



Amrut

**IN THE HIGH COURT OF BOMBAY AT GOA****PUBLIC INTEREST LITIGATION WP NO. 45 OF 2019  
WITH  
MISC. CIVIL APPLICATION NO. 595 OF 2023  
AND  
MISC. CIVIL APPLICATION NO. 1416 OF 2023 (Filing No.)**

1 Citizens for Sonsodo,  
Through its Secretary,  
Roque Mascarenhas,  
With office @1088/C  
Near Aruppe Institute,  
St. Xaviers, Raia, Salcette,  
Goa 403103

2 The Goa Foundation  
Through its Secretary,  
Dr Claude Alvares,  
With office @Rm.7, Le Brag  
Chambers, Mapusa Goa, 403 507  
*Versus* .... Petitioners

1 Margao Municipal Council,  
Through its Chief Officer,  
Margao, Goa 403 601

2 Fomento Green & Waste  
Management Services Pvt. Ltd.,  
with R/o at:  
Vila Flores da Silva,  
Erasmo Carvalho Street,  
Margao Goa 403601

3 State of Goa,  
Through its Chief Secretary,

Secretariat, Porvorim Goa  
403 101

4 Goa State Pollution Control Board,  
Through its Member Secretary,  
Saligao, Bardez Goa 403 511

5 Director of Municipal Administration,  
Panaji Goa 403001

6 Goa Waste Management Corporation,  
C/o Hindustan Waste Treatment Pvt. Ltd.  
Calangute, Bardez Goa, 403 515

7 Sociedade De Fomento Industrial Pvt. Ltd.,  
Vila Flores da Silva,  
Erasmo Carvalho Street,  
Margao Goa 403 601.

8 Cladias Dias,  
H.No.76, Gantamorod,  
Aquem, Baixo,  
Navelim, Salcete Goa.

9 M/s Hindustan Waste Treatment Pvt. Ltd.,  
MSW Site Saligao,  
Pilerne Industrial Estate,  
Behind Pilerne Fire Station,  
Saligao, Bardez,  
North Goa, Goa 403511. .... Respondents

Ms Norma Alvares, Om D'Costa and Ms Vanaja Jaspine,  
Advocates for the Petitioners.  
Mr S. D. Padiyar, Mr P. Shirodkar and Ms A. Rane, Advocates  
for Respondent No.1.

Mr D. Pangam, Advocate General with Mr Pravin Faldessai, Additional Government Advocate for Respondent Nos. 3 and 5.

Mr D. Pangam, Advocate General with Mr S. P. Munj, Additional Government Advocate for Respondent No.6.

Mr Parag Rao with Ms Sowmya Drago, Mr Akhil Parrikar and Ms Meghna Naik, Advocates for Respondent Nos. 2 and 7.

Mr Anand Shirodkar holding for Mr V. Danial, Advocate for Respondent No.9.

Mr A. D. Bhobe with Ms. A. Fernandes, Advocates for the Applicant in MCA No.595 of 2023.

Mr Pavithran A. V. and Mr P. Kholkar, Advocates for the GSPCB.

**CORAM: M. S. SONAK &  
VALMIKI SA MENEZES, JJ.**

**DATE: 12<sup>th</sup> MARCH 2024**

**ORAL ORDER:**

**1.** Heard Ms Norma Alvares, learned counsel for the Petitioner, Mr D. Pangam, learned Advocate General with Mr P. Faldessai and Mr S. P. Munj, learned Additional Government Advocates for Respondent Nos. 3, 5 and 6, Mr Pavithran, learned counsel for Goa State Pollution Control Board (GSPCB) and Mr S. D. Padiyar and Mr P. Shirodkar, learned counsel for Margao Municipal Council (MMC).

