

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**WESTERN ZONE BENCH AT PUNE**

O.A. NO. 33/2015 [WZ]

BETWEEN:

The Goa Foundation

...APPLICANT**AND**The Goa State Environment Impact
Assessment Authority & Ors**...RESPONDENTS****ADDITIONAL AFFIDAVIT OF THE APPLICANT**

I, Dr. Claude Alvares, age 76 years, the Secretary of the Goa Foundation, the Applicant herein, do hereby solemnly state and submit as under:-

1. I say that this Affidavit is being filed in light of this Hon'ble Tribunal's Order dated 31.01.2025, requiring the Applicant to place on record the correct facts pertaining to the amendment carried out by the Applicant in this OA.

2. At the outset, I state that the Applicant has amended the O.A only with the express approval and under the specific directions of this Hon'ble Tribunal in its order dated 13.12.2024, which is annexed hereto at 'Annexure A'. The said order records that an Application for amendment of the O.A. has been placed on record, and in view of the Hon'ble Supreme Court's direction permitting additional pleadings, the applicant is permitted to amend the O.A. The said order concludes by directing the Applicant to file the amended application within one week and a time period of four weeks was given to the respondents to file their replies.
3. However, as these aspects may not have been adequately conveyed to this Hon'ble Tribunal at its last date of hearing, further details in connection with the statements made in para 2, are provided below:
- a. The IA seeking leave to amend the Original Application was filed on 12th December 2024, bearing Filing No. 2704137009312024. The proof of filing of the IA is annexed hereto and marked as 'Annexure B'.
 - b. Some defects in the I.A. were raised by the registry, pursuant to which the Applicant took steps to cure the defects. However on account of technical difficulties faced with the NGT e-filing website, the Applicant was unable to refile the corrected IA prior to the date of hearing of the matter on 13.12.2024. However, the Advocate for the Applicant sent the IA (with defects



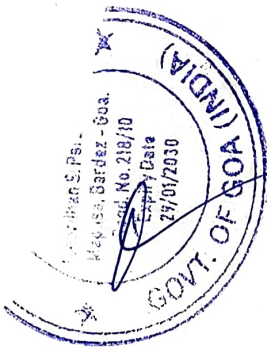
cured) by email to the NGT Registry. A copy of the email dated 13.12.2024 is annexed hereto and marked as 'Annexure C'.

c. On 13.12.2024, the matter was taken up and this Hon'ble Tribunal allowed the amendment and directed the Applicant to carry out the amendment. However, the order does not state that the I.A is disposed of.

d. As a result, the I.A once again showed up on the board on 31.01.2025, along with the Amended O.A., leading the Hon'ble NGT to believe that the Applicant had amended the original O.A without the approval of the Hon'ble NGT.

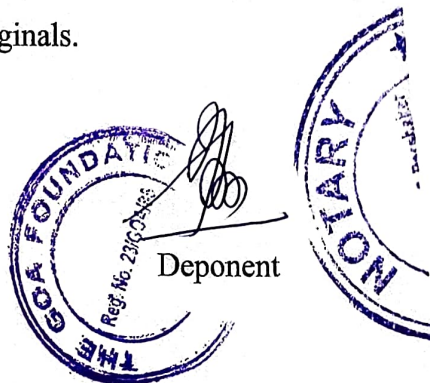
4. As can be seen from the facts related above, the Applicant has amended the O.A only after the Hon'ble NGT expressly allowed the same on 13.12.2024, since this was a direction of the Hon'ble Supreme Court when it returned the O.A to the Hon'ble NGT for a re-hearing of the matter.

5. Subsequently, the Applicant has ensured that the defects in the I.A are also removed. Hence this Hon'ble Tribunal may simpliciter dispose of the I.A without any further order, since the applicant's prayer in the I.A for leave to amend the O.A has already been granted on 13.12.2024 and the amended O.A is on the record of the proceedings, as well as served on the respondents.



6. The Applicant once again reiterates that no amendment was carried out without moving an IA for amendment of the OA and obtaining an appropriate Order from this Tribunal on the said I.A.
7. I state that the contents of paragraphs 1, 2(p), 3(p), 4(p), 5(p) and 6(p) are based upon my personal knowledge and official documents/records, which I believe to be correct. I further state that the contents of paragraphs 2(p), 3(p), 4(p), 5(p) and 6(p) are my submissions made on legal advice which I believe to be true. No part of it is false and nothing material has been concealed therefrom, and the annexures enclosed are correct and true copies of their respective originals.

