

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

(APPEAL NO.49 OF 2022)



IN THE MATTER OF:

THE COLVA CIVIC & CONSUMER FORUM,

... APPELLANTS

VERSUS

GOA COASTAL ZONE MANAGEMENT AUTHORITY

AND ORS

... RESPONDENTS

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO.4

I Ms. Roshan Rajpal, daughter of Colonel Sarup Kewalramani , aged 52 years, resident of D5 Serenity Residences, Fatrade Beach Road Varca 403721 South Goa most respectfully state and submit as under:

1. I state that I am the General Manager, M/s Colva Soul Vacation LLP the Respondent no.4 herein and I am authorized to file the present Affidavit in reply on behalf of the Respondent no.4 herein.

2. I state that I have read and understood the contents of the Appeal and I am filing this Affidavit in reply in response to the said Appeal. I state that I am filing the present Affidavit in reply in order to oppose the grant of any relief(s) in favour of the Appellant. I state that the averments/contentions which have not been specifically dealt with and/or denied by me may not be taken as having been admitted by me.

PRELIMINARY OBJECTIONS

Before adverting the merits of the matter I am raising preliminary objections for the maintainability of the present Appeal:-

- a. The present appeal is filed beyond the period of limitation and there is no supporting application for condonation of delay and hence the present Appeal may not be entertained by this Hon'ble Tribunal.



b. The present Appeal is not maintainable at the behest of the Appellant who is not *ipso facto* person aggrieved in terms of NGT Act 2010 and hence the present Appeal has the behest of the Appellant may not be entertained.

c. The Appellant through present Appeal is indirectly challenging the permission granted in favour of this Respondent by various authorities from the year 1995 and challenge to which is barred by limitation and which otherwise the Appellant is precluded from challenging the same and hence the present Appeal may not be entertained by this Hon'ble Tribunal.

d. The present Appeal may not be entertained by this Hon'ble Tribunal on the facts that there is no challenge to any of the permissions granted by the Authorities in favour of this Respondent and the present Appeal has been preferred on the vague pleadings for quashing and setting aside the permissions granted in favor of this Respondent and Respondent no.5. Therefore such prayer of seeking cancelation of all permission without challenging the specific permission is vague and bad in law.



Brief facts pertaining to the subject matter of Appeal

3. The present subject matter in the aforesaid appeal has arisen pursuant to the order dated 26/09/2007 passed by the Hon'ble High Court of Bombay at Goa in Suo Moto Writ Petition 2/2006. It is respectfully submitted that the issue in SMWP 2/2006 was with regards to illegal construction on Coastal belts of the State of Goa and pursuant to that the Hon'ble High Court has issued necessary directions to the Coastal Village Panchayats / Municipalities to submit an action taken report. The Hon'ble High Court directed the authorities to take action against those structures which are in NDZ area and which are illegal in nature and the authorities were directed to take action against those structures. It is stated that the Hon'ble High Court of Bombay at Goa in SMWP 2/2006 have issued direction vide order dated 26/09/2007 whereby the direction was pertaining to and against the illegal structure in the NDZ area in various costal belts in the State of Goa.

4. It is pertinent to mention that one of the directions in the order dated 26/09/2007 in SMWP 2/06 which is reproduced herein below:-





Para (9)-“It is further made clear that these directions will also not apply to structures which have been held to be validly constructed or repaired with permission of the CRZ Authorities and to structures in respect of which action has already been initiated by the CRZ Authorities/Panchayats/Municipalities before the date of the passing of this order.

All Panchayats/Municipalities shall file affidavits in this Court on or before the 15-3-2008 indicating:-

- (i) Total number of structures in the 200 meters zone as per DSLR survey maps;
- (ii) Number of structures found to be existing as on 19-2-1991 on or before 30-3-2008;
- (iii) Number of structures to whom notice has been issued as Direction above.”

5. From the perusal of the aforesaid direction the Hon'ble High Court had made it clear that the said direction will not apply to structures which are within NDZ and constructed or repaired or existing with the permission of the CRZ authorities. It is pertinent to mention that this Order came to be passed in the year 2007 and which referred to

the structures within NDZ erected without the permission of the authorities.



6. Therefore, issue in this present complaint is crystalized pursuant to the direction of the Hon'ble High Court which had directed the authorities to take action against those structures which comes within NDZ area and which are in violation of CRZ notification 1991. Pursuant to such direction the Goa Coastal Zone Management Authority (hereinafter referred as "GCZMA") (Respondent no.1 herein) based on the action taken report submitted by the village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim to GCZMA have issued the show cause notice to this Respondent.
7. I state that pursuant to the direction from the Hon'ble High Court action taken report was submitted before the Respondent no.1. Thereafter the authority after detailed discussion and deliberation referred the matter to inquiry committee of GCZMA to examine all the documents and records and submit the detailed report to the GCZMA. The inquiry committee of GCZMA has submitted its report on 28/09/2015 to GCZMA and has given it finding that **based on**



the permission granted to this Respondent, the structure falls beyond 200 mts from the HTL and further held that the structures of this Respondent in survey number 40/4 of colva village is in accordance with law”.

8. It is respectfully submitted based on the inquiry committee report the GCZMA heard the matter and has framed two issues,

(a) whether the structure belonging to Soul Vacation-Colmar Condominium is located and situated in property bearing survey no.40/4 of Colva are within 200 mts of HTL?

(b) Whether the Respondents justify the Construction of Structures located in situated in property bearing Survey no. 40/4 of Colva with valid permissions/approval?

9. It is respectfully submitted that the Respondent no.1 while adjudicating the said issue have considered the mapping of Director of Survey and Land Records (DSLRL) 2006, 2022 mapping, and the documents submitted by this Respondent. Furthermore the



Respondent no.1 has also considered the mapping of structure in terms of CZMP 2011, which otherwise is not applicable in the present case. As per the DSLR mapping report it was noticed that the survey number 40/4 of Village Colva falls partly in NDZ (within 200mts) and partly outside NDZ (outside 200mts). The GCZMA has considered the following permissions/approvals/NOC obtained by Respondent no.4:-

- a. This Respondent has obtained the permission dated 06/07/1995 from the Chief Town Planner and member secretary GSCCE for the construction of Residential complex..
- b. The construction license dated 14/11/1995 of the Village Panchayat colva was granted to the Respondent. The survey records of Survey no. 40/4 of village colva i.e. Form I & XIV shows the name of the Respondent.
- c. The Deputy Collector and SDM Margao have also issued conversion sanad dated 18/09/1998 to the Respondent. The Village Panchayat of Colva has issued NOC dated 25/05/1990

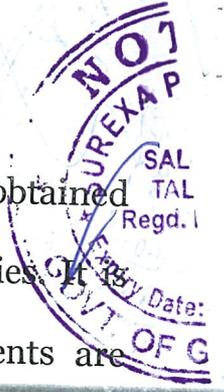
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for release of water connection and NOC dated 25/05/1990 for release of electricity connection.

- d. Furthermore, the GCZMA vide letter dated 12/05/1999 has granted approval for the proposed construction of compound wall in survey number 40/4 (Part) of village colva. This Respondent also has the occupancy dated 02/02/1999 from the Chief Town Planner. The village Panchayat of Colva on 07/04/1999 issued occupancy certificate to the said building of this Respondent
- e. The Village Panchayat of colva vide letter dated 16/06/1999 issued NOC to this Respondent to register the residential units/ condominium with the Tourism Department. Thereafter the Department of Tourism issued a Certificate of registration of Hotel dated 02.08.1999 to the Respondent.

Annexed hereto as "Annexure A colly" are the copies of all the permissions/ NOC/ Approvals



10. It is respectfully submitted that this Respondent has obtained all the permissions in accordance with law from all authorities. It is respectfully submitted that the structures of the Respondents are beyond 200 mts of the HTL and there is no structure within 0 to 200mtrs HTL of the Respondent which fact has also been appreciated and observed in the inquiry committee report and which has been also confirmed by the Respondent No. 1 in its order dated 12/10/2022 after considering the mapping of the DSLR . It is further submitted that this Respondent has constructed the structure only upon obtaining NOC/ approvals /Permissions from the concerned GSCCE (erstwhile authority of GCZMA).

11. The Respondent no.1 upon perusal of DSLR 2006 & 2022 mapping noted that this Respondent have not constructed any new structure within the NDZ and on the basis of which the GCZMA has come to the conclusion that all the structures of this Respondent falls beyond 200 mtrs line. Furthermore the Respondent no.1 upon examining the DSLR and approved plans held that all the structures are existing as per the plans approved by the erstwhile GSCCE in the



year 1995. the Respondent No.1 in its order dated 12/10/2022 has observed as follows: -

with regards to issue no.1 the authority noted that the property survey no. 40/4 of Colva belonging to the Respondent is partly with NDZ and partly outside the NDZ (200 mts). The above fact is evident from the permission and site plan dated 06/07/1995 issued by Chief Town Planner and member Secretary Goa State Council for Coastal Environment (GSCCE) and also the map/ report submitted by DSLR. Whereas in order to ascertain the aforesaid controversy authority considered the mapping of the DSLR vis a- vis all the documents produced by the Respondent on record. As per the DSLR mapping report noted that structure belonging to respondent partly fall within 200 mts of HTL. As per site plan dated 06/07/1995 issued Chief Town Planner and Member Secretary Goa State Council for Coastal Environment (GSCCE) the

structures are approved and shown beyond 200 mts.



12. Therefore, it is respectfully submitted that the structures of this Respondent have due permission from the erstwhile GSCCE and also the structures are beyond 200 mts line and further the Respondent no.1 also held that the structure of this Respondent was constructed in the property bearing survey no.40/4 of Village Colva with the valid permissions and approvals.

NOW I SHALL DEAL WITH THE MERITS OF THE APPEAL

13. At the outset this Respondent denies and disputes all the allegations made in the present Appeal and further states that the present Appeal is baseless, frivolous and bad in law.
14. With respect to para 1 of the Appeal the contents of the same are not admitted and the Petitioner is put to strict proof. The Appellant is a registered society as averred in the Appeal and the Appellant has not produced any resolution authorizing the deponent to file the present Appeal and hence the present Appeal may be dismissed on this ground alone.



With respect to para 2 and 3 of the Appeal the contents of the same are denied to the extent the same are contrary to what ever has been stated herein by this Respondent.

16. With respect to para 4, 5, 6 and 7 of the Appeal the contents of the same are denied to the extent the same are contrary to what ever has been stated herein by this Respondent. I state that the Hon'ble High Court of Goa while issuing directions in SMWP 2/2006 issued directions to the Respondents therein, who are state authorities and Village Panchayats (Local Bodies) to identify the illegal structures within the NDZ area and which were the subject matter of CRZ regulation 1991. I state that the Hon'ble High Court vide its order dated 26.09.2007 issued certain directions to the State Government for taking action against the illegal structure in the NDZ area. I state that one of the directions (i.e. Serial No 9 direction) issued by the Hon'ble High Court which clarifies that the direction issued vide order dated 26/09/2007 will also not apply to structures which have been held to be validly constructed or repaired with the permission of CRZ authorities. It is pertinent to mention that this Respondent had obtained necessary permissions from the erstwhile authority, GSCCE in the year 1995 for construction of structure and have validly carried

out the construction of the structure and therefore the directions issued by the Hon'ble High Court of Bombay at Goa cannot be made applicable to this Respondent and would be covered in terms of exception of point no. 9 of the directions issued vide order dated 26/09/2007.

Annexed here to as "**Annexure-B**" is the copy of order dated 26/09/2007 in SMWP 2/2006.

17. With respect to para 8, 9 and 10 of the Appeal the contents of the same are denied to the extent the same are contrary to what ever has been stated herein by this Respondent. I state that pursuant to the direction of the Hon'ble High Court the show cause notices were issued to this Respondent by the Respondent No.1. The Respondent No.1 there after directed the inquiry committee to prepare a report and submit it to the GCZMA to take a decision. The inquiry committee accordingly after hearing the parties has held that the structure of this Respondent in survey no 40/4 of Village Colva is in accordance with law which report was thereafter forwarded to the Respondent No. 1.





With respect to para 11 and 12 of the Appeal the contents of the same are denied to the extent the same are contrary to what ever has been stated herein by this Respondent.

19. With respect to para 13 of the Appeal the contents of the same are denied to the extent the same are contrary to what ever has been stated herein by this Respondent. This Respondent has obtained the conversion sanad in accordance with law, if the Appellant is aggrieved by the same then the Appellant has to take appropriate remedy to challenge the same before appropriate forum available in law and the same may not be maintainable or adjudicated by this Hon'ble Tribunal in terms of the provisions of the National Green Tribunal Act.

