



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

**NO: DM/Tech/SBM/Bye Laws/331/2016/ 3398**

**Dated : Dibrugarh 21<sup>st</sup>. November 2016**

**NOTIFICATION**

In pursuance of notification No G.S.R 320(E)G.S.R dated New Delhi, the 18 March, 2016 by Ministry of Environment, Forest and Climate Change, Government of India and its publication in the Gazette of India Extraordinary Part II – Section 3 Sub Section (i), No 178 , Dated New Delhi , March 18, 2016 , the Dibrugarh Municipal Board in its board meeting held on 20<sup>th</sup>. Oct. 2016 framed the following bye laws as per Rule 6(4) of the Plastic Waste Management Rules, 2016 incorporating the provisions of rules under the Plastic Waste Management Rules ,2016 and are as below :

1. **Short title and commencement and Jurisdiction :** (1) These rules shall be called “the Bye laws for Plastic Waste Management, 2016” and will be applicable in the areas covered under Dibrugarh Municipal Board and will come into force from the date of this notification and publication in the official Gazette of Assam.
2. **Application :-** (1) These bye laws shall apply to every plastic waste generator, local body, manufacturer, Importers and producer , shopkeeper and street vendors.
3. **Definitions.-** Definitions in these bye laws are similar to the Plastic Waste Management Rules ,2016 and are :-

(a) “Act” means the Environment (Protection) Act, 1986 (29 of 1986);

(b) “brand owner” means a person or company who sells any commodity under a registered brand label;

(c) “carry bags” means bags made from plastic material or compostable plastic material used for the purpose of carrying or dispensing commodities which have a self



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

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;

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

(e) "compostable plastics" mean plastic that undergoes degradation by biological processes during composting to yield CO<sub>2</sub>, water, inorganic compounds and biomass at a rate consistent with other known compostable materials, excluding conventional petro-based plastics, and does not leave visible, distinguishable or toxic residue;

(f) "consent" means the consent to establish and operate from the Assam 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);

(g) "disintegration" means the physical breakdown of a material into very small fragments;

(h) "extended producer's responsibility "means the responsibility of a producer for the environmentally sound management of the product until the end of its life;

(i) "food-stuffs" mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi-solid form;

(j) "facility" means the premises used for collection, Storage, recycling, processing and disposal of plastic waste;

(k) "importer" means a person who imports or intends to import and holds an Importer - Exporter Code number, unless otherwise specifically exempted.

(l) "institutional waste generator" means and includes occupier of the institutional buildings such as building occupied by Central Government Departments, State



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

Government Departments, public or private sector companies, hospitals, schools, colleges, universities or other places of education, organisation, academy, hotels, restaurants, malls and shopping complexes;

(m) "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.

(n) "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, metalised layers or aluminium foil, either in the form of a laminate or co-extruded structure;

(o) "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;

(p) "plastic sheet" means Plastic sheet is the sheet made of plastic;

(q) "plastic waste" means any plastic discarded after use or after their intended use is over;

(r) "prescribed authority" means the Assam Pollution Control Board;

(s) "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;

(i) "recycling" means the process of transforming segregated plastic waste into a new product or raw material for producing new products;



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

(t) "registration" means registration with the Assam Pollution Control Board ;

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

(v) "local body" means Dibrugarh Municipal Board ;

(w) "virgin plastic" means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;

(x) "waste generator" means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbour and Defence establishments which generate plastic waste;

(y) "waste management" means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;

(z) "waste pickers" mean individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste;

4. Conditions : During the course of manufacture, importer, stocking, distribution, sale and use of carry bags, plastic sheets or like, or cover made of plastic sheet and multi-layered packaging, shall be subject to the following conditions, namely:

(a) carry bags and plastic packaging shall either be in natural shade which is without any added pigments or made using only those pigments and colorants which are in conformity with Indian Standard : IS 9833:1981 titled as "List of pigments and colorants for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water", as amended from time to time;

b) Carry bags made of recycled plastic or products made of recycled plastic shall not be used for storing, carrying, dispensing or packaging ready to eat or drink food stuff';



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

( c ) carry bag made of virgin or recycled plastic, shall not be less than **50(fifty) microns** in thickness;

(d) plastic sheet or like, which is not an integral part of multi-layered packaging and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except where the thickness of such plastic sheets impair the functionality of the product; (e) the manufacturer shall not sell or provide or arrange plastic to be used as raw material to a producer, not having valid registration from the concerned State Pollution Control Boards or Pollution Control Committee;

( f ) sachets using plastic material shall not be used for storing, packing or selling gutkha, tobacco and pan masala;

( 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 plastic. Carry bags made from compostable plastics shall conform to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time. The manufacturers or seller of compostable plastic carry bags shall obtain a certificate from the Central Pollution Control Board before marketing or selling; and

(i) 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.

