

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



I.A. 270/2024 [WZ]

in

O.A. NO. 170/2024 [WZ]

[Formerly O.A. No. 26(THC)/2013 [WZ]]

ANAND BUILDERS

...APPLICANT

IN

THE GOA FOUNDATION AND ANR.

...APPLICANT

VS.

DLF Homes Goa Pvt. Ltd. & Ors.
(Earlier known as M/s. Sarawati
Builders & Constructions Pvt. Ltd.)

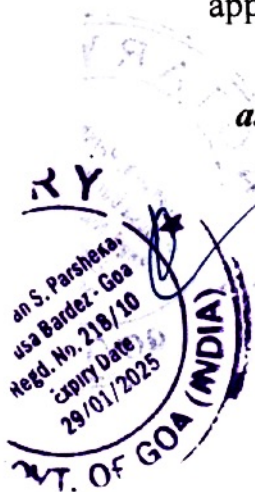
...RESPONDENTS

AFFIDAVIT OF THE ORIGINAL APPLICANT

I, Dr. Claude Alvares, Secretary of the Goa Foundation, the Original Applicant in O.A. 170/2024 [WZ] do solemnly affirm and state as follows:

1. I am filing this affidavit opposing the I.A. No. 270/2024 [WZ] filed by M/s. Anand Builders [*the original Respondent No. 2*]. By the said I.A., the R. 2 is seeking a discharge from the present proceedings in the instant O.A. 170/2024 [WZ].

2. At the outset, I state that I am not replying to each and every statement and averment made in the said I.A., and nothing may be deemed to be admitted unless the same is specifically admitted herein but should be treated as though the same has been set out seriatim and denied and disputed specifically.
3. The applicant in this I.A. has made a plea to drop him as a party respondent from O.A. No. 170/2024 [WZ] on the grounds that though he was once the owner of Sy. No.43/1 of Dabolim village, he had already subdivided the plots in some 40 smaller plots a long while ago and sold and transferred the rights by deeds of conveyance to others. The Applicant states that he therefore has no connection whatsoever with the NGT proceedings in O.A. 170/2024 [WZ] since he does not own any asset or land or is in anyway connected with Sy. No. 43/1.
4. The Goa Foundation, i.e., the original applicant in O.A. No.170/2024, is however opposed to the discharge of the I.A. applicant in the said matter, for the reasons listed below:



- a. Before the applicant sub-divided Sy. No. 43/1 and sold the plots to 40 odd persons, the plot was part of the forest on the then undivided Sy. No. 43/1. It was in this part of the Sy. No 43/1 that the I.A. applicant applied for, and obtained, a permit dated 25.05.2007 to fell 73 trees. The tree felling permit records that the number of trees that had to be planted as compensatory afforestation was 365 forestry species of trees, and this was a condition of the said permit. Having felled the 73 trees and made the plots, the I.A. applicant is now keen to absolve

himself of the responsibility of planting the replacement forest trees, as per the permit issued to him. I am annexing herewith as **Annexure R-1** a copy of the tree felling permit dt. 25.05.2007 and other relevant documents in this connection which this Hon'ble Tribunal may peruse.

- b.* The I.A. applicant has nowhere stated that he has planted the 365 trees and produced a document from the Goa Forest Department to support such claim, if any, and that he is now discharged in so far as the terms of the tree felling permit is concerned.
- c.* The I.A. Applicant has not produced any document showing that the liability for the replantation of the 365 trees has been transferred to any other party/specific plot owner, and if so, that the said transfer has been accepted by the Forest Department and the I.A. Applicants' liability is transferred to some other person/s with whom a fresh bond has been executed with the Forest Department, along with the completion of other procedural formalities mandated by law.
- d.* Further, if this Hon'ble Tribunal comes to the conclusion that the plot bearing Sy. No. 43/1 was forest, there would be other consequences as well. The original applicant in OA No.170/2024 will attempt to make out such a case.



