

Draft Delhi Plastic Waste Management Bye-laws, 2021

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Draft of Plastic Waste Management Bye-laws, 2021 for public comment till September 15, 2021

In a Gazette Notification dated 16th August, 2021, the Government of the National Capital Territory of Delhi has introduced Draft Plastic Waste Management Bye-laws, 2021 (Draft Bye-laws) which has been proposed to apply in specific areas.

The Government has also invited objections and suggestions on the Draft Bye-laws which may be addressed to the Secretary (Urban Development), Government of National Capital Territory of Delhi, 9th Level, C-wing, Delhi Secretariat, IP Estate, New Delhi-110002 by 15th September, 2021.

Applicability:

These bye-laws shall be applicable within the territorial limits of South Delhi Municipal Corporation/ East Delhi Municipal Corporation/ North Delhi Municipal Corporation/ New Delhi Municipal Council/ Delhi Cantonment Board (DCB).

Key Highlights:

1. Definitions: The Draft Bye-laws proposes to introduce the following definitions:

1. "Bulk User" means shopkeepers, institutions, hotels, offices, restaurants, banquets halls, marriage halls, community halls, malls & shopping complexes, firm houses (organizing social functions), schools, colleges, universities, etc

2. "Importer" means a person who imports or intends to import and holds an Importer-Exporter Code Number, unless otherwise specifically exempted;

3. "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;

4. "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;

5. "Producer" means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets/film and includes industries or individuals using plastic sheets/film or covers made of plastic sheets/film or multilayered packaging for packaging or wrapping the commodity;

6. "Waste generator" means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbor and Defence establishments which generate plastic waste;

2. Segregation and primary storage of plastic waste:

All waste generators will be required to mandatorily segregate and store the plastic waste coming out of their own places regularly into covered waste bins and handover segregated waste to designated waste collectors as per the direction of Concerned Local Body from time to time. The colour of bins for storage of segregated waste shall be "Blue" for Plastic Waste.

3. Collection of Plastic Waste:

The segregation and primary storage of plastic waste will soon be required to be done in accordance with Solid Waste Management Rules. Manual handling of waste in the containers shall be prohibited and the waste generators shall be responsible to deposit their segregated plastic waste for treatment or recycle or any appropriate purpose.

4. Secondary storage of plastic waste:

The law proposes that the plastic waste collected from any source doorsteps needs to be taken to Material Recovery Facility (MRF), community storage bins or fixed or mobile transfer as specified by Concerned Local Bodies (LBs) for secondary storage of waste.

5. Transportation of plastic waste:

The vehicles used for transportation of plastic waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors, trucks and mobile transfer stations depending upon choice of technology by Concerned Local Bodies (LBs).

6. Processing / Disposal of plastic waste:

It is proposed that 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 also need to establish a system for collecting back the plastic waste generated due to their products and this plan of collection needs to be submitted to the DPCC while applying for Consent to Establish or Operate or Renewal.

7. Responsibility of Producers, Importers and Brand Owners:

The Draft Bye-laws proposes to cast the following responsibilities on Producers, Importers and Brand Owners:

- To work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development, either individually or collectively, through their own distribution channel or through the concerned LB within a period of 6 months from the date of publication of these rules;
- Not to manufacture or use any plastic or multilayered packaging for packaging of commodities, on and after the expiry of a period of 6 Months from the date of final publication of these bye-laws in the Official Gazette.

To 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 multilayered packaging.

DEPARTMENT OF URBAN DEVELOPMENT

(DIRECTORATE OF LOCAL BODIES)

NOTIFICATION

Delhi, the 13th August, 2021

No. F. 13(307)/UD/MB/2019/PT FILE-1/CD No- 021549589/784.—In exercise of the powers conferred by Rule 6, Sub Rule(4) of the Plastic Waste Management(PWM) Rules, 2016, as amended till date, made by the Government of India under the provisions of Section 3, Sub-section 2(i) of The Environment (Protection) Act, 1986 (Act 29 of 1986) and Rule 4, Sub-rule 5 of The Environment (Protection) Rules 1986, the Hon“ble Lt. Governor of National Capital Territory of Delhi, hereby publishes the following bye-laws for National Capital Territory of Delhi for Management of Plastic Waste.

