



BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH
AT PUNE

Original Application No. 47/2019 (WZ)

SAGARDEEP SIRSAIKAR . . . Applicant

Vs.

GOA COASTAL ZONE MANAGEMENT
AUTHORITY & Ors. . . Respondents

AFFIDAVIT IN REPLY

I, Reyaz Ratan Mama, son of Ratan S. Mama, age 54 years, resident of Camurlim, Bardez, Goa; do hereby state upon solemn affirmation as under: –

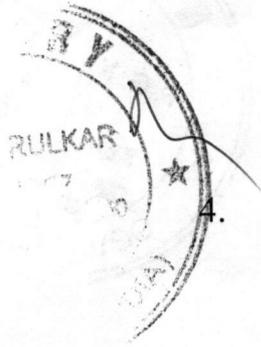
1. I say that I am the Respondent No. 2 in the above matter. I have read and understood the contents of the original application filed by the applicant to this Hon'ble Tribunal. I say that I am filing the present affidavit for the limited purpose of opposing the admission of the Application.
2. At the outset I say that in view of Section 18 of the National Green Tribunal Act, 2010 ("NGT Act") the Applicant has no locus standi to file the Application. I say that the Applicant is neither the owner nor an occupier in the properties bearing survey nos. 224/2, 224/48, 223 and/or 125/23 of Camurlim village. The Applicant is also not a resident of the Village

[Handwritten Signature]



Camurlim, rather the Applicant is a resident of Anjuna, Goa as is clear by the Applicant's own admission in the cause title to the Application. The Applicant cannot be said to have sustained any injury of whatsoever nature. I say that the Applicant is also not a public-spirited person. The Applicant does not have any direct or indirect interest in the subject matter of the Application. I say that the Applicant is also not a "person aggrieved" in terms of Section 18(2)(e) of the NGT Act. In fact, the Applicant is himself involved in illegal sand mining activities in Goa. I, therefore, say that the Application at the behest of the Applicant is not maintainable.

3. I deny the contents of paragraph no. 2 of the original application, and with reference to the same I say that I purchased the properties bearing survey nos. 223/1, 223/2, 223/5-31 and 224/2-48 totally admeasuring 34,875 square metres ("the said property") from its previous owners, viz. Dr. Precioso Antonio Jose Domingos de Sequeira, Jennifer Sequeira, Maria Alba Laura Sequeira and Vital Manuel Domingos de Sequeira, vide Deed of Sale dated 22/01/2004, duly registered in the office of the Sub-Registrar of Bardez at Mapusa under no. 194 at pages 289 to 298 of Book I, Volume no. 1088 on 11/02/2004. I crave leave of this Hon'ble Tribunal to refer to and rely upon the said Deed of Sale.



4. The said property is situated at Camurlim, Goa along the eastern bank of Chapora river. Historically, the said property was a rice field with protective bund on its western side. The said property was regularly cultivated by the previous owners by engaging local people, including one Pedro Fernandes, for the purpose until around the year 1995. The survey records (Forms I & XIV) of the said property duly record that fact. I crave leave of this Hon'ble Tribunal to refer to and rely upon the said survey records. The previous owners stopped cultivating the said property in 1995 due to a family issue. After the cultivation in the said property was stopped, the protective bund developed cracks and the salt water from the river started seeping into the said property, thus making it unsuitable for cultivation. Ever since, some bushes have grown in the said property over a period of time.
5. There were some small bushes in some parts of the said property when I purchased it in 2004. These bushes have in fact multiplied thereafter under my ownership of the said property because I encouraged such growth. I have no intention whatsoever of cutting or otherwise destroying these bushes. It rather pleases me to watch the bushes grow and I am happy to maintain the said property in the current state.



6. I constructed a farm house in a part of the said property, beyond 100 metres from the high tide line of the river, which was at a level higher than that of the remaining land. As the ground level of the said part was higher there were no bushes therein. As such, there was no question of cutting any bushes from the said property for the construction of the farm house.

7. Prior to the construction of the farm house, I applied for and obtained all necessary licenses and permissions required under the law in the name of the previous owner, Maria Alba Laura Sequeira, also known as Alba Sequeira. I crave leave to refer to and rely upon the various approvals for the farm house mentioned in the table below.

<u>No.</u>	<u>Description</u>	<u>Date</u>
1.	Permission no. VPC/Const/69/2006-07 issued by the Village Panchayat of Camurlim to Alba Sequeira for construction of well, pump house and room; and for amalgamation of survey holdings (along with approved plans).	16/05/2006
2.	Application for permission for development under Section 44 of the Goa Town and Country Planning Act, 1974 to the Village Panchayat of Camurlim, Goa.	21/06/2006
3.	No objection certificate/ approval no. DB/20528/MAP/06/1679 issued by Town and Country Planning Department for construction of farm house.	13/07/2006

ULKAR
DEZ
IO. 40/00
7/11/2005

4.	Approval no. PWD/SDIII/DV(B-N)/F5(A)/06-07/482 issued by the Public Works Department for construction of the farm house.	25/07/2006
5.	No objection certificate no. PHCC/NOC/2006-07/240 issued by the Directorate of Health Services for construction of farm house.	27/07/2006
6.	Permission no. VPC/Const/199/2006-07 issued by the Village Panchayat of Camurlim to Alba Sequeira for construction of farm house (along with approved plans).	03/08/2006
7.	(Renewal) Permission no. VPC/Const/199/2006-07 issued by the Village Panchayat of Camurlim for construction of farm house	28/03/2010
8.	Technical Clearance Order issued by the Senior Town Planner, Mapusa	10/05/2011
9.	(Renewal) Permission no. VPC/Const/199/2006-07 issued by the Village Panchayat of Camurlim for construction of farm house	17/08/2011

8. The construction of the farm house in the said property is absolutely legal.

9. The Coastal Regulation Zone Notification, 2011 is not applicable to the construction of farm house since the original approvals for the same were issued by the concerned authorities and the construction was commenced prior to the effective date of the said notification.



10. I once again reiterate that the construction of the farm house is entirely beyond 100 metres from the high tide line of the river. Therefore, the farm house is situated beyond the coastal regulation zone.

11. I say that I have not done any other construction in the said property, besides the farm house. I specifically deny that I have violated the Coastal Regulation Zone Notification, 2011 in any manner whatsoever. I specifically deny that I have destroyed or caused the destruction of any mangroves in the properties bearing survey nos. 224/2, 224/48, 223 and 125/23 of Camurlim village. Further, I deny that I have carried out any illegal construction in the said properties at point in time. I also deny that there is any land filling of creek. I specifically deny that the said properties consist of khazan lands as alleged by the applicant.

12. I further also deny all other contents of the original application as are contrary to the contents of the present reply.

13. I say that the Goa Coastal Zone Management Authority (GCZMA) issued a show cause notice bearing no. GCZMA/N/ILLE-COMP/18-19/151/1264 dated 02/08/2019 to me. I have filed my reply dated 30/08/2019 to the said show cause notice. I have also filed my reply dated 11/10/2019 to the report of site inspection caused by the GCZMA on 09/08/2019



with the GCZMA. I have also filed my reply dated 29/10/2019 to the site inspection plan submitted by the Superintendent of Survey and Land Records, Panaji to the GCZMA vide its letter dated 06/11/2019 with the GCZMA. I crave leave to refer to and rely upon the said replies filed by me to the GCZMA.

14. I say that the proceedings commenced by the GCZMA pursuant to the said show cause notice are pending before the GCZMA.
15. In the circumstances, this Hon'ble Tribunal may dismiss the original application filed by the applicant.
16. I say that the contents of paragraphs 1(part), 2(part), 3, 4, 5, 6, 7, 8, 10, 11, 12, 13 and 14 above written and those of the replies submitted by me to the GCZMA are true to my own knowledge, while the contents of paragraphs 1(part), 2(part), 9 and 15 are my submissions based upon legal advice, which I believe to be correct.

Mapusa, Goa
19 October 2021

REYAZ RATAN MAMA
Respondent No. 2

Identified By: -

Dajiv V. Patkar
Advocate.

Solemnly affirmed before me
by Mr. Reyaz Rakanhama
Who has been identified before
me by Adv. Dargip Patkar
Mapusa on 20/10/2021

Mull

P. G. NARULKAR
NOTARY
(Bardez Division)
E/105, 1st Floor, Saldanha Business Towers,
Mapusa - Goa Reg. No. 40/90

Reg. No. 1269/2021



[Handwritten signature]

OFFICE OF THE VILLAGE PANCHAYAT OF CAMURLIM BARDEZ GOA

FORM

Permission No. VAC/Cont / 69 / 2006-07

(See rule 3)

Shri/Smt./Kum. Alba Sequeira P others

from _____ ward _____ is hereby granted permission for the construction of Well, Pump House, road & Amalgamation of plots in Sy No. 223/1, 2, 5³¹ 224/1-48 in term of the resolution No. 11 taken in the Panchayat meeting dated 11/5/2006 as per the plans in triplicate/duplicate attached to his/her application under inward No. 11/452 Plans _____ dated 17/2/2005. One copy of the plans concerned with the approval not 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 Plan approved and statements therein.
2. The construction shall be as per plan approved by the Village Panchayat and condition imposed on it.
3. To inform the Panchayat when the construction has been completed upto Plinth level.
4. To inform the Panchayat as soon as the construction is completed.
5. Not to inhabit the building without the prior permission of the Panchayat.
6. To abide by the other relevant provisions of law for the time being in force.
7. That the building or construction is carried out as per the alignment given and the Plinth level fixed by the Panchayat.
8. The construction permission 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 of any misrepresentation of any material passed, approved or shown in the application on which the permit was based.

9. _____

10. _____

11. _____

12. _____

The permission shall be valid for a period of three years six months from 19/5/2006 to 10/5/2009. He has paid the respective tax/fees to the tune of Rs. 300 = 00 by Receipt No. 07/270 dated 16/5/2006.

This carries the embossed seal of this Panchayat Office of the Village Panchayat of Camurlim

16th May 2006



[Signature]
 SECRETARY
 Gram Panchayat Camurlim
 Bardez, Goa.

FORM 'B'

Application for permission for development under Section 44 of the
Goa, Daman and Diu Town and Country Planning Act, 1974.

From: Ms. Alba Sequeira

Address: near Siolim-Marna Village Panchayat, Siolim, Bardez, Goa 403 517.

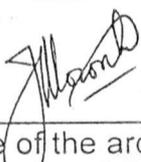
To,
The Sārpanch,
Camurlim Village Panchayat,
Camurlim, Bardez,
GOA.

Sir,

We intend to carry out the undermentioned development under Amalgamated plot Survey Nos. 223/1,2,5-31 and 224/2-48 of Camurlim village, in accordance with the provisions of Section 44 of the Goa, Daman and Diu Town and Country Planning Act, 1974.

Particulars of the proposed development: Farm-House

1. We forward herewith:
 - a) A Survey Plan
 - b) A Detailed Plan (six copies)
 - c) Form I & XIV
 - d) Property Documents (attested copies)
2. We request that the above development may be approved and that permission may be accorded to carry out the same.

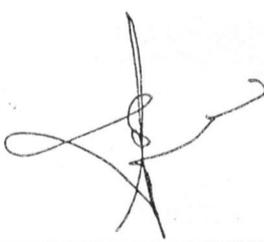


Signature of the architect

JOSE L. NORONHA
architect

PWD REG. No. 1 PWD/ARCU/
PDA REG. No. 2 PDA/ARCU/

Date: 21/6/2006



Signature of the owner of the land

-: 2 :-

15. N.O.C. from all concerned authorities shall be obtained as necessary for the commencement of development work.
16. Verification of ownership of land with specific reference to tenancy as on 2/11/1990 has to be made at year end before issue of licence.
17. Building alignment shall have to be obtained from the P.W.D.
18. This N.O.C. is subject to condition that Farm House shall be used for the purpose of Farm House only.
19. This N.O.C. is based on the earlier approval issued for amalgamation of plots, well and pump room issued vide letter no. DB/20528/06/816 dated 7/4/06.

File is returned herewith after retaining one set of plans and documents for this office record.

Yours faithfully,

LA
 (Vertika Dagur) 13/07 jvl
 Dy. Town Planner

Encl: as above.