5. In the above facts and circumstances, I am opposed to any orders being passed to drop M/s Anand Builders [Original Resp. No. 2] from the proceedings of O.A. 170/2024 [WZ] and to discharge him therefrom. In view of the above submissions and pleadings, this Hon'ble Tribunal may therefore be pleased to dismiss the instant I.A. application filed by M/s Anand Builders.

6. I state and verify that the contents of paras 1 - 5 of this affidavit are partly in the nature of facts which are true to my own knowledge and as per official documents/records, and are partly my submissions made based on legal advice which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom, and the annexures enclosed are true and correct copies of their respective originals.

Solemnly affirmed at Mapusa, Goa,
This the 15th day of November 2024



APPLICANT/DEPONENT

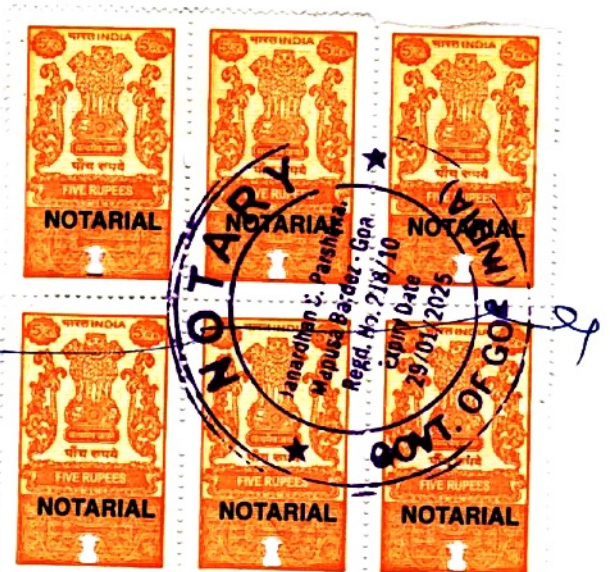


Solemnly affirmed before me by
Dr. C. Claude. Antony
Who has been identified by

who is known to me personally
Mapusa - Goa.

Reg. No. 5841/24 Date 15/11/2024


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



VERIFICATION

I, Dr. Claude Alvares, Secretary of the Applicant organization, do hereby verify that the contents of paras 1 – 6 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 15th day of November 2024



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. 5841/200 Date 15/11/2024



JAHARDHAN'S PARSHEKAR
NOTARY AT MAPUSA, BARDEZ - GOA,
STATE OF GOA (INDIA)

FORM (E)

(See rule 6)

TREE OFFICER-CUM-DY. CONSERVATOR OF FOREST
Government of
FORESTS DEPARTMENT

No. 3/3/137/2007-08/SGF / 572

Date: 25/05/2007.

Sub: - Permission of fell trees

With reference to his/her application dated 13/4/2007 for grant of permission to fell trees to Sr. Anand Chandra Bose, is hereby informed that he/she is granted permission to fell trees as per the details, indicated below from the private property known as "Capela Batt Ambatta & Camotilem" under Sy.No.43/1 situated at Dabolim Salcete Taluka subject to the terms and conditions hereto specified.

DETAILS OF TREES

Sr.No

No.

(List of species of trees is enclosed)

73

To.

Sr. Anand Chandra Bose,
R/o. Vasco da Gama Goa.



Tree officer-cum-Dy./Conservator of Forests
South Goa Division
Margao Goa

TERMS AND CONDITIONS

- 1 The Range Forests Officer shall mark the trees before cutting.
- 2 Permission to fell trees is granted at his/her risk and without prejudice to claims/s of any other person/s who may be having right/s over the land of trees.
- 3 Felling of trees shall be completed within 45 days from the above mentioned date.
- 4 4. Material produced from the felled trees shall not be removed or disposed without permission of the Tree Officer
- 5 He/She shall replant tree as per details given below during ensuing/planting season, i.e. commencing from June to ...2007... August ... 2007 ... in the property from which the trees will be felled.

