



*Reckless use of banned polythene poses a serious threat to the environment*  
*Photo Source: The Independent*

# Indiscriminate Usage of Polythene affects our Environment: Failure of Implication of Environmental Provisions

**Amanat Ullah Sahin**

## Introduction

We must without any hesitation assert that environment is essential for our existence in this beautiful globe. We are blessed with this natural globe with ample natural resources that helps us to exist. Our economical condition, development mostly depends on the sound usage of environment. It is disheartening that we are destroying our existence by indiscriminate use of polythene that prevents the productivity of our land, river, sea as well as the new concept of “Blue Economy”. Our legislative measure named Bangladesh Environmental Conservation Act 1995 provided provisions for prohibition of use of polythene and punishment is imposed on usage of polyene. The fate of environment is not saved by the non implication of Bangladesh Environmental Conservation Act.

## Statistics on Usage of Polythene and Plastic

We are dumping about 8 million tons of polythene and plastic, a survey shown by the Daily Star Newspaper in 2019. Bangladesh produces around 87,000 tons of single-use polythene and plastics waste annually and 86% of the waste is dumped in landfills. While 78% of the single-use plastic wastes are generated in urban areas of Bangladesh, a significant portion of 22% comes from rural areas.<sup>1</sup> Waste Concern, an award-winning Bangladeshi social business concern that promotes waste recycling, at a study released in February 2019 found that a total of 821,250 tones of polythene and plastic waste were generated in urban hubs of Bangladesh a year while some 207,685 tones were dumped in marine environment annually. It revealed that plastic wastes increased 17.52 times in 2014, compared to 1992. According to the study, per capita annual consumption of plastic products in Dhaka was 5.56kg in 2005, which increased to 17.24kg in 2019.

## Usage of Polythene affects on Land and Water

We are regarded “fish-rice” based Bengali from ancient period. Our economy mostly depends on agriculture. Rule of agriculture on economy has been assessed with 13.35% and people engaged in agriculture at 40.62% in 2019-2020 fiscal years but the rule of agriculture on economy was 18.4% in 2009-2010 fiscal year, 14.1 in 2017-2018 fiscal year and 14.7 in 2018-2019 fiscal year. The rule is decreasing day by day. Effect of polythene is one of the reasons to decrease the rule on GDP. When the polythene is

mixed with soil by indiscriminate dumping, it decreases the productivity of land and disturbs the ecosystem. The decreasing of productivity of land leads to dearth. The chemical structure of most plastics renders them resistant to many natural processes of degradation and as a result they are slow to degrade and prevent the growth of plant. Polythene can release detrimental substance into the surrounding soil and that can mix with the water sources thus pollute the ground water. Drinking that polluting water by human being and animals leads to various kinds of diseases. The scarcity of ground water is so acute in the rural area now. Using of polythene and mixing it with the ground water is one of the reasons of water pollution.

#### **Usage of Polythene affects on River, Sea as well as Blue Economy**

River, canal, sea is one of the richest recourse of economy. Bangladesh has achieved vast area of sea amounted to 19,467sq and 1,11,000 sq from India and Myanmar through long standing battle in Permanent Court of Arbitration (PCA) a Hague based International Tribunal and International Tribunal for the law of the sea (ITLOS), Humberg, Germany. According to the UNCLOS-III, the total area of sea in Bangladesh is 2,07,000 square kilometers, 1.4 times greater than its total land area. According to Economic Review 2020, the rule of fishery on economy is 3.50. Sustainable Development Goal (SDG) states 17 goals. Goal 14 explained about the sustainable use and conservation of oceans, sea and marine resources. The new concept of blue economy has

been emerged from goal 14 that means we can use the vast area of our sea sustainably and earn huge foreign currency by selling the fishes and other aquatic resources. The vast sea, river resources will contribute to our economy, if sea, river, canal is protected from the pollution. Unfortunately, the sea, river has been polluting through polythene and plastic substances. It is extremely disheartening to learn that Dhaka city alone produces 646 tons of plastic waste every single day, which are 468 tones more than the amount 15 years ago.<sup>2</sup> The country ranked 10th in polluting the oceans in 2010, said a report compiled by a team of researchers based in the United States and Australia, who analyzed plastic waste levels in the world's seas. When polythene is dumped in canal, river then it goes to the sea thus polluting the sea by destructing the habitant of fish and other water resources. Thus we lose our vast resources of fishery by dumping the polythene and plastic substances to sea, river and canal. Dumping polythene on the sea, river and canal is changing the ecosystem. Changing in the ecosystem is also responsible to increasing the sea, river level that leads climate change that also destroy the agricultural and habitant of the people leads to climate refugee.

