Notification No. 5/18/2016-41g4/692717/1, dated 18th February, 2016 to completely prohibit to manufacture, stock, distribute, recycle, sell or use of plastic carry bags in the jurisdiction of all the Municipal Corporations, Municipal Councils and Nagar Panchayats in the State of Punjab, with effect from the 15th April, 2016, under sub-section (2) of section 7 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 [Punjab Act No. 17 of 2007] .

Notification No. 5/18/2016-41g4/692719/1, dated 18th February, 2016 to authorise the following officers for the purposes of sub-section (1) of section 23 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 [Punjab Act No. 17 of 2007] , namely:-

(1). in case of a Municipal Corporation - Commissioner of the said Corporation.

(2). in case of a Municipal Council or Nagar Panchayat - Executive Officer of the said Municipal Council/ Nagar Panchayat.

Notification No. 5/18/2016-41g4/692721/1, dated 18th February, 2016 to specify the following authorities for the purposes of section 18 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 [Punjab Act No. 17 of 2007] :-

(1). in case of a Municipal Corporation - Divisional Commissioner concerned.

(2). in case of a Municipal Council or Nagar Panchayat - Regional Deputy Director, Local Government concerned.


The Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control (Amendment) Ordinance, 2016 [Punjab Ordinance No. 1 of 2016].
2005 की पाँच 7 अक्टूबर-वर्षविविधतापर्दा बयानक ठीक या पूरा नहीं है तथा लेखकों की, नतीजे जांभल लेखन केवल, विशेष
लेखकों के बयान के लिए खोज अन्तिम पुस्तक है।

3. यहाँ दिए गए ठीक मत्ती संदर्भ है जिसे मोहिंना से कुछ अवधारणा लेने देने के प्रयास दिए गए थे, विदेशी मूलभूत विचार। इसे देखते हुए बल्कि
रचना करने बनारस में, फिर वह लेखक ने उन्हें लेखन की पथर विशेषता प्रदान दी है, उन्होंने भारत रूप में भी की में इसे सबूत बताया लेखन देखते हुए उन
साधन है जो मूल व्यंजन विचार छोड़ता नहीं है।

4. सत्तार उपरें है उदाहरण देने के उदाहरण के प्रमुख मार्ग इत्यादि रचना लेखन
लेखन सम्मान प्रदान करता है -

<table>
<thead>
<tr>
<th>नं.</th>
<th>अभिव्यक्ति</th>
<th>नं.</th>
<th>मार्ग मानदण्ड</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>मूर्ति मेव, वृक्ष धिन्तीनाथ, मध्यम मस्तक कदम्भ बिठाना</td>
<td>पत्रिकापत्र, संयोग, व्यक्ति, अभिकल्प अतीत सिद्ध सब, पुरुषार्थ, धुपलख अव्य विचारवाद मार्गित</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>मूर्ति मेव, पालीश, जूनी धिन्तीनाथ, मध्यम मस्तक कदम्भ बिठाना</td>
<td>अभिकल्प, श्रवणमुख, धा:क, दुहराव, विकेश, अक्षमल, विचारवाद में भेंड</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>मूर्ति मेव, वृक्ष धिन्तीनाथ, मध्यम मस्तक कदम्भ बिठाना</td>
<td>तत्त्वावली, अवकल्प, प्रभावमुख व राजसिंग, शिक्षा, अभिकल्प अव्य भावनाः</td>
<td></td>
</tr>
</tbody>
</table>

5. इस उदाहरण मेरे समर्थ सत्तार लेखन सत्तार भूल सत्तार शी की पथरता तत्त्वः लेखन सत्तार भूल सत्तार शी की?

लिखित वन्देष: 5/18/2016 - 4 मार्/692728/2  ग्री:टी 18 दस्तब्दी, 2016

(1) शिक्षा सत्तार / सत्तार सत्तार भूल सत्तार, ग्री:टी।
(2) शिक्षा सत्तार / सत्तार सत्तार (सत्तार सत्तार भूल) ग्री:टी।
(3) सत्तार, भूल सत्तार, माध्यम, इतिहास, तत्त्वावली व राजसिंग कदम्भ विचार (इन्हें लेखन सत्तार: 10/17/2014-भूल.टी.सी.-5 मार्च, 2016 देखने के लिए)
(4) भूल कदम्भकी भूल, ग्री:टी विचार कदम्भ अतीत मूल सिद्ध संवेदन, शी।
(5) भूल कदम्भकी भूल, भूल, ग्री:टी.मी.। जेटित्र 34, शी।
(6) शिक्षा सत्तार सत्तार सत्तार, ग्री:टी।
(7) सत्तार सत्तार निर्माण से समुद्र अभिव्यक्ति।
(8) मध्यम/विचारवाद सीमा सत्तार से मध्यम कदम्भ विचार।

