

**THE
GOA
NON-BIODEGRADABLE GARBAGE
(CONTROL) ACT 1996;**

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The Goa Non-Biodegradable Garbage (Control) Act, 1996
(as amended till 2000)

Notification

7-4-1997/LA

AN

ACT

to prevent throwing or depositing non-biodegradable garbage in public drains, roads and place open to public view in the State of Goa and for matters -connected therewith or incidental thereto.

Be it enacted by the Legislative Assembly of Goa in the Forty-seventh Years of the Republic of India as follows:

1. Short title, extent and commencement.- (1) The Act may be called the Goa Non-Biodegradable Garbage (Control) Act, 1996.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the State Government may, by notification, in the Official Gazette appoint and different dates may be appointed for different areas.

2. Definitions.- In this Act, unless the context otherwise requires,

- (a) "bio-degradable garbage" means the garbage or waste materials capable of being destroyed by the action of living beings;
- (b) "house gully" means a passage or strip of land constructed, set apart or utilised for the purpose of serving as or carrying a drain or affording access to the latrine, urinals, cesspool or other receptacle for filth or other polluted matter, by persons employed in the clearing thereof in the removal of such matter therefrom;
- (c) "local authority" means a Municipal Council, a Zilia Panchayat or a Panchayat constituted, or continued, under any law for the time being in force;
- (d) "market" includes any place where persons assemble for exposing for sale, meat, fish, fruits, vegetables, food or any other articles for human use or consumption with or without the consent of the owner of such place notwithstanding that there may be no common regulation for the concourse of the buyers and the sellers and whether or not any control is exercised over the business of or the person frequenting, the market by the Owner of the place or by any other persons;
- (e) "non-biodegradable garbage" means the waste garbage or material which is not bio-degradable garbage and includes polyethylene, nylon, and other plastic goods such as P.V.C. polypropylene and polystyrene which are not capable of being destroyed by an action of living beings and are more specifically included in the schedule to this Act;
- (f) "occupier" includes :
 - (i) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;
 - (ii) an owner in occupation of or otherwise using his land or building;
 - (iii) a rent free tenant of any land or building; and
 - (iv) any person who is liable to pay to the owner damages for the use and occupation of any land or building;
- (g) "Official Gazette" means the Official Gazette of the Government;

- (h) "owner" includes a person who for the time being is receiving or is entitled to receive, the rent of any land or building, whether on his own account or on account of himself and others or an agent, trustee, guardian or receiver for any other or who should so receive the rent or be entitled to receive it if the land or building or part thereof were let to a tenant;
- (i) "place" means any land or building or part of a building and includes the garden, ground and outhouses, if any, pertaining to a building or part of a building;
- (j) "place open to public view" includes any private place, building, monument, fence or balcony visible to a person being in, or passing along, any public place;
- (k) "prescribed" means prescribed by rules made under this Act;
- (l) "Public Analyst" means the person appointed or recognised to be the Government Analyst, in relation to any environmental laboratory established or recognised in the State under the provisions of the Environment (Protection) Act, 1986 (Central Act 29 of 1986).
- (m) "public place" means any place which is open to use and enjoyment of the public whether it is actually used or enjoyed by the public or not and includes a road, street, market, house-gully or way, whether a throughfare or not, and landing place to which public are granted access or have a right to resort or over which they have a right to pass; and
- (n) "State Government" means the Government-of Goa;

3. Prohibition to throw garbage in public places, drains and sewage.- (1) No person, by himself or through another, shall knowingly or otherwise throw or cause to be thrown in drain, ventilation shaft, pipe and fittings, connected with the private or public drainage works if any non-biodegradable garbage or any bio-degradable garbage in a non-biodegradable bag or container likely to -

- (i) injure the drainage and sewage system.
- (ii) interfere with the free flow or affect the treatment and disposal of drain sewage contents;
and
- (iii) be dangerous or cause a nuisance or be prejudicial to public health.

(2) No person shall, knowingly or otherwise, place or permit to be placed, except in accordance with such procedure and after complying with such safeguards as may be prescribed, any bio-degradable or non-biodegradable garbage in any public place or in a place open to public view, unless

- (a) the garbage is placed in a garbage receptacle, or
- (b) the garbage is deposited in a location designated, by a local authority having jurisdiction on an area for the disposal of garbage.

4. Provision for placement of receptacles and places for deposit of non-biodegradable garbage.- It shall be, the duty of the local authority, or any officer authorised by it to -

- (a) place or provide or place in proper and convenient situation public receptacles, depots or places for temporary deposit or collection of non-biodegradable garbage;
- (b) provide separate dustbins for temporary deposit of non-biodegradable garbage other than those kept and maintained for deposit of bio-degradable garbage;
- (c) provide for the removal of contents of receptacles, deposit and of the accumulation at all places provided or appointed by it under clause (a) of this section; and
- (d) arrange for recycling of the non-biodegradable garbage collected under this Act.

5. Duty of owners and occupiers to collect and deposit non-biodegradable garbage. etc.- It shall be the duty of the owners and occupiers of all lands and buildings -

- (a) to collect or to cause to be collected from their respective land and buildings the non-biodegradable garbage and to deposit or cause to be deposited, in public receptacles, deposits or places provided for temporary deposit or collection of the non-biodegradable garbage by the local authority. in the area;
- (b) to provide separate receptacles or dustbins. other than, those kept and maintained for deposit of biodegradable garbage, of the type and in the manner prescribed by the local authority or its officers for collection therein of all the non-biodegradable waste from such land and buildings and to keep such `receptacles, dustbins in good conditions and repair.

