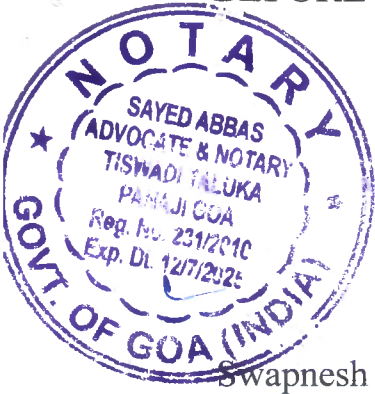


BEFORE THE NATIONAL GREEN TRIBUNAL – WESTERN ZONE

BENCH PUNE AT PUNE



I. A. No. 45/ 2024 WZ
in O. A. No. 72/ 2023 (WZ)

Swapnesh Sherlekar and Ors.

...Applicants.

Vs.

State of Goa and ORs.

...Respondents.

AFFIDAVIT-IN-REPLY BY RESPONDENT NO. 9
(CHAIRMAN – REVIEW COMMITTEE-2/ CHIEF
CONSERVATOR OF FORESTS)

I, Mr. Praveen Kumar Raghav, the Chairman; Review Committee II, Age: Adult, Occupation: Service, working as the Chief Conservator of Forest, the Respondent No. 9 having my office at: Forest Department, Govt. of Goa, Van Bhavan, Altinho, Panjim, Goa; do hereby beg to state on solemn affirmation as under:

1. This Hon'ble Tribunal was pleased to hear the present application on 14.02.2025 and directed as under: -

3. Learned counsel for the applicants submits that above-mentioned facts must be stated by respondent No.9 on an affidavit so that it can form part of the record. Therefore, we direct respondent No.9 to file an affidavit in this regard within three weeks, as prayed because he has to seek approval from the Government.

5. In regard to the above, when we enquired from respondent No.9 as to why the Map Sheet Number was not mentioned in front of the Survey No.194, it is submitted by him that this exercise was done prior to his

joining the office and therefore, he cannot make it clear. But it is not correct to say that these maps were not available at that point of time when the surveys were being conducted. Maps are still available with them and he can also produce a copy of the same before this Tribunal. We direct him that Map related to Survey No.194 be provided to us with the affidavit, which is to be filed by him and a copy of the said affidavit shall also be served upon the applicant in advance.

In view of the above, the present Respondents is submitting the present affidavit;

I say and submit that the Survey No. 194, which includes Survey Nos. 194/1, & 194/1-A, and any partitions made thereafter of Sancoale Village, was physically verified on the ground with respect to species composition and it was found that the canopy density of the same was more than 0.4 and total area of the same was 24 hectares (approximately) as per Form I & XIV. Out of this, 3.63 hectare green patch was found to be having more than 0.4 canopy density and forestry species more than 75%. Thus, the same lacks in qualifying the 3rd criteria i.e. Area criteria, as shown in the map of the Survey Number in question and attached as 'Exhibit -A'. In the adjoining Survey nos. 216, 217 and 195; Survey nos.216 &217, though, were having green patches but were not qualifying for species composition criteria of 75% or more, and as such a contiguous patch of 5 hectare or more having more than 75% forestry species composition could not be formed. Moreover, these adjoining Survey Numbers were also not Government Forest land, so the area in question was also not contiguous to any earlier existing forest land, and hence the same was excluded from the private forest on the area criteria.



[Handwritten signature]

- 2. That the Respondent States and submits that the exercise of/ reviewing work of provisionally identified Private Forest Survey No. 194 was done by the Review Committee headed by the predecessor officer/Chairperson. However, it is pertinent to mention that the Forest Cover Map 2012-13 obtained from FSI, Dehradun covering Survey No. 194 was available at the time of reviewing works done by the Review Committee-II, so the fact mentioned by the applicant about the said Survey No. Map is not correct.
- 3. The Respondent States that the Forest Cover Map, 2012-13 of Survey No. 194 which includes Survey No. 194/1 & 194/1-A of Sancoale Village, are still available with this office and same is submitted as 'Exhibit-A' (Forest Cover Map on which the Survey Points of Sancoale Village of Mormugao Taluka have also been plotted) before this Hon'ble Court.




Hence this affidavit


Affiant.

