Laws, 2019]

Name of the Shop : \_\_\_\_\_

Name of the Owner : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Contact no : \_\_\_\_\_

Type of Legal entity : \_\_\_\_\_

GST No. : \_\_\_\_\_

AMC Shop Licence No. \_\_\_\_\_

Types of waste collected  
at the shop : Plastic types : Grade 1 2 3 4 5 6 7

Plastic is sold to : WHOLESALER RECYCLER  
RETAILER DEALER  
Other : \_\_\_\_\_

**NOTE** The AMC is not liable for any legal status of the shop in regards to land holding, manner of operation, storage of waste and fire safety liabilities.

This registration is issued solely for the purpose of ensuring environmentally sustainable recycling of plastic waste in the city of Aizawl.

**Signature of Applicant**