

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

APPEAL No. 49 OF 2022

BETWEEN

Colva Civic and Consumer Forum .....Appellant

AND

Goa Coastal Zone

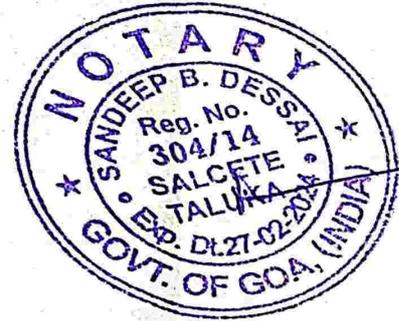
Management Authority & Ors .....Respondents

**AFFIDAVIT IN REJOINDER OF APPELLANT TO**  
**REPLY DT 19.10.2023 OF RESPONDENT 1**

I, Judith Almeida, Indian National, President of the Appellant Organisation herein, do hereby solemnly affirm and state as under:-

1. I state that I am filing the present affidavit in Rejoinder to the Affidavits in Reply filed by the Resp. No. 1. GCZMA and the Resp. No. 3 Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim. At the outset, I deny all the facts and averments in the said Replies which are not consistent with the pleadings in the captioned Appeal. I further state that I am not replying to each and every statement and submission made in the said Reply Affidavits, 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.

*(Signature)*



Response to affidavit of R.1 / G.C.Z.M.A

2. With regards to the contents of para 6 of the reply, the Resp 1 has within its records documents of the Town and Country Planning department showing that the entire plot of 4,920 sq. m falls within the 200m HTL, and the project was rejected for this very reason by the T.C.P. Department (refer Exh. 2 & 3 Colly at pages 244- 246). It is therefore submitted that the R.1s stance that all the proposed structures are beyond the 200mts HTL is incorrect and contrary to records. I say that all permissions such as construction licence, Occupancy certificate, compound wall, swimming pool, conversion sanad, restaurant, certificate for registration of Hotel etc., show that the structures falls in NDZ of CRZ III of Colva village are post 20.02.1991.
3. With regards to the contents of para 7 of the reply, the Resp 1 is completely silent that without conducting a single physical inspection the site to know the status of violations and instead based on the mapping/survey of thee NDZ of Colva- Semabatim villages in 2006& 2022 issued the order dt 12.10.2022. t I reiterate that the plans dt. 06.07.1995 approved an area of 49.01 % for a residential complex ( now converted into a commercial project without approvals of the MoEFCC or the Resp 1), could not have been permitted in the entire CRZ areas under the CRZ Notification 1991 only except individual houses of traditional dwellers. Maps/sheets which include colour coded analysis of the CRZ zone in the property bearing 40/4 (part) of the Resp no 4 are those of and the built structures in an area of 4,920 m2 are enclosed as Exhibit A1 Colly. I say that I rely on the contents of Sheet nos Aa to Hh.
4. Assuming without admitting the legitimacy of the approval dt 06.07.1995, if we are to go by the approval for a built up area of 1431.66 m2. the area, if the area as per the 1995 plan is 33% then as per calculations of the large extensions and new illegal structures the Sheet Ff shows that the area consumed is now



DA

2,850 m<sup>2</sup> , this area far exceeds by 58.86% ie an area of 1,826 m<sup>2</sup> and plot area including the portion of the NDZ of Plot - A [3102.50 + 759.50 = 3862 m<sup>2</sup>]. FAR consumed = 2850 / 3862 x 100 = 73.79%. Hence FAR exceeds by 40.79 % = 1575 m<sup>2</sup>.  
(Refer to Sheet No Gg)



The Table below is a general summary of calculations of Sheets annexed Aa to Hh [Ann. A1 Colly hereto]:

<u>Area statement shown in approval dt: 6/7/1995</u>			<u>Area Statement shown in sheet no.Ff</u>			<u>Comparison considering FAR benchmark of 33%</u>	
<u>Plot Area</u>	<u>Floor Area</u>	<u>FAR</u>	<u>Plot Area</u>	<u>Floor Area</u>	<u>FAR</u>	<u>FAR exceeds by</u>	<u>Floor area exceeds by</u>
<u>C1</u>	<u>C2</u>	<u>C3</u>	<u>C4</u>	<u>C5</u>	<u>C6</u>	<u>C7=</u> <u>C6-33</u>	<u>C8</u>
4920 m <sup>2</sup> ( Part A+B)	1520.66 m <sup>2</sup>	30.99 %	3862 m <sup>2</sup> (Part A-remaining +B)	2850 m <sup>2</sup>	73.79 %	40.79 %	1575 m <sup>2</sup>
3102.50 m <sup>2</sup> (only Part-B)	1520.66 m <sup>2</sup>	49.01%	3102.50 m <sup>2</sup> (only Part-B)	2850 m <sup>2</sup>	91.86 %	58.86%	1826 m <sup>2</sup>

Refer to Sheet No. Ff for detailed calculations and Statement [C1 to C8 are referred to as columns]

5. Considering the Conversion Sanad dt 18.09.1998, an area of 775.09 is shown as converted which if relied upon as converted for Residential use, then the 33% FAR for Residential should be permissible only limited to the area converted, which calculates

