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IN THE HIGH COURT OF BOMBAY AT GOA

PUBLIC INTEREST LITIGATION (SUO MOTU) NO. 1 OF 2014

V e r s u s

1. State
through Chief Secretary, Goa.
2. The Member Secretary,
Goa Coastal Zone Management Authority,
3. The Member Secretary,
Goa Pollution Control Board,
4. The Village Panchayat of Velim,
through Sarpanch
5. Ministry of Environment and Forest
Government of India,
through its Secretary Paryavan Bhakar,
CGO Complex, Lodhi Road,
New Delhi – 110 003. .. Respondents

Mr. Sudin Usgaonkar, Amicus Curiae.

Mr. A. N. S. Nadkarni, Advocate General with Mr. S. Rebello, Addl.
Government Advocate for the respondent nos. 1 to 3.

Mr. A. Palekar, Advocate for the respondent no.4.

Mr. D. Lawande, Asst. Solicitor General for the respondent no.5.

Coram:- F. M. REIS &
K. L. WADANE, JJ

Date :- 19th January, 2015

ORAL JUDGMENT (Per F. M. Reis, J)

Heard Mr. Sudin Usgaonkar, learned Amicus Curiae,

:2:

Mr. Nadkarni, learned Advocate General appearing for the respondent nos. 1 to 3, Mr. A. Palekar, learned counsel appearing for the respondent no.4 and Mr. D. Lawande, learned Asst. Solicitor General appearing for the respondent no.5.

2. Rule. Heard forthwith with the consent of the learned counsel.

3. The learned counsel appearing for the respective respondents waive service.

4. This Court has taken Suo Motu cognizance of a news item about the pollution resulting in threat to river leading to destruction of shellfish in river Sal.

5. During the hearing, it was gathered that the experts from the department of Civil Engineering IIT Roorkee, visited the area and have conducted the survey in the first week of August, 2014. The report was awaited. After the receipt of such report, the respondent no.1 had to forward such report to the Minister of Environment and Forest and thereafter further action plan was to be chalked out. Accordingly, directions were issued to the respondent no.1 to prepare an action report within a specific period of time.

6. It appears from the affidavit on record that the respondent no.4 has also made a request for a project report named "Pilot Survey for Disseminating SME's Technologies for ground water remediation by Bioremediations of river Sal in Goa" by Japanese based Asahi Geo Survey Company Ltd.

7. Affidavit came to be filed by Shri Srinet Kotwale, who is a Director and Ex-Officio Joint Secretary (Department of Environment) Government of Goa, of the respondent no.1 inter-alia to place on record the final detailed project report (DPR) for pollution abatement of river Sal which is prepared under the National River Conservation Plan (NRCP) scheme prepared by the Sewerage Infrastructural Development Corporation of Goa Limited. The said report is marked as Exhibit 'A' Colly. It was also pointed out in the said affidavit that such report was prepared with an objective to improve the quality of water of Sal river by carrying out the following activities.

- (a) Providing sewage collection and conveyance system for the region;
- (b) Treatment of sewage prior to disposal into SAL river or SAIPAM lake so as to prevent further contamination of natural water bodies;
- (c) Prevent the spread of disease and unhygienic conditions prevalent due to lack of sewerage system.

8. Affidavit further states that the DPR has been submitted to the National River Conservation Directorate, Ministry of Environment, Forest and Climate Change, Government of India, for approval of funding. He has also stated that the Sewerage Scheme is proposed to be implemented over a period of three years.

9. Mr. Sudin Usgaonkar, learned Amicus Curiae has pointed out that the State Government has presently taken some measures to reduce the pollution at the concerned sites.

10. Taking note of the fact that measures are being taken by the respondent no.1, on the basis of the said report at Exhibit 'A' and the said affidavit filed by the respondent no.1, we find it appropriate to dispose of the above Petition at this stage. Needless to say that all the actions contemplated by the respondent no.1 shall be in accordance with law. Respondent no.1 shall file a report every six months with regard to the measures being taken with that regard. Rule stands disposed of accordingly.

K. L. WADANE, J
at*

F. M. REIS, J