**2.** This Public Interest Litigation was instituted by “*Citizens for Sonsodo*” and “*Goa Foundation*” concerning the regulation/clearance of a 40-year-old garbage waste dump at Sonsodo, which had accumulated “*legacy waste*” of unmanageable proportion. This

unhealthy situation at the Sonsodo site was posing a serious threat to the health and environment of people in the vicinity. This site witnessed torrential fires from time to time, adding to the woes of the people and the threats to their health and environment. The Petitioners alleged that the authorities displayed complete apathy in the handling of this issue and, moreover, in complete breach of provisions of the Environment Protection Act (EPA) and Solid Waste Rules, 2016 (MSW Rules), starting the dumping of mixed waste at Sonsodo. The Petitioners pointed out that this was despite previous orders made by this Court restraining such activity.

**3.** The Petitioners pointed out that on 27.05.2019, the entire Sonsodo dump/which was actually a tinderbox containing hazardous and inflammatory gases – went into flames, upsetting the normal rhythm and lives of the people from the vicinity for no fault of theirs. The Petitioners pointed out that almost 38 families had to be shifted to Fatorda Sports Stadium and several victims had to be hospitalised in the Public hospital due to this fire and the consequent pollution of the environment.

**4.** The Petitioners pointed out that Sonsodo fires reigned almost for 10 days (i.e., between 27.05.2019 and 06.06.2019) before they could be temporarily suppressed, courtesy of the onset of the monsoon. The Petitioners pointed out that these fires released toxic and poisonous fumes into the air, rendering health and the normal living of the people in the vicinity a total casualty. The Petitioners pointed out that even

after the fires were controlled, the Sonsodo dump was a source of toxic leachates polluting groundwater aquifers and contaminating wells and other water resources.

5. The Petitioners placed on record the materials in support of their contentions. Even otherwise, the contentions of the Petitioners were undeniable. Reports of GSPCB and other officials corroborated them. However, despite all authorities acknowledging the seriousness and magnitude of the problems, nothing concrete was being done to redress these mammoth problems.

6. The record shows that when the stench and pollution were unbearable, and some activists pressured the authorities into acting, some notices were issued to the MMC, and most were by way of lip service. Neither did the MMC care for such notice, nor were authorities interested in enforcing their notices. The GSPCB, health authorities, MMC, and all other authorities enjoined with statutory duties of redressing the situation displayed complete apathy in handling this issue. Unfortunately, this Sonsodo dump was seen as a source for awarding contracts to agencies at the taxpayer's cost. Again, the contractors floundered, and authorities which awarded such contracts by spending public monies were not serious about ensuring compliance. As a result, serious menace, acknowledged by one and all, continued unabated with no solution in sight.

7. The Petitioners alleged that the present crisis was because of the "*unwillingness, cynicism, callousness and perfidy*" of MMC, which has

*“simply refused to take the Court’s directions seriously and act on them in good faith”.* Though the Petitioners appeared to have used harsh words, as a matter progressed, we realised that there was nothing harsh with the words used by the Petitioners, and there was ample material to establish that the MMC’s conduct was precisely as was described by the Petitioners in this petition. The MMC violated the provisions of the EPA and MSW Rules with impunity. The directions issued by this Court from time to time in previous proceedings were also not cared for by the MMC. Though the Sonsodo site posed a serious health hazard and was a source of air, land, and water pollution of sizable proportions, the MMC was not bothered. Similarly, the GSPCB, after issuing some notices, never seriously bothered to implement or ensure implementation of its directions. In short, when this petition was instituted, the problems at the Sonsodo dump site had reached alarming proportions and the MMC, except for draining public monies, had done nothing concrete to find either short-term or long-term solution to this entire issue.