6. Power of local authority for removal of non-biodegradable garbage.- The local authority may by notice in writing, require the owner, or occupier or part-owner, or person claiming to be the owner or part-owner of any land or building which has become a place of unauthorised stacking or deposit of non-biodegradable garbage and is likely to occasion a nuisance, remove or cause to be removed the said garbage so stacked or collected; and if, in its opinion such stackings or collection of non-biodegradable waste is likely to injure the drainage and sewage system or is likely to be dangerous to life and health, it shall forthwith take such steps. at the cost of such persons as it may think necessary.

7. Studie., research and support programme.- The State Government may

- (a) undertake studies to determine the composition of bio-degradable or non-biodegradable garbage;
- (b) establish measures to conduct or support research or programmes to encourage source reduction, re-use and recycling of waste;
- (c) conduct or support studies to determine the social and economic feasibility of household and other solid waste separation schemes, including studies of the type and amount of recyclable materials in solid wastes;

- (d) encourage local authorities in the State to provide readily accessible solid waste collection depots for residents who are not provided with regular garbage pick-up;
- (e) undertake and encourage, local authorities and other persons to implement policies to recycle waste materials, to promote energy conservation and to purchase products made from recyclable materials;
- (f) conduct and support research on recycling including information on operating recycling business and market information on recyclables;
- (g) conduct and support research on waste management and recycling, for use in educating the public, local authorities, institutions and industry; and
- (h) impose requirements on manufacturers, distributors and other persons who produce or handle commodities with respect to the type, size, packaging, labelling and composition of packaging that may or must be used and with respect to the disposal of packaging including standards for material degradability and recyclability.
- [(i) levy a cess at such rates as may be determined by the Government from time to time, by notification in the Official Gazette but not exceeding Rs.2/- per item marketed on non-biodegradable packaging material including bottles and containers, which shall be utilized for segregation, collection, safe disposal and re-cycling of non-biodegradable waste material and also to promote the sale and use of biodegradable packaging material, bags and containers.]¹

8. Penalties.- (1) Whoever is guilty of any act or intentional omission in contravention of any of the provisions of this Act, or of any rules, notification or order made, issued or given under this Act, shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to rupees five thousand, or with both.

(2) Whoever having been convicted of an offence under this Act is again convicted of any offence under this Act shall be punishable with double the penalty provided for the latter offence.

(3) Whoever in any manner aids abets or is accessory to the commission of an offence under this Act shall on conviction be punished with imprisonment prescribed for the offence.

9. Offences by Companies. - (1) If the person committing any offence punishable under this Act is a Company, every person who, at the time of the commission of the offence, was in-charge of, and responsible to the Company for the conduct of the business of the Company, as well as the Company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent, the commission of the offence.

(1) In section 7 after clause (h) new clause (i) has been added as at 1 above vide notification no.7/29/2000/LA dated 29/09/2000 published in **SERIES I No.26 DATED 29/09/2000 EXTRAORDINARY.**

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any gross negligence on the part of any Director, Manager, Secretary or other officer of the Company, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation- For the purposes of this section

- (a) "Company" means any body corporate and includes a firm or other association of individuals; and
- (b) "Director" in relation to a firm means a partner in the firm.

10. Offences to be tried summarily.- All offences under this Act shall be tried in a summary way by a Judicial Magistrate of the First Class and the provisions of sections 262 to 265 (both inclusive) of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) shall, as far as may be, apply to such trials.

11. Compounding of offences.- (1) Any offence punishable under this Act may, before the institution of the prosecution, be compounded by such officer as may be authorised by the State Government in this behalf, on payment, for credit to the State Government, of such sums as such officer may specify.

(2) Where any offence has been compounded under subsection (1); no proceedings shall be taken against the offenders, in respect of the offence as compounded, and the offender, if in custody, shall be discharged.

12. Directions by the State Government.- The local authority shall carry out such directions as may be issued to it, from time to time, by the State Government for the efficient administrations of this Act.

13. Power to amend schedule.- (1) Where it is expedient to do so, the State Government may, in the public interest and in consultation with the Public Analyst, by notification in the Official Gazette, add to, or omit from the schedule any item of non-biodegradable waste and thereafter the schedule shall be deemed to be amended accordingly.

(2) Every notification under sub-section (1) shall be laid, as soon as may be after it is made, before the State Legislative Assembly.

14. Power to delegate.- The State Government may, by order published in the Official Gazette, direct that any power exercisable by it under this Act (not including the power to make rules under section 17) may also be exercised, in such cases as may be specified in the order, by such officer or authority, as may be specified therein.

15. Protection of action taken in good faith.- No suit, prosecution or other legal proceedings shall lie against the State Government or the local authority or any officer or other employees of the State Government or the local authority or any other person authorised by the State Government, for any thing which is in good faith done or intended to be done under this Act or the Rules made thereunder.

16. Other laws not affected.- The provisions of this Act are in addition to, and not in derogation of the provisions of any other law for the time being in force.

17. Power to make rules.- The State Government may, subject to the conditions of previous publication, make rules for the purpose of carrying out the provisions of this Act.

SCHEDULE
[See section 2(e)]
Non-Biodegradable Garbage

- (1) Polyethylene;
- (2) Polycarbonate;
- (3) Polypropylene;
- (4) Polystyrene;
- (5) Polyvinyl Chloride (PVC);
- (6) ABS;
- (7) Acetal;
- (8) Acrylic;
- (9) Cellulose Acetate;
- (10) Cellulose Acetate Butyrate;
- (11) Nylon.

Secretariat Annexe,
Panaji,
Date: 17-3-1997.

B. S. SUBBANNA,
Secretary to the Government of Goa
Law Department (Legal Affairs)

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The original Act was published vide Notification No 7-4-1997/LA dated 17/03/1997 in Series I No 50 dated 19/03/1997 and further amended vide:-

- (1) SERIES I No.26 DATED 29/09/2000;EXTRAORDINARY

The Goa Non-Biodegradable Garbage (Control) Rules, 1997.

