

Santosh

***IN THE HIGH COURT OF BOMBAY AT GOA
SUO MOTU WRIT PETITION NO.2 OF 2007
AND
OTHER CONNECTED MATTERS***

.. *Petitioner.*

Versus

*State of Goa through Chief
Secretary and others.* *Respondents.*

***Coram : M.S. Sonak &
Smt. M.S. Jawalkar, JJ.***

Date : 5th June, 2020.

P.C. :-

This Court has been monitoring the compliances with regard to the Judgment and Order dated 11th July, 2019 in Suo Motu Writ Petition No.2 of 2007 and other connected matters, concerning, *inter alia*, the solid waste management and related issues in the State of Goa.

2. From time to time, several orders have been made. These include the orders relating to unauthorised dumping of garbage and other solid waste at the Parade Ground, Campal, Panaji, Goa. On most occasions, this Court was informed that the dumped garbage would be cleared. This, obviously, implied not merely compliance with the assurance of clearing the dumped garbage, but further refraining from dumping any further garbage on the Parade Ground

at Campal.

3. The daily '*Lokmat*' dated 5th June, 2020 carries a news item, with a photograph indicating *prima facie* that the garbage has either not been cleared as assured to this Court or that, in any case, fresh garbage has been dumped upon the Parade Ground. The news item also refers to various authorities passing on the buck, but doing precious little to remove this garbage which is likely to prove a source for ailments like dengue and malaria. A copy of this news item is ordered to be placed on record in the said matter.

4. Accordingly, we direct that this matter be placed for consideration on 9th June, 2020 at 11.00 a.m. to consider the limited issue relating to dumping of garbage at the Parade Ground at Campal, Panaji, Goa.

5. The Registry to serve notices along with copy of this order upon the City of the Corporation of Panaji, Goa, Goa State Urban Development Authority (GSUDA), the Chief Town Planner, Goa State Pollution Control Board, Director of Health Services, Goa State Waster Management Corporation and the Director of Municipal/Urban Development. Notices be also served upon Mr. A.D. Bhohe who appears for the City of the Corporation of Panaji, Mr. Dattaprasad Lawande/Mr. Pradosh Dangui, appearing for the Goa State Pollution Control Board, and Office of the learned

Advocate General.

6. To begin with, the Commissioner of the City of Panaji and the Member Secretary of the Goa State Pollution Control Board to file affidavits by 9th June, 2020, indicating the position of dumping of garbage at the Parade Ground, at Campal, Panaji. The affidavits to indicate whether there is any authorisation for such dumping and if so, place such authorisation on record.

7. If the photograph published in the news item indeed depicts the present and correct position above cited, then, it is possible as the news item suggests that the issues of dengue, malaria and other ailments might arise in or around the locality of this dumping site. Particularly at this stage, the State and its residents can hardly afford the necessity to combat such situation. As it is, the medical apparatus in the State is making attempts to cope up with the rising COVID-19 cases and, therefore, any further strain on the medical infrastructure available in the State will obviously be contrary to public interest.

8. Registry to also make available copies of this order to the noticees. A copy of this order may also be furnished to Ms. Norma Alvares, who is the Amicus Curiae in this matter.

9. It is made clear that on 9th June, 2020, the Court proposes to consider only the limited issue relating to dumping of waste at the

Parade Ground at Campal, Panaji, Goa. Therefore, other parties, or the Advocates appearing in this matter may not attend this matter on the said date. Only the parties to whom the notices are now issued, may appear either through their authorised representatives or Advocates. The Registry to indicate on the cause list that all parties or the Advocates other than those to whom the notices have now been issued may not attend this matter on 9th June, 2020.

Smt. M.S. Jawalkar, J.

M.S. Sonak, J.