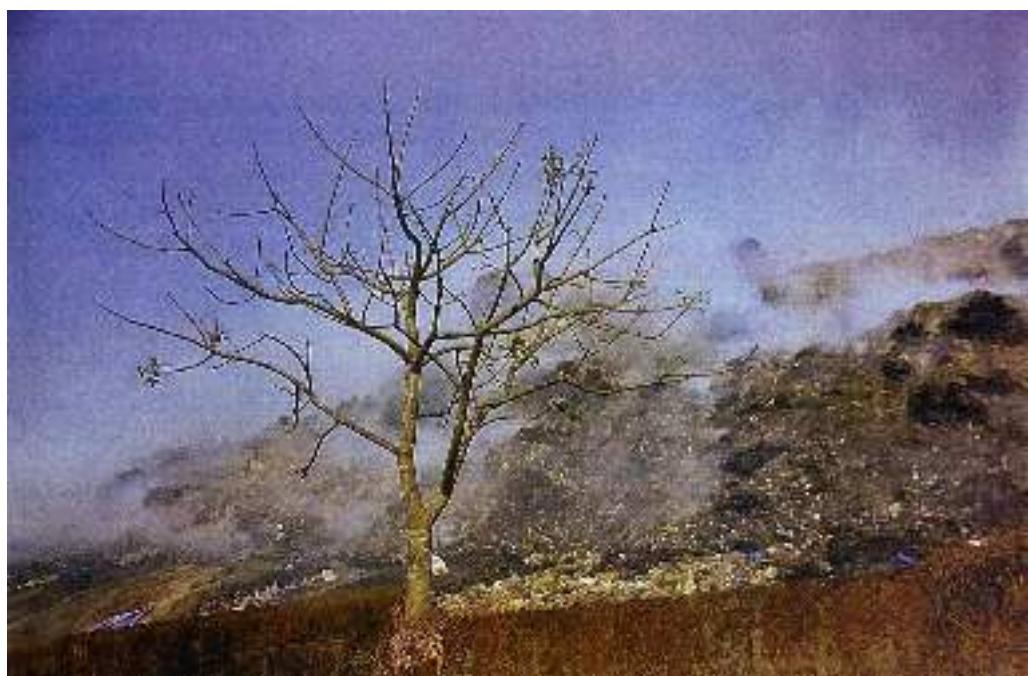
**8.** The record shows that the garbage dump at Sonsodo had over two lakh metric tonnes of garbage, which was dumped hazardously, often rising to a height of almost 15 metres. Practically none of the measures necessary under the MSW Rules were being adopted, and the authorities did not care for the health and well-being of the residents in the locality. Unbearable stench, air pollution due to frequent fires, and Land and water pollution due to the release of toxic leachates into the ground and water source were accepted by all the authorities and well

documented. However, neither the MMC nor any of the authorities enjoined with the duty of abating this nuisance and health hazard were willing to do anything about this issue except perhaps draining public finance by awarding contract after contract to private parties.

**9.** Some photographs of the site and the vicinity would give an idea of the status of this Sonsodo dumping site.











**10.** The Goa Foundation instituted Writ Petition No.174 of 2009 raising this Sonsodo dump site issue. The MMC files its affidavit stating that the removal/reclaiming and screening of dump composted waste and construction of landfill would be completed by 31.01.2010. The MMC also clarified that the disposal of accumulated waste over all these years (legacy waste) would be sorted out by entrusting this work to an appropriate agency. The MMC stated that even this work would be completed by 31.01.2010. This Court disposed of the Writ Petition No. 174 of 2009 by accepting the statements made by the MMC that the entire issue, including the clearance of legacy waste, would be sorted out within a year. This Court held that "*in view of the subsequent arguments and the responsible statement made in affidavit, we accept the time schedule as given in paragraph 6(B)*". In other words, the MMC was directed to reclaim, screen, or remove dumped composted waste and construct a landfill by 31.01.2010.

