

**HARYANA GOVERNMENT**  
ENVIRONMENT DEPARTMENT

**Notification**

The 3<sup>rd</sup> January, 2011

No.16/52/2007-3 E-Whereas, the Ministry of Environment and Forests, Government of India, in exercise of the powers conferred by clause (viii) of sub – section (2) of section 3 read with section 25 of the Environment (Protection) Act, 1986 (29 of 1986), notified the Plastics Manufacture, Sale and Usage Rules, 1999, and amended it vide notification No. S.O 698 (E), dated the 17<sup>th</sup> June, 2003;

And whereas, article 48-A of the Constitution of India interalia envisages that the State shall endeavour to protect the environment;

And whereas, the Haryana Government after considering the adverse effects of plastic carry bags on the environment and local ecology, felt that plastic carry bags are littered about irresponsibly and have detrimental effect on the environment;

And whereas, it is observed that the plastic carry bags also cause blockage of gutters, sewerage system and drains thereby resulting in serious environmental problems;

And whereas, clause (a) of sub rule (3) of rule 4 of the Environment (Protection) Rules, 1986, provides that a person, officer or authority to whom any direction is sought to be issued shall be served with a copy of the proposed direction and shall be given an opportunity of not less than fifteen days from the date of service of a notice to file with the objections, if any, to the issue of the proposed directions.

Now, therefore, in exercise of the powers delegated under section 5 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 4 of the Environment (Protection) Rules, 1986, notification S.O.152 (E), dated the 10<sup>th</sup> February, 1988 and in super session of Haryana Government, Environment Department notification no. SO.33/CA29/1986/Ss.3 and 25/2010 dated 3 February, 2010, and with reference to Haryana Government, Environment Department Notification No.15/52/2007-3E, dated the 12<sup>th</sup> November, 2010, the Governor of Haryana hereby issues following directions, namely:-

**Directions:**

**1. Prohibition/Restriction on manufacture, sale, distribution and use of virgin and recycled plastic carry bags and recycled plastic containers.**

- (a) No person shall manufacture, stock, distribute, recycle, sell or use carry bags made of virgin or recycled plastic carry bags in the State. Further, in the following areas having special historical, religious and ecological significance, use of all types of plastic articles such as plates, cups, tumblers, spoons, forks and straw shall also be banned:-
- (i) Municipal limits of Thanesar/Kurukshetra and Pehowa towns, precincts of Mansa Devi Temple, Panchkula and Sheetla Mata Temple, Gurgaon and Public Parks.
- (ii) Wild Life Sanctuaries and National Parks of Haryana; and
- (iii) Gram Panchayat, Morni.
- (b) No person shall use containers made of recycled plastics for storing, carrying, dispensing or packing of foodstuffs.
- (c) Conditions of manufacture of containers made of plastics subject to the provisions of clause (a) above, any person may manufacture containers made of plastics, if the following conditions are satisfied, namely : -
- (i) Containers made of virgin plastic shall be in natural shade or white;
- (ii) Containers made of recycled plastic and used for purposes other than storing and packing foodstuffs, shall be manufactured using pigments and colourants as per IS: 9833 : 1981 entitled "List of pigments and colourants" for use in plastics in contact with foodstuffs, pharmaceuticals and drinking water.
- (d) Recycling - Recycling of plastic except carry bags shall be undertaken strictly in accordance with the Bureau of Indian Standards specification; IS 14534 : 1998 entitled "The Guidelines for Recycling of Plastics".
- (e) Marking/Codification - Manufacturers of recycled plastic containers, having printing facilities, shall code/mark containers as per IS 14534: 1998 entitled "The Guidelines for Recycling of Plastics" and the end product made out of recycled plastics shall be marked as "Recycled".
- (f) Littering of plastic articles such as plates, cups, tumblers, spoons, forks and straw at public places such as parks, playgrounds,

recreational places, tourist centres, religious places etc., shall not be permitted.

## **2. Prescribed Authority**

- (a) The Haryana State Pollution Control Board shall be the Prescribed authority for enforcement of the provisions of these directions relating to manufacture and recycling of plastics namely 1 (a), (c),(d),(e) and (f) above.
- (b) The Municipal Commissioner/Chief Executive Officer of concerned Municipal Corporation/Municipality, shall be the prescribed authority for enforcement of the provisions of these directions for the use, collection, segregation, transportation and disposal of plastic carry bags and containers with particular reference to (1) (a), (b) and (f) above.
- (c) The Divisional Forest Officer shall be the prescribed authority for enforcement of the provisions of these directions in National Parks, Wild Life Sanctuaries etc. in the State of Haryana.
- (d) Further following officers are also made prescribed authority for enforcement of the provisions of these directions in their respective jurisdiction:-

District Magistrate  
Additional District Magistrate  
District Development and Panchayat Officer  
Sub-Divisional Magistrate  
City Magistrate  
Executive Engineer, Public Health Engineering Department  
District Food and Supplies Controller  
District Town Planner, Town and Country Planning Department  
Estate Officer, Haryana Urban Development Authority  
Block Development and Panchayat Officer  
Tehsildar and Naib Tehsildar, Revenue Department  
Scientist-B, Haryana State Pollution Control Board  
Assistant Environmental Engineer, Haryana State Pollution Control Board  
Executive Officer/Secretary, Municipal Council/Committee

## **3. Self Regulation**

- (a) Without prejudice to the provisions contained in paras 1 and 2 above, the Plastic Industry Associations, through their member units, shall undertake self-regulatory measures.
- (b) Religious worship places, health care centres, hotels/restaurants, educational institutions and other concerned agencies shall ensure strict implementation of the ban on the use of carry bags.
- (c) The Municipal Corporations and other concerned agencies shall ensure necessary measures to create wide publicity of the impacts of using plastic carry bags and littering of public places which adversely affect the environment and

health of human beings, and also the penalty provisions of these rules, through cinema exhibit slides, electronic/print media etc.

#### **4. Levy of Penalties**

The following penalties shall be levied by the prescribed authority

- (a) The manufacturing units, found to be violating these directions, shall be fined with such fine which shall not be less than Rs. 25,000 and which may extend upto Rs. 50,000 for first offence and the license/consent of the unit shall be cancelled for the subsequent offence in addition to confiscating the machinery/material used for the manufacture.
- (b) The retailers, vendors and other establishments found to be violating these directions, shall be fined with such fine which shall not be less than Rs. 2,500 and which may extend upto Rs. 5,000 for the first offence and the trade license of the violator shall be cancelled for the subsequent offence, under relevant municipal laws and Shops and Establishments Act by the municipal authority.
- (c) The individuals found using cups, plates, tumblers, plastic carry bags or found littering of plastic carry bags or articles such as cups, plates, tumblers in public places shall be fined with such fine which shall not be less than Rs. 250 and which may extend upto Rs. 500 per offence.

P. Raghavendra Rao,  
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Government, Haryana, Environment Department