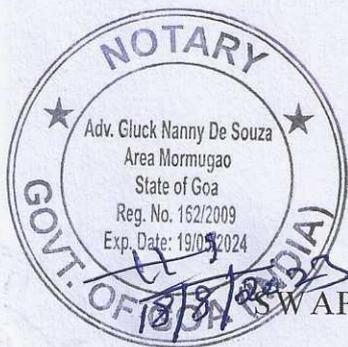


**BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE AT PUNE**



Original Application No.72/2023 (WZ)

SWAPNESH SHERLEKAR AND ORS ... APPLICANTS

VS

STATE OF GOA AND ORS. ... RESPONDENTS

**AFFIDAVIT-IN-REPLY ON BEHALF OF
RESPONDENT NO. 8**

MOST RESPECTFULLY SHOWETH:

I, **MR. AVEZ AZIM SHAIKH**, son of Abdul Azim Shaikh, 44 years of age, businessman, married, Indian National, resident of 72 Mohidin Villa, Dabolim, Goa, the Respondent No. 8 hereinabove do hereby on solemn affirmation state and submit as under:

(Signature)

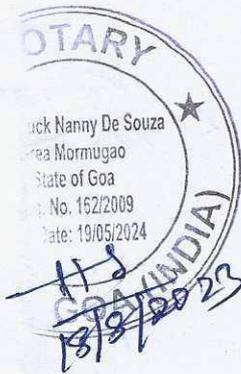
1) I say that the above Application is ex-facie not maintainable and is barred by law of limitations on the following counts without prejudice to one another:

- a. By way of the said application, the Applicant has challenged the Conversion Sanad dated 10/06/2009 issued by the Respondent no. 2 in favour of the Respondent no. 7. The said Conversion Sanad forms the genesis of the grievances raised by the Applicant in the above application and the development in the subject property has been undertaken in pursuance to the said Conversion Sanad. In terms of the NGT Act 2010, limitation for raising an environmental issue involving challenge to any permission or otherwise under S.14 is 8 months which includes the power of condonation of delay of 2 months. There is a specific relief at prayer clause (d) sought by the Applicant in respect to the Conversion Sanad dated 10/06/2009. On that count itself, the Application itself is grossly barred by law of limitation.



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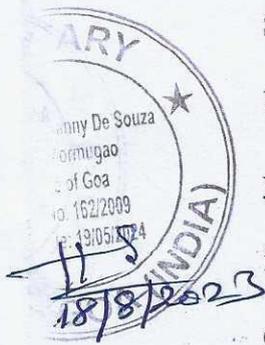
b. By way of the above application, the Applicant has also sought quashing and setting aside of the 3rd Interim Report prepared by the Review Committee to the extent that it declared the property bearing survey no. 194/1 and its sub-divisions as not qualifying to be a private forest. The 3rd Interim Report shall *hereinafter be referred to as the 3rd Part Final Report in terms of the Clarification Order dated 31/07/2023 issued by the Office of the DCF – Govt of Goa.* The said 3rd Part Final Report was published on the Forest Department website in September 2021. Therefore, the limitation in terms of S.14 of the NGT Act would expire in May 2022. However, assuming without admitting that the Applicant would be entitled for exclusion in terms of the Order passed by the Hon'ble Supreme Court from time to time, then the limitation would start from 01/03/2022 and 6 months would expire on 31/08/2022 and 8 months would expire on 31/10/2022. The present application is filed after 06/04/2023, which is beyond the period of limitation prescribed under the NGT Act. annexed hereto and



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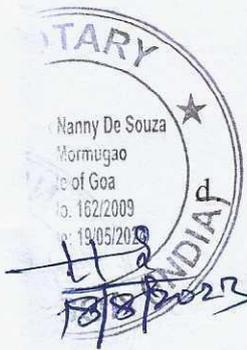
marked as Annexure A-1 is the Clarification Order dated 31/07/2023.

- c. Even otherwise, on the basis of the said Conversion Sanad, development has taken in the larger property bearing survey no. 194/1-A of Village Sancoale in the year 2016 and even Occupancy Certificate is received in the year 2020. A copy of the Construction License dated 13/04/2016 and the Occupancy Certificate is annexed hereto as Annexure A-2 (Colly). Even going by the above construction works in the bigger property bearing survey no. 194/1-A of Village Sancoale, limitation under S.14 expired on 13/12/2016 when 8 months from the date of commencement of construction expired or in any case on 04/02/2021, when 8 months elapsed from the grant of the occupancy certificate. The environmental issue, if any, arose in respect of property under survey no. 194/1-A of Village Sancoale and the Applicant cannot be permitted to raise selective issues with regard to different parcels of land which are governed by the



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same set of permissions. Therefore, for the purpose of limitation, the development in the larger property bearing survey no. 194/1-A assumes importance. On all the above counts, the above application is liable to be dismissed.



In respect of the subject property, provisional NOC was issued by MPDA on 29/11/2021 and by the Village Panchayat of Sancoale on 31/12/2021 in favour of the Respondent no. 7. It is in pursuance to the said NOC that work in the subject property commenced. Therefore, without prejudice to whatever is stated in the above paras, assuming while not admitting for the purpose of arguments that work on the subject property is the date of commencement of cause of action, even going by the provisional NOC dated 31/12/2021 issued by the Village Panchayat of Sancoale, limitation of 8 months elapsed on 31/08/2022. However, assuming without admitting that the Applicant would be entitled for exclusion in terms of the Order passed by the Hon'ble Supreme Court from time to time, then the

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limitation would start from 01/03/2022 and 6 months would expire on 31/08/2022 and 8 months would expire on 31/10/2022. The present application is filed after 06/04/2023, which is beyond the period of limitation prescribed under the NGT Act.



e. Even going by the date of cause of action stated in the Application dated 12/09/2022, the above application which is filed without condonation of delay is barred by limitation by their own showing.

2) I say that in the said Application, there is a challenge raised to the 3rd Part Final Report, Development Permission dated 29/11/2021 and Conversion Sanad dated 10/06/2009. The Development Permission is granted to the Respondent no. 7 under the Town and Country Planning Act read with the Goa Building Regulation Act 2008 and Goa Building Regulations 2010. However, they are not Scheduled Acts under the NGT Act nor are the Orders passed under the said Acts appealable under S.16 of the NGT Act. Similarly, Conversion Sanad dated

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10/06/2009 is issued under S.32 of the Goa Land Revenue Code and is appealable under the provisions of the said Code. Goa Land Revenue Code is not a scheduled act under the NGT Act nor are the Orders passed under the said Act appealable under S.16. In view of the same, prayer clauses (c) and (d) of the Application, which are foundational challenges, are not tenable in terms of law.