(As amended till 24th March, 2003)

Notification

LS/MISC/1915/96

In exercise of the powers conferred by section 17 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Act 5 of 1997), the Government of Goa hereby makes the following rules, namely:

1. Short title and commencement.- These rules may be called the Goa Non-Biodegradable Garbage (Control) Rules, 1997.

(2) They shall come into force on such date as the State Government may, by notification appoint, and different dates may be appointed for different- areas.

2. Definitions.- In these rules, unless the context otherwise requires,

(a) "Act" means the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Act 5 of 1997);

(b) "Bio-medical/clinical waste" means the waste generated in the hospitals, dispensaries, private clinics, laboratories,

butcher shops and slaughter houses and shall include:-

(i) human or animal anatomical wastes;

(ii) blood, body fluids and blood soaked or non-soaked bandages.

(iii) microbiological wastes;

(iv) discarded medicines;

(v) disposables, non-disposables, waste sharps (needles), syringes, scalpel, blades);

(vi) highly infections wastes;

(vii) slaughter house wastes and butcher shop wastes;

(viii) incineration wastes (ash from incineration of any biomedical waste);

(ix) bio-technological waste;

(c) "Building debris" means any waste material generated during repairs, construction or demolition of any civil structure/building. Such waste materials include but are not limited to, discarded blocks/bricks/stones/shuttering material, paint, masonry waste, reinforcement material, cement, concrete, plaster, etc.;

(d) "Garbage Management Committee" means the Garbage/ Waste Management Committee constituted under rule 4 of these rules;

[(dd) "garbage/waste" means all types of garbage/waste including biodegradable garbage, non-biodegradable garbage, bio-medical/clinical waste as well as commodities, such as non-biodegradable plastic 'bags/package material' prohibited under sub-section (h) of section 7 of the Act;]¹

(e) "Garbage Management Zone" means the zone constituted under rule 3;

(f) "Section" means a section of the Act.

(g) Words and expressions used but not defined herein shall have the same meanings as assigned to them under the Act.

3. *Garbage Management Zone.*- For the garbage clearance, scavenging and clearing, the local authority shall divide the area, falling within its territorial jurisdiction, into garbage management zones.

4. *Garbage/Waste Management Committee.*- (I) To assist and devise means for the efficient collection and disposal of the garbage in a garbage management zone set up under rule 3, a Garbage Management Committee shall be constituted and it shall comprise of:

(a) the public representative of the area in the local body concerned;

(b) two responsible persons of the locality nominated by the local body;

(c) the Sanitary Inspector of the area;

(d) MLA of the area as ex-officio member.

(2) The functions of the Garbage Management Committee constituted under sub-rule (1), shall, be to render assistance to the local authority of the area:

(a) for selection or earmarking the places where public receptacles are to be provided for temporary deposit of garbage/waste generated from various sources in the garbage management zone;

(b) for fixation of intervals, within which the contents of receptacles, deposit and accumulation at all places, designated under rules 5 may be removed or cleared;

(1) In Rule 2, after Clause (d), new clause has been inserted as at 1 above vide Notification No. LS/MISC/1915/96/Part I/1395 dated 24th March, 2003 Published in **Series I No.2 dated 10/04/03**

(c) for providing safeguards to be taken while depositing the garbage/waste in public receptacles/dustbins and its removal to dumping grounds or the places fixed for its bioconversion, dumping, incineration or recycling;

(f) for arranging the awareness programmes to ensure reduction, re-use and recycling of garbage/waste, especially the non-biodegradable waste;

(e) for encouraging residents of the area to explore the social and economic feasibility of separation of household waste at the source for its re-use and recycling; and

(f) for devising steps to be taken for the maintenance of ecology and reduction of environmental pollution in the area.

5. Public Garbage receptacles/dustbins.--(1) The local authority, in consultation with the Garbage Management Committee constituted under rule 4, shall, for temporary deposit or collection of non-biodegradable garbage/waste generated in the area provide or place in proper place and convenient situation, separate receptacles/dustbins (other than those kept and maintained for deposit of bio-degradable garbage).

(2) In hospitals, dispensaries, private clinics, laboratories, butcher shops and slaughter houses, the persons managing such institution shall provide and place at convenient places separate receptacles/dustbins for the collection and deposit of garbage - and bio-medical/clinical waste generated therefrom.

(3) all bio-medical/clinical waste referred to in sub-rule (2) above should be collected in plastic bags with proper marking "danger hospital infections waste" (in Konkani, Marathi and English) and placed in separate receptacles/dustbins provided for the purpose.

(4) In case of hotels, hostels, restaurants, bars and industrial establishments, the manager/occupiers of these facilities/ establishments shall provide and place at convenient places, separate receptacle/dustbins for non-biodegradable garbage/ waste in addition to the those kept and maintained for biodegradable garbage.

(5) The minimum capacity of all receptacles/dustbins referred to in sub-rules (1), (2) and (3) above should be equivalent to twice the garbage generation volume, to be determined by the garbage Management Committee, so as to prevent spillage and provide for unforeseen delays in waste collection.

(6) The local authority shall provide special services to lift the waste/garbage referred to in sub-rules (2) and (3) above and a separate vehicle shall be used for collection of bio-medical/clinical waste with appropriate markings/colour code as provided under rule 6.

(7) The local authority, in consultation with the Garbage Management Committee, Town & Country Planning Department, Planning and Development Authority (wherever applicable), Department of Environment and Public Works Department, shall designate a separate place/ places for safe disposal of building debris without harming the environment and the owners/occupiers/managers of places generating building debris shall collect such debris from their respective places and deposit the same at the places designated for the purpose.

