

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH.**

Original Application No.456/2022

Pavel Boloyangov .....Applicant

V/s.

State of Goa .....Respondent

**MEMO**

**MAY IT PLEASE YOUR HONOUR:**

1. Vide Order dated 29/07/2022 passed in the above mentioned matter, the Principal Bench of the Hon'ble Tribunal at New Delhi was pleased to constitute Joint Committee of State Pollution Control Board, Director, Directorate of Panchayat, Goa, and District Magistrate, North Goa and to direct the Joint Committee to meet within four weeks, undertake site visits, look into the grievances of the applicant, verify the factual position and take requisite action by

following due process of Law. The State pollution Control Board was directed to be the Nodal agency for coordination and compliance. Factual and action taken report was directed to be furnished within three months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

2. Thereafter the joint committee was constituted comprising of Goa State Pollution Control Board, Directorate of Panchayat and District magistrate, North Goa represented by Dy. Collector. The Joint Committee further decided to conduct a site inspection on 27/09/2022. Accordingly the site inspection was conducted by the Officials of Goa State Pollution Control Board in presence of Mrs. Sandra D'Souza(Dy. Collector), Mr. Manish Hari Kedar (BDO-Pernem), Mr. Vijay Tilve (Secretary VP Arambol), Mr. Bikaji Sahadev Naik (Sarpanch VP Arambol) and the complainant Mr. Pavel Boloyangav.

3. In Pursuance of directions issued by the Hon'ble Tribunal The Goa State Pollution Control Board, The Nodal Agency by this memo is placing on record the following:

(i) Order dated 29/07/2022 passed by the Hon'ble NGT in OA No.456/2022.

(ii) Minutes of the meeting of the joint committee held on 12/09/2022.

(iii) Letter dated 13/09/2022.

(iv) Inspection Report dated 27/09/2022.

(v) Direction dated 19/10/2022.

(vi) Action taken Report.

Panaji-Goa.

01/11/2022

  
Adv. For Goa State Pollutin Control Board.

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.456/2022

Pavel Boloyangov

...Applicant

Versus

State of Goa

...Respondent

Date of hearing: 29.07.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

**Application is registered based on a complaint received by E-mail.**

**ORDER**

1. Mr. Pavel Boloyangove resident of Khalchawada, Arambol, Pernem, Goa now residing in Russia has sent the present letter petition, which is treated and registered as Original Application, complaining that some people have organized a place of garbage separation which is located 200 meters away from the panchayat and the school. They bring many bags of garbage collected from the village to the spot and separate the useful things Plastic bottles, cardboard, cans, irons 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. We are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof. We accordingly constitute Joint Committee of State PCB, Director, Directorate of Panchayat, Goa and District Magistrate, North Goa and direct the Joint Committee to meet within four weeks, undertake site visits, look into the grievances of the

applicant, verify the factual position and take requisite action by following due process of law. The State PCB will be the Nodal agency for coordination and compliance. Factual and action taken report may be furnished within three months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 15.11.2022.

A copy of this order, along with a copy of the application be forwarded to the State PCB, Director, Directorate of Panchayat, Goa and District Magistrate, North Goa by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM


July 29, 2022  
AG


MINUTES OF THE MEETING OF THE JOINT COMMITTEE  
HELD ON 12/09/2022.

In terms of the Directions of the NGT as contained in order dtd 29/07/2022 passed by the NGT in OA NO. 456/2022, The Joint Committee comprising of GSPCB, Dte. of Panchayat & District Magistrate North Goa (represented by Dy. collector) has met today and has discussed the issue pertaining to the Complaint reg dumping of garbage at Arambol Panchayat, as alleged by Mr. Pavel Bolayangove.

The Committee has decided that a site inspection of the area/garbage dump at Arambol VP will be conducted by the Joint Committee on 27/09/2022 at 3.00 pm. This inspection will assess the ground situation at the site.

The Joint Committee will initiate further action in the matter after conducting of the site inspection as above.

Dr. Shanila Monteiro (MS, GSPCB) 

Sandra D' Souza, Dy. Collector (DRO) 

# GOA STATE POLLUTION CONTROL BOARD

## गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos. : 0832-2407700  
2407701, 2407702  
2407703



Email ids:

Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

Tel/Fax No. : 0832-2407700

OA No. 456/2022-Tech/10244

Date:- 13/09/2022

To,

The Director, Directorate of Panchayat 3 <sup>rd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> Floor, Myles High Corporate Hub, Patto Panaji- Goa	The District Magistrate (North Goa), Collectorate Bldg, Opp. Municipal Garden Panaji Goa
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Sub:- Compliance in the matter of OA No. 456/2022- Pavel Boloyangov V/s. State of Goa  
Ref :- OA No. 456/2022- Pavel Boloyangov V/s. State of Goa

Sir,

With reference to the decision taken at the meeting of the joint committee appointed by the NGT as held on 12/09/2022, you are here by informed that site inspection of the garbage dump at the Village Panchayat Arambol shall be held on 27/09/2022 at 3.00 pm.