लिखित वन्देष: 5/18/2016 - 4 मार्/692728/2  ग्री:टी 18 दस्तब्दी, 2016

(1) शिक्षा सत्तार / सत्तार सत्तार भूल सत्तार, ग्री:टी।
(2) शिक्षा सत्तार / सत्तार सत्तार (सत्तार सत्तार भूल) ग्री:टी।
(3) सत्तार, भूल सत्तार, माध्यम, इतिहास, तत्त्वावली व राजसिंग कदम्भ विचार (इन्हें लेखन सत्तार: 10/17/2014-भूल.टी.सी.-5 मार्च, 2016 देखने के लिए)
(4) भूल कदम्भकी भूल, ग्री:टी विचार कदम्भ अतीत मूल सिद्ध संवेदन, शी।
(5) भूल कदम्भकी भूल, भूल, ग्री:टी.मी.। जेटित्र 34, शी।
(6) शिक्षा सत्तार सत्तार सत्तार, ग्री:टी।
(7) सत्तार सत्तार निर्माण से समुद्र अभिव्यक्ति।
(8) मध्यम/विचारवाद सीमा सत्तार से मध्यम कदम्भ विचार।
GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT
(LOCAL GOVERNMENT 4 BRANCH)

Notification

The 18th February, 2016.

No. 5/18/2016-4lg4/692717/1 - In exercise of the powers conferred under subsection (2) of section 7 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 [Punjab Act No. 17 of 2007] and all other powers enabling him in this behalf, the Governor of Punjab is pleased to completely prohibit to manufacture, stock, distribute, recycle, sell or use of plastic carry bags in the jurisdiction of all the Municipal Corporations, Municipal Councils and Nagar Panchayats in the State of Punjab, with effect from the 1st April, 2016.

2. This notification issues with the approval of the Local Government Minister, Punjab.

Dated Chandigarh, the 18th February, 2016.

Vikas Pratap, IAS,
Secretary to Government, Punjab,
Department of Local Government.

No. 5/18/2016-4lg4/692717/2 dated Chandigarh, the 18th February, 2016

A copy is forwarded to the Controller, Printing & Stationery, Punjab, Mohali, with the request to publish this notification in the Extraordinary gazette of the State Government, and supply 10 spare copies immediately.

Special Secretary Local Government.

No. 5/18/2016-4lg4/692717/3 dated Chandigarh, the 18th February, 2016


2. It is requested that detailed rules under the said Act may also please be notified at the earliest.

Special Secretary Local Government.

No. 5/18/2016-4lg4/692717/4 dated Chandigarh, the 18th February, 2016

A copy each is forwarded to the following for information and necessary action:

(1) Principal Secretary to Chief Minister, Punjab.
(2) Secretaries/Private Secretaries to all Ministers/Chief Parliamentary Secretaries.
(3) All Financial Commissioners/ Principal Secretaries and Administrative Secretaries to Government, Punjab.
(4) The Registrar, Punjab & Haryana High Court, Chandigarh.
(5) All Heads of Departments and Managing Directors/Executive Heads of all autonomous bodies, including Apex Cooperative institutions.
(6) Commissioners of all Divisions in the State.
(7) Director, Local Government, Punjab, Chandigarh.
(8) All Deputy Commissioners in the State of Punjab.
(9) Mayors and Commissioners of all Municipal Corporations in the State.
(10) All Regional Deputy Directors Local Government in the State.
(11) All Sub Divisional Magistrates in the State.
(12) Presidents/Executive Officers of Municipal Councils/Nagar Panchayats in the State.
(13) All officers of the Department of Local Government Secretariat/Directorate.
(14) All Superintendents and officials of Branches of Department of Local Government Secretariat and Directorate.
(15) Director Information and Public Relations Punjab, Chandigarh.

Special Secretary Local Government.
GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT
(LOCAL GOVERNMENT 4 BRANCH)

Notification

The 18th February, 2016.