(8) The local authority and the occupiers/owners/managers referred to in sub-rules (1), (2), (3) and (4) while providing/ placing the receptacles and dustbins under this rule, shall take every possible precaution to ensure that these are kept beyond the approach/reach of dogs and stray animals.

6. Colour of and Inscription on receptacles/dustbins.- The public receptacles and dustbins shall be painted in colour and shall carry the inscription as under:

(i) Bio-degradable - in green colour with inscription "For degradable waste only";

(ii) Non-biodegradable - in black colour with inscription "For non-biodegradable waste only";

(iii) Bio-medical/clinic waste - in red colour with inscription " For bio-medical/clinical waste only"

7. *Safeguards to be taken by owners and occupants for deposits of garbage/waste generated from their building and lands*, - The owners and occupants of all lands and buildings shall collect or cause to be collected the garbage/waste from their respective lands/buildings and deposit it or cause it to be deposited in public receptacles/dustbins provided under rule 5, for -temporary deposit or collection of garbage by the local authority of the area ensuring that:

(a) the garbage is deposited in a location designated by the local authority;

(b) the garbage is placed in garbage receptacles/dustbins;

(c) the bio-degradable garbage is deposited in the receptacles/dustbins/dumper designated for that purpose; and

(d) the non-biodegradable garbage is not mixed either with the bio-degradable garbage or bio-medical waste and is deposited in the receptacles/dustbins designated for that purpose.

8. *Prohibition to throw non-biodegradable waste*. - No person, himself or through another, shall knowingly or otherwise:-

(a) throw or cause to be thrown any non-biodegradable garbage in a place other than the garbage receptacle/dustbins designated for the purpose under rule 5; and

(b) mix the bio-medical/clinical waste with other non-biodegradable waste garbage.

9. *Litter control*. - The local authority or its officers may order the clean up of any non-biodegradable litter which has been disposed of contrary to the provisions of the Act and these rules.

10. *Disposal of garbage/waste*. - (1) garbage/waste generated from various sources and deposited in the receptacles/ dustbins provided under rule 5, shall be got collected and removed, by the local authority, either through its • employees or through the private agencies engaged by it for this purpose, to the dumping ground or suitable disposal sites.

(2) The non-biodegradable garbage/ waste (other than the bio-medical/clinical waste, whether comprised of biodegradable or non-biodegradable matter), collected from receptacles/ /dustbins and carried to dumping ground or disposal site under sub-rule (1), shall be further carried to the recycling centres arranged by the local authority through its own officers or through agencies.

(3) Subject to the provisions contained in any other law for the time being in force, and the terms and conditions which may be imposed by a local authority, the persons responsible for management of facilities such as hospital, dispensary, clinic, laboratory, butcher shop and slaughter house, shall dispose of the bio-medical/clinic waste (including other garbage generated therefrom) by the process of incineration or other safe non-incineration technology:

Provided that where incineration facilities or other safe non-incineration technology. are not available or economically viable to the persons responsible for the management of such facilities, the local authority, shall, in the absence of any agreement to the contrary, arrange at the cost of the persons responsible for the management of such facilities, for the removal and disposal of the bio-medical/clinic waste by the process of incineration or other safe non-incineration technology.

(4) Subject to the provisions of sub-rule (3), the bio-degradable waste shall be got disposed of by the local authority, as it may be deem fit, by the process of bio-conversion, dumping or incineration or any other scientific method.

(5) Each site for bio-conversion, dumping and processing of the garbage/waste generated from all sources within the territorial limits of the local authority should be located at sufficient distance from the residential habitats.

11. Powers of officers/employees of local authority and members of Garbage Management Committee.-["(1) For the purpose of implementation of the provisions of the Act and these rules, the members of the Garbage Management Committee as also Collectors, Deputy Collectors, Mamlatdars, Joint Mamlatdars, Excise Inspectors, Police Sub-Inspectors, Panchayat Secretaries, Chief Officers, Municipal Engineers, Sanitary Inspectors and Municipal Inspectors of all the Municipal Councils of the State of Goa, may, at, any reasonable time do any or all of the following acts, namely:

(a) enter and inspect any place to determine:

(i) the extent, if any, to which any garbage/waste may cause, is causing or has caused any adverse effect;

(ii) the cause of any adverse effect that may occur, is occurring or has occurred;

(iii) how an adverse effect may be prevented, eliminated, reduced or ameliorated and the environment conserved or reclaimed.

(b) when the aforesaid authority reasonably believes that any garbage/waste may release, is releasing or has released into the environment or a place of public view, or that garbage/waste may cause, is causing or has caused any adverse effect, require the person having charge, management or control of the garbage/waste to remove the garbage/waste or cause it to be removed from where it is found and deposited in a place designated for that purpose under rule 5.

(c) enter and inspect any place in which the aforesaid authority reasonably believes that any garbage/waste may be found and, if so found, seize and cause it to be removed from where it is found and deposited, at the cost of the occupier in a place designated for that purpose under rule 5, for further disposal as provided under rule 10.]²

(2) No entry in any private premises under sub-rule (1) shall be made after sunset and before sunrise.