Copy to:-

The Assistant Engineer,
 S.D.III, W.D. IV,
 P.W.D., Mapusa, Goa.

rms/11/7/06.

rms/4-8-06.

No. P.W.D./SDIII/DV(B-N)/F.5(A)/06-07/482
 Government of Goa
 Office of the Asst. Engineer,
 Sub Division III, Works Division V
 Public Works Department
 Mapusa - Goa.
 Dated :- 25/7/2006

To,

~~The Secretary,~~

V.P. Camurlim,

Bardez - Goa.

Sub: Application of Smt. Alba Sequeira,

For Construction of: Farm house in Sy.No. 223/1, 2, 5-31 &
 224/2-48

Ref: No. VP/C/125/06-07 dt: 23/6/06

Sir,

With reference to the above cited letter, the drawings are checked and the same are approved from the structural stability point of view, subject to the following condition.

1. The work should be executed as per approved plan and under the supervision of R.C.C. Consultant.
2. The labourers possessing Malaria health cards are employed at the site.

The file is returned herewith after retaining one set of Architectural drawings R.C.C. Calculation & drawings.

The estimate cost of construction is Rs. 6,82,410.00 (Rupees Six Lakhs eighty two thousand four hundred ten only).

Yours Faithfully.

[Signature]
25/7

(Allan Pereira),

TECHNICAL OFFICER

Encl:- As above.

js/-

No:-PHCC/N.O.C./2006-07/240
 Government of Goa,
 Dte. Of. Health Services,
 Primary Health Centre, Colvale,
 Dated:- 27/07/2006.

PROVISIONAL NO OBJECTION CERTIFICATE

To,
 The Secretary/Sarpanch
 Village Panchayat Camurlim
 Bodez, Goa.

Ref:- VPO/C/124/2006-07

Subj:- Provisional N.O.C. for construction of a
Farm house at Camurlim
Bodez - Goa.

Sir,

With reference to your above cited letter and subject, I am returning herewith the plan project to ~~Shri~~ Smt. Alba Sequira and to inform you that there is no objection on sanitary point of view to issue "PROVISIONAL NO OBJECTION CERTIFICATE" for the proposed construction of a Farm house in the plot bearing survey No. 223/1.2.5/224/2.48 at Camurlim Village subject to the conditions that the septic tank and soak pit should be located at least 15 mts. away from any existing well/underground sump. The applicant should take adequate anti-larval measures at the construction-site and he should provide temporary type latrine facilities to the laborers working along with him and ensure that the curing water is treated with anti-larval chemicals. The applicant should employ the laborers having Health Card with them.

After the completion of the entire construction and final finishing the applicant should call upon the Health Officer for re-inspection to verify whether the construction is done as per approved plan by Health Authority. However, the Secretary/Sarpanch is hereby requested to see that the "Occupancy Certificate" is issued only after obtaining final No Objection Certificate from the Health Authority.

The applicant should co-operate with the Health Authorities/Pollution Control Wing whenever they visit for inspection.

No Objection Certificate issued is liable to be withdrawn if the conditions stipulated above are transgressed/infringed.

Yours faithfully,

(Dr. D. V. Phetgaonker)

Medical Officer, PHC,

Primary Health Centre, Colvale

Colvale

OFFICE OF THE VILLAGE PANCHAYAT OF CAMLRLIM-BARDEZ GOA

FORM

Permission No. VPC/Contd-Fm/199/2006-07

(See rule 3)

Shri/Smt./Kum. Alba Seguro

from _____ ward _____ is hereby granted permission for the construction of Farm house in Sy. No. 220/1, 2, 5 & 224/2-48 in term of the resolution No. 5 taken in the Panchayat meeting dated 29/7/2006 as per the plans in triplicate/duplicate attached to his/her application under inward No. 194 Plans _____ dated 28/7/2006. One copy of the plans concerned with the approval not 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 Plan approved and statements therein.
2. The construction shall be as per plan approved by the Village Panchayat and condition imposed on it.
3. To inform the Panchayat when the construction has been completed upto Plinth level.
4. To inform the Panchayat as soon as the construction is completed.
5. Not to inhabit the building without the prior permission of the Panchayat.
6. To abide by the other relevant provisions of law for the time being in force.
7. That the building or construction is carried out as per the alignment given and the Plinth level fixed by the Panchayat.
8. The construction permission 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 of any misrepresentation of any material passed, approved or shown in the application on which the permit was based.

9. To get the POCs for the said Farm House from Kodo Kator
10. and N.O.C should be taken from 'Kodo Kator' Taluk
11. Association Registered with the Municipal Office under BAR-SS
12. Labour possessing Malania Health Card should be employed at the time of construction.

The permission shall be valid for a period of ^{three years} ~~six months~~ from 3/8/2006 to 2/8/2009. He has paid the respective tax/fees to the tune of Rs. 3475=00 by Receipt No. 26/271 dated 3/8/2006.

This carries the embossed seal of this Panchayat. Office of the Village Panchayat of Camlrlim Bardez

3rd August 2006

[Signature]
SECRETARY
Gram Pranchayat Camurlim
Bardez, Goa.



[Signature]
Sarpanch



OFFICE OF THE SENIOR TOWN PLANNER, MAPUSA GOA.
TECHNICAL CLEARANCE ORDER

Ref No: Inward No. 1024

Dated: 10/5/2011.

Technical Clearance is hereby granted for construction of Farm House (revised plans) as per the approved plans in the property Zones as Cultivated Land Zone in Regional Plan for Goa 2001 A.D. and as per Regional Plan for Goa 2021 falls in "Settlement zone" and situated at Camurlim village bearing Survey No. 223/1, 2, 5 to 31 & 224/2 to 48 with the following conditions:-

1. Construction shall be strictly as per the approved plans. No change 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 soak pit should not be located within a distance of 15.00 meters from any other existing well in the plot area/plan.
6. Storm water drain should be constructed along the boundary of the effected plot abutting to the road.
7. In case of any cutting of sloppy land or filing 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 & Country Planning Act, 1974.
8. The Ownership and tenancy of land if any of the property shall be verified by the licensing body before the issuing of the license.
9. Panchayat shall ensure about the infrastructure requirements such as water supply and power supply before issuing license.
10. Garbage collection bins should be provided within the plot itself to the satisfaction of local authority.
11. This technical clearance order is issued based on the earlier construction approval issued by this office vide letter no. DB/20528/MAP/06/1679 dated 13/7/06.
12. The area above loft slab should not be use for any other purpose other than for storage.
13. No further construction is allowed in the plot.

Cont.../-

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14. If any Complaint/ Court order should be verified at your end before issue of construction license.

This Technical Clearance Order is issued based on the order issued by the Chief Town Planner vide no. 29/8/TCP/2012-13/ RPG-21 / Status /1803 dated 04/06/2012 pertaining to guide line for processing various application.

This Order is issued with reference to the letter no. VP/T/F-C/95/2011-12 dated 08/05/2011 from The Sarpanch, V. P. Camurlim, Bardez - Goa.

THIS ORDER IS VALID FOR THREE YEARS FROM THE DATE OF ISSUE. OF CONSTRUCTION LICENSE PROVIDED THE CONSTRUCTION LICENSE IS ISSUED WITHIN THE PERIOD OF THREE YEARS.


(R. N. Volvoikar)

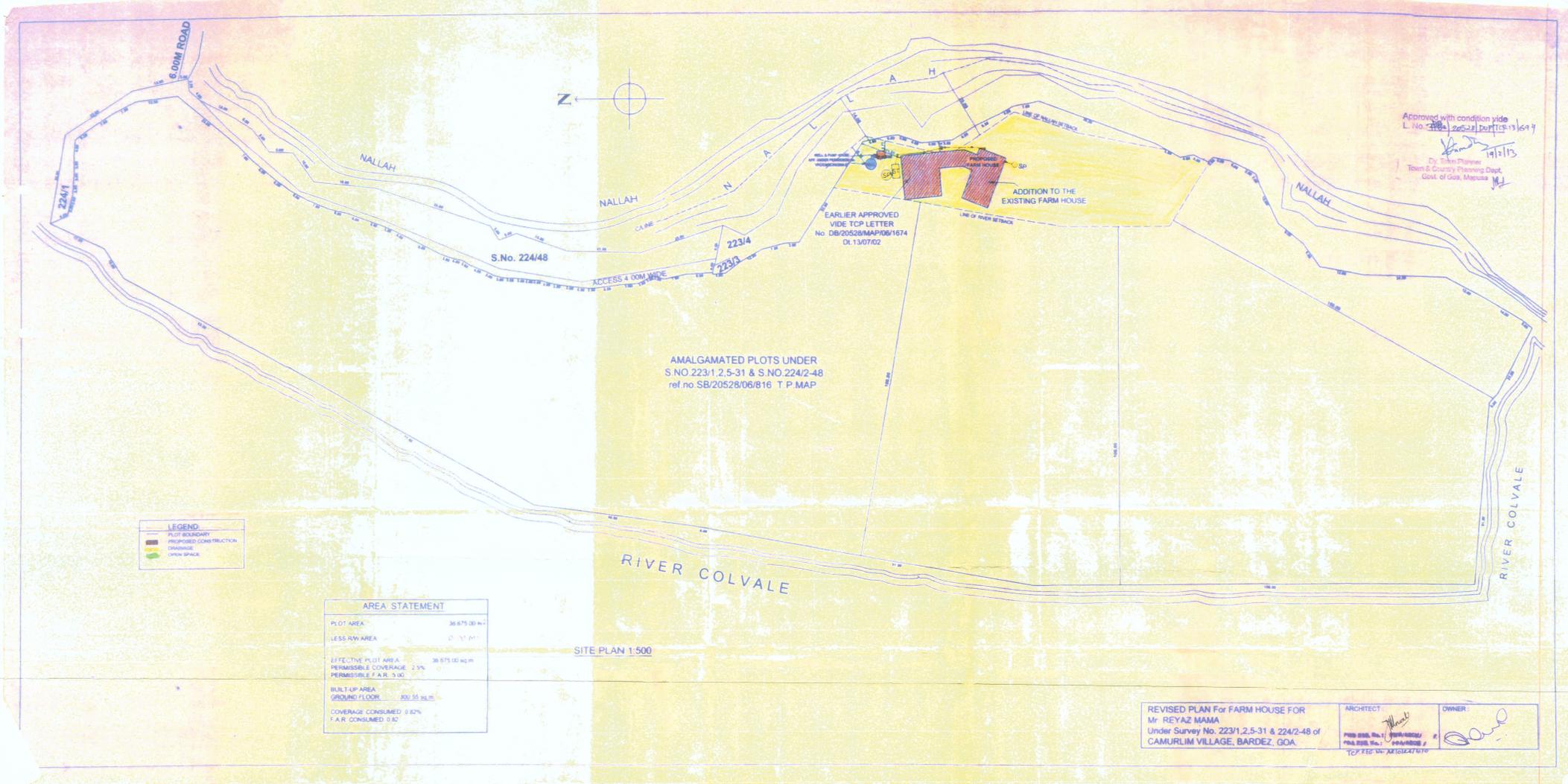
Dy. Town Planner.

To,
Mr. Reyaz Mama.
C/o. Jose L. Naronha (Arch.)
St. Jerome's Building,
1st floor, Feira Baina,
Mapusa - Goa.

Copy to:
The Sarpanch/ Secretary
Village Panchayat of Camurlim,
Bardez - Goa.

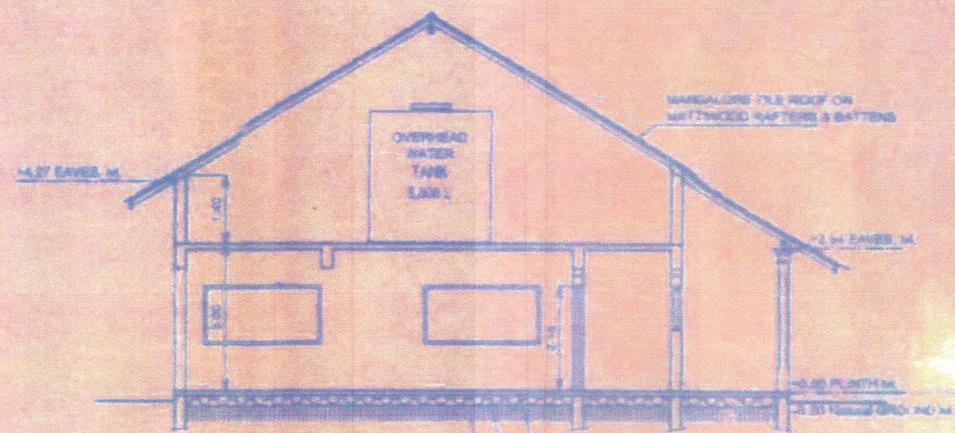
The permission is granted subject to the provision of Town & Country Planning Act 1974 and the rules & Regulation framed there under.

