

# **OFFICIAL GAZETTE**

**Government of Goa**

**10<sup>th</sup> April, 2003**

**SERIES I No. 2**

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**Department of Science, Technology and Environment**

**Notification**

LS/MISC/1915/96/Part 1/1395

Whereas the draft of the Goa Non-Biodegradable Garbage (Control) (Amendment) Rules, 2002, was published as required by section 17 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997), at pages 925-926 of the Official Gazette, Series I, No. 40, dated 2-1-2003 under Notification No. LS/MISC/ 1915/96/Part 1/1060 dated 23-12-2002, of the Department of Science, Technology and Environment (DSTE), inviting suggestions/objections from all persons likely to be affected thereby, before the expiry of 15 days from the date of publication of the said Notification in the Official Gazette; .

And whereas the said Gazette was made available to the public on 2-1-2003; And whereas suggestions/objections received from the public, etc. on the said draft rules have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 17 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997), the Government of Goa hereby makes the following rules, so as to amend the Goa Non-Biodegradable Garbage (Control) Rules, 1997, as follows, namely:

1. Short title and commencement.- (1) These rules may be called the Goa Non-Biodegradable Garbage (Control) (Amendment) Rules, 2003.

(2) They shall come into force at once.

2. *Amendment of rule 2.*- In rule 2 of the Goa Non-Biodegradable Garbage (Control) Rules, 1997 (hereinafter called as the "principal Rules,"), after clause (d), the following clause shall be inserted, namely:

"(dd) "garbage/waste" means all types of garbage/waste including biodegradable garbage, non-biodegradable garbage, bio-medical/clinical waste as well as commodities, such as nonbiodegradable plastic 'bags/packaging material' prohibited under sub-section (h) of section 7 of the Act;".

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3. *Amendment of rule 11.*- In rule 11 of the principal Rules, for sub-rule (1), the following shall be substituted, namely:

"(1) For the purpose of implementation of the provisions of the Act and these rules, the members of the Garbage Management Committee as also Collectors, Deputy Collectors, Mamlatdars, Joint Mamlatdars, Excise Inspectors, Police Sub-Inspectors, Panchayat Secretaries, Chief Officers, Municipal Engineers, Sanitary Inspectors and Municipal Inspectors of all the Municipal Councils of the State of Goa, may, at, any reasonable time do any or all of the following acts, namely:

(a) enter and inspect any place to determine:

- (i) the extent, if any, to which any garbage/waste may cause, is causing or has caused any adverse effect;
- (ii) the cause of any adverse effect that may occur, is occurring or has occurred;
- (iii) how an adverse effect may be prevented, eliminated, reduced or ameliorated and the environment conserved or reclaimed.

(b) when the aforesaid authority reasonably believes that any garbage/waste may release, is releasing or has released into the environment or a place of public view, or that garbage/waste may cause, is causing or has caused any adverse effect, require the person having charge, management or control of the garbage/ waste to remove the garbage/waste or cause it to be removed from where it is found and deposited in a place designated for that purpose under rule 5.

(c) enter and inspect any place in which the aforesaid authority reasonably believes that any garbage/waste may be found and, if so found, seize and cause it to be removed from where it is found and deposited, at the cost of the occupier, in a place designated for that purpose under rule 5, for further disposal as provided under rule 10".

By order and in the name of the Governor of Goa. *Dr. N. P. S.*

*Varde*, Director/Joint Secretary (STE). Panaji, 24Th March, 2003.