Solemnly affirmed at Mapusa, Goa,
this the 10th day of February 2025.

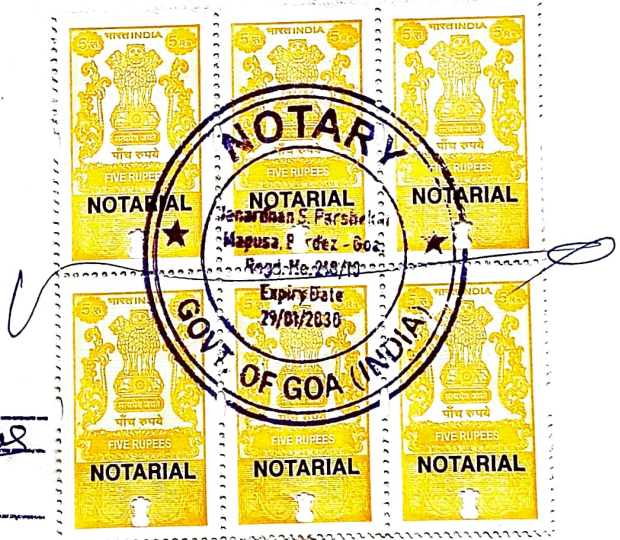
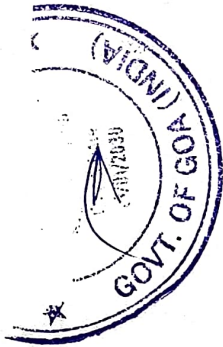


VERIFICATION

I, Dr. Claude Alvares, Secretary of the Applicant organization, do hereby verify that the contents of paras 1 – 7 of my above affidavit are true to my knowledge and belief, and that no part of it is false and nothing material has been concealed therefrom.

Solemnly affirmed at Mapusa, Goa,
This the 10th day of February 2025

APPLICANT/DEPONENT



Solemnly affirmed before me by Dr. Claude Alvares
Who has been identified by _____
who is known to me personally
Mapusa - Goa.

Reg. No. 793/25 Date 10/02/2025

JANARDHAN S. PARSHEKAR
NOTARY AT MAPUSA, BARDEZ - GOA,
STATE OF GOA (INDIA)

Item No. 1

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[Through Physical Hearing (With Hybrid Option)]

Original Application No. 33/2015 (WZ)

The Goa Foundation

Applicant

V/s.

GEIAA & Ors.

Respondents

Date of hearing : 13.12.2024

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

Applicants: Miss. Norma Alvares, Senior Adv. alongwith Mr. Om D. Costa , Adv. for the Applicant.

Respondents: Mr. Devidas J. Pangam, Advocate General alongwith
Mr. Sukham Sinai Priolkar, Adv. for R-1, 4 and 5.

Mr. Abahay Anturkar and Dhruv Tank, Advs. for R-3.

ORDER

1. Learned Counsel for the applicant has submitted that application for amendment of original application has been filed yesterday late night due to which the same has not come on record.

2. In the course of hearing, application has been placed on record.

3. In view of order dated 23.07.2024 passed by Hon'ble Supreme Court permitting filing of additional pleadings, the application is allowed.

4. Amended original application be filed within one week and thereafter replies to the amended original application be filed by the respondents within four weeks.

5. List on 31.01.2025.

Arun Kumar Tyagi, JM

Dr. Vijay Kulkarni, EM

December 13th, 2024
O.A. No. 33/2015
AG



National Green Tribunal



Case Title	THE GOA FOUNDATION through its Secretary Vs. GOA STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY through its Secretary
Case Type	IA
Filing No.	2704137009312024
Transaction id	0217502024
Bank Transaction id	1212240049852
Payment Date	2024-12-12 00:00:00.0
Amount	1125 Rs.
Status	SUCCESS





Om Dcosta <dcostaom@gmail.com>

Urgent - OA 33-2015

Om Dcosta <dcostaom@gmail.com>


Fri, Dec 13, 2024 at 1:55 PM

To: National Green Tribunal Pune <ngt-pune@gov.in>, NGT-WESTERN ZONE BENCH PUNE
<punengtwzb@gmail.com>

Sir,

The IA for refiling is enclosed herewith. Am unable to upload the same on the website due to technical issues currently, but undertake to do so as soon as possible.

Yours sincerely,
Adv. Om D'costa for the APplicant.

 REFILED - IA in OA 33-2015.pdf

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Regards,
Adv. Om D'costa.