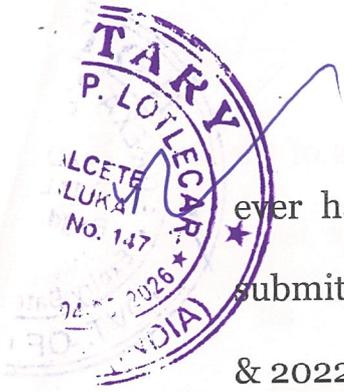
20. With respect to para 14 of the Appeal the contents of the same are denied to the extent the same are contrary to what ever has been stated herein by this Respondent. It is respectfully submitted that the Respondent No.4 has approvals from the GSCCE from the year 1995 and pursuant to which this Respondent has constructed its structure and which permission have attained finality. It is respectfully

submitted that the Appellant is precluded from questioning the permission of the GSCCE as there is no challenge to the same. In any event of the matter the subject matter before the Respondent no.1 was if the structure of this Respondent was within 200 mtrs, and in the order impugned herein the same is held to be beyond 200 mtrs.

- 21.** With respect to para 15 of the Appeal the contents of the same are denied to the extent the same are contrary to what ever has been stated herein by this Respondent. It is respectfully submitted that the issue before Respondent No.1 pursuant to the Hon'ble High Court's order was to consider the legality of the structure within the NDZ area and the Respondent No.1 have examined the legality of the structure of this Respondent in terms of the permission granted by the authorities. This Respondents states that as per the approved plan the total F.A.R consumed is 30.90% only. It is denied that the total FAR consumed for the entire Plot area is 49.01%.

- 22.** With respect to para 16 of the Appeal the contents of the same are denied. I state that to the extent the same are contrary to what





ever has been stated herein by this Respondent. It is respectfully submitted that the Respondent no.1 on perusal of plan of DSLR 2006 & 2022 mapping noted that Respondent has not constructed any new construction within NDZ except one additional structure which was subsequently removed by Respondent by its own. It is denied that the later additional structures and large extensions into even the setbacks were carried out when comparing the site plan dated 06/07/1995 of Respondent no.4. This Respondent states that the Respondent no.1 while considering the construction of this Respondent has taken into consideration both DSLR plan of 2006 & 2022 mapping and held that Respondent has not constructed any new construction within NDZ except one additional structure which was removed by this Respondent. This Respondent states that the Respondent no.1 held that as per DSLR mapping Respondent has not constructed any new construction within NDZ area but due to shift of 200 mtrs line marked by NIO some of approved structures of Respondent showing in NDZ. Further the Respondent no.1 also considered the HTL marked by NSCSM as per CZMP 2011 and in terms of the same this Respondent have not constructed any new construction within NDZ.

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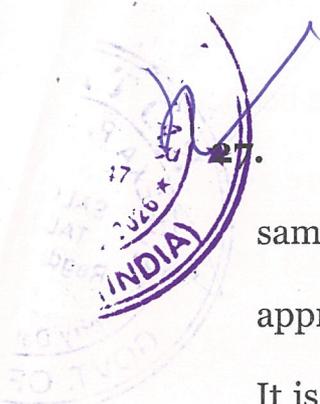
23. With respect to para 17 of the Appeal the contents of the same are denied. It is stated that the Respondent no.1 while issuing the order impugned herein has considered all the documents/permissions granted in favour of this Respondent.



24. With respect to para 18 of the Appeal the contents of the same are denied. This Respondent states that the Respondent no.1 was exercising its powers under the directions of the Hon'ble High Court of Bombay at Goa and was examining the issue of structures within NDZ areas on the coastal belt within State of Goa. This Respondent states that considering the same Respondent no.1 has issued the order which is impugned herein.

25. With respect to para 19 of the Appeal the content of the same does not pertain to this Respondent and hence not dealt with.

26. With respect to para 20 of the Appeal the content of the same are matter of record.



27. With respect to para 21 & 22 of the Appeal the content of the same are denied. This Respondent states that this Respondent has approval for beautification of Water body from the erstwhile GSCCE. It is denied that the Respondent no.4 has buried this water body and constructed a swimming pool, in place of water body without obtaining any permissions.

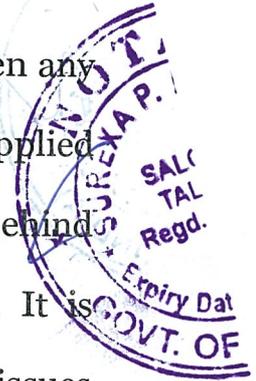
28. With respect to para 23 of the Appeal the content of the same are denied. It is respectfully submitted that the GCZMA has granted permission/Approval dated 12.05.1999 for construction of compound wall.

29. With respect to para 24 of the Appeal the content of the same are denied. This Respondent states that the Respondent no.1 considers DSLR mapping 2006, 2022 mapping and also further considers the CZMP 2011 and in all this plans, the Respondent no.1 did not find any structure of this Respondent within NDZ.

30. With respect to para 25 of the Appeal the content of the same are denied. This Respondent respectfully submit that the Appellant



cannot question the legality of the permission without there been any challenge to the same. It is denied that the permissions were applied for by Respondent no.4 and granted by the Respondent no.3 behind the back of the Respondent no.1 in violation of CRZ rules. It is respectfully submitted that the Appellant is barred from raising issues of legality of the permissions granted in favour of this Respondent, without there being any challenge to the same.



31. With respect to para 26 of the Appeal the content of the same are denied. It is respectfully submitted that this Respondent have obtained permission from Department of Tourism to use its Residential Complex to register only for tourism purpose.
32. With respect to para 27 of the Appeal the content of the same are denied. This Respondent have obtained all the permissions in accordance with law and have thereafter commenced the activities in accordance with CRZ law. With respect to highlighted portion below para 27 of the Appeal the content of the same does not pertain to this Respondent hence not dealt with. With respect to second highlighted

portion below para 27 of the Appeal the content of the same are denied.

33. With respect to para 28 of the Appeal the content of the same are denied.

34. With respect to para 29, 30 and 31 of the Appeal the content of the same does not pertain to this Respondent hence not dealt with.

35. With respect to para 32 of the Appeal the content of the same are denied. It is denied that this Respondent filed an application dated 20.06.2022 as annexed as Exhibit R to Respondent no.1 for a proposed Ayurveda Spa and Yoga Retreat Centre.

36. With respect to para 33,34,35,36,37,38 & 39 of the Appeal the content of the same does not pertain to this Respondent hence not dealt with.

37. With respect to grounds raised in the Appeal from para 40 to 47 the same are baseless and frivolous.



38. With respect to para pertaining to limitation the content of the same are denied. It is respectfully submitted that the present appeal has been filed beyond the period of limitation.

39. In view of the whatever has been stated herein above the present Appeal is devoid of any merits and hence may be dismissed.

40. I state that the part of the contents of the para 1 to 40 of the present Affidavit in reply are true to my knowledge and part of the content of remaining para are based on the legal submissions which I believe to be true and correct.

Solemnly Affirmed at Margao-Goa,
, on this 22nd day of September, 2023.


DEPONENT

Identified by me:





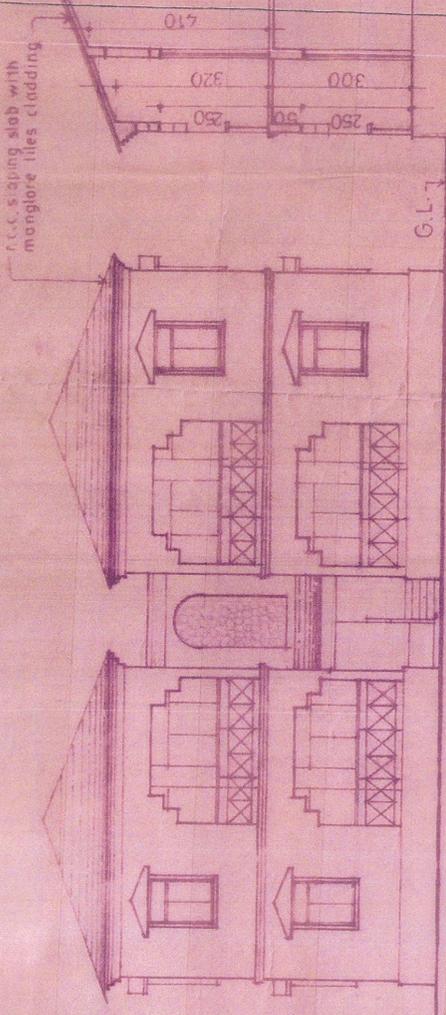
Adv. for Respondent no.4



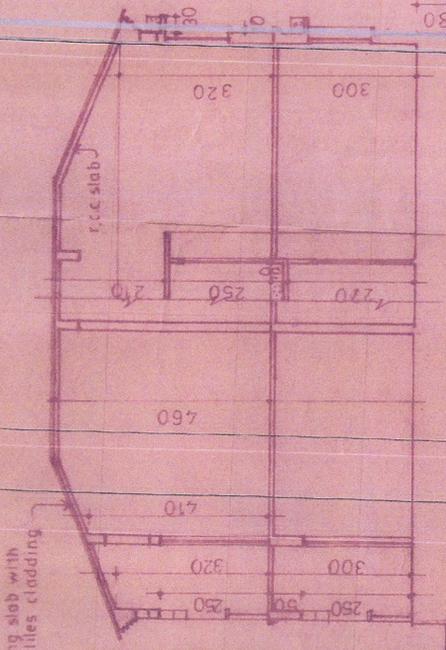
Solemnly affirmed before me by
Ms. Roshan Rajpal
 who is identified by
Aadhaar Card NO 50250455
 to whom I personally know 0656
 Reg. No. 10236/2023
 Date: 22/09/2023

S. Medhkar
SUREXA P. LOTLECAR
NOTARY MARGAO
SALCETE TALUKA
STATE OF GOA (INDIA)

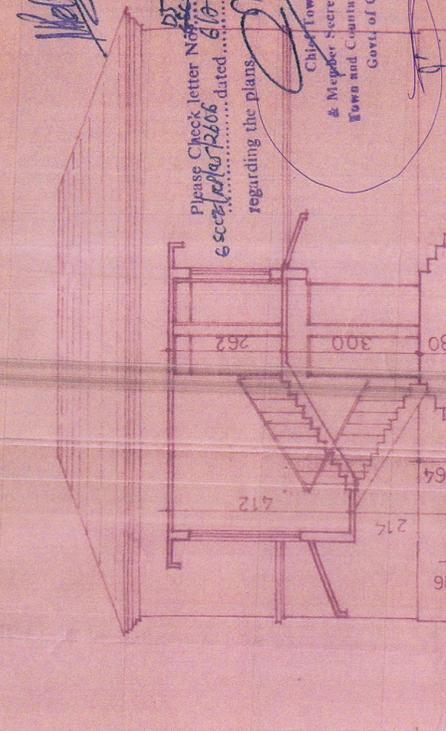




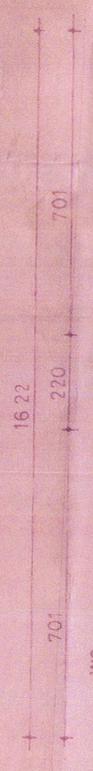
FRONT ELEVATION



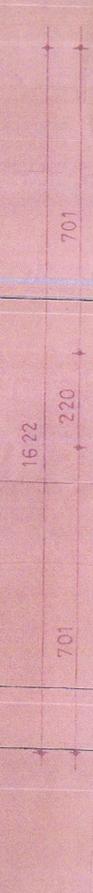
SECTION XX



SECTION YY



GROUND FLOOR PLAN



FIRST FLOOR PLAN

PLINTH AREA
 $(7.01 \times 3.40 \times 2) + (2.20 \times 6.13) = 201.35$ SQ MTS.
 FLOOR AREA
 GR FL 201.35 SQ MTS
 FIRST FL 201.35 - 19.48 = 181.87 SQ MTS
 TOTAL FL AREA 389.22 SQ MTS - 389.22 SQ MTS

DOORS & WINDOWS
 D1 - 200 X 150 - WINDOW
 D2 - 100 X 150 - "
 D3 - 100 X 140 - "
 V1 - 100 X 80 - VENTILATOR

ARI. PRAKASH V. KAMAT
 B. ARCH., A.I.A.
 Reg. No. 10000/1983
 Chartered Architect
 A/78/1983

ARI. PRAKASH V. KAMAT & ASSO.
 B. ARCH., G. D. ARCH., A.I.A.
 G1-AMARVAN, VIDYANAGAR,
 MARGAO - GOA.