SK

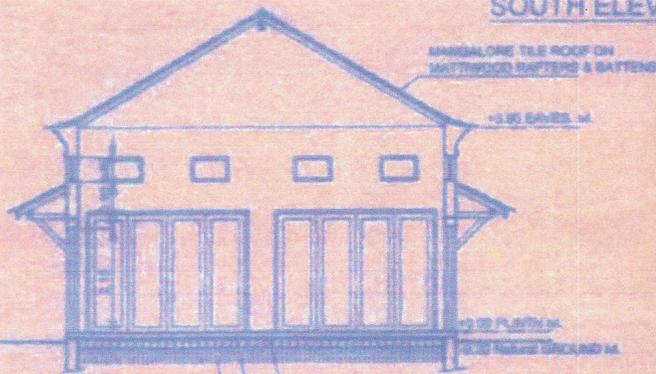




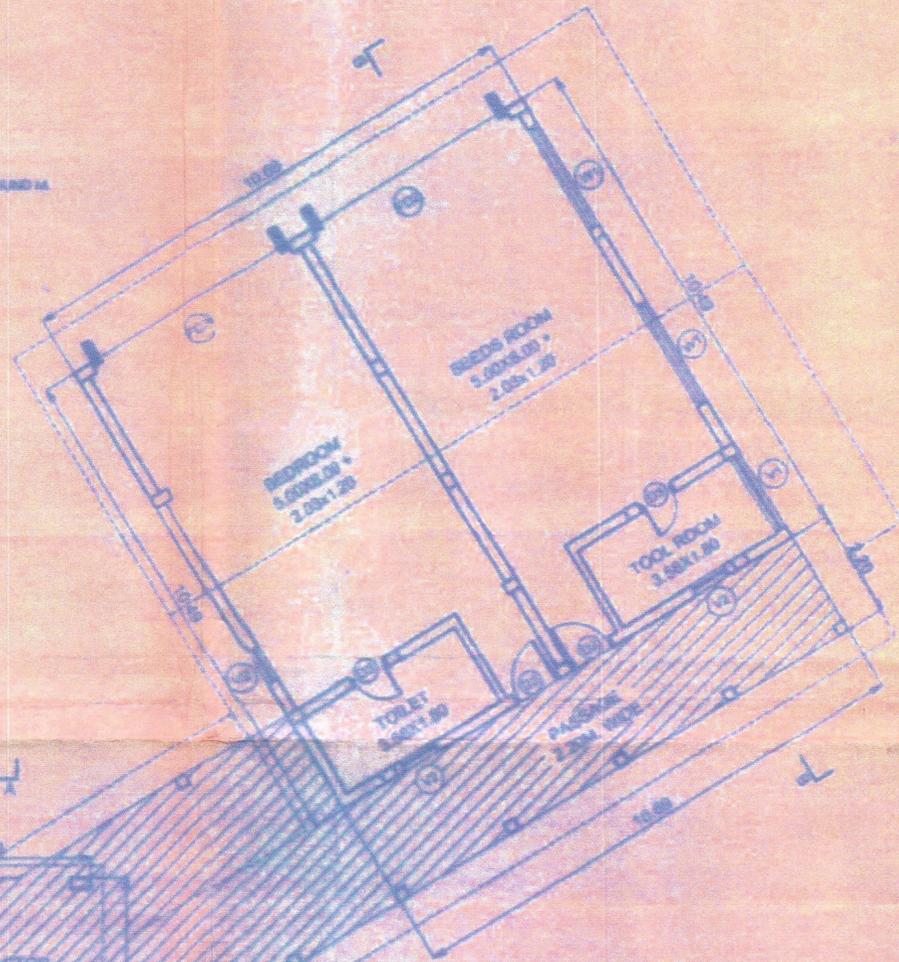
SOUTH ELEVATION 1:100



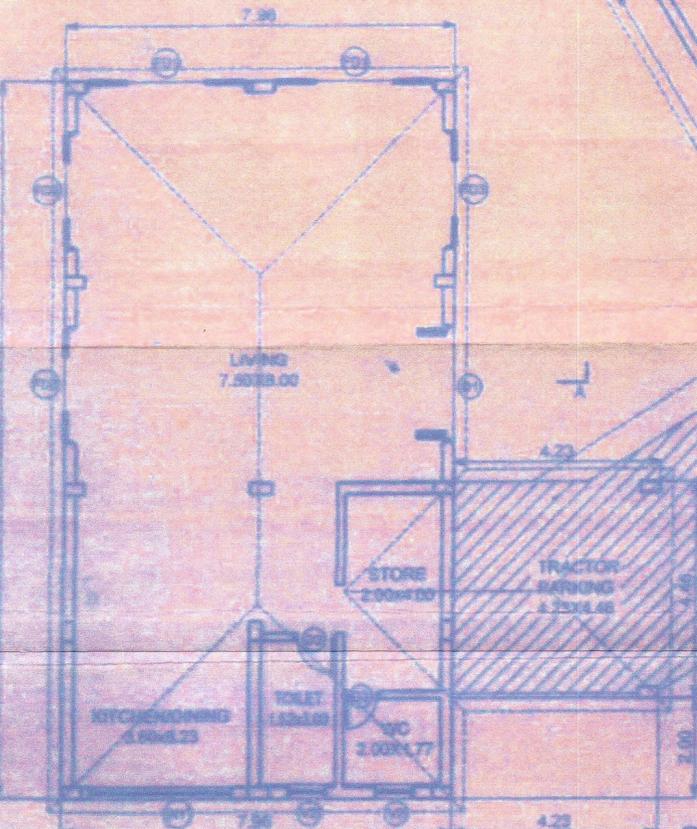
SECTION B-B 1:100



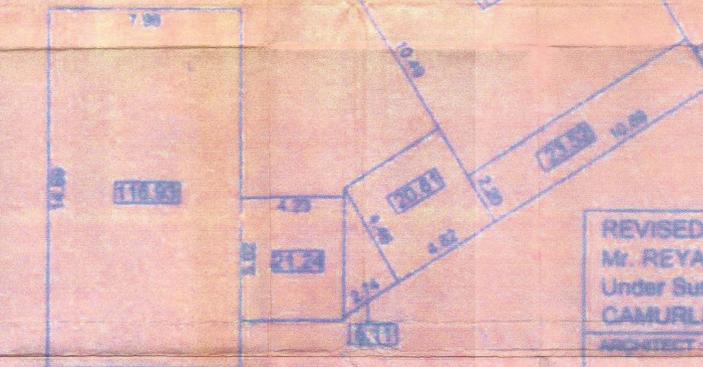
SECTION A-A 1:100



ROOF PLAN 1:200



PLAN 1:100



GROUND FLOOR AREA 300.55 sq.m.

AREA DIAGRAMS 1:200

Approved with condition vide
 L.O. No. DB/2005281/Dup/TCR-13/094
 19/2/13
 JH

SCHEDULE OF OPENINGS

No.	SIZE	MATERIAL
D1	2.40x2.15	TEAKWOOD, PANELLLED
D2	1.20x2.15	MATTIWOOD, PANELLLED
D3	0.80x2.15	MATTIWOOD, PANELLLED
FD1	3.30x2.30	MATTIWOOD, FOLDING TYPE
FD2	4.50x2.50	MATTIWOOD, FOLDING TYPE
FD3	2.40x2.15	MATTIWOOD, FOLDING TYPE
W1	2.40x1.20	TEAKWOOD, HINGED, GLAZED
W2	2.40x1.10	TEAKWOOD, HINGED, GLAZED
W3	0.80x1.25	TEAKWOOD, HINGED, GLAZED
V1	1.70x0.80	TEAKWOOD, LOUVER, GLAZED
V2	0.80x0.80	TEAKWOOD, LOUVER, GLAZED

REVISED PLAN for FARM HOUSE FOR
 Mr. REYAZ MAMA
 Under Survey No. 223/1,2,5-31 & 224/2-48 of
 CAMURLIM VILLAGE, BARDEZ, GOA.

ARCHITECT: *Jose L. Mendonca*
 OWNER: *Dama*
 TCR: AR/1012417010

194

to be
sent
valuation



03DD 088205

Serial No. 123/04
 Presented at the Office of the
 Sub-Registrar of Bardez
 between the hours of 10 am
 and 11 am on 21/01/04

Received fees for:	Ru.	P.
Registration	19000	00
Copying (Deed)	10	00
Copying enclosure	60	00
Postage		
Total Ru.	19,070	00

[Handwritten Signature]

[Handwritten Signature]
21/01/04

[Handwritten Signature]
SUB REGISTRAR
BARDEZ

SUB REGISTRAR
BARDEZ

Deed of Sale

This Deed of Sale is made at Mapusa, Bardez, Goa, on this 22nd day of January 2004,



Serial No. Place of vend. Mexico Date 20/01/04
 Value of stamp paper Rs 250000/-
 Name of the person Keyaz R. Manic
 Address Mumbai R. Manic
 Signature of the vendor

[Handwritten Signature]

2

BETWEEN

(1) Dr. PRECIOSO ANTONIO JOSE DOMINGOS DE SEQUEIRA, 62 years of age, medical practitioner, son of late Jose Ferdinando de Sequeira, and wife (2) Mrs. JENNIFER SEQUEIRA, 57 years of age, housewife, daughter of Edward Gomes, both residing at La Oceana Colony, C-678, Dona Paula, Tiswadi, Goa (3) MS. MARIA ALBA LAURA SEQUEIRA, 54 years of age, unmarried, daughter of late Jose Ferdinando de Sequeira and (4) Mr. VITAL MANUEL DOMINGOS de SEQUEIRA, 54 years of age, unmarried, son of late Jose Ferdinando de Sequeira, both residing at House no. 1131, Bamonwaddo, Siolim, Bardez, Goa. hereinafter known as the "VENDORS" of the FIRST PART (which expression shall, unless it be repugnant to the context or meaning thereof, be deemed to mean





00CC 662109



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and include all their heirs, representatives, administrators and assigns)

AND

(5) MR. REYAZ RATAN MAMA, Son of Ratan S. Mama, aged 37 years, businessman, residing at Ground floor, Poornima Bldg, 40 "C" Ridge road (B.G. Kher Marg) Malabar Hill, Mumbai-400006, hereinafter known as the "PURCHASER" of the SECOND PART (which expression shall, unless it be repugnant to the context or meaning thereof, be deemed to mean and include all his heirs, representatives, administrators and assigns)

WHEREAS there exists a property being paddy field known as "Cumeachem Chol Sapal", presently

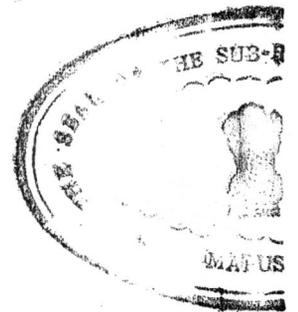


Date 20/01/04
 Maps Rs 20000 only
 Name Reyaz K. Neer
 Number R-Neer
 22500/-
 Signature of the Vendor


4

termed in the Survey as "Khazan" situated at Camurlim village, Bardez Taluka, described in the Land Registration Office of Bardez under No. 12295 of B 32 and written in the Matriz records under No 1478 of Oxel, Vagalem, and presently surveyed under No 223 subdivisions 1 to 31 (inclusive) and Survey No. 224, subdivisions 1 to 47 of Camurlim village, admeasuring around 35,000 square metres. The said property is more fully described in the schedule hereunder.

