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SUPPLEMENT

Goa Legislature Secretariat

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The following bill which was introduced in the Legislative Assembly of the State of Goa on 21st July, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The following bill which was introduced in the Legislative Assembly of the State of Goa on 1st August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Non-Biodegradable Garbage (Control) (Amendment) Bill, 2025

(Bill No. 37 of 2025)

A

BILL

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

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of Republic of India as follows:

1. *Short title and commencement.*— (1) This Act may be called the Goa Non-Biodegradable Garbage (Control) (Amendment) Act, 2025.

(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”), after clause (ac), the following clauses shall be inserted, namely:—

“(ad) “bulk waste generator” means an industry, a hotel, restaurant or an establishment generating more than 50 kg of non-biodegradable garbage;

(ae) “waste collector” means a person who is involved in the collection, segregation, sorting, sale and purchase of waste materials including recyclable materials and includes waste trader;

(af) “materials recovery facility (MRF)” means a facility where solid waste other than wet waste and horticulture waste, can be temporarily stored by the local body or any entity authorized by local body to facilitate segregation and sorting of collected waste including biodegradable plastic as well as compostable plastic, and transfer of recyclables and non-recyclables to authorized recyclers or waste processors from various components of waste;

(ag) “disposal” means final and safe disposal of the waste as specified in Schedule through recycler or by the co-processor;

(ah) “refused derived fuel” (RDF) means fuel derived from combustible waste like plastic, wood, pulp or inorganic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste;”.

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

“3. *Prohibition to throw garbage in public and private places including drains, rivers, nallahs, waterbodies such as ponds, streams, vents, sewers, wells, lakes, land, quarries, etc.*— (1) No person shall throw or cause to be thrown in drain, river, nallahs, ponds, streams, vents, sewers, lakes, land, quarry, private or public drainage or sewage system/work, any non-biodegradable garbage or any bio-degradable garbage in a non-biodegradable bag or container likely to,—

(i) injure drainage and sewage system, pollute or contaminate water body, interfere with the free flow of water cause nuisance and create risk to public health;

(ii) affect the treatment and disposal of sewage contents; and

(iii) be prejudicial to public health, contamination of soil, surface water and ground water.

(2) No person shall, knowingly or otherwise, 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-biodegradable 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 at a location identified, by local authority having jurisdiction over the area and earmarked for disposal of garbage.”

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 and duty of the Bulk Waste Generator, Waste Collector, Recycler, Co-processor.*— (1) 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 a Notification in the Official Gazette.

(2) The Bulk Waste Generator, Waste Collector, Recycler, Co-processor, shall register on the online portal of Goa State Pollution Control Board for carrying out disposal of waste as specified in the Schedule and shall obtain the authorization of Goa State Pollution Control Board by following the procedure as specified by the Government by a Notification in the Official Gazette.”

4. *Substitution of Section 5A.*— For Section 5A of the principal Act, the following section shall be substituted, namely:—

“5A. *Penalty for contravening provision of Section 5.*— (1) Whoever contravenes any of the provisions of Section 5 of this Act shall be punishable with,—

(i) a fine of Rs. 200/- (Rupees two hundred only) for the first offence, Rs. 500/- (Rupees five hundred only) for the second offence, and Rs. 5000/- (Rupees five thousand only) for every subsequent offence, when the offence is in relation to a residential house;

(ii) a fine of Rs. 25,000/- (Rupees twenty-five thousand only) for the first offence, Rs. 50,000/- (Rupees fifty thousand only) for the second offence, and Rs. 1,00,000/- (Rupees one lakh only) for every subsequent offence, when the offence is in relation to a commercial establishment.”.

5. *Substitution of Section 5B.*— For Section 5B of the principal Act, the following section shall be substituted, namely:—

“5B. *Penalty for contravening provisions of Section 3A.*— (1) whoever contravenes provisions of sub-section (1) of Section 3A shall be punishable with a fine of Rs. 50,000/- (Rupees fifty thousand only) for the first offence, Rs. 1,00,000/- (Rupees one lakh only) for the second offence and Rs. 3,00,000/- (Rupees three lakhs only) for every subsequent offence.

(2) Whoever contravenes provisions of sub-section (2) of Section 3A shall be punishable with,—

(i) a fine of Rs. 2,500/- (Rupees two thousand five hundred only) for the first offence, Rs. 3,500/- (Rupees three thousand five hundred only) for the second offence and Rs. 5,000/- (Rupees five thousand only), for every subsequent offence, when the offence is in relation to an individual;

(ii) a fine of Rs. 10,000/- (Rupees ten thousand only) for the first offence, Rs. 20,000/- (Rupees twenty thousand only) for the second offence and Rs. 50,000/- (Rupees fifty thousand only), for every subsequent offence, when offence is in relation to commercial establishment;

(3) Whoever contravenes provisions of sub-section (3) of Section 3A shall be punishable with a fine of Rs. 5,000/- (Rupees five thousand only) in case of simple burning, Rs. 25,000/- (Rupees twenty-five thousand only) in case of bulk burning, for the first offence and for subsequent offences Rs. 10,000/- (Rupees ten thousand only) for simple burning and Rs. 50,000/- (Rupees fifty thousand only) for bulk burning.”

6. *Insertion of new Section 5C.*— After Section 5B of the principal Act, the following section shall be inserted, namely:—

“5C. *Penalty for contravening provisions of Section 3.*— The vehicle utilised for dumping of the waste shall be impounded by concerned police of respective Police Station and the license of the same shall be suspended for a period of one month for the first offence and shall be punishable with a fine of Rs. 25,000/- (Rupees twenty five thousand only), three months for the second offence and fine of Rs. 50,000/- (Rupees

fifty thousand only), six months for the third offence and fine of Rs. 1,00,000/- (Rupees one lakh only) and thereafter the license of the vehicle shall be permanently suspended.”.

7. *Amendment of Schedule.*— In the Schedule to the principal Act, after item at serial No. (15), the following items shall be inserted, namely:—

- “(16) Metal
- (17) Paper
- (18) Multi-layer Plastic
- (19) Rubber
- (20) Glass Wool
- (21) Fiber Reinforced Plastic (FRP)
- (22) Glass Fiber
- (23) Paper Based Beverage Carton (Tetra pack)
- (24) Leather
- (25) Wood Utilized for Packaging
- (26) Corrugated Boxes and Cardboard, etc
- (27) Jute
- (28) Woven Bags”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to prohibit throwing of garbage in public or private places including in water bodies, safe disposal of collected waste and provide penalty for contravening provisions of the Goa Non-Biodegradable Garbage (Control) Act, 1996. Further it provides to empower Goa State Pollution Control Board to monitor the non-biodegradable waste generated from the industries on a digital platform and impound vehicles utilized for illegal dumping of waste.

This Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Government to issue a Notification to specify the procedure for the registration on the online portal of the Goa State Pollution Control Board and grant of authorization by Goa State Pollution Control Board.

These delegations are of normal character.

Porvorim-Goa.
31st July, 2025.

ALEIXO SEQUEIRA
Minister for Environment
& Climate Change.

Assembly Hall,
Porvorim, Goa.
31st July, 2025.

NAMRATA A. ULMAN
Secretary to the
Legislative Assembly of Goa.