#### **Usage of Polythene affects on Human Body**

Polythene badly affects on human body. Indiscriminate usage of polythene is responsible for many fatal diseases on human being. Usage of polythene disturbs the hormonal order of human being. It could damage the kidney and destroy the embryo of pregnant women. D. Khaleda Islam, a professor, department of nutrition

and food science, University of Dhaka stated polythene and plastic is made in bisphenol which is detrimental to human body. We frequently polythene-wrapped fish and mean but polythene-wrapped fish and meat produce a kind of heat that creates radiation which ultimately makes the food poisonous. Besides, the polythene-wrapped fish, meat and vegetables get infected by anaerobic bacteria, a germ responsible for skin disease and cancer. Dr Shahriar said that the color used in polythene bags in our country is also a threat to public health. A nutrition expert of Kolkata Medical College Hospital, Dr Shashwati Roy, in a research found that taking tea in polythene cup can be a cause of ulcer and cancer. Experts say, polythene bags and other plastic materials, if burnt below 7,000 degrees Celsius, create a dioxin like poisonous gas, which can cause cancer and skin diseases. Polythene bags dumped near households are the safe havens for breeding mosquitoes, which causes dengue fever, filariasis and malaria, they warned.

#### **Usage of Polythene affects on Tourism**

The tourism is not protected from the bad effects of polythene and plastics products. We must acknowledge that Cox'bazar, world largest sea beach in the world and Saint Martin is the blessing for Bangladesh. Cox'bazar is our identity to the world. It is unfortunate that tourist dump polythene and plastic bottle without thinking the importance of sea beach as a result it is polluting the sea as well as surrounding environment. Same scenario is available in Saint Martin and Kua Kata. Saint

Martin, a coral island has its existence on coral. If coral is destroyed then whole Saint Martin will go under water. Using of polythene and dumping it to the Saint Martin is heading to the destruction of our natural coral island by destroying all its biodiversity. When polythene, plastic bottle will be seen in the sea then foreigner will be reluctant to visit our natural Cox'sbazar. Ultimately our economy will be affected.

### **Environmental Legal Provisions on Restriction of Polythene**

There are several provisions exist in Bangladesh to restrict of polythene. Bangladesh government imposed ban on polythene bag in 2002 for the first time considering the harmful effect of polythene on environment. Bangladesh Environment Conservation Act 1995 (amended on by Act No 12 of 2000 and 9 of 2002) is regarded as the core environmental law of Bangladesh where the execution of order of this Act is elaborated in Bangladesh Environment Court Act 2000.

Section 6 (A) of the Bangladesh Environment conservation Act 1995 clearly prohibit on using of polythene or polythene bag by stating that Government, on the advice of Director General, may direct imposing absolute ban on the manufacture, import, marketing, sale, demonstration for sale, stock, distribution, commercial carriage or commercial use, or allow the operation or management of all kinds or any kind of polythene shopping bag, or any other article made of polyethylene or

polypropylene, or any other article is injurious to the environmental under condition imposed by the government.

Section 15 of the Bangladesh Environment Conservation Act 1995 clearly provides the punishment on the violation of section 6(A).

(a) If any person violates section 6 (A) by manufacturing and importing or marking will be punished Imprisonment not exceeding 10 years or fine not exceeding 10 lac taka or both.

(b) If any person violates section 6 (A) by selling, exhibiting for sale, stocking distributing, using will be punished Imprisonment not exceeding 6 month or fine not exceeding 10 thousand taka or both.