Even prayer clause (b) which relates to the Report of the Review Committee is not amenable to challenge under S.16 of the NGT Act nor can the Report be set aside in terms of S.14 of the NGT Act which renders even the said prayer clause as untenable. Consequently, even prayer clause (a) and (g) does not survive or lacks legal sanctity. The said prayer clauses lack any foundation under the NGT Act and are not tenable. It bears mentioning that Indian Forest Act is also not a Scheduled Act under the NGT Act. In light of above, the Application is liable to be dismissed.

- 3) It is pertinent to note that in pursuance of the directions issued by this Hon'ble Tribunal from time to time, the

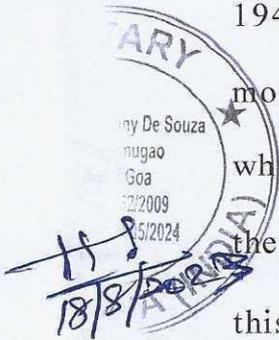
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Private Forests Review Committee has so far reviewed 1678 survey numbers out of 3349 survey numbers. Accordingly, review committee has finalized an area of 455.1081 Hectare as private forest area in 60 qualifying survey numbers; vide Notification dated 09/08/2023 published in the Official Gazette dated 10/08/2023, the Government of Goa has notified the part final report on Private Forest encompassing an area of 455.1081 Hectare which has been reviewed and finalized in all respects by the Review Committees till its 6 (Six) Part Final Reports, as Private Forest in the State of Goa. Therefore the question of raising a dispute to the 3rd Part Final Report and/or to the permissions granted in respect of the Subject Property does not arise. Annexed hereto and marked as Annexure A-3 is the relevant extract of the Official Gazette dated 10/08/2023.

- 4) I say that the above Application is an abuse of process of law. As stated earlier, the self-proclaimed environmentalist and public spirited individual as is represented by the Applicant in the above application

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cannot be permitted to selectively raise challenges to development and projects. In the instant case, as stated earlier, Applicants have not raised any grievance with regard to the other projects raised in the same survey no. 194/1-A which are governed by the same set of facts, more particularly, the Conversion Sanad dated 10/06/2009 which is common to the project completed in 2020 and to the instant project. The above circumstance discloses that this Application is filed to target this Respondent for collateral purposes. I request this Hon'ble Tribunal to take cognizance of the conduct of the Applicant.

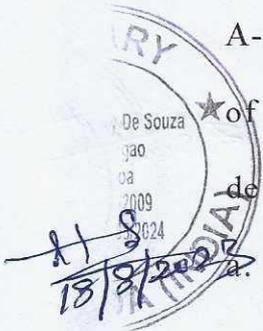


- 5) I say that it bears mentioning that the development in respect of the subject property is complete and final NOC has been given by the MPDA and the Village Panchayat to Respondent no. 7. The Final NOC issued by MPDA dated 21/10/2022 and the Final NOC issued by the Village Panchayat of Sancoale dated 09/11/2022 in favour of the Respondent no. 7 have been suppressed by the Applicant. In fact, the development works in the subject property i.e. Survey no. 194/1-A-3 of Village Sancoale stands

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completed in November 2022. In such circumstances, the question of entertaining the above application does not arise.

6) Without prejudice, I say that I was the owner in possession of all that Property bearing survey no. 194/1-A-3 of Village Sancoale. The said property forms a part of larger property bearing survey no. 194/1-A and was developed on the basis of the following permissions:



a. Conversion Sanad dated 10/06/2009 issued in favour of Respondent no. 6

b. Provisional NOC dated 29/11/2021 issued in favour of Respondent no. 7 by MPDA

c. Provisional NOC dated 31/12/2021 issued in favour of Respondent no. 7 by Village Panchayat of Sancoale.

d. Final NOC dated 21/10/2022 issued in favour of Respondent no. 7 by MPDA

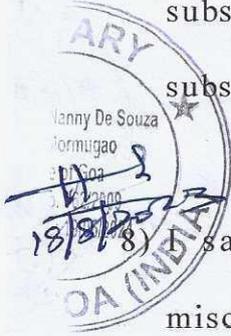
e. Final NOC dated 09/11/2022 issued in favour of Respondent no. 7 by Village Panchayat of Sancoale.

Annexed hereto and marked as **Annexure A-4 (Colly)** are the copies of Final NOC dated 21/10/2022 issued

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by MPDA and Final NOC dated 09/11/2022 issued by Village Panchayat of Sancoale.

7) I say that the development in the subject property is completed on the basis of the above approvals which are in consonance with the applicable law. I have invested substantial monies in the acquisition of the property and subsequent development of the subject property.



I say that the entire issue raised by the Applicant is misconceived in facts and law.

9) I deny that any part of the subject property is a private forest and/or that it is finally identified or demarcated as a private forest. The conversion sanad proceeds on the premise that the subject property and the larger property bearing survey no. 194/1 is not a private forest in as much as the conversion sanad in Goa are based on the NOCs issued by the Forest Department. In the instant case, NOC was issued by the Forest Department at the time of issuance of the Conversion Sanad which confirms that the

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larger survey no. including the subject property does not attract the criteria of private forest.

10) I say that the original property bearing survey no. 194/1-A was sub-divided by the Respondent no. 7 after obtaining all necessary approvals as per the applicable law. The sub-division of larger properties is governed by the provisions of the Goa Town and Country Planning Act, the Goa Panchayat Raj Act and the Goa Land Revenue Code. The entire process was followed at the relevant time and the larger property bearing survey no. 194/1 of the Village Sancoale was sub-divided way back in the year 2012-13. The said sub-divisions, approvals and orders passed under relevant statutes have not been challenged before any relevant forum and have attained finality. It is not available for the Applicant to challenge the said sub-division in the said Application.

