

[Authoritative English Text of the Department Notification No. STE F (9)-1/2018 dated.....
2019 as required under clause (3) of Article 348 of the Constitution of India)

Government of Himachal Pradesh
Department of Environment, Science & Technology

No. STE-F(9)-1/2018 Dated: Shimla-2

20-09-2019.

NOTIFICATION

WHEREAS, the Governor of Himachal Pradesh vide Department's Notification No. STE-F(4)-2/2008, dated the 7th July, 2009, Notification No. STE-F(4)-2/2008-II, dated the 19th March, 2011, STE-F(9)-1/ 2018 dated 06-07-2018 and Notification of No. STE-F(9)-1/ 2018 dated 31-08-2018 imposed ban on use of plastic carry-bags (irrespective of their sizes and thickness) and plastic and thermocol items having one time use such as disposable plastic cups, glasses and plates which are made up of non-biodegradable material as listed in the Schedule appended to the Himachal Pradesh Non-Biodegradable Garbage (Control) Act, 1995 and littering of non-biodegradable waste in the State with an objective to improve plastic waste management system, under Himachal Pradesh Non-Biodegradable Garbage (Control) Act, 1995

ANDWHEREAS, despite above ban it has come to the notice of the Government that some more plastic items having one time use such as spoons, bowls, katoris, stirring sticks, forks, knives, straws made of plastic and item made of plastic used for serving and consuming food (one time use plastic) are still in use and are causing environmental pollution and leading to indiscriminate littering. Therefore, State Government has not achieved the expected results;

NOW THEREFORE, the Governor, Himachal Pradesh, in continuation of the Notifications No. STE-F (4)-2/2008 dated 7th July, 2009, 13th August, 2009, No. STE-F(4)-2/2008-II dated 19th March 2011, No. STE-F(9)-1/ 2018 dated 06-07-2018 & 31-08-2018 and in exercise of the powers conferred under Sub-Section (1) of Section 3-A of the Non-Biodegradable Garbage (Control) Act, 1995, is pleased to issue directions that no person including shopkeepers, vendors, wholesalers, retailers, hawkers, rehariwala, etc. shall sell and use any form of one time use "Plastic Cutlery" used for serving and consuming food such as spoons, bowls, katoris, stirring sticks, forks, knives, straws made of plastic and any other cutlery item made of plastic/ manufactured from the material as listed in the Schedule appended to the Himachal Pradesh Non-Biodegradable Garbage (Control) Act, 1995;



Any person, institution/ commercial establishment (educational institutions, offices, hotels, shops, restaurants, sweetshops, dhabas, religious institutions, 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 accord approval that all Manufacturers of "Plastic Cutlery" including above materials in Himachal Pradesh may be allowed to continue the manufacturing of the Plastic Cutlery including above materials in their already established Units with the condition of its sale outside the State of Himachal Pradesh;

The Governor, Himachal Pradesh is further pleased to order that the officers/ officials already authorized vide notification No. STE-F(4)-2/2008 dated 07.07.2009, No. STE-F(4)-2/2008-I dated 20.08.2010, No. STE-F(4)-2/2008-II dated 04.11.2010 & No. STE-F(4)-2/2008-II dated 15.03.2011 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*, shall specify the sum for compounding as per the following criteria;

Sr. No	Quantity of prohibited plastic items i.e. One time use Plastic Cutlery	Amount (Rs.)
1.	Upto 100 gms	500/-
2.	101-500 gms	1500/-
3.	501 gms -1.00 kg	3000/-
4.	Above 1 kg to 5 kgs	10,000/-
5.	Above 5 kgs to 10 kgs	20,000/-
6.	More than 10 kgs	25,000/-
(B)	Littering of one time use plastic cutlery by any institution/ commercial establishment (educational institutions, offices, hotels, shops, restaurants, sweetshops, dhabas, temple complex's, industrial establishment, 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 one time use plastic cutlery by individuals in the premises of any private or commercial establishments (educational institutions, offices, hotels, shops, restaurants, sweetshops, dhabas, temple complex's industrial establishments, banquet halls etc.) within its premises and on roads, streets, hill slopes, drain, forests area, public parks, all public places etc.	1000/-

The ban on one time use plastic cutlery including above materials will be made effective after 3 months of date of publication of this notification in the Rajpatra (e-Gazette), Himachal Pradesh in the entire State of Himachal Pradesh in the public interest, so that the individuals, stockiest, shopkeepers may dispose off their stocks and no financial loss is caused to them.

By Order,

R.D. Dhiman
Addl. Chief Secretary (Env. &ST) to the
Government of Himachal Pradesh

Endst. No. : STE-F(9)-1/2018 Dated: Shimla-2,

20-9-2019

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 Himachal Pradesh.
4. The Private Secretaries to the Chief Secretary to the Govt. of Himachal Pradesh.
5. All the Administrative Secretaries to the Government of Himachal Pradesh.
6. All Heads of Department of Himachal Pradesh.
7. All the Deputy Commissioner of Himachal Pradesh.
8. All the Divisional Commissioner of Himachal Pradesh.
9. The Director (Environment, Science & Technology), Paryavarn Bhawan, Near U.S. Club Shimla-1.
10. The Member Secretary, H.P. State Council for Science, Technology and Environment (HIMCOSTE), Block No. 34, SDA Complex, Kasumpti, Shimla-9.
11. The Member Secretary, H.P. State Pollution Control Board, Phase-III, New Shimla-9.
12. The, Controller, Printing & Stationary, H.P. Government Press, Shimla-5 for publication in the Rajpatra.
13. Guard file.


(Sat Pal Dhimān)

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