WHEREAS the said property originally belonged to late Precioso Antonio Vicente Anselminho Aureliano de Sequeira, on whose death it was inherited by his only child Jose Ferdinando de Sequeira, and the Vendors above have been qualified as his heirs by a Deed of Succession dated





5

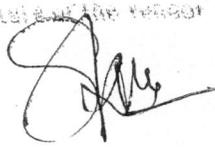
16/6/2003 written before the Notary Ex-Officio of the Judicial Division of Bardez at Mapusa at Book no. 800, page 61 to 63

AND WHEREAS the said property is therefore in peaceful and lawful possession of the Vendors above without any encumbrances.

AND WHEREAS the said property is a "Sapal" land being next to the river and prone to ingress of water and is presently overgrown with reeds and water plants, and ruined by saline water, and as such not suitable for cultivation.

WHEREAS the Purchaser has agreed to purchase the said property and the Vendors have agreed to sell the same to the Purchaser for the total

MAGISTRATE NORTH
GOA

Date of writing Mumbai 20/01/04
 Value of Rs 10000
 Name of Rajag R. Wamee
 Address Mumbai R. Wamee
 As the 22500
 additional 22500
 Signature of the vendor  Signature of purchaser

6

consideration of Rs. 9,50,000/- (Rupees nine lakhs fifty thousand only) which is its fair market value;

NOW THEREFORE THIS DEED WITNESSETH

1. That in pursuance of the above and in consideration of the sum of Rs. 9,50,000/- (Rupees nine lakhs fifty thousand only) paid by the Purchaser to the Vendors, the receipt of which the Vendors do hereby admit and acknowledge, the said Vendors do hereby transfer and convey, by way of sale absolutely and forever in the favour of the Purchaser all that said property mentioned in the Schedule hereunder and all the fencing, ways, waterways, easements, liberties, privileges, utilities and any other attributes and





7

appurtenances whatsoever that may go along with the same and that may run with or to the same, free from any and all encumbrances, charges or onus whatsoever, and all the claim, estate, interest, right, title and possession in the said property whatsoever of the Vendors, unto and to the use of the said Purchaser, for him, the Purchaser, TO HAVE AND TO HOLD the said property as his own thing absolutely now and ever onwards.

2. The Vendors hereby covenant with the Purchaser as under:

a) that the said property is free from all encumbrances and are not subject to *lis pendens*

Location of Property Place of vend Mapega Date 20/01/04
 Value of Property Rs 1000000
 Name of Vendor Rayag R. Nemes
 Name of Purchaser R. Nemes
 As per 22500
 attached
 along with

Signature of the vendor

Signature of purchaser

8

or attachments either before or after judgment.

b) that they the Vendors have good right to convey the said property hereby conveyed unto the Purchaser in the manner aforesaid.

c) that the Vendors have not done or been party to any act whereby the said property is or may be under any charge in title, claim, estate or otherwise howsoever or whereby the Vendors are prevented from conveying or assigning the said property or any part thereof.

d) that all claims, taxes, land revenues and other dues owing to any authority, if any,





9

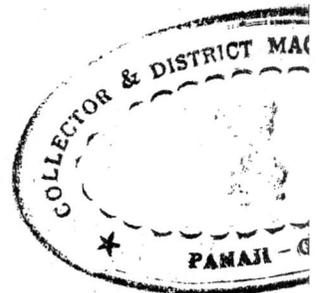
payable in respect of the aforesaid property upto the date of execution of this Deed of Sale have been paid in full by the Vendors and any outstanding dues or arrears in respect thereof shall be the liability and responsibility of the Vendors. After the date of execution of this deed all the taxes and outgoings shall be the liability and responsibility of the Purchaser.

e) that the said property is not subject to any notice or scheme or notification or proceedings under Land Acquisition Act or Requisition, Administration of Evacue Properties Act, or reservation from the Government authorities or any other Public Body or authorities in respect of the said

Serial No. _____ Date: 20/01/04
 Name of Vendor: Mapes R. Soares
 Name: Keyaz R. Soares
 Address: Member R. Soares
 Additional Information: 22500
 Signature of the vendor: _____
 Signature of purchaser: _____

10

property or any part thereof, under any provision of law or any other claims, demands, charges, penalties by any statutory authority and that no attachment or notice/s from the Central or State Government or any other local body or authority under any Act, or Scheme or Legislative Enactment, Government Ordinance, Order or notification including Notice/ Proceedings for Acquisition /Requisition had/has been received by/or served upon the Vendors and that the said property or any part thereof are not subject to any attachment or recovery proceedings under the Income Tax Act, or any other act or statute, law or regulation;



f) there are no charges, attachments, previous agreements, mortgages, contractual agreements, contracts, collaterals, demands, liens, injunctions, executive demands, etc. on the said property and / or that they have not received any earnest money deposit, advance, deposit, token money or down payment from any person/s or entities in respect of the said property.

g) there is no other person/s lawfully entitled to the said property and further that the same is free from any encumbrance, mortgage, tenancy, usufructuary right/s, third-party right/s and no person/s have any right, title, interest, claim or demand in respect of the said property by way of sale, allotment, exchange, gift, lease, assignment, lien, charge, trust, license, inheritance, succession, partition, possession, injunction, agreement, memorandum of understanding, will, testamentary instrument, probate, letters of administration, attachment, decree or order of a court of law, maintenance, easement, development rights, family arrangement or family settlement be it oral, expressed, implied, formal or informal.

h) notwithstanding any act, deed or thing whatsoever done by them or any person/s claiming by or through or under them, the Vendors have in themselves good right, full possession and title and absolute power and authority to convey and transfer the said property to the Purchaser by this instrument and the Vendors do hereby declare that they



REGISTRAR OF DEEDS
PUSA



STATE OF NORTH CAROLINA

have not done or omitted or knowingly or willingly suffered and been party to any act, deed or thing whereby they are prevented from selling the said property or whereby the said property has been charged, encumbered or prejudicially affected.

- 3. The Purchaser shall hereafter peaceably possess, occupy, use and enjoy the same property as his own chattel and property without any hindrance, interruption, claim and demand by or from the Vendors or any person whomsoever and shall be entitled to develop, sell, lease, rent the said property or transfer or otherwise deal with it as it deems fit.
- 4. The Vendors do hereby assure the Purchaser that they shall, at the cost of the person requiring the same, execute such writings and documents and do every act and thing necessary for further and/or more perfectly assuring the property hereunder sold and conveyed to the Purchaser as may reasonably be required.
- 5. The Vendors hereby agree to, and give their consent to the Purchaser obtaining the change of the relevant records in the Survey and other registers so as to bring the said property in his names in the said records, after the execution of the Sale Deed.

SCHEDULE



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Property being a paddy field known as "Cumeachem Chol Sapal", presently termed in the Survey as "Khazan" situated at Camurlim village, Bardez Taluka, described as a whole in the Land Registration Office of Bardez under No. 12295 of B 32 and written in the Matriz records under No 1478 of Oxel, Vagalem, and presently surveyed under No 223 subdivisions 1, 2, 5 to 31 (inclusive) and Survey No. 224, subdivisions 2 to 48 of Camurlim village, admeasuring around 34,875 square metres as per survey records and is bounded as under:

- East : By bundh of the Comunidade of Camurlim under survey Nos. 224/1/ and 223/3, followed by fields of the Comunidade;
- West : By river of salty water;
- North: By paddy field Vadol and bundh of the Comunidade under survey No. 224/1;
- South: partly by river and partly by Comunidade bund under No. 223/3, followed by fields of the Comunidade of Camurlim.

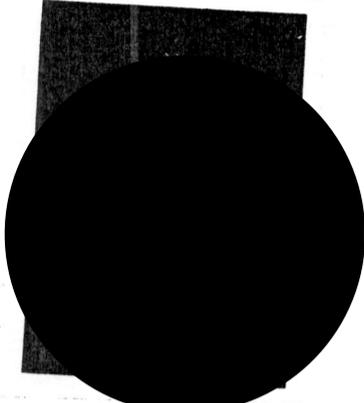
IN WITNESS WHEREOF the parties abovementioned hereto have signed this deed on the day, month and year mentioned herein above in the presence of two attesting witnesses.



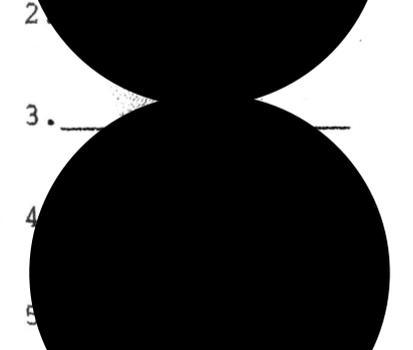
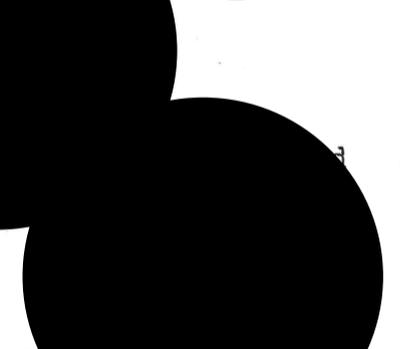
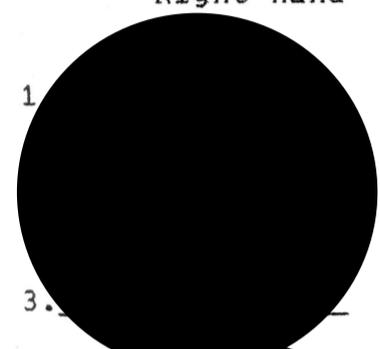
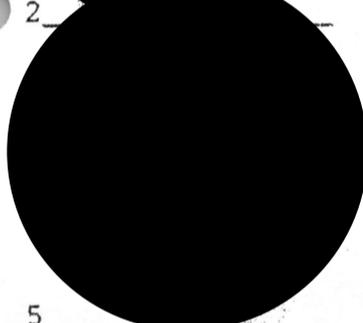
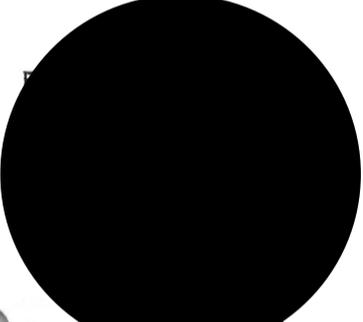
Vendors:

Precioso Antonio de Sequeira

(Dr. Precioso Antonio
Jose Domingos De Sequeira)



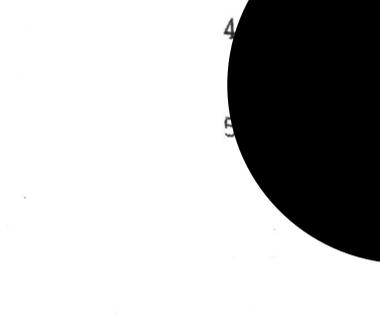
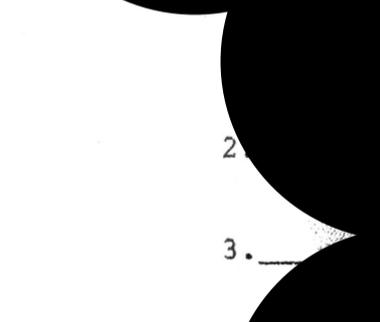
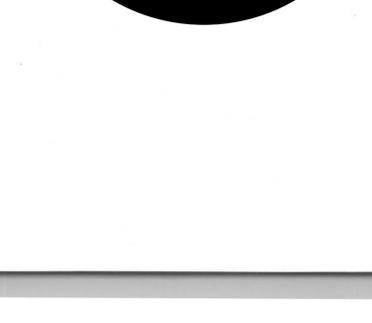
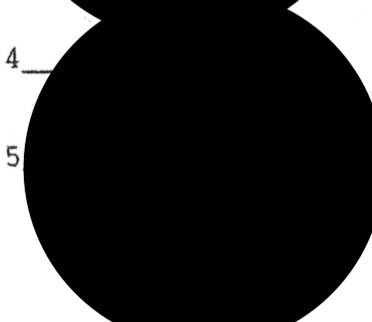
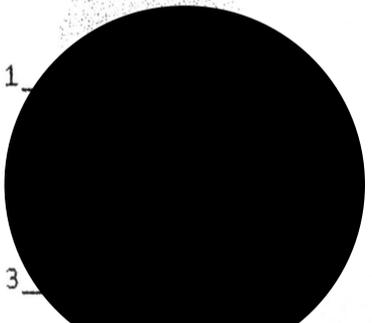
Right hand