11) I say that the Letter dated 14/05/2009 issued by the Deputy Conservator of Forest has no bearing for the purpose of the above application. The fundamental aspect is whether any part of the property under survey no. 194/1

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qualified as a private forest. The criteria for private forest as adopted by State Government is:

- a. 75% of the species on the property should be Forest species.
- b. There should be a canopy density of 0.4%.
- c. Minimum area should be of 5 Hectares



12) I say that the Letter dated 14/05/2009 does not opine on any of the above criteria and none of the above criteria were attracted in respect of Survey no. 194/1 on account of which the conversion sanad was granted at the relevant time. The observations in the Letter dated 14/05/2009 cannot be read out of context and de hors the subsequent developments and permissions granted by the authorities from time to time in respect of Survey no. 194/1.

13) I say that the Letter dated 16/08/2016 was issued on the basis of the applicable law namely the Goa Tree Felling Act. Since the said property forming subject matter of Letter dated 16/08/2016, there was no impediment for grant to fell trees and the contention that the trees are

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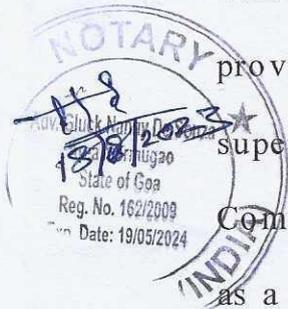
illegally felled is misconceived. In keeping with the conditions of permission, replanting was undertaken by the Respondent no. 7.

14) I deny that there was any illegal tree cutting and/or that it has any effect on the habitat of the wild animals. I deny that the said property serves as a habitat of wildlife animals like monkeys, wild boars, mouse deer, nilgiris, wood pigeon, pangolin, leopards, porcupine and other species of flora and fauna. I dispute the authenticity and veracity of the photographs annexed at Annexure G.

15) I deny that the said property qualifies as a private forest. I deny that there are dense forest species with dense tree canopy density and that the subject property is eco-sensitive in nature and that it is abundant in trees, plants and flora and fauna. The South Goa Forest Division Committee Report was not final and was provisional. There was no inspection undertaken by the South Goa Forest Division Committee and therefore, the report of the South Goa Forest Division Committee was not accepted by the Government and the Government

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undertook an identification demarcation exercise through the Review Committee and reports were filed before the Hon'ble NGT. The 3rd Part Final Report clearly identified that the subject property and the larger property bearing survey no. 194 does not qualify as a private forest. In view of the non-acceptance of the South Goa Forest Division Committee Report (Araujo Committee) and the subsequent reports filed by the Committee, the provisional identification by Araujo Committee stands superceded and/or negated. I deny that the Araujo Committee had identified property under survey no. 194/1 as a private forest and/or that there was any other on loco survey done.



16) I say that the Development Permission dated 29/11/2021 granted by the MPDA is within the scheme of the Town and Country Planning Act read with the Goa Building Regulation Act 2008 and Goa Building Regulations 2010. I deny that the findings of the 3rd Interim Report are arbitrary and/or in excess of powers of the Review Committee.

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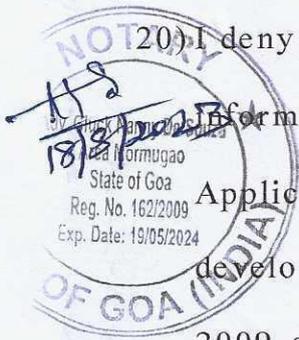
17) I say that the identification and demarcation in respect of the subject property was concluded in the 3rd Part Final Report and the reference to the 4th Part Final Report is of no avail. The Applicants have completely misconstrued the nature of the 4th Part Final Report which does not refer or relate to the subject property. The reference made to the 4th Part Final Report is completely out of context. However, assuming without admitting that the reference to 94.73% of the forestry species is related to the larger property bearing survey no. 194 and there is no finding with regard to the criteria pertaining to the canopy density and the area block. The Applicant is deliberately misleading this Hon'ble Court by relying on disjointed facts and documents. I shall rely upon the true and correct interpretation of the 3rd and 4th Part Final Reports.

18) I say that the survey records in respect of the subject property have to be construed in respect of the reports filed by the Review Committee and the finality attached to the same. The survey records do not establish the applicability of the private forest and the comments and remarks have to be construed in the background of facts,

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circumstances and records available in respect to the same.

19) I deny that the Forest Authorities have not applied their mind whilst conducting inspection and studying the subject property. I deny that the permissions granted in respect of the subject property are illegal and/or are an abuse of the process of law.



20) I deny that the Applicants did any research and/or that the information is furnished to them in October 2022. The Applicants were always aware and conscious of the development in the subject property from inception i.e. 2009 and subsequently in 2016 to 2020. The documents referred to in the application are only a ruse set up by the Applicants to circumvent the implications of the limitation under the NGT Act. The Applicants have concocted facts in an attempt to bring the challenge within limitation. I deny that cause of action to file the present application arose on 12/09/2022 and/or that is continuing.

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21) I say that the grounds raised in the Application are devoid of merits and have no foundation in terms of law. The provisions of the Forest Conservation Act and the Wildlife Protection Act are not applicable in the instant case.

22) I dispute the veracity and authenticity of the google images filed by the Applicant. Be that as it may, the Google Images lack legal sanctity and cannot be relied upon for the purpose of these proceedings.

23) I say that the above application is barred by limitation and its

devoid of merits. Therefore the same is liable to be dismissed in toto.

24) I say the contents of Paragraphs 1pt, 3pt, 4pt, 5pt, 6, 7, 9, 10pt, 13pt, 14, 15pt, 17pt, 19, 20 and 22pt are true to my own knowledge and/or based on information derived from documents; and the contents of Paragraphs 1pt, 2, 3pt, 4pt, 5pt, 8, 10pt, 11, 12, 13pt, 15pt, 16, 17pt, 18, 21, 22pt and 23 are based on legal submissions which I believe to be true.

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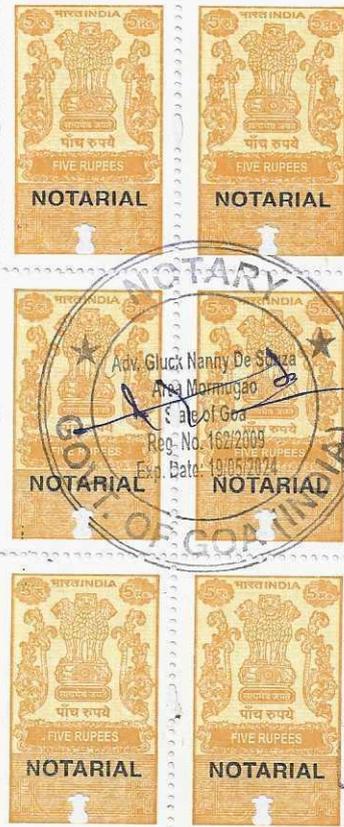
Solemnly affirmed at Vasco, Goa

On this 18th day of August 2023.