(2) In rule 11, sub-rule "(1) For the purpose of implementation of the provisions of these rules, an officer or employee of the local authority or the members of the Garbage Management Committee, may, at any reasonable time do any or all of the following acts, namely:(a) enter and inspect any place to determine;(i) the extent, if any, to which a garbage may cause, is causing or has caused any adverse effect;(ii) the cause of any adverse effect that may occur, is occurring or has occurred;(iii) how an adverse effect may be prevented, eliminated, reduced or ameliorated and the environment conserved or reclaimed;(b) enter and inspect any place in which such officer or employees or member, as the case may be, reasonable believes that the waste may be found;(c) when such officer, employee or member, as the case may be, reasonably believes that any garbage/waste may release, is releasing or has released into the environment or a place to public view, or that garbage/waste may cause, is causing or has caused any adverse effect, require the person having charge, management or control of the garbage/waste to remove the garbage/waste or cause it to be removed from where it is found and deposited in a place designated for that purpose under rule 5." New clause has been substituted as at 2 above vide Notification No.LS/MISC/1915/96/Part I/1395 dated 24/03/03 Published in Series I No. 2 dated 10/04/03.

12. *Assistance to Officers.*- The owners of and every person found in, any place in respect of which an officer or employee of the local authority or the member of the Garbage Management Committee is exercising powers and carrying out duties under the Act and these rules, shall:

a) give such officer, employee or member all reasonable assistance to enable him to exercise those powers and carry out those duties;

(b) furnish all information relative to exercising of those powers and carrying out those duties that such officer 'employee or member may reasonably require.

By order and in the name of the Governor of Goa. *Dr. N. P S. Varde*, Director/Jt. Secretary (ST&E). Panaji,
19th August, 1997.

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The original Rules were published vide Notification No LS/MISC/1915/96 dated 19/08/1997 in Series I No 24 dated 11/09/1997 and further amended vide:-

(1) SERIES I No. 2 DATED 10/04/2003

OFFICIAL GAZETTE

Government of Goa

8th January, 1998

SERIES I No. 41

Notification

LS/Misc/1915/96/Part/1309

In exercise of the powers conferred by sub-section (3) of section 1 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) (hereinafter called the said Act), the Government of Goa hereby appoints the 1st day of January, 1998 as the date on which the said Act shall come into force in the areas falling within the jurisdiction of all the Municipal Councils in the State of Goa and all Panchayats located in the Talukas of Bardez, Salcete and Tiswadi of the State of Goa.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Joint Secretary, STE. Panaji, 31st
December, 1997.

Notification

LS/Misc/1915/96/Part/1308

In exercise of the powers conferred by sub-section (2) of rule 1 of the Goa Non-Biodegradable Garbage (Control) Rules, 1997 (hereinafter called the "said Rules"), the Government of Goa hereby appoints the 1st day of January, 1998 as the date on which the said Rules shall come into force in all the areas falling within the jurisdiction of all the Municipal Councils in the State of Goa and all Panchayats located in the talukas of Bardez, Salcete and Tiswadi of the State of Goa.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Joint Secretary, STE. Panaji, 31st
December, 1997.

OFFICIAL GAZETTE

Government of Goa

26th December, 2001

SERIES II No. 38

(EXTRAORDINARY)

Department of Science, Technology & Environment

Notification

LS/Misc/1915/96/Part/859

In exercise of the powers conferred by sub-section (1), of section 11 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) (hereinafter called the 'said Act'), the Government of Goa hereby authorises the Chief Officers, Municipal Engineers, Sanitary Inspectors and Municipal Inspectors of all the Municipal Councils in the State of Goa and Panchayat Secretaries of the Panchayats located in the talukas of Bardez, Tiswadi and Salcete, for the purpose of the said sub-section (1) of section 11' of the said Act, with immediate effect.

By order and in the name of the Governor of Goa.

Dr. N. P -S. Varde, Director/Joint Secretary, STE. Saligao, 21st

December, 2001.

OFFICIAL GAZETTE

Government of Goa

30th March, 2002

SERIES II No. 52

Department of Science, Technology & Environment

Notification

LS/MISC/1915/96/Part/249

In pursuance of clause (h) of section 7 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) and in supersession of the Government Notification No. LS/MISC/1915/ /96/Part/229 dated 27th March, 2001, published in the Official Gazette, Series I No. 05 dated 3rd May, 2001, the Government of Goa hereby directs the manufacturers manufacturing, and distributors and other persons handling, carry bags of non-biodegradable material, such as, plastic, including those persons who import such bags from outside the State of Goa, that such carry bags shall not be of a thickness of less than 40 microns.

This Notification shall come into force with effect from 1st July, 2002.

By order and in the name of the Governor of Goa.

Dr. N. P S. Varde, Director/Joint Secretary, STE.

Saligao, 27th March, 2002.

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Read: Government Notification No. LS/MISC/1915/96/Part/859.dated 21-12-2001 published in the Official Gazette, Series II No. 38 dated 26-12-2001.

In exercise of the powers conferred by sub-section (1) of the section 11 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) (hereinafter called the 'said Act'), the Government of Goa hereby authorizes the Collectors, Deputy Collectors, Excise Inspectors, Police Sub-Inspectors and Panchayat Secretaries of the Panchayats located in the talukas of Pernem, Bicholim, Satari, Ponda, Mormugao, Sanguem, Quepem and Canacona, Goa, for the purposes of said sub-section (1) of section 11 of the said Act, within their respective jurisdictions with effect from 1st July, 2002.

By order and in the name of the Governor of Goa.

Dr. N. P S. Varde, Director/Joint Secretary, STE. Saligao,

27th March, 2002.

Notification

LS/MISC/1915/96/Part/251

Read: Government Notification No. LSJMISC/1915/96/Part/1309 dated 31-12-1997 published in the Official Gazette, Series I No. 41 dated 8-1-1998.

In exercise of the powers conferred by sub-section (3) of the section 1 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) (hereinafter called the 'said Act'), the Government of Goa hereby appoints the 1st day of July, 2002 as the date on which the provisions of the said Act shall come into force in the areas falling within the jurisdiction of all the remaining Panchayats of the State of Goa, to which the said Act was not extended earlier.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Joint Secretary, STE. Saligao,

27th March, 2002.