Jennifer Sequeira
(Mrs. Jennifer Sequeira)

Fingerprints:

Left hand



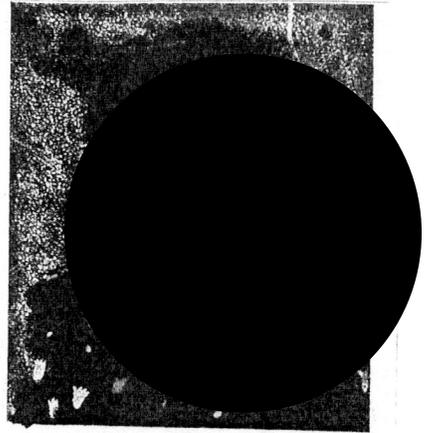
15

Alba Sequeira

(Ms. Maria Alba Laura Sequeira)

Fingerprints:

Left hand



Right hand

1 _____

2 _____

4 _____

5 _____

1 _____

2 _____

3 _____

4 _____



Vital Sequeira

(Mr. Vital Manuel

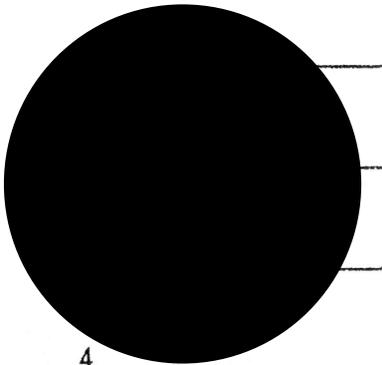
Domingos De Sequeira)

Fingerprints:

Left hand

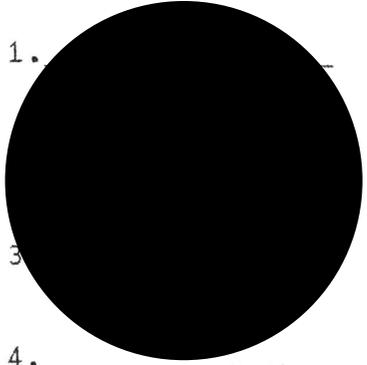


Right hand



4 _____

5 _____



1 _____

3 _____

4 _____

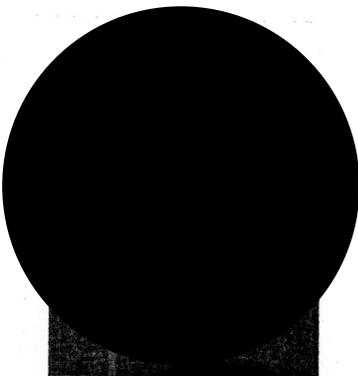
5 _____



Purchaser:

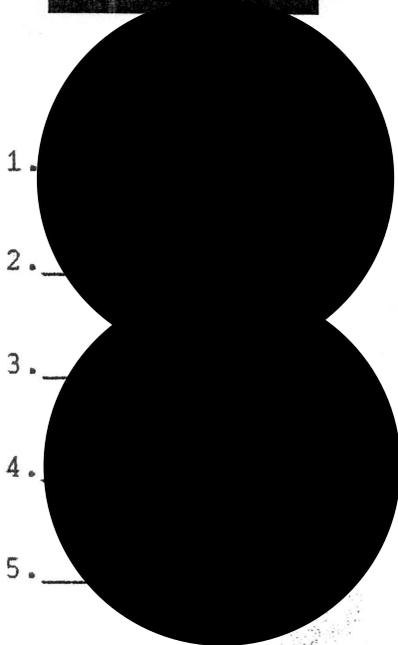
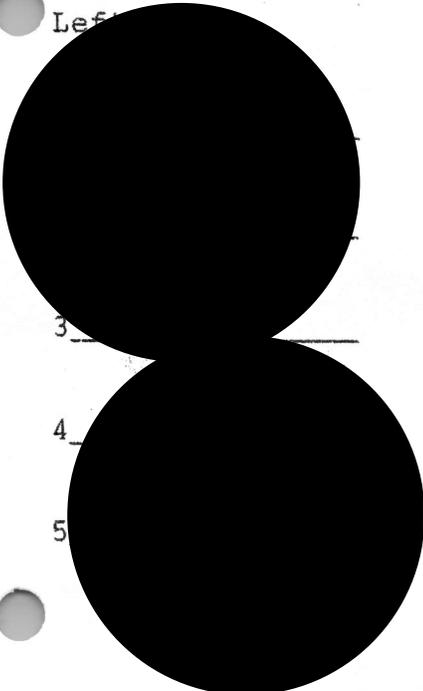
[Handwritten signature]

(Mr. Reyaz Ratan Mama)



Fingerprints:

Left



Witnesses:

1. *[Handwritten signature]*

2. *Antônio Cordeiro*

(A-F. Cordeiro)



1) Mr. Precioso Antonio Jose Domingos
de Sequeira, 62 years, medical
practitioner, s/o late Jose Ferdi-
nando de Sequeira, s/o Tiswadi.

2) Mrs. Jennifer Sequeira, 57 years
housewife, s/o La Oceana Colony
C-678, Dona Paula, Tiswadi - Goa.



3) Ms. Maria Alba Laura Sequeira,
54 years s/o late Jose Ferdinando
de Sequeira, s/o. Sidim, Bander
Goa.

4) Mr. Vitthal Manuel Domingos de
Sequeira, 54 years, unmarried,
s/o late Jose Ferdinando de
Sequeira, s/o Sidim



5) Mr. Reyaz Ratan Mama, s/o Ratan
S. Mama, 37 years, business man,
s/o Mumbai.

executing party *in 1/25*
admits execution of the so called *late* ~~deed~~

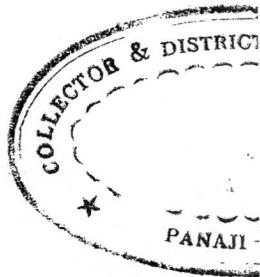
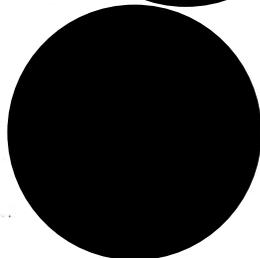
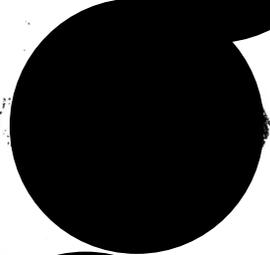
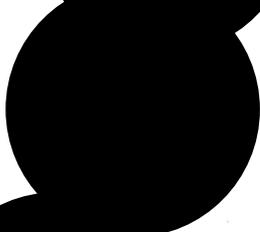
1) *Guiness Antonio de Sequeira*

2) *Juanita Sequeira*

3) *Alles Sequeira*

4) *Vital Sequeira*

5) *Quero*



Mr. Chandrakant
Hemu Kumbhakar
Major Indian
Advocate &
No. Palva.
identified the
above Expts.



[Signature]
104
SUB REGISTRAR
BARDEZ

Registered No. 194
at pages 289 to 298
Book No. I Volume No. 1088
Date 11-2-04

[Signature]
11/2/04
Sub Registrar



CERTIFICATE

I do hereby certify under Section 42 of the Indian Stamp Act, 1889 that the proper stamp duty on this instrument has been duly paid. The defect stamp duty of Rs. and penalty of Rs. has been paid vide receipt No. dated in this Office.

Panaji,

Date: 12/01/05




S. S. KESHKAMAT
Collector
North Goa District
Panaji

GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology and Environment (Govt. of Goa)
1st floor, Pt. Deendayal Upadhyay Bhavan, Pundalik Nagar, Alto,
Porvorim, Bardez- Goa-403 521, Phone: (0832) 2416561

www.czma.goa.gov.in

Ref.No. GCZMA/N/PLLE-CompL/18-19/151/1264 Dated: 02/08/2019

**SHOW CAUSE NOTICE ISSUED UNDER SECTION 5 OF THE
ENVIRONMENT (PROTECTION) ACT, 1986, READ WITH RULE 4 OF THE
ENVIRONMENT (PROTECTION) RULES, 1986.**

WHEREAS, the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) has been constituted by the Ministry of Environment & Forests (MoEF), Government of India pursuant to the directions of the Hon'ble Supreme Court of India to deal, inter alia, with violation of the Coastal Regulation Zone (CRZ) Notification 2011 and implementation of the CRZ Notification.

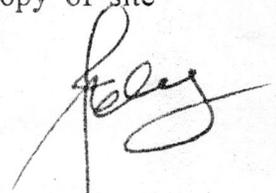
AND WHEREAS, the Original Application No. 47/2019 (WZ), before NGT Pune has been filed by Mr. Sagardeep Sirsaikar against Goa Coastal Zone Management challenging illegal construction destruction of mangroves and land filling of creek in survey no. 224/1, 224/2, 224/48, 223, 125/31 at Camurlim, Goa.

AND WHEREAS, an order dated 23/07/2019 passed by the Hon'ble NGT directed GCZMA to inspect the area in question and submit a report after verifying the facts and circumstances set out in said application within six weeks of time.

AND WHEREAS, the GCZMA, was in receipt of complaint dated 18/04/2018 filed by Sagardeep A. Sirsaikar, resident of Chapora Bardez Goa with regards to the illegal construction destruction of mangroves and land filling of creek in survey no. 224/1, 224/2, 224/48, 223, 125/31 at Camurlim, Goa.

AND WHEREAS, the complaint was forwarded to the Chairman, District Level Committee, Office of the Collector (North) on 28/03/2019, for the purpose of conducting an inquiry into the matter and submitting a report to this Authority.

AND WHEREAS, the office of the Village Panchayat Camurlim, Goa has vide letter bearing no VP/CAM/BAR/2019-20/195 dated 29/05/2019; forwarded a copy of the complaint from Sagardeep Sirsaikar, Chapora, Bardez Goa along with copy of site inspection report dated 03/03/2019.



AND WHEREAS, the said complaint letter dated 29/05/2019 and the report from the Village Panchayat Camurlim, Goa was placed for discussion and deliberation in the 208th held on 24/07/2019 it was decided as follows "The Authority taken into consideration the inspection report and after detailed discussion and deliberation Authority decided to issue show Cause notice for illegal construction destruction of mangroves and land filling of creek in survey no. 224/1, 224/2, 224/48, 223, 125/31 at Camurlim, Goa.

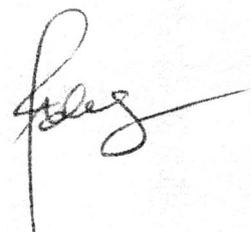
AND WHEREAS, upon close perusal of the complaint, report from the village Panchayat, Camurlim Bardez, Goa. and interms of decision taken in 208th GCZMA meeting held on 24/07/2019; the following alleged illegal construction resulting violation of CRZ Notification 2011 is noticed: The details of the violations are indicated here below:-

Sr No.	Name of the Party/alleged violator	Survey No. / Village	Type of Construction	Distance from HTL
1.	Riaz Mamaratan	Survey No. 224/1, 224/2, 224/48, 223, 125/31 at Camurlim, Goa.	illegal construction destruction of mangroves and land filling of creek	Within 100mts from HTL.

AND WHEREAS, all proposed 're-construction/construction/development/repair' between 100 mts. from the River, and other permissible activities, require the prior approval of the GCZMA under the CRZ Notification, 2011.

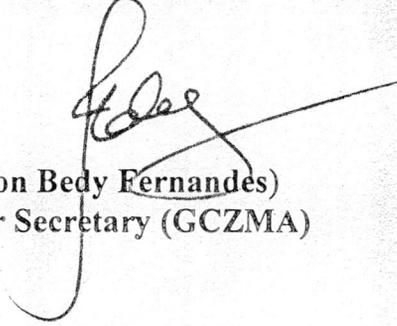
AND WHEREAS, all proposed 're-construction/construction/development/repair' between 200 mts. to 500 mts. of the High Tide Line(HTL) from Sea and 100 mts. from the River, and those permissible activities, require the prior approval of the GCZMA under the CRZ Notification, 2011.

