

Department of Urban Development
Municipal Administration

Notification

10/781/DMA/2018/Bye-laws/CCP/
/Part/F-29/545

In exercise of the powers conferred by sub-section (1) of section 308 of the Goa Municipalities Act, 1968 (Act No 7 of 1969) read with sub-rule (4) of rule 6 of the Plastic Waste Management Rules, 2016, the Government of Goa hereby makes the following model Bye-laws, namely:—

1. *Short title and commencement.*— These bye-laws may be called the Model Goa Municipal Plastic Waste Management Bye-laws, 2022.

2. *Application.*— These Bye-laws shall apply to every waste generator, manufacturer, producer, importer and brand owner operating within the jurisdiction of the council in the State of Goa.

3. *Right to Interpret.*— If any question relating to interpretation of these Bye-laws arises, it shall be referred to the Director whose decision thereon shall be final and binding.

4. *Definitions.*— (1) In these Bye-laws, unless the context otherwise requires,-

(a) “Agency” means any person or entity authorised by the Council to act on its behalf for the purpose of management of plastic waste;

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

(c) “consent” means the consent to establish and operate from the 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);

(d) “facility” means the premises used for collection, storage, recycling, processing and disposal of plastic waste;

(e) “Form” means the form appended to these Bye-laws;

(f) “importer” means a person who imports or intends to import and holds an Importer-Exporter Code number, unless otherwise specifically exempted;

(g) “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, organisation, academy, hotels, restaurants, malls and shopping complexes;

(h) “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;

(i) “Material Recovery Facility” is a facility of the Council or as authorized by the Council and as defined in the Solid Waste (Management and Handling) Rules, 2016;

(j) “multi-layered 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;

(k) “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;

(l) “plastic waste” means any plastic discarded after use or after their intended use is over;

(m) “rule” means the rule of Plastic Waste Management Rules, 2016;

(n) “Recycler” means an agency recycling Plastic Waste in terms of the provisions of the Plastic Waste Management Rules, 2016 and duly registered and having consent of the Goa State Pollution Control Board;

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

(p) “State” means the State of Goa;

(q) “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;

(r) “waste pickers” means individuals or agencies, groups of individuals voluntarily engaged or authorised for picking of recyclable plastic waste;

(2) Words and Expressions used but not defined in these Bye-laws, but defined in the Goa Municipalities Act, 1968 (Act No. 7 of 1969) or the Plastic Waste Management Rules, 2016, shall have the same meanings respectively assigned to them in the said Act and Rules.

5. *Segregation and primary storage of plastic waste.*— (1) Every Waste Generator, Institutional Waste Generator, Owner and Occupier shall segregate the plastic waste at source and store the same in blue coloured container duly covered and hand over the same to the waste picker or the agency as authorized and notified by the Council.

(2) The frequency and time for collection of plastic waste shall be notified by the Council.

(3) The Institutional Waste Generator shall deposit the recyclable plastic waste at the Material Recovery Facility or Agency authorized by the Council as Waste Picker.

(4) No person shall organize any event or gathering, where more than 100 persons are expected, without obtaining prior permission of the Council. All necessary arrangements shall be made by the organiser to ensure that the Plastic Waste is segregated and stored separately in containers of blue colour as specified by the Council. The Plastic Waste shall be handed over to the Council or agency authorized by the Council.

(5) Every Street Vendor shall make necessary arrangement for storage of Plastic Waste in separate closed container of blue colour.

6. *Plastic Waste Collection.*— (1) The Council shall make necessary arrangement for collection of segregated plastic waste at pre informed timings and frequencies.

(2) The Council shall identify and authorize Waste Pickers.

(3) The Waste Pickers are required to obtain necessary permission from the Council for carrying out collection of plastic waste and only those Waste Pickers which are authorized by the Council shall be permitted to collect the Plastic Waste from Waste Generator, Institutional Waste Generator, Owner or Occupier.

(4) The Waste Picker shall file monthly returns of the quantity of Plastic Waste collected along with the name of the Waste Generator/Institutional Waste Generator, Owner and Occupier and the quantity of Plastic Waste collected by him is recycled and disposed.