Licence fee was paid vide RNO.26 BKNO. 612 dtd. 28/5/2007 for Rs. 7300/-

- | Sr.No. | Species | No. |
|--------|-----------------------|-----|
| | Forestry Species etc. | 365 |
- 6 He/She shall deposit sum of Rs. 14600/- (Rupees Fortheen Thousand Six Hundred only) vide PO/No. 716193 dated 25/05/2007.
 - 7 Security Deposit in the office of the Dy. Conservator of Forests, South Goa Division Margao – Goa, before starting the felling of the trees for ensuing the replanting of the trees (indicated at Sr. No. 5 above)
 - 8 In the event of failure on the part of permit holder to replant the trees as indicated at Sr.5, above then the Tree Officer, shall himself undertake to replant the trees and recover the cost thereof from the permit holder by way of adjustment against the Security Deposit made by the permit holder or felling that by recovery as arrears of Land Revenue.
 - 9 Copy to the Conservator of Forests, Panaji-Goa, for information.
Copy to: The R.F.O. (MS Margao) w. r. to his report dtd. 18/5/2007. He is directed to keep strict watch over the Felling of 73 trees and ensure that no illegal felling takes place.

List of the Standing trees in Plot No. 5 existing in the private property known as "CAPELABAT" situated at Dabolim Village, Mormugao Taluka, bearing survey no. 43/1

Sr.No	Species	Guirth		Length	Remark
1.	Teak	43 cm ✓	x	4 m	
2.	Teak	44 cm ✓	x	2 m	
3.	Teak	83 cm ✓	x	8 m	Diseased
4.	Teak	93 cm ✓	x	5 m	B. Hollow
5.	Teak	92 cm ✓	x	7 m	--- do ---
6.	Mango	59 cm ✓	x	5 m	
7.	Mango	94 cm ✓	x	4 m	
8.	Mango	100 cm ✓	x	6 m	
9.	Kajaro	115 cm ✓	x	7 m	
10.	Mango	69 cm ✓	x	4 m	
11.	Mango	92 cm ✓	x	5 m	
12.	Teak	76 cm ✓	x	8 m	
13.	Teak	107 cm ✓	x	8 m	Diseased
14.	Teak	79 cm ✓	x	7 m	Hollow
15.	Arjun	145 cm ✓	x	8 m	
16.	Teak	68 cm ✓	x	7 m	
17.	Teak	69 cm ✓	x	7 m	Diseased
18.	Teak	78 cm ✓	x	5 m	--- do ---
19.	Onwal	66 cm ✓	x	4 m	
20.	Moi	47 cm ✓	x	4 m	
21.	Dabon	45 cm ✓	x	3 m	
22.	Dabon	35 cm ✓	x	3 m	
23.	Teak	65 cm ✓	x	5 m	Diseased
24.	Cudo	44 cm ✓	x	2 m	
25.	Moi	98 cm ✓	x	5 m	
26(a)	Chanado	60 cm ✓	x	5 m	
(b)	Chanado	62 cm ✓	x	5 m	
27.	Dabon	47 cm ✓	x	5 m	
28.	Arjun	108 cm ✓	x	7 m	
29.	Dabon	40 cm ✓	x	4 m	
30.	Chanado	58 cm ✓	x	6 m	
31.	Huro	95 cm ✓	x	8 m	
32.	Teak	104 cm ✓	x	6 m	Diseased
33.	Dabon	50 cm ✓	x	7 m	
34.	Teak	70 cm ✓	x	6 m	
35.	Kumbyo	42 cm ✓	x	2 m	
36.	Dabon	101 cm ✓	x	9 m	
37.	Char	62 cm ✓	x	7 m	

