

**FOREST, ECOLOGY AND ENVIRONMENT SECRETARIAT
NOTIFICATION**

No. FEE 17 EPC 2012, Bengaluru, Dated: 28.10.2015

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 endeavor to protect and improve the environment:

And whereas, the Government of Karnataka is of the opinion that, the use of plastic carry bags, banners, buntings, flex, plastic flags, plastic plates, plastic cups, plastic sheets (for spreading on dining table), thermocol plates and cups used in functions is causing serious environmental hazards and affects health of human beings as well as animals;

And whereas, it is observed that the plastic wastes 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 proposed to issue directions in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, to impose ban on plastic carry bags, banners, buntings, flex, plastic flags, plastic plates, plastic cups and plastic sheets (for spreading on dining table) used in functions;

Wherefore the proposed Draft direction given below is issued in accordance with Rule 4 (3a) of the Environment (Protection) Rules, 1986.

Any person, institution, body interested in making any objection or suggestion on the direction contained in the Draft Notification may do so in writing within a period of **Thirty days** from the date of this Notification in Gazettee through post to the Secretary to Government (Environment and Ecology), Forest, Environment and Ecology Department, No. 709, 4th Gate, 7th Floor, Multistoried Building, Ambedkar Veedhi, Bengaluru - 560001. Further, notice is hereby given that the said direction will be given effect on or after the expiry of **Thirty days** from the date of publication of draft direction in Gazette or made available to the public.

DRAFT DIRECTION

1. No person including shopkeeper, vendor, wholesaler, retailer, trader, hawker or salesman etc., shall use plastic carry bags, banners, buntings, flex, plastic flags, plastic plates, plastic cups and plastic sheets (for spreading on dining table) used in functions for serving food items, irrespective of thickness. Further, no industry or person shall manufacture, supply, store, transport, sale and distribute plastic carry bags, banners, buntings, flex, plastic flags, plastic plates, plastic cups and plastic sheets (for spreading on dining table) used irrespective of thickness in the State of Karnataka from the date of publication of the directions through a Notification in the Gazette.

Provided that plastic carry bags manufactured exclusively for export purposes against any export order shall be exempted in terms of rule 2 of the Plastic Waste (Management and Handling) Rules, 2011 from the application of this notification. Further provided that plastic bags or any plastic products used in nurseries, dairy industry, health sector and any other sector for non consumptive use shall be exempted from this notification.

2. That the following Officers shall enforce this direction in exercise of power conferred on them by law.
 - a) Commissioner, Joint Commissioners, Deputy Commissioners and all public health officers of BBMP.
 - b) All Deputy Commissioners of the districts
 - c) All Commissioners and Chief Officers, and Health Officers and all members of local bodies in the state.
 - d) All Regional Officers/Environmental officers of KSPCB.
 - e) All Assistant Commissioners, Revenue Department.
 - f) Tahshildars of all Taluks.
 - g) Officers of Commercial Tax Department.
 - h) Officers of Department of Food and Civil supplies.

3. That the following officers shall take cognizance of offences and initiate legal action in case of noncompliance of this direction as per the powers conferred on them under section 19 of the Environment (Protection) Act, 1986 and to book cases in the jurisdictional courts of law on all the violators.

- a) Secretary to Government (Environment & Ecology), Forest, Environment and Ecology Department.
- b) Chairman and Member Secretary, KSPCB.
- c) Deputy Commissioners of the Districts.
- d) Assistant Commissioner, Revenue Department.
- e) Regional Officers of KSPCB.

Explanation 1- Karnataka State Pollution Control Board shall be responsible for enforcement regarding the functions specified in clause (a) of rule 4 of the Plastic Waste (Management and Handling) Rules, 2011 and Urban Local Bodies shall be responsible for enforcement regarding the functions specified in clause (b) of rule 4 of the said Rules;

Explanation 2- 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 relating to matters included in this Notification.

By Order & in the name of the Governor of Karnataka,

Andanayya Mathad

Under Secretary to Government,

(Ecology and Environment)

Forest, Ecology and Environment Department