*AT*

to 255.77m<sup>2</sup>, while in comparison the floor area today exceeds by 2594.23 m<sup>2</sup> and FAR exceeds by a whopping 334.69%. 4

6. This brings into doubt the regulation control exercise by the RI Authority which is the nodal authority appointed by the MoEFCC, when it further granted temporary structure permission dt 15.07.2022, without verifying the existing illegally extended structures, the exceeded floor area and the exceeded FAR in all the above scenarios . When FAR exceeded in all scenarios, no more area approval even for temporary structures could have been granted. (Refer to detailed calculations on Sheet Gg). This makes it evident that the Resp no. 1 a nodal authority appointed by the MOEF & CC to regulate the CRZ has shirked from its mandatory duty to physically inspect the Site and is blindly reliant on the 1995 permission



7. Serious violations of the rules and regulations of the CRZ Notification, for reasons stated below:

**A). THE GSCEE ITSELF HAS ERRED WHEN APPROVING STRUCTURES IN 1995**

- i). No approval for either a Residential Complex or any new structures could have been granted in the NDZ after 20.02.1991.
- ii) It was in incomplete knowledge that the entire property of 4,920 m<sup>2</sup> was in the NDZ *(Refer to page no. 244 of Appeal)*.
- iii). when approving the permission by falsely stating that the project is within 0 - 500 mts of the HTL *( Refer to page no. 56 of Appeal)* when it was fully aware that the proposal was rejected in 1992 *( Refer page 245-246)* which was after CRZ Notification dt 20.02.1991.
- iv) Knowing that the NDZ area cannot be calculated under the 33% regulation but only based on plinth yet it approved a total of 49.01 % FAR for an area of 1431.66 m<sup>2</sup>.

JA

v). Based on the area of 775.09 m<sup>2</sup> of the Conversion Sanad, the GSCCE could have only granted construction based on the so-called area of 33% for an area of 255.77 m<sup>2</sup>.

B). The Present status as on 23.12. 2022, subject to ground verification of the total calculated area of Construction of structures based on the Conversion Sanad;

a) Based on the Conversion Sanad for an area of 775.09 m<sup>2</sup> it is evident that the FAR exceeds by = 334.69% = 2594.23 m<sup>2</sup>.



C). The present Status as on 23.12.2022 subject to ground verification of the total calculated area of construction based on the 06.07. 1995 approval

a) The Present status as on 23.12. 2022, subject to ground verification of the total calculated area of Construction of structures in the property of 40/4 (part) for an area of 4920 as against approved area of 1431.66m<sup>2</sup> it is evident that it the Total (G+1 )= 1715 + 1135 = 2850 m<sup>2</sup>. The FAR exceeds the approved 49.01 % by an additional 40.79 % = 1575 m<sup>2</sup> which makes it evident that the Resp 4 has undertaken illegal constructions of newer structures including extensions of so called approved structures.

8. With regards to contents of para 8, 9 and 10 of the reply, I say the expert member of R1 during the pendency of the SMWP 02/2006 conducted a general Joint Site Inspection on 14-05-2013 and prepared a report of the NDZ of Colva village (*refer Appeal 58- 61C*) in the presence of DSLR and Respondent 3 Panchayat, I say Resp. 1 – GCZMA is aware of construction of additional structures, huge extensions, even in set back areas. I say that said joint site inspection conducted pursuant to the order of Hon. High Court dated 02-04-2013 passed in MCA 440/2011

*JA*

in SMWP 2/2006. I say that said Inspection Report mentions "that most of the dubious structures shown on 2006 Map are still intact, few are demolished, surprisingly many new structures and extensions to the earlier structures have cropped up". I say that Resp. 1 has ignored the request made by the Appellant on 25-08-2022 to physically verify these structures at site.

9. With regards to contents of para 12 of the reply . I say that the impugned order dt 12.10.2022 [para 6 page 22] deals with the beautification of the water body but does not deal with this issue raised in evidence. The issue was ignored that the water body is no more in existence, and instead a swimming pool is constructed without any valid permissions. by the Resp 1.(refer page 65 of Appeal).

10. With regards to contents of Para 13 of the reply. I say that R1 in their meeting dt 21.04.1999 ( refer page 67, Item no. 87) permitted only bio-fencing. Neither of the Respondents have produced any plans to show the extent and area to be bio-fenced. In any event, the Appellant reiterates that the Resp. 4 has not bio-fenced the property, but instead constructed concrete compound wall in the entire property, without any permission.

11. With regards to the contents of para 14 of the reply, I say that the R1 has admitted that all the permissions granted on 06.07.1995 were in NDZ and between 0 – 500m of the HTL. I say that the R3 granted permissions for registering the residential units for commercial purpose dt 05.05.1999 and the restaurant on 07.10.1999 without mandatory permissions from the R1 GCZMA constituted on 26.11.1998.