(5) Any agencies carrying out road construction or energy recovery may collect plastic waste within the jurisdiction of the Council with prior permission of the Council. Such agency shall file monthly returns of quantity of Plastic Waste collected along with the name of the Waste Generators, Institutional Waste Generator, Owner and

Occupier and quantity collected by him is disposed.

(6) Recycler himself or through his agency may collect plastic waste from Waste Generators within the Jurisdiction of the Council with prior permission of the Council and shall file monthly returns of the Plastic Waste collected along with the name of the Waste generator, Institutional Waste Generator, Owner and Occupier and quantity of Plastic Waste collected by him is recycled.

7. *Transportation.*— The Plastic Waste shall be transported only in covered trucks, containers or compactors and it shall be ensured that the plastic waste is not mixed or spilled during transportation.

8. *Processing and disposal of plastic waste.*— (1) The Council shall establish and operate a Material Recovery Facility for sorting of recyclable and non-recyclable plastic waste generated within its jurisdiction on its own or through its authorized agency or through a brand owner/producer or manufacturer.

(2) The non-recyclable Plastic Waste shall be baled and transported to Cement Plants or provided to the Energy Plant or to the agency carrying out road construction.

(3) The recyclable portion of plastic waste obtained by sorting shall be sent to recyclers who are registered and having consent of the Goa State Pollution Control Board, within the State and in case where such registered recyclers are not available then it may be transported to the registered recyclers outside the State.

9. *Registration of Producers, Manufacturers Importers and Brand Owners.*— Every producer, manufacturer, importer and brand owner dealing with or using plastic materials or multilayered packaging material shall obtain consent from the Goa State Pollution Control Board.

10. *Registration of Waste Pickers and Recyclers.*— (1) The Council shall register individual Waste Pickers with assistance of

the local NGOs and provide identity cards to such Waste Pickers.

(2) The Council shall encourage the individual Waste Pickers to also collect Non-recyclable Plastic Waste and deposit the same at the Material Recovery Facility of the Council and also provide adequate incentives to them.

(3) The Council shall register agencies who are operating within the jurisdiction of the Council and willing to pick plastic waste after duly verifying the area and facilities available and their registration with the Goa State Pollution Control Board. The application for registration as a agency for Plastic Waste collection, transportation, storage, sorting and baling etc, shall be made in Form-I hereto.

11. *Awareness for Minimisation and Segregation of Plastic Waste.*— (1) The Council shall carry out awareness campaign through electronic, print and social media for minimisation of single use plastic as well as other plastic and also for segregation of Plastic Waste at source.

(2) The Brand Owners, Manufacturers and Producers shall also create awareness for minimisation of single use plastic and other plastic through various mediums.

(3) Awareness and sensitization at hotspots of plastic usage such as tourist spots, religious spots, beaches, markets etc. shall be carried out by the Council or through brand owners producers and manufacturers.

(4) The Council shall promote use of alternate material.

12. *Use of Single Use Plastic.*— (1) The Council shall discourage use of Single Use Plastic.

(2) The Council shall implement the notifications as issued from time to time by the Ministry of Environment, Forest and Climate Change in respect of the Single Use

Plastic including the time lines specified therein for prohibition as well as thickness of material of Single Use Plastic.

13. *User charges for collection, transportation, processing and disposal of plastic waste.*—

(1) The user charges to be collected by the Council for collection, transportation, processing and disposal of plastic waste under these Bye-laws shall be at the rate of fifteen percent of the user charges as specified in the Table of clause (17) of Bye-laws of the Model Municipal Solid Waste (Management and Handling) Bye-laws, 2020.

(2) Such charges may be collected by the Council also by online mode of payment.

14. *Fines.*— (1) Whosoever contravenes the provisions of the Rules or these Bye-laws shall be liable to pay fine as specified in Scheduled-I appended to these Bye-laws.

(2) Such fines shall be collected by the officer of the Council as may be authorized by the Council in that behalf.