No. 5/18/2016-4lg4/692719/1.- In pursuance to the provisions of sub-section (1) section 23 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 [Punjab Act No. 17 of 2007], the Governor of Punjab is pleased to authorise the following officers for the purposes of the said sub-section, namely:

<table>
<thead>
<tr>
<th>(1).</th>
<th>in case of a Municipal Corporation - Commissioner of the said Corporation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2).</td>
<td>in case of a Municipal Council or Nagar Panchayat - Executive Officer of the said Municipal Council/ Nagar Panchayat.</td>
</tr>
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Dated Chandigarh, the 18th February, 2016.

Vikas Pratap, IAS,
Secretary to Government, Punjab,
Department of Local Government.

2. This Notification issues with the approval of the Local Government Minister, Punjab.

Dated Chandigarh, the 18th February, 2016.

Vikas Pratap, IAS,
Secretary to Government, Punjab,
Department of Local Government.

No. 5/18/2016-4lg4/692719/2 dated Chandigarh, the 18th February, 2016

A copy is forwarded to the Controller, Printing & Stationery, Punjab, Mohali, with the request to publish this notification in the Extraordinary gazette of the State Government, and supply 10 spare copies immediately.

Special Secretary Local Government.

No. 5/18/2016-4lg4/692719/3 dated Chandigarh, the 18th February, 2016


2. It is requested that detailed rules under the said Act may also please be notified at the earliest.

Special Secretary Local Government.

No. 5/18/2016-4lg4/692719/4 dated Chandigarh, the 18th February, 2016

A copy each is forwarded to the following for information and necessary action:-

(1) Principal Secretary to Chief Minister, Punjab.
(2) Secretaries/Private Secretaries to all Ministers/Chief Parliamentary Secretaries.
(3) All Financial Commissioners/ Principal Secretaries and Administrative Secretaries to Government, Punjab.
(4) The Registrar, Punjab & Haryana High Court, Chandigarh.
(5) All Heads of Departments and Managing Directors/Executive Heads of all autonomous bodies, including Apex Cooperative institutions.
(6) Commissioners of all Divisions in the State.
(7) Director, Local Government, Punjab, Chandigarh.
(8) All Deputy Commissioners in the State of Punjab.
(9) Mayors and Commissioners of all Municipal Corporations in the State.
(10) All Regional Deputy Directors Local Government in the State.
(11) All Sub Divisional Magistrates in the State.
(12) Presidents/Executive Officers of Municipal Councils/Nagar Panchayats in the State.
(13) All officers of the Department of Local Government Secretariat/Directorate.
(14) All Superintendents and officials of Branches of Department of Local Government Secretariat and Directorate.
(15) Director Information and Public Relations Punjab, Chandigarh.

Special Secretary Local Government.
GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT
(LOCAL GOVERNMENT 4 BRANCH)

Notification

The 18th February, 2016.

No. 5/18/2016-4lg4/692721/1.- In pursuance to the provisions of section 18 of the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005 [Punjab Act No. 17 of 2007], the Governor of Punjab is pleased to specify the following authorities for the purposes of the said section, namely:–

1. In case of a Municipal Corporation - Divisional Commissioner concerned.
2. In case of a Municipal Council or Nagar Panchayat - Regional Deputy Director, Local Government concerned.

2. This Notification issues with the approval of the Local Government Minister, Punjab.

Dated Chandigarh, the 18th February, 2016.

Vikas Pratap, IAS,
Secretary to Government, Punjab,
Department of Local Government.

No. 5/18/2016-4lg4/692721/2 dated Chandigarh, the 18th February, 2016

A copy is forwarded to the Controller, Printing & Stationery, Punjab, Mohali, with the request to publish this notification in the Extraordinary gazette of the State Government, and supply 10 spare copies immediately.

Special Secretary Local Government.

No. 5/18/2016-4lg4/692721/3 dated Chandigarh, the 18th February, 2016


2. It is requested that detailed rules under the said Act may also please be notified at the earliest.

Special Secretary Local Government.