AND WHEREAS, the alleged illegal construction is highly detrimental to the Coastal ecosystem / riverine ecosystem. Further it is observed that you have not obtained any prior approval of the GCZMA for the purpose of alleged construction as required under the CRZ Notification 1991/2011.



NOW THEREFORE, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 read with sub-rule (3) (a) of rule 4 of the Environment (Protection) Rules, 1986, read with power vested with the GCZMA vide Order S.O. 3324 (E) dated 26/10/2016 issued by the Ministry of Environment & Forests, Government of India, the GCZMA, hereby directs you to **SHOW CAUSE** as to why a direction to demolish the structures and to restore the land to its original condition should not be issued to you. Further, you are directed to ensure that no construction activity of whatsoever kind and nature is carried out at said site. Further, you are directed to remain present for the **PERSONAL HEARING** on 17/08/2019 at 10.30 a.m. on the 2nd Floor, Conference Hall, Secretariat, Porvorim, Goa.

FURTHER TAKE NOTE THAT, you are required to file your reply and construction/reconstruction/repair licence/approvals, if any, issued by the concerned Authorities including GCZMA along with approved plan, as also documents to show the title to the Office of the GCZMA, having its Office at 1st Floor, Pt. Deendayal Upadhyay Bhavan, Pundalik Nagar, Alto, Porvorim, Bardez- Goa on or before 17/08/2019. Please take note that if you fail to submit your reply along with the required documents, the GCZMA will come to the conclusion that you have no justification to carry out activities as above stated and the Authority shall proceed to issue final directions to you in this regard without any further notice which inter alia includes order of demolition of structures, disconnection of water / power supply etc.


(Johnson Bedy Fernandes)
Member Secretary (GCZMA)

Encl: As above.

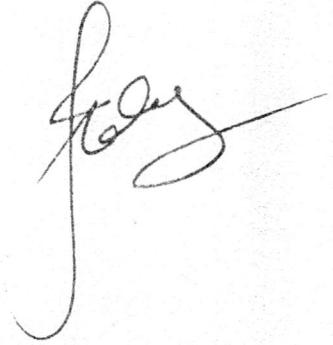
To,

✓ Mr. Reyaz Mama, resident of 2-A, Vulcan insurance Building, 77, veer Nariman Road, Churchgate, Mumbai.400020.

Copy to:

1. The Collector & District Magistrate (North), Office of the Collector (North), Collectorate Building, Panaji-Goa... for information and necessary action.
2. The Dy. Collector & SDO of Bardez, Mapusa Goa..... who is required to enforce these directions and ensure that no work is carried out at site, other than in accordance with law.

3. The Secretary, Village Panchayat of Camurlim, Bardez -Goa.....who is required to enforce these directions and initiate action under Goa Panchayati Raj Act.
4. Mr Sagardeep A. Sirsaikar, resident of Chapora, Bardez Goa.....for information.
5. The Scientific Assistant, Goa Coastal Zone management Authority..... to upload copy of this notice on GCZMA website immediately.

A handwritten signature in black ink, appearing to be 'Sagardeep A. Sirsaikar', written in a cursive style.

From:

REYAZ RATAN MAMA,
2A, Vulcan Insurance Building,
77, Veer Bariman Road, Churchgate,
Mumbai, Maharashtra.

30 August 2019

30/08/19
O/o. Member Secretary
Goa Coastal Zone Management Authority
C/o. Department of Science, Technology
& Environment, (Govt. of Goa)
1st Floor, Pandit Deendayal Upadhyay Bhavan,
Pundalik Nagar, Porvorim-Goa. 403521

To,

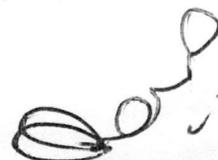
THE MEMBER SECRETARY,
Goa Coastal Zone Management Authority,
C/o. Department of Science, Technology and Environment,
1st floor, Pt. Deendayal Upadhyay Bhavan,
Pundalik Nagar, Alto Porvorim, Goa.

REF: SHOW CAUSE NOTICE NO.GCZMA/N/ILLE-
COMP/18-19/151/1264 DATED 02/08/2019

SUB: REPLY TO THE SHOW CAUSE NOTICE ABOVE
REFERRED

Sir,

I, Reyaz Ratan Mama, am in receipt of the show cause notice, referred above, issued by ~~you~~ under Section 5 of the Environment Protection Act, 1986 read with Rule 4 of the Environment Protection Rules, 1986 and with reference thereto I most humbly state and submit as follows: –

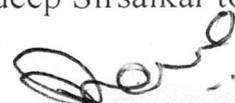


1. At the outset I eloquently state that I am not doing any construction of whatsoever nature in or upon my properties bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village or any of them.

2. The show cause notice issued to me by the Goa Coastal Zone Management Authority (“GCZMA”) is highly vague in nature for the following inter alia for the reasons: –
 - (a) The show cause notice makes reference to several documents, including complaint dated 18/04/2018 made by Sagardeep Sirsaikar to the GCZMA, the Original Application no. 47/2019(WZ) filed by Sagardeep Sirsaikar in the National Green Tribunal, the letter no. VP/CAM/BAR/2019–20/195 dated 29/05/2019 of the Village Panchayat of Camurlim to the GCZMA, complaint made by Sagardeep Sirsaikar to the Village Panchayat of Camurlim, the Inspection Report dated 03/03/2019, and the minutes of the 208th meeting of the GCZMA held on 24/07/2019. Although the show cause notice is purportedly based upon the said documents, none of those documents have been supplied to or made available to me by GCZMA.



- (b) Although the show cause notice carries an allegation that I have done illegal construction, destruction of mangroves and land filling of creek in properties bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village, and further also holds out a threat to demolish some structures, no further details are disclosed therein.
- (c) The location of the construction alleged to be illegal is not disclosed in the show cause notice. Similarly, the type of construction and its dimensions are also not mentioned therein.
3. I am unable to make any effective reply to the show cause notice on account of its vagueness. I am greatly handicapped in the absence of the documents referred to in the show cause notice, and am not in a position to make any comments upon the contents of the said documents. Nonetheless I hereby deny all contents of the documents referred in the show cause notice, including those of the complaint dated 18/04/2018 made by Sagardeep Sirsaikar to the GCZMA, the Original Application no. 47/2019(WZ) filed by Sagardeep Sirsaikar in the National Green Tribunal, the letter no. VP/CAM/BAR/2019-20/195 dated 29/05/2019 of the Village Panchayat of Camurlim to the GCZMA, complaint made by Sagardeep Sirsaikar to the Village



Panchayat of Camurlim, the Inspection Report dated 03/03/2019, and the minutes of the 208th meeting of the GCZMA held on 24/07/2019. The show cause notice leaves me guessing about what the GCZMA considers illegal or objectionable and what structures face the threat of demolition. In the absence of details in the show cause notice, I am not able to make an effective reply to the show cause notice.

4. The GCZMA issued another notice dated 02/08/2019 bearing no. GCZMA/N/ILLE-COMPL/18-19/151/1266 to me for site inspection in the property, which was carried out on 08/08/2019 employing methods which are rather questionable. The GCZMA issued the show cause notice on the very same day, i.e. on 02/08/2019, the day on which the notice for site inspection was issued. Therefore, it is but obvious that the GCZMA did not have any report of the said site inspection before it at the time of issuing the show cause notice. The show cause notice is therefore not based on any verified facts, but has been issued in a rather hurried fashion, much against due process of law, for reasons that are legally questionable. The show cause notice is bad in law and procedure for this reason too.



5. Although, the GCZMA did the site inspection on 08/08/2019, the report of the said site inspection has not been furnished to me. As such, I am unaware of the contents of the said report.

6. I outright vehemently deny that I have violated the Coastal Regulation Zone Notification, 2011 in any manner whatsoever. I specifically deny that I have destroyed or caused the destruction of any mangroves in the properties bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village. Further, I deny that I have carried out any illegal construction in the properties bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village at point in time. I also deny that there is any land filling of creek.

7. I wish to state that I purchased the properties bearing survey nos. 223/1, 223/2, 223/5-31 and 224/2-48 totally admeasuring 34,875 square metres ("the said property") from its previous owners, viz. Dr. Precioso Antonio Jose Domingos de Sequeira, Jennifer Sequeira, Maria Alba Laura Sequeira and Vital Manuel Domingos de Sequeira, vide Deed of Sale dated 22/01/2004, duly registered in the office of the Sub-Registrar of Bardez at Mapusa under no. 194 at pages 289 to 298 of Book I, Volume no. 1088 on 11/02/2004. The show cause notice calls upon me to produce documents of my title to the said property.



Page 5 of 10

Therefore, I am herewith producing a copy of the said Deed of Sale.

8. The said property is situated at Camurlim, Goa along the eastern bank of Chapora river. Historically, the said property was a rice field with protective ~~ve~~ bund on its western side. The said property was regularly cultivated by the previous owners by engaging local people, including one Pedro Fernandes, for the purpose until around the year 1995. It is for this reason that the Forms I & XIV of the said property duly record that fact. The previous owners stopped cultivating the said property in 1995 due to a family issue. After the cultivation in the said property was stopped, the protective bund developed cracks and the salt water from the river started seeping into the said property, thus making it unsuitable for cultivation. Ever since, some bushes have grown in the said property over a period of time.

9. There were some small bushes in parts of the said property when I purchased it in 2004. These bushes have in fact multiplied thereafter under my ownership of the said property because I encouraged such growth. I have no intention whatsoever of cutting or otherwise destroying these bushes. It rather pleases me to watch the bushes grow and I am happy to maintain the said property in the current state.

10. I constructed a farm house in a part of the said property, beyond 100 metres from the high tide line of the river, which was at a level higher than that of the remaining land. As the ground level of the said part was higher there were no bushes therein. As such, there was no question of cutting any bushes from the said property for the construction of the farm house.
11. Prior to the construction of the farm house I applied for and obtained all necessary licenses and permissions required under the law in the name of the previous owner, Maria Alba Laura Sequeira, also known as Alba Sequeira. I am herewith producing the various approvals for the farm house mentioned in the table below.

<u>No.</u>	<u>Description</u>	<u>Date</u>
1.	Permission no. VPC/Const/69/2006-07 issued by the Village Panchayat of Camurlim to Alba Sequeira for construction of well, pump house and room; and for amalgamation of survey holdings (along with approved plans).	16/05/2006
2.	Application for permission for development under Section 44 of the Goa Town and Country Planning Act, 1974 to the Village Panchayat of Camurlim, Goa.	21/06/2006
3.	No objection certificate/ approval no. DB/20528/MAP/06/1679 issued by Town and Country Planning Department for	13/07/2006

	construction of farm house.	
4.	Approval no. PWD/SDIII/DV(B-N)/F5(A) /06-07/482 issued by the Public Works Department for construction of the farm house.	25/07/2006
5.	No objection certificate no. PHCC/NOC/2006-07/240 issued by the Directorate of Health Services for construction of farm house.	27/07/2006
6.	Permission no. VPC/Const/199/2006-07 issued by the Village Panchayat of Camurlim to Alba Sequeira for construction of farm house (along with approved plans).	03/08/2006
7.	(Renewal) Permission no. VPC/Const/199/ 2006-07 issued by the Village Panchayat of Camurlim for construction of farm house	28/03/2010
8.	Technical Clearance Order issued by the Senior Town Planner, Mapusa	10/05/2011
9.	(Renewal) Permission no. VPC/Const/199/ 2006-07 issued by the Village Panchayat of Camurlim for construction of farm house	17/08/2011

12. The construction of the farm house in the said property is absolutely legal. Despite that the GCZMA had previously also issued a show cause notice bearing no. GCZMA/BAR/CAMU/07/73/3490 dated 07/01/2008 to me in respect of the said farm house, which I had replied to appropriately by my letter dated

22/01/2008 and therewith also supplied all approvals/permissions for the construction of the farm house to the GCZMA. Vide the said reply, I clarified to the GCZMA way back in January 2008 itself that the construction of the farm house in the said property is beyond 100 metres from the high tide line of the river. I am herewith producing the previous show cause notice and my reply thereto. The GCZMA had then too held a site inspection and found that the construction of the farm house is beyond 100 metres from the high tide line of the river. This was expressly communicated to me by the then Member Secretary of the GCZMA. I find it rather shocking that the GCZMA has now issued a show cause notice in respect of the construction of the farm house for a second time. I regretfully say that this is no less than any harassment for me.