12. With regards to contents of para 16 of the reply, I say that as carrying capacity of the beaches of Colva village are exhausted as per the BCCR Report [pg. 94 - 98], Resp 1/GCZMA in its 193rd meeting decided that no more permissions were to be issued. This was recognized and accepted by the Hon'ble



National Green Tribunal in appeal No 13/2022 and 21/2022 in its order dt 28.09.2022, wherein permission granted in violation of the BCCR were set aside. In these circumstances, the NOC dt 16.07.2022 could not have been issued by the R. 1 Authority. starting from 75m from HTL onwards westwards within 200 m of HTL. Notwithstanding this, I say that the R 5 has constructed permanent structures instead of Temporary structures, and as such R1 has violated both the CRZ Notification and the NOC dt. 16.07.2022.



With regards to contents of paras 17 and 18 of the reply, I say that area statement on site Plan dt 06.07.1995 reveals that the R4 had consumed the total FAR of the property and the NOC granted to R5 for an Ayurveda cum Spa centre was in the area marked as open space which is illegal.

14. With regards to contents of para 19 and 20 of the reply, I say that residential complexes are not permitted in the CRZ areas, and only traditional structures of eg. of fishermen are permitted for repairs, renovation and reconstruction of existing structures as per the CRZ Notification 1991.
15. With regards to contents of para 21 and 22 of the reply, I say that that Resp.1 has approved plans 06.07.1995 Resp. 4 mentions area of 759 sq.mts is to kept as 'Open Space' i.e., 15 % of total area 4920 sq.mt, as mandated in the Town & Planning Act 1974. I say that R1 has approved plans in the open space. I say that the impugned order states that 1 additional structure of Resp. 4 that fall in NDZ is already demolished by Respondent 4 and in that place in 2022 new temporary structures (which belongs to Resp. 5) the NOC granted by the Authority, as such, I say that Resp. 4 & Resp. 5 are one and same entity as per impugned order. In addition, I say, regarding approval based on CZMP plan, Resp. 4 has stated at Para 9 of the affidavit-in-reply that CZMP is not applicable.

AA

16. I say that in view of the above submissions I pray that this Hon'ble Tribunal direct that the illegal and unauthorised structures of R4 & R5 be demolished and Environmental costs be imposed, in accordance with the formula for calculation of Environmental Compensation applied by the G.C.Z.M.A. in past cases, as per directions of this tribunal in O. A 23/2014 (WZ) in its order dt.02.11.2017.

**Response to affidavit of the R. 3**

17. With regards to the reply filed by the Resp. 3-Panchayat, I say that the contents of paras 3, 6, 7, 8, 9, 16 to 26, 28 to 40 are almost identical to the Affidavit-in-reply of the Resp. 4 (Soul Vaeation) which smacks of collusion to protect their illegal structures, as disclosed hereinbelow, This Hon'ble. Tribunal may decide regarding action to be taken in the matter of said affidavit.
18. With regards to the above stated paragraphs of the R.3's affidavit, the Appellant adopts and reiterates the contents of the replies already filed in the Appellant's rejoinder dt. 19.10.2023, and the same are not repeated herein to avoid redundancy. The Appellant is only setting out necessary facts and pleadings herein to deal with the other distinct pleadings of the R. 3 Panchayat.
19. With regards to para 9(a - e) of the Reply, it is relevant to point out that the contents are identical to Para 9(a - e) of the Affidavit-in-reply of the Resp. 4. dt 22.09.2023 & strangely in 9a even without changing the reference from **'this Respondent'** ie (Resp. 4) to Resp. 3 (Panchayat). It should have read as Resp 3 ie the Panchayat.
20. With regards to Para 9b- 9e, the contents are identical to para 9b-9e, and the contents of the unnumbered para which follows 9e is identical to contents of para 10 (which is a matter of record) of the Affidavit-in-reply of the Resp. 4.



JA

21. With regards to the contents of paragraph 13 of the Reply, the Appellant submits that the Village Panchayat has been made a party Respondents in this Appeal to highlight its conduct in granting the NOC dt. 30.12.2021 for a Yoga Retreat to the Resp. No. 4, even prior to any permission being granted by the G.C.Z.M.A. for such activity. The actual N.O.C. by the GCZMA was granted on 15.07. 2022 to the Resp. No. 5, more than 6 months after the V.P. granted the Trade License. It is submitted that the V.P. could not and ought not to have granted any permissions for an activity in the CRZ Area, without first ascertaining whether the necessary approvals had been procured from the G.C.Z.M.A.



22. With regards to contents of Para 14, it is submitted that the Appellant was heard by the G.C.Z.M.A. in the proceedings connected with the impugned order, in the deponents capacity as the authorized signatory of the Appellant organization, as per directions of the Hon'ble High Court in S.M.W.P. 2/2006. The Resp. No. 1 authority had duly verified the authority of the deponent in the course of hearing the Appellant organization, and the resolution of the Appellant dt. 17.11.2021, enclosed herewith as Annexure A2, was also shown to the Authority. It is only after this due diligence that the deponent was heard by the G.C.Z.M.A. It is therefore denied that the present deponent is not authorized to represent the Appellant, as is clear from the enclosed resolution.