Notice to all persons and stakeholders, likely to be affected, is hereby published in daily news papers (Hindi and English) as per sub-section (1) of section 23 of the General Clause Act, 1897 that the said draft will be taken into consideration by the Government of NCT of Delhi on or after expiry of thirty days from the date on which copy of the said draft Bye Laws, published in Delhi Gazette is made available to the public together with any Objections/Suggestions that may be received in respect thereto within stipulated period.

Objections/Suggestions in this behalf should be addressed to The Secretary (Urban Development), Government of National Capital Territory of Delhi, 9th Level, C-wing, Delhi Secretariat, IP Estate, New Delhi-110002.

DRAFT BYE-LAWS

PLASTIC WASTE MANAGEMENT (PWM) BYE-LAWS, 2018 (AMENDED VIDE NOTIFICATION OF MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, DATED 27.03.2018) FOR SOUTH DELHI MUNICIPAL CORPORATION/ EAST DELHI MUNICIPAL CORPORATION/ NORTH DELHI MUNICIPAL CORPORATION/ NEW DELHI MUNICIPAL COUNCIL / DELHI CANTONMENT BOARD (DCB).

CHAPTER-I GENERAL

(i) These bye-laws shall be called the Plastic Waste Management Bye-laws, 2021.

They shall come into force on the date of their publication in the Delhi Gazette.

2. Applicability: These bye-laws shall be applicable within the territorial limits of SOUTH DELHI MUNICIPAL CORPORATION/ EAST DELHI MUNICIPAL CORPORATION/ NORTH DELHI MUNICIPAL CORPORATION/ NEW DELHI MUNICIPAL COUNCIL/ DELHI CANTONMENT BOARD (DCB) hereinafter referred to as “(SOUTH DELHI MUNICIPAL CORPORATION / EAST DELHI MUNICIPAL CORPORATION / NORTH DELHI MUNICIPAL CORPORATION / NEW DELHI MUNICIPAL COUNCIL / DELHI CANTONMENT BOARD (DCB) Plastic Waste Management Bye-laws, 2021.

3. Act: Means Environment (Protection) Act, 1986 (as amended)

4. Definitions: (i) In these bye-laws, unless the context otherwise requires:-

a. “brand owner “means a person or company who sells any commodity under a registered brand label;

(ab) “alternate use‘ means use of a material for a purpose other than for which it was conceived, which is beneficial because it promotes resource efficiency”;

(ac) “Bulk User” means shopkeepers, institutions, hotels, offices, restaurants, banquets halls, marriage halls, community halls, malls & shopping complexes, firm houses (organizing social functions), schools, colleges, universities, etc.;

b. “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;

c. “commodity” means tangible item that may be bought or sold and includes all marketable goods or wares;

d. “compostable plastics” mean plastic that undergoes degradation by biological processes during composting to yield CO₂, 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;

e. “consent” means the consent to establish and operate from the concerned State Pollution Control Board or Pollution Control Committee 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);

f. “disintegration” means the physical breakdown of a material into very small fragments;

g. “extended producer’s responsibility” means the responsibility of a producer for the environmentally sound management of the product until the end of its life;

(ga). _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 land fill gas recovery;

h. “food-stuffs” mean ready to eat food products, fast food, processed or cooked food in liquid, powder, solid or semi solid, plastic or semi-plastic form;

i. “facility” means the premises used for collection, storage, recycling, processing and disposal of plastic waste;

j. “importer” means a person who imports or intends to import and holds an Importer-Exporter Code Number, unless otherwise specifically exempted;

k. “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;

l. “integral packaging” means plastic film which is in sandwich form between any two layers and sealed before its use;

m. “local body” means urban local body with different nomenclature such as South Delhi Municipal Corporation (SDMC), North Delhi Municipal Corporation (North DMC), East Delhi Municipal Corporation (EDMC), New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB);

n. “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;

o. “Material Recovery Facility (MRF)” It means a facility where non- compostable solid waste can be temporarily stored by local bodies or any person or agency authorized by them to facilitate segregation, sorting and recovery of recyclables from other plastic waste before it is processed or disposed;

p. “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;

q. “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;