No. 5/18/2016-4lg4/692721/4 dated Chandigarh, the 18th February, 2016

A copy each is forwarded to the following for information and necessary action:-

1. Principal Secretary to Chief Minister, Punjab.
2. Secretaries/Private Secretaries to all Ministers/Chief Parliamentary Secretaries.
3. All Financial Commissioners/Principal Secretaries and Administrative Secretaries to Government, Punjab.
4. The Registrar, Punjab & Haryana High Court, Chandigarh.
5. All Heads of Departments and Managing Directors/Executive Heads of all autonomous bodies, including Apex Cooperative institutions.
6. Commissioners of all Divisions in the State.
7. Director, Local Government, Punjab, Chandigarh.
8. All Deputy Commissioners in the State of Punjab.
10. All Regional Deputy Directors Local Government in the State.
11. All Sub Divisional Magistrates in the State.
12. Presidents/Executive Officers of Municipal Councils/Nagar Panchayats in the State.
13. All officers of the Department of Local Government Secretariat/Directorate.
14. All Superintendents and officials of Branches of Department of Local Government Secretariat and Directorate.
15. Director Information and Public Relations Punjab, Chandigarh.
THE PUNJAB PLASTIC CARRY BAGS (MANUFACTURE, USAGE AND DISPOSAL) CONTROL ACT, 2005
(Punjab Act No. 17 of 2005)

AN

ACT

to provide for the control on the manufacture of plastic carry bags and
other plastic products from the recycled plastic and pigmented carry bags,
their use; and for the prohibition of disposal of non-biodegradable plastic
waste in public places, drains and sewers, for restoring and maintaining clean
environment and for the matters connected therewith or incidental thereto.

Be it enacted by the Legislator of the State of Punjab in the Fifty-sixth
Year of the Republic of India as follows:

1. (1) This Act may be called the Punjab Plastic Carry Bags
(Manufacture, Usage and Disposal) Control Act, 2005.

(2) It shall come into force at once, except the provisions of sections
14 and 17, which shall come into force after the expiration of a period of one
hundred and eighty days from the date of its commencement.

2. In this Act, unless the context otherwise requires,-

(a) "bio-degradable garbage" means the garbage or waste material
    capable of being degraded by the action of micro-organisms;

(b) "building" means any shop, house, out-house, hut, shed or stable
    whether used for the purpose of human habitation or otherwise
    and whether of masonry, bricks, wood, mud, thatch, metal or any
    other material whatever; and includes a wall and a well;

(c) "carry bag" means the plastic carry bag whether it has a self-
    carrying handle or a "D" punched handle or not;

(d) "food" means any article used as food or drink for human
    consumption and includes,
(i) any article which ordinarily enters into or is used in the composition or preparation of human food;
(ii) any flavouring matter or condiment; and
(iii) any other article which the Government, may, having regard to its use, nature, substance or quality, declare by notification in the Official Gazette as food for the purpose of this Act;

(e) "house gully" means a passage or strip of land constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filth or other polluted matter, by the persons employed in the cleaning thereof or in the removal of such matter therefrom;

(f) "local authority" means a Municipal Corporation, a Municipal Council, a Nagar Panchayat, a Zila Parishad, a Panchayat Samiti or a Gram Panchayat constituted or continued as such, as the case may be, under any law for the time being in force in the State of Punjab;

(g) "market" means a place where goods are sold and purchased for human use and includes any other place where persons assemble for sale of fruits, vegetables, food, meat, fish or any other articles for human use or consumption with or without the consent of the owner of such place, notwithstanding that there may be no common regulation for the concourse of the buyers and the sellers and whether or not any control is exercised over the business of, or the persons frequenting the market by the owner of the place or by any other person;
(h) "non-biodegradable garbage" means the waste garbage or material, which is not bio-degradable by an action of micro-organism, and includes thermoplastics and thermo-set plastics, such as P.V.C., polyethylene, terephthalate, polypropylene, polyurethane, polycarbonate, polystyrene as specified in the Schedule appended to this Act;

(i) "occupier" includes—

(i) any person, who for the time being is paying or is liable to pay to the owner, the rent or any portion of the rent of the land or building, as the case may be, in respect of which such rent is paid or is payable;

(ii) an owner in occupation of or otherwise using his land or building;

(iii) a tenant occupying any land or building without rent; and

(iv) any person, who is liable to pay to the owner damages for the use and occupation of any land or building;

(j) "owner" includes a person, who for the time being is receiving or is entitled to receive the rent of any land or building whether on his own account or on account of himself and others or as an agent, trustee, guardian or receiver for any other person or who should so receive the rent or be entitled to receive it, if the land or building or part thereof were let to a tenant;

