

GOVERNMENT OF TRIPURA
DEPTT. OF SCIENCE, TECHNOLOGY & ENVIRONMENT
VIGYAN, PRAJUKTI O PARIVESH BHAWAN
GORKHABASTI: AGARTALA
TRIPURA-799006

No.F.11 (78)/DSTE/ENV/Pt-I/12 - 40

Dated 02 /01/2018

NOTIFICATION

WHEREAS, Article 48A of the Constitution of India, inter-alia envisages that the State shall endeavour to protect and improve the natural environment for safeguarding human beings, wildlife including all living creatures, forests, lake, rivers etc.;

AND WHEREAS the Government of Tripura after considering the adverse effects of Plaster of Paris (PoP), baked clay, synthetic, non-biodegradable items etc which are use for making idols, on the environment and local ecology felt that these have detrimental effect on the environment;

AND WHEREAS, it is observed that the Synthetic/Plastic colour used for painting of idols, puja pandal and decoration purpose come down thereby to the water bodies and soil causing vigorous water pollution as well as soil pollution resulting in unhygienic environmental and public health related problems and degrade the natural quality of soil;

AND WHEREAS, it is observed that Plaster of Paris, Synthetic/Plastic Colour, are non-biodegradable and after long time breaks to toxic plastic particles polluting soil; produces toxic gases and ash on it's burning;

AND WHEREAS, it is observed that the Plaster of Paris, Synthetic/Plastic Colour and other non-biodegradable items cause aquatic and terrestrial animals die by its ingest, it's litters arrest the recharging ground water aquifers; harmful chemicals and colours of plastic contaminates soil and water; they choke the living organisms of the soil etc causing harmful effects on the environment;

AND WHEREAS, the Plaster of Paris, Synthetic/Plastic Colour and other non-biodegradable items adversely affects percolation of water to ground levels, hamper the quality of soil layer and drinking water, affect the growth of plants and creature etc which causes long term bad effect on ecology & environment;

AND WHEREAS, in compliance with the Judgment dated 06.10.2017 passed by National Green Tribunal, Eastern Zone Bench, Kolkata in Original Application No.51/2016/EZ (Ambar Nath Sengupta Vrs. State of West Bengal & Others), the Government of Tripura shall have to impose complete ban on the use of Plaster of Paris and Synthetic/Plastic Colour and other non-biodegradable items for making idols, decoration of pandal etc in the whole state.

NOW, THEREFORE, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (Central Act No.29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Rules, 1986, the Government of Tripura is pleased to impose a complete ban on the use of Plaster of Paris and Synthetic/Plastic Colour and other non-biodegradable items for making idols, pandal decoration etc in the whole state where the ban shall be given effect



with immediate effect. **In this context, the Government hereby issues the following directions namely:-**

1. Directions:-

As a part of compliance of the Judgment dated 06.10.2017 passed in Original Application No.51/2016/EZ and the Guidelines dated 18.06.2010 framed by Central Pollution Control Board (CPCB), the following directions are to be followed strictly;

1. No Puja Committee or organizations or individual like - idol maker/painter etc. shall use Plaster of Paris for making idol.
2. No Puja Committee or organizations or individual shall use Synthetic/Plastic Colour for painting of idols and other decoration purpose including the puja pandal in any festival.
3. Sub-Divisional Magistrate shall constitute a co-ordination Committee under his/her chairmanship comprising the members from Police, Non-Government Organizations, Local Authorities, representative of pooja committees, stakeholders etc for effective monitoring & control of pollution in his or her jurisdiction. He/she may be co-opt any other official/individual as he/she deemed fit.
4. Non-biodegradable items are strictly prohibited for making idols and pandal decoration in any festival.
5. The height of the super structure of the idol shall be less than 40 ft. and the idol also shall not exceed 20 ft. in height.
6. All Puja Committees or individual or organizations shall submit a declaration before the respective Local Bodies like Municipal Corporation, Municipalities and Panchayats, as the case may be, specifying that in the making of idols and raising super structure;
 - a. No Plaster of Paris (POP) shall be used.
 - b. No synthetic paint or colour containing toxic heavy metals like mercury, cadmium, arsenic, lead and chromium shall be used.
 - c. The height of idol shall be limited to 20 ft.
 - d. The height of the super structure shall be limited to 40 ft.
7. Local Bodies shall submit copies of all declaration received in this regard to the Tripura State Pollution Control Board, Tripura
8. Both of the local bodies and Tripura State Pollution Control Board shall make surprise inspection and impose penalty/prohibition from organizing festival in future, either temporarily or permanently as per rules in case of any violation detected.
9. The biodegradable materials should be removed before immersion and the concerned local bodies/organization/NGO or any individual may use these materials for composting and other useful purpose.
10. The biodegradable wastes/materials like flowers, leaves, fruits, coconut etc generated from temple everyday should not be allowed to dispose of to water bodies. Disposal of such biodegradable wastes to water bodies will invite penalty to be imposed by the local authorities on the temple committee.