- r. **“plastic sheet”** means Plastic sheet is the sheet/film made of plastic;
- s. **“plastic waste”** means any plastic discarded after use or after their intended use is over;
- t. **“prescribed authority”** means the authorities specified in Rule 12 of PWM Rules, 2016, as amended, 2018;
- u. **“producer”** means persons engaged in manufacture or import of carry bags or multilayered packaging or plastic sheets/film and includes industries or individuals using plastic sheets/film or covers made of plastic sheets/film or multilayered packaging for packaging or wrapping the commodity;
- v. **“recycling”** means the process of transforming segregated plastic waste into a new product or raw material for producing new products;
- w. **“registration”** means registration with the Delhi Pollution Control Committee (DPCC);
- x. **“rules”** rules means Plastic Waste Management Rules, 2016, as amended to date;
- y. **“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);
- z. **“virgin plastic”** means plastic material which has not been subjected to use earlier and has also not been blended with scrap or waste;
- (za). **“waste generator”** means and includes every person or group of persons or institution, residential and commercial establishments including Indian Railways, Airport, Port and Harbor and Defence establishments which generate plastic waste;
- (zb). **“waste management”** means the collection, storage, transportation reduction, re-use, recovery, recycling, composting or disposal of plastic waste in an environmentally safe manner;
- (Zc). **“waste pickers”** mean individuals or agencies, groups of individuals voluntarily engaged or authorized for picking of recyclable plastic waste;
- (zd) The words and expressions used but not defined herein shall have the same meaning as respectively assigned to them in the Plastic Waste Management Rules, 2016 as amended, 2018;

CHAPTER-II

SEGREGATION AND PRIMARY STORAGE OF PLASTIC WASTE –

5. Segregation and storage of Plastic Waste at source:-

(i) It shall be necessary for all waste generators to segregate and store the plastic waste coming out of their own places regularly into covered waste bins and handover segregated waste to designated waste collectors as per the direction of Concerned Local Body from time to time.

(ii) Every bulk waste generator is to separate and store the Plastic Waste coming out of their own places into suitable bins and handover segregated waste to authorized waste processing or disposal facilities or deposition centers through the authorized waste collection agency with paying the carrying charges specified by Concerned Local Body (LBs) from time to time.

(iii) The colour of bins for storage of segregated waste shall be "Blue" for Plastic Waste.

(iv) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating Concerned Local Body (LBs) online along with payment of user fee as prescribed in the schedule, at least three working days in advance and such person or the organiser of such event shall ensure segregation of plastic waste at source and handing over of segregated waste to waste collector or agency as specified by Concerned Local Body (LBs).

(v) Every street vendor / vendor shall keep suitable containers for storage of segregated plastic waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by Concerned Local Body (LBs).

CHAPTER-III

PLASTIC WASTE COLLECTION

6. Collection of Plastic Waste:-

(i) Segregation and primary storage of plastic waste shall be done in accordance with SWM Rules, 2016, read with amendment thereof in 2018 and as amended on date.

(ii) Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.

(iii) Waste generators shall be responsible to deposit their segregated plastic waste (should not be transported along with Municipal Solid Waste to designated landfill sites), shall be transported or deployed by Concerned Local Body (LBs) or by the notified authorized waste collector in the Auto-Tippers/Rickshaws etc for treatment or recycle or any appropriate purpose. Segregated plastic waste from multi-storied buildings, apartments, housing complexes may be collected from the entry gate or any other designated location.