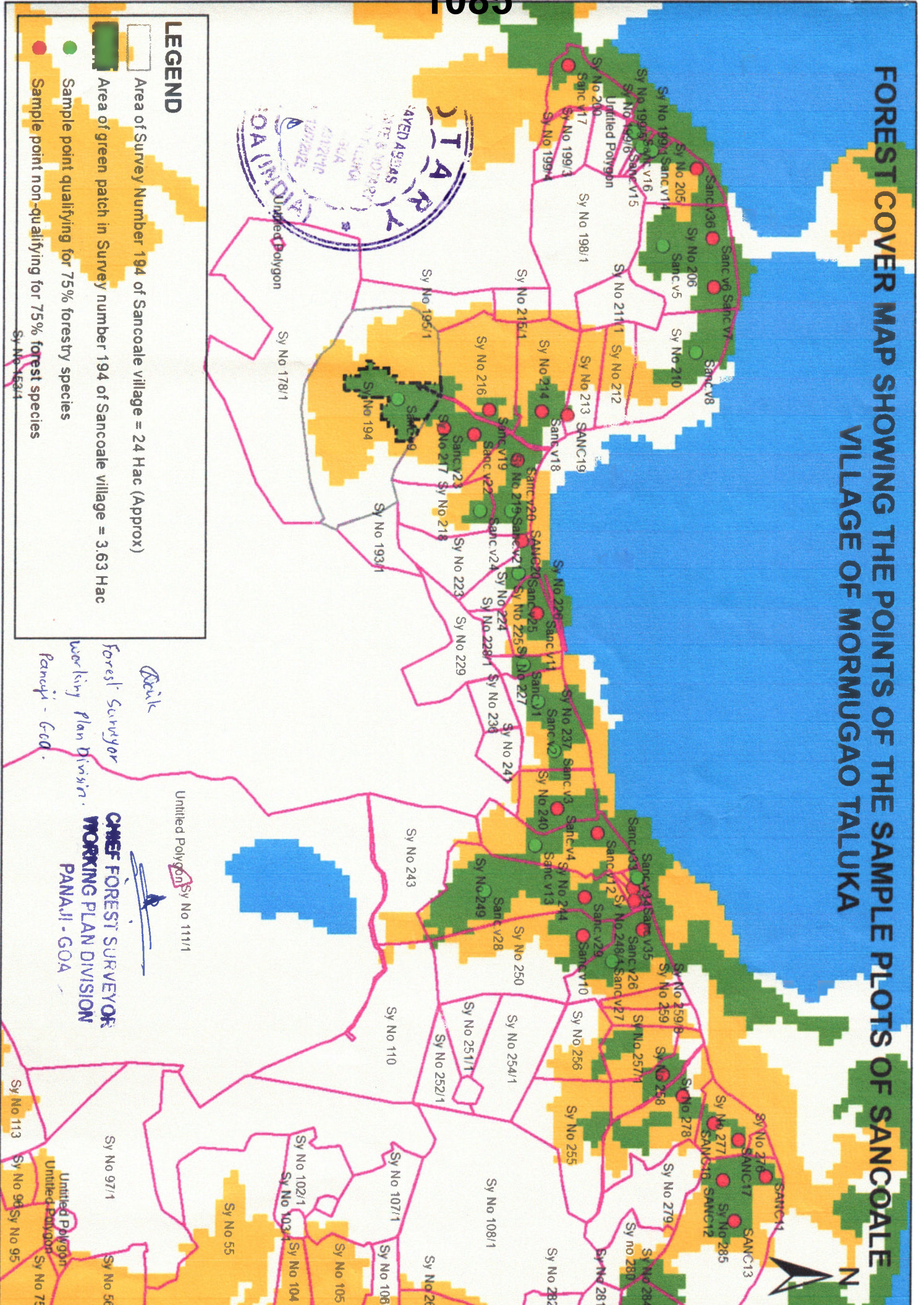
I know the affiant.



Solemnly affirmed before me by
Shri/ Smt. Keaveen Kumar Raghav
who has been identified by
Id card
whom I personally known
Reg. No. 1519/2022 Dated: 07/03/2022


SAYED ABBAS
Advocate & Notary
Tiswadi Taluka
Panaji, Goa 403001
Reg. No.231/2010

FOREST COVER MAP SHOWING THE POINTS OF THE SAMPLE PLOTS OF SANCOALE VILLAGE OF MORMUGAO TALUKA



LEGEND

- Area of Survey Number 194 of Sancoale village = 24 Hac (Approx)
- Area of green patch in Survey number 194 of Sancoale village = 3.63 Hac
- Sample point qualifying for 75% foresty species
- Sample point non-qualifying for 75% forest species



Bank
 Forest Surveyor
 Working Plan Division.
 PANAJI - GOA

**CHIEF FOREST SURVEYOR
 WORKING PLAN DIVISION
 PANAJI - GOA**

Untitled Polygon Sy No 111/1

Sy No 113 Sy No 98 Sy No 95
 Sy No 110 Sy No 97/1 Sy No 56
 Sy No 102/1 Sy No 103/1 Sy No 104
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