DRG NO : 9
 SCALE : 1/100
 DATE : 25-11-93
 JOB NO : 105

COLMAR RESIDENTIAL COMPLEX
 AT COLVA

Chief Town Planner
 & Member Secretary G.O.
 Town and Country Plan
 Govt. of Goa Panaji

COLMAR RESIDENTIAL COMPLEX LIMITED

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TO BE SUBMITTED
IN QUADRUPPLICATE

SCHEDULE 1
(See Rule 3)

Court Fee
Stamp of
Rs 0-50 P.
on the
original only

Form of Application under Sub-Section (1) of Section 32 of
the Goa, Daman & Diu Land Revenue Code, 1968

To,
The Collector of SOUTH GOA
Sub-Divisional Officer
The Mamlatdar

Sir,
I/We M/S. COLMAR CONDOMINIUMS PRIVATE LIMITED

residing at MARLAO Taluka SALCETE
In District SOUTH GOA hereby apply for permission to use the land described below which is

- † (a) assessed or held for the purpose of agricultural for the non-agricultural purpose/purposes of SETTLEMENT (TOURISM)
- † (b) assessed or held for non-agricultural purpose of _____
for the non-agricultural purpose/purposes of _____
- † (c) assessed or held for the non-agricultural purpose of _____ for
the same purpose but in relaxation conditions* _____

S/S

Imposed at the time of grant of land or permission for such non-agricultural use viz _____

2. I annex to this application :
- (a) a certificate copy of record of right in respect of the land as it is existed at the time of application
 - (b) a sketch or lay-out of the site in question (in quadruplicate) showing the location of the proposed building or other works for which permission is sought and the nearest road or means of access.
 - (c) written consent of the tenant / superior holder occupant

3. I also furnished following information :

1] Full name of the applicant M/S. COLMAR CONDOMINIUMS PRIVATE LIMITED

2] Full Postal address A-7, VAIKUNTH APARTMENTS

3] Occupation BUSINESS

4. Village, taluka and district where the land is situated.
Village COLVA Taluka SALCETE District SOUTH GOA

5. Survey No. / Hissa No.
area and assessment /
rent of the land
Survey No. 40 Hissa No. 4 (PART)
Area 4920.00 m² assessment / rent
of the land _____

† Score out portion not applicable
* Here state in brief the list of conditions.

P. T. O

Form of application under Section 11 of Section 10 of the Land Revenue Code 1957

Purpose	Area in sq. meters
Residential	775.09
Industrial	
Commercial	
Any other non-agricultural purpose	

6. Area of the site of (5) above proposed to be used

7. Whether the applicant is occupant Class I or Class II of a tenant or a Government lessee

8. Present use of the land whether any building exists thereon if so, its use
YES, CLASS I SETTLEMENT, YES, HOUSES

9. Whether the land is situated or included:

(a) in municipal area; NO

(b) in city surveyed area; NO

(c) in or near cantonment area; NO

(d) near air port or fly station or rly line or jail or prison or local public office or cremation or burial ground, if so, its approximate distance therefrom. NO

10. Whether electrical high transmission lines pass over the land and if so, what is the distance thereof from proposed building or other work. NO

11. Is the land under acquisition if so, state details. NO

12. If there is a road from where the land is easily accessible? State the name of the road and whether it is highway, major district road or village road. What is the distance of the proposed building or other works from the centre of the road. YES, MAHARAJA ROAD TO BETALBATH VILLAGE ROAD, MIN. 1100 MTS.

13. Is there no road adjoining the land, how is it proposed to provide for access to the site? N/A

14. Was a similar application made in the past for non-agricultural use of this land and was it rejected? If yes, why? NO

I, solemnly affirm that the information given above is true to the best of my knowledge and belief

Place : MALAYALAM

Date : _____ DIRECTOR

GOLMAY CONDOMINIUM PRIVATE LIMITED

TO BE FILLED BY THE REVENUE OFFICER.

Date of receipt of the application

Stamp of the officer

Signature & designation of the receiver

FORM NO. I & XII,

90

Name of the field :-

Survey Number 4D
सर्वे नंबर

Sub. Div. Number 4
हिस्सा नंबर

Tenure
सत्ताप्रकार

Khata No.
खत नंबर

Trage Civa
गांवचे नांव
Taluka Salcete
तालुका

I Cultivable Area कायम क्षेत्र	हा. आर. ह. आर.	Name of the Occupant संबंधदारचे नांव	Mutation No. फेरवारी नं.	Name of the Tenant कृषिचे नांव
(a) Dry Crop..... निरावत	1.46.35	[Raimalha Mascarenhas]	9	
(b) Garden..... बागवट	1.51.25			
(c) Rice..... राई	0			
(i) Khojan..... खाजण		[Jina Santimano]	9	
(ii) Ker..... केर		[Joaneta fernandes]	13	65
(iii) Morad..... मोरद				
Total Cultivable Area एकूण लागण क्षेत्र	1.46.35 1.51.25			
II. Un-Cultivable..... नापिक		[Emilio Francisco Lamberto Mascarenhas alias. Lamberto Mascarenhas]	94	Other rights: इतर हक्क Name of the person holding rights and nature of rights इतर हक्क धारण करणाऱ्याचे नांव व हक्काचा प्रकार Houses owned by I. floxin Rodrigues II. Raimal Mascarenhas III. Alex Meiro D'Silva
(a) Class (a)..... वन (अ)	0.06.50	[Ana Francisca Silveira]	96	
(b) Class (b)..... वन (ब)	0.02.20			
Total Un-Cultivable एकूण नापिक पट्टी	0.08.50	[Colmar Condominium Private Limited]	126	Colmar Hotel P.O. 170 Cilva Plot owned by Castro Ferreira
Grand Total एकूण	1.58.25 1.54.85			
Assessment मंजूर	Rs. P.			
Foro नगर				
Predial मंडियाल				
Rent कर				

DETAILS OF CROPPED AREA INDUSTRIES & LABOUR

Year वर्ष	Name of Cultivator लागण करणाऱ्याचे नांव	Mode रीत	Season मौसम	Name of Crop पिकाचे नांव	Irrigated सिंचणीत	Land not available for cultivation नापिक पट्टी	Source of Irrigation सिंचनाचा स्रोत	Remarks टीप
1970-71								Cultivated in 1970-71 deleted
1971-72								Cultivated in 1971-72 deleted



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100006814758



FORM I & XIV

नमुना नं १ व १४

Date : 11/12/2017

Page 1 of 2

Taluka SALCETE

तालुका

Village Colva

गांव

Name of the Field

शेताचे नांव



Survey No. 40

सर्वे नंबर

Sub Div. No. 4

हिस्सा नंबर

Tenure

सत्ता प्रकार

Cultivable Area (Ha.Ars.Sq.Mtrs) लागण क्षेत्र (हे. आर. चौ. मी.)

Dry Crop जिरायत	Garden बागायत	Rice तरी	Khajan खाजन	Ker केर	Morad मोरड	Total Cultivable Area एकूण लागण क्षेत्र
0000.00.00	0001.46.35	0000.00.00	0000.00.00	0000.00.00	0000.00.00	0001.46.35

Un-cultivable Area (Ha.Ars.Sq.Mtrs) नापिक क्षेत्र (हे. आर. चौ. मी.)

Pot-Kharab पोट खराब

Remarks शेरा

Class (a) वर्ग (अ)	Class (b) वर्ग (ब)	Total Un-Cultivable Area एकूण नापिक जामीन	Grand Total एकूण
0000.06.50	0000.02.00	0000.08.50	0001.54.85

Assessment : आकार	Rs. 0.00	Foro फोर	Rs. 0.00	Predial प्रेदियाल	Rs. 0.00	Rent रेंट	Rs. 0.00
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S.No.	Name of the Occupant कब्जेदाराचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	Emilio Ferancisco Lamberto Mascarenhas a lias Lamberto Mascarenhas		94	
2	Ana Ferancisca Silveira		96	
3	Colmar Condominium Private Limited		126	
4	Ana Maria Fernandes		257	
5	Anthony Jose D'Silva		258	
6	Jasmina D'Silva		331	
7	Colmar Hotels Pvt. Ltd.		482	
8	Agostinho Peter Fernandes		46111	
9	Vilson Fernandes		46111	
10	Derrick Fernandes		46111	
11	Assuncao Teodosio Serafino Fernandes		61727	
12	Epifania Euridyke Fernandes		61727	

S.No.	Name of the Tenant कुळाचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	-----Nil-----			

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100006814758

FORM I & XIV

नमुना नं १ व १४

Date : 11/12/2017

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Taluka	SALCETE	Survey No.	40
तालुका		सर्वे नंबर	
Village	Colva	Sub Div. No.	4
गांव		हिस्सा नंबर	
Name of the Field		Tenure	
शेताने नांव		सत्ता प्रकार	

Owner Rights इतर हक्क Name of Person holding rights and nature of rights: क्या करण-याचे नांव व हक्क प्रकार	Mutation No. फेरफार नं	Remarks शेरा
House owned by I Florin Rodrigues II Ramal Mascarenhas III Alex Minino D'Silva 4) 5) Colmar Hotel Pvt. LTD, Colva 6) Hut owned by Caetano Fernandes		

Details of Cropped Area पिकाखालील क्षेत्राचा तापशील

Year वर्ष	Name of the Cultivator लागण करणा-याचे नांव	Mode रीत	Season मौसम	Name of Crop पिकाचे नांव	Irrigated	Unirrigated	Land not Available for cultivation नासिक जमीन		Source of irrigation सिंचनाचा प्रारि	Remarks शेरा
					बागायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	जिरायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Nature प्रकार	Area क्षेत्र Ha.Ars.Sq.Mts हे. आर. चौ. मी.		
		Nil								

End of Report

For any further inquires, please contact the Mamlatdar of the concerned Taluka.

Copy applied for as on...11/12/2017...
 Copy Ready on...11/12/17...Delivered on...11/12/17...
 Receipt No...13512...
 Fees received Rs...204...Rupees...Twenty only

Mamlatdar Salcat

169

Member Secretary
G.C.Z.M.A. 2766/
Inward No. 05710/15
Date 05/10/15

BEFORE THE INQUIRY COMMITTEE

GCZMA

5/10
LA-VH

Case No. GCZMA/GEN/MISC/13-14/

**In the matter of Order dated 15-01-2015 of the Hon'ble High Court in
Suo Moto W.P. No.2/2006 directing GCZMA to examine the documents
relied by the Village Panchayat of Colva in respect of structures existing
in No Development Zone of CRZ-III.**

REPORT

1. As the direction was to examine the documents only personal hearing was given to the concerned parties. This case pertains to Soul vacations-Colmar Condominium (to be referred as the affected party) situated in the property having survey no.40/4 of Village Colva. The representative of Colva Civic and Consumer Forum Mrs. Judith Almeida submitted written statement and Adv. B.Rodrigues for the affected party submitted the reply and produced documents.
2. In the written statement of Colva Civic and Consumer Forum it is stated that the affected party has got illegal approval for reconstruction of residential complex (six cottages) from Chief Town Planner and GSCCE on 06-07-1995; that N.O.C of Town and Country Planning Department not produced; that the Sanad has been granted for residential house; that the DSLR plan dated 31-11-2006 shows that the existing structures have been extended from beyond the original plinth area in the N.D.Z area; that there is no permission for swimming pool which is now constructed; that the approval was granted for construction of residential complex property to be beyond

VA
UP

200 mts. from H.T.L but the same is constructed within 200 mts. of H.T.L and hotel without the approval of MoEF.

3. The affected party in the reply have stated that the structure of Hotel Soul Vacations has been constructed within 200 to 500 mts from HTL and has been given approval by the GCZMA and the Town and Country Planning Department and Village Panchayat of Colva since the year 1994; that the Village Panchayat of Colva granted occupancy certificate ; that the permission was sought for use of residential units for tourism purpose and after no objection letter was granted by the Village Panchayat the hotel was registered under Department of Tourism and that erroneous notices were issued that the hotel was in 0-200mts from H.T.L when the hotel was approved in the year 1994 within 200 to 500 mts from H.T.L.