CHAPTER-IV

SECONDARY STORAGE OF PLASTIC WASTE

7. Storage of plastic waste in the secondary storage points:-

- (i) Plastic waste collected from any source doorsteps shall be taken to Material Recovery Facility (MRF), community storage bins or fixed or mobile transfer as specified by Concerned Local Bodies (LBs) for secondary storage of waste;
- (ii) Such MRF or secondary storage points shall have covered containers (of specified colour) for separate storage of plastic waste;
- (iii) Different containers shall be used in the areas demarcated by Concerned Local Bodies (LBs) to keep segregated plastic waste. Concerned Local Bodies (LBs) shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of plastic waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of plastic waste shall have to adhere to;
- (iv) Concerned Local Bodies (LBs) on its own or through outsourcing agencies shall maintain the storage facilities for plastic waste in a manner that does not create unhygienic and unsanitary conditions around it;
- (v) Containers of various sizes in the secondary storage depots shall be provided by Concerned Local Bodies (LBs) or any assigned agencies;
- (vi) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population;
- (vii) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere;
- (viii) Concerned Local Bodies (LBs) or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.

CHAPTER-V

8. Transportation of plastic waste:-

- (i) Vehicles used for transportation of plastic waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors, trucks and mobile transfer stations depending upon choice of technology by Concerned Local Bodies (LBs);
- (ii) The storage facilities set up by Concerned Local Bodies (LBs) shall be attended regularly for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned;

(iii) There should be no inter-mixing of plastic waste from various sources during the transportation of waste.

CHAPTER-VI

PROCESSING / DISPOSAL OF PLASTIC WASTE

9. Processing / Disposal of plastic waste:-

(i) The 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 DPCC while applying for Consent to Establish or Operate or Renewal.

(ii) Concerned Local Bodies (LBs) shall facilitate construction, operation and maintenance of Material Recovery Facility (MRF), plastic waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of plastic waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Housing and Urban Development (MoHUA) from time to time and standards prescribed by the Central Pollution Control Board:-

(a) To minimise transportation cost and environmental impacts;

(b) Through plastic waste processing and recycling facilities;

(c) Through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feedstock to plastic waste based power plants; and/or

(iii) Concerned LBs shall endeavour to create a market for consumption of Refuse Drive Fuel (RDF);

(iv) In waste to energy plant by controlled incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the relevant contracts;

(v) LBs shall ensure the recyclables such as plastic.

CHAPTER-VII

USER FEE AND LEVYING OF SPOT FINE / PENALTY

10. User fee for collection, transportation, processing / disposal of plastic waste:-

In accordance with SWM Rules, 2016:

(i) Concerned Local Bodies (LBs) shall adopt different methods for collection of user fee including online payment.

(ii) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.

CHAPTER-VIII

11. MISCELLANEOUS –

(i) If any doubt or difficulty arises in the interpretation or implementation of these bye-laws, the same shall be placed before the Commissioner, Concerned Local Bodies (LBs), whose decision in the matter shall be final.

(ii) **Co-ordination with Government Bodies:** Concerned Local Bodies (LBs) shall coordinate with other government agencies and authorities, to ensure compliance of these bye-laws within areas under the jurisdiction or control of such bodies. In case of any difficulty matter shall be placed before Chief Secretary of Government of NCT of Delhi.

(iii) The competent authority may issue general or special orders from time to time for proper implementation of Plastic Waste Management Rules, 2016 as amended, 2018 and these bye-Laws.

(iv) Single-use plastics, often also referred to as disposable plastics (use-and-throw items), are commonly used for plastic packaging and include items intended to be used only once before they are throw away or recycled. These include, among other items, carry bags, food packaging, bottles, straws, containers, cups and cutlery. Over the years, the amount of plastic entering oceans and seas has increased. Plastic Marine litter is harmful for marine ecosystem, biodiversity and potentially human health. Widespread concern on the issue has necessitated the need for a strategic approach to management of plastic waste. The single-use plastic items represent majority of items found in plastic marine litter. Under the Plastic Waste Management Rules, 2016 as amended, 2018 plastic carry bags (virgin or recycled) with thickness less than 50 micron and plastic sheet or like, which is not an integral part of multi-layered packaging and cover made or plastic sheet used for packaging, wrapping commodities, with thickness less than 50 micron are banned.

(v) Concerned Local Bodies (LBs) or the authorized agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads surroundings of railway stations, bus stops, religious places, commercial areas etc.

