

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

O.A. No. 60/2023 (WZ) ORIGINAL APPLICATION No. 456 of 2022

PB LP

**Pavel Boloyangov Vs. State of Goa &Ors.**

**Pavel Boloyangov**

**Applicant**

**V/s**

**State of Goa**

**1.Through Chief Secretary,  
Government of Goa,  
Administrative Reforms Department,  
Secretariat, Porvorim-Goa.**

**(Respondent No. 1)**

**2. Secretary, Village Panchayat, Arambol,  
Madhalawada, Arambol, Pernem-Goa.**

**(Respondent No. 2)**

**3.Goa State Pollution Control Board,  
Pilerne Industrial Estate,  
Opposite Saligao Seminary,  
Saligao-Goa.**

**(Respondent No. 3)**

**4.District Magistrate, North Goa,  
Collectorate Building,  
Opposite Municipal Garden,  
Panaji-Goa.**

**(Respondent No. 4)**

**Compliance report on behalf of the Respondent No. 4 District  
Magistrate North Goa**

**MAY IT PLEASE YOUR HONOUR**

**I, Dr. Sneha S. Gitte, IAS, Collector of North Goa District, major of age,**

*Gitte*

Indian National do hereby solemnly affirm and state as under:-

1. I say that, Mr. Pavel Boloyangov, a resident of Khalchawada, Arambol, Pernem, Goa, now residing in Russia filed a complaint before the National Green Tribunal Principal Bench (which is registered as original application No. 456/2022) that some people have organized a place of garbage separation which is located 200 meters away from the Panchayat and the School. Further, that they bring many bags of garbage collected from the village to the spot and separate the useful things Plastic bottles, cardboard, cans, iron etc. for which they could get money and they burn rest of the garbage, which is mostly plastic and which generates dangerous chemicals, toxic and carcinogenic smoke posing serious health hazard to the residents.

2. I say that vide Order dated 29/07/2022, the Hon'ble National Green Tribunal (NGT) constituted Joint Committee of State Pollution Control Board, Directorate of Panchayat, Goa and District Magistrate, North and directed this Committee to meet within four weeks and undertake site visits to look into the grievance of the applicant and verify the factual position and take requisite action by following due process of law and stated that the State PCB will be the Nodal agency for coordination and

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compliance and listed the matter for further consideration on 15/11/2022.

3. I state that accordingly, the Joint Committee constituted by the Hon'ble NGT met on 12/09/2022 and decided to hold a site inspection to assess the ground situation at the area/ garbage dump in Arambol Village Panchayat on 27/09/2022 at 3:00 P.M.

A copy of the minutes of the said meeting of the Joint Committee held on 12/09/2022 is enclosed herewith at **Annexure A.**

4. I further state that the Joint Committee carried out the inspection on 27/09/2022 and the following observations were made:

- a) Dry mixed waste was observed stacked at the site. As submitted by the Village Panchayat Arambol, the location of the said site is Sy. No. 146/1, Gawdevada, Arambol.
- b) One worker was observed sorting out the mixed dry waste into recyclable waste and non recyclable waste. As informed by the worker, the non recyclable waste is being burnt at the site.
- c) No burning was observed during the course of inspection however traces of burnt waste were observed at the site.
- d) Village Panchayat officials present during the course inspection submitted that they are not aware of the site.



e) The distance of the said site from the office of the Village Panchayat Arambol is approx.. 470 metres.

The Joint Committee has concluded that the Village Panchayat Arambol to be directed to take action against the concerned incharge of the site for illegally operating the site for waste management and for burning of non recyclable waste.

5. I state that pursuant to the site inspection, the Goa State Pollution Control Board on 19/10/2022 has directed the Secretary of the Village Panchayat of Arambol to pay fine of Rs. 25,000/- to this office within 10 days and ensure that the burning is immediately stopped and submit the action taken report to their office with 7 days. (Copy enclosed as Annexure B).

6. I state that this office recovered Rs. 25,000/- from Village Panchayat Arambol, Pernem, Goa and deposited the same in the Government Treasury and informed the Member Secretary, GSPCB accordingly for necessary action as they were the Nodal Agency for coordination and compliance before the Hon'ble NGT as per Order dated 29/07/2022.

7. I state that vide Order dated 16/08/2023, the Hon'ble NGT directed that a notice be issued to the Secretary, Village

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Panchayat, Arambol, to pay fine of Rs. 25,000/- Further, the Hon'ble Tribunal directed the Respondents to inform as to what arrangement is made for disposal of the solid waste at Village Arambol and whether any Solid Waste Management is established there as per Rules.

8. I further state that during the hearing held on 03/10/2023, the Hon'ble NGT observed that the Respondents, i.e., Secretary of Village Panchayat of Arambol and the District Magistrate of North Goa, are not present for the hearing. The Hon'ble Tribunal held that:

*"...Since the District Magistrate, North Goa is the authority under whom Village Panchayat, Arambol is functioning, we direct the Registry to send a letter to the District Magistrate, North Goa directing him to appear in-person or through Video Conferencing before us to show cause as to why he did not depute someone to appear before us to represent him and why a direction is not given to the Secretary, Village Panchayat, Arambol to file their reply affidavit in the present matter."*

9. I state that this office has directed the Deputy Collector & Sub Divisional Officer, Pernem and Mamlatdar of Pernem Taluka, to submit comment to this office and represent this office for hearing on 03/10/2023 at 10.30 a.m. through Video



Conferencing before the Hon'ble NGT. A Memorandum No.41/2/2022/MC-SUP/239 dated 08/09/2023 was issued to the Deputy Collector & Sub Divisional Officer, Pernem and the Mamlatdar of Pernem Taluka. A copy of this Memorandum is enclosed at **Annexure C**.