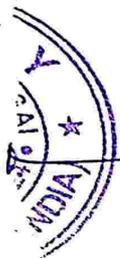
23. I say that as per Joint Site Inspection conducted on 14-05-2013 (*refer to pages 58- 61A of Appeal*) in presence of the Respondent 1-GCZMA & Resp. 3 (Panchayat) by Town & Country Planning Department, (to check report) the Report states "that most of the dubious structures shown on 2006 Map are still intact, few are demolished, surprisingly many new structures/extensions to the earlier structures have cropped up.

24. I say that construction licence & Occupancy certificate cannot be granted for 'Residential Complex' in CRZ areas including 200-500 mts, except for individual houses of traditional dwellers as per CRZ Notification of 1991. I say that the Resp. 3 states that the project was approved on 06-07-1995, as such prior to that in the year 1990, 5 years back, no NOC can be issued for water and also electric connection. The R3 has not annexed any evidence of the same.
25. I further day that the R. 3 is completely silent that it had issued a Show Cause Notice dt 10.06.2012 and subsequent to the reply of R. 4, the R. 3 took a resolution dt 09.07.2012 to appoint a surveyor and based on the report of the surveyor issued a demolition notice dt 06.09.2012. Though the same was challenged by the R.4 in Appeal, the Judgement of the Addl. Director of Panchayat dt 13.08.2013 remanded the matter back to the R3 to hear the matter afresh within 2 months. The R3 did not pursue the matter allowing the violations to continue at site. The Resp. No. 3 ought to have placed these facts and orders on record in responding to this Appeal, at the very least to ensure that the complete factual position is before this Authority.
26. With regards to contents of Para 27, I say that the Resp. 3- had issued licence/permission/occupancy to the Resp. No. 4 even though the water body was buried & a concrete swimming pool was constructed for commercial purposes under the garb of beautification, without any valid permissions.
27. With regards to Para 28, the same is identical to para 28 of the affidavit of Resp. 4. I say that as the entire property of the Resp. 4 –Soul Vacation falls in NDZ within 200 mts of HTL, the Authority of the Resp.1-GCZMA on 21-04-1999 (page 67) permitted only bio-fencing. I say that Resp. 3 Panchayat granted approval on 12-05-1999 for construction of concrete compound wall & in the entire property, without mandatory permissions from Resp. 1 GCZMA.



JA

28. I state that the contents of paragraphs <sup>(11)</sup> 1(P), 2(P), 3(P), 4(P), 5, 6(P), 7(P), 8(P), 9(P), 10(P), 11(P), 12(P), 13(P), 15(P), 17(P), 18(P), 19, 20, 21(P), 22(P), 23(P), 24(P), 25(P), 26(P) and 27 above are correct and true as per my own knowledge and official documents /records, and that the contents of paragraphs 1(P), 2(P), 3(P), 4(P), 6(P), 7(P), 8(P), 9(P), 10(P), 11(P), 12(P), 13(P), 14, 15(P), 16, 17(P), 18(P), 21(P), 22(P), 24(P), 25(P), 26(P) and 27(P) and      are in the nature of submissions based on legal advice which I believe to be true & 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 Margao, Goa,  
This the 27<sup>th</sup> day of January 2024.

*[Signature]*  
 APPELLANT/ DEPONENT



Solemnly affirmed before me by  
 Shri/Smt. Judith A. Masid  
 Who is identified before me by  
 Shri/Smt. E. L. de. N. X 3050465  
 Who is personally known to me  
 on this 27<sup>th</sup> day of Jan. 2024