Ashe

W. S. S.
18.5.07

38.	Teak	88 cm ✓	x	7 m	Diseased & Hollow
39.	Moi	86 cm ✓	x	8 m	
40.	Jambol	81 cm ✓	x	4 m	Diseased & Hollow
41.	Miryo	78 cm ✓	x	6 m	
42.	Kajaro	93 cm ✓	x	5 m	
43.	Huro	95 cm ✓	x	6 m	
44.	Kajaro	57 cm ✓	x	5 m	
45.	Teak	55 cm ✓	x	3 m	Hollow
46.	<i>Jungle</i>	73 cm ✓	x	6 m	
47.	Mango	47 cm ✓	x	5 m	
48.	Teak	100 cm ✓	x	8 m	Hollow
49.	Huro	48 cm ✓	x	4 m	
50.	Teak	77 cm ✓	x	7 m	
51.	Teak	108 cm ✓	x	7 m	Diseased
52.	Teak	42 cm ✓	x	7 m	
53.	Huro	57 cm ✓	x	3 m	
54.	Kajaro	62 cm ✓	x	5 m	
55.	Teak	76 cm ✓	x	5 m	
56.	Teak	93 cm ✓	x	7 m	
57.	Teak	108 cm ✓	x	8 m	Diseased & Hollow
58.	Teak	98 cm ✓	x	8 m	
59.	Teak	97 cm ✓	x	8 m	
60.	Teak	90 cm ✓	x	7 m	
61.	Teak	76 cm ✓	x	7 m	
62.	Teak	78 cm ✓	x	7 m	
63.	Teak	86 cm ✓	x	8 m	Diseased
64.	Teak	79 cm ✓	x	8 m	T. Hollow
65.	Teak	56 cm ✓	x	5 m	
66.	Kajaro	112 cm ✓	x	8 m	
67.	Moi	118 cm ✓	x	7 m	
68.	Chanado	62 cm ✓	x	3 m	
69.	Chanado	93 cm ✓	x	7 m	Diseased
70.	Teak	97 cm ✓	x	7 m	
71.	Teak	103 cm ✓	x	7 m	Diseased
72.	Teak	94 cm ✓	x	5 m	Hollow
73.	Teak	80 cm ✓	x	5 m	Diseased.

Ashe

*AP/MS
18.5.09*

FORM "F"

(See Rule 6)

Tree Officer-cum-Dy. Conservator of Forests

Government of Goa

FOREST DEPARTMENT

South Goa Division, Margao-Goa

3/3/137/2007-08/
No.: **SCF/338**

Dated: **06/08/2007**

Sub. : *Permission of removal/disposal of trees.*

With reference to his/her application dated for grant of permission to remove or to dispose off felled trees of Forest Produce to Shri/Smt. **Anand Chandra Bese**.....

is hereby informed that he/she is granted permission to remove or to dispose off the material (as per the details indicated below) from the private property known as **'Capela Matt Ambatta & Camotilam'**..... under Sy. No. **43/1**..... situated at **Dabelim Salcete Taluka**..... subject to the terms and conditions hereunder specified :—

Sr. No.	Description of the material	No. of Logs	Volume in MP	No. of trips by which removal will be completed	Period of validity of the permission
01.	1st class Teak timber	125	9,425m3		30 days from the above date.
02.	2nd class Others "	05	0,547m3		
03.	3rd class timber	16	1,535m3		
	1st class Teak Poles	15 Nos.		4 trips	
	2nd class Poles	01 No.			
	3rd class Poles	01 No.			
	Firewood	20,000m3			

- i) From **Dabelim** to
- ii) Mode of transport (rail, sea or road) **By Road**
- iii) Route
- iv) Vehicle/Vessel
- v) Name of Driver/Tandel
- vi) Manner of disposal i.e. by sale, name, address & licence No. of purchaser as indicated :—

To,
Shri/Smt. **Anand Chandra Bese,**
H/o. Vasco da Gama Col,



Copy to: The R.F.O. (MS) MARGAO w.r. to his report/LMB dtd. 01/08/2007. He is directed to keep strict watch over the felled material and ensure that no illegal felled material should be allowed to the transport. He should also issue transit passes to the applicant. Felling licence was granted vide No. 3/3/137/2007-08/SCF/372 dtd. 25/05/2007.

L.M.B. of felled material from the private property bearing S.N. No. 4411 at Village Dabolim Taluka Applicant Mr. Anand Chandra Bose Ato Vasco.