(k) "pigments" means organic or inorganic chemical substances whether natural or synthetic, used for colouring the carry bags;

(l) "place" means any land or building or part of a building and includes the garden, ground and out-houses, if any, pertaining to a building or part of a building;
(m) "place open to public view" includes any place or building, monument, fence or balcony visible to a person being in, or passing along any public place;
(n) "prescribed" means prescribed by rules made under this Act;
(o) "Public Analyst" means a person appointed as such under section 8;
(p) "Public place" means any place which is open to use and enjoyment of the public whether it is actually used or enjoyed by the public or not and includes a road, street, market, house-gully or way, whether a thoroughfare or not, and landing place to which public are granted access or have a right to resort or over which they have a right to pass;
(q) "Recycle" means the process by which plastic waste is collected, segregated and processed for the purpose of manufacturing carry bags or any other plastic item for use;
(r) "section" means a section of this Act; and
(s) "State Government" means the Government of the State of Punjab.

3. No person shall manufacture or cause to be manufactured any carry bags from virgin plastic of thickness of not less than 30 micron and of a size, not less than 8"x12" and of a colour, other than the specified colour.

4. (1) No person shall manufacture or cause to be manufactured for sale or use any recycled non-biodegradable plastic carry bags or containers with or without containing inorganic or organic pigments, plasticizers, lubricants and stabilizers, which are liable to cause poisoning of food during storing, carrying or packing of any item of food.

(2) No License, for the manufacture, or sale of recycled carry bags referred to in sub-section (1), granted or received under any law before the
commencement of this Act, shall entitle the holder thereof or any person on his behalf to commence or carry on such business.

5. Notwithstanding anything contained in section 4, the State Government may, permit to manufacture carry bags from recycled plastic in such colour, size, thickness and purpose, as may be specified by it.

6. Every manufacturer shall print on each carry bag his name, address, registration number, size, thickness and the nature of plastic from which it is made and its codification as per IS: 14534: 1998.

7. No person shall use or cause to be used any recycled non-biodegradable plastic carry bags or container with or without containing organic pigments, plasticizers, lubricants and stabilizers, which are liable to cause poisoning of food for the purpose of storing, carrying or packing any item of food.

8. (1) The State Government may, by notification in the Official Gazette, appoint or recognize a person or persons, as it thinks appropriate, having such qualifications, as may be prescribed, to be a Public Analyst for the purpose of analyzing and testing any plastic carry bag under this Act.

(2) The report of a Public Analyst shall be treated as a document of evidence in any proceeding under this Act.

9. The local authority may perform all or any of the following functions, namely :-

(a) to carry out and sponsor investigation and research relating to the problem of plastic waste;
(b) to plan and organize the training to persons engaged in manufacture, use and disposal of plastics;
(c) to organize through the mass media a comprehensive programme regarding prevention of environment degradation due to plastics;
(d) to collect, compile and publish technical and statistical data relating to manufacture, use and disposal of plastic waste;
(e) to prepare manuals, guides relating to manufacture, use and disposal of plastics and disseminate information relating thereto;

(f) to make aware the general public about the harm of usage of plastics; and

(g) to perform such other functions, as may be prescribed.

10. (1) No person shall throw or cause to be thrown in any drain, ventilation shaft, pipe and fittings connected with the private or public drainage works or at any public place or in any place open to public view any non-bio-degradable garbage or plastic or any bio-degradable garbage in a non-bio-degradable bag, which may-

(a) injure the proper functioning of the drainage and sewerage system;

(b) interfere with the free flow or affect the treatment and disposal of drain and sewer contents;

(c) be dangerous or cause nuisance or be prejudicial to public health; or

(d) likely to be ingested by stray animals leading to serious health hazards.

(2) No person shall place or permit to be placed, except in accordance with such procedure and after complying with such safeguards, as may be prescribed, any bio-degradable or non-bio-degradable garbage in any public place or in a place open to public view, unless-

(a) the garbage is placed in a garbage receptacle; or

(b) the garbage is deposited in a location designated by the local authority having jurisdiction in the area for the disposal of the garbage.
(3) If any person throws any biodegradable or non-biodegradable garbage at any public place or in any place open to public view, any person aggrieved of any such nuisance, may complain to the local authority.