**5. PLASTIC WASTE MANAGEMENT.**- (1) The plastic waste management shall be done 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.

(b) plastic waste shall be used (preferably the plastic waste which cannot be further recycled) for road construction as per Indian Road Congress guidelines or energy recovery or waste to oil etc. The standards and pollution control norms specified by the prescribed authority for these technologies shall be complied with.



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

(c) 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.

(d) 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.

(e) This Municipality shall set up, operate and co-ordinate the waste management system for performing associated function mainly

(I) To Ensure safe collection, segregation, storage, transportation, processing and disposal of plastic waste;

(II) To ensure that no damage is caused to the environment during this process;

(III) To ensure channelization of recyclable plastic waste fraction to recyclers;

(IV) To ensure processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board;

(V) To create awareness among all stakeholders about their responsibilities;

(VI) To engage civil societies or groups working with waste pickers; and

(VII) To ensure that open burning of plastic waste does not take place.

(f) Since the responsibility for setting up collection systems for plastic wastes shall be of this municipality and for this purpose, this municipality may seek assistance of manufactures of plastic carry bags, multi-layered plastic pouches or sachets or of brand owners using such products.

#### **6. RESPONSIBILITY OF PRODUCERS, IMPORTERS AND BRAND OWNERS:-**

The Dibrugarh Municipal authority in line of **the Plastic Waste Management Rules 2016** hereby fixes the responsibility of the producers, importers and Brand Owners within the jurisdiction of its municipal area as under:-

(1) The producers, within a period of six months from the date of publication of PLASTIC WASTE MANAGEMENT RULES 2016, shall work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

Departments, either individually or collectively, through their own distribution channel or through the local bodyconcerned.

(2) 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 must establish a system for collecting back the plastic waste generated due to their products. This plan of collection to be submitted to the Assam Pollution Control Boards while applying for Consent to Establish 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 rules and implement with two years thereafter.

(3) Manufacture and use of non- recyclable multi-layered plastic if any should be phased out in Two years' time.

(4) The producer, within a period of three months from the date of final publication of **the Plastic Waste Management Rules 2016** in the Official Gazette shall apply to the Assam Pollution Control Board or the Pollution Control Committee, as the case may be, of the States or the Union Territories administration concerned, for grant of registration.

(5) No producer shall on and after the expiry of a period of Six Months from the date of final publication of **the Plastic Waste Management Rules 2016** in the Official Gazette ,manufacture or use any plastic or multi-layered packaging for packaging of commodities without registration from the concerned State Pollution Control Board or the Pollution Control Committees.

(6) Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like or cover made of plastic sheet or multi-layered packaging.

**7 .RESPONSIBILITY OF WASTES GENERATORS:** This Municipality hereby specify the following responsibilities for waste generators:-



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

(a) shall take steps to minimize generation of plastic waste and segregate plastic waste at source in accordance with the Solid Waste Management Rules, 2016 or as amended from time to time.

(b) Shall not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies;

(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

(3) All waste generators shall pay such user fee or charge as may be specified under for plastic waste management such as waste collection or operation of the facility thereof, etc.;

Type of users	Duration	Amount
Private function	1- 3 days	1000
	Up to 7 days	3000
	7<	10000
Public Event	1- 3 days	5000
	3 -7 days	10000
Wedding Hall	Per event	2000

(4) Every person responsible for organising an event in open space, which involves service of foodstuff in plastic or multi-layered packaging shall segregate and manage the waste generated during such events in accordance with the Solid Waste Management Rules, 2016

**8. Marking or labelling.-**

(1) Each plastic carry bag and multi-layered packaging shall have the following information printed in English namely,-

(a) Name, registration number of the manufacturer and thickness in case of carry bag;





*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**

Dibrugarh, Assam.

**Estd 1873**

(b) Name and registration number of the manufacturer in case of multi-layered packaging;

and

(c) Name and certificate number [Rule 4(h)] in case of carry bags made from compostable

plastic

(2) Each recycled carry bag shall bear a label or a mark "recycled" as shown below and shall conform to the Indian Standard: IS 14534: 1998 titled as "Guidelines for Recycling of Plastics", as amended from time to time;



NOTE: PET-Polyethylene terephthalate, HDPE-High density polyethylene, V-Vinyl (PVC), LDPE-LowDensity polyethylene, PP-Polypropylene, PS-Polystyrene and Other means all other resins and Multi-materials like ABS (Acrylonitrile butadiene styrene), PPO (Polyphenylene oxide), PC(Polycarbonate), PBT (Polybutylene terephthalate) etc.

