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**Administration of Dadra and Nagar Haveli and Daman &
Diu Union Territory.
Daman Municipal Council
Notification**

No.DMN/DMC/BYE LAWS/02/2021

Draft Amendment in Solid Waste (Handling and Management) bye-law, 2018

A bye-law to further amend Daman **Solid Waste (Handling and Management) bye-law, 2018**, as per the mandate of Plastic Waste management rules 2016,

WHEREAS, concerns about usage and disposal of plastic are diverse and include accumulation of plastic waste in landfills, water bodies and in natural habitats, physical problems for wild and domestic animals resulting from ingestion or entanglement in plastic, the leaching of chemicals from plastic products and the potential for plastics to transfer chemicals to wildlife, domestic animals and humans, are increasing.

AND WHEREAS, because of non-biodegradable plastic waste, handling of municipal solid waste becomes difficult and incurs more financial burden and also burning such waste in the open environment causes various diseases in humans and animals.

AND WHEREAS, it is observed that non-biodegradable garbage is responsible for clogging drains and nallas causing flood-like situation in urban settlement leading to loss of lives and damage to properties and infrastructure.

AND WHEREAS, plastic waste and microplastic cause danger to marine and freshwater biodiversity and also hamper ecosystem services due to spreading of such waste in and around ecosystems, on tourists places, beaches, and agriculture and forest areas.

AND WHEREAS, non-biodegradable plastic waste and microplastic are having negative impacts on fish diversity and fisheries activity.

AND WHEREAS, non-biodegradable waste is posing problems in effective implementation of Swachh Bharat Mission.

AND WHEREAS, Plastic Waste Management Rules, 2016 impose a duty upon the local body to enact bye-laws for the implementation of these rule.

With the previous sanction of the appropriate authority, Daman Municipal Council proposes to make following bye-laws in the exercise of the powers conferred by the Sub- Sections (1) and (2) of Section 301 read with Section 221, 223 of the Daman Municipal Council Regulation, 2004. These draft bye-laws are hereby published, as required by clause (b) of Sub-Section (3) of Section 301 of the said Regulation and notice is hereby given that the draft of the said Bye-Laws will be taken into consideration on the expiry of a period of 15 days from the date of publication of this notification.

Any person who intends to make any objection or suggestion regarding these draft Bye- Laws may send the same to the Chief Officer, Daman Municipal Council, Daman, Union Territory within the period specified above.

Any objections or suggestions, which may be received by the Chief Officer, Daman Municipal Council, Daman within the aforesaid period, shall be considered by the Council.

Draft amendment in Solid Waste (Handling and Management) Bye-Laws

1. Short title and Commencement:- 1.1 These Bye-Laws may be called the Daman Municipal Council **Solid Waste (Handling and Management) (Amendment) Bye-Laws, 2019.**

1.2 They shall come in to force from the date of their publication in the Official Gazette.

1.3 They shall remain in force unless amended as per Daman Municipal Council Regulation, 2004.

2. After bye-law 2(two), the following additional paragraph shall be added.

“These bye-laws are also applicable to every person, body of person, government and non-government organization, educational institution, sport complex, clubs, cinema halls and theaters, marriage/celebration halls, industrial units, commercial institutions, offices, pilgrimage organisers, pilgrimages and religious places, hotels, dhabas, shopkeepers, malls, vendors or sellers, traders, manufacturers, caterer, wholesalers, retailers, stockiest, businessmen, hawkers, salesmen, transporters, market, producers, stalls, tourist places, forest & reserved forest, eco-sensitive areas, all sea beaches, all public places, bus stands, railway stations in Daman Municipal Council’s area.”

3. In the said bye-laws, in bye-law 3(three) after clause 3.102, the following clauses shall be inserted:-

3.103 **“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.

3.104 **“Commodities made from Thermocol”** means any commodity or Product made from Thermocol.

3.105 **“Commodity”** means tangible items that may be brought or sold and includes all marketable goods or wares.

3.106 **“Compostable Plastic”** means 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 environmental Petro-based plastic, and does not leave visible, distinguishable or toxic residue, and which shall conform to the Indian Standard: IS 17088:2008 titled as Specifications for Compostable Plastics, as amended from time to time.

3.107 **“energy recovery”** means energy recovery from waste that is conversion of waste material into usable heat electricity or fuel through a variety of