Avez

DEPONENT

AVEZ AZIM SHAIKH



Deponent
 is known to me / identified by
 Dalim Giri of m/s Mahajan
 Properties and Holdings

18/08/2023

Adv. Gluck Nanny D'Souza
 NOTARY

Room No. 105, Hotel Ricone
 Vasco-da-Gama, Goa-403 802

Date: 18/08/2023

Reg. Ref. No. 1384/2023

Annexure A-1



Government of Goa
Office of The Dy. Conservator of Forests
Working Plan Division
"Goa Van Bhavan"
Altinho Panaji Goa - 403 001

No.55/DCF(WP)/Court case/S.C/2021-22/Part file/FD/444 Dated: 31/07/2023

CLARIFICATION ORDER

The Review Committee headed by Chief Conservator of Forests; Goa notified vide No. DCF (WP)/Pvt. For/ 16(THC)/2013(WZ)/19-20/119 dated 18/06/2020 is reviewing survey numbers identified by Thomas and Araujo Committees as private forest in the state, finalizing and reporting them as qualifying or not qualifying as Private Forest in its report time to time.

Whereas, Review Committee has uploaded five reports on Forest Department website in the name of "**Interim Report**", the same shall be read as "**Part Final Report**" for all purposes.

This issues with approval of Competent Authority.

(Naveen Kumar. P IFS)
DCF (Working Plan)
Member Secretary
Private Forest Review Committee



Licence is hereby granted for carrying out the

(a) Construction of residential project.

(b) Change of use of (building/land) as per the enclosed approved plans in the property zoned as settlement as per Outline Development Plan for Vasco da Gama Planning Area 2011 situated at Sancoale Village, bearing Survey No. 194/1-A of original plot with the following conditions:-

1. The applicant shall strictly comply all the conditions imposed in the TCP Permission No. DH/5595/3/MTP/2015/937 dated 06/10/2015 issued by the Town and Country Planning Department.
2. The applicant shall notify the Panchayat for giving the alignment of the building.
3. The construction should maintain the minimum prescribed horizontal and vertical clearances from any overhead electrical line passing adjacent to the construction.
4. All R.C.C./structural works shall be designed and supervised by the Engineer who has signed the structural Liability Certificate submitted to the Panchayat.
5. No material for construction or earth from excavation or any other construction material shall be stacked on the public road.
6. The building should not be occupied unless the Occupancy Certificate is obtained from the Panchayat.
7. The construction licence shall be revoked if the construction works is not executed as per the approved plans and the statements therein and whenever there is any false statement or misrepresentation of any material passed approved or shown in the application on which the permission was based and any of the conditions as laid on this construction licence are not abided with.
8. The applicant should construct a separate soak pit in order to derivate in the sullage water.
9. Any soak pit should be constructed at a minimum distance of 15 metres from any well.
10. The ventilation pipe of the septic tank should be provided with a mosquito net.
11. The applicant should connect the pipelines from their latrine/W.C.'s to the sewerage line at their own cost, when the sewerage line is commissioned.
12. The applicant should fix a board at a prominent place whenever the construction is started indicating the number, the date and the authority for which the licence for development work has been granted.
13. All the building material and other rubbish should be cleared from the construction site before applying for the occupancy certificate.
14. Water storage tanks shall be provided with mosquito proof lids and overflow pipe. The tank should be provided with access ladder wherever necessary.
15. The drains surrounding the plot if any should be constructed with P.C.C. and should be covered with removal R.C.C. slabs of sufficient thickness.
16. The applicant should gift the road widening area to the Village Panchayat before applying for the occupancy certificate if the applicant has utilised the extra F.A.R. in lieu of the road widening affecting the plot.
17. The applicant should plaster and paint the building internally as well as externally before applying for Occupancy certificate. Exposed /brick/ laterite/ stone/ashlars masonry finish to buildings will also be permitted.
18. The applicant should provide a dustbin at a convenient place accessible for the municipal vehicle for collection of garbage.
19. Road widening area shall be asphalted to the existing road level before applying for occupancy certificate.
20. Garages and parking area shall be strictly used for parking purpose only and should be easily accessible for vehicle. No commercial activities shall be allowed in this area.

21. Access upto the entrance of the building ~~494~~ to be pavered and is provided with drainage facility.
22. Space for parking of vehicles is clearly demarcated on the ground.
23. No restaurant/bars will be permitted in the shops unless a separate soakpit is provided besides confirming to the rules in force.
24. No commercial activities will be permitted in the shops unless a separate is obtained from the Panchayat.
25. All temporary sheds/existing buildings shown to the demolished in the plan are demolished before applying for occupancy.
26. Fire Escape staircases, if applicable shall be constructed as indicated in the approved plans.
27. All internal courtyards should be provided with drainage outlet.
28. The applicant should maintain all existing natural drains in the plot and should not block them at any stage.
29. No soak pit or other structures should come in the road widening area.
30. The plot boundary should be cordoned off by continuous sheet fencing either of wood or metal during the construction period.
31. The construction of compound wall should not obstruct any pathway or any public access. The applicant shall make necessary arrangements for smooth flow of rain water by keeping adequate openings in the compound wall for the purpose.
32. No gates shall open outwards onto the road.
33. The construction of the compound wall should be as per the approved plan. The applicant shall inform this Panchayat after the completion of the compound wall.
34. Drinking water well should be 15 meters away from any soak pit.
35. Site for the disposal of garbage should be earmarked within your premises and which will be the sole responsibility of the occupant of the structure and no claim towards the disposal of the garbage will be entertained by the Panchayat.
36. This licence is issued in pursuance to Resolution No. 2 (2) dated 18/11/2015 & Resolution No. 1 dated 12/4/2016

THIS LICENCE IS VALID FOR A PERIOD OF THREE YEARS FROM THE DATE OF ISSUE OF THIS LICENCE. HE/SHE PAID THE RESPECTIVE TAX/FEES THE TUNE OF Rs. 8, 12,860/- (**Rupees: Eight Lakhs Twelve Thousand Eight Hundred Sixty Only**) Vide Receipt No. 119/98 Dt. 13/04/2016 RENEWAL IF REQUIRED SHALL BE APLIED WITHIN THE PERIOD OF THE VALIDITY OF THE LICENCE.