1404

Log No.	Species	Girth	length	Volume
411	Teak	0.40	3.00	0.630
211	Teak	0.43	2.70	0.631
311	Teak	0.80	2.35	0.094
312	-11-	0.70	2.15	0.666
313	-11-	0.60	2.15	0.048
314	-11-	0.55	3.65	0.649
411	Teak	0.90	2.25	0.114
412	-11-	0.77	2.15	0.080
413	-11-	0.70	2.10	0.064
414	-11-	0.55	3.35	0.063
415	-11-	0.50	2.20	0.034
416	-11-	0.45	1.48	Isl. file.
511	Teak	0.85	2.25	0.102
512	-11-	0.73	2.15	0.072
513	-11-	0.65	2.30	0.061
514	-11-	0.82	2.60	0.109
611	Mango	0.55	2.10	0.072
711	Mango	0.90	2.35	0.119
712	Mango	0.70	1.28	0.039
8	Mango	Not felled		
9	Kajano	-11-	-11-	
1011	Mango	0.90	3.00	0.151
1012	-11-	0.70	1.45	0.044
11	Mango	Not felled		
1211	Teak	0.75	2.25	0.079
1212	-11-	0.73	1.45	0.048
1213	-11-	0.60	1.55	0.035
1214	-11-	0.56	1.75	0.034
1215	-11-	0.38	1.85	Isl. file
1311	Teak	1.05	2.70	0.186
1312	-11-	0.85	2.15	0.097
1313	-11-	0.80	2.15	0.086
1314	-11-	0.55	1.95	0.037
1315	-11-	0.50	3.35	0.052
1316	-11-	0.45	1.80	Isl. file
1411	Teak	0.76	1.35	0.049
1412	-11-	0.92	2.95	0.095
1413	-11-	0.60	2.35	0.053
15	Kajano	Not felled		
1611	Teak	0.85	1.95	0.086
1612	Teak	0.50	3.35	0.052
				0.453

Log No.	Species	Girth	length	Vol.
1613	Teak	0.48	3.65	0.042
1711	Teak	0.65	2.30	0.061
1712	-11-	0.63	1.60	0.044
1811	Teak	0.75	2.15	0.071
1812	-11-	0.65	2.15	0.056
1813	-11-	0.60	2.10	0.047
1911	Oak	0.65	1.75	0.046
2011	Mai	0.40	1.75	Isl. file
211	Dabon	0.41	2.10	Isl. file
22	Dabon	Firewood		
2311	Teak	0.50	1.85	0.024
2312	-11-	0.40	3.00	Isl. file
24	Cudra	Firewood		
2511	Mai	0.98	2.10	0.126
26(1)	Chineda	Firewood		
26(2)	-11-	Firewood		
27	Dabon	Firewood		
2811	Arjun	1.00	4.60	0.297
2812	-11-	0.80	1.30	0.052
29	Dabon	Firewood		
30	Chineda	Firewood		
31	Hullo	Firewood		
3211	Teak	1.00	3.40	0.212
3212	-11-	0.95	2.20	0.124
3213	-11-	0.55	3.35	0.063
3214	-11-	0.50	2.15	0.033
3215	-11-	0.40	1.50	0.021
3311	Teak	0.65	2.65	0.069
3312	-11-	0.55	2.20	0.041
3313	-11-	0.45	3.20	Isl. file
3314	Dabon	0.50	4.30	0.067
35	Kubiyo	Firewood		
3611	Dabon	1.00	2.25	0.140
3612	-11-	0.70	4.40	0.134
3711	Chal	0.60	2.80	0.063
3811	Teak	0.85	2.80	0.126
3812	-11-	0.83	1.40	0.060
3813	-11-	0.60	2.70	0.063
3814	-11-	0.50	2.30	0.037
3911	Mai	0.82	2.50	0.105
3912	-11-	0.80	2.30	0.092
				4.764

