

Government of Jharkhand
Department of Forest, Environment and Climate Change

NOTIFICATION

Notification No.- 3/Praya Pradu-52/2007-3900 Ranchi/ Date :-15/09/2017

Whereas, plastic carry bags cause short-term and long-term environmental damage and health hazard;

And whereas, Article 48-A of the Constitution of India, inter alia, envisages that the State shall endeavour to protect and improve the environment;

And whereas, the Government of Jharkhand is of the opinion that, the use of plastic carry bags is causing grave and irreparable injury to the environment and the health of human beings as well as animals;

And whereas, it is observed that plastic carry bags are also causing blockage of gutters, sewers and drains resulting in serious environmental problems;

And whereas, with a view to prevent the occurrence of such problems, the State Government has decided to declare the entire area of the State of Jharkhand as the "**Plastic Carry Bags Free Area**";

Now therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 (No. 29 of 1986) as delegated under Section 23 of the said Act by the Central Government vide Notification No. S.O. 352 (E) New Delhi, dated 18.04.2001, the State Government, by this notification, issues the following directions for the complete Ban of manufacture, import, storage, transportation, sale and usage of Plastic Carry bags in all parts of the state; namely,

1. No industry shall manufacture plastic carry bags and no person including a shopkeeper, vendor, wholesaler or retailer, trader, hawker or rehriwala etc., shall use plastic carry bags for supply of goods and no person shall manufacture, store, import, sell or transport plastic carry bags in the State of Jharkhand with effect from the date of final publication of this Notification.

Provided that plastic carry bags manufactured exclusively for export purposes against any export order shall be exempted in terms of Rule 2(2) of the Plastic Waste Management Rules, 2016 from the application of this notification.

Explanation :-For the purpose of this Notification the words 'plastic' and 'carry bags' shall have the same meaning as defined under the Plastic Waste Management Rules, 2016. Containers used for packaging food material, milk and milk products and raising plants in nurseries shall not be deemed as carry bags.

2. Jharkhand State Pollution Control Board shall be responsible for enforcement in respect of the functions relevant to this notification and specified in clause (1) of Rule 12 of the Plastic Waste Management Rules, 2016, whereas the Urban Local Bodies and Gram Panchayats shall be responsible for enforcement under their jurisdictions in respect of the functions relevant to this notification and specified in clause (2) and (3) respectively of Rule 12 of the said Rules.

3. Officers as mentioned in Government of India's Notification No. S.O. 394 (E) dated 16.04.1987 issued under Section 19 of the Environment (Protection) Act, 1986 shall be authorized to file complaints in the jurisdictional court of law against violation of directions contained in this notification.

4. From the date of final publication of this Notification, Notification No. 3/Parya.Pradush.-62/2007-3691 Van Parya., dated 11.09.2013 shall be superseded except in respect of things done or omitted to be done before such supersession, to the extent that complaint cases filed under previous the Notification are pending.

By order of the Governor of Jharkhand,

Sd/-

(Sunil Kumar)

Deputy Secretary to the Government.

Memo No-3/Praya Pradu-52/2007-

Ranchi/ Date :-

Copy forwarded to – Superintendent, Government Press, Doranda, Ranchi with a request to publish in extraordinary Gazette.

Sd/-

Deputy Secretary to the Government.

Memo No-3/Praya Pradu-52/2007-

Ranchi/ Date :-

Copy forwarded to – Principal Secretary to H.E. the Governor of Jharkhand, Ranchi/Principal Secretary to Honourable Chief Ministry of Jharkhand, Ranchi/Accountant General, Jharkhand, Ranchi/O.S.D. to Chief Secretary of Jharkhand/Secretary Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbag, Aliganj Road, New Delhi-110003/Secretaries/All Head of Department/All Divisional Commissioner/All Deputy Commissioner/Principal Chief Conservator Forest, Jharkhand, Ranchi/Principal Chief Conservator Forest-cum-Executive Director, Waste Land Development, Jharkhand, Ranchi/Principal Chief Conservator Forest, Wildlife and Chief Wildlife Warden, Jharkhand, Ranchi/Additional Principal Chief Conservator Forest-cum-Managing Director, Jharkhand State Forest Development Corporation Ltd., Ranchi/All Additional Principal Chief Conservator Forest/All Chief Conservator Forest/All Regional, Chief Conservator Forest/All Conservator Forest, Jharkhand/All Divisional Forest Officer, Jharkhand for information and necessary action.

Deputy Secretary to the Government.