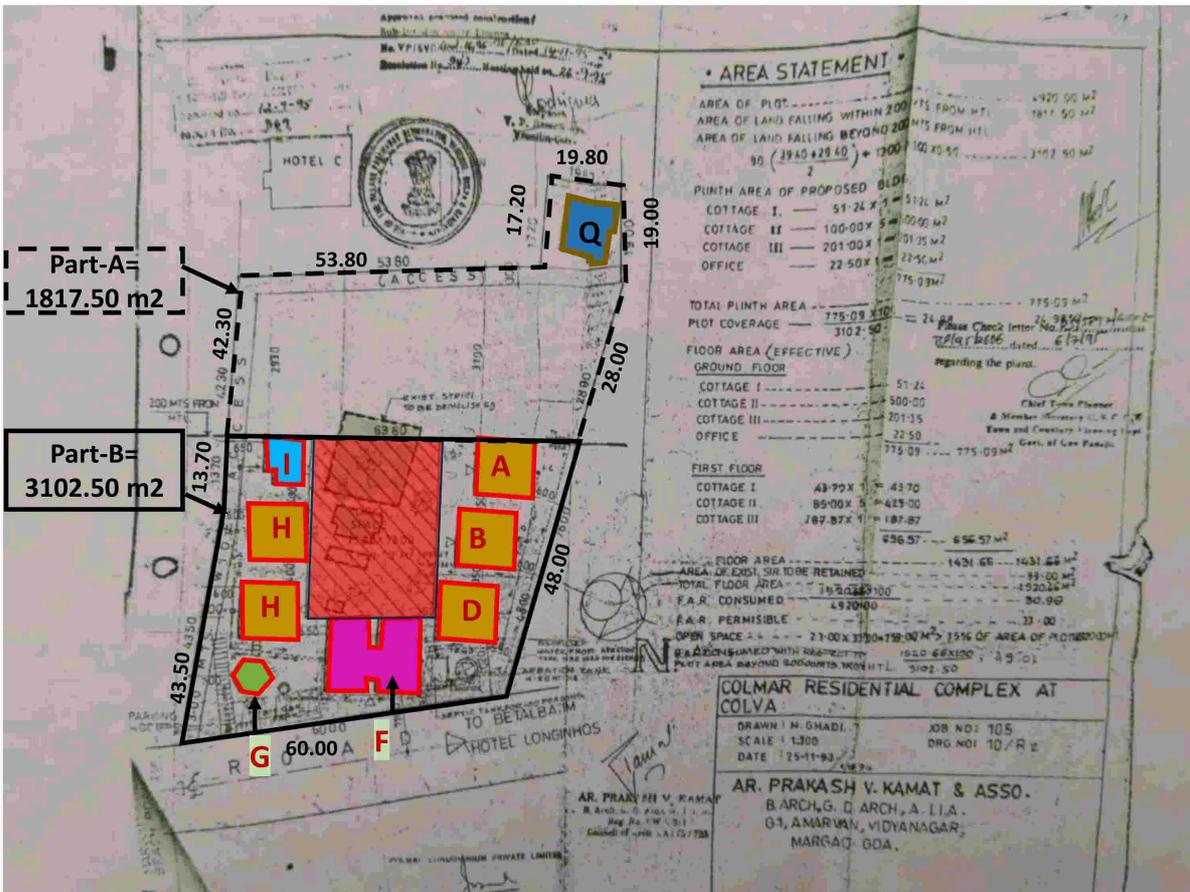
*[Signature]*  
 SANDEEP B. DESSAI  
 NOTARY  
 SALCETE TALUKA  
 STATE OF GOA (INDIA)  
 REG. No: 1923/2024  
 DATE: 27.01.2024

Exhibit A1 colly

Appeal 49/2022 NGT  
Soul Vacation/ Colmar Condominium Pvt. Ltd.  
Survey No.40/4(part), Colva village  
PTS 16

Analysis of the CRZ zones and the built  
structures

Sheet no.Aa



Area Statement as approved on 6/7/1995

Plot= 4920 m<sup>2</sup>  
**Part-A= 1817.50 m<sup>2</sup>**  
**Part-B= 3102.50 m<sup>2</sup>**

Cottage-I = 51.24+43.70=94.94 m<sup>2</sup>  
 (G+1=1 no.)

Cottage-II=100+85=185 m<sup>2</sup>  
 (G+1=5 nos.)

Cottage-III = 201.35+187.87=389.22 m<sup>2</sup>  
 (G+1=1 no.)

Office=22.50 m<sup>2</sup> (G)

Existing Str retained=89 m<sup>2</sup>

Open space=759 m<sup>2</sup>  
 (23 x 33m)

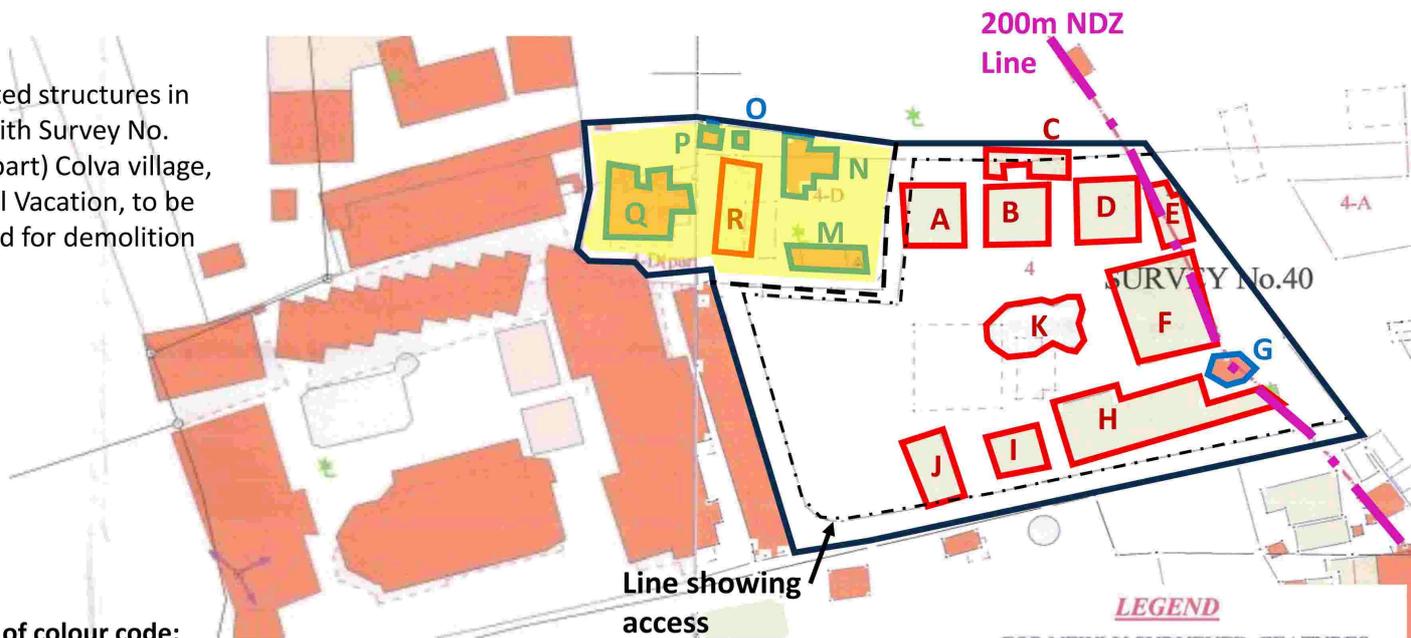
Total Built area proposed = 1431.66 m<sup>2</sup>