11. It shall be the duty of the local authority or any officer authorized by it, to-

(a) place or provide at proper and convenient location public receptacles, depots or places for temporary deposit or collection of non-biodegradable garbage;

(b) provide separate dustbins for temporary deposit of different kinds of non-biodegradable garbage;

(c) provide for the removal of contents of receptacles, depots and of the accumulation at all places provided under clause (a); and

(d) arrange for disposal of plastic waste in an environmentally sound manner.

12. It shall be the duty of the owners and occupiers of all lands and buildings to collect or cause to be collected from their respective land and buildings the non-biodegradable garbage and to deposit, or cause to be deposited, in public receptacles, depots or places provided for temporary deposit or collection of the non-biodegradable garbage by the local authority in the area.

13. The local authority may, by notice in writing, require the owner or occupier or part-owner, or person claiming to be the owner or part-owner, of any land or building, which has become a place of unauthorized stacking or deposit of non-biodegradable garbage and is likely to occasion nuisance, to remove or cause to be removed the said garbage so stacked or collected, and if, in its opinion, such stacking or collection of non-biodegradable waste is likely to injure the drainage and sewerage system or is likely to be dangerous to public health and environment, it may pass an order to take
such steps immediately at the cost of such persons, as it may deem appropriate.

Penalties

14. (1) Whoever-
   
   (a) contravenes the provisions of sections 3, 4 or 5 or fails to comply with any order or direction given under this Act, shall be punishable with imprisonment for a term, which shall not be less than three months and which may extend to one year or with fine of not less than twenty-five thousand rupees or with both; or
   
   (b) contravenes the provisions of sections 6 and 7 or of any rule, notification or order made, issued or given under this Act, shall be punishable with imprisonment for a term, which may extend to one month or with fine, which may extend to one thousand rupees or with both.

   (2) Whoever having been convicted of an offence under this Act, is again found guilty and is convicted of an offence under this Act, shall be punishable with double the penalty provided for the offence.

   (3) Whoever in any manner aids, abets or is accessory to the commission of an offence under this Act, shall on conviction, be punished with the same imprisonment as is specified for the commission of that offence.

Offences by Companies

15. (1) If the person committing any offence punishable under this Act, is a Company, every person, who at the time of the commission of the offence, was in-charge of, and responsible to the Company for the conduct of the business of the Company, as well as the Company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

   Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the
offence was committed without his knowledge or that he exercised all due
diligence to prevent the commission of the offence.

(2) Notwithstanding anything contained in sub-section (1), where an
offence under this Act has been committed by a Company and it is proved
that the offence has been committed with the consent or connivance of, or is
attributable to any gross negligence on the part of any Director, Manager,
Secretary or other officer of the company, such Director, Manager, Secretary
or other officer shall also be deemed to be guilty of that offence and shall be
liable to be proceeded against and punished accordingly;

Explanation. – For the purposes of this section
(a) "Company" means any body corporate and includes a firm or
other association of individuals; and
(b) "Director" in relation to a firm means a partner in the firm.

16. All offences under this Act shall be tried in a summary way by a Judicial
Magistrate of the First Class and the provisions of section 262 to 265 (both
inclusive) of the Code of Criminal Procedure, 1973, shall, as far as may be,
apply to such trials.

17. (1) Any offence punishable under this Act, viz:
(a) in the case of a manufacturer, before the institution of the
prosecution, may be compounded, on payment of an
amount of not less than rupees fifty thousand for credit to
the concerned local authority:
Provided that the compounding amount shall not be less than
rupees one lac for any subsequent offence;
(b) in the case of any user, before the institution of the
prosecution, may be compounded, on payment of an
amount of not less than rupees two thousand for credit to
the concerned local authority:
Provided that compounding amount shall not be less than rupees four thousand for any subsequent offence.

(2) Where any offence has been compounded under sub-section (1), no proceedings shall be taken against the offender, in respect of the offence so compounded, and if the offender is in custody, he shall be discharged immediately.

Appeals
18. Any person aggrieved by an order made by a local authority under section 13, may within a period of forty-five days from the date on which the order is communicated to him, prefer an appeal to such authority, as the State Government may, by notification in the Official Gazette, specify.

The appellate authority after hearing the parties, may either accept the appeal or in case, it is not satisfied with the contentions made by the appellant, it may reject the appeal.

19. The State Government may, from time to time, issue to the local authority such directions, as in its opinion, are necessary or expedient for carrying out the purposes of this Act and the rules made there-under and the local authority shall comply with the directions so issued.