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".



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

**5. FOR THE PURPOSE OF REGISTRATION OF MANUFACTURERS AND RECYCLERS IT SHALL BE ENSURE THAT ---**

(a) No person shall manufacture carry bags or recycle plastic bags or multi-layered packaging unless the person has obtained a registration from the Assam Pollution Control Board prior to the commencement of production.

(b) Every producer shall, for the purpose of registration or for renewal of registration, make an application to the Assam Pollution Control Board in Form I

(c) Every person recycling or processing waste or proposing to recycle or process plastic waste shall make an application to the Assam Pollution Control Board in Form II.

(d) Every manufacturer engaged in manufacturer of plastic to be used as raw material by the producer shall make an application to the Assam Pollution Control Board for the grant of registration or for the renewal of registration, in Form III.

**9. RESPONSIBILITY OF RETAILERS AND STREET VENDORS:-**

This Municipality hereby fixes the responsibilities of retailer and street vendors in respect of use of plastic carry bags etc. as under:-

**(1)** Retailers or street vendors shall not sell or provide commodities to consumer in carry bags or plastic sheet or multi-layered packaging, which are not manufactured and labelled or marked, as per prescribed under these rules.

**(2)** Every retailers 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 labelled or marked in accordance with these rules shall be liable to pay such fines as specified under the bye-laws of the local bodies.

**10. POWER FOR EXPLICIT PRICING OF CARRY BAGS:** -This Municipality hereby makes the following provisions in respect of fixing the price of plastic carry bags:-



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

- (1)** The shopkeepers and street vendors willing to provide plastic carry bags for dispensing any commodity shall register with Dibrugarh Municipal Board by paying a fee of Rs 4000/per month or Rs 48000/per annum subject to revision of the fees from time to time . The registered shop keepers shall display at prominent place that plastic carry bags are given on payment.
- (2)** Only the registered shopkeepers or street vendors shall be eligible to provide plastic carry bags for dispensing the commodities.
- (3)** The revenue generated from the registration of shopkeepers and vendors for such purpose shall be used for the sustainability of the waste management system within Dibrugarh Municipal Board.
- (4)** All others should use paper bags, disposable bags, cloth bags and coir bags in lieu of plastic bags.

11. The Dibrugarh Municipal Authority shall exercise the power to impose monetary penalty on the violators as specified under:-

- a. If any trader is found to be keeping stock or selling of plastics which have been prohibited by the Plastic Waste Management Rules 2016 , he or she shall be penalized with a fine of Rs 10000.00
- b. If the traders or the shopkeepers are found committing the offense again or repeating the offense again , the fine shall be enhanced to Rs 25000.00
- c. If even after punishment, the offence is found to be committed repeatedly, it would be construed as deliberate attempt to breach the law and under that circumstances the trade license of the trader or the shopkeeper shall be cancelled and further action under section 15 of the Environmental Protection Act 1986 shall be initiated against such offenders. In the case of individual, if anyone found breaching the law repeatedly, he /she shall also be liable for prosecution under section 15 of the Environmental Protection Act 2016.
- d. Any individual if found to be using prohibited carry bags for storing , carrying , dispensing , packaging goods or any other items or throw in public or private places or streets , private or public tanks ,defile water of public and private tanks within this municipal area shall be fine with Rs 500.00



*Office of the Chairperson,*  
**DIBRUGARH MUNICIPAL BOARD**  
Dibrugarh, Assam.  
**Estd 1873**

- e. Any individual or organization found burning plastic shall be penalized with a fine of Rs. 5000.00.
12. This Municipality shall conduct raids when necessary at places suspected to be keeping stocks of prohibited plastic materials and shall confiscate and seize of the materials and action shall be initiated against the offender as per the law.

These Bye Laws come into force with immediate effect.

**Signed/-**

**Chairperson,**  
**Dibrugarh Municipal Board**  
**Dibrugarh**

**NO: DM/Tech/SBM/Bye Laws/33331/2016/**

**Dated Dibrugarh 21<sup>st</sup>. November 2016**

Copy for information to:

1. The Director, Directorate of Municipal Administration, Guwahati with a request to send the notification to Assam Govt. Press for publication in the next issue of Official Gazette.
2. The Deputy Commissioner, District Dibrugarh, Dibrugarh.
3. The Director, Printing & Stationary, Govt. of Assam to print this notification in the next issue of Official Gazette and provide 100 copies to Dibrugarh Municipal Board.
4. All Ward Commissioner, Dibrugarh Municipal Board.
5. Concerning branch.

**Signed/-**

**Chairperson,**  
**Dibrugarh Municipal Board**  
**Dibrugarh**