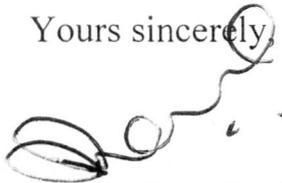
13. The Coastal Regulation Zone Notification, 2011 is not applicable to the construction of farm house since the original approvals for the same were issued by the concerned authorities and the construction was commenced prior to the effective date of the said notification.
14. I once again reiterate that the construction of the farm house is entirely beyond 100 metres from the high tide line of the river. Therefore, ~~the~~ farm house is situated beyond the coastal regulation zone.



15. Besides, the farm house I have not done any other construction in the said property.

16. I therefore humbly request you to recall the show cause notice and oblige.

Yours sincerely,



REYAZ RATAN MAMA

Report of Site Inspection Pertaining to Illegal Construction, Destruction of Mangroves and Land Filling of Creek in Sy. No. 224/1, 224/2, 224/48, 223, 25/31 at Camurlim, Goa.

Background

The Office of GCZMA received a complaint letter, dated 8/04/2019 from Sagardeep Sirsaikar, Welcome Restaurant, Chapora with regard to the illegal construction, destruction of mangroves and land filling of Creek in Sy. no. 224/1, 224/48, 223, 125/31 of Camurlim, Goa. So, a site inspection was fixed to see the site, verify the CRZ zoning area and the documents.

Inspection and Observation

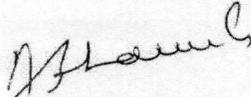
Upon instruction from the Member Secretary GCZMA, a site inspection was carried out by the Expert Members Dr. Prabhakar Shirodkar and Eng. Audhoot Bhonsule on 09/08/2019. The complainants who were present during the site inspection at site were Mr. Sagardeep Sirsaikar and Mr. Datta Bhonsle. Whereas, from the respondent's side the person present at site was the caretaker, who showed the site and permitted to enter the house. The details are as follows;

- i) The site is on the bund existing within the agricultural area.
- ii) At site, there is a G+ 1 structure (Bungalow) constructed with a compound wall surrounding it.
- iii) Towards the west side is the Chapora River which is more than 100 m wide.
- iv) The complainant says that the bungalow has been constructed at site by doing filling in Khazan land area by the side of the bund as the width of the bund is not large for doing the construction of a bungalow.
- v) Towards the river side (west), which is the back portion of the house there is a large area with thick growth of Mangrove trees, within which the applicant has made a walkway by doing filling.
- vi) At the end point of the walkway where it touches the eastern bank of the river, there is a ramp constructed with concrete slabs put up of 5m x 7m width just behind the ramp.
- vii) Beyond the ramp (towards the side of the house) are the concrete cum cemented benches made with a concrete slab of 14 x 7m size.
- viii) Also, there is one wooden watch tower erected of 6 x 4m size towards the S-E side.
- ix) The full area in between the ramp and the concrete benches as well as the wooden structure is also provided with a cemented floor.

- x) Near the bungalow, the area in between the start of the foot path/walkway and the bungalow there is a garden made, which the complainant says that it is done by doing the filling in Khazan land area.

Conclusion and Recommendation

- i) The G+I structure constructed at site is lying on the bund of the agricultural field area which is towards the eastern side of Chapora River.
- ii) The said bund is a long bund starting from the main road and extending up to the site and the width of this bund up to the bungalow is not much but it is within 3-5m.
- iii) In between the bungalow and the Chapora River, there is a thick network of Mangroves, wherein a foot path has been made by doing filling in Mangrove area with intermittant khadappa slabs.
- iv) In between the bungalow and the Mangrove area there is a land space which is converted into a garden.
- v) Since the width of the river is more than 100m, the NDZ applicable is 100m from the bank of the river towards the landward side.
- vi) As such the concrete ramp, concrete benches & flooring, the wooden watch tower and the foot path constructed are all falling within the NDZ area of Chapora River.
- vii) Also, the bungalow constructed appears to be constructed by doing filling in Khazan land and so is partly falling within the NDZ area of Chapora River.
- viii) As per the CRZ Regulation, within the NDZ area, no new construction is permissible, but only a reconstruction of old authorized structure on its plinth without increasing the plinth area is permissible with proper permission from GCZMA.
- ix) So, the construction of a house, foot path by doing filling in the Mangroves area, and the above mentioned concrete ramp, concrete benches with a concrete wall and the watch tower are not permissible.
- x) No NOC could be produced by the Caretaker for these constructions done at site.
- xi) All these constructions if are carried out without obtaining any NOC from GCZMA then it becomes a violation.
- xii) However, to verify the filling done by the respondent at site for constructing the bungalow by considering the old width of the bund, the DSLR should be directed to do the mapping of the area and submit the report to GCZMA.
- xiii) The party should also be directed to submit the documents to GCZMA.
- xiv) After verification of the DSLR report and the documents, the decision may be taken by the Authority.


(Eng. Audhoot Bhonsule)


(Dr. Prabhakar Shirodkar)

Fulioia
 O/o. Member Secretary
 Goa Coastal Zone Management Authority
 O/o. Department of Science, Technology
 & Environment, (Govt. of Goa)
 1st Floor, Pandit Dadasaheb Upadhyay Bhavan,
 Panchajanya Nagar, Porvorim-Goa. 403521

BEFORE GOA COASTAL ZONE MANAGEMENT AUTHORITY
 Ref. No. GCZMA/N/ILLE-COMP/18-19/151/1264 dated 02/08/2019

SAGARDEEP SIRSAIKAR . . . Complainant

Vs.

REYAZ RATAN MAMA . . . Respondent

RESPONDENT'S REPLY TO THE REPORT OF SITE INSPECTION

HELD ON 09/08/2019

MAY IT PLEASE THE AUTHORITY

The Respondent above named most humbly submits as follows: –

1. The Authority caused a site inspection in the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 25/31 of Camurlim village through its expert members, viz. Dr. Prabhakar Shirodkar and Engg. Audhoot Bhonsule on 09/08/2019. The said expert members filed a report of the said site inspection to the Authority.
2. Although the said site inspection was done on 09/08/2019, no copy of the report was supplied to the Respondent. A grievance to that effect was made by the Respondent at the personal hearing held on 24/08/2019. However, no copy of the report was made available to the Respondent during the course of the said personal hearing or even thereafter within a reasonable time. Even so, the Authority insisted that the Respondent should file his reply to the

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show cause notice on or before 30/08/2019, which the Respondent did, but without knowing the contents of the report. It is therefore but obvious that the Respondent did not have any opportunity to deal with the contents of the report at the time of filing his reply to the show cause notice on 30/08/2019.

3. The Authority then issued a notice of personal hearing scheduled on 03/10/2019 to the Respondent, along with a copy of the report. Thus, the Authority supplied a copy of the report to the Respondent nearly after two months of the site inspection carried out on 09/08/2019.
4. During the personal hearing held on 03/10/2019, the Respondent filed an application seeking an opportunity to reply to the report. The request made by the Respondent vide the said application was allowed by the Authority, which called upon the Respondent to file his reply to the report within 8 days from 03/10/2019, i.e. by 11/10/2019.
5. Pursuant to the opportunity so granted, the Respondent does hereby file his reply to the report of the site inspection carried out on 09/08/2019.
6. All contents of the report, except those which are expressly admitted herein, are hereby denied by the Respondent.

7. The Respondent states that the report is arbitrary, bad in law and highly perverse in nature. The report proceeds on several factual assumptions, conjectures and surmises, which is not permissible in law. It is therefore submitted that all such parts or portion of the report as is or may be found to be based upon assumptions, conjectures and/or surmises are liable to be discarded and/or disregarded. Under no circumstances can any such part or portion of the report be considered, referred to, relied upon or taken into account by the Authority for any purposes whatsoever.

8. With reference to point nos. (i), (ii), (iii) and (iv) under the heading inspection and observation of the report. – (a) The Respondent has constructed a farm house in the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village in accordance with the building plans as duly approved by all concerned nodal authorities including the Town and Country Planning Department. The Respondent has already submitted copies of all building plans and approvals to the Authority along with the reply dated 30/08/2019 filed by him in response to the show cause notice. Upon perusal of the approved building plans, it is absolutely clear that the location of the farm house is beyond the 100 metres line from the high tide line of the river, and therefore, is outside the coastal regulation zone (CRZ). The Respondent emphatically states that the farm house has been constructed at the very same location as is indicated in the

approved building plans. It is once again reiterated that the farm house is situated outside the coastal regulation zone. The Authority does not have any jurisdiction over the area of land where the farm house stands.

(b) It is vehemently denied that the Respondent has done any filling in the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village for the construction of the farm house. A distinct part of the entire property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village on its eastern side had ground level which was higher than that in the remaining area in the property. The farm house has been constructed by the Respondent on this part of the property.

9. With reference to point no. (v) under the heading inspection and observation of the report. – (a) The Respondent vehemently denies that he has done any filling in the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village in order to make the walkway to reach the riven bank. It is stated that the Respondent has loosely arranged natural stone tiles, without using any cement mortar, on the clay existing within the property. While doing so, adequate care was taken to ensure that the coastal regulation zone within the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village was not damaged or affected in any manner.

10. With reference to point no. (vi) under the heading inspection and observation of the report. – (a) The alleged ramp is in fact not a ramp, but is a support for the bund on the western side of the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village. In fact, the entire property has 5 such supporting structures, which have historically existed. These structures supporting the bund can even be seen in the Google images annexed hereto. However, the Respondent caused cement mortar to be laid on one of the supporting structures as it was seriously damaged and/or was in a deteriorated condition. Adequate care was taken to ensure that there is no damage cause to the environment in the process.
11. With reference to point no. (vii) under the heading inspection and observation of the report. – (a) The concrete benches are pre-fabricated benches which were brought to the site and placed alongside the bund on the western side of the property. The Respondent submits that the same cannot be termed as a construction activity. In any case, while doing so, adequate care was taken to ensure that the coastal regulation zone within the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village was not damaged or affected in any manner.
12. With reference to point no. (viii) under the heading inspection and observation of the report. – (a) The wooden watch tower

cannot be termed as a construction activity. In any case, while doing so, adequate care was taken to ensure that the coastal regulation zone within the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village was not damaged or affected in any manner.

13. With reference to point no. (ix) under the heading inspection and observation of the report. – (a) It is totally false that the area between the so-called ramp, the concrete benches and the wooden watch tower has been given a cemented floor. However, it is stated that the Respondent has loosely arranged natural stone tiles, without using any cement mortar, on a small area of the bund near the so-called ramp, the concrete benches and the watch tower. While doing so, adequate care was taken to ensure that the coastal regulation zone within the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village was not damaged or affected in any manner.

14. With reference to point no. (x) under the heading inspection and observation of the report. – (a) It is totally false and hence is vehemently denied that the Respondent has done any filling in the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village in order to make the garden. In any case, the area covered by the garden is beyond 100 metres from the high tide line and as such is not a part of the coastal regulation

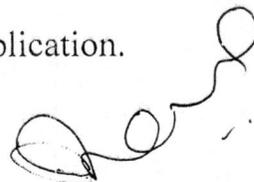
zone. Without prejudice, it is also submitted that the creating a garden by planting trees is not and cannot be termed as a construction activity, which offends against the applicable coastal regulation zone notification.

15. With reference to point no. (iii) under the heading conclusion and recommendation of the report. – (a) It is totally false and hence is vehemently denied that the Respondent has done any filling in the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village in order to make the walkway/footpath.
16. With reference to point no. (vii) under the heading conclusion and recommendation of the report. – It is vehemently denied that the Respondent has done any filling within the property bearing survey nos. 224/1, 224/2, 224/48, 223 and 125/1 of Camurlim village in order to construct the farm house. The Respondent reiterates the contents of paragraph no. 7 above.
17. With reference to point nos. (viii) & (ix) under the heading conclusion and recommendation of the report. – The farm house is located outside the coastal regulation zone as stated above. The Respondent craves leave to refer to the contents of the above paragraphs wherever necessary or required.

