



GOVERNMENT OF ASSAM
OFFICE OF THE DISTRICT MAGISTRATE
HOJAI :: SANKARDEV NAGAR
(MAGISTRACY BRANCH)

eCF No. 73317/DFA/223500

Date: April, 2024

ORDER
(U/S 144 of Cr.P.C.)

Whereas, it appears to me that some person are selling and using coloured and ordinary polythene bags in the District of Hojai.

And Whereas, coloured and ordinary polythene bags are not biodegradable and harmful to human being when food materials are carrying in these bags and consumed directly from the coloured and ordinary polythene bags.

And Whereas, the use of polythene damages the roads, reduces the aesthetic beauty of the town and causes overall pollution of environment.

And Whereas, there is every likelihood of breach of peace and tranquility in the locality for causing damage to the health of the people in general and also the infertility of the agricultural land caused from the coloured and ordinary polythene bags.

And whereas Central Govt. has notified an Act under the name "The Environment (Protection) Act, 1986" to control and regulate the deterioration of Environment due to plastic.

And Whereas U/S 5, 6 & 10 of The Environment (Protection) Act, 1986 empowers for issue of suitable directions as well as inspection etc.

And Whereas, in my opinion, there is sufficient ground for proceeding under Section 144 Cr.P.C. for preventing sale and use of all kinds of coloured and ordinary polythene bags.

Now, therefore, in exercise of the power U/S 144 Cr.P.C. conferred upon me, I, Sri Lachit Kumar Das, ACS, District Magistrate, Hojai, in exercise of powers conferred upon me U/S 144 Cr.P.C. do hereby order as follows:-

1. No person shall manufacture, stock, distribute or sell carry bags made of virgin or recycled polythene bags or compostable plastic, which is less than 120 microns in thickness.
2. Sachets using plastic materials shall not be used for storing packing or selling.
3. Any violation of this prohibitory order will invite penal action U/S 188 IPC as well as Section 15 of the Environment Protection Act 1986 as amended.

Owing to the necessity of the situation, this order is passed ex-parte under section 144 Cr.P.C. However, anyone aggrieved by the order may approach the competent authority for modification/ waiver of the order. This order comes into force with immediate effect.

Given under my hand & seal on this day.

District Magistrate
Hojai

Memo eCF No. 73317/DFA/223500

(A)

Date: April, 2024

Copy for kind information to:-

1. The Principal Secretary to the Govt. of Assam, Home & Political Department.
2. The District & Sessions Judge, Hojai.

Copy for information and necessary action to:

1. The Chief Executive Officer, Zilla Parishad, Hojai.
2. The Superintendent of Police, Hojai.
3. The Additional District Magistrate (All), Hojai.
4. The Joint Director of Health Services, Hojai.
5. The Circle Officer, Hojai/Lanka/Doboka Revenue Circle.
6. The Executive Magistrate (All), Hojai.
7. The Executive Officer (All), Municipal Board under Hojai district.
8. The DIPRO, Hojai for wide publicity through all means of media at his disposal.
9. The District Informatics Officer, NIC, Hojai.
10. The Officer In-Charge of all Police Stations under Hojai district for strict enforcement of the Order.
11. The President/Secretary, Chamber of Commerce (All) in Hojai district.

(e-signed)
District Magistrate
Hojai