**11.** The MMC, far from complying with its own undertaking and the directions of this Court, filed Misc. Civil Application No.187 of 2012, urging modification of this Court's order dated 24.06.2009 in Writ Petition No. 174 of 2009. (See Annexure -6 on pages 58 to 61). Several reasons were cited for non-complying with the undertaking or the directions issued by this Court. Ultimately, by order dated 16.02.2012, this Court dismissed the MMC's Misc. Civil Application No. 187 of 2012 as misconceived. (See Annexure-7 on pages 62 to 75). However, by a separate order dated 16.02.2012 in Misc. Civil Application No. 478 of 2011, the extension of time was granted up to

31.05.2012 to complete the work of reclaiming, screening, or removal of dumped composted waste and construction of a landfill. This Court clarified that no further extension will be granted, and any such application shall be visited with penal costs followed by action under the Contempt of Courts Act, 1971. (See Annexure -8 on pages 76 to 77).

**12.** The Petitioners have pleaded, and the material placed along with the petition supports the pleadings that the MMC, in order to wriggle out of its undertakings or avoid compliance with the directions issued by this Court from time to time, at one stage attempted to abandon the process of reclaiming, screening, and removal of dumped composted waste and construction of landfill site at Sonsodo. Instead, the agency was awarded the contract, and then the timelines were breached on the grounds that the agency was not carrying out the assigned work. The agency engaged by the MMC also failed to complete the work. The MMC neither took steps to complete the work nor did it bother to even apply for an extension by giving cogent reasons. Instead, the MMC at first clandestinely and, after that, openly began dumping additional waste at the Sonsodo site.

**13.** The dumping of additional waste at the site was not only in breach of the directions issued by the GSPCB on 04.07.2019 but also in breach of the directions issued by this Court. The GSPCB, in its order dated 04.07.2019 had explicitly directed the MMC to stop dumping of fresh waste with immediate effect till the legacy dump is cleared under the supervision of the Goa Waste Management

Corporation (GWMC). Since the GSPCB was taking no steps to enforce its directions or to take any action at all against the MMC, the MMC continued with impunity to dump fresh waste at the Sonsodo dump site. Thus, instead of clearing legacy waste, the MMC added to this waste, completely oblivious to Solid Waste Management Rules, the directions issued by this Court from time to time, and the MMC's own undertakings.

**14.** The MMC defaulted on the matter of waste segregation. The MSW Rules were observed only in breach. There was rampant burning of waste at the site, which the rules prohibit. No serious steps were being taken to clear waste and legacy waste. The Petitioners have pointed out the various provisions under the MSW Rules and demonstrated how the MMC was breaching most of the provisions with impunity. Thus, even though a statutory regime was in place, neither the MMC nor the GSPCB were interested in complying with or enforcing rules. As a result, no solution seemed to be in sight for resolving the Sonsodo dump site issue.

**15.** In the *Indian Council for Enviro-Legal Action Vs Union of India<sup>1</sup>*, the Hon'ble Supreme Court was forced to observe that enacting a law but tolerating its infringement is worse than not enacting the law. Over time, the continued infringement of the law is made possible by adopting such means which are best known to the violators of the law. Continued tolerance of such violations of law renders legal provisions

<sup>1</sup> (1996) 5 SCC 281

nugatory, and such tolerance by the Enforcement Authorities encourages lawlessness and adoption of means which cannot or ought not to, be tolerated in any civilised society. The law should not only be meant for law-abiding but is meant to be obeyed by all for whom it has been enacted. A law is usually enacted because the Legislature feels that it is necessary. It is with a view to protect and preserve the environment and save it for future generations and to ensure good quality of life that the Parliament enacted the Anti-Pollution Laws, namely, the Water Act, Air Act and the Environment (Protection) Act, 1986. These Acts and Rules framed and Notification issued thereunder contain provisions which prohibit and/or regulate certain activities with a view to protect and preserve the environment.

**16.** The Hon'ble Supreme Court further held that when a law is enacted containing some provisions prohibiting certain types of activities, it is of utmost importance that such legal provisions are effectively enforced. If a law is enacted but is not voluntarily obeyed, it must be enforced. Otherwise, infringement of the law, which is actively or passively condoned for personal gain, will be encouraged, leading to a lawless society. Violation of anti-pollution laws not only adversely affects the existing quality of law but the non-enforcement of the legal provisions often results in ecological imbalance and degradation of the environment, the adverse effect of which will have to be borne by the future generations.