Date: - 13/04/2016



(Arjun S. Velip)
Secretary,
V.P. Sancoale.

To,
The Secretary.
M/s. Zuari Global Limited.
Jai Kisan Bhavan,
Zuarinagar,
Mormugao – Goa.

Copy to:-

1. Town and Country Planning Department,
Mormugao Taluka, Vasco-da-Gama.



OFFICE OF THE VILLAGE PANCHAYAT SANCOALE

P. O. Cortalim, Mormugao – Goa, Pin Code – 403710

Ph: (0832)-2550221

e-mail: sancoalepanchayat@gmail.com

Ref. No. VP/S/2020-21/177

Date: 04/06/2020

OCCUPANCY CERTIFICATE

Occupancy certificate is hereby granted to you for the Construction of Residential Project i. e.

Building -1	-	Stilt Parking	
Upper Ground	-	3 BHK-	4 Nos,
First Floor	-	3 BHK-	4 Nos,
Second Floor	-	3 BHK-	4 Nos,
Third Floor	-	3 BHK-	4 Nos,
Fourth Floor	-	3 BHK-	4 Nos,
		Total -	20 Flats

Villas G + 1 i.e. Villas 7, 8, 9, 10, 12, 15 & 16 = Total 7 Villas

Building – 4 (Floors)	<u>1 BHK</u>	<u>2 BHK</u>	<u>3 BHK</u>
Upper Gr. Floor	2	6	2
First Floor	2	6	2
Second Floor	2	6	2
Third Floor	2	6	2
Fourth Floor	2	6	2
	<u>10</u>	<u>30</u>	<u>10</u>

Total 50 flats

Club House & Villas G+1 i. e. Villa 11, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 & 31

approved vide Licence No. 10/2016-17 dated 13/04/2016, in Survey No. 194/1-A, of Village Sancoale, Taluka Mormugao Goa in pursuance of Resolution No. 4 (2) and 10 (49) duly approved by the Village Panchayat Sancoale in its meeting held on date 17/02/2020 & 03/06/2020 respectively and based on the Completion Certificate issued by the MPDA vide Letter No. MPDA/7-Z-51/2019-20/409 dated 18/07/2019 and MPDA/7-Z-51/2019-20/496 dated 01/08/2019 as per the NOC for issue of Occupancy Certificate issued by the Health Officer vide Letter No. PHC/Cort/NOC/Occu/2019-20/1703 dated 22/02/2020.

Subject to the following conditions:-

1. All conditions stipulated in the Completion Order/Technical Clearance Order from PDA/TCP should be strictly adhered to.
2. This Certificate shall be treated as NOC for obtaining Water and Electricity connection.

3. The Applicant should make independent provision for Garbage disposal within the Plot Area by constructing Compost Pit and dispose the same properly in scientific manner.
4. Total area released for occupancy: 11650.43 m²
5. The House Number allotted to the Structure and the yearly House Tax assessed is as below

Sr. No.	Area	House No.	Tax Amount in Rs.
BUILDING 1			
1	118.03	194/1-A (111)	830/-
2	123.66	194/1-A (112)	870/-
3	123.66	194/1-A (113)	870/-
4	118.03	194/1-A (114)	830/-
5	118.03	194/1-A (121)	830/-
6	123.66	194/1-A (122)	870/-
7	123.66	194/1-A (123)	870/-
8	118.03	194/1-A (124)	830/-
9	118.03	194/1-A (131)	830/-
10	123.66	194/1-A (132)	870/-
11	123.66	194/1-A (133)	870/-
12	118.03	194/1-A (134)	830/-
13	118.03	194/1-A (141)	830/-
14	123.66	194/1-A (142)	870/-
15	123.66	194/1-A (143)	870/-
16	118.03	194/1-A (144)	830/-
17	118.03	194/1-A (151)	830/-
18	123.66	194/1-A (152)	870/-
19	123.66	194/1-A (153)	870/-
20	118.03	194/1-A (154)	830/-
BUILDING 4			
21	79.74	194/1-A (210)	560/-
22	75.58	194/1-A (212)	530/-
23	37.46	194/1-A (213)	265/-
24	121.59	194/1-A (214)	855/-
25	79.74	194/1-A (215)	560/-
26	79.74	194/1-A (221)	560/-
27	75.58	194/1-A (222)	530/-
28	37.46	194/1-A (223)	265/-
29	121.59	194/1-A (224)	855/-
30	79.74	194/1-A (225)	560/-
31	79.74	194/1-A (231)	560/-
32	75.58	194/1-A (232)	530/-
33	37.46	194/1-A (233)	265/-
34	121.59	194/1-A (234)	855/-

35	79.74	194/1-A (235)	560/-
36	79.74	194/1-A (241)	560/-
37	75.58	194/1-A (242)	530/-
38	37.46	194/1-A (243)	265/-
39	121.59	194/1-A (244)	855/-
40	79.74	194/1-A (245)	560/-
41	79.74	194/1-A (251)	560/-
42	75.58	194/1-A (252)	530/-
43	37.46	194/1-A (253)	265/-
44	121.59	194/1-A (254)	855/-
45	79.74	194/1-A (255)	560/-
46	79.74	194/1-A (311)	560/-
47	75.58	194/1-A (312)	530/-
48	37.46	194/1-A (313)	265/-
49	121.59	194/1-A (314)	855/-
50	79.74	194/1-A (315)	560/-
51	79.74	194/1-A (321)	560/-
52	75.58	194/1-A (322)	530/-
53	37.46	194/1-A (323)	265/-
54	121.59	194/1-A (324)	855/-
55	79.74	194/1-A (325)	560/-
56	79.74	194/1-A (331)	560/-
57	75.58	194/1-A (332)	530/-
58	37.46	194/1-A (333)	265/-
59	121.59	194/1-A (334)	855/-
60	79.74	194/1-A (335)	560/-
61	79.74	194/1-A (341)	560/-
62	75.58	194/1-A (342)	530/-
63	37.46	194/1-A (343)	265/-
64	121.59	194/1-A (344)	855/-
65	79.74	194/1-A (345)	560/-
66	79.74	194/1-A (351)	560/-
67	75.58	194/1-A (352)	530/-
68	37.46	194/1-A (353)	265/-
69	121.59	194/1-A (354)	855/-
70	79.74	194/1-A (355)	560/-

