

**Bill No. 238 of 2018**

THE SINGLE-USE PLASTIC (REGULATION) BILL, 2018

By

SHRI ANURAG SINGH THAKUR, M.P.

A

BILL

*to provide for a framework to enable India to achieve its goal of eliminating single-use plastic by the year 2022.*

BE it enacted by Parliament in the Sixty-ninth Year of the Republic of India as follows:—

**1.** (1) This Act may be called the Single-Use Plastic (Regulation) Act, 2018.

Short title,  
extent and  
commencement.

(2) It extends to whole of India.

(3) It shall come into force on such date as the Central Government may, by notification  
5 in the Official Gazette, appoint.

**2.** In this Act, unless the context otherwise requires,—

Definitions.

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "higher education institution" includes institutions imparting education on completion of senior secondary level;

(c) "plastic" means material which contains as an essential ingredient a high polymer such as polyethylene terephthalate, high density polyethylene, Vinyl, low density polyethylene, polypropylene, polystyrene resins or multimaterials like acrylonitrile butadiene styrene, polyephylene oxide, polycarbonate or polybutylene terephthalate;

(d) "plastic packaging" means all products which are—

(i) used for the containment, protection handling, delivery and presentation of goods; and

(ii) partly or wholly composed of plastic;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "recycle" means the reprocessing in a production process of the waste materials of a plastic product for the original purpose or for other purposes;

(g) "reuse" means any operation by which a plastic product, which has been conceived and designed to accomplish within its life cycle a minimum number of trips or rotations, is refilled or used for the same purpose for which it was conceived; and

(h) "single-use plastic" means any disposable plastic item which is designed to be used only once before it is thrown out or recycled and includes plastic forks and knives, plastic shopping bags, plastic coffee cup, lids, plastic water bottles, styrofoam, plastic take out containers and plastic straws.

Plastic target setting.

**3.** The Central Government shall, within six months from the commencement of this Act,—

(a) prescribe a target of complete elimination of plastic waste by the year 2050 in accordance with international obligations, if any, agreed to by India;

(b) specify the year 2022 target year to implement a complete ban on single-use plastic and the proportion of reduction of single-use plastic during each year following the date of fixing of target year 2022; and

(c) formulate and implement a National Plastic Control Strategy for carrying out the purposes of this Act.

Promote sustainable alternatives to plastic.

**4.** The appropriate Government shall take necessary measures to promote sustainable alternatives to single-use plastic including,—

(a) **research by higher education institutions and others into sustainable alternatives to plastic packaging; and**

(b) the use of sustainable alternatives to plastic packaging.

Phasing out of existent plastic.

**5.** The appropriate Government shall take measures to ensure—

(a) elimination of the production and use of plastics;

(b) **increase in recycling, reuse and other forms of waste recovery in relation to plastics; and**

(c) removing plastics already in the environment for the purpose of recycling, reusing or applying another form of waste recovery to the plastics.

Ban on single use plastic items.

**6.** Notwithstanding anything contained in any other law for the time being in force, no person shall, after the target year 2022, use, stock, distribute, manufacture, sell or trade in any single-use plastic item.

7. Whoever violates the provision of this Act shall be punished with a fine which shall not be less than rupees one lakh but which may extend upto five lakhs. Penalty.

**8. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds for carrying out the purposes of this Act.** Central Government to provide requisite funds.

5        9. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the  
10 expiry of the session immediately following the session or the successive sessions afore-said, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule 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 under that rule.

## STATEMENT OF OBJECTS AND REASONS

India's 1.3 billion population currently produces 25,940 metric tonnes of plastic per day, Plastic is highly non-biodegradable causing permanent damage to the environment by disrupting ecosystems.

Single use plastic can block waterways and exacerbate natural disasters. By clogging sewers and providing breeding grounds for mosquitoes and pests, plastic bags can increase the transmission of vector-borne diseases like malaria.

Marine life is also impacted by the irresponsible dumping of plastic goods in water bodies. High concentrations of plastic materials, particularly plastic bags, have been found blocking the airways and stomachs of hundreds of species. There is evidence that the toxic chemicals added during the manufacture of plastic transfer to animal tissue, eventually entering the human food chain. Styrofoam products, which contain carcinogenic chemicals like styrene and benzene, are highly toxic if ingested, damaging the nervous systems, lungs and reproductive organs.

Further, improper disposal of plastic can cause toxicity thereby having a devastating impact on the quality of life. Plastic waste is often burned for heat or cooking, exposing people to toxic emissions. Disposing of plastic waste by burning it in open-air pits releases harmful gases like furan and dioxin. This contributes to the air pollution which has become a public health endemic in recent years. Efforts to ban single use plastic and promote sustainable alternatives to it can help in mitigate all the ill-effects on human life and environment.

India's commitment towards sustainable development can only be realised through concentrated efforts of reducing pollution caused by plastic.

Hence this Bill.

NEW DELHI;  
19 November, 2018.

ANURAG SINGH THAKUR

#### FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for research by higher education institutions and others into sustainable alternatives to plastic packaging. Clause 5 provides that the appropriate Government shall take measures to increase in recycling, reuse and other forms of waste recovery in relation to plastics. Clause 8 of the Bill provides that the Central Government shall provide requisite funds for carrying out the purposes of this Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India.

No non-recurring expenditure is likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the appropriate Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of details only, the delegation of legislative power is of a normal character.

LOK SABHA

---

A

**BILL**

to provide for a framework to enable India to achieve its goal of eliminating single-use plastic by the year 2022.

---

*(Shri Anurag Singh Thakur, M.P.)*