12. RESPONSIBILITY OF CONCERNED LOCAL BODIES (LBs)

(i) Concerned Local Bodies (LBs) shall within its territorial area, be responsible for ensuring regular system of surface cleaning of all common streets/roads, public places, temporary settlements, slum areas, markets, its own parks, gardens, drains etc. by employing human resources and machines and shall be bound to collect the plastic from the declared storage containers, and transport it every day to the final disposal point in closed vehicles for which Concerned Local Bodies (LBs) may engage private parties on

contract or Public Private Partnership mechanism, apart from its own cleaning staff and vehicles. In addition, Concerned Local Bodies (LBs) shall identify all the commercial areas for carrying out sweeping twice a day;

(ii) Concerned Local Bodies (LBs). or the authorized agency engaged by it shall provide and maintain sufficient number of community litter bins of sufficient size on public roads, in surroundings of railway stations, bus stops, religious places, in commercial areas etc;

(iii) Concerned Local Bodies (LBs) for the purpose of managing plastic waste activities in decentralized and regular manner shall designate one ward officer in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public plastic, landfill processing units etc;

(iv) The competent authority shall designate senior Officer/s, preferably not below the rank of Additional Deputy Commissioner or equivalent, as Nodal Officer/s to monitor the progress of segregation, collection, transportation, processing and disposal of plastic waste;

(v) Each ward shall be divided into sweeping beats based on the prescribed parameter and deploy manpower accordingly or rationalize the existing deployment and monitor their work by using latest technology. Wherever it is unable to get sweeping through its own staff, it may outsource through contract. Each beat shall be inspected by the supervising officials on daily basis prescribed as per directions;

(vi) Concerned Local Bodies (LBs) shall employ latest road/street cleaning machines, mechanical sweepers or other equipments which improves the efficiency of sweeping and drainage cleaning;

(vii) Concerned Local Bodies (LBs) shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of Plastic Waste Management Rules and these bye laws with special emphasis on user fee and fines/penalties;

(viii) Concerned Local Bodies (LBs) shall make efforts to streamline and formalize plastic waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of plastic waste management;

(ix) Concerned Local Bodies (LBs) shall ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling plastic waste and the same are used by the work force;

(x) Concerned Local Bodies (LBs). shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection, transport and handling of waste by providing

appropriate and adequate personal protective equipments;

(xi) In case of an accident at any plastic waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to Concerned Local Bodies (LBs) immediately which shall review and issue instructions, if any, to the in-charge of the facility;

(xii) Regular checks: The Commissioner, Deputy Commissioner or any other officer authorised by the Commissioner shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of plastic waste to supervise compliance of various provisions of PWM Rules and these bye laws;

(xiii) Concerned Local Bodies (LBs) shall develop a public grievance redressal system (PGRS) by setting up of call centre at its headquarter. The PGRS may include SMS based service, mobile application or web based services;

(xiv) Concerned Local Bodies (LBs) shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of PWM Rules and these bye-laws at HQ/all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration;

(xv) Transparency and Public Accessibility: To ensure greater transparency and public accessibility, concerned LBs shall provide all necessary information through its website;

(xvi) Concerned LBs shall perform all other duties mentioned in PWM Rules 2016 AND 2018, which have not been specifically mentioned in these bye-laws.

CHAPTER-IX

13. FINES TO BE PAYABLE BY RETAILERS / STREET VENDORS FOR CONTRAVENTION OF THE PWM RULES AS PROVIDED:-

Under Rule 14(2) of Plastic Waste Management Rules,

(i) Whosoever contravenes or fails to comply with any of the provisions of PWM rules or these Bye-Laws shall be imposed with fine as mentioned in **Schedule-I** appended to these bye-laws; violation by retailers, street vendors shall be considered for selling or providing commodities in plastic packaging items which are not manufactured or labelled in accordance with the plastic waste management rules 2018;

(ii) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied;

(iii) The Concerned LBs shall designate officers for levying fine or penalty by issuing an order in this behalf. The fine/Penalty amount is specified in Schedule-I;