With retained structure = 1520.66 m<sup>2</sup>

## Extract of DSLR Survey Map with labelling of the built structures

Sheet no.Bb

Disputed structures in Plot with Survey No. 40/4(part) Colva village, of Soul Vacation, to be marked for demolition



## Description of colour code:

- **A, B, D, F, I:** Structures marked in DSLR map between HTL and 200m NDZ in Resurvey also seen in 1995 Plan
- **C, E, H, J, K:** Structures marked in DSLR map within 200m NDZ but were not in Plan approved in 1995, H= not as per 1995 plan
- **G:** Structure marked in DSLR map as new building also seen in 1995 Plan
- **R:** Structure marked in DSLR map in resurvey but is within partitioned plot 40/4-D, not seen in 1995 plan
- **M, N, O, P, Q:** Structures marked in DSLR map as new buildings but are within partitioned plot 40/4-D, not seen in 1995 plan except Q which is listed to be retained
- **Plot 4920 m<sup>2</sup> (yellow highlighted portion is plot 40/4-D which falls within plot belonging to Colmar Condominium Pvt. Ltd./ Soul Vacation with reference to 1995 Plan )**

**LEGEND**

FOR NEWLY SURVEYED FEATURES EXISTING ON THE GROUND DURING CRZ SURVEY

NEW COMPOUND	
NEW BUILDINGS	
PLINTH	
HIGH TIDE LINE	
200MTRS. NDZ LINE	
CRZ RESURVEY BUILDINGS 2006	



Satellite Street view image showing F and G (G+1)



Satellite Street view image showing E and F (G+1)



Satellite Street view image showing E and D (G+1)



Satellite Street view image showing E, D and B (G+1)

Google Satellite imagery labelled with structures seen in Plot Survey no. 40/4(part), Colva village, of Soul Vacation

Sheet no.Dd



**Limitations:**

- Google Satellite Imagery is dated 23/12/2022, hence interpretation is limited till that date
- Tree foliage may cover up small structures which may not be visible
- Small structures seen as dark colour may be difficult to interpret due to lack of colour contrast in the spectral image and resolution limitation

**Description of colour code:**

- **A, B, D, F, I** : Structures marked in DSLR map between HTL and 200m NDZ in Resurvey, also seen in 1995 Plan. I = Have exceeded area shown in 1995 plan
- **C, E, H, J, K** : Structures marked in DSLR map within 200m NDZ but were not in Plan approved in 1995, H = Has exceeded area and is not as per 1995 plan
- **G** : Structure marked in DSLR map as new building also seen in 1995 Plan
- **L** : Structure seen in satellite image but needs ground verification as not clear
- **R** : Structure marked in DSLR map in resurvey but is within partitioned plot 40/4-D, not seen in 1995 plan, needs ground verification
- **M, N, O, P, Q** : Structures marked in DSLR map as new buildings but are within partitioned plot 40/4-D, not seen in 1995 plan except Q, needs ground verification
- **Plot 4920 m2 (yellow highlighted portion is plot 40/4-D which falls within plot belonging to Colmar Condominium Pvt. Ltd./ Soul Vacation w.r.t. 1995 Plan )**

Area of the structures measured on satellite: (all are either unapproved or area exceeded the 1995 plan)

- A, B, D, = 120 m<sup>2</sup>(G+1)
- C= 50 m<sup>2</sup> (G)
- E= 65 m<sup>2</sup> (G+1)
- F= 275 m<sup>2</sup> (G+1)
- G= 100 m<sup>2</sup> (G+1)
- H= 335 m<sup>2</sup> (G+1)
- I= 110 m<sup>2</sup>, J= 120 m<sup>2</sup> (G)
- K= 600 m<sup>2</sup>, L= 300 m<sup>2</sup> (G)
- M, N, O, P, Q, R= ?+60+?+?+130+90=280 m<sup>2</sup>

