

NOTIFICATION

Environment Department,
New Administrative Building,
15th Floor, Mantralaya,
Mumbai 400 032.
Dated the 18/06/2011.

Maharashtra
Non-
biodegradable
Garbage
(Control) Act,
2006.

No. Plastic 2009/(6/2009)/TC-4. – The following draft of rules further to amend the Maharashtra Plastic Carry Bags (Manufacture and Usage) Rules, 2006, which the Government of Maharashtra proposes to make in exercise of the powers conferred by clause (i) of sub-section (3) of section 18 read with sub-sections (1) and (2) of Section 4 of the Maharashtra Non-Biodegradable Garbage (Control) Act, 2006 (Mah. X of 2006), and of all other powers enabling it in this behalf, is hereby published, as required by sub-section (2) of the said section 18 of the said Act, for the information of all the persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra on or after the 22nd day of July 2011.

2. Any objections or suggestions which may be received by the Secretary to the Government of Maharashtra, Environment Department, Mantralaya, Mumbai –400 032, from any person with respect to the said draft, before the aforesaid date, will be considered by the Government.

DRAFT

1. These Rules may be called the Maharashtra Plastic Carry-Bags (Manufacture and Usage) (Second Amendment) Rules, 2011,
2. In the Maharashtra Plastic Carry Bags (Manufacture and Usage) Rules, 2006 (hereinafter referred to as “the principal Rules”), for rule 2, the following rule shall be substituted, namely :-
“2. *Definitions* :- In these rules unless the context otherwise requires, -

(a) “Act” means the Maharashtra Non-biodegradable Garbage (Control) Act, 2006 (Mah. X of 2006);

(b) “carry bags” means plastic bags which have a self carrying feature, used to carry commodities;

(c) “commodities” includes articles such as vegetables, fruits, chemicals, fertilizers, textiles and the like;

(d) “container” means flexible or rigid containers made of virgin plastics or recycled plastics with or without lid, used to store, carry or dispense commodities;

(e) “foodstuffs” means ready-to-eat food and food products, fast food, processed and cooked food in liquid, powder, solid or semi-solid form;

(f) “Form” means the form appended to these rules;

(g) “Manufacturer” means any person who is involved in manufacturing carry-bags, containers, etc.;

(h) “Registration” means registration of units manufacturing carry-bags and containers made of virgin or recycled plastics for reuse, with the Maharashtra Pollution Control Board;

(i) “Vendor” means a person who sells nonfood stuff items, foodstuffs as defined above, packaged and stored in plastic carry bags, and includes shopkeepers, restaurants, retailers, street vendors, stockiest, etc..”.

3. In rule 3 of the principle Rules, for the words “State Pollution Control Board” the words “Maharashtra Pollution Control Board” shall be substituted.

4. In rule 7 of the principal Rules, in sub-rule(3), -

(1) in clause (ii), for the words “of the State Pollution Control Board” the words “of the Maharashtra Pollution Control Board” shall be substituted;

(2) after clause (iv), the word “and” shall be deleted;

(3) after clause (v), the following clauses shall be added, namely:-

“(vi) Information regarding the use of the bag for Food-Grade or Non-Food Grade; and

(vii) Cost of the plastic bags;”.

5. Rule 9 of principal Rules shall be renumbered as sub-rule (1) thereof and after sub-rule (1) as so renumbered, the following sub-rules shall be added, namely:-

“(2) Manufactures shall collect the used plastic bags, containers, pouches, sachets, etc., and arrange the same for scientific disposal.

(3) Plastic disposal and throwing shall be prohibited in all protected areas, hill stations, mangroves, water bodies, religious places, schools, etc. and the authorities in-charge shall ensure the implementation of the same.”

6. After rule 10 of the principal Rules, the following rules shall be added, namely :-

“11. *No plastic bags or containers to be burnt in residential area or in dumping ground.*” No plastic bags or containers shall be burnt in an open residential areas and on the dumping grounds,

12. *Innovative ways to be adopted for implementation of rules.* – The Enforcing Authority may adopt innovative ways, such as involvement of unemployed youths, voluntary organizations, Non Government Organisations, etc. for effective implementation of the rules.”

By order and in the name of the
Governor of Maharashtra,

(Valsa R. Nair Singh)
Secretary to Government.