

**The Goa Non-Biodegradable Garbage (Control)
(Amendment) Bill, 2023**

(Bill No. 40 of 2023)

A

BILL

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

5 BE it enacted by the Legislative Assembly of Goa in the Seventy-fourth 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, 2023.

10 (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”),-

15 (i) clauses (aa) and (ab) shall be renumbered as clauses (ab) and (ac) respectively;

(ii) before clause (ab) so renumbered, the following clause shall be inserted, namely:-

20 “(aa) “brand owner” means a person or a company who manufactures and sells any commodity under a registered brand label;”;

(iii) clause (ba) shall be renumbered as clause (bb);

(iv) before clause (bb) so renumbered, the following clause shall be inserted, namely:-

“(ba) “Importer” means a person who imports non-biodegradable packaging product or products;”;

(v) after clause (k), the following clause shall be inserted, namely:-

“(ka) “Producer” means person engaged in manufacture or import of products made out of non-biodegradable materials for packaging or wrapping the commodity;” 5

3. Substitution of section 5.— For section 5 of the principal Act, the following section shall be substituted, namely:-

“5. Duty of Owner, Occupier, Producer, Importer and Brand Owner to collect and deposit Non-Biodegradable garbage.— The Owner, Occupier, Producer, Importer and Brand Owner shall collect or cause to be collected from their respective land, buildings or locality, the non-biodegradable garbage and deposit or cause to be deposited the same in public receptacles or places provided for temporary deposit or collection of the non-biodegradable garbage or to the agency appointed for the purpose by following the procedure as specified by the Government by Notification in the Official Gazette.” 10 15

4. Amendment of Schedule.— In the Schedule to the principal Act, after item at serial No. (13), the following items shall be inserted, namely:- 20

“(14) Glass;

(15) Aluminium.”.

Statement of Objects and Reasons

The Bill seeks to amend sections 2 and Section 5 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 so as to define brand owner , importer and producer as well as their duties to deposit Non- Biodegradable Garbage to the agency at appointed for the propose by the State Government by way of Notification and to include glass and aluminum in the schedule. This amendment has been sought to ensure proper collection and disposal Goa Non-Biodegradable Garbage in the State of Goa.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Porvorim, Goa.
August 2023.

NILESH CABRAL
Minister for Environment and
Climate Change

Assembly Hall,
Porvorim-Goa,
August 2023.

NAMRATA ULMAN
Secretary to the Legislative
Assembly of Goa

ANNEXURE

Name of The Bill: The Goa Non-Biodegradable Garbage (Control Amendment) Bill, 2023.

Sr No	Existing Provision	Amendment proposed in the Bill	Justification for amendment
1	<p>Section 2 Definitions— (aa) “commercial establishment” means an establishment used for commercial purpose, such as, bars, shacks, restaurants, private offices, fitness clubs, retails stores, banks, financial institutions, supermarkets, auto and boat dealership, etc. and other such establishment;]</p>	<p>Amendment of Section 2.— In Section 2 of the Goa Non-Biodegradable Garbage Control Act, 1996 (Goa Act of 5 of 1997) (hereinafter referred to as the (“Principal Act”)</p> <p>(i) For clause (aa) and (ab) shall be renumbered as clauses (ab) and (ac) respectively;</p> <p>(ii) before clause (ab) so renumbered the following clause shall be inserted, namely:-</p> <p>(aa) “brand owner” means a person or company who manufactures and sells any commodity under registered brand label;</p>	<p>The purpose of the insertion is to define brand owner and specify duties to such brand owners for ensuring proper segregation and collection of non biodegradable garbage.</p>
	<p>[(ba) ‘inert waste means which is neither chemically nor biologically</p>	<p>“(ba)” “Importer” means a person who imports non-biodegradable packaging</p>	<p>The purpose of the insertion is to define Importer and specify</p>

	reactive and will not decompose;]	product or products;"; (v) after clause (k) the following clause shall be inserted, namely:-	duties to such brand owners for ensuring proper segregation and collection of non biodegradable garbage.
		"(ka)" "Producer" means person engaged in manufacture or import of products made out of non-biodegradable materials for packaging or wrapping the commodity;"	The purpose of the insertion is to define Producer and specify duties to such brand owners for ensuring proper segregation and collection of non biodegradable garbage.
		3. Amendment of section 5. — for section 5 of the principal Act, the following section shall be substituted, namely:-	
	[5. Duty of owner and occupier to collect, segregated and store non-biodegradable garbage etc.- it shall be the duty of the owner and occupier to collect and segregate the non-biodegradable	"5. Duty of Owner, Occupier, Producer, Importer and Brand Owner to collect and deposit Non-Biodegradable garbage.— The Owner, Occupier, Producer, Importer and Brand Owner shall collect or cause to be collected from their respective land,	Purpose of the amendment is to include Duty to the Brand Owner, Producer and Importer for depositing the non biodegradable waste at the location and to

	garbage generated within their place and store securely until it is handed over to the local authority.]	buildings or locality, the non-biodegradable garbage and deposit or cause to be deposited, the same in public receptacles, or places provided for temporary deposit or collection of the non-biodegradable garbage or to the agency appointed for the purpose by following the procedure as specified by the Government by Notification in the Official Gazette.".	the agency that is notified by the State Government .
		<p>4. Amendment of Schedule.— In the Schedule to the principal Act, after item at serial No. (13), the following items shall be inserted, namely:-</p>	
	<p>Schedule [See section 2(e)]</p> <p>(1) Polyethylene ;</p> <p>(2) Polycarbonate;</p> <p>(3) Polypropy lene;</p> <p>(4) Polystyrene;</p> <p>(5) Polyziny 1 Chloride (PVC);</p> <p>(6) ABS;</p>	<p>Schedule [See section 2(e)] (1)</p> <p>Polyethylene ;</p> <p>(2) Polycarbonate;</p> <p>(3) Polypropy lene;</p> <p>(4) Polystyrene;</p> <p>(5) Polyziny1 Chloride (PVC);</p> <p>(6) ABS;</p> <p>(7) Acetal;</p>	<p>Purpose of insertion is to include Glass and Aluminum Packaging in the non biodegra-dable waste.</p>

	(7) Acetal; (8) Acrylic; (9) Cellulose Acetate; (10) Cellulose Acetate Butyrate; (11) Nylon. [(12) Styrofoam; (13) Inter waste;]	(8) Acrylic; (9) Cellulose Acetate; (10) Cellulose Acetate Butyrate; (11) Nylon. [(12) Styrofoam; (13) Inter waste;] (14)Glass; (15) Aluminum	
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LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Non-Biodegradable Garbage (Control)
(Amendment) Bill, 2023**

(Bill No. 40 of 2023)

(To be introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
AUGUST, 2023**