For the speedy disposal of the environmental above offences, Environmental Court Act 2010 has been enacted and section 4 of the act stated about the establishment of the environmental court one or more court in each district presided by the joint district judge who will be appointed in accordance with the advice of supreme court. Director General or Inspector of department of environment has been empowered to file complaint against environmental offence under section 7 of the Environment Court Act 2010.

### **Failure of Environmental Provision to Restrict the Polythene and Recommendation to Save the Fate of our Environment from the Polythene**

1. Section 6(A) of the

Bangladesh Environment Conservation Act 1995 provided the provision for imposing ban on polythene or polythene bag products but this imposition of ban is based on the advice of the Director General of Environment. But it is not possible for director to get the information about the violation and to perform his duties under section 4 of the Bangladesh Conservation Act 1995 without the establishment of enough director of environment's office in every district and appointing enough manpower that is clearly stated in the section.

2. There are no enough environmental courts established to dispose of the environmental offence. Only Environmental Court in Dhaka, Chattagram, Sylhet has been established. Only Act or provision would not work when enough court is not established to settle the violation of order under section 6(A) for the protection of environment. Separate environmental courts must be established in every district.

3. Section 4(2) of the Environmental Court Act 2010 mandated that Joint District Judge could conduct the hearing of the environmental offence in addition to their general duties. This section is also bar to the implication of environmental provision. Separate joint district judges must be appointed in every district to hear the environmental issues.

4. Section 7 of the Environment Court Act 2010 provides that Director General of Environment or Inspector can file a complaint against the violation of section 6(A) of Conservation



Act 1995. The right to access to justice of the people who are affected by the harmful effect of environment has been denied. Injury to the environment is injury to the people so people must be given opportunity to file complaint in environment court.

5. Usage of polythene in every sphere of life must be prohibited through the government and execution of the order must be given under Mobile Court Act 2009 for the instant and speedy disposal of the violation of environmental provision instead of Director General of Environment. UN must drive raid to market so that indiscriminate usage polythene bag is decreased.

6. Mayor of City Corporation, Municipality and Chairman of Union Parishad must play an important rule so that people do not dump their polythene wastage to pond, river, and sea by placing boxes in every area to dump the polythene

wastage available to the people. The polythene wastage must be burnt in desolate area. E-recycling management must be introduced in every City Corporation, Municipality and Union Parishad.

7. Jute made bag must be made available to every sphere of life that also flourish our economy increasing the income of jute based bag.

8. River, sea must be protected from polythene and plastic wastage by using net on the link point of canal-sea and canal-river. Australia environmental department made this arrangement.

### Conclusion

We have to believe on the motto 'Our safe environment, our safe survival, our safe Bangladesh'. If we do not understand that our fate of existence depends on our fate of environment then usage of polythene will throw our existence into destruction by destroying

productivity of our agriculture, land, river, sea, canal. Sustainable development that pledge to keep adequate resources for future generation by sound usage of environment would fail, if we don't save our environment from indiscriminate usage of polythene. Usage of polythene must be restricted to save our environment from the destruction by amending the flaw of environmental provision then we will keep ourselves and the environment sound and green.

### References

1. <https://esdo.org/pdf12.pdf>
2. <https://www.thedailystar.net/editorial/news/dhaka-continues-be-choked-plastic-waste-2089989>

### Amanat Ullah Sahin



Lecturer, Department of law  
Z.H. Sikder University of  
Science and Technology  
Email: sahinj29@gmail.com



**BiLD**  
Law Academy

+88-02-9585245-46  
+88 01883 886888  
info@bildbd.com

## Become a Successful Professional with the help of BiLD Law Academy

Admission Going On for

# 2021

Our Courses

- Bar Council Enrollment Exam Preparation
- Judicial Service Exam Preparation
- High Court Permission Exam Preparation
- Bar Transfer Test (BTT) Preparation

Special Features

- 12x6 Support
- Qualified Lecturers
- Model Test
- Online Assistance
- Ease of Accessibility
- Creativity and Teamwork

○ Classes are now being conducted both Online and Offline by Qualified Lecturers

○ You can study anywhere from Bangladesh through our online classes

🏠 KR Plaza (Level 6 & 7), 31 Purana Paltan, Dhaka- 1000

🌐 [www.bildbd.com](http://www.bildbd.com)