

Government Notification on use of carry bags

Forest and Environment Department

ORDER

The 20th January 2004

No.1321-Env.-I-73/2003(Pt.)/F.&E.-Whereas Plastics are non-biodegradable and are a serious threat to the ecology;

And Whereas, the State Govt. having considered all the pros and cons of the scenario decided to issue directions to ban the use of polythene carrybags in the state;

And whereas, a notice was published as required under sub-rule (3-A) of rule 4 of the Environment (Protection) Rules, 1986 inviting objections or suggestions from all persons likely to be affected by the said directions;

And whereas, no objection was received in connection with the said direction and one suggestion received has been duly considered;

Now therefore, in exercise of the powers conferred by section 5 of the environment (Protection) Act. 1986 (29 of 1986), read with notification of Government of India in the ministry of Environment & Forests (Department of Environment, Forests and wildlife) No. SO-152 (E), dated the 10th February 1988 and Rule 4 of the Environment (Protection) Rules, 1986, the state Govt. do hereby issue the following directions: -

Direction

1. No person shall-

(a) sell, import or store non-biodegradable polythene carry bag (Less than 20 micron thick) in the state of Orissa.

(b)being a vendor, use such polythene carry bag for storing, carrying, dispensing or packaging of any article or commodity or

(c) Litter any public place with polythene carry bags.

NOTE-The expression 'vendor' shall mean any person who sells articles or commodities packed or stored in polythene carry bags.

2.The authorities or owners of places of religious worship or institutions, hotels and restaurants and other agencies shall ensure strict compliance with the aforesaid directions.

3. The municipal authorities and other concerned agencies shall take necessary measures to cause wide publicity of the impact of polythene carry bags and their littering at public places on environment and health and the penalty provisions of the said act and Rules through Press and other media. They shall display signboards at appropriate places regarding prohibition of polythene carry bags as specified under item 1 above.

4. The owners/proprietors of Cinema halls and local TV channels shall also exhibit slides regarding the restriction of polythene use in the State for a period of six months from the date of issue of this order.

5. The State Pollution Control Board shall make necessary public awareness campaign in different places of the State through Non-Government organizations and educational institutions.

6. This order shall take effect from the 26th January 2004.

By order of the Governer
G. B. Mukherji
Principal Secretary to Government

FAX : 2560955
Tel: 2560368, 2560973
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STATE POLLUTION CONTROL BOARD, ORISSA
[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ORISSA]
Paribesh Bhawan, A/118, Nilakanthanagar, Unit - VIII, Bhubaneswar - 751 012, INDIA

No. 23276, VII-L-Misc.-169

Date. 23/9/06

ORDER

WHEREAS, the State Pollution Control Board, Orissa has been entrusted to maintain the wholesomeness of Water in terms of the Water (Prevention & Control of Pollution) Act, 1974 and to prevent, control and abate the air pollution in terms of the Air (Prevention & Control of Pollution) Act, 1981;

AND WHEREAS, it has been observed that Water courses, drains as well as tourist places and other areas in the State of Orissa have been polluted, owing to the accumulation of garbage containing huge quantities of plastic carry bags, causing serious environmental degradation of Water courses;

AND WHEREAS, it has been observed that such garbage containing plastic carry bags is disposed of by way of burning, thereby causing serious air pollution;

AND WHEREAS, the State Govt. in the Forest & Environment Deptt. vide Order No Env.-I-73/2003 (Pt) 4641 F&E dtd.20.03.2006, published in Orissa Gazette No.456 dtd.30.03.2006, has brought in amendment to the notification No.1321 -F&E dtd.20.01.2004 issued by the Forest & Environment Deptt., by way of empowering the DFOs and ACFs to enforce the ban of polythene Bags under twenty Microns thickness in their respective jurisdiction with necessary assistance from concerned District magistrate and Collector as well as to make requisition for services of Executive magistrate if required for seizure of Carry Bags below 20 Microns:

Contd. - f/2-

AND WHEREAS, pursuant to the above the State Pollution Control Board, Orissa, in exercise of the powers conferred by Sub Section-3B of Section-12 of the Water (Prevention & Control of Pollution) Act,1974 and Section-15 of the Air (Prevention & Control of Pollution) Act,1981, has decided to appoint the Divisional Forest Officers (DFOs) and Asst. Conservator of Forests (ACFs) in the Department of Forest in the State of Orissa to Act as Ex-Officio Environment Officers of the State Pollution Control Board, Orissa within their jurisdiction to enforce the prohibition on the manufacture, entry, storage, sale, use of polythene carry bags of less than twenty microns for the protection of environment in the State of Orissa;

NOW THEREFORE, with the approval of the Govt. in the Forest & Environment Deptt. the Divisional Forest Officers and the Assistant Conservators of Forests in the State of Orissa are hereby declared and appointed as Ex-Officio Environment Officers of the State Pollution Control Board, Orissa in order to enable them to take necessary action, within their respective jurisdiction to prevent and control the menace of polythene carry bags of less than twenty microns by way of prohibition of sale, import ,storage, use and littering of non-biodegradable polythene carry bags of less than twenty micron thickness;