10.I state that accordingly, a Show Cause Notice No. 41/2/2022/MC-SUP/269 dated 17/10/2023 was issued to the Deputy Collector & Sub Divisional Officer of Pernem and the Mamlatdar of Pernem Taluka for not following the directions with regard to the Memorandum No. 41/2/2022/MC-SUP/239 dated 08/09/2023 issued to them to submit the detailed report within a week's time and to represent this office for hearing on 03/10/2023 at 10.30 a.m. through Video Conferencing before the NGT (WZ) Bench, Pune.

11.I state that, the Deputy Collector & S.D.O., Pernem vide Letter dated 18/10/2023 stated that although every possible effort was made to attend the Video Conference on 03/10/2023 at 10.00 a.m. on the aforesaid matter but due to some technical error could not be able to attend the hearing. Copy of his letter is enclosed at **Annexure D**.

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12.I state that thereafter, vide Letter No. MAM/PER/CI-II/NGT-Arambol/2023/3265 dated 19/10/2023 the Mamlatdar of Pernem Taluka has submitted a report that as per the report of the Talathi of Arambol Saza the dumping and storage of solid dry waste or any other kind of waste and burning activity of solid non recyclable waste has been completely stopped in the said survey number 146/1 of Village Arambol of Pernem Taluka. The Village Panchayat is collecting wet garbage from the Commercial Establishment and takes to the MRF shed for segregation and then to the Saligao Treatment Plant at Saligao, Bardez for disposal which has a capacity of 250 TPD. Also the Talathi of Arambol Saza vide his letter dated 14/09/2023 has submitted that there is no any activity of dumping, storage and burning of any solid waste has been found at the site in Arambol Village. Copy of the Mamlatdar's report is enclosed at **Annexure E.**



13.I state that further, vide Letter No. 3/EOVP/BDO-PER/NGT/Arambol/2023-24/2937 dated 28/09/2023, received from the Block Development Officer, Pernem enclosing therein a report received from the Village Panchayat Secretary, Arambol, Pernem vide letter No. VPA/PER/NGT/2023-24/751 dated 21/09/2023 stating that after making an enquiry through

the ward member, the property owner Shri. Sunil Gawade has visited the site at the same time. The Village Panchayat Secretary Shri. Vijay Tilve has directed defaulter Shri. Chinna Vanarashi henceforth not to make fire to the garbage and also imposed fine of Rs. 5000/- (Rupees Five Thousand Only) thereby enclosing a challan copy of the same. Copy of the report of the Block Development Officer is enclosed at **Annexure F.**



- 14.I state that further, the Village Panchayat Arambol also stated that the garbage was being collected from the Commercial Establishment by engaging the contractor Shri. Jagaram Nishad which has been taken to the MRF shed for segregation and further taken to the Saligao Treatment Plant at Saligao, Bardez-Goa for disposal.
- 15.I state that accordingly, vide letter No. 41/2/2022/MC-SUP/11 dated 09/01/2024 the Director of Panchayats has been requested to direct the Secretary, Village Panchayat Arambol to appear for the next hearing which is scheduled on 25/01/2024 through Video Conferencing before the National Green Tribunal, Western Zone Bench, Pune as Director of Panchayats is the Authority under whom the Village Panchayats are functioning.

16.I say that what is stated by me in paragraphs 1 to 16 of this Affidavit is true to my knowledge and on the basis of the records, maintained by my Office.

Solemnly affirmed at Panaji, Goa.

On this 2nd day of April, 2024.

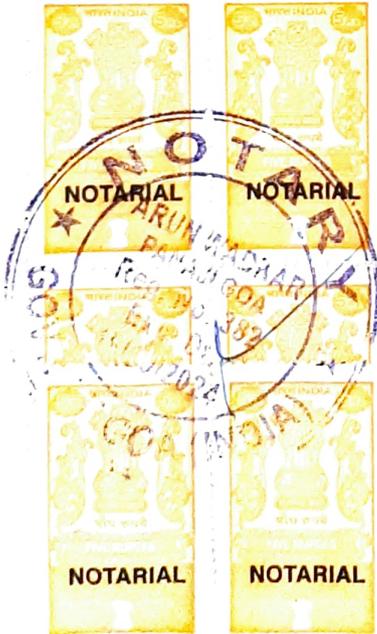


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DEPONENT (Respondent No. 4)

Identified by:

SOLEMNLY AFFIRMED AND VERIFIED  
BEFORE / ME BY Dr. Sneha S. Gite  
WHO IS IDENTIFIED BEFORE / ME  
BY Adh. Govt 8012/1102/3542  
WHOM I KNOW  
SERIAL No. 7485 DATED 2/4/2024



*[Signature]*  
**ARUN WADKAR**  
NOTARY AT TISWADI TALUKA  
STATE OF GOA-INDIA  
REG. No. 382/14  
DATED 19/9/2014