You are kindly requested to be present at the Office of Village Panchayat Arambol at aforesaid date and time.

Yours faithfully,

(Dr. Shamila Monteiro)

Goa State Pollution Control Board

Copy to:

1. Mr. Pavel Boloyangov , Arambol- Pernem Goa - for information
2. The Secretary Village Panchayat Arambol- who is directed to remain present at the aforesaid date and time and to assist the NGT appointed joint committee
3. Legal Section
4. Guard file

**Inspection Report**

**Sub: Compliance in the matter of OA No. 456/2022-Pavel Boloyangov V/s State of Goa.**

**Ref: OA No. 456/2022-Pavel Boloyangov V/s. State of Goa**

As directed, the undersigned, Mr. Sebastiao Barreto (EA) and Livia Dsilva (Sci.B) attended a complaint on 27/09/2022, regarding above mentioned subject.

Mrs. Sandra Dsouza (Dy Collector), Mr Manish Hari Kedar (BDQ-Pernem), Mr Vijay Tilve (Secretary VP Arambol), Mr Bikaji Sahadev Naik (sarpanch VP Arambol) and the complainant Mr Pavel Boloyangav were present at the time of inspection.

**1. Name, address & contact no. of complainant:**

Pavel Boloyangov (+91 8459683304)

**2. Nature of Complaint :**

- a) Noise pollution: - NA
- b) Waste Water disposal : NA
- c) Air emission: - NO
- d) Solid waste disposal: - YES
- e) Any other: -

**3. Whether any previous complaint received, if yes, details : No**

**4. Whether any show cause notice/directions/letter for corrective if yes, provide details-No**

**5. Name and address industry/unit against whom complaint is filed**  
As per the complaint letter, some people.

**6. Product manufacturer: NA**

**7. Quantity of production: a)-NA**

- b) Raw Material: - NA
- b) Machine/equipment installed: - NA
- c) Approximate production in last 2 months (based on receipts of purchase of raw materials orders and payments received) : - NA
- d) Man power requirement: NA
- e) Status of operation of unit: NA
- f) Site description and schematic sketch of site: NA
- g) Type of area: Private land
- h) Distance of nearest residence/school/hospital/any prominent structure: nearest residence from the garbage dumping/burning site is approx. 50 mtrs.
- i) Distance of water body (Specify which if any) : --

- j) Noise Pollution Control measures adopted : - NA
- k) Water consumption (meter reading of previous water supply bills): NA
- l) Waste water generation: NA
- m) Disposal method: NA
- n) Capacity of septic tank/soak pit/sewage treatment plant/effluent treatment plant:- NA
- o) Whether capacity sufficient (Yes/No): NA
- p) Electrical consumption: NA
- q) Solid waste generated : Dry waste
  - a) Type: Dry Waste
  - b) Quantity: - No details available
  - c) Disposal: NA
- r) Hazardous Waste : N.A
- s) Permission from:
  - a) Local body: - No details available
  - b) Goa State Pollution Control Board: complaint regarding dumping and burning of waste.
- t) Noise levels recorded:-
- u) DG set capacity : N.A
- v) Boiler Capacity : N.A
- w) Oven capacity : N.A
- x) Furnace capacity: N.A
- y) Rotary kiln: N.A
- z) Dust suppression methods: N.A
- aa) In case of Induction furnace: N.A
- bb) In case of sponge iron units: N.A
- cc) Is ambient monitoring carried out (Yes/No) : NA
- dd) Are reports submitted as per consent conditions (Yes/No) : NA
- ee) Is environmental statement submitted (Yes/No): YES
- ff) Is water cess submitted (Yes/No): NA
- gg) Are all consent conditions complied with (Yes/No): No
- hh) Is Bank Guarantee submitted (Yes/No): N.A
- ii) If yes, has the unit complied, give details: N.A

**jj) Additional observations:**

- a) Dry mixed waste was observed stacked on the site. As submitted by the village panchayat Arambol, the location of the said site is at sy. no 146/1, Gawdewada, 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 on 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.

**kk) Conclusion and Recommendation:**

1. Village Panchayat Arambol to be directed to take action against the concern incharge of the site for illegally operating the site for waste management and burning of non recyclable waste. .