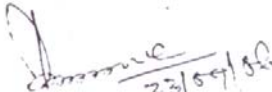
AND in exercise of the powers conferred by Sub Section-(3B) of Section-12 of Water (Prevention & Control of Pollution) Act,1974 and in exercise the powers conferred by Section-15 of the Air (Prevention & Control of Pollution) Act,1981, the State Pollution Control Board, Orissa delegates its powers and functions under Section-20,23 of the Water (Prevention & Control of Pollution) Act,1974 and under Section-24 and 25 of the

Contd: P/3-

Air (Prevention & Control of Pollution) Act, 1981, as amended from time to time, to the Divisional Forest Officers and Assistant Conservator of Forests in the State of Orissa for the purpose of enforcing the ban on polythene bags less than twenty micron thickness in their respective jurisdictions for the protection of environment in the State;

This order will take immediate effect.

By Order


23/09/02
MEMBER SECRETARY

Memo No. 23977 (26) Dtd. 23-9-02

Copy forwarded for information and necessary action to:

- 1) Principal, Chief Conservator of Forest, Orissa
- 2) Principal Chief Conservator of Forest (Wild Life), Orissa
- 3) Director, Env. -Cum- Special Secretary to Govt. Forest & Env. Deptt.,
- 4) Special Secretary, Forest & Env. Deptt., Govt. of Orissa.
- 5) All Conservators of Forest
- 6) All Divisional Forest Officers.
- 7) All Asst. Conservator of Forest.
- 8) All Revenue Divisional Commissioners.
- 9) All Collectors.
- 10) Senior Env. Engineer, S.P.C.B.
- 11) Senior Env. Scientist-I&II, S.P.C.B.
- 12) Administrative Officer, SPCB.
- 13) All Env. Engineers, S.P.C.B.
- 14) All Env. Scientists, S.P.C.B.
- 15) All Regional Officers, S.P.C.B.
- 16) Law Officer, S.P.C.B.


23/09/02
MEMBER SECRETARY

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FOREST & ENVIRONMENT DEPARTMENT

ORDER

The 20th March 2006

No. 4641—Env.-I-73/2003(Pt.)-F. & E.—In exercise of the powers conferred by Section 5 of the Environment (Protection) Act, 1986 (29 of 1986), read with notification of the Government of India in the Ministry of Environment and Forests (Department of Environment, Forests and Wildlife) No. SO-152(E), dated the 10th February 1988 and Rule 4 of the Environment (Protection) Rules, 1986, the State Government do hereby direct that following amendments shall be made in the notification of the Government of Orissa in the Forest and Environment Department No. 1321-F.&E., dated the 20th January 2004, namely—

AMENDMENT

In the said notification after paragraph 5, the following paragraph shall be inserted at the end.

“5A. The Divisional Forest Officers (DFOs./Assistant Conservator of Forests (ACFs.) shall enforce the ban on polythene bags under 20 (twenty) microns thickness in their respective jurisdiction with necessary assistance from concerned District Magistrate and Collectors. They shall make requisition for services of Executive Magistrates, if required for seizure of carry bags below 20 (twenty) microns”.

By order of the Governor

S. P. NANDA

Principal Secretary to Government

FORM - I

[See rules 10(1) and 10(4)]

**APPLICATION FOR REGISTRATION OF A UNIT FOR MANUFACTURE OF
PLASTIC CARRY BAGS AND CONTAINERS**

From:

.....

.....

..... (Name and full address of the occupier)

To

The Member Secretary,

..... Pollution Control Board/Pollution Control Committee

.....

.....

Sir,

I/We hereby apply for registration under rule 10 of the Plastics Manufacture, Sale and Usage Rules, 1999.

PART – A

GENERAL

1.(a) Name of the unit and location of activity

(b) Address of the unit

(c) Registration required for manufacturing of :

(i) Carry bag virgin

(ii) Carry bag recycled

(iii) Containers virgin

(iv) Container recycled

(d) Manufacturing capacity

(e) In case of renewal of Registration previous Registration number and date :

2. (a) Is the unit registered with DCSSI or Department of Industries of the State Government/Union Territory Administration?

(b) If yes, attach a copy.
3. (a) Total capital invested on the project

(b) Year of commencement of production
- 4 (a) List and quantum of products and by-products

(b) List and quantum of raw materials used
- 5 Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated including for captive power generation and de-mineralized water
- 6 Minimum sizes of carry bags to be manufactured. (in any case it should not be less than 8" x 12")
7. Status of compliance with rules 5,6,7 and 8

PART – B

PERTAINING TO LIQUID EFFLUENT AND GASEOUS EMISSIONS

8. (a) Does the unit have a valid consent under the Water (Prevention and control of Pollution) Act, 1974 (6 of 1974)

If yes, attach a copy

(b) Does the unit have a valid consent under the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981)

If yes, attach a copy

PART – C

PERTAINING TO WASTE

9. Solid Wastes:

(a) Total quantum of generation

(b) Mode of storage within the plant

(c) Provision made for disposal

Place :
Date :

Signature & Designation