20. Where it is expedient so to do, the State Government, in consultation with the Public Analyst, may, by notification in the Official Gazette, add to or omit from the Schedule appended to this Act any item and thereafter, the Schedule shall be deemed to have been amended accordingly.

21. The State Government may, by order published in the Official Gazette, delegate any power exercisable by it under this Act, except the power to make rules under section 25 to such officer or an authority, as may be specified.

22. No suit, prosecution or other legal proceedings shall lie against the State Government or the local authority or any officer or other employee of the State Government or of the local authority or any other person or authority
authorized by the State Government, for anything, which is done or intended to be done in good faith under this Act or the rules made thereunder.

23. (1) No court shall take cognizance of any offence punishable under this Act or the rules made thereunder, except on a complaint made by the local authority or an officer authorized by the State Government in this behalf.

(2) No court inferior to that of a Judicial Magistrate of the First Class, shall try any offence punishable under this Act.

24. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law on the subject, for the time being in force.

25. (1) The State Government may, subject to the condition of previous publication, make rules for the purpose of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

(a) for prescribing qualifications for appointing or recognizing a person as Public Analyst under sub-section (1) of section 8;

(b) for prescribing functions to be performed by the local authority under clause (g) of section 9;

(c) for prescribing procedure and safeguards to be complied with under sub-section (2) of section 10; and

(d) any other matter, which is required to be prescribed by or under this Act.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is made before the House of the State Legislature, while it is in session, for a total period of ten days, which may be comprised in one session
or in two or more successive sessions, and if, before the expiry of the session
in which it is so laid or the successive sessions as aforesaid, the House
agrees in making any modification in the rules, or the House agrees, that the
rules should not be made, the rules shall thereafter have effect only in such
modified form or be of no effect, as the case may be, so, however, that any
such modification or annulment shall be without prejudice to the validity of
anything previously done or omitted to be done under that rule.

26. (1) The Punjab Plastic Carry Bags (Manufacture, Usage and
Disposal) Control Ordinance, 2005 (Punjab Ordinance No. 11 of 2005), is
hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken
under the Ordinance referred to in sub-section (1), shall be deemed to have
been done or taken under the corresponding provisions of this Act.
SCHEDULE
[ See section 2 (h) ]

NON-BIO-DEGRADABLE PLASTICS

(as per IS:14534:1998)

1. Polyethylene Terephthalate (PET).
2. High Density Polyethylene (HDPE)
3. Poly Vinyl Chlorine (PVC)
4. Low Density Polyethylene (LDPE)
5. Polypropylene (PP)
6. Polystyrene (PS)
7. Others such as Polybutadiene Terephthalate (PBT), Acrylonitrile Butadiene Styrene (ABS) and Acrylic.

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CHANDIGARH, TUESDAY, FEBRUARY 2, 2016
(MAGHA 13, 1937 SAKA)

LEGISLATIVE SUPPLEMENT

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(viii)
THE PUNJAB PLASTIC CARRY BAGS (MANUFACTURE, USAGE AND DISPOSAL) CONTROL (AMENDMENT) ORDINANCE, 2016

(Punjab Ordinance No. 1 of 2016)

Promulgated by the Governor of Punjab in the Sixty-seventh Year of the Republic of India.

AN ORDINANCE

further to amend the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005.

Whereas, the Legislative Assembly of the State of Punjab is not in session and the Governor is satisfied that circumstances exist, which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Punjab is pleased to promulgate the following Ordinance, namely:-

1. (1) This Ordinance may be called the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control (Amendment) Ordinance, 2016.

(2) It shall come into force on and with effect from 1st February, 2016.

2. In the Punjab Plastic Carry Bags (Manufacture, Usage and Disposal) Control Act, 2005, the provision of section 7 shall be numbered as sub-section (1) and after sub-section (1) so re-numbered, the following sub-section shall be added, namely:-

"(2) Notwithstanding anything contained in sections 3, 4, 5 and sub-section (1) of section 7, the State Government, may by notification in the Official Gazette, completely prohibit to manufacture, stock, distribute,
recycle, sale or use of plastic carry bags and containers made of virgin or recycled plastic and plastic items having one time use such as disposable plastic cups, tumblers, spoons, forks and straws.

PROF. KAPTAN SINGH SOLANKI,
GOVERNOR OF PUNJAB.

H.P.S. MAHAL,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.