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Government of Tripura
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TRIPURA



GAZETTE

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EXTRAORDINARY ISSUE

Agartala, Tuesday, March 10, 2015 A. D., Phalguna 19, 1936 S. E.

PART-I- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

**GOVERNMENT OF TRIPURA
DEPTT. OF SCIENCE, TECHNOLOGY & ENVIRONMENT
VIGYAN, PRAJUKTI O PARIVESH BHAWAN
GORKHABASTI: AGARTALA
TRIPURA-799006**

No.F.8 (30)/DSTE/ENV/Pt-II/1679-97

Dated ...12/03/2015

NOTIFICATION

Whereas, Article 48-A of the Constitution of India, inter-alia envisages that the State shall endeavour to protect the environment.

AND

Whereas the Government of Tripura 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 affect 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 unhygienic environmental and public health related problems.

AND

Whereas, it is observed that plastic carry bags are non-biodegradable and after hundreds of years breaks to toxic plastic particles polluting soil; produces toxic gases and ash on it's burning.

AND

Whereas, it is observed that the plastic carry bags cause aquatic and terrestrial animals die by its ingest, it's litters arrest the recharging ground water aquifers; harmful chemicals and colours of plastic contaminates soil and water; plastic carry bags chokes the living organisms of the soil etc causes harmful effects on the environment.

AND

Whereas, the plastic carry bags adversely affects on percolation of water to ground levels, hamper the quality of soil layer, effect the growth of roots & plants and creature etc which causes long term bad effect on ecology & environment.

AND

Whereas, a draft notification, in accordance with order dated 09.01.2015 passed by the Hon'ble High Court of Tripura in W.A.4 of 2014 and in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Rules, 1986, was published in Tripura Gazette vide No.F.8(30)/DSTE/ENV/Pt-II/361-80 dated 22/01/2015 by the Government of Tripura, inviting objections and suggestions from general public with respect to the said notification within 15th February,2015 from the date of the publication of the said notification.

AND

Whereas, the objections and suggestions received from the public with respect to the said draft notification have been considered and dully disposed of.

Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Rules, 1986, the Government of Tripura issues this Notification to impose a complete ban on the manufacture, import, storing, transport, sale and use of plastic carry bag(s) in the whole state where the ban shall be given effect after a period of 3(three) months from the date of publication in the Official gazette. **In this context, the Government hereby issues the following directions namely:-**

Directions:-

1. No person including a shopkeeper, vendor, wholesaler or retailer, trader, hawker or fehriwala (i.e, which shall include all kinds of hand pushed/pulled carts which are used to sell various commodities), shall sell or store or use any kind of plastic carry bags for storing or dispensing of any eatable or non-eatable goods or materials.

2. No person shall manufacture, import, store, sell or transport any kinds of plastic carry bags (including that of Poly Propylene, Non-woven fabric type carry bags) in the whole of State of Tripura.
3. No person shall use any kind of plastic cover or plastic sheet or plastic flim or plastic tube to pack or cover any book including magazine and invitation card or greeting card.

Exception:-

The direction issued under this notification shall not affect the use of plastic carry bags as specified under the Bio-Medical Waste (Management and Handling) Rules, 1998, as amended to date.

Explanation:-

For the purpose of this Notification " plastic carry bags" shall have the same meaning as defined in the Plastic Waste (Management and Handling) Rules, 2011, issued by Government of India, Ministry of Environment and Forest, which is reproduced as below:-

'Carry bags' mean bags made from any plastic material, used for the purpose of carrying or dispensing commodities but do not include bags that constitute or form an integral part of the packing in which goods are sealed prior to use.

Authorized Officers:-

The following officers are hereby authorized to implement this Notification in their respective jurisdiction namely:

1. Member Secretary, Tripura State Pollution Control Board and Officers at the level of Junior Environmental Engineer/Junior Scientist and above.

2. Director, Department of Science, Technology & Environment, Government of Tripura and Officers at the level of Scientific Officer and above.
3. Chief Executive Officer, Agartala Municipal Council, Agartala and other Officers nominated by him.
4. The Chief Executive Officer of Tripura Tribal Area Autonomous District Council, Tripura and other Officers nominated by him.
5. District Magistrate & Collectors of all respective District in Tripura.
6. Superintendent of Police & Officers at the level of Sub-Inspector of Police and above.
7. Director, Food and Civil Supplies Department and Officers at the level of Inspector and above.
8. Director, Industries & Commerce Department and other Officers nominated by him.
9. Director, Health & Family Welfare Department or other Officers nominated by him.
10. Commissioner of Taxes & Excise and Officers at the level of Inspector of Taxes and above.
11. Labour Commissioner, Labour Department and Officers at the level of Inspector and above.
12. Sub-Divisional Magistrate of all respective Sub-Division in Tripura.
13. Block Development Officer of all respective block in Tripura.
14. Controller, Weights & Measure Department and Officers at the level of Inspector and above.
15. Executive Officer of all respective Nagar Panchayet in Tripura.

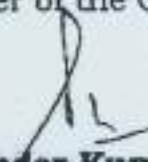
Monitoring:-

The Member Secretary, Tripura State Pollution Control Board (TSPCB) shall ensure over all monitoring and implementation of these directions. The Chairman and the Member Secretary, TSPCB and all the Authorized Officers mentioned in foregoing para within their respective area/jurisdiction, are authorized to file complaint under section 19 of the Environment (Protection) Act, 1986.

Enforcement:-

This Notification shall come into force with immediate effect.

By the order of the Governor


(Surender Kumar)
Secretary
Government of Tripura

Deptt. of Science, Technology & Environment
Government of Tripura
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VIGYAN, PRAJUKTI O PARIVESH BHAWAN
GORIKHABASTI, AGARTALA
TRIPURA-799006

No.F.8 (30)/DSTE/ENV/Pt-II/1984-2003

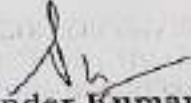
Dated ..19/03/2015

CORRIGENDUM

In the 3rd Para of page no.2 of Notification No.F.8(30)/DSTE/ENV/Pt-II/ 1679-97 dated 10th March, 2015, it is mentioned that "Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Rules, 1986, the Government of Tripura issues this Notification to impose a complete ban on the manufacture, import, storing, transport, sale and use of plastic carry bag(s) in the whole state where the ban shall be given effect after a period of 3(three) months from the date of publication in the Official gazette."

This part should be read as: "Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Rules, 1986, the Government of Tripura issues this Notification to impose a complete ban on the manufacture, import, storing, transport, sale and use of plastic carry bag(s) in the whole state with immediate effect."

By the order of the Governor


(Surender Kumar)
Secretary
Government of Tripura