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11. The Guidelines dated 18.06.2010 framed by Central Pollution Control Board (CPCB) regarding Idol Immersion & subsequent amended guidelines as issued from time to time in this regard shall strictly be applicable for protection of ecology & environment in the State.

2. Responsibilities of Idol makers/manufactures & Organizers-

- a) Idol shall be made through natural & bio-degradable items like- clay, bamboo, jute thread, straw etc.
- b) No plaster of Plaster of Paris (PoP), baked clay, synthetic, non-biodegradable items can use for making idols.
- c) The height of idol must be limited/restricted within 20 ft.
- d) No synthetic paint or colour containing toxic heavy metals like mercury, cadmium, arsenic, lead and chromium shall be used.
- e) Natural colour shall be used for painting of Idols & other decoration purpose.
- f) The height of the super structure shall be limited/restricted within 40 ft.
- g) All Puja Committees or individual or organizations shall submit a declaration before the respective Local Bodies like Municipal Corporation, Municipalities and Panchayats, as the case may be, specifying that in the making of idols and raising super structure;

3. Responsibilities of Local Bodies:-

- a) Local Bodies like Municipal Corporation, Municipalities, Municipal Council and Panchayats, Panchayat Samiti, Zila Parishad as the case may be, specifying that in the making of idols and raising super structure shall be permissible in accordance with the above directions.
- b) They shall be responsible to submit the copies of all declaration received in this regard to the Tripura State Pollution Control Board, Tripura.
- c) They shall be responsible for disposal of the wastes as per CPCB guidelines dated 18.06.2010 & other related rules existing in this regard.
- d) They shall make surprise inspection and impose penalty/prohibition from organizing festival in future, either temporarily or permanently as per rules in case of any violation detected.

4. Responsibilities of Tripura State Pollution Control Board (TSPCB):-

- a) Tripura State Pollution Control Board shall collect all declaration from the Local Bodies which are received by them from the Organizer(s).
- b) TSPCB shall make surprise inspection and impose penalty/prohibition from organizing festival in future, either temporarily or permanently as per rules in case of any violation detected.

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c) TSPCB shall be conducted water quality assessment at pre-immersion, during immersion and post immersion as mentioned in CPCB guidelines dated 18.06.2010.

d) TSPCB shall prepare materials for mass awareness to the common people.

5. Penalty/punishment in case of Violation:-

a) An amount of **Rs.5,000/-** only will be imposed as "Pollution Cost" to the "Idol Makers" in case of violation due to use of POP, synthetic paint or colour containing toxic heavy metals like mercury, cadmium, arsenic, lead & chromium for painting of idols that would require immersion as part of final ritual of the festival.

b) An amount of **Rs.10,000/-** only will be imposed as "Pollution Cost" to the Puja Committee of Club/Housing Complex/Society/Organization/Temple/other religious shrine who organize the festivals, in case of violation by exceeding the idol height more than 20 feet.

c) An amount of **Rs. 10,000/-** only will be imposed as "Pollution Cost" to the Puja Committee of Club/Housing Complex/Society/Organization/Temple/other religious shrine who organize the festivals, in case of violation by exceeding the height of super structure of idol more than 40 feet.

d) An amount of **Rs. 2,000/-** only will be imposed as "Pollution Cost" to the temple committee/ committee of other religious shrine who organize the festivals, in case of violation by disposal of used flowers, leaves, fruits, coconut shell, etc, in water bodies which are generated every day from the temple/ other religious shrine.

e) Local Authority/Tripura State Pollution Control Board/Local Administration may impose prohibition from organizing festival in future, either temporarily up to 5 years or permanently in case of any violation by any Individual/ Club/NGO/Organization/Agency/Committee.