4. The affected party relied on the following documents:

- a) The letter dated 06-07-1995 of Chief Town Planner and Member Secretary GSCCE refers to the approval by the Goa State Committee on Coastal Environment in the 5th Meeting held on 01-09-1994 of the proposed construction of residential complex. The letter dated 06-07-1995 along with the approved plans are marked as 'Annexure A(Colly)'.
- b) Licence dated 14-11-1995 of the Village Panchayat Colva for construction of residential complex at Colva in Sy. No. 40/4. The licence dated 14-11-1995 is marked as 'Annexure B'.
- c) Form I and XIV of Sy. No. 40/4 of Village Colva in which the name of Colmar Condominium Pvt. Ltd. is figured in the occupant column. The Form I & XIV is marked as 'Annexure C'.

- d) Sanad dated 18-09-1998 granted by Dy. Collector and SDM, Margao in respect of conversion of land in Sy. No. 40/4 of Village Colva for the purpose of residential. The Sanad dated 18-09-1998 along with the Challan dated 13/08/1998 are marked as 'Annexure D (Colly)'.
- e) N.O.C dated 25-05-1990 of Village Panchayat of Colva for release of water connection and N.O.C dated 25-05-1990 and for the release of electricity connection to the affected party. The N.O.C for water connection and N.O.C for electricity connection dated 25-05-1998 are marked as 'Annexure E (Colly)'.
- f) Letter dated 12-05-1999 of GCZMA for approval of proposed construction of compound wall in Sy. No. 40/4 (part) of Village Colva. The letter dated 12-05-1999 is marked as 'Annexure F'.
- g) Letter dated 02-02-1999 of Chief Town Planner to the Sarpanch of Village Panchayat of Colva stating that the affected party has constructed the building in Sy. No. 40/4 of Colva village as per the approval and is ready for occupancy. The letter dated 02-02-1999 is marked as 'Annexure G'.
- h) The Village Panchayat of Colva on 07-04-1999 issued Occupancy certificate in respect of building in Sy. No. 40/4. The Occupancy certificate dated 07-04-1999 is marked as 'Annexure H'.
- i) By letter dated 16-06-1999, the Village Panchayat of Colva issued a N.O.C to the affected party to register the residential units/ condominium with the Tourism Department. The letter dated 16-06-1999 is marked as 'Annexure I'.

ep

j) The Department of Tourism issued a Certificate of Registration of Hotel dated 02-08-1999 in respect of M/s Colmar Condominium Pvt. Ltd. The Certificate of Registration dated 02-08-1999 is marked as 'Annexure J'.

k) The Village Panchayat of Colva on 15-10-1999 granted permission to start a restaurant in the premises of house bearing no. 454(1) (b) 2. The letter dated 15-10-1999 is marked as 'Annexure K'.

5. The norms for construction activities in CRZ-III differs to the area of 200 mts from H.T.L and to the area of 200 to 500 mts. The area of 200 mts from the H.T.L is No Development Zone wherein no construction activities are permissible except for repairs and reconstruction of existing structure without exceeding the plinth area. In the area falling within 200 to 500 mts construction activities are permissible subject to local Town and Country Planning rules and the height of building should not exceed 9mts (G+1).

6. It appears that the GSCCE, Town and Country Planning Department and GCZMA granted approvals for the construction of residential complex in Sy. No. 40/4 of Colva Village on the basis that the structure falls in the area of 200 to 500 mts of CRZ wherein construction activities are permissible. At that point of time GCZMA was not formed and the National Institute of Oceanography drew the CRZ line of 200 mts and 500 mts. for the coastal areas in the year 2005.

[Handwritten signature]

7. Considering that in the year 1995 the Goa State Committee on Coastal Environment was the Authority who looked after the CRZ Notification 1991, that the proposed construction of residential complex was approved by Goa State Committee on Coastal Environment at Annexure A (Colly); that the Village Panchayat of Colva granted construction licence on 14-11-1995 at Annexure B; that the affected party obtained Sanad issued by the Dy. Collector & SDM, Margao on 18-09-1998 at Annexure D (Colly); that GCZMA granted the approval for construction of compound wall in Sy. No. 40/4 at Colva on 12-05-1999 at Annexure F; that the Occupancy Certificate was issued by Village Panchayat on 07-04-1999 at Annexure H, the construction of the structure Soul vacations-Colmar Condominium situated in the property under survey no. 40/4 of Colva Village is in accordance with law.

Dated: 28 /09/2015


(Afonso Araujo)
CHAIRMAN


(Kanchan M. Lotlikar)
MEMBER


(Caetano Joaquim de Braganza)
MEMBER

Signature H/Colle

REF. NO. DJ/5897/GSCCE/170/15/2006

DATE: 6/7/95

To,
M/s Colmar Condominium Pvt.Ltd.
G-7, Vaikunth Apartments,
Comba, Margao - Goa.

Sub: Application of M/s Colmar Condominium Pvt.Ltd. for
construction of residential complex on
Survey No. 40/A(part) of Village Colva Taluka
Salcete

Ref: Decision of G.S.C.C.E. meeting held on 1/9/94

Sir,

With reference to the above mentioned subject, this is to inform you that the proposal was discussed in the 5th meeting of Goa State Committee on Coastal Environment held on 1/9/94. The proposal was approved by the Committee in view of this there is no objection over the proposed construction of residential complex from planning point of view with following conditions:

- 1) The permission is recommended as per the plans hereby annexed.
- 2) The permission is liable to be revoked if it is based on false information/wrong plans/calculations/documents or any other accompaniments of the applications are found to be incorrect or wrong at any stage.
- 3) Any change to be effected to the approved plans prior permission has to be obtained.
- 4) Prior to commencement of development work, it will be incumbent upon the applicant to have valid conversion Sanad of use of land as contemplated under Goa, Daman and Diu Land Revenue Code, 1968.
- 5) There should not be any drinking water well within 15 mts. of septic tank.
- 6) Necessary licence should be obtained from the concerned village Panchayat/Municipality.

- 10) Completion certificate should be obtained from users occupancy.
- 11) This approval may also be treated as a N.O.C. from the planning point of view under the Village Panchayat Act.
- 12) After retaining a set of plans and records, for this office record, the rest are returned herewith.

Yours faithfully,

not
Noted

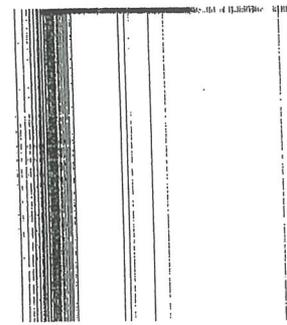
(M. Panalal)
 Chief Town Planner
 &
 Member Secretary
 G. B. C. C. E.

Encl: As above.

Copy to :

- 1) The Senior Town Planner,
Town & Country Planning Dept.,
Margao Goa.
- 2) The Sarpanch,
Village Panchayat Colva,
Salcete Goa.

3) _____



G.S.C.S.I.M.S. CZMA
Inward No. 3811L
Date 23/8/99

Ref. No. 23/12/99/2484
Town & Country Planning Dept.
Government of Goa,
Old Goa Medical College Complex
Panaji, Goa-403001.
Date: 23/8/99

To,
The Director/Jt. Sec (STE)
Member Secretary, GCZMA,
Dept. of Science Technology
and Environment,
Opposite Saligao Seminary,
P.O. Saligao, Bardez - Goa.

Sir,

As telephonically discussed with you today, I am forwarding a case of proposed ^{Build a pool with} ~~construction of~~ swimming pool on Sy. No. 40/4(part) of Colva village by Colmar Condominium Pvt. Ltd. The construction of cottages were earlier approved by GSCCE and the same file was earlier transferred to your office.

You are requested to kindly put up the proposal for the construction of the proposed swimming pool.

Yours faithfully,

[Signature]
(R. N. RAY)

Chief Town Planner

Encl: As above.

Copy to:-

M/s. Colmar Condominium Pvt. Ltd.,
Flat No. G-7, Valkunth Apts.,
Comba, Margao - Goa.

IMP
23/08/99

DTP
F

[Signature]
24/09/88

MR/- 23/8/99

[Signature]

PA (Velle)

भारत सरकार
शहरी विकास मंत्रालय
राष्ट्रीय भवन-निर्माण संगठन
GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
NATIONAL BUILDINGS ORGANISATION

अनुसूची II 31 मार्च 19... को समाप्त होने वाले वर्ष के लिए।
Schedule-II Return for the year ending 31st March, 19... 99.

यह सांख्यिकीय विवरण राज्यों/संघ राज्य क्षेत्रों में 10,000 और अधिक जनसंख्या वाले शहरों में निजी क्षेत्र के भवनों और भवनों के समूहों में भरी जानी है।
This statistical return is to be filled up in case of houses and buildings in Private Sector from towns having a population of 10,000 and above in the States/Union Territories.

I. शहर की पहचान (नगर निरीक्षण द्वारा भर जाने के लिए)
1. Town Identification (to be filled by the civic body)

- 1. शहर का नाम
1. Name of the town: COOVA
- 2. शहर की नगरीय स्थिति
कूट (नगर निरीक्षण 1, नगर परिषद 2, अधिसूचित क्षेत्र समिति 3, पंचायत 4, छवनी 5, अन्य 6)
2. Civic status of the town: code
Codes: (Municipal Corporation 1, Municipality 2, Notified Area Committee 3, Panchayat 4, Cantonment 5, Others 6)
- 3. शहर का आकार
कूट (जनसंख्या 1,00,000 या अधिक 1, 50,000 से 99,999 के बीच 2, 20,000 से 49,999 के बीच 3 तथा 10,000 से 19,999 के बीच 4)
3. Size of the town: code
Codes: (Population 1,00,000 & above: 1, between 50,000 & 99,999: 2, between 20,000 & 49,999: 3, and between 10,000 & 19,999: 4.)
- 4. राज्य/संघ राज्य क्षेत्र
4. State/Union Territory: UPA

कूट code 4
कूट code 2

II. निर्माता की पहचान
1. Constructor Identification

- 1. गृहस्थानी का नाम
1. Name of the householder: M. S. GOUMAR CONDOMINIUMS PVT LTD.
- परिवार का आकार - पुरुष संख्या - N/A स्त्रियों की संख्या - N/A
Household size: No. of males: N/A No. of females: N/A
- 2. रोजगार का स्वरूप
कूट (स्व-रोजगार 1, निर्यात क्षेत्र 2, सार्वजनिक क्षेत्र 3, सरकारी सेवा 4, तथा अन्य 5)
2. Nature of employment: code
Codes: (Self-employment 1, Private Sector 2, Public Sector 3, Govt. Service 4 and Others 5.)
- 3. सकल मासिक आय: रुपये
3. Gross Monthly income: Rs.
- 4. सामाजिक समूह
कूट (अनुसूचित जाति 1, अनुसूचित जनजाति 2, अन्य पिछड़े वर्ग 3 अन्य 4)
4. Social group: code
Codes: (Scheduled Caste 1, Scheduled Tribe 2, Other backward classes 3 and others 4.)

कूट code 2
कूट code
कूट code 1

III. आधारभूत विवरण
1. Basic Details, Code

- 1. निर्माण का स्वरूप कूट (नया 1, वृद्धि परिवर्तन 2, तथा मरम्मत व देखरेख)
1. Nature of construction: code
Codes: (New 1, addition/alteration 2, & repair & maintenance 3).

क्र. 6
code

compounded wall

1. भूखण्ड का प्रकार :
कूट (रिहायशी एकक 1, अन्य आवासीय भवन 2, औद्योगिक भवन 3, व्यापारिक भवन 4, संस्थान के लिए भवन 5 तथा अन्य 6)
2. Type of construction : Code
(Dwellings 1, Other residential buildings 2, Industrial buildings 3, Commercial buildings 4, Institutional buildings 5 and Others 6)
3. भवन में मंजिलों की संख्या
Number of storeys in the building
4. भवन में सभी फर्शों का कुल फर्शी क्षेत्रफल वर्ग मीटर
Total plinth area of all the floors in the building : sq. mts.
5. रिहायशी इकाइयों की संख्या :-
Number of dwelling units :-
1 कमरे वाले 1 room-unit, 2 कमरे वाले एकक 2 room-unit, 3 कमरे वाले एकक 3 room-unit, 4 या अधिक कमरे वाले एकक 4 or more room units
6. भवन में सभी फर्शों का कुल फर्शी क्षेत्रफल वर्ग मीटर
Total floor area of all the floors in the building sq. mts.
7. अनुमानित निर्माण लागत
Estimated construction cost Rs.
Land/plot cost
8. वित्त स्रोत - बचत/भूखण्ड
Source of finance - savings/loan
9. यदि भूखण्ड है तो एजेंसी का नाम
If loan, name of the agency (i) (ii)
10. यदि भूखण्ड है तो एजेंसी का नाम
Rate of interest charged (i) (ii)
11. अधिकरण जारी करने की संख्या तथा तारीख
Number and date of issue of authorisation Certificate
12. निर्माण आरंभ की तारीख
Date of commencement of construction
13. निर्माण पूरा करने की तारीख
Date of completion of construction

IV. मूलभूत सुविधाएँ
Basic Amenities

1. रिहायशी कमरों की संख्या
Number of living rooms
क्रमानुसार प्रत्येक रिहायशी कमरे का क्षेत्रफल वर्ग मीटर
Area of each of the living rooms sq. mts. respectively
2. रसोई हाँ/नहीं
यदि हाँ तो रसोई का क्षेत्रफल वर्ग मीटर
Kitchen Yes/No
If yes Area of the kitchen sq. mts.

compounded wall

N.A.