Villas and Club House

Sr. No.	Area	House No.	Tax Amount in Rs.
1	198.71	194/1-A (V-30)	1395/-
2	198.71	194/1-A (V-29)	1395/-

3	198.71	194/1-A (V-28)	1395/-
4	198.71	194/1-A (V-24)	1395/-
5	198.71	194/1-A (V-23)	1395/-
6	198.71	194/1-A (V-31)	1395/-
7	198.71	194/1-A (V-27)	1395/-
8	198.71	194/1-A (V-26)	1395/-
9	198.71	194/1-A (V-25)	1395/-
10	199.07	194/1-A (V-22)	1395/-
11	199.07	194/1-A (V-21)	1395/-
12	199.07	194/1-A (V-20)	1395/-
13	199.07	194/1-A (V-19)	1395/-
14	199.07	194/1-A (V-15)	1395/-
15	199.07	194/1-A (V-16)	1395/-
16	199.07	194/1-A (V-17)	1395/-
17	199.07	194/1-A (V-18)	1395/-
18	198.71	194/1-A (V-14)	1395/-
19	198.71	194/1-A (V-13)	1395/-
20	199.07	194/1-A (V-11)	1395/-
21	199.07	194/1-A (V-7)	1395/-
22	199.07	194/1-A (V-8)	1395/-
23	199.07	194/1-A (V-9)	1395/-
24	199.07	194/1-A (V-10)	1395/-
25	198.71	194/1-A (V-12)	1395/-
26	Club House 300	194/1-A (Clubhouse)	3000/-



Blaude
(Krishna Gaude)
Secretary,
V.P. Sancoale.

To,
M/s. Zuari Global Ltd.,
Jai Kissan Bhavan,
Zuarinagar, Goa.

Copy for information to:-

1. Mormugao Planning & Development Authority, Vasco.
2. Asst. Engineer, PWD, Vasco.
3. Asst. Engineer, Electricity Department, Vasco.

Panaji, 10th August, 2023 (Sravana 19,1945)

SERIES II No. 19


OFFICIAL GAZETTE
GOVERNMENT OF GOA
 PUBLISHED BY AUTHORITY

SUPPLEMENT

GOVERNMENT OF GOA

Department of Forests

—
Notification

No. 7/4/2023-FOR/213

Whereas, the Government of Goa in compliance to the Hon'ble Supreme Court order dated 12-12-1996 in Writ Petition (Civil) No. 202/1995, T.N. Godavarman Thirumalpad V/s Union of India and others, constituted various committees for the identification of Private Forests in the State of Goa from time to time and the process of identification of Private Forest is being monitored by Hon'ble National Green Tribunal (NGT);

And whereas, in compliance with the Hon'ble High Court Order in Writ Petition No. 334 of 2006 dated 16-12-2009, the Government of Goa vide Notification No. 7-1-2009/FOR/439 dated 27-11-2012 published in the Official Gazette, Series II No. 36 dated 06-12-2012 constituted two Committees, namely North Goa Forest Division Committee and South Goa Forest Division Committee (hereinafter referred to as "said Committees"), for identification of balance areas of private forests in the State. Accordingly, the said Committees provisionally identified balance areas of private forest in the State of Goa from the year 2012 to 2018;

And whereas, to review the private forest areas provisionally identified by the said Committees, the Government of Goa vide Notification No. DCF(WP)/Pvt.For/16(THC)/2013(WZ) 19-20/26 dated 21-01-2020, published in the Official Gazette, Series II No. 44 dated 30-01-2020, constituted a review committee

headed by Conservator of Forests (Conservation) which was subsequently headed by the Chief Conservator of Forests vide Notification No. DCF(WP)/Pvt.For/16(THC)/2013(WZ)19-20/119 dated 18-06-2020 published in the Official Gazette, Series II No. 13 dated 25-06-2020 (hereinafter referred to as the "Review Committee");

And whereas, the Government of Goa vide Notification No. MS-REV.PF/DCF/WP/2018-19/393/177 dated 18-09-2020 published in the Official Gazette, Series No. II No. 26 dated 24-09-2020, read with Addendum No. MS-REV.PF/DCF/WP/2018-19/393/205 dated 26-10-2020 published in the Official Gazette, Series II No. 32 dated 05-11-2020 and Addendum No. MS-REV.PF/DCF/WP/2020-21/97 dated 03-06-2022 published in the Official Gazette, Series II No. 11 dated 16-06-2022, notified 16 site inspection teams in 156 villages to carry out site inspection of properties meeting private forest criteria of canopy density and area as per Forest Survey of India Map, in respect of the provisionally identified private forest by the said committee;

And whereas, the claims and objections were sought and received from the owners/representatives of provisionally identified private forest through public notices. The Review Committee conducted personal hearing of objectors, whose area fulfils the criteria of Private Forest;

And whereas, Hon'ble National Green Tribunal vide Order dated 07-01-2021 in E.A. No. 26/2020 in O.A. No. 478/2018 [Earlier O.A. No. 16/2013 (WZ)] has directed that the entire exercise of identification and demarcation of balance private forests in terms of order of the Tribunal dated

12-10-2018, be completed positively within three months and that if any grievance survives, it will be open to the applicant to take further remedies in accordance with law and to upload the final report on the website for information of the concerned parties;

And whereas, in pursuance of the said direction of Hon'ble National Green Tribunal, the Review Committee has so far reviewed 1678 survey numbers out of 3349 survey numbers, which were identified by the said Committees. Accordingly, review committee has finalized an area of 455.1081 Hectare as private forest area in 60 qualifying survey numbers;

Now, therefore, in pursuance of Hon'ble National Green Tribunal order, the Government of Goa hereby notifies the part final report on Private Forest encompassing an area of 455.1081 Hectare which has been reviewed and finalized in all respects by the Review Committees till its 6 (Six) Part Final Reports, as Private Forest in the State of Goa.

TABLE

Survey Numbers finalized as Private Forest by review committee having an area of 455.1081 HA.