(iv) The fine or penalty mentioned in Schedule-I shall stand automatically increased by 5% per year with effect from 1st January of each successive year;

(v) The fines/penalty shall be levied and collected by the authorized /notified special Municipal Magistrate or CMM of the concerned Local Bodies in case of non payment of fine/penalties at the spot;

CHAPTER-X

14. RESPONSIBILITY OF PRODUCERS, IMPORTERS AND BRAND OWNERS:-

i. It is necessary for producers, within a period of six months from the date of publication of these rules, to work out modalities for waste collection system based on Extended Producers Responsibility and involving State Urban Development, either individually or collectively, through their own distribution channel or through the concerned LB;

ii. It is necessary that the produce shall perform these work within a period of three months from the date of final publication of these bye-laws;

iii. It is necessary that no producer shall on and after the expiry of a period of Six Months from the date of final publication of these bye-laws in the Official Gazette manufacture or use any plastic or multilayered packaging for packaging of commodities ;

iv. It is necessary that 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 multilayered packaging.

CHAPTER-XI

SOCIAL AWARENESS AND PUBLIC EDUCATION

15. Social Awareness and Public Education

i. Awareness/ sensitization campaigns should be organised throughout the State/ UT through TV/ Radio etc. to discourage use of single-use plastic;

ii. All events organized or sponsored by the Govt. shall be free from single-use plastic products;

iii. Governments should try to invite eminent public personalities to serve as Brand Ambassador or in any other capacity in the campaign to discourage the use of single-use plastic;

iv. Attention should be focussed on creating awareness/sensitization in hotspots of plastic usage including tourist spots, religious spots, beaches, pilgrimage sites, schools colleges etc.;

v. Particular attentions should also be focused on students and young adults to inculcate a behavioural change in plastic usage. Changes in school curriculum should be introduced to discourage use of single-use plastics, promote use of plastic alternate materials like compostable products and promote source segregation.

CHAPTER-XII

ACTION BY GOVERNMENT OFFICES

16. Use of Single-Use Plastic Products:

Actions shall be taken in all Government/Private Offices, institutions/ colleges, universities, schools, cinema halls, malls, hotels, banquet halls, farm houses (conducting Social Functions), religious places, historical places, tourist places etc. for use of single use plastic products such as:

- (i) Plastic carry bags/films/wrappings (<50 µm);
- (ii) Cups, plates, straw;
- (iii) Cutleries;
- (iv) Decorated plastic covers/packaging;
- (v) Plastic thermocol & disposables products;
- (vi) Water sachets and packed water bottles having capacity < 1 litre;
- (vii) Plastic sachets used for storing/ purchasing/selling/ gutkha, tobacco & pan masala etc.

CHAPTER-XIII

EXTENDED PRODUCER RESPONSIBILITY (EPR)

Ministry of Environment Forest and Climate Change, is currently formulating a national framework for implementing EPR under Rule 9 of Plastic Waste Management Rules, 2016 and as amended in 2018. Under the proposed framework, modalities will be fixed for producers/brand owners and importers of plastic products for implementing the EPR framework, in consonance with State Urban Development Departments/Urban Local Bodies/Central Pollution Control Board/State Pollution Control Boards/Committees and other stakeholders involved in the plastic value chain. Central Pollution Control Board has published a Standard Operating Procedure (SOP) in March, 2021 for registration of producers, importers and brand owners (PIBOs) under Plastic Waste Management Rules, 2016 as amended, which has been put into operation by Delhi Pollution Control Committee (DPCC) for the present and till the implementation of EPR framework by Ministry of Environment, Forest and Climate Change, Govt. of India.