<p>3. शौचालय की व्यवस्था यदि हाँ तो शौचालय का प्रकार Provision of Latrine facility If yes, type of latrine</p>	<p>हाँ/नहीं Yes/No @ Code</p>	<p>कूट code</p>	<p>3</p>
<p>कूट छ (शुष्क 1, सेप्टिक 2, फ्लश 3 तथा वेस्टन 4) यदि नहीं तो स्नान से शौचालय की दूरी (10 मीटर से कम 1, 10-20 मीटर के बीच 2, 20-30 मीटर के बीच 3 तथा 30 मीटर से अधिक 4) Codes @ (Dry 1, Septic 2, flush 3 and Sulabh 4) If no, distance of latrine from the house @ @ Code Codes @ @ (Less than 10 mts. 1, Between 10 mts. & 20 mts. 2, between 20 mts. and 30 mts. 3, above 30 mts. 4.)</p>		<p>कूट code</p>	<p>1</p>
<p>4. स्नानगृह की सुविधा के लिए व्यवस्था यदि हाँ तो स्नानगृह का प्रकार कूट (खुला 1 तथा एंक्लेज्ड 2) खुले से तटपर जिसमें तात्कालिक/कम चलाऊ व्यवस्था हो) Provision of Bathroom facility If yes, type of bath @ @ @ code Codes @ @ @ (Open 1, and Secluded 2). (Open includes improvised/make shift arrangements)</p>	<p>हाँ/नहीं Yes/No</p>	<p>कूट code</p>	<p>2</p>
<p>यदि नहीं तो स्नानगृह की दूरी कूट (10 मीटर से कम 1, 10-20 मीटर के बीच 2, 20-30 मीटर के बीच 3, 30 मीटर से अधिक 4) If no, distance of code bathroom @ @ Code Codes @ @ (Less than 10 mts. 1, between 10 mts. & 20 mts. 2, between 20 mts. & 30 mts. 3 & above 30 mts. 4)</p>		<p>कूट code</p>	<p>1</p>
<p>5. पेयजल की व्यवस्था यदि हाँ तो पेयजल का स्रोत बताएं कूट (टेक 1, कुआँ 2, नल 3, अन्य विधियाँ 4) Provision of Drinking water If yes then indicate source of drinking water @ code Code @ (Tank or river 1, well 2, tap 3, others specify 4.)</p>	<p>हाँ/नहीं Yes/No</p>	<p>कूट code</p>	<p>2 E B</p>
<p>यदि नल है तो पानी कितने घंटे उपलब्ध रहता है। कूट (3 घंटे से कम 1, 3 से 6 घंटे के बीच 2, 6 घंटे से अधिक 3) If tap water is supplied daily duration of availability: @ @ code Code @ @ (Less than 3 hrs. 1, between 3 & 6 hrs. 2, Over 6 hrs. 3.)</p>		<p>कूट code</p>	<p>3</p>
<p>6. मूल निकासी तथा जल निकासी व्यवस्था Sewerage and drainage arrangements</p>	<p>हाँ/नहीं Yes/No</p>	<p>कूट code</p>	<p>1</p>
<p>7. कूड़ा कचरा से जलन की व्यवस्था Garbage disposal arrangement</p>	<p>हाँ/नहीं Yes/No</p>	<p>कूट code</p>	<p>1</p>
<p>8. जल भण्डारण टैंक यदि हाँ तो ऊपरी/दुर्गम Storage water tank If yes, overhead/underground</p>	<p>हाँ/नहीं Yes/No</p>	<p>कूट code</p>	<p>1</p>
<p>9. प्रकाश की सुविधा यदि हाँ तो प्रकाश का प्रकार कूट (मिट्टी का तेल 1, तेल का तेल 2, बिजली 3 अन्य 4) Provision of Lighting facility If yes, type of lighting @ @ @ code Code @ @ @ (Kerosene 1, Oil 2, Electricity 3, others 4)</p>	<p>हाँ/नहीं Yes/No</p>	<p>कूट code</p>	<p>3</p>
<p>10. खुला आँगन Open courtyard</p>	<p>हाँ/नहीं Yes/No</p>	<p>कूट code</p>	<p>1</p>

11. निम्नलिखित सुविधाओं में पार्श्वकारी करने वाले परिवारों की संख्या
 11. Number of families sharing the following facilities

सुविधाएं Facilities	परिवारों की संख्या No. of families
(i) जल (i) Water
(ii) स्नानगृह (ii) Bathroom
(iii) शौचालय (iii) Latrine

M.A.
compound wall

12. बहुमंजिले भवनों के मामले में
 12. In case of multistoreyed building
- | | |
|--|-------------------|
| (i) पार्किंग व्यवस्था
(i) Parking arrangement | हां/हाँ
yes/no |
| (ii) अग्निशमन व्यवस्था
(ii) fire-fighting arrangement | हां/हाँ
yes/no |

V. **अव्यवस्था सुविधाएं**
 V. **Infrastructural facilities**

1. कार्यस्थल की दूरी कोड
 कोड (4 कि०मी० से कम (1), 4 से 10 कि०मी० के बीच (2), 10 से 20 कि०मी० के बीच (3) तथा 20 कि०मी० से अधिक (4))
 1. Distance of place of work : fcode
 Codes f(Less than 4 kms. 1, between 4 & 10 kms. 2, between 10 & 20 kms. 3, and over 20kms. 4)

फर
code

2. परिवहन विध्य जन्ने कले वाहन की किस
 कोड (पैदल 1, साइकिल 2, स्कुटर/मोटर साइकिल 3, कार 4 तथा सार्वजनिक बस 5)
 (एक से अधिक ढंग के वाहन प्रयोग कले के मामले में 2 संख्याओं का कोड हो सकता है)
 2. Type of transport used
 Codes ff(Walk 1, bicycle 2, scooter/motor cycle 3, car 4 and public transport 5) (Code may be of two digits in case of using more than one mode of transport)

फर
code

3. पहुंच मार्ग की चौड़ाई मीटर
 3. Width of the approach road mts.

फर
code

4. भवन से इसकी दूरी
 कोड (50 मीटर से कम (1), 50 से 100 मी० के बीच (2), 100 से 150 मी० के बीच (3) तथा 150 मी० से अधिक (4))
 4. Its distance from the building : fffcode
 Codes fff(Less than 50 mts. 1, between 50 & 100 mts. 2, between 100 mts. & 150 mts. 3 and above 150 mts. 4.)

फर
code

5. प्राथमिक विद्यालय की दूरी
 (1/2 कि०मी० से कम (1), 1/2 कि०मी० से 1 कि०मी० के बीच 2, 1-2 कि०मी० के बीच (3) तथा 2 कि०मी० से अधिक (4))
 5. Distance of primary school : Scode
 Codes S(Less than 1/2 km. 1, between 1/2 & 1 km. 2, between 1 & 2 kms. 3 and above 2 kms. 4.)

फर
code

6. माध्यमिक विद्यालय की दूरी
 (1 कि०मी० से कम (1), 1 से 2 कि०मी० के बीच (2), 2 से 3 कि०मी० के बीच (3) तथा 3 कि०मी० से अधिक (4))
 6. Distance of secondary school : SScode
 Codes SS(Less than 1 km. 1, between 1 km. & 2 kms. 2, between 2 kms. & 3 kms. 3 and above 3 kms. 4.)

फर
code

7.	डाकघर की दूरी दूरी (1 कि.मी. से कम (1), 1 से 2 कि.मी. के बीच (2), 2 से 3 कि.मी. के बीच (3) तथा 3 कि.मी. से अधिक (4))	दूरी code	2	
7.	Distance of post office Codes \$\$ (Less than 1 km. 1, between 1 km. & 2 kms. 2, between 2 kms. & 3 kms. 3 and above 3 kms. 4.)	\$\$code		
8.	बैंक की दूरी दूरी (1 कि.मी. से कम (1), 1 से 2 कि.मी. के बीच (2), 2 से 3 कि.मी. के बीच (3) तथा 3 कि.मी. से अधिक (4))	दूरी code	2	
8.	Distance of bank Codes \$\$ (Less than 1 km. 1, between 1 km. & 2 kms. 2; between 2 kms. & 3 kms. 3, above 3 kms. 4.)	\$\$code		
9.	बाजार की दूरी	दूरी code	4	"क" में से चुनिये select from A
9.	Distance of market	code	4	
10.	कॉलेज की दूरी	दूरी code	4	"क" में से चुनिये select from A
10.	Distance of college	code	4	
11.	पुलिस स्टेशन/गुलाम चौक की दूरी	दूरी code	4	"क" में से चुनिये select from A
11.	Distance of police station/ police chauri	code	4	
12.	अस्पताल/स्वास्थ्य केंद्र/औषधालय की दूरी	दूरी code	4	"क" में से चुनिये select from A
12.	Distance of Hospital/Health Centre/ Dispensary	code	4	
13.	दमकल केन्द्र की दूरी	दूरी code	4	"क" में से चुनिये select from A
13.	Distance of fire station	code	4	
14.	रेलवे स्टेशन की दूरी	दूरी code	4	"क" में से चुनिये select from A
14.	Distance of railway station	code	4	
15.	अन्तर्राष्ट्रीय बस अड्डे की दूरी	दूरी code	4	"क" में से चुनिये select from A
15.	Distance of ISBT	code	4	
16.	पार्क की दूरी	दूरी code	4	"क" में से चुनिये select from A
16.	Distance of park	code	4	
17.	सामुदायिक केंद्र से दूरी	दूरी code	4	"क" में से चुनिये select from A
17.	Distance of community centre	code	4	
18.	पुस्तकालय की दूरी	दूरी code	4	"क" में से चुनिये select from A
18.	Distance of library	code	4	
19.	घनेमा घर की दूरी	दूरी code	4	"क" में से चुनिये select from A
19.	Distance of home	code	4	

दूरी "A" (1 कि.मी. से कम (1), 1 से 2 कि.मी. के बीच (2), 2 से 3 कि.मी. के बीच (3) तथा 3 कि.मी. से अधिक (4))
Code "A" (Less than 1 km. 1, between 1 km. & 2 kms. 2, between 2 kms. & 3 kms. 3 & above 3 kms. 4.)

COLMAY CONDOMINIUM PRIVATE LIMITED

[Signature]
DIRECTOR

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DT/3756
DT/5897

Ref. No. - TPM/CONST/colva/40/4/98/21
Office of the
Senior Town Planner,
Town and Country Planning Dept.,
Vidya Kripa Bldg., 3rd Floor,
Isidoro Baptista Road,
Margao - Goa. 403601.
Date: - 01/01/99.

nmr

To,
The Chief Town Planner,
Town & Country Planning Dept.,
Old Medical Complex,
Panaji-Goa.

Sub:- Proposed construction of Compound Wall at survey no.40/4(part) of Colva Village in salcete Taluka for M/s Colmar Condominium Pvt.Ltd.

R^{ef}:- village panchayat letter no VP/SVCG/1219/98-99 dated 23/12/98.

Sir,

With reference to the above, please find enclosed herewith the application for proposed construction of Compound Wall belonging to M/s Colmar Condominium Pvt. Ltd.

The said site falls within 500 mts from the High Tide Line. You may take further necessary action at your end.

This is for your information.

Yours faithfully,

B. K. Sutaria
24/12/98
(B.K. Sutaria)
Senior Town Planner.

J. J. J. J.
7/1/99

Copy to:-

- ① The Sarpanch, Village Panchayat Colva, Salcete + Goa.....for information vide your above letter numbers.
- ② Colmar condominium Pvt Ltd, Flat No:- G-7, Vaikunth Apartments, Margao - Goa.