Sr. No.	Taluka	Village	Survey Numbers provisionally identified as private forest by Thomas & Araujo Committee	Survey Numbers finalized by Review Committee and reported in its part final report*	Extent of Area finalized as private forest (in Ha.)
1	2	3	4	5	6
1.	Pernem	Pernem	224	224/1(p)	11.82
2.	Ponda	Ponda	83	83(p)	2.44
3.	Ponda	Ponda	84	84(p)	1.56
4.	Ponda	Curti	99	99(p)	1.90
5.	Ponda	Curti	100	100(p)	1.85
6.	Quepem	Quitol	75(p)	75(p)	5.52
7.	Quepem	Quitol	79(p)	79(p)	2.58
8.	Quepem	Quitol	80(p)	80(p)	1.23
9.	Quepem	Quisconda	14(p)	14(p)	45.89
10.	Quepem	Corla	10(p)	10(p)	6.968
11.	Sanguem	Colomba	50(p)	50(p)	14.51
12.	Sanguem	Colomba	53(p)	53(p)	3.62
13.	Sanguem	Uguem	70(p)	70(p)	5.24
14.	Sanguem	Uguem	59(p)	59(p)	15.97
15.	Sanguem	Uguem	63(p)	63(p)	22.08
16.	Sanguem	Uguem	81(p)	81(p)	16.57
17.	Quepem	Sulcoma	18(p)	18(p)	14.3412
18.	Quepem	Sulcoma	21(p)	21(p)	3.61
19.	Quepem	Sulcoma	29(p)	29(p)	7.29
20.	Quepem	Sulcoma	36(p)	36(p)	4.0634
21.	Quepem	Sulcoma	37(p)	37(p)	2.2037
22.	Quepem	Sulcoma	40(p)	40(p)	3.84
23.	Sanguem	Curpem	62(p)	62(p)	26.89
24.	Sanguem	Curpem	26(p)	26(p)	10.51
25.	Sanguem	Curpem	48(p)	48(p)	5.27
26.	Sanguem	Curpem	31(p)	31(p)	0.0125
27.	Sanguem	Curpem	37(p)	37(p)	6.14
28.	Canacona	Nagarcem-Palolem	159(p)	159(p)	5.902

1	2	3	4	5	6
29.	Canacona	Nagarcem-Palolem	162(p)	162(p)	1.185
30.	Salcete	Raia	399	399	1.376
31.	Salcete	Raia	402	402	1.816
32.	Salcete	Raia	405(p)	405(p)	0.297
33.	Dharbandora	Piliem	7	7(p)	5.02
34.	Dharbandora	Piliem	15	15(p)	17.21
35.	Dharbandora	Piliem	16	16(p)	19.36
36.	Sattari	Xelpo-Curdo	23	23(p)	13.85
37.	Bardez	Socorro	204	204(p)	6.2385
38.	Bardez	Assagao	59	59(p)	2.4
39.	Bardez	Assagao	67	67(p)	9.95
40.	Bardez	Assagao	68	68(p)	0.3023
41.	Bardez	Siolim	309	309(p)	0.1325
42.	Sanguem	Santona	34(p)	34(p)	5.15
43.	Sanguem	Santona	35(p)	35(p)	12.17
44.	Sanguem	Santona	60(p)	60(p)	4.84
45.	Sanguem	Patiem	47(p)	47(p)	0.27
46.	Sanguem	Coranguinim	19(p)	19(p)	2.64
47.	Sanguem	Coranguinim	23(p)	23(p)	0.9
48.	Sanguem	Coranguinim	5(p)	5(p)	5.75
49.	Sanguem	Neturlim	74(p)	74(p)	4.94
50.	Sanguem	Tudou	2(p)	2(p)	36.35
51.	Sanguem	Salauli	38(p)	38(p)	1.14
52.	Sanguem	Bhati	36(p)	36(p)	10.05
53.	Quepem	Quedem	9(p)	9(p)	24.309
54.	Quepem	Naquerim	89(p)	89(p)	0.776
55.	Quepem	Naquerim	90(p)	90(p)	0.864
56.	Dharbandora	Sigao	21(p)	21(p)	7.2
57.	Dharbandora	Sangod	10(p)	10(p)	2.84
58.	Dharbandora	Dharbandora	94	94(p)	3.089
59.	Dharbandora	Dharbandora	106	106(p)	2.89
60.	Bardez	Pomburpa	16	16(p)	0.07

*Note: Any new survey number formed due to partition of any of the above survey numbers after 27-11-2012 shall be deemed to have been notified as Private Forest, if the indentified area comes within said survey numbers.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Nathine S. Araujo, Under Secretary (Forest).

Porvorim, 9th August, 2023.

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MORMUGAO PLANNING AND DEVELOPMENT AUTHORITY

Commerce Centre, 2nd Floor,
VASCO DA GAMA, GOA

Ref. No. MPDA/7-Z-65/2022-23/1003.

Date: 21/10/2022

DEVELOPMENT PERMISSION

under Section 44 of the Goa Town and Country Planning Act, 1974

Development permission is hereby granted for carrying out the :-

Land Sub-Division (Final NOC/Completion Certificate) as per the enclosed approved plans in the property zoned as partly 'S-1' Zone in **ODP-2030** and situated at **Sancoale** Village bearing Survey No. **194/1-A-3** of approved Sub-division reference No. **MPDA/7-Z-65/2021-22/1375 (Provisional)** dated **29/11/2021** with the following conditions:-

1. Construction shall be strictly as per the approved plans. No changes shall be effected in the approved plans/approved built spaces without the prior permission of this Authority.
2. The permission granted shall be revoked, if any information, plans, calculations, documents and any other accompaniments of the application are found incorrect or wrong at any stage after the grant of the permission and the applicant will not be entitled for any compensation.
3. The permission shall be revoked if found expedient to such an action under the provision of Section 50 of the Goa Town and Country Planning Act, 1974.
4. The development permission will not entitle the applicant, for making /laying any claim on water and any other connection from the Government of Goa.
5. The Developer/applicant should display a sign board of minimum size 1.00 mtrs. x 0.50 mtrs. with writing in black color on a white background at the site, as required under the regulations.
6. Storm water drain should be constructed along the boundary of the effected plot abutting to the road.
7. The Ownership of the property shall be verified by the licensing body before the issuing of the licence.
8. Internal sub-divisional roads and open space has to be maintained to the satisfaction of the Local Authority.
9. Secondary development shall be dealt with the regulations in force i.e. Goa Land Development and Building Regulation, 2010.
10. As regards to complaints, pertaining to encroachments, Judicial orders/directives and other legal issues, the same may be verified and confirmed by the concerned village Panchayat before issuing license/NOC.

