



BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT PUNE

Application No. 29 of 2023

Sylvia Cardozo and 3 others Applicants

v/s

State of Goa and 9 others Respondents

AFFIDAVIT IN REPLY
OF THE RESPONDENT
NO. 6

MAY IT PLEASE THIS HONOURABLE
TRIBUNAL

I, Mr. Basilio Fernandes, Son of Francis Xavier Fernandes, aged about 63 years, resident of House No. 338D/8, Uzro, Post Office Raia, Camorlim, Salcete, Goa, the Respondent No. 6, Indian National, do hereby on solemn affirmation state and submit as under:-

1. I say that I have gone through the contents of the present Application and I am filing the present Affidavit in Reply as the Sarpanch of the Respondent No. 6, i.e the Village Panchayat of Camorlim. I say


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that the Respondent No. 6 has been made a party through the Sarpanch and not through its Secretary.

2. I am filing the present affidavit on behalf only for the limited purpose of opposing admission of the above application and the grant of any interim reliefs.
3. I am filing this affidavit to deal with the averments concerning the Respondent no. 6. I say that averments in the application which are not specifically dealt with and/ or denied be not construed as admitted by the respondent No. 6. I seek leave to file a further affidavit in case it is required for the purpose of clarity.
4. I say that the Office of the Village Panchayat of Camorlim, Salcete-Goa has issued the provisional NOC dated 11.1.2023 for the proposed sub division of property bearing Survey No. 175/1-I of Village Camorlim in Salcete Taluka as per the Technical Clearance Order of the Town Planner bearing Ref





No. TPM/31571/Cam/175/11/2020/468 dated 28.1.2020 and Renewal of Technical Clearance order No. TPM/31571/Cam/175/11/2020/5870 dated 5.12.2022. I further say that the provisional NOC by the Panchayat was issued pursuant to a Resolution No. 3/3 taken in the Panchayat Body meeting held on 09.01.2023 and the said Provisional NOC was signed by the Secretary of the Panchayat.

5. With respect to Para 4 of the Application, I say that the Village Panchayat of Camorlim has only granted the provisional NOC for the proposed sub division of the property bearing Survey No. 175/1-I of Village Camorlim in Salcete Taluka and the same has been issued as the Technical Clearance Order has been issued by the Town Planner.
6. With respect to Para 6 of the Application, I say that the Village Panchayat has specifically while issuing the provisional NOC for proposed sub division of

land put a clause bearing No. 6 wherein it has been stated that *“Necessary permission should be sought from the Forest Department before the cutting of the trees if any”*.

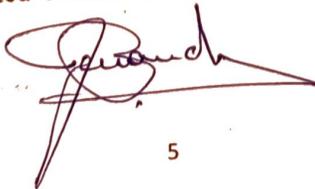


7. With respect to Paras 14 and 15 of the Application, I say that based on the letter dated 18.01.2018, a stop notice dated 20.03.2018 was issued by the Respondent No. 6.
8. With respect to Paras 21 and 22 of the Application, I say that based on the letter dated 16.12.2019, a Stop Work Order dated 17.12.2019 was issued by the Respondent No. 6. I further say that the Respondent No. 6 also addressed a letter dated 18.12.2019 to the Town Planner, Town and Country Planning Department informing about the complaint dated 16.12.2019 and requesting the Town Planner to take immediate action.

9. With respect to Paras 31 and 32 of the Application, I say that on a complaint dated 24.05.2021, the Respondent No. 6 issued a stop work order dated 24.05.2021.

10. With respect to Para 36 of the Application, I say that a complaint was received from Sylvia Cardozo along with enclosures, and the said complaint was placed before the Panchayat body meeting on 29.07.2021 and the Village Panchayat vide letter dated 19.08.2021 requested the Town Planner not to issue any developmental approvals/permissions in the Survey No. 175/1 and 179/1 of Village Camorlim in Salcete Taluka till the PIL WP pending before the Honourable High Court of Bombay at Goa was not decided.

11. With respect to Para 38 of the Application, I say that the Dy Town Planner, TCP Department issued a renewal of Technical Clearance Order by letter No. 5870 dated 05.12.2022 for the land sub division of



land bearing Survey No. 175/1-I of Village Camorlim and as such a renewal was issued, the Village Panchayat of Camorlim had to grant the provisional NOC for the proposed sub division of property bearing Survey No. 175/1-I of Camorlim Village.



12. With respect to Para 40 of the Application, I say that both the letters/representations dated 22.02.2023 and 01.03.2023 were addressed to the other respondents and only a copy was marked to the Respondent No. 6.

13. With respect to the Ground No. H in the Application, I say that the conversion sanad dated 03.03.2020 was issued by the Office of the Collector, South Goa District and at no point of time was the Village Panchayat of Camorlim involved in process of conversion. I further say that the Respondent No. 6 has always acted on the complaints and



representations made to the Respondent No. 6 but could not withhold the provisional NOC for subdivision when the all legalities were complied by the applicants of the said NOC.

14. I say that the Village Panchayat of Camorlim has taken action as per the law and the Village Panchayat undertakes to comply with all the directions and orders of this Honorable Tribunal.

I say that whatever that has been stated by me in the foregoing paragraphs of my Affidavit is based on the records kept by the Office of the Respondent No. 6 and I believe the contents of the present Affidavit to be true and correct to the best of my knowledge.

Solemnly affirmed by me at Margao, Goa }

On this 20th day of April, 2023 }

DEPONENT

Identified by:
Aadhwar cpid
no. 6697 6028 6549