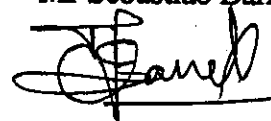
**Name of the Inspecting Officials:**

Mrs Livia Dsilva (Sci.B)




Signatures

Mr Sebastiao Barreto (EA)



**DY. COLLECTOR & DRO  
NORTH GOA DISTRICT  
PANAJI**



BDO, Pernem

# GOA STATE POLLUTION CONTROL BOARD

## गोंय राज्य प्रदूषण नियंत्रण मंडळ

20/c

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos. : 0832-2407700  
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Tel/Fax No. : 0832-2407700

Email ids:

Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No.10/1/22-PCB/Tech/13098

Date: - 19/10/2022

To,  
The Secretary  
Village Panchayat Arambol,  
Pernem - Goa

Sub: - Compliance in the matter of OA No. 456/2022 - Pavel Boloyangov V/s. State of Goa, complaint regarding burning of garbage  
Ref: - OA No. 456/2022 - Pavel Boloyangov V/s. State of Goa.

Sir,

With reference to the above, the Joint Committee had conducted Joint Site Inspection in order to verify the compliance in the matter of OA No. 456/2022. Burning garbage is violation of order passed by the Hon'ble NGT in OA No. 199/2014 Almitra Patel Vs. Union of India and others for compliance of Solid Waste Management Rules 2016 which states as follows:

*(19) We specifically direct that there shall be complete prohibition on open burning of waste on lands, including at landfill sites. For each such incident or default, violators including the project proponent, concessionaire, ULB, any person or body responsible for such burning, shall be liable to pay environmental compensation of Rs.5, 000/- (Rupees five thousand only) in case of simple burning, while Rs.25, 000/- (Rupees twenty five thousand only) in case of bulk waste burning, Environmental compensation shall be recovered as arrears of land revenue by the competent authority in accordance with law.*

In this regard, the undersigned is hereby directed to inform you that you are required to pay a fine of Rs. 25,000/- to the Collector North within 10 days of receipt of this letter. You are required to ensure that the burning is immediately stopped. Further you are required to submit Action taken report to this office within a period of 7 days from the date of issue of this letter.

Please note, failure to comply within the stipulated time will draw further stringent action as per applicable Regulations.

*[Signature]*  
19/10/22  
**ISSUED**

(Dr. Shamila Monteiro)  
Member Secretary  
Goa State Pollution Control Board

Copy to:-

- 1) The Collector (North), North Goa District, Collectorate Building, Opp: Municipal Garden Panaji Goa.....with a request to recover Rs.25,000/- fine from the violator.
- 2) The Director, Directorate of Panchayat, Panaji - Goa...for information
- 3) Mr. Pavel Boloyangov, Arambol, Pernem- Goa ..... For information.
- 4) Legal Section.
- 5) Guard file.

## **Action Taken Report**

Vide order dated 29/07/2022 passed in OA No. 456/2022-Pavel Boloyangov V/s State of Goa , the Principal Bench of the Hon. NGT at New Delhi was pleased to constitute Joint Committee of State PCB, Director, Directorate of Panchayat, Goa and District Magistrate, North Goa and to direct the Joint Committee to meet within four weeks, undertake site visits, look into the grievances of the applicant, verify the factual position and take requisite action by following due process of law. The State PCB was directed to be the Nodal agency for coordination and compliance. Factual and action taken report was directed to be furnished within three months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The matter is listed for further consideration on 15.11.2022.

**Copy of the order dated 29/07/2022 passed in OA No. 456/2022-Pavel Boloyangov V/s State of Goa is enclosed herewith.**

In this regard the Board was in receipt of an email dated 04/08/2022 from the Consultant Judicial –NGT (P.B.)

**Copy of the email dated 04/08/2022 received from the Consultant Judicial –NGT (P.B.) is enclosed herewith**

Thereafter a meeting of the NGT appointed Joint Committee was held on 12/09/2022.

**A copy of the minutes of the meeting dated 12/09/2022 is enclosed herewith.**

Thereafter, the NGT appointed Joint Committee has conducted a site inspection of the area in question on 27/09/2022 and has prepared a site inspection report.

During the said inspection it was observed as follows;

- a) Dry mixed waste was observed stacked on the site. As submitted by the village Panchayat Arambol, the location of the said site is at sy. No. 146/1, Gawdewada, 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 on 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 meters.

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.

**A copy of the inspection report conducted on 27/09/2022 is enclosed herewith.**

Thereafter the Board vide letter dated 19/10/2022 has directed the Secretary of Village Panchayat Arambol to pay a fine of Rs. 25,000/- to the Collector, North Goa District on account of the findings in the report of inspection. The Secretary of the Village Panchayat was further directed to ensure that burning of waste is immediately stopped and an action taken report is submitted to the Board within 7 days.

Vide the said letter the Collector, North Goa District was requested to recover a sum of Rs. 25,000/- as fine from the Village Panchayat Arambol.

**Copy of the letter dated 19/10/2022 is enclosed herewith.**



Member Secretary  
Goa State Pollution Control Board