11. Storm water drain should be constructed along the boundary of the effected plot abutting to the road.
12. Adequate Utility space for the dustbin, Transformer etc. should be reserved within the plot area.
13. In case of any cutting of sloppy land of filling of low-lying land, beyond permissible limits, prior permission of the Chief Town Planner shall be obtained before the commencement of the works per the provisions of Section 17(A) of the Goa Town and Country Planning Act, 1974.
14. Road widening area, if any, shall be gifted to the Local Authority.
15. The Applicant should preserve as far as practicable existing trees, where trees are required to be felled, two trees shall be planted for every 100.00 m² or part thereof.
16. The Development Permission is issued based on the provisional NOC issued by the AE (Tech) Sub-Div I(R), Vasco, vide ref. No. SDE-II/VSG/Tech-24/1275/22-23 dated 30/09/2022.
17. This Development is issued based on the Conversion Sanad obtained by the Applicant vide Ref. No. AC-I/SG/CONV/16/2009 dated 10/06/2009.
18. Applicant shall dispose its construction debris at his/her own land and/or the same shall be taken to the designated site as per the disposal plan given by the applicant in the Affidavit to be produced to the Village Panchayat.
19. Final NOC/Completion Certificate is issued based on provisional NOC issued by Village Panchayat Sancoale, vide Ref. no. VP/S/21/2021-22/2623 dated 31/12/2001.
20. This NOC is issued based on the Affidavit dated 13/10/2022, submitted by the applicant as stated at point no. 3 that "The developer has laid water pipeline and we further undertake the responsibility of making provisions for the availability of water for all the residents/habitants in Mohidin's Hamlet by the Bay by means of bore well and rain water harvesting which has already been done on the site. These resources will sufficiently cater to the current water requirements of the residents/habitants till the time Government does not make public water supply available to the said area".



21. Necessary NOC if required from concerned Authority under building by –
Laws if any for project may be obtained prior to construction work.

An Engineer who issued Structural Liability certificate is **Engg. Madhav N. Kamat Reg. No. SR/0036/2010 issued on 03/10/2022.**

THIS PERMISSION IS ISSUED WITH REFERENCE TO THE APPLICATION DATED **04/10/2022 & 13/10/2022** UNDER SECTION 44 OF THE GOA TOWN & COUNTRY PLANNING ACT, 1974 FROM **M/S. ZUARI GLOBAL LTD**



R. Shirodkar
(Ritesh Shirodkar)
MEMBER SECRETARY

To,
M/S Zuari Global Ltd
"MOHIDINS HAMLET BY THE BAY"
Flat No. 321, Kamat Royale,
Kerant, Caranzalem, Goa.

Copy to: (a) The Sarpanch, V.P. of Sancoale, Sancoale, Mormugao-Goa.

PLANT MORE TREES AND KEEP THE ENVIRONMENT GREEN AND CLEAN

Aes/-



OFFICE OF THE VILLAGE PANCHAYAT SANCOALE

P. O. Cortalim, Mormugao – Goa, Pin Code – 403710

Ph: (0832)-2550221

e-mail: vpsancoale@gmail.com

Ref. No. VP/S/21/2022-23/2387

Date: 09/11/2022

To,
M/s. Zuari Global Ltd.,
“MOHIDINS HAMLET BY THE BAY”
Flat No. 321, Kamat Royale,
Kerant, Caranzalem, Goa.

Sub: - **Final N.O.C. for Sub Division of Land bearing Sy. No. 194/1-A-3, Plot Nos. 1 to 115 of Sancoale Village.**

Ref: - No. MPDA/7-Z-65/2022-23/1003 dt. 21/10/2022.

Sir,

With reference to the above letter and as per Panchayat Resolution No. 12 (7) dated 03/11/2022, a Final No Objection to the Sub Division of plots under Sy. No. 194/1-A-3, Plot No. 1 to 115, as mentioned in the plans is hereby granted subject to the conditions as laid down in the provisional NOC issued vide Ref No. VP/S/21-22/2623 dated 31/12/2021 and also you should comply all the conditions imposed by the Mormugao Planning And Development Authority, Vasco Da Gama, Vide their letter No. MPDA/7-Z-65/2022-23/1003 dt. 21/10/2022.

Keeping one set of plan and other documents for this office records the rest are enclosed here with for further necessary action.

The permission granted will be revoked if any genuine complaint received by this Panchayat by public or order of any Higher Authority.



Yours faithfully,

(Raghuvir D. Bagkar)
Secretary,
V. P. Sancoale.

Copy to:-

1. Mormugao Planning and Development Authority,
Mormugao Taluka, Vasco-da-Gama.



OFFICE OF THE VILLAGE PANCHAYAT SANCOALE

P. O. Cortalim, Mormugao – Goa, Pin Code – 403710

Ph: (0832)-2550221

e-mail: vpsancoale@gmail.com

Ref. No. VP/S/21/2022-23/4007

Date: 08/03/2023

To,
Avez Azim Shaikh,
O-1, First Floor, Commerce Centre,
Next to Old Bus Stand,
Vasco da Gama, Goa 403 802.

Sub: **Transfer of Final NOC for Development of the sub division bearing Survey No. 194/1-A-3 at Sancoale Village.**

Ref: Your letter dated 11/01/2023.

Sir,

With reference to the above cited subject, this is to inform you that pursuant to the Order No. MPDA/7-S-294/2022-23/1396 dated 09/01/2023 granted to you by Mormugao Planning and Development Authority, Vasco-Da-Gama, Goa and in accordance with documents on record, the Panchayat in its meeting held on 31/01/2023 has adopted Resolution No. IV (1) to transfer the Final N.O.C. for Sub Division of Land bearing Sy. No. 194/1-A-3 at Sancoale from M/s. Zuari Global Ltd., in your name with same terms and conditions stipulated in the said Final NOC for Sub Division of Land.

The panchayat will revoke/cancel/withdraw the said Final NOC for Sub Division of Land without any notice/ reasons in case of any complaints, disputes, Judicial orders/directives and other legal issues pertaining to said construction licence or property/plots thereof or any outstanding fees. The Applicant will not be entitled for any compensation or refund of fees thereafter.

The said Final NOC for Sub Division of Land stands transferred in your name with immediate effect.

This carries the embossed seal of Panchayat Office of Village Panchayat Sancoale.




(Asha S. Mesta)
Secretary
V. P. Sancoale.