

**GOVERNMENT OF MEGHALAYA
FORESTS & ENVIRONMENT DEPARTMENT**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated, Shillong the 23rd February, 2021

No. ENV.3/2016/378:- Whereas, the usage of plastic carries bags and other plastic items can cause environmental damage and health hazard;

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

And whereas, it has come to the knowledge of the Government that the use of plastic carry bags and plastic sheets are causing serious environmental hazards and affects health of human beings as well as other life forms;

And whereas, it is observed that the plastic wastes is also causing blockage of gutters, sewers and drains apart from resulting in pollution of water bodies both in urban and rural areas;

Now therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 in accordance with the powers delegated to the State Government of Meghalaya under Section 23 of the said Act, vide Ministry of Environment & Forests, Government of India's Notification No. S.O. 289 (E) dated New Delhi the 14th April. 1988, the Government of Meghalaya hereby directs as follows:-

DIRECTION

1. That, no person including shopkeeper, vendor, wholesaler, retailer, trader, hawker or salesmen shall use plastic carry bags with thickness less than 50 microns.
2. That, no person including shopkeeper, vendor, wholesaler, retailer, trader, hawker or salesmen shall use plastic sheet or like, which is not an integral part of multi-layered packaging and cover made of plastic sheet used for packaging, wrapping the community, with thickness less than 50 microns.

Provided that, the plastic used for the following purposes and circumstances are exempted from this notification;

- a) The plastic bags/ multi-layered film/ sheet(excluding carry bags) which constitute or form an integral part of packaging in which goods are sealed prior to use at manufacturing/ processing units;
 - b) The plastic bags and sheets used in Forestry and Horticulture nurseries.
 - c) Plastic bags or plastic used for packaging of medicine.
3. That the following Officers shall enforce this direction in exercise of power conferred on them by law in their jurisdiction, namely:-
 - a) All Deputy Commissioners of the Districts, Sub- Divisional Officer (Civil) and Magistrate;
 - b) All the Superintendent of Police of the Districts and officers at the level of Sub-Inspector of Police and above;
 - c) Chief Executive Officers and all Engineers of Urban Local Bodies and
 - d) All Assistant Environmental Engineers and Environmental Engineers of the State Pollution Control Board, Meghalaya.
 4. Penalty for contravention of the provisions of this Notification under Section 15 of the Environment (Protection) Act, 1986 -
 - a) Whoever fails to comply with or contravenes any of the provisions of this Notification or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend upto five(5) years or with fine which may extend upto one(1) lakh rupees, or with both, and in case the failure or contravention

continues, additional fine shall be imposed which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention in accordance.

- b) If the failure or contravention referred to in sub-section (i) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.
5. That the following officers shall take cognizance of offences and initiate legal action in case of non-compliance of this direction as per the powers conferred on them under Section 19 of the Environment (Protection) Act, 1986 and to file complaint in the jurisdictional court of law on all violators, namely:-
- a) The Secretary to Government of Meghalaya, Forests and Environment Department;
 - b) The Deputy Commissioners of the Districts;
 - c) The Chairman and Member Secretary, State Pollution Control Board, Meghalaya.

Sd/-

(D.P. Wahlang, IAS)

Additional Chief Secretary to the Government of Meghalaya
Forests & Environment Department.

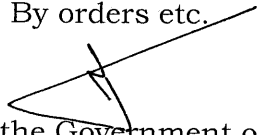
Memo No. No. ENV.3/2016/378-A

Dated the Shillong 23rd February, 2021

Copy to:

1. P.S to the Minister of Forests and Environment Department for kind information of the Hon'ble Minister.
2. P.S to the Chief Secretary to the Government of Meghalaya for kind information of the Chief Secretary
3. The Director General of Police Meghalaya, Shillong.
4. Law Department.
5. The Commissioner and Secretary to the Government of Meghalaya, Urban Affairs Department.
6. The Chairman, Meghalaya State Pollution Control Board.
7. All the Deputy Commissioners/Sub-Divisional Officer (Civil)
8. All the Superintendent of Police.
9. Director Urban Affairs Meghalaya, Shillong.
10. Chief Executive Officer, Shillong Municipal Board, Shillong.
11. The Director of Printing and Stationary, Meghalaya, Shillong with a request to publish the Notification in Meghalaya Gazette.
12. State Informatics Officer, NIC Shillong, Meghalaya with a request to upload in Government website.

By orders etc.


Secretary to the Government of Meghalaya
Forests and Environment Department