18. With reference to point nos. (x) and (xi) under the heading conclusion and recommendation of the report. – The farm house is located outside the coastal regulation zone as stated above. As such, no permission was required to be taken from the Authority. The Respondent craves leave to refer to the contents of the above paragraphs wherever necessary or required.
19. With reference to point no. (xiii) under the heading conclusion and recommendation of the report. – The Respondent has submitted all documents available with him to the Authority along with his Reply dated 30/08/2019.
20. The present reply made be read in conjunction with and as supplementary to the reply dated 30/08/2019 filed by the Respondent in response to the show cause notice issued by the Authority.
21. The Respondent has filed a separate application dated 03/10/2019 seeking an opportunity to cross examine the expert members, viz. Dr. Prabhakar Shirodkar and Engg. Audhoot Bhonsule, who conducted the site inspection on 09/08/2019 and prepared the report. The Respondent does hereby repeat the request contained in the said application.

Porvorim

11/10/2019



REYAZ RATAN MAMA

Date: 10/09/2019

Place: Camurlim,
Bardar, Goa.

Panch No. 1: Shri Sunil Thakur, Age 51 years,
Married, Rb. n. No. 65, Vaddy Solum, Bardar, Goa.

Panch No. 2: Shri Mahesh Dhargalkar, Age 42 years,
Married, Rb. n. No. 222/A, Fernandes wade, Solum, Bardar
Goa.

MS/10/19

Shri Sharad Gac

We the above mentioned Panchas reached at
near Prabhu Temple Nagalin, Camurlim, Bardar, Goa
today at 02:00 PM on the request of Shri Nitin
Kumbalkar, Dy. Range Forest Officer, Panaji, Goa
and Shri Sagar M. B. Forest Guard, Bardar
Part-II. At that time Shri Sharad Gac, Ward
Member (Ward No. 6) of Village Panchayat Office,
Camurlim, Bardar, Goa was also present near
Prabhu Temple.

Forest Official told us Panchas that their
Sub-Divisional Forest Officer, Mapusa, Goa gave
them information regarding illegal construction
and destruction of Mangroves and filling of
coast in Sy. Nos. 224/1, 224/2, 224/48, 223, 125/31
situated at Camurlim Village of Bardar, Taluka
Goa and accordingly Forest Official requested
us Panchas to carry out site inspection and to
stand Panch witnesses for the said Panchnama.
Accordingly this Panchnama is as under:

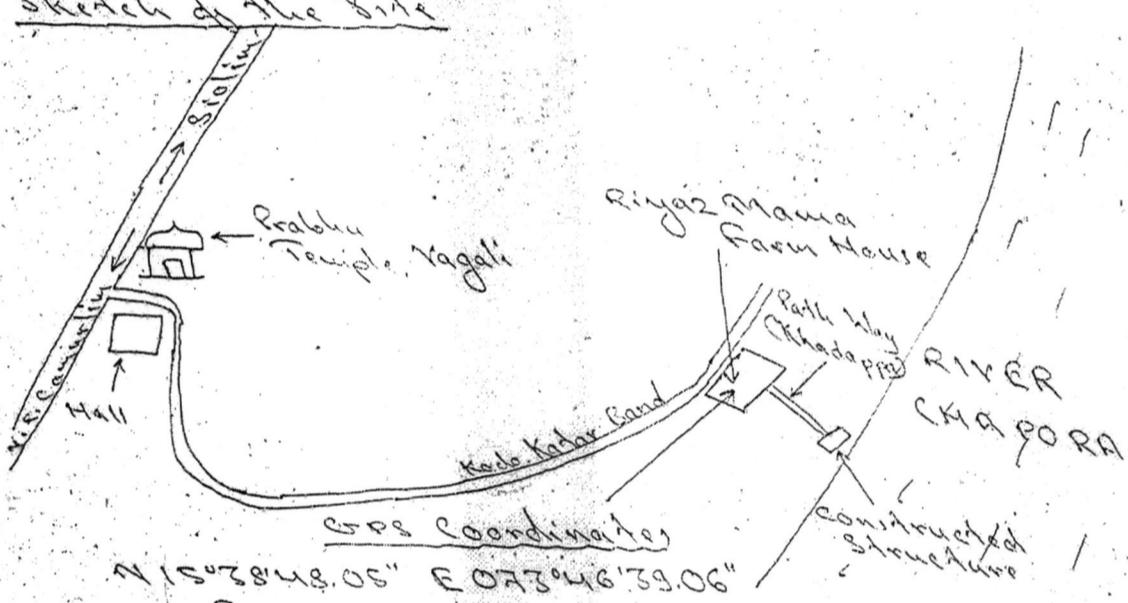
We the above mentioned Panchas along with
the Forest Official visited and inspected the
site as showned by Shri Sharad Gac, at Koda
Katar Band behind Prabhu Temple, Nagalin,
Camurlim, Bardar, Goa, we ~~the~~ have seen one
Farm House is constructed on the Band ~~and~~
near to the Chapora River and the said Farm
House is located approximately 1 km. away from
the Prabhu Temple, Nagalin.

During the site inspection Shri ~~Sharad~~
Sharad Gac told to Forest Official that the
said Farm House namely "Riyaz Khana" was
constructed in the year ~~2008~~ 2008 after

P.T.O

obtaining approval from the office of the Town and Country Planning and the Permissory Licence obtaining from the office of the Village Panchayat Camurlim, Bander, Goa in the private property bearing Sy. Nos. 223/S-31 and Sy. Nos. 224/1-48 situated at Camurlim Village of Bander Taluka Goa.

While carrying out the site inspection outside the Farm House (Riyaz Mama) Shri Baptista Fernandes care taker of the said Farm open the Gate of the Farm and taken us Pancha along with the Forest official and the Ward Member inside the Farm House area. During the time of inspection we have not found any illegal cutting of Mangrove trees nor found any stumps of any old felled Mangrove trees. It is seen at the site that the surrounding of the Farm House is with the naturally grown Mangrove trees and not found any fresh filling of the creek.



GPS Coordinates
 N 15° 38' 48.05" E 073° 46' 39.06"

This Panchnama is written at the site and it is completed at 03:25 P.M.

This Panchnama is true and correct to best of our knowledge of Panchas and on due confirmation we affix Panchat sign below.

Shri. S. C. and
 Panch No. 1 & 2 v. 9 Camurlim.

Panch No. 1: *[Signature]*
 (Sunil Thakur)

Believe us:
[Signature]
 (Nishin Kumbhar)
 Dy. P.O. Panaji

[Signature]
 Panch No. 2: *[Signature]*
 (Mahesh Chhangalkar)

GOVERNMENT OF GOA
DIRECTORATE OF SETTLEMENT & LAND RECORDS,
PANAJI-GOIA

PROCEEDINGS OF SITE INSPECTION

FILE NO:- 19/DSL/R/Resurvey Cell/
DATE: 30/10/2019

SLB: 19/R/Resurvey Cell
2-Survey Mapping of Structures

REF:-
Village: Sanjivdi Taluka: Bardez Survey: _____ Sub. Div. No. _____

Parties Officers Present:-

- ① Devendra Gaonkar (T-3) GCZHA
- ② Johny Fernandes (T-3) Form. Dept.
- ③ Atk. ... (T-3) ...
- ④ ...
- ⑤ ...
- ⑥ Maryela Phadke (V.P. Secretary)

Parties Absent:-

Brief description of proceedings:-

Inspection was conducted in presence of aforesaid members present and signed overlay alongwith the undesignated field surveyor from DSLR, & representative (FIS) from the O/o GCZMA. Accordingly as per the instructions of GCZMA mapping was carried out using total station Instrument.

Signatures

[Handwritten signatures and dates]
30/10/2019

Date: 10/09/2019
Place: Camurlim, Bardez,
Goa.

Panch №.1:- Shri Sunil Thakur, age 51 years, married, r/o H.№.65,
Vaddy, Siolim, Bardez, Goa.

Panch №.1:- Shri Mahesh Dhargalkar, age 42 years, married,
r/o H.№.222/A, Fernandes wado, Siolim, Bardez, Goa.

We the above mentioned Panchas reached at near Prabhu Temple
Vagalim, Camurlim, Bardez, Goa today at 02:00 p.m. on the request of
Shri Nitin Kunkolkar, Dy. Range Forest Officer, Panaji, Goa and
Shri Sagar Morje, Forest Guard, Beat Bardez, Part – III. At that time
Shri Sharad Gad, Ward Member (Ward №.6) of Village Panchayat
Office, Camurlim, Bardez, Goa was also present near Prabhu Temple.

Forest Official told us Panchas that their Sub-Divisional Forest Officer,
Mapusa, Goa gave them information regarding illegal construction and
destruction of mangroves and filling of creek in Sy.№.224/1, 224/2,
224/48, 223, 125/31 situated at Camurlim Village of Bardez taluka, Goa
and accordingly Forest Official requested us Panchas to carry out site
inspection and to stand Pancha witnesses for the said Panchanama.
Accordingly this Panchanama is as under:-

We the above mentioned Panchas along with the Forest Official visited
and inspected the site as showed by Shri Sharad Gad at Kodo Katar
Band behind Prabhu Temple, Vagalim, Camurlim, Bardez, Goa.

We have seen one Farm House is constructed on the Band side near to the Chapora River and the said Farm House is located approximately 1 Km away from the Prabhu Temple, Vagalim.

During the site inspection Shri Sharad Gad told to Forest Official that the said Farm House namely "Riyaz Mama" was constructed in the year 2008 after obtaining approval from the office of the Town and Country Planning and the permission/license obtaining from the office of the Village Panchayat Camurlim, Bardez, Goa in the private property bearing Sy.No.223/S-31 and Sy.No. 224/1-48 situated at Camurlim Village of Bardez Taluka, Goa.

While carrying out the site inspection outside the Farm House (Riyaz Mama) Shri Baptista Fernandes care taker of the said Farm open the gate of the Farm and taken us Pancha along with the Forest Official and the Ward Member inside the Farm House area. During the time of inspection we have not found any illegal cutting of mangroves trees nor found any stumps of any old felled mangrove trees. It is seen at the site that the surrounding of the Farm House is with naturally grown mangroves trees and not found any fresh filling of the creek.

Sketch of the Site
(*hand drawn sketch*)

This Panchanama is written at the site and it is completed at 03:25 p.m.

This Panchanama is true and correct to the best of our knowledge of Panchas and on due confirmation we the Panchas sign below.

Sd/-
Sharad Gad
Panch W.№.6 V.P. Camurlim

Sd/-
Panch №.1(Sunil Thakur)

Sd/-
Panch №.2 (Mahesh Dhargalkar)

Before us:-

Sd/-
(Nitin Kunkolkar)
Dy. R.F.O. Panaji

Sd/-
(Sagar Morje)
FG Bardez

Member Secretary
G.C.Z.M.A.
Inward No. 4083/L
19-11-2019



GOVERNMENT OF GOA
DIRECTORATE OF SETTLEMENT AND LAND RECORDS,
PANAJI - GOA.

Phone: (0832) – 2422036, 2422453 Fax: 2234360 Email: dir-land.goa@nic.in

No.19/DSL/Re- Cell/CRZ-Mapping /19/30 | 3374 Dated: 06/11/2019.

To,
The Member Secretary
Goa Coastal Zone Management Authority,
C/o Department of Science, Technology and Environment,
1 Floor, Pt. Deendayal Upadhyaya Bhavan, Pudalik Nagar,
Alto Porvorim, Bardez-Goa-403521.

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Sub: Site Inspection pertaining to Survey Nos. 224/1,224/2,224/48 & 223
of Camurlim Village of Bardez Taluka.

Sir,

With reference to your letter No.GCZMA/NGT Matter/OAAPPNo.47/2919/19-20/05/1593 dated 14/10/2019, please find enclosed herewith the photo copy of the proceedings of the site inspection along with 2 sets of plan in respect of S.Nos. 224/1,224/2,224/48&223 of Camurlim Village of Bardez Taluka enclosed herewith for further necessary action.

Yours faithfully,

Domiana Nazareth

(Domiana Nazareth)
Suptd. Of Survey & Land Records
Panaji -Goa.

Enclosed: As above

8/11/19

6/11

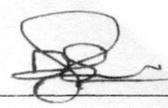