By order and in the name of the Governor of Goa.

Gurudas P. Pilarnekar, Director of Urban Development/Municipal Administration & ex officio Addl. Secretary.

Panaji, 11th May, 2022.

Schedule-I

Sr. No.	Rule Bye-law	Details of Contravention	Fine/Penalty		
			For 1st Contravention (in Rs)	For 2nd Contravention (in Rs)	For Every subsequent Contravention (in Rs)
1.	Bye-law No. 5	Disregarding the provisions of the Bye-laws relating to Segregation, Storage and collection of plastic waste.			
		(a) Residential Units (Individual households)	200	300	500
		(b) Multistoried Buildings/Apartments	500	1000	1500
		(c) Hotels and Restaurants	1000	1500	2000
		(d) Shops	500	750	1000
		(e) Offices	250	500	700
		(f) Bus Terminals	700	1000	2000
		(g) Street Vendors/Hawkers	200	400	700
		(h) Slaughter Houses/Meat/Chicken Stalls	500	1000	2000
		(i) Hospitals	500	750	1000
		(j) Educational Institutions	200	300	500
		(k) Canteens	300	500	750
		(l) Organizers of exhibitions/fairs	500	1000	2000
		(m) Marriage Halls/Community Halls	1000	2000	3000
		(n) Other Commercial Establishments	500	750	1000
2.	Bye-law No.13	Non-Payment of applicable User charges	500	1000	1500
3.	Bye-law	Spillage of plastic waste during	500	1000	1500

No. 7	transportation by waste pickers or Recyclers			
4. Rule No. 8(1)(b)	Dumping or Littering of waste in and around,-			
	A) Open/vacant land, gardens, play grounds, Public streets, play grounds, Public streets, play grounds, Public streets, roads, side walk, traffic islands, in a dustbin/vehicle not intended for the removal of the same, from moving/parked vehicles			
	B) Water body and/or on the bank of water body			
	(i) Individuals	250	500	1000
	(ii) Residents	250	500	1000
	(iii) All Commercial Establishments	500	1000	2000
	(iv) Vehicles	2000	3000	5000
5. Rule No.4 (1)	Failure of manufactures, producers, importers and distributors to follow the conditions specified in sub-rule (1) of rule 4.	50000	100000	300000
6. Rule 9	Failure of manufactures, producers, importers and brand owners to follow the conditions specified in rule 9	50000	100000	300000
7. Bye-law No. 8	Disposing of plastic waste in ways other than mentioned in the Bye-Laws			
	(a) Individual	500	1000	1500
	(b) Commercial Establishment	1000	1500	2000
8. Rule 14(2)	Using or providing commodities in plastic carry bags, multilayered packaging, plastic sheets or cover made of plastic sheets by retailers, street vendors in violation of rule 14(2)			
	(a) Individual	2500	3500	5000
	(b) Commercial Establishment	10000	20000	50000
9. Rule 13	Failure of manufacturers, producers, importers and brand owners to comply with rule 13	50000	100000	300000
10. Rule 4(2)	Manufacture, import, stocking, distribution, sale and use of single use plastic.	50000	100000	300000
11. Rule 11(1)	Failure of the manufacturer to follow the conditions	50000	100000	300000
12. Rule 6(g)	Open burning or burying of plastic waste			
	(a) Simple burning/burying	5000	10000	10000
	(b) Bulk burning/burying	25000	50000	50000

Form I

[See Bye-Laws 10 (3)]

Form- I – Format for registration of informal waste collection units/scrap Dealers

Name:

Name of the Owner/of the shop:

Address:

Contact No :

Type of legal entity : company Limited Firm proprietor other(mention) : Scrap dealer

GST No. :

Registration No. :

Property Tax No.:

PAN No.:

Types of waste collected :

Plastic types: Grade 1, 2, 3, 4, 5, 6, 7 :

Plastic is sold to: Wholesaler Recycler Retailer
 Dealer Other (mention) :

Signature of Authorized person

The Council is not liable for any legal status of the unit 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 jurisdiction of Council.

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