Office of the
Chief Town Planner,
TOWN & COUNTRY
PLANNING DEPARTMENT
PANAJI - 403601
Award No. 156
Date of Receipt 7/1/99

QUESTIONAIR

1. Plot area 4920.00m²
2. Covered area of the proposed bldg. and that of existing bldg. to be maintained _____
3. Plot coverage corner of compound wall 108 mt long
4. Total floor area _____
5. Floor area ratio _____
6. Set backs:
 - 1) Front set back _____
 - 2) Side set back N.A.
 - 3) Rear set back _____
7. Ht. of the bldg. _____
8. Distance between two or more bldgs. on the same plot N.A.
9. Use to which the bldg. is to be put to floorwise compound wall
10. Plot owned by M/s Colmar Colmar Condominiums Pvt. Ltd.

I hereby declare that the information furnished above is correct to the best of my knowledge.

Architect

COLMAR CONDOMINIUM PRIVATE LIMITED

Proposer

[Signature]
DIRECTOR

Name A.R. PRASAD COLMAT

Reg. No. 11101725

Council of Reg. 11101725

Name:- _____
Address:- _____

GOA COASTAL ZONE MANAGEMENT AUTHORITY

(Dept. of Science Technology & Environment)

Saligao, Bardez-Goa.

REF. NO. GSCCE/DJ/5897/65

DATE: May 12, 1999.

To,
M/s. Colmar Condominium Pvt. Ltd.
Flat No. G-7, Vaikunth Apartments,
Margao-Goa.

Sub:- Application of M/s. Colmar Condominium Pvt. Ltd. for "construction of a compound wall" in Survey No.40/4(Part) of Colva in Salcete Taluka.

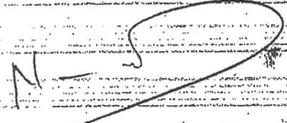
Dear Sir/Madam,

With reference to the above-mentioned subject, it is conveyed that the Goa Coastal Zone Management Authority (GCZMA) examined your application. The GCZMA has approved the proposed "construction of a compound wall" in your application and, objection to the same as it is found to be in accordance with provisions of the CRZ Notification of February 20, 1991 promulgated under the Environment (Protection) Act, 1986. This approval of the Authority is subject to the following conditions.

1. The permission is granted as per the plans hereby annexed.
2. All the provisions of the CRZ Notification should be followed.
3. Prior to the commencement of development work, it is incumbent upon the applicant to have a valid conversion of use of land as contemplated under Goa, Daman and Diu Revenue Code, 1968.
4. Necessary licence should be obtained from the concerned Panchayat/Municipality.
5. Traditional access, if any, shall not be blocked and shall be maintained to the satisfaction of the local Authority.
6. Construction of septic tank should be carried out at a distance of at least 15 mts. from the existing/proposed drinking water source.
7. For any change to be effected to the approved plan, the permission of the GCZMA has to be obtained.

8. NOC for Occupancy certificate should be obtained from the after the completion of the proposed construction.
9. The permission is liable to be revoked if it is found, a stage, that the application contained false information/ plans/calculations/documents or any other incorrect/ accompaniments.
10. The area upto 200 m. from the High tide Line (H.T.L) earmarked as "No Development Zone" and hence no construction shall be permissible within this zone.
11. All sand dunes are classified as CRZ-I and hence construction is allowed.
12. Only live fencing and barbed wire fencing with vegetative is permitted in lieu of compound wall within 200 m. from H.T.L. A masonry compound wall is permitted only between 500 m. of the H.T.L.
13. No construction activity including temporary construction fencing or any such barrier is permissible within the between low Tide Line and H.T.L.

Yours faithfully,


o/c (Dr. N. P. S. Varde)
Member Secretary, GC

Copy to:

1. Chief Town Planner, Town & Country Planning Department, Panaji
2. Panchayat Secretary, Colva Panchayat.

You may collect the copy of approved plan during the office hours.

DJ/5897

ITEM NO.:

PROJECT: Proposed Construction of Compound Wall
in S.No. 40/4 (part) of Colva Village by M/S Colomer
Condominium Pvt. Ltd.

DETAILS OF PROJECT:

Distance from HTL	<u>200m</u>
Land use as per R.P/ODP/Z.P	<u>Road Settlement</u>
Zone as per CZMP	<u>CRZ-III</u>
Access	<u>15m</u>
Existing nature of land	<u>Residential</u>
No. of traditional buildings/Cottages/ Bungalows	<u>---</u>
No. of units/rooms	<u>---</u>
Parking area/Car/Scooter/Cycle	<u>---</u>
Height of building	<u>---</u>
Whether the project will involve doubling of existing units.	<u>---</u>

AREA STATEMENT:

Total area of property	<u>4920.00</u>	m ²
Area for road widening	<u>---</u>	m ²
Area within 0 to 200 mts.	<u>---</u>	m ²
Area between 200 & 500 mts.	<u>---</u>	m ²
Area outside 500 mts.	<u>---</u>	m ²
Net plot area	<u>---</u>	m ²
15% open space	<u>---</u>	m ²
Existing covered area	<u>---</u>	m ²
Existing area to be demolished	<u>---</u>	m ²
Existing first floor area	<u>---</u>	m ²
Proposed covered area	<u>---</u>	m ²
Total covered area	<u>---</u>	m ²
Total floor area	<u>---</u>	m ²
Coverage	<u>---</u>	%
F.F.R.	<u>---</u>	

E.L.A REPORT:

Detail of Project LOCATION: The proposed site is located in S.No
40/4 (part-c) of Colva Village. The plot is accessible by
existing 15m wide road. This applicant in this

2) WATER SUPPLY:

As the residential project was approved
by the G.S.C.C. in its 85th meeting held on 1/9/20
for residential complex. No objection

proposed compound wall which is in the
CRZ norms. The case is placed for the
G.S.C.C. discussion

2

3) SEWAGE:

4) GARBAGE:

5) ELECTRICITY:

6) LANDSCAPE: Computibility with local Architecture.

SITE INSPECTION REPORT:

This site was inspected by the
Town Planning officer and it has been
found that the proposed compound wall
is beyond norms for HTL (Naval Hydrograph
Chart). The proposal is as per the
CRZ norms. The case is placed for the
G.S.C.C. discussion

MR/-

Ref. No. GPM/CP&C/Colva/45/49/99/1786
Office of the
Senior Town Planner,
Town and Country Planning Dept.
Visva Kripa Bldg., 3rd Floor
Isidoro Baptista Road,
Margao - Goa. 403601

dt: 25/6/99

To,
The Chief Town Planner,
Town & Country Planning Dept;
Old GMC Compus,
Panaji - Goa.

Sub:-Beautification of Existing waterbody on
land bearing survey no. 40/4(part) of
Colva Village.

Sir,

The above stated plans are forwarded herewith for
needful actions since the proposed construction site falls
within C.R.Z.

Yours faithfully,

B.K. Sutaria
(B.K. Sutaria)
Senior Town Planner.

Copy to:

Colmar Condominiath Pvt. Ltd;
Flat No.G-7, Varkunth Appts.
Comba, Margao - Goa.

Office of the
Chief Town Planner,
TOWN & COUNTRY
PLANNING DEPARTMENT
PANAJI
Forward No. 3231
Date of Recd. 30/6/99

QUESTIONNAIRE

1. Plot area ----- 4920.00 m²
2. Covered area of the proposed bldg. and that of existing bldg. to be maintained -----
3. Plot coverage ----- N.A.
4. Total floor area ----- N.A.
5. Floor area ratio ----- N.A. EXISTING WATER BODY BEAUTIFICATION
6. Set backs:
 - 1) Front set back -----
 - 2) Side set back ----- N.A.
 - 3) Rear set back -----
7. Ht. of the bldg. -----
8. Distance between two or more bldgs. on the same plot -----
9. Use to which the bldg. is to be put to floorwise -----
10. Plot owned by ----- COLMAR CONDOMINIUM PVT LTD.

I hereby declare that the information furnished above is correct to the best of my knowledge.

Architect

Proposer Condominium Pvt. Ltd.

Name :-
Reg.No. :-

Ar. Prakash V. Kamat
 B Arch., GD Arch. A.I.A. FIV
 ARCHITECT & GOVT APPROVED VALUER
 G-1, Amarvan, Vidyanagar, Margao
 Reg. No.: PWD 211. PDA: _____
 COUNCIL of Arch: CA/75/725
 VALUER: CAT 1/VOL I/312/95-96

DIRECTOR

Name:- VIKAS SAREEN
Address:- WARD 4 COLVA
SALCEFE GOA

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GOA COASTAL ZONE MANAGEMENT AUTHORITY

c/o Department of Science, Technology & Environment,
Opp. Saligao Seminary, P.O. Saligao, Bardez, Goa - 403 511.
Phone: (0832) 278186, 278187, 278189 Fax: (0832) 278186

REF. NO.: DJ/5897/322

DATE: 22/10/99
25

To,
The Chief Town Planner,
Town & Country Planning Department,
Old G.M.C. Complex,
Panaji - Goa.

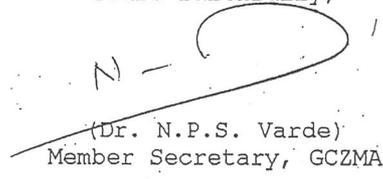
Sir,

This has a reference to your letter No. 27/12/TCP/99/2484 dated 23/08/99 pertaining to the proposed beautification of the existing water body on Sy. No. 40/4(part) of Colva Village by Colmar Condominium Pvt. Ltd. In this connection it is noted that the said residential Condominium within which the water body is located, as indicated by you, was approved by the erstwhile GSCCE (in the 5th meeting) in accordance with the CRZ Notification of 1991. The GSCCE approval was granted vide letter No. DJ/5897/GSCCE/TCP/95/2606 dated 06/07/95. The present proposal does not involve any dwelling unit construction and the work of beautification is proposed on the landward side of the dwelling unit already authorised by the then GSCCE.

In view of the above, the case is returned herewith for your approval from the planning point of view.

O/c

Yours faithfully,

N - 
(Dr. N.P.S. Varde)
Member Secretary, GCZMA

Office of the Village Panchayat

Colva

Date 1/7/99

No. VP/SVCG/438/99-2000

To, The Junior Engineer
Electricity Department
Colva - Goa

Sub:- N. O. C. for ~~Water~~/Electrical Connection

Sir,

With reference to the application of Shri/Smt/Kum. Lambert Mascarenhas dated 27/7/99

this Village Panchayat has NO OBJECTION to release ~~Water~~ Electrical Connection to the house bearing No. 454/6 in ward No. 5 at 4th Ward, Colva belonging to M/s Colmar Condominium Ltd as per the records of this office.

The above house is an authorised legal structure and has been constructed as per the plan approved by this Village Panchayat vide construction licence No. VP/SVCG/const-16/95-74 dated 14/11/95 for residence/Commercial/Industrial/Institutional purpose the building permission was granted after no objection certificates were received from the following departments :-

1. Town and Country Planning Department/Planning Development Authority vide No. DJ/5897/GSCCE/TCP/95/2606 dated 6/7/95
2. Irrigation Department [in case the plot lies in the command area of an irrigation project] vide No. _____ dated _____ from Executive Engineer, Div _____
3. Dy. Collector's Office (in case it involves conversion of agricultural land) vide No. SDD/SAL/CONV-270/93/2073 dated _____
4. Public Works Department (in case the plot is on the road side) vide No. _____ dated _____
5. Environment Department (in case of plots within coastal Regulation Zone) vide No. DJ/5897/GSCCE/TCP/95/2606 dated 6/7/95
6. Forest Department (in case of plots within reserved forests or if construction involves felling of trees) vide No. _____ dated _____ from the Deputy Conservator of Forests.
7. Health Department vide No. _____ dated _____
8. Electricity Department vide No. _____ dated _____
9. Captain of Ports Office (in case the plot lies within COP's jurisdiction) vide No. _____ dated _____



Yours faithfully

Rodrigues
Joaquim R. Rodrigues
(Act. Sarpanch)

Office of the Village Panchayat

Colva

Date 6/10/99

No. VP/SVCG/857/99-2000

To, The Junior Engineer
Electricity Department
Colva - Goa

Sub :- N. O. C. for Water/Electrical Connection

Sir,

With reference to the application of Shri/Smt/Kum. M/s Colmar Condominium Pvt. Ltd. dated 4/10/99 this Village Panchayat has NO OBJECTION to release Water/Electrical Connection to the house bearing No. 454(a) in ward No. 5 at 4th ward, Colva belonging to M/s. Colmar Condominium Pvt. Ltd. as per the records of this office.