**17.** On 27.09.2019, this Court made an order for the implementation of directions issued by the GSPCB on 04.07.2019. This was after involving the Goa Waste Management Corporation (GWMC). Mr Padiyar made a statement based on instructions from the Chief Officer of MMC that the GSPCB's direction dated 04.07.2019 would be strictly complied with, and in pursuance of the same, there would be no dumping of fresh waste till the legacy dump was cleared under the supervision of the GWMC. We also noted that since the MMC never challenged the GSPCB's direction dated 04.07.2019, it was incumbent on the MMC to comply with those directions.

**18.** The GWMC stated before the Court that it would float tenders for remediation of the legacy dump and that the tender process would be completed as soon as possible. The GWMC was directed to file a status report.

**19.** There were certain coordination issues between the GWMC and the MMC. Therefore, from time to time, directions were issued to sort out such issues. Ultimately, the matter was placed for reporting compliance. The MMC did file a compliance report, which this Court considered in its order dated 27.11.2019.

**20.** This Court's order dated 27.11.2019 records that although the title of the affidavit filed on behalf of the MMC was styled as "*Compliance Affidavit*", the same only contains reasons for non-compliance. The MMC, State Government officials and the GSPCB's

officials failed to identify an area of 5000 to 6000 square metres necessary for clearance of legacy waste. The affidavit only referred to three sites and then proceeded to state how they were unsuitable. Again, this Court was forced to issue directions to all the officials to meet at the site on 27.11.2019 itself and to resolve the issue. On 28.11.2019, Mr Padiyar, on behalf of the MMC, stated that an area of 1750 square metres on the eastern side of the secured landfill site would be made available to the GWMC on or before 01.12.2019 by clearing all the wastes that were dumped at that site. Further, orders were made by this Court on 29.11.2019 and 06.12.2019.

**21.** On 06.12.2019, as we were hearing the arguments in this matter, there was a massive fire incident at the Sonsodo dump site. We recorded this in our order dated 06.12.2019. We noted that a really grave emergency had arisen at the Sonsodo dump, and unless immediate and coordinated efforts were undertaken by all concerned, the Sonsodo dump site would pose a severe threat, not just to the environment but also to the health and life of the residents in the locality.

**22.** By consent of the learned counsel for the parties, we issued the following interim directions in our order dated 06.12.2019.

(a) A plot of land admeasuring 5000 sq.mtrs. bearing Chalta No.8 of P.T. Sheet No.284, Margao, belonging to the Goa State Urban Development Agency (GSUDA) which has been identified, is directed to be used for temporary storage of the Refused Derived Fuel (RDF), initially, till April, 2020. The Goa Waste Management Corporation (GWMC) shall assess

the situation by April, 2020 and decide on the further course of action with regard to the place of storage.

(b) The Margao Municipal Council (MMC), is directed to forthwith barricade this identified area of 5000 sq.mtrs. This work of barricading will commence today itself by 2.30 p.m. as assured to us by the Chief Officer of MMC. The officers from GWMC as well as from GSUDA will be present at the site at 2.15 p.m. itself today, so that, there are no excuses on the part of the MMC to commence with the barricading operations.

(c) The learned counsel for MMC states that the authorization will be applied for to the Goa State Pollution Control Board (GSPCB) today itself or at least by tomorrow for storage of RDF in the aforesaid plot at Chalta No.8 of P.T. Sheet No.284, Margao. Mr. D. Lawande, learned counsel for GSPCB assures this Court that such authorization will be granted at the earliest and in any case within 48 hours from the date of receipt of such application from the MMC.

(d) The landfill site at Sonsodo will be used temporarily for storage of inerts, again, initially, till April, 2020. By April, 2020, the GWMC will assess the situation and decide further course of action to be adopted. The GWMC shall do the testing of inerts. The hazardous waste, if any, will however, have to be sent to the secured landfill site at Pissurlem, Sattari, Goa. Efforts will also be made to use the non-hazardous inerts for backfilling road constructions, etc.

