

IN THE HIGH COURT OF BOMBAY AT GOA.**PIL WRIT PETITION NO. 2 OF 2014.**

SHRI SURENDRA S. GOVEKAR,
 son of S. Govekar, aged
 46 years, Indian National,
 resident of House No.455,
 Dabholwada, near Siddeshwar
 Temple, Chapora, Anjuna,
 Bardez-Goa.
 MOBILE NO.9822127474,
 PAN CARD NO.AHTTPG0753G,
 NATIONAL UNIQUE IDENTITY NO.
 40 5835385739,
 ANNUAL INCOME RS.6,80,000/-

Petitioner**Versus**

- 1] VILLAGE PANCHAYAT OF
 ANJUNA-CAISUA, through its
 Secretary, having office at
 V.P. Anjuna-Caisua, Bardez,
 Goa.
- 2] GOA STATE STATE POLLUTION CONTROL
 BOARD, through its Member
 Secretary, having office at
 Dempo Towers, First Floor,
 EDC Patto Plaza,
 Panaji-Goa.
- 3] THE DIRECTOR OF PANCHAYATS,
 Government of Goa, having office at
 Junta House, Junta
 House, Panaji-Goa.
- 4] STATE OF GOA, through its
 Chief Secretary, having
 Office at Secretariat,
 Porvorim, Bardez-Goa.

Respondents

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Shri D. Pangam, Advocate with Shri P. Sawant for the
 petitioner.

Shri S.D. Lotlikar, Advocate General with Shri P. Dangui,
 AGA for the respondents no.3 and 4.

Shri A.D. Bhohe, Advocate for the respondent no.1.

CORAM : F.M.REIS & NUTAN D.SARDESSAI, JJ
DATE : 04/10/2016.

ORAL JUDGMENT (PER F.M. REIS, J):

1] Heard Shri Pangam, learned counsel appearing for the petitioner, Shri Lotlikar, learned Advocate General with Shri Dangui, learned AGA appearing for the respondents no.3 and 4 and Shri Bhobe, learned counsel for the respondent no.1.

2] Rule. Rule made returnable forthwith. Heard by consent of the learned counsel appearing for the respective parties. The learned Additional Government Advocate and learned counsel waive notice on behalf of the respective respondents.

3] The main concern of the petitioner in the above Public Interest Litigation is the inaction on the part of the concerned authorities including the respondent no.1 in taking appropriate steps to clear the garbage in the village of Anjuna Caisua. When the matter was taken up from time to time, we have called upon the Pollution Control Board to visit the site and submit its report. The Pollution Control Board have periodically filed the reports, inter alia, stating that there is no appreciable improvement in the removal of garbage as garbage was found in different places in the concerned village. The learned Advocate General was accordingly called upon to examine the steps to be taken to

ensure that the garbage is collected by the respondent no.1 and transported to the Super Responsive Garbage Treatment Plant at Calangute. The learned Advocate General has placed on record a chart disclosing the amount of garbage collected by the respondent no.1 and transported by vehicles to the Garbage Disposal Plant at village Calangute. Mr. Bhobe, learned counsel appearing for the respondent no.1, upon instructions, confirmed that the garbage referred to in such report is from the villages of Anjuna Cauisa. The chart produced by the learned Advocate General is taken on record and marked "X" for identification. Shri Pangam, learned counsel appearing for the petitioner, however, apprehends that despite of the removal of garbage as shown in the chart marked "X" for identification, there is garbage left over in the village which has to be attended. Shri Bhobe, learned counsel appearing for the respondent no.1, upon instructions, states that all steps would be taken to ensure that all the garbage of the village is collected for transportation to the Super Responsive Garbage Treatment Plant at Calangute. The learned Advocate General points out that after the initiative taken by the respondent no.1, there is an appreciable improvement in the collection and transport of such garbage. Considering that some measures have been taken by the concerned Village Panchayat in the collection and disposal of garbage, we find that the petition can be disposed of based on the statement of Shri Bhobe, learned

counsel appearing for the respondent no.1, upon instructions, that all appropriate steps would be taken to ensure that garbage is not left over in the village Anjuna Causa. The concerned respondents are also expected to ensure that the garbage which has been transported by the Local Panchayat is properly disposed of at the said Plant in question.

4] The Pollution Control Board is also directed to make surprise inspection to ensure that no garbage is left over in the village Anjuna Causa.

5] The above directions are in addition to the directions already issued in the judgment passed by this Court on 13th August, 2013 in Suo Moto Writ Petition No.2 of 2007.

6] The petitioner is at liberty to move the Court in case of any difficulty.

7] Rule is made absolute in the aforesaid terms.

NUTAN D. SARDESSAI, J

F.M. REIS, J

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