The above house is an authorised legal structure and has been constructed as per the plan approved by this Village Panchayat vide construction licence No. VP/SVCG/Const/16/95-16 dated 4/11/95 for residence/Commercial/Industrial/Institutional purpose. The building permission was granted after no objection certificates were received from the following departments :-

1. Town and Country Planning Department (Planning Development Authority) vide No. DJ/5897/GSCCE/TCP/95 dated 6/7/95
2. Irrigation Department [In case the plot lies in the command area of an Irrigation project] vide No. _____ dated _____
from Executive Engineer, Div _____
3. Dy. Collector's Office (In case it involves conversion of agricultural land) vide No. SDO/SAU/CONV - 270/93/20 dated _____
4. Public Works Department (In case the plot is on the road side) vide No. _____ dated _____
5. Environment Department (In case of plots within coastal Regulation Zone) vide No. DJ/5897/GSCCE/TCP/95 dated 6/7/95
6. Forest Department (In case of plots within reserved forests or if construction involves felling of trees) vide No. _____ dated _____
from the Deputy Conservator of Forests.
7. Health Department vide No. _____ dated _____
8. Electricity Department vide No. _____ dated _____
9. Captain of Ports Office (In case the plot lies within COP's jurisdiction) vide No. _____ dated _____



Yours faithfully

AGNELLO FERNANDES
SARPANCH

GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/O Department of Science, Technology & Environment,
Opp. Saligao Seminary, P.O. Saligao, Bardez, Goa - 403 511.
Phone: (0832) 278186, 278187, 278189 Fax: (0832) 278186

REF. NO.: DJ/5897/475

DATE: 08/03/2000

To,
The Senior Town Planner,
Town & Country Planning Dept.
Viswa Kripa Bldg., 3rd Floor,
Isidoro Baptista Road,
Margao - Goa 403 601.

Sub: Release of Electrical connection to M/s. Colmar
Condominium Pvt. Ltd. at Colva, Salcete - Goa.

Ref: Your letter No. TPM/Const/Colva/99/3748

Sir,

With reference to your letter mentioned above, it may be noted that as per the records available in this office, this case was approved in the 5th GSCCE meeting held on 01/09/1994 as a residential complex vide letter No. DJ/5897/GSCCE/TCP/95/2606 dated 06/07/1995.

This is for your information, as requested by you.

Yours faithfully,

N
(Dr. N.P.S. Varde)
Member Secretary, GCZMA

Encl.:-

- 1] A copy of the approval letter with No. DJ/5897/GSCCE/TCP/95/2606 dated 06/07/1995.

Handwritten: Hymenue B

SERNASATIM, VANELIM, COLVA & GANDAUULIM.

Construction Licence No. VP/SVCG/Const. 16/95-96/620

M/s Colmer Condominium Pvt. Ltd.

from Colva, Salcete of _____ is hereby granted licence for the construction of Residential Complex at Colva on survey No. 40/A.

in terms of the resolution No. 3(1), _____ taken in the Panchayat meeting dated 26-9-95 as per the plans in duplicate to his/her application under inward No. PPO/OI/VP/plans 389 dated 12-7-95. One copy of the plans concerned with the approval note carrying the embossed seal of this Panchayat and duly signed, is returned to the interested Party, who shall comply with the following conditions.

- 1) To limit himself/herself to the plans approved and statements therein.
- 2) The construction shall be as per plans approved by this Panchayat and condition imposed on it.
- 3) To inform the Panchayat after excavation and before laying of plinth foundation
- 4) To inform the Panchayat when the construction has been completed upto plinth level.
- 5) To inform the Panchayat as soon as the construction is completed.
- 6) Not to inhabit the building without the prior permission of this Panchayat
- 7) To abide by the other related provision in force.
- 8) That building or construction is carried out as per the alignment given and the plinth level fixed by the Panchayat.
- 9) The construction licence shall be revoked.
 - a) if the construction work is not executed as per the plans approved and statements therein
 - b) wherever there is any false statement or any misrepresentation of any material passed, approved or shown in the application on which the permit was passed.
- 10) All conditions laid down by the Chief Town Planner vide No. DA/5897/GCEN/TCP/95/2606 dated 6-7-95 should be strictly followed
- 11) Three metres wide access shown in the plans in Southern & Western side should be strictly maintained.
- 12) Land Conversion should be obtained before development of work.
- 13) Permit holder will be liable to ensure that the curing water is treated with Anti-Larval Chemicals.

The licence shall be valid for a period of ONE TWO THREE years beginning from to-day, He had paid the respective tax/fees to the tune of Rs. 19,058/- by Receipt No. 77/20 dated 14-11-95

This carries the embossed seal of this Panchayat.

Office of the Village Panchayat of SERNASATIM, VANELIM, COLVA & GANDAUULIM.

14-11-95



Handwritten signature

J. M. Mendonca

Name of the field :-

FORM No. I (A) 70

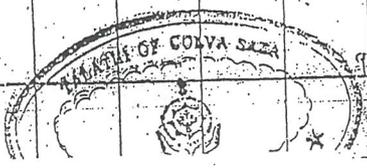
30

Village Colva
गावाचे नांव
Taluka Salcete
तालुका

Survey Number 40 Sub. Div. Number 4 Tenure Khata No.
सर्व्हे नंबर हिसा नंबर मालमती खातें नंबर

I Cultivable Area लागण क्षेत्र	Hs. Ars. हे. आर.	Name of the Occupant मालमतीवाले नांव	Mutation No. फेरफार नं.	Name of the Tenant कृषाचे नांव
(s) Dry Crop... जिवायत	1.46.35	[Ranulha Mascarenhas] [Joacinta Fernandes] [13] (65)		
(b) Garden... बागायत	1.51.25			
(c) Rice... तरी				
(i) Khojan... खाजण		[Emilio Francisco Lamberto Mascarenhas alias Lamberto Mascarenhas] (74)		Other rights: इतर हक्क Name of the persons holding rights and nature of rights इतर हक्क धारण करणाऱ्यांचे नांव व हक्काचा प्रकार
(ii) Ker... केर				
(iii) Morad... मोरड				
Total Cultivable Area एकूण लागण क्षेत्र	1.46.35 1.51.25			
II. Un-Cultivable... नाशिक		f) Ana Francisca L'Veira (76) g) Colmar Condominium Private Limited (126)		Houses owned by I. Floren Rodrigues II. Ranul Mascarenhas III. Alex. Reinho D' Silva d) Colmar Hotel P.O.P. C Colva e) Not owned by Colmar f) ...
Pot-Kherob... पोट खराब				
(a) Class (a)... शस (अ)	0.06.50			
(b) Class (b)... शस (ब)	0.02.50			
Total Un-Cultivable एकूण नाशिक जमीन	0.08.50			
Grand Total एकूण	1.59.75 1.54.85			
Assessment भाकार				
Fore फोर				
Predial प्रेदियाल				
Rent रेंट				

Certified that the names in this booklet are deleted
1970-71
J. M. Mendonca



Certified copy
11/6/74
J. M. Mendonca

Government of Goa, Daman and Diu
OFFICE OF THE DEPUTY COLLECTOR & S
MARGAO-COA.

Dated: 1/9/68

Read Application u/s. 32 of the Land Revenue Code, 1968.

SANAD

SCHEDULE - II

[See Rule 7 of the Goa, Daman and Diu Land Revenue (Conversion of use of land and non-agricultural Assessment) Rules, 1968]

Whereas an application has been made to the Collector of Goa (hereinafter referred to as "the Collector" which expression shall include any Officer whom the Collector shall appoint to exercise and perform his powers and duties under this grant) under Section 32 of the Goa, Daman and Diu Land Revenue Code, 1968 (hereinafter referred to as "the said Code" which expression shall where the context so admits include the rules and orders thereunder) by Shri/Smt. M/S. Colmar Condominium Pvt. Ltd., represented by its Director,

being the occupant of the plot registered under Survey No. 40/4 situated at Colva registered under No. (hereinafter referred to as "the applicant" which expression shall, where the context so admits include his/her heirs, executors, administrators and assigns) for the permission to use the plots of land (hereinafter referred to as the "said plot" described in the Appendix I hereto forming a part of Survey No. 40/4 measuring 775.09 square metres or thereabout a little more or less for the purpose of residential

Now, this is to certify that the permission to use for the said plots is hereby granted, subject to the provisions of the said Code and rules thereunder and on the following conditions, n. e. r. -

1. **Levelling and clearing of the land** - The applicant shall be bound to level and clear the land sufficiently to render suitable for the particular non-agricultural purpose for which the permission is granted to prevent insanitary conditions.
2. **Assessment** - The Applicant shall pay the non-agricultural assessment when fixed by the Collector under the said Code and rules thereunder with effect from the date of this sanad.
3. **Use** - The applicant shall not use the said land and building erected or to be erected thereon for any purpose other than residential or any other non-agricultural purpose, without the previous sanction of the Collector.
4. **Building time limit** - The applicant shall within one year from the date hereof, commence on the said plot construction of building of a substantial and permanent description, failing which, unless the said period is extended by the Collector from time to time, the permission granted shall be deemed to have lapsed.
5. **Liability for rates** - The applicant shall pay all taxes, rates and cesses leviable on the said land.
6. **Penalty clause** - (a) if the applicant contravenes any of the foregoing conditions the Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code continue the said plot in the occupation of the applicant on payment of such fine and assessment as he may direct.

APPENDIX - 1

Length and Breadth		Total Superficial Area	Forming (part or) Survey No. or Hissa No.	BOUNDARIES		Remarks
North to South	East to West			North, South, East and West		
1	2	3	4	5	6	
10.00	10.00	100.00	40/4	North, South, East, West	Sy. No. 40/4	
10.00	10.00	100.00	40/4	North, South, East, West	Sy. No. 40/4	
10.00	10.00	100.00	40/4	North, South, East, West	Sy. No. 40/4	
16.20	13.40	201.35	40/4	North, South, East, West	Sy. No. 40/4	
6.00	6.00	22.50	40/4	North, South, East, West	Sy. No. 40/4	
10.00	10.00	100.00	40/4	North, South, East, West	Sy. No. 40/4	
10.00	10.00	100.00	40/4	North, South, East, West	Sy. No. 40/4	
6.50	8.50	51.24	40/4	North, South, East, West	Sy. No. 40/4	

Conversion is permitted for residential use only on condition that under no circumstances the Applicant should use the proposed residential complex for Hotel purpose, without permission of this office.

Conversion charges of Rs. 55500/- (Fifty/thousand five hundred only) has been paid vide Challan No. 135/98 dated 13.8.98.

The conversion is granted in terms of Govt. circular No. 16/11/90-RD dated 23/6/94 Chief Town Planner's letter No. GSCCR/SAL/17/TCP/97/2668 dated 3/9/97 and letter of Revenue Secretary bearing N. 13/11/90-RD Part file dated 12/11/97.

All the environmental guidelines under CRZ Regulations should be strictly followed.

In witness whereof the Collector of Goa, has hereunto set his hand and the seal of his Office on behalf of the Administrator of Goa, Daman and Diu and the applicant M/s. Colmar Condominium Pvt. Ltd, rep. by its Director

here also hereunto set his hand this 13th day of September 1998

[Signature]
(Signature of the Applicant)



Signature and designation of Witnesses
 1. Madhusudan K. (Engineer)
 2. Hemant Raut (Engineer)

H. Rajesh Prasad
 Deputy Collector and Sub-Divisional Officer,
 Margao-Goa.

Signature and designation of Witnesses
 1. Engineer
 2. Engineer

We declare that Shri/Smt. M/s. Colmar Condominium Pvt. Ltd. is to our personal knowledge the person he/she represents himself to

10-20-2017

Particulars	Amount	
	Rs.	P.
Coin		
Notes (with details)		
Cheques (with details)		
Bank Nagao Ch. No. 336/140	55,500	00
Total Rs.	55,500	00

Note 1 - In the case of payments to the Treasury receipts to sum less than Rs. 500, do not require the signature of the Treasury officer, but only of the Accountant and the Treasurer. Receipts for cash and cheques paid for service postage stamps should be given in Form T. R. 5.

NOTE 2 - Particulars of money tendered should be given on the reverse side of the receipt.

NOTE 3 - In cases where direct credits at the Bank are permissible, the column titled 'of Accounts' will be filled up by the Treasury Officer or the Accountant General, as the case may be, on receipt of the Bank's Daily Sheet.