1405

Time	Age	Species	Grain	Length	Volume	
160		5712	Teak	0.82	2.80	0.118
08		5714	-11-	0.80	2.15	0.086
129		5715	-11-	0.55	3.30	0.062
726		5716	-11-	0.43	1.30	IS:PK
51		5811	Teak	0.85	2.70	0.122
71		5812	-11-	0.80	2.15	0.086
		5813	-11-	0.65	2.15	0.057
		5814	-11-	0.55	4.10	0.077
42		5815	-11-	0.40	2.00	IS:PK
36		5911	Teak	0.90	2.20	0.109
		5912	-11-	0.85	2.15	0.097
		5913	-11-	0.70	2.20	0.069
16		5914	-11-	0.65	2.15	0.057
2		5915	-11-	0.60	2.20	0.049
60		5916	-11-	0.55	2.00	0.038
52		5917	-11-	0.50	1.00	0.016
32		6011	Teak	0.80	2.15	0.086
17		6012	-11-	0.73	2.15	0.072
56		6013	-11-	0.65	3.50	0.092
		6014	-11-	0.60	1.70	0.038
		6015	-11-	0.50	2.90	0.045
		6111	Teak	0.73	2.20	0.072
		6112	-11-	0.70	2.15	0.066
		6113	-11-	0.55	2.15	0.041
		6114	-11-	0.53	2.15	0.038
		6115	-11-	0.40	3.30	IS:PK
		6211	Teak	0.75	2.10	0.074
		6212	-11-	0.68	2.20	0.063
		6213	-11-	0.60	2.30	0.052
		6214	-11-	0.55	2.30	0.043
		6215	-11-	0.45	4.00	IS:PK
		6311	Teak	0.85	2.30	0.104
		6312	-11-	0.83	2.15	0.092
		6313	-11-	0.70	2.15	0.066
		6314	-11-	0.62	3.15	0.076
		6315	-11-	0.50	3.15	0.049
		6411	Teak	0.78	2.30	0.087
		6412	-11-	0.70	3.00	0.142
		6413	-11-	0.60	2.20	0.044
		6511	Teak	0.54	3.40	0.062
			Total			9.758

Sr. No.	Species	Girth	Height	Volume	Sr. No.	Species	Girth	Height	Volume
68E	Teak	0.45	2.20	I-II Pole	7115	Teak	0.67	1.35	0.038
69	Kajao	Not Tilled			7116	-II-	0.50	2.30	0.036
69a	Mol	Firewood			7211	Teak	0.94	2.40	0.132
69	Chavado	Firewood			7212	-II-	0.80	2.20	0.086
69	Chavado	Firewood			7213	-II-	0.70	2.15	0.066
7111	Teak	0.95	2.65	0.149	7214	-II-	0.65	2.40	0.063
7112	-II-	0.80	2.50	0.100	7215	-II-	0.65	1.60	0.042
7113	-II-	0.65	2.15	0.057	7216	-II-	0.45	2.80	I Pole
7114	-II-	0.55	2.15	0.038	7311	Teak	0.80	2.92	
7115	-II-	0.45	3.60	I Pole	7312	-II-	0.75	2.50	0.108
7111	Teak	1.00	3.50	0.219	7313	-II-	0.55	2.15	0.041
7112	-II-	0.85	2.15	0.097	7314	-II-	0.50	2.30	0.047
7113	-II-	0.70	2.15	0.066	7315	-II-	0.40	3.00	I Pole
7114	-II-	0.68	2.15	0.062					
				10.546					11.407

ABSTRACT

Sr. No.	Classification of forest produce	No. of logs	Volume
1	Ist class Teak Timber	125	9.125 m ³
2	IInd class other Timber	05	0.547 m ³
3	IIIrd class Timber	16	1.535 m ³
4	Ist class teak Pole	15 No.	—
5	IInd class Pole	01 No.	
6	IIIrd class Pole	01 No.	
7	Firewood		20.000 m ³


 (D.V. S. Kollam)
 R.P. (C) 1960

No. 3/3/137/2007-08/SGF

Applicant Mr. Anand Chandra Bose (POA for) owners 'Heritage' 1st floor, Swantantra Path, Vasco Da Gama Goa has been applied for permission to fell trees from private property known as 'Capela Batta Bainbatta' and 'Camotilem' bearing Sy. no. 43/1 situated at Dabolim village Mormugao taluka.