SCHEDULE-I

FINE/PENALTY

S. No.	Rule/ Bye-Laws No.	Offences	Applicable to	Fine for every default (in Rupees)
1	Rule 4 of PWM (a to i).	Failure to follow the Conditions	Manufacturers, producers, importers, distributor	20000
2	Rule 6 (g) of PWM Rules.	Open burning of plastic waste	Violator	5000
3	Bye-Laws 7 (a &b) of PWM Rules.	Littering	Offender	1000
4	Rule 9 (1) of PWM Rules by respective SPCB/PCC.	Failure to workout modalities for waste collection system as a part of EPR in a period of within six months from the date of publication of these rules.	Producers, importers and Brand Owner	50000
5	Rule 9 (2) of PWM Rules CPCB/DPCC.	Failure to collect the used multi-layered plastic sachet or pouches or packing.	Producers, importers and Brand Owner	50000
6	Rule 9 (3) of PWM Rules CPCB/DPCC.	Failure to manufactures and use of non-recyclable multilayered plastic if any should be phased out in two years	Producers, importers, Manufacturers, and Brand Owner	30000
7	Rule 9 (4) of PWM Rules CPCB/DPCC.	Failure to apply for grant of registration to DPCC within three months	Producers, importers, Manufacturers, and Brand Owner	25000

8	Rule 9 (5) of PWM Rules CPCB/DPCC.	After expiring of period 6 months from the date of publication of these rules, no manufacturing or use of any plastic or multilayered packing of commodities without registration from DPCC.	Producers, importers, Manufacturers, and Brand Owner	50000
9	Rule 9 (6) of PWM Rules CPCB/DPCC.	Failure to 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 or plastic sheet or multilayered packaging	Producers, importers, Manufacturers, and Brand Owner	50000
10	Rule 10 of PWM CPCB/DPCC.	Failure to comply with Protocols of the Indian Standards.	Manufacturers, producers, importers, distributor, persons	10000
11	Rule 11 (a), (b), (c) and 2 of PWM CPCB/DPCC.	Failure to marking or labelling on each plastic carry bag and multilayered packaging printed in English as per rules	Producers, and manufacturers	10000
12	Rule 13 (1) of PWM Rules CPCB/DPCC.	Failure to registration of manufacture of carry bag or recycle plastic bags or multilayered packaging with DPCC	Producers, recyclers and manufacturers	10000
13	Rule 13 (2) of PWM Rules CPCB/DPCC.	Failure to renewal of registration of manufacture of carry bag or recycle plastic bags or multilayered packaging with DPCC	Producers, recyclers and manufacturers	10000

14	Rule 13 (3) of PWM Rules CPCB/DPCC.	Failure to grant of registration or renewal for recycling of plastic waste with DPCC	Recyclers or processors of plastic waste	10000
15	Rule 13 (4) of PWM Rules CPCB/DPCC.	Failure to grant of registration or renewal for used of plastic as raw material with DPCC	Manufactures and producer	10000
16	Rule 14 (1) of PWM Rules LBs	Failure to provide carry bag or plastic sheet or multilayered packaging with labelled or marked	Retailer or street vendors	1000
17	Rule 14 (2) of PWM Rules LBs	Failure to provide carry bag or plastic sheet or multilayered packaging/covers made of plastic sheets with labelled/marked	Retailer or street vendors	1000
18	Rule 17 of PWM Rules DPCC/LBs	Failure in submitting Annual Reports to the LBOD concerned under intimation to DPCC by 30 th April, of every year	Producers, recyclers and manufacturers	10000
19	MoEF&CC Guidelines	1) Ban on single use plastic products in all Government/ private office, institutions/colleges, universities, schools, cinema halls, malls, hotels, banquet halls, farm houses (conducting social functions), religious/historical/ tourist places, picnic spots, social/ marriage/religious events on public places;	Plastic items such as carry bags <50µm, cups, plates, straw, cutlery, plastic thermocol & disposables pproducts, decorative plastic covers/packaging, plastic sachets used for storing/ packing/selling gutkha, tobacco & pan masala, drinking water sachets (any size) and packed water bottles having capacity 1(ONE) litre, etc.	50000

2) Shop establishments,
open markets, Street
vendors/hawkers, etc.

5000

By Order and in the Name of Lt. Governor of
National Capital Territory of Delhi,

ANIL KUMAR, Dy. Director (LB)

Download Draft Delhi Plastic Waste Management Bye-laws, 2021

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