10-20-2017

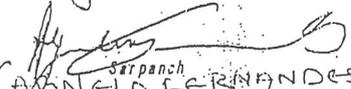
Annexure E (10/4)

Office of the Village Panchayat
CCLVA
Ref. No. VP/SVCG / 225/98-99 Date 25-5-98

NO OBJECTION CERTIFICATE

This is to certify that this Village Panchayat has no objection towards release of water supply connection to the New Construction bearing No. at un used, Colva, Salcete - Goa, in the name of Shri/Smt. Colmar Condominium Pvt. Ltd. resident of Emba, Margao - Goa for residential/Commercial use.

This certificate has been issued at the request of the interested party in order to produce the same to the Water supply Dept. at Margao - Goa.


Sarpanch
ANELO FERNANDES
Village Panchayat CCLVA

Annexure E (6/4)

OFFICE OF THE VILLAGE PANCHAYAT

Office of the Village Panchayat
CCLVA
Ref. No. VP/SVCG / 226/98-99 Date 25-5-98

NO OBJECTION CERTIFICATE

This is to certify that the construction in the name of Colmar Con-
dominium Pvt. Ltd. bearing No. New Court and situated at ward, Colva for which electrical connection is sought to be released, is a legal construction and there is no objection from this Village panchayat of Colva for the release of electrical energy for lighting/industrial/commer-
cial purpose.

This is issued at the request of Shri/Smt. Colmar Condominium
Pvt. Ltd. who is the owner/son/daughter of the owner and stays in the said house.



Annexure 1

GOA COASTAL ZONE MANAGEMENT AUTHORITY
(Dept. of Science Technology & Environment)
Salgao, Bardez-Goa.

REF. NO. GSCCE/DJ/5897/65

DATE: May 12, 1999.

M/s. Colmar Condominium Pvt. Ltd.
Flat No. 6-7, Valkunth Apartments,
Mandao-Goa.

Sub:- Application of M/s. Colmar Condominium Pvt. Ltd. for "construction of a compound wall" in Survey No. 10/4 (Part) of Colva in Salcete Taluka.

Dear Sir/Madam,

With reference to the above-mentioned subject, it is hereby conveyed that the Goa Coastal Zone Management Authority (GCZMA) has examined your application. The GCZMA has approved the proposal of "construction of a compound wall" in your application and has no objection to the same as it is found to be in accordance with the provisions of the CRZ Notification of February 20, 1991 published under the Environment (Protection) Act, 1986. This approval of the Authority is subject to the following conditions.

The permission is granted as per the plans heraby annexed.

All the provisions of the CRZ Notification should be strictly followed.

Prior to the commencement of development work, it will be incumbent upon the applicant to have a valid conversion sanad of use of land as contemplated under Goa, Daman and Diu Land Revenue Code, 1968.

- 4. Necessary licence should be obtained from the concerned Village Panchayat/Municipality.
- 5. Traditional access, if any, shall not be blocked and should be maintained to the satisfaction of the local Authority.
- 6. Construction of septic tank should be carried out at a distance of at least 15 mts. from the existing/proposed drinking well.

B. NOC for Occupancy certificate should be obtained from the GCZMA after the completion of the proposed construction.

9. The permission is liable to be revoked if it is found, at any stage, that the application contained false information/wrong plans/calculations/documents or any other incorrect/wrong accompaniments.

10. The area upto 200 m. from the High Tide Line (H.T.L.) is earmarked as "No Development Zone" and hence no construction shall be permissible within this zone.

11. All sand dunes are classified as CRZ-I and hence no construction is allowed.

12. Only live fencing and barbed wire fencing with vegetative cover is permitted in lieu of compound wall within 200 m. from H.T.L. A masonry compound wall is permitted only between 200-500 m. of the H.T.L.

13. No construction activity including temporary construction and fencing or any such barrier is permissible within the area between Low Tide Line and H.T.L.

Yours faithfully,

(Dr. N. P. S. Varde)
Member Secretary, GCZMA

Copy to:
1. Chief Town Planner, Town & Country Planning Department, Panaji
2. Panchayat Secretary, Colva Panchayat.

You may collect the copy of approved plan during the office hours.

DJ/5897/TCP/99/349

Dept:

Contract

Annexure E

2/2/99

To,
The Sarpanch,
Village Panchayat of Colva,
Colva, Salcete - Goa.

Sub:- Request for Occupancy Certificate in Sy.
No. 40/A(Part) of Colva village.

Ref:- 1) Panchayat letter No. VP/MCC/374/98-99
dated 16/1/99.
2) STP letter No. TPM/CONV/Colva/40/4/98/
180 dated 18/1/99.

Sir,

With reference to the above mentioned subject, this is to inform you that M/s. Colmar Condominium Pvt. Ltd. has constructed the building in Sy. No. 40/4 of Colva village as per the approved plan vide No. DJ/5897/GSCCE/TCP/95/2606 dt. 6/7/95 and is ready for occupancy.

In view of above, there is no objection to issue Occupancy Certificate for the same.

Yours faithfully,

(R. N. RAY)

Chief Town Planner

Copy to:-

M/s. Colmar Condominium Pvt. Ltd.,
Flat No. G-7,
Vaikunth Apartments,
Margao - Goa - for information.

MR/- 2/2/99

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Amendments H

Phone : 72349



Office of the Village Panchayat

Sernabatim, Vanelim Colva, & Gandaulim
Salcete - Goa. Pin Code 403 708

Ref. No. VP/SVCG 1850/99-2000

Date 7-4-99

To,
M/S Colmar Condominium PVT, LTD,
Flat No. G-7,
Vaikunth Apartments,
Margão-Goa.

Sub: Issue of Occupancy Certificate.

Sir,

This Panchayat of Sernabatim, Vanelim, Colva & Gandaulim have no objection to you to occupy the building in Survey No.40/4 of Colva village, which is approved by Town & Country Planning Dept. under Ref.No.DJ/589/TCP/99/349 dated 2/2/99 for the Construction licence No.VP/SVCG/const-16/95-96/630 dated 14-11-95.

It is approved for the Monthly meeting held on 12/2/99 under Res.No.2 (H).

Since this Construction is approved before 8-4-97, it is not applicable for the Goastax on Infrastructure (Amendment) Act. 1997.

Yours faithfully

(ANGELICO GRACIAS)
SECRETARY

VILLAGE PANCHAYAT
SERNABATIM, VANELIM, COLVA & GANDAILIM;



Ambrur

Phone : 723495

**Office of the Village Panchayat**Sernabatim, Vanelim Colva, & Gandaulim
Salcete - Goa. Pin Code 403 708

Ref. No. VP/SVCG 187 /99-2000

Date 16-6-99

To,
The Colmar Condominium Pvt, Ltd,
Flat No.G-7, Vaikunth Apts,
Comba, Margão-Goa.Sub: Permission for use of Residential
Units/Condominiums for Tourism
purpose.

Sir,

With reference to your letter dated 5-5-99,
on the above mentioned subject, I am to inform
that this village Panchayat of Colva have no
objection to you to register the residential units/
Condominium at 4th ward Colva, Salcete-Goa.

This is issued at the request of the applicant
in order to register the same to Directorate of
Tourism, Panaji under Tourist trade Act, 1982.

*(Signature)*
(AGNELO FERNANES)
SARPANCHVILLAGE PANCHAYAT
SERNABATIM, VANELIM, COLVA & GANDAULIM

Amal dore

1895

B

DEPARTMENT OF TOURISM

GOVERNMENT OF GOA

Panaji-Goa

FORM V

(See Rules)

Certificate of Registration of "Hotel"

I hereby certify that AS SAREEN resident of COLVA, SALCETE
Goa has/have been registered under the Goa, Daman
and Diu Registration of Tourist Trade Act, 1982 to operate the
said hotel.

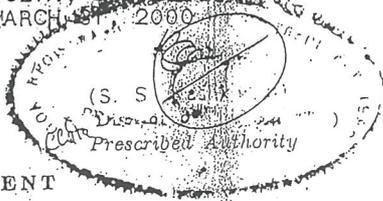
(a) Name of the hotel: COLMAR CONDOMINIUM PVT. LTD.,

(b) Area where the hotel is operated: COLVA, SALCETE, GOA

(c) This certificate is valid upto MARCH 31, 2000

Place: — PANAJI GOA.

Dated: — 2/8/1999



ENDORSEMENT

This registration is hereby renewed upto

Place: —

Dated: —

(Prescribed Authority)

ENDORSEMENT

This registration is hereby renewed upto

Place: —

Dated: —

(Prescribed Authority)

IN THE HIGH COURT OF BOMBAY AT GOA

SUO MOTU WRIT PETITION NO. 2 OF 2006

Versus
UNION OF INDIA THROUGH ITS
SECRETARY AND 2 ORS.,

... Respondents

Ms. Norma Alvares, Amicus Curiae.

Mr. S. S. Kantak, Advocate General with Ms. R. Chodankar, Additional Government Advocate for the Respondent Nos.2 and 3.

Mr. C. A. Ferreira, Assistant Solicitor General for the Respondent No.1.

Mr. V. Rodrigues, Advocate for the Respondent Nos.9 and 11.

Mr. P. A. Kamat, Advocate for the Respondent Nos.10, 24 to 27.

Mr. S. S. Kakodkar, Advocate for the Respondent No.17.

Ms. Anita A. Thorat, Advocate for the Respondent No.13.

Mr. S. D. Padiyar, Advocate for the Respondent No.28.

Mr. Sudesh Usgaonkar, Advocate for the Respondent No.29.

Mr. Amit Palekar, Advocate for the Respondent Nos.18 to 22.

Coram:- R. S. MOHITE &
N. A. BRITTO, JJ.

Date:- 26th September, 2007

P.C.:-

Heard both sides.

After perusing the entire record, we give the following directions:-

- (1) Each Panchayat/Municipality which has been served with a copy of the survey map prepared by the Directorate of Settlement and Land Records, shall identify from the survey maps given to it, those structures existing as on 19-2-1991 after excluding such structures in

respect of which the CRZ Authorities had initiated the action but such action was discharged for any action whatsoever. This may be done by reference to the existing survey plans prepared under the Land Revenue Code or on the basis of permissions/licenses issued by the respective Panchayats/Municipalities. This exercise will be completed by each of the Panchayats/Municipalities by 31st January, 2008.

(2) In respect of other structures shown on the survey maps prepared by the Directorate of Settlement and Land Records i.e. those which are not identified as existing prior to 1991 as contemplated by Direction 1 herein above, the Panchayats/Municipalities shall issue notices to the owners and the occupants of those structures to show cause as to why the said structure should not be demolished as having been constructed in the NDZ area. Such notices shall be issued latest by 29-2-2008.

(3) On perusal of the reply and after giving opportunity to the owners and occupants of giving them a personal hearing, the Panchayats/Municipalities shall take a decision on the existence of the structure prior to 19-2-1991. This final decision shall be taken by the Panchayats/Municipalities within a period of ninety days from the date on which all the owners/occupants have been served.

(4) The structure in respect of Clause 3 will be demolished in case no stay has been obtained in any statutory appeal/appeals or any other legal remedy and this demolition will be completed within a period of sixty days from the date of the service of the final decision upon the owners and occupants.

(5) We are informed by the learned Advocate General that seven Panchayats and one Municipality has not been served with a copy of survey map as yet and that the same is likely to be served within a period

of two weeks from today. In respect of the aforesaid seven Panchayats and one Municipality the schedule which is given for the issuance of notice in Clauses 1 to 4 herein above as contemplated in Clause 2 will stand extended to 15-3-2008.

(6) If the Panchayats/Municipalities observe any structures in the NDZ area which are not shown in the survey map it will be at liberty to include these structures in the steps described herein above.

(7) It is made clear that these directions only extend to areas which fall within CRZ III.

(8) The Panchayats/Municipalities are directed to regularly monitor the NDZ area to ensure that no additional structures in the 200 meters zone will be permitted to be constructed as indicated in the survey maps. If any new construction is detected the Panchayats/Municipalities shall immediately take action against the same in accordance with law.

(9) It is further made clear that these directions will also not apply to structures which have been held to be validly constructed or repaired with permission of the CRZ Authorities and to structures in respect of which action has already been initiated by the CRZ Authorities/Panchayats/Municipalities before the date of the passing of this order.

All Panchayats/Municipalities shall file affidavits in this Court on or before the 15-3-2008 indicating:-

(i) Total number of structures in the 200 meters zone as per DSLR survey maps;

(ii) Number of structures found to be existing as on 19-2-1991 on or

210

before 30-3-2008;

(iii) Number of structures to whom notice has been issued as Direction above.

Matter to be further placed for directions in the third week of April, 2008.

R. S. MOHITE, J.

N. A. BRITTO, J.

RD.