The applicant has produced the following papers in support of his application as under:

- 1) Form 'B'
- 2) Affidavit
- 3) List of the trees & boundary list
- 4) Map
- 5) Development permission 'Provisional'
- 6) General Power of Attorney
- 7) Land Index in form I & XIV
- 8) Deed of Gratuitous cession Partition and Administration of Properties

The above referred private property has been inspected. The applicant marked 73 nos. trees as per the list enclosed for purpose of felling. The applicant wants to develop the property. The marked trees are coming in the alignment of construction of road in between the plot. Other trees existing in the property are cashew and coconut. The slope of the property is approx. 20 to 25°. The applicant has produced order of MPDA and provisional NOC from V.P. Chicalim. The necessary certificate is enclosed herewith. Hence the applicant may be permitted to fell the said marked trees. Besides 22 nos. of cashew trees are to be felled.

Checked upto 6 months –

Sd/-

21/5/07

.....
Applicant is the power of attorney holder of the owners, who got the property through Gift deed (copy enclosed). He has applied for felling of 73 nos. of trees and 22 cashew trees. He wants to cut the trees for construction purpose. RFO has inspected the trees and recommended for its felling.

Papers are OK. DCF may decide the case.

Sd/-

21/5/07

.....
73 trees permitted as recommended by RFO (MS). The applicant to plant 5 time no. of trees of that have been permitted.

Sd/-

25/5/07

.....
Applicant has paid a fee of Rs. 7300/- towards felling of 73 trees vide receipt no. 26/612 dt. 28/5/07. Also, he has furnished a draft of Rs. 14,600/- of Corporation Bank, Vasco along with bond.

As such, order is placed in the file.

Sd/-

28/5/07

.....
RFO has submitted LMB report of the felled trees and recommended for its transport. As such, order is placed in the file.

Sd/-

3/8/07

Exhibit BBOND

Known All Men by these presents that I, MR. ANAND CHANDRA BOSE, (POA for Owners), son of Mr. Nitish Chandra Bose, aged 32 years, resident of 'Heritage' Bldg, 1st Floor, Swatantra Path, Vasco da Gama, Goa (hereinafter called as the Bounden as held and fully and firmly bound myself, my jeors, executors, administrators, legal representatives upto the president of India, through the Conservator of forests, Government of Goa, Panaji (hereinafter called as 'the Government') for the sum of Rs. 14,600/- (Rupees Fourteen Thousand Six Hundred Only) and such other expenses as may be demanded by the Government, as such demand and without demur.

Signed and delivered by myself on this day 25th May 2007.

WHEREAS the bounden is the owner and in absolute possession free from all encumbrances of the property 'CAPELA BATTÀ BAMBATTÀ' and 'CAMOTILEM' of the said sub-divided Plot No. 5 admeasuring an area of 17,070 sq mtrs bearing survey no. 43/1 of Village Dabolim in the district of South Goa (hereinafter called as forest land).

AND WHEREAS the said bounden has requested the Government for permission to cut the trees for the purpose of reafforestation of certain area admeasuring 3015 sq. mts of the aforesaid forest land more particularly described in the schedule appended hereto and delineated on the plan annexed hereto (hereinafter called as the afforestation area).

AND WHEREAS the Government had agreed to permit the bounden to reafforest the said area by removing the selected trees on the terms and conditions set out in the letter of permission No. _____ dated _____ and also set out hereinafter and subject to such rules and regulations as are in force in the state of Goa.

AND WHEREAS for the purpose of compliance of the said terms and conditions under which the permission for cutting of trees and reafforestation is granted, the bounden has agreed to execute this bond subject to the conditions hereinafter contained.

Now the conditions of the above bond are that:-

In pursuance of the said permission granted for reafforestation of the said area removing the selected trees in the forest land particularly described in the schedule appended, hereto the said bounden covenants with the Government as follows:-

1. That the bounden shall reafforest the said area as directed by the Dy. Conservator of Forest, South Goa forest Division and the said area by removing the selected trees in accordance with the permission for the same by Dy. Conservator of Forests, South Goa Forest Division.