Plot area analysis of survey no. 40/4, Colva village

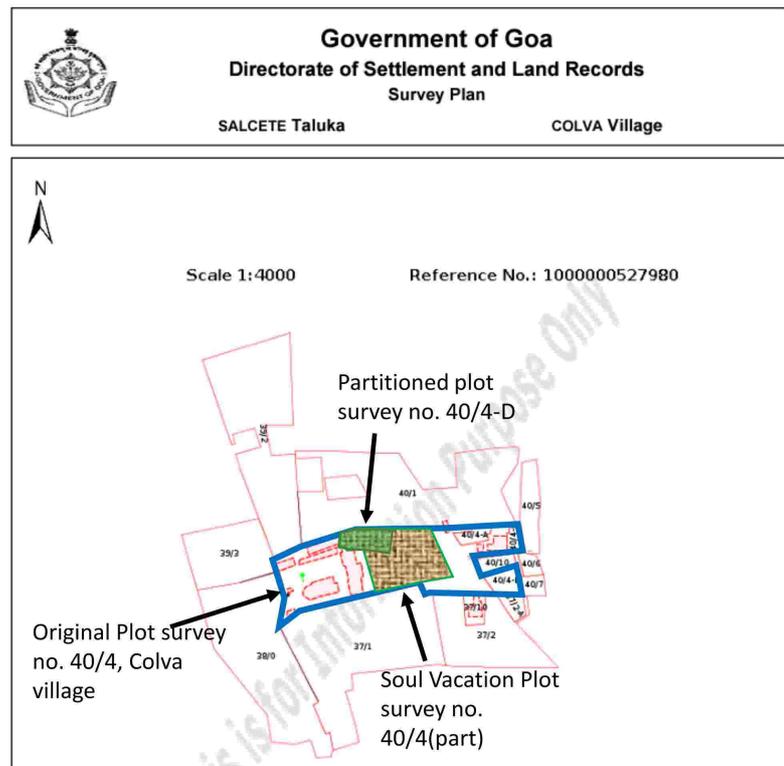
Original area of survey no. 40/4 is 15,485 m<sup>2</sup> marked in blue outline

Area of survey no. 40/4(part) in 1995 plan in ownership of Soul Vacation Project marked in green outline and filled with zig-zag pattern= 4920 m<sup>2</sup>

Partitioned portion in the original survey no. 40/4 outside the soul Vacation property are 40/4-A, 40/4-B and 40/4-C

Partitioned portion within the 40/4(part) of the Soul Vacation property shown on DSLR survey map which is not seen in 1995 approved Plan is survey no. 40/4-D area marked with green filled colour= 1058 m<sup>2</sup>

So the portion of the survey no. 40/4(part) remaining as the Soul Vacation property is =  $4920 - 1058 = 3862$  m<sup>2</sup>



Plot and FAR status:

Sheet no.Ff

**Area Calculations of Plot 40/4(part):**

Plot area as claimed by owner in 1995 Plan;

Plot area = 4920 m<sup>2</sup>

Plot Part-A within 200m NDZ = 1817.50 m<sup>2</sup>

**Plot Part-B between 200m to 500m CRZ=  
3102.50 m<sup>2</sup>**

Existing structures to be retained in 1995 Plan

Q= 89 m<sup>2</sup> (presently increased to 130 m<sup>2</sup>, and added with M, N, O, P, R listed by DSLR Resurvey but to be verified on ground for area occupied)

Presently a portion amounting to Plot area 1058 m<sup>2</sup> is partitioned/disputed & allotted sub-division no. 40/4-D as also seen in the DSLR Resurvey map

40/4-D falls fully within 200m NDZ of the Part-A as above i.e. within the area 1817.50 m<sup>2</sup>

Consequently Part-A remaining area is 759.50 m<sup>2</sup>

**Area Calculations of FAR in Plot 40/4(part):**

Plot area remaining in 200 to 500m of 40/4(p) as claimed by owner in 1995 Plan = 3102.50 m<sup>2</sup>

Effective Plot area = 3102.50 m<sup>2</sup>

Area of the Existing structures as on date;

A, B, D, = 120 m<sup>2</sup> each =  $(3 \times 120) \times 2 = 720$  m<sup>2</sup>

C= 50 m<sup>2</sup>, E=  $65 \times 2 = 130$  m<sup>2</sup>, F=  $275 \times 2 = 550$  m<sup>2</sup>

G=  $100 \times 2 = 200$  m<sup>2</sup>, H=  $335 \times 2 = 670$  m<sup>2</sup>,

I= 110 m<sup>2</sup>, J= 120 m<sup>2</sup>, L= 300 m<sup>2</sup>

**Total (G+I)= (1715+1135)= 2850 m<sup>2</sup>**

**(as against 1431.66m<sup>2</sup> approved in 1995 plan)**

(Areas of all structures need ground verification)

FAR consumed=  $2850 / 3102.50 \times 100 = 91.86$

FAR permissible as claimed in 1995 Plan = 33

**FAR exceeds by = 58.86% = 1826 m<sup>2</sup>**

Plot area including the portion of the NDZ plot of part-A =  $3102.50 + 759.50 = 3862$  m<sup>2</sup>

FAR consumed =  $2850 / 3862 \times 100 = 73.79$

**FAR exceeds by = 40.79% = 1575 m<sup>2</sup>**

## Sheet no.Gg

Conversion Sanad impact on FAR:

GCZMA approval for Temporary structures dated 15/07/2022:

