

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH PUNE

I.A. 227/2023

IN

Appeal 31/2023

PRAVINSINGH ARJUN

SHEDGAONKAR AND ORS.

....APPELLANT

VS.

THE GSEIAA MEMBER

SECRETARY AND ORS.

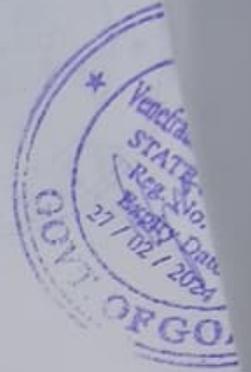
...RESPONDENTS

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 1

I, Shri Johnson B. Fernandes major of age, Indian National, Working as the Member Secretary of the Goa State Environment Impact Assessment Authority i.e. the Respondent No.1 herein above, having office at 4th floor Dempo Tower, Patto, Panaji - Goa do hereby on solemn affirmation state on oath as under:

1. I say and submit that I have gone through the records of the present matter and after going through the relevant office records I am filing the present Affidavit. However, I should not be deemed to admit anything which is contrary to or inconsistent with what is stated hereinafter in the absence of specific denial.

2. It is stated that the Applicant has filed the present application for condonation of delay on the ground that the impugned Environmental Clearance as not uploaded on the website and not accessible to the public at large. I say and submit that the Environmental Clearance was issued on 28/08/2023. This date of issue can be seen on the 2nd page of the letter **'No.61/3/2022-23/GSEIAA/Project-Prop/137'** as **'28/08/2023'**. The date of upload to the PARIVESH website is auto generated date. It can be seen as footer on all pages, starting from the 1st page as **'EC Identification No-EC23B039GA122812 file No-GA/EC/0092/2023 dated of issue EC 28/08/2023 page 1 of 14'**.
3. It is stated that the auto generated line containing the date of upload is the conclusive proof that the Environmental Clearance was granted, issued and uploaded on the website on the same date i.e. 28/08/2023.
4. This being so, the delay in filing the appeal is of 63 days and is beyond the 60 days. Hence it is most respectfully submitted that this delay cannot be condoned and the appeal is not maintainable on this ground alone.
5. It is pertinent to note that the date on the screen-shot given is that of the task bar of the screen of the computer. This cannot be relied as evidence and proof that the attempt was made to download the EC on that date.



6. It is therefore prayed that the Application under reply may kindly be dismissed.



[Signature]
Member Secretary, SEIAA
Deponent

VERIFICATION

I, the deponent above-named do solemnly affirm that all that is stated in this affidavit is true to the best of my knowledge and belief, which is based on the records available in respect of the issue involved in the above-captioned Appeal. Nothing false has been stated herein.

Solemnly affirmed on this ^{21st} day of February 2024.

[Signature] 21/2/24
Member Secretary, SEIAA
Deponent



Executed before me
At Panjim Tiswadi - Goa
Reg. No. 24/02/2024
Dated: 22/02/2024

[Signature]
Venefrada C.P.P.B Gracias
Advocate & Notary Goa State