Notification

LS/MISC/ 1915/96/Part/252

Read: Government Notification No. LS/MISC/1915/96/Part/1308 dated 31-12-1997 published in the Official Gazette, Series I No. 41 dated 8-1-1998.

In exercise of the powers conferred by sub-rule (2) of rule 1 of the Goa Non-Biodegradable Garbage (Control) Act, 1997 (hereinafter called the 'said Rules'), the Government of Goa hereby appoints the 1st day of July, 2002 as the date on which the provisions of the said Rules shall come into force in the areas falling within the jurisdiction of all the remaining Panchayats of the State of Goa, to which the said Act was not extended earlier.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Joint Secretary, STE. Saligao,

27th March, 2002.

Directions Under Section 5 of the Environment (Protection) Act, 1986
regarding plastics

(As amended till 2004)

Whereas under Section 3 of the Environment (Protection) Act the Government is duty bound to take all such measures as it deems necessary and expedient -for the purpose of protecting and improving the quality of environment and preventing, controlling and abating environmental pollution.

And whereas it has come to the notice of the Government that extensive use and indiscriminate 'disposal/littering' of plastic carry bags and PET bottles (used to pack soft drinks and mineral water) have caused severe adverse environmental impacts involving aesthetic degradation, blocking of 'water ways/drainage channels', adverse health effects on humans/animals', etc.

And whereas the above mentioned adverse environmental impacts are more visible in most frequented tourist spots such as wild life sanctuaries, beaches and the like.

And therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, delegated to the State Government, vide Notification No. SO 881 (E) dated 22-09-1988, and published in the Gazette of India No. 749 dated 22-9-1988, the Government is hereby pleased to issue the following directions, to the concerned authorities as specified hereunder, for strict enforcement from October 2nd 2002;

1. The Chief Conservator of Forests, Forest Department, Panaji, is hereby directed to prohibit the carrying, use and sale of non-biodegradable PET bottles and plastic carry bags within the notified boundaries of the following wild life sanctuaries:

- a. Khotigao
- b. Mahavir
- c. Bondla

[2. (substituted)¹ The Director of Tourism, Department of Tourism, Panaji; the Municipal Commissioner, Corporation of the City of Panaji, Panaji; the Chief Conservator of Forests, Forest Department, Panaji, the Chief Officer, Mormugao Municipal Council, Vasco-da-Gama; the Registrar, Goa University, Taleigao; and the Secretary, State Legislative Assembly, Alto-Porvorim, are hereby directed to prohibit the carrying are hereby directed to prohibit the carrying, use and sale of non-biodegradable PET bottles and plastic carry bags in the following localities.

- (a) Miramar beach stretching from Goa Marriott Resort (Panaji) to Aivao village (Caranzalem);
- (b) Dona Paula jetty area on the Western side of the NCC (Naval) Training Centre;
- (c) The roads connecting the National Institute of Oceanography Circle to the Raj Bhavan and to the Gaspar Dias Circle (Miramar);
- (d) Tourism jetty, near Mandovi bridge, Patto, Panaji;
- (e) All gardens and parks in the city of Panaji.
- (f) Within the Municipal Limits of Mormugao Municipal Council.
- (g) In the Carambolim lake area in Karmali Village (Tiswadi), Including a belt of 25 meters from the high water mark around the lake.
- (h) In the Mayem lake area including the Mayem Lake Resort and a belt of 25 meters from the high water mark around the lake.
- (i) Within the limits of the Complexes of the State Legislative Assembly and the New Secretariat at Alto-Porvorim.
- (j) Within the limits of the Goa University campus in Taleigao Village.]²

3. The Director of Tourism, Department of, Tourism, Panaji, and the Secretary, Village Panchayat of Old Goa, Old Goa, are hereby directed to prohibit the carrying, use and sale of non-biodegradable PET bottles and plastic carry bags within the notified boundaries of the Old Goa Complex of heritage monuments and churches, at Old Goa.

(1) For Clause "(2) *The Director of Tourism, Dept. of Tourism, Panaji, and the Chief Officer, Panaji, Municipal Council, Panaji, are hereby directed to prohibit the carrying, use and sale of non-biodegradable PET bottles and plastic carry bags within the notified boundaries of Miramar and within the notified boundaries of Miramar and Caranzalem beaches, located between Goa Marriot Resort, Panaji and the precincts of Cabo Raj Niwas*" new clause has been inserted as at 1 above vide SERIES I No.44 DATED 30/01/2003.

(2) For existing clause "(2) *The Director of Tourism, Department of Tourism, Panaji, the Chief Office, Panaji Municipal Council, Panaji and the Chief Conservator of Forests, Forest Department, Panaji are hereby directed to prohibit the carrying, use and sale of non-biodegradable PET Bottles and plastic carry bags in the following localities: (a) Miramar beach stretching from Goa Marriot Resort (Panaji) to Aivao Village (Caranzalem); (b) Dona Paula Jetty area on the western side of the NCC (Naval) Training Centre; (c) Tourism Jetty, near Mandovi bridge, Patto, Panaji (e) All gardens and parks in the city of Panaji;*" new clause as at 2 above has been substituted vide SERIES I No.49 dated 04/03/2004