(e) We are aware that there is a dispute between the MMC and respondent no.7 regards, inter alia, the landfill site. Without prejudice to the rights and contentions of both the parties to such dispute, we direct that the repairs to the landfill site, as suggested by the GSPCB, shall be undertaken by the GWMC, so that, the landfill site complies with the Solid Waste Management Rules, 2016.

(f) The GWMC should endeavor to complete this work as expeditiously as possible and preferably within a period of 30 days from today. The MMC to deposit with GWMC, on account, an amount of Rs.1 Crore within 7 days from today, so that, the work of the landfill site can commence immediately.

(g) The learned Advocate General has also made a statement that the compost generated during the remediation operations at the Sonsodo dump will be used as manure in municipal gardens, farms of Agricultural Department, etc. This is accepted.

(h) Learned Advocate General has stated that in the meanwhile, the landfill site, as it stands, will be used for storage of inert materials. However, such storage will be after the site is covered by a tarpaulin. At the end of each day, the inert materials so stored, will also be covered by tarpaulin. According to us, these measures will have to be adopted so that the work of remediation proceeds and at the same time, there are no serious issues of pollution.

(i) We direct that the work of remediation at the Sonsodo dump site proceeds immediately and in any case, not later than 15.12.2019.

(j) We direct that the Managing Director of GWMC coordinates with the other agencies like MMC, GSPCB, GSUDA, etc. so that, there are no unnecessary obstacles in the remediation at the Sonsodo dump site.

**23.** Thereafter, the matter was taken on several dates to secure coordination between various officials and agencies. The GWMC was reporting compliance from time to time. In our order dated 28.06.2021, we recorded that 65% of the remediation works were already completed. We also recorded the steps taken to cover the balance waste dump and

the RDF dump at Sonsodo with tarpaulin so there would be no serious problems in the monsoon. We directed the MMC and GWMC to commence balance remediation work post-monsoon so that the same is completed as soon as possible. At one stage, we found that even biomedical waste was being dumped at the Sonsodo site. This was contrary to the rules as well as the directions issued by the GSPCB. Therefore, we were forced to make orders for the removal of biomedical waste.

**24.** During the COVID-19 Pandemic, the works were naturally hampered. However, even after the Pandemic had receded, there was lethargy in recommencing the work at the Sonsodo site. Accordingly, an order was made on 02.03.2022 to expedite the work. M/s. Hindustan Waste Treatment Pvt. Ltd. was impleaded as Respondent to these proceedings because this agency was engaged in completing the balance work.

**25.** Again, since there was no serious progress in clearing the legacy waste and completing remediation work, we were forced to make an order on 21.09.2022 reminding all concerned of their duties to take immediate steps and ensure that this legacy dump or this legacy waste is cleared at the earliest, without giving any excuses. We clarified that, ultimately, it would be the responsibility of the GWMC and the MMC to ensure that this legacy waste is cleared by 28.02.2023. We noted that the two authorities kept blaming each other, thereby prolonging the agony of the members of the public. We reminded the authorities that

the very existence of this legacy dump was a potential source of serious health hazard to the public, and, therefore, this was a matter which should be treated with utmost seriousness. We noted in our order that the clearance of the remediation process had been unduly delayed, and the matter cannot brook any further delay if the right to life guaranteed by Article 21 of the Constitution was to have some meaning.

**26.** Finally, in our order dated 21.09.2022, we held that the Managing Director of GWMC and the Chairperson of MMC would be held personally responsible for non-compliance with the directions because, despite granting ample time and opportunities, both these authorities had to date, failed to sort out the issue of remediation of the legacy dump. This Court noted that there was a tendency on the part of the authorities to blame the contractor and the contractor to blame the authorities. Again, it was emphasised that the work could not be delayed beyond 28.02.2023.