6. Uses of Penalty Amount collected as "Pollution Cost":-

The environmental compensation collected in this regard shall be deposited to the Tripura state Pollution Control Board for development/up gradation of ecology & Environment of the State.

7. Authorized Officers:-

The following officers are hereby authorized to implement this Notification in their respective jurisdiction namely:

1. Member Secretary, Tripura State Pollution Control Board and Officers at the level of Junior Environmental Engineer/Junior Scientist and above.
2. Municipal Commissioner, Agartala Municipal Corporation, Agartala and other Officers nominated by him.
3. Chief Executive Officer of Tripura Tribal Area Autonomous District Council, Tripura and other Officers nominated by him.



4. District Magistrate & Collectors of all respective Districts in Tripura.
5. Superintendent of Police, SDPO & Officers at the level of Sub-Inspector of Police and above.
6. Director, Department of Science, Technology & Environment, Government of Tripura and Officers at the level of Scientific Officer and above.
7. Director, Food and Civil Supplies Department and Officers at the level of Inspector and above.
8. Director, Industries & Commerce Department and other Officers nominated by him.
9. Director, Health & Family Welfare Department or other Officers nominated by him.
10. Commissioner of Taxes & Excise and Officers at the level of Inspector of Taxes and above.
11. Labour Commissioner, Labour Department and Officers at the level of Inspector and above.
12. Sub-Divisional Magistrate of all respective Sub-Division in Tripura.
13. Block Development Officer of all respective block in Tripura.
14. Chief Executive Officer of all Municipal Council in Tripura
15. Executive Officer of all respective Nagar Panchayet in Tripura.

8. Monitoring:-

Authorities of all Local Bodies/Local Administration and Member Secretary, Tripura State Pollution Control Board (TSPCB) shall ensure over all monitoring and implementation of these rules and directions. The Chairman and the Member Secretary, TSPCB, Local Authorities and all the Authorized Officers mentioned in foregoing para within their respective area/jurisdiction, are authorized to file complaint under section 19 of the Environment (Protection) Act, 1986.

9. Enforcement:-

This Notification shall come into force with immediate effect.

By the order of the Governor


(Dr. A. Rastogi, IFS)
Secretary

Government of Tripura

Copy to:-

1. The Principal Secretary to the Governor, Tripura, Agartala.
2. The Principal Secretary to the Chief Minister, Tripura.
3. P.S to the All Ministers, Govt. of Tripura.
4. P.S to the Chairman, Tripura Tribal Area Autonomous District Council, Tripura.
5. The Mayor, AMC; Agartala.

6. The Chairperson of all Municipal Council, Tripura.
7. The Chairperson of all Nagar Panchayet, Tripura.
8. The JS & SA to Chief Secretary, Govt. of Tripura.
9. The Director General of Police, Govt. of Tripura, Agartala.
10. The Chairman, Tripura State Pollution Control Board.
11. P.A/P.S to All Pr. Secretaries/Commissioner /Secretaries/ Special Secretaries, Govt. of Tripura.
12. Chief Executive Officer of Tripura Tribal Area Autonomous District Council, Tripura.
13. The Municipal Commissioner, AMC, Agartala.
14. All DM & Collector, Tripura

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15. All Head of Department/Director, Govt. of Tripura.
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16. All Sub-Divisional Magistrate, Tripura

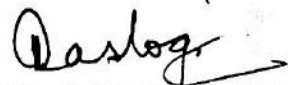
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17. All Block Development Officer

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18. Chief Executive Officer, All Municipal Council, Tripura.

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19. Executive Officer, All Nagar Panchayet, Tripura.

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20. Concerned Department of the Authorized Officers mentioned in this Notification for information of the Authorized Officer.

21. The Manager, Government Press for publication of this notification in the next issue of official gazette.


(Dr. A. Rastogi, IFS)
Secretary
Government of Tripura