2. That the bounden shall replant the said area after removal of the matured, dead, unsound and uneconomical trees as selected and permitted from the area and allowed by Dy. Conservator of forest, Govt. of Goa and shall not cut the young and healthy trees covered under the said area.
3. That the bounden shall cut the selected trees from the said trees of not exceeding 1 hectare and shall replant within a period of one year after cutting the same.
4. That the bounden shall be debarred from clear felling of trees in the said area having more than 30 degree slope and also in area which are less than 50 mts from the banks of perennial streams or less than 15 mts from dry nalhas.

However, in the area covered thereof, only old, diseased and over matured trees shall be felled on selection basis after its inspection is done by the forest officer not below the rank of range forest officer, Govt. of Goa and the resulting patches would be replanted.

5. That the Bounden shall abide by all rules, and regulations laid down by the Forest Department, Government of Goa as the instructions issued in writing by the Dy. Conservator of Forest, South Division, Government of Goa in this regard.
6. That the bounden shall deposit a sum of Rs. 14,600/- (Rupees Fourteen Thousand Six Hundred Only) calculated at the rate of Rs. 2,000 per hec. In the form of postal savings Bank Account/term deposit receipt from a Scheduled bank duly pledged in favour of the Government under deposit receipt No. 716193 of Corporation Bank, Margao, Goa as a security deposit for the performance and obeyance of the terms and conditions as stipulated herein:-
7. That in case of the bounden's failure to replant the said area satisfactorily, the Forest Department Government of Goa shall take up the work of afforestation at the cost of the said bounden for the purpose of preservation, formation and conservation of the forest therein and make other improvements for planting of such other trees as deem fit and the whole expenses incurred in the said operation undertaken by the forest department shall be adjusted from the aforesaid deposit made by the bounden without prejudice to the right of the Government to recover any additional or excess amount incurred by it and to recover the same as arrears of land revenue under the law of the time being in force.
8. That the bounden shall be responsible for the protection and maintenance of the planted trees whether planted by the bounden himself or by the forest Department, Government of Goa till the plants are fully established and grown and on the failure of the bounden the forest Department will have the right to protect the plantation at the cost of the bounden

9. That the bounden shall permit the forest officer of the forest Department of Goa to enter upon the said area for the purpose of preservation, planting, transplanting therein so that the bounden shall not transfer or submit the privileges or the permission granted hereunder without the prior permission of the Government.

In the event of the said bounden:-

- i. Committing breach of any of the terms and conditions of the above bond and the letter No. _____ dated _____.
- ii. Committing the breach of any of the provisions of the forest Act, 1927 and the rules framed there under and the conservation of the forest Act, 1989.
- iii. Fails to carry out reafforestation of the said area within the stipulated period as stated above.

The said bounden shall forthwith forfeit the aforesaid amount deposited in its application to afforestation and shall pay on demand such additions or excess sum incurred by the Forest Department, Govt. of Goa towards afforestation of the said area.

And upon the said bounden making such payments or the compliance of the covenants and the obligations as stated above shall be void and of no effect otherwise it shall be and remain in force and virtue.

SCHEDULE

(Description of the property and area)

All that Sub-divided Plot no. 5 admeasuring an area of 17,070 sq. mts forming part of the property denominated as 'CAPELA BATTA BAMBATTA' and 'CAMOTILEM' Surveyed under survey no. 43/1 of Village Dabolim and which is bounded as under:

On the North : By the open space, existing dry nallah and property bearing survey no. 24.

On the South : By the open space of the property bearing survey no. 43/1.

On the East : By 8.00 mtrs wide road and existing dry nallah

On the West : By the open space and Sub-divided Plot No. 4 in the Property bearing survey no. 43/1.

In witnesses of the above written bond and the conditions **MR. ANAND CHANDRA BOSE** the bounden has hereto set his hand at this day of 25th May 2007.

Signed and delivered by the
'**BOUNDEN**'

Sd/-
MR. ANAND CHANDRA

BOSE

Accepted by _____
Tree officer cum Dy. Conservator of Forest,
South Goa Division, Margao, Goa

WITNESSES:-

1. Santane Pereira – Sd/-
2. Poonam Kaur – Sd/-