**27.** Since leachate was discharged, orders were issued directing the GWMC, MMC, and the contractor to ensure that this problem is also addressed within 10 days. Finally, a status report was filed in December 2022 expressing certain concerns about the disposal of RDF. On 06.03.2023, since there was again a lack of coordination between the authorities hampering the progress of the work at the site, we directed a meeting involving the officials of the State Government, GWMC, MMC, and contractor to be held as soon as possible. We reminded the MMC that this was because of the dereliction of statutory duties, and

therefore, all steps must be taken to clear the legacy dump as soon as possible.

**28.** On 12.04.2023, we issued a detailed order based on the GWMC's recommendations. In this order, we directed the MMC to take all necessary steps for fire management at the Sonsodo dump site. The detailed directions were issued based on the inputs provided by various agencies. Despite all this, we found that the progress about clearance of the legacy dump at the site was not at the desired pace. The agencies were again involved in the usual blame game oblivious to the difficulties being experienced by the residents. After expressing our severe dissatisfaction with the State of affairs, we requested the learned AG to see if a high-level meeting could be arranged and some action plan submitted for combating the situation at the Sonsodo dump site.

**29.** In our order dated 12.07.2023, we were pleased to record that a high-level meeting was held under the Chairmanship of the Hon'ble Chief Minister to explore the various remedies to combat the situation at Sonsodo. At this meeting, several decisions were made, and in pursuance of the same, the Director of Urban Development made an order dated 11.07.2023 by taking cognisance of the report made by Mr Asvin Chandru, District Collector (South). At this stage, we must mention that this District Collector, pursuant to our directions, visited the site and suggested some measures that could be adopted as short-term measures. We must record that the works were expedited after this

meeting, and there was proper coordination between the various agencies involved.

**30.** In our order dated 12.07.2023, we directed strict compliance with the Government's order dated 11.07.2023 and report compliances. Compliance reports were filed periodically before this Court. This Court made orders, *inter alia*, on 30.08.2023, 05.09.2023, and 11.09.2023 in the context of compliances. Similar detailed orders were made on 16.10.2023, 05.12.2023, and finally, on 24.01.2024, mainly to monitor the status of compliances and address the inevitable bottlenecks that surfaced occasionally.

**31.** Finally, the MMC and the GWMC filed compliance/status reports indicating the completion of the following works.

- (a)** Fire management arrangements,
- (b)** Landfill construction (for which MMC had paid an advance of Rs.1 crore to GWMC),
- (c)** Construction of platforms for windrow composting,
- (d)** Construction of leachate facilities,
- (e)** Repairs to collapsed walls
- (f)** Purchase of additional bailing machines,
- (g)** Arrangements for electricity supply,
- (h)** Setting up a Garbage Site Management Office at Sonsodo.

**32.** On 16.10.2023, the work of clearing legacy dumps and remediation of accumulated waste recommenced. The Court was

informed that the work would be completed by May 2024. The MMC filed an affidavit stating that it had installed an adequate number of fire extinguishers, HP pumps, fire hydrants, and water supply pipelines, and it had trained security guards deployed round the clock at the site on fire management skills. The MMC also set up a garbage management office at the site for continuous monitoring and management. The MMC also purchased additional bailing machines and constructed platforms and sheds for windrow composting. The leachate collection tanks were also made functional, and repairs were undertaken to the compound wall and retaining wall so that there was no spillage of any waste on public roads.

**33.** Finally, on 12.03.2024, this Court was informed that most of the works had been completed, and only the following works remained to be completed.

- (a) Installation of a new transformer,
- (b) Repairs to various equipment, including overhead cranes, damaged trammels, etc.
- (c) Construction of sanitary landfill by the GWMC.
- (d) Extension of Sewerage line to Sonsodo by Sewerage and Infrastructural Corporation of Goa for disposal of sewage and treated leachates.
- (e) The provision of 15 TPD bio methanation plant at the Sonsodo site.

