

**Notification**

7/12/2019-LA

The Goa Non-Biodegradable Garbage (Control) (Amendment) Act, 2019 (Goa Act 13 of 2019), which has been passed by the Legislative Assembly of Goa on 09-08-2019 and assented to by the Governor of Goa on 17-09-2019, is hereby published for the general information of the public.

*D. S. Raut Dessai*, Joint Secretary (Law).

Porvorim, 23rd September, 2019.

**The Goa Non-Biodegradable Garbage  
(Control) (Amendment) Act, 2019**

(Goa Act 13 of 2019) [17-09-2019]

AN

ACT

*further to amend the Goa Non Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997).*

Be it enacted by the Legislative Assembly of Goa in the Seventieth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Non-Biodegradable Garbage (Control) (Amendment) Act, 2019.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) (hereinafter referred to as the “principal Act”),

(i) after clause (a), the following clause shall be inserted, namely:—

“(aa) “commercial establishment” means an establishment used for commercial purposes, such as, bars, shacks, restaurants, private offices,

fitness clubs, retail stores, banks, financial institutions, supermarkets, auto and boat dealerships, etc. and other such establishments;”

(ii) after clause (b), the following clause shall be inserted, namely:—

(ba) “inert waste” means waste which is neither chemically nor biologically reactive and will not decompose;

(iii) after clause (n), the following clauses shall be inserted, namely:—

(o) “plastic” means material which contains as an essential ingredient a high polymer such as polyethylene (PE), polycarbonates (PC), high density polyethylene, vinyl, low density polyethylene, polypropylene, polystyrene (PS Styrofoam/Thermocol) resins, multi-materials like Acrylonitrile Butadiene Styrene (ABS), Polyphenylene Oxide, Polycarbonate, Polyvinyl Chloride, Acetal, Acrylic, Cellulose Acetate, Cellulose Acetate Butyrate, Nylon, Polybutylene terephthalate and shall also include Non Woven Polypropylene, Multilayered co-extruder Polyterephthalate (PT), Polyamides, Polymethylmethacrylate, Plastic microbeads.

(p) “plastic carry bags” means bags made from plastic material with or without handles used for the purpose of carrying or dispensing commodities but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use;

(q) “Styrofoam” is a type of expanded polystyrene used especially for making food containers and packing materials.

3. *Insertion of new section 3A.*— After section 3 of the principal Act, the following section shall be inserted, namely:—

3(A). *Prohibition on use of plastic carry bags, etc.—*

(1) No person shall manufacture, import, store, transport or sell plastic carry bags or items made up of plastic/styrofoam such as, cups, straws, lids, cutlery, cello and poly film, metalised film, plastic cellophane paper and such other items as specified by the Government, by notification in the Official Gazette.

(2) No person including commercial establishment shall use or throw or cause to be thrown plastic carry bags and items specified in sub-section (1), in a public place.

(3) No person shall burn non-biodegradable garbage in public place.

Provided that provisions of this section shall not apply to export oriented units or units in special economic zones, notified by the Central Government, manufacturing their products against an order for exports. Such export oriented units shall not allow their products for sale and usage within the State of Goa."

4. *Insertion of new section 5B.—* After section 5A of the principal Act, the following section shall be inserted, namely:—

"5B. *Penalty for contravening provisions of section 3A.—*

(1) whoever contravenes provisions of sub-section (1) of section 3A shall be punishable with a fine of Rs. 50,000/- (Rupees fifty thousand) for the first offence, Rs. 1,00,000/- (Rupees one lakh) for the second offence and Rs. 3,00,000/- (Rupees three lakhs), or with imprisonment which may extend to three months or with both for every subsequent offence.

(2) Whoever contravenes provisions of sub-section (2) of section 3A shall be punishable with,—

(i) a fine of Rs. 2,500/- (Rupees two thousand five hundred) for the first offence, Rs. 3,500 (Rupees three thousand five hundred) for the second offence and Rs. 5,000/- (Rupees five thousand), or with imprisonment which may extend to five days, or with both, for every subsequent offence, when the offence is in relation to an individual;

(ii) a fine of Rs. 10,000/- (Rupees ten thousand) for the first offence, Rs. 20,000/- (Rupees twenty thousand) for the second offence and Rs. 50,000/- (Rupees fifty thousand), or with imprisonment which may extend to one month or with both, for every subsequent offence, when offence is in relation to commercial establishment;

(3) Whoever contravenes provisions of sub-section (3) of section 3A shall be punishable with a fine of Rs. 5,000/- (Rupees five thousand) in case of simple burning, Rs. 25,000 (Rupees twenty five thousand) in case of bulk burning, for the first offence and for subsequent offences Rs. 10,000/- (Rupees ten thousand) for simple burning and Rs. 50,000 (Rupees fifty thousand) for bulk burning or with imprisonment which may extend upto a period of five days or with both.

(5) *Amendment of Schedule.—* In the Schedule to the principal Act, after item at serial No. (11), the following items shall be inserted, namely:—

"(12) Styrofoam;

(13) Inert Waste;"

Secretariat,  
Porvorim, Goa.  
Dated: 23-09-2019.

CHOKHA RAM GARG  
Secretary to the  
Government of Goa.  
Law Department  
(Legal Affairs).