**Area Calculations of FAR in Plot 40/4(part) on account of Conversion Sanad:**

Plot area as claimed by owner in 1995 Plan is  
Plot area = 4920 m<sup>2</sup>

Plot Part-A within 200m NDZ = 1817.50 m<sup>2</sup>

Plot Part-B between 200m to 500m CRZ=  
3102.50 m<sup>2</sup>

Conversion Sanad area = 775.09 m<sup>2</sup>

Total area built (G+1)= (1715+1135)= 2850 m<sup>2</sup>

FAR zoned for Residential can only be claimed for the area which is converted for Residential= 33% of 775.09 m<sup>2</sup> = 255.77 m<sup>2</sup>

FAR consumed  $2850/775.09 \times 100 = 367.69$

**FAR exceeds by = 334.69% = 2594.23 m<sup>2</sup>**

**Area Calculations of FAR in Plot 40/4(part) portion within NDZ sought for Temporary structure permission with GCZMA:**

Area of Plot part-A remaining after deducting Plot 40/4-D partitioned/disputed = 759.50 m<sup>2</sup>

Effective Portion of plot area = 759.50 m<sup>2</sup>

Area claimed to be permissible = 33%

=  $33/100 \times 759.50 = 250.63 \text{ m}^2$

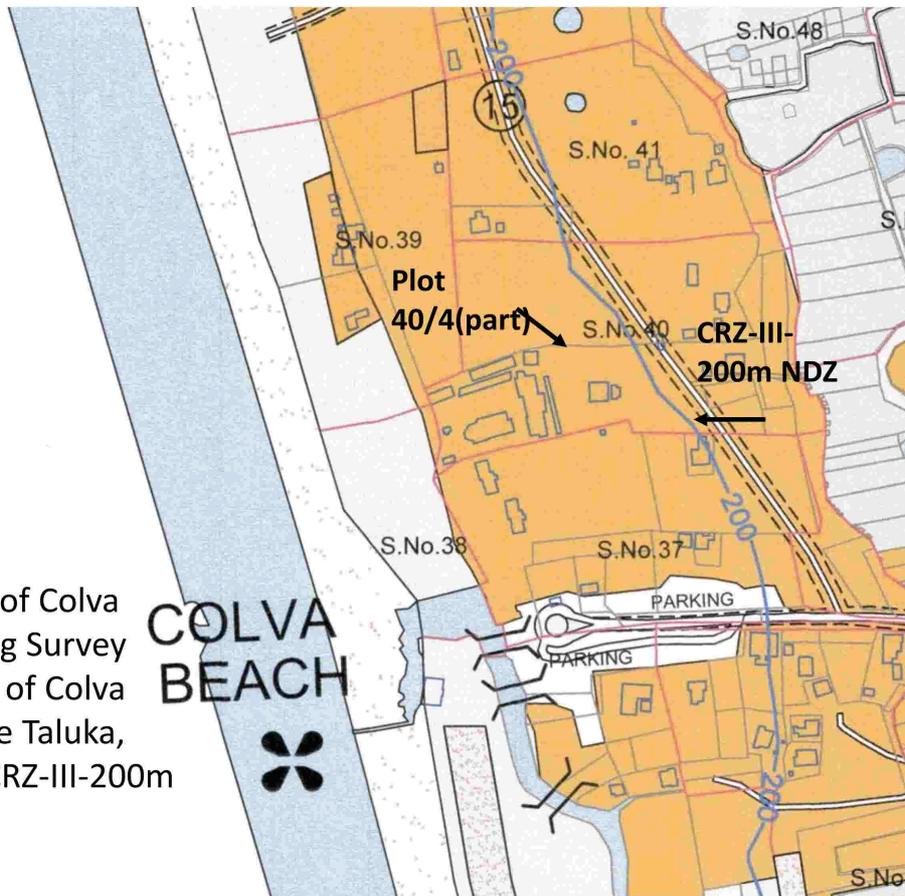
Area of structure J+L falling within NDZ =

$120+300= 420 \text{ m}^2$

(Area of structures need ground verification)

FAR consumed =  $420/759.50 \times 100=55.29$

**FAR exceeds by = 22.29% = 169.29 m<sup>2</sup>**



Regional Plan of Colva village showing Survey No.40/4(part) of Colva Village, Salcete Taluka, Goa and the CRZ-III-200m NDZ line

**COLVA CIVIC AND CONSUMER FORUM**

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Reg No 268/Goa/2009

House No 257/1, Bagdem, Ward 3, Colva, Salcete-GOA 403708 Mob: 9823085206

Ref: \_\_\_\_\_

Date: 27.01.2024**RESOLUTION**

It is hereby unanimously resolved at the general body meeting of the organisation, Colva Civic and Consumer Forum, Colva, Salcete, Goa held on 17.11.2021 that from hereon all PIL's, Writ Petitions, Appeals including as Respondents and other Applications in all matters connected therewith would be signed by the President, Ms Judith Almeida or in her absence by Dr. Ms. Shakuntala Mesquita Secretary of the organisation. They are authorised to be signatories and represent or to engage appropriate legal counsel to represent the forum. This resolution to apply to all matters filed henceforth before any authorities, Hon'ble High Courts within India, Hon'ble National Green Tribunal (Pune/Delhi) and the Hon'ble Supreme Court of India.

*Mesquita*  
Secretary