- (f) Making operational 5 TPD bio methanation plants set up near SGPDA Market, Margao Goa.
- (g) Construction of a retaining wall along the plot boundary towards the western side/residential building.

**34.** The learned Advocate General submitted that a new transformer would be installed within three months, and the GWMC would construct a sanitary landfill as expeditiously as possible. We think that even this construction of the landfill site should be completed by the GWMC within the next six months, and we direct accordingly. The learned Advocate General submitted that the Sewerage and Infrastructural Corporation of Goa will take necessary steps to extend the sewerage line to Sonsodo to facilitate the disposal of sewage and treated leachate. We direct that the Sewerage and Infrastructural Corporation of Goa must complete this work within six months from today.

Correction carried out as per order dated 15.07.2024 passed in MCA No.270 of 2024.

#### MMC

**35.** Similarly, the GWMC must complete the retaining wall construction along the plot boundary as expeditiously as possible and, in any case, before 30.06.2024. This is necessary because during the monsoon, leachate tends to seep onto the public road. Apart from being a health hazard, the seepage of leachate on the road can cause accidents. Therefore, the GWMC must complete this work on a priority basis and, in any case, before 30.06.2024.

**36.** The MMC has produced photographs before us showing that the legacy waste has been cleared/remediated. The learned AG has assured

the Court that most systems are in place, and the Sonsodo dump site no longer qualifies as an unauthorised or mismanaged dump site. We accept these statements and dispose of this petition. As far as the balance works are concerned, they must be completed within the timeline now indicated by us, and the Chief Officer of the MMC must file a compliance report in this Court by 05.07.2024.

**37.** Accordingly, we direct:

Correction carried out as per order dated 15.07.2024 passed in MCA No.270 of 2024.

- (i) The MMC will ensure that a new transformer will be installed at the Sonsodo site within three months;
- (ii) The GWMC must complete the construction of the sanitary landfill at the Sonsodo site within six months;  
**MMC**
- (iii) The ~~GWMC~~ must complete the retaining wall construction along the plot boundary at Sonsodo as expeditiously as possible and, in any case, before 30.06.2024;
- (iv) The Sewerage and Infrastructural Corporation of Goa must complete the work to extend the sewerage line to Sonsodo within six months from today to facilitate the disposal of sewage and treated leachate;
- (v) The MMC, GMWC, and the Sewerage and Infrastructural Corporation of Goa must file compliance/status affidavits by 05.07.2024.

**38.** In so far as the balance work, like repairs to various types of equipment or establishments of 15 TPD bio methanation at the Sonsodo site or making operational 5 TPD bio methanation plants near the SGPDA market at Margao, is concerned, the learned AG stated that the high powered committee (HPC) would meet and take a decision on

these issues. Accordingly, we expect the HPC to address these issues as soon as possible and issue necessary directions to the GWMC and the MMC. The MMC must file a status report/affidavit on this issue by 05.07.2024.

**39.** Initially, Ms Norma Alvares appeared on behalf of the Petitioner in this petition. However, at a later stage, we requested her to assist the Court as an Amicus Curiae. We record our appreciation for the assistance rendered by Mr Alvares and Mr Om D'Costa in this matter. We direct the MMC to pay an amount of ₹1,00,000/- to Ms Alvares within 4 weeks for the assistance rendered by her in this matter. This amount is in addition to the gratitude that this Court expresses to Ms Alvares and Mr Om D'Costa for their role in the present matter. This Court also expresses its gratitude to Mr D. Pangam, learned Advocate General, who appeared on behalf of the State of Goa and some State agencies. At every stage, the learned AG used his good office to see that this issue was sorted out to the extent possible.

**40.** The petition is disposed of in the above terms. Misc. Civil Application Nos. 595 of 2023 and 1416 of 2023 (F) do not survive the disposal of the petition, and they are also disposed of accordingly.

**VALMIKI SA MENEZES, J.**

**M. S. SONAK, J.**