

The 23rd April, 2001

No. LL(B) 16/99/13- The Meghalaya Prohibition of Manufacture, Sale, Use and Throwing of Low Density Plastic Bags Act, 2001 (Act, No. 4 of 2001) is hereby published for general information.

MEGHALAYA ACT NO. 4 OF 2001

(As passed by the Meghalaya Legislative Assembly)

(Received the assent of the Governor on the 19th April, 2001)

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**THE MEGHALAYA PROHIBITION OF MANUFACTURE, SALE, USE AND
THROWING OF LOW DENSITY PLASTIC BAGS ACT, 2001**

An

Act

To provide for prohibition manufacture, sale, use and throwing of low density plastic bags in Meghalaya and to make provisions for those matters connected therewith.

Be it enacted by the Legislature of the State of Meghalaya in the Fifty second Year of the Republic of India as follows:-

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| Short title extent and Commencement | 1 | (1) This Act may be called the Meghalaya Prohibition of manufacture, Sale, Use and Throwing of Low Density Plastic Bags Act, 2001
(2) It extends to the whole State of Meghalaya.
(3) It shall come into force on such date as this State Government may by a notification in the Official Gazette appoint.
Provided that the State Government may appoint different data for different places or areas. |
| Definitions | 2 | In this Act, unless the context otherwise requires,
(a) "Act" means the Meghalaya Prohibition of Manufacture, Sale, Use and Throwing of Low Density Plastic Bags Act, 2001
(b) "Code" means the Code of Criminal Procedure 1973 (Act 2 of 1974);
(c) "Low Density Plastic Bag" means a bag, in whatever form may be, made of plastic the thickness of which is less than twenty microns and includes any such low density plastic container for carrying things; and
(d) "State Government" means the Government of the State of Meghalaya. |

Prohibition of manufacture, sale, use and throwing of low density plastic bag	3	<p>No person shall</p> <p>(a) Manufacture bags made of low density plastic;</p> <p>(b) Sell or use bags made of such low density plastic for storing, carrying disposing or packing of food stuff and other articles; and</p> <p>(c) Throw, or discard low density plastic bags in public places including road drains and parks.</p>
Power of Government to authorise officers to act under this Act	4	<p>(1) The State Government may by notification in the Official Gazette authorise one or more persons who will be competent to act under the Act.</p> <p>(2) Every person authorised under Clause (1) shall deem to be public servant within the meaning of Section 21 of the Indian Penal Code.</p>
Penalties	5	<p>Any person who contravenes the provision of the Act shall be punishable with fine which may extend to rupees one hundred and in case of second and subsequent offence with a minimum fine of rupees two hundred which may extend to rupees five hundred.</p>
Courts competent to try offence under this Act and take cognizance of offence	6	<p>(1) No court other than the Court of Judicial Magistrate of the First Class shall take cognizance of any offences under this Act.</p> <p>(2) No court shall take cognizance of any offence under this Act, except on a complaint in writing by an authorised Officer.</p>
Offence to be cognizable and bailable	7	<p>Notwithstanding anything contained in the Code, offences under this Act shall be cognizable and bailable.</p>
Offence under the Act to be tried summarily	8	<p>All offences under this Act shall be tried summarily in the manner provided for summary trial under the Code.</p>
Compounding of offences	9	<p>The State Government or any person authorised by it by general or special order in this behalf may either before or after the institution of the proceeding compound any offences made punishable by or under this Act.</p>

Power to make rules

- 10 (1) The State Government may, subject to previous publication, make rules to carry out the purpose of this Act.
- (2) Every rule made under this Act shall be laid before the Legislative Assembly.

L.M.SANGMA,
Deputy Secretary to the Government of Meghalaya,
Law (B) Department