4. The concerned Sub-Divisional Magistrates and Officers-in-Charge of Panaji and Old Goa Police Stations, are hereby directed to extend their full co-operation to the Director of Tourism, Panaji, the Chief Officer, Panaji Municipal Council, Panaji, and the Secretary, Village Panchayat of Old Goa, to effectively enforce the above directions [omitted]³
- [5. (substituted)⁴ The Chief Conservator of Forests, Panaji; the Director of Tourism, Panaji; the Municipal Commissioner, Corporation of the City of Panaji, Panaji; the Secretary, State Legislative Assembly, Alto-Porvorim; the Chief Officer, Mormugao Municipal Council, Vasco-da-Gama; the Registrar, Goa University, Taleigao; the Secretaries of the Village Panchayats of Old Goa, Karmali and Mayem; the Officers-in-Charge of Panaji, Old Goa, Alto-Porvorim and Bicholim Police Stations; and the respective officials authorized by the said authorities shall impose a fine to the maximum extent of rupees fifty on any person violating the prohibition as aforesaid.]⁵

(3) In clause 4, the expression "and in case of any violation, to take immediate action and against the violators under section 188 of the Indian Penal Code" has been omitted as at 3 above vide **SERIES I No. 44 DATED 30/01/03.**

(4) After Clause 4, new clause has been inserted as at 4 above vide **SERIES I No.44 DATED 30/01/2003.**

(5) The existing clause " (5) The Chief Conservator of Forest, the Director of Tourism, the Chief Officer (Panaji Municipal Council), the Officers-in-charge of Panaji/Old Goa Police Stations, the Secretary of the Village Panchayat of Old Goa, the concerned Sub-Divisional Officers and the respective officials authorised by the said authorities shall impose a fine to maximum extent of rupees fifty on any person violating the prohibition as aforesaid." has been substituted with a new clause as at 5 above vide **SERIES I NO. 49 dated 04/03/04.**

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The original notification was published vide LS/MISC/1915/96/Part I/589 dated 31/08/2002 (SERIES I No 21 dated 22/08/2002) and amended vide:-

- (1) LS/MISC/1915/96/Part I/1131 dated 10/01/2003 published in Official Gazette Series I No. 44 dated 30/01/2003;
- (2) LS/MISC/1915/96/Part II/1166 dated 23/02/2004 published in Official Gazette Series I No. 49 dated 04/03/2004;

OFFICIAL GAZETTE

Government of Goa

19th September, 2002

SERIES II No. 25

Department of Science, Technology & Environment Order

No. LS/MISC/1915/96/Part I/711

Read: Notification No. LS/MISC/1915/96/Part/249 dt. 27th March, 2002, published in the Official Gazette (Extraordinary) under Series II, No. 52 dated 30th March, 2002.

The Government is pleased to constitute, with immediate effect, a Monitoring Committee 'for North Goa District, to monitor and regulate the implementation of the provisions of the above cited Notification, which imposes a ban on all 'non-biodegradable/plastic' bags of less than 40 microns thickness. The membership of the said Committee shall be as follows:

- | | | |
|-----|--|----------|
| 1. | Collector (North) | Chairman |
| 2. | Director/Representative of Department of Science, Technology & Environment | Member |
| 3. | Director/Representative of Directorate of Municipal Administration | Member |
| 4. | Director/Representative of Directorate of Panchayat | Member |
| 5. | Commissioner/Representative of Directorate of Excise | Member |
| 6. | Superintendent of Police (North) | Member |
| 7. | Chief Officer, Panaji Municipal Council | Member |
| 8. | Chief Officer, Mapusa Municipal Council | Member |
| 9. | President/Representative, Goa Small Industries Association (GSIA) | Member |
| 10. | Representative of the NGO the Goa Foundation (GF) | Member |
| 11. | Representative of the NGO the People's Movement for Civic Action (PMCA) | Member |
| 12. | Dy. Collector (South) | Convenor |

The Committee shall meet at least once in three months or as often as required at the discretion of the Chairman, The Chairman shall also work out and elaborate programme of regular field inspections by the Committee members, to ensure effective enforcement of the said Notification.

By order and in the name of the Governor of Goa. *Dr. N. P S. Varde*,
Director/Joint Secretary (STE). Panaji, 30th August, 2002.

No. LS/MISC/1915/96/Part 1/713

Read: Notification No. LS/MISC/1915/96/Part/249 dt. 27th March, 2002, published in the Official Gazette (Extraordinary) under Series II, No. 52 dated 30th March, 2002.

The Government is pleased to constitute, with immediate effect, a Monitoring Committee for South Goa District, to monitor and regulate the implementation of the provisions of the above cited Notification, which imposes a ban on all 'non-biodegradable/plastic' bags of less than 40 microns thickness. The membership of the said Committee shall be as follows:

1.	Collector (South)	Chairman
2.	Director/Representative of Department of Science, Technology & Environment	Member
3.	Director/Representative of Directorate of Municipal Administration	Member
4.	Director/Representative of Directorate of Panchayat	Member
5.	Commissioner/Representative of Directorate of Excise	Member
6.	Superintendent of Police (South)	Member
7.	Chief Officer, Margao Municipal Council	Member
8.	Chief Officer, Mormugao Municipal Council	Member
9.	President/Representative, Goa Small Industries Association (GSIA)	Member
10.	Representative of the NGO the Goa Foundation (GF)	Member
11.	Representative of the NGO the People's Movement for Civic Action (PMCA)	Member
12.	Dy. Collector (South)	Convenor

The Committee shall meet at least once in three months or as often as required at the discretion of the Chairman. The Chairman shall also work out an elaborate programme of regular field inspections by the Committee members, to ensure effective enforcement of the said Notification.

By order and in the name of the Governor of Goa.

Dr. N. P S. Varde, Director/Joint Secretary (STE).

Panaji, 30th August, 2002.

OFFICIAL GAZETTE

Government of Goa

28th November, 2002

SERIES II No. 35

Department of Science, Technology and Environment.

Notification

No. LS/MISC/1915/96/Part 1/915

Read: .1 Government Notification No. LS/Misc/1915/96/Part/859 dated. 21-12-2001.

2 Government Notification No. LS/Misc/1915/96/Part/250 dated. 27-03-2002.

In exercise of the powers conferred by sub-section (1) of section 11, of the Goa Non-Biodegradable Garbage (Control) Act, 1996; (Goa 5 of 1997) hereinafter referred to as the "said Act"), the Government of Goa hereby authorises all the Mamlatdars and Joint Mamlatdars in the State of Goa for the purpose of the said sub-section (1) of section 11 of the said Act, with immediate effect.

By order and in the name of the Governor of Goa.

Dr. N. P S. Varde, Director/Joint Secretary (STE). Panaji,

5th November, 2002.

OFFICIAL GAZETTE

Government of Goa

9th January, 2003

SERIES II No. 40

Department of Science, Technology and Environment

Notification

No. LS/MISC/1915/96/Part /1019

In pursuance of clause (h) of section 7 of the Goa Non-Biodegradable Garbage (Control) Act, 1996, (Goa 5 of 1997), the Government of Goa in partial modification of the Notification No. LS/MISC/ 1915/Part/249 dated 27th March, 2002, published in the Official Gazette, (Extraordinary) Series II No. 52, dated 30-03-2002, hereby directs that the manufacturers who desire to produce carry bags of non-biodegradable material of a thickness below 40 microns but not less than 20 microns, shall be permitted to do so, only for the purpose of exporting it outside the State of Goa, where the sale of such bags is permitted, provided that prior written permission from the Director, Department of Science, Technology and Environment, Saligao, is obtained by the manufacturer in this connection.

This notification shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

Dr. N. P S. Varde, Director/Joint Secretary (STE). - Panaji,

18th December, 2002.

OFFICIAL GAZETTE

Government of Goa

21st October, 2004

SERIES II No. 30

Department of Science, Technology & Environment

ORDER

No. LS/MISC/1915/96/PART II/675

The Government is pleased to constitute a Flying Squad for special enforcement drives under the Goa Non-Biodegradable Garbage (Control) Act, 96 as well as the Goa Prohibition of Smoking and Spitting Act 97 with immediate effect. The members of the Squad shall be as under:

- | | | |
|--|------------------|----------|
| 1. Shri Suresh Narulkar | Jt. Mamlatdar II | Convenor |
| 2. Shri Ram Asare | PSI | Member |
| 3. Shri Mathew Pereira | | Member |
| 4. Representative of
Department of Science,
Technology &
Environment (DSTE) | | Member |
| 5. Representative of
People's Movement
For Civic Action
(PMCA) | | Member |
| 6. Representative of
Goa Small Industries
Association (GSIA) | | Member |
| 7. Representative of
National Organization For Tobacco Eradication
(NOTE-GOA) | | Member |

The squad shall undertake periodic special 'drives/raids' to enforce the provisions of the said Acts and take necessary action against the violators as and when required, but at least twice a month.

The action taken through the squad shall be in addition to the normal enforcement activity which shall continue unabated.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Joint Secretary, DSTE. Saligao,

8th October, 2004.

ORDER

No. LS/MISC/1915/96/PART II/676

The Government is pleased to constitute a Flying Squad for special enforcement drives under the Goa Non-Biodegradable Garbage (Control) Act, 96 as well as the Goa Prohibition of Smoking and Spitting Act 97 with immediate effect. The members of the Squad shall be as under:

- | | | |
|--|--------------------------------|----------|
| 1. Shri S. P. Pilarnekar | Mamlatdar-in-
-Collectorate | Convenor |
| 2. Shri Suraj Halankar | PSI | Member |
| 3. Shri Mathew Pereira | | Member |
| 4. Representative of
Department of Science,
Technology & Environment | (DSTE) | Member |
| 5. Representative of
People's Movement
For Civic Action
(PMCA) | | Member |
| 6. Representative of
Goa Small Industries
Association (GSIA) | | Member |
| 7. Representative of
National Organization
For Tobacco Eradication
(NOTE-GOA) | | Member |

The squad shall undertake periodic special 'drives/raids' to enforce the provisions of the said Acts and take necessary action against the violators as and when required, but at least twice a month.

The action taken through the squad shall be in addition to the normal enforcement activity which shall continue unabated.

By order and in the name of the Governor of Goa.

Dr. N. P. S. Varde, Director/Joint Secretary, DSTE, Saligao,

8th October, 2004.

OFFICIAL GAZETTE

Government of Goa

11th November, 2005

(Extraordinary No. 2)

SERIES II No. 32

Department of Science, Technology & Environment

Notification

No. LS/MISC/1915/PART /798

The Government is hereby pleased to constitute a Committee, consisting of following officials, to consider the feasibility of a complete ban on plastic bags or any other alternate strategy to combat the proliferation and littering of used plastic bags.

- | | |
|---|------------|
| 1. Secretary (Science, Technology & Environment) | - Chairman |
| 2. Director of Industries, Trade and Commerce, Panaji | - Member |
| 3. Director of Science, Technology & Environment | - Member |
| 4. Director of Municipal Administration | - Member |
| 5. Commissioner of Sales Tax or his Representative. | - Member |

The terms of reference of the above Committee shall be as under :

1. To consider whether to ban plastic bags to reduce their circulation or to discourage them commercially by the exercise of fiscal powers so as to make “jute/paper” bags economically more attractive.
2. To identify alternatives to plastic bags.
3. To consider effective methods for ‘disposal/treatment’ of used plastic bags such their disposal in a landfill facility, recycling, use for asphaltting of roads, etc.

By order and in the name of the Governor of Goa.

Dr. N.P.S. Varde, Director/Joint Secretary, DSTE.

Saligao, 9th November, 2005.