

(64)

30

5. STE-F (4)-2/2008-II

Dated: Shimla-2,

19th March, 2011

NOTIFICATION

Whereas use of coloured polythene carry bags made out of re-cycled plastic was banned in Himachal Pradesh with effect from 1.1.1999 vide Notification No. EDN(S&T)A(3)5/98 dated 26.11.1998 and further the State Government vide Notification No. STE-A(3)-4/2003 dated 4.6.2004 imposed restrictions on use of carry bags made of non-biodegradable material listed in the schedule to H.P. Non-Biodegradable Garbage (Control) Act, 1995, having thickness less than 70 microns and size less than 12"x18".

And whereas above Notification dated 4.6.2004 was superseded by issuance of Notifications No. STE-F (4)-2/2008 dated 07.07.2009 & 13.08.2009, banning use of plastic carry bags (irrespective of its size and thickness) and littering of non-biodegradable wastes and also authorizing officers of different departments for entry and inspection under section-7 (A) and to compound any offence punishable under the H.P. Non-Biodegradable Garbage (Control) Act, 1995 in contravention of the ban aforesaid.

And whereas to have a wider impact and to accelerate the progress in controlling the littering of non-biodegradable waste and use of plastic carry bags in compliance to imposition of ban, more officers have been authorized for effective implementation of entry and inspection vide Notification No. STE-F (4)-2/2008-I dated 20.08.2010, Notification No. STE-F(4)-2/2008-II dated 04.11.2010 and 22.12.2010.

And whereas, the enforcement of ban on disposable cups, plates and glasses was deferred for the time being vide this department Notification No. STE-F(4)-2/2008 dated 13.8.2009 and now it has been realized that these plastic items are main cause of littering and degrading pristine Himalayan environment.

Now, therefore, the Governor, Himachal Pradesh, in exercise of powers conferred upon her under sub section (1) of section 3-A of the H.P. Non- biodegradable Garbage (Control) Act, 1995 is pleased to order that no person or institution/ commercial establishment, including shopkeepers, vendors, wholesalers, retailers, hawkers, rehriwala etc. shall use and trade in plastic items such as disposable plastic cups, plates and glasses which are made of non-biodegradable material as listed in the schedule to the H.P. Non- biodegradable Garbage (Control) Act, 1995.

Any person, institution/ commercial establishment (educational institutions, offices, hotels, shops, restaurants, sweetshops, dhabas, temple complexes, industrial establishments, banquet halls etc.) causing breach of the aforesaid prohibition shall be liable for the penalties as per the provisions contained in the act ibid.

The Governor, Himachal Pradesh, is further pleased to order that the officers/ officials already authorized vide notifications referred to above for entry and inspection under Section 7(A) and to compound any offence as per provision of Section 11 of the Act ibid. While compounding the offences committed under the Act ibid the authorized officer shall specify the sum for compounding as per the following criteria:-

Sr. No. (A)	Quantity of prohibited variety of plastic items	Amount in ₹
1.	Upto 100 gms.	500/-
2.	101-500 gms.	1500/-
3.	501 gms.-1 kg.	3000/-
4.	Above 1 kg. to 5 kg.	10,000/-
5.	Above 5 kg. to 10 kg.	20,000/-
6.	More than 10 kg.	25,000/-
(B)	Littering of non-biodegradable waste by any institution/ commercial establishment (educational institutions, offices, hotels, shops, restaurants, sweetshops, dhabas, temple complexes, industrial establishments, banquet halls etc.) within its premises and on roads, streets, hill slopes, drains, forest areas, public parks, all public places etc.	5000/-
(C)	Littering of non-biodegradable waste by individuals in the premises of any private or commercial establishments like educational institutions, offices, hotels, shops, restaurants, sweetshops, dhabas, temple complexes, industrial establishments, banquet halls etc. and on roads, streets, hill slopes, drains, forest areas, public parks, all public places etc.	1000/-

It is hereby ordered that aforesaid restriction shall come into force with effect from 15th August, 2011 in the entire State of Himachal Pradesh in the public interest.

By Order,

(Sarojini Ganju Thakur)
Addl. Chief Secretary (Env. S&T) to the
Government of Himachal Pradesh.

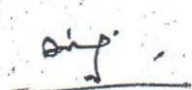
Endst. No. : As above.

Dated: Shimla-2,

(15) (31)
19.03.2011

Copy forwarded for information and necessary action to:

1. The Secretary to the Governor, Himachal Pradesh, Shimla-2.
2. The Pr. Secretary to the Chief Minister, Himachal Pradesh, Shimla-2.
3. The Private Secretaries to the Cabinet /State Ministers Government of H.P.
4. The Private Secretary to the Chief Secretary to the Govt. of H.P.
5. All the Administrative Secretaries to the Government of Himachal Pradesh.
6. All Heads of Departments in H.P.
7. All the Deputy Commissioners in HP.
8. Director, Environment, Science & Technology, H.P. Narayan-Villa, Shimla-2.
9. Member Secretary, H.P. State Pollution Control Board, Him Parivesh Phase -III, New Shimla-9
10. Member Secretary, H.P. State Council for Science, Technology and Environment, Block No. 34 SDA Complex, Kasumpti, Shimla-9.
11. The Controller Printing and Stationery, Himachal Pradesh Government Press, Shimla-5 for publication in the Rajpatra.
12. Guard File


Joint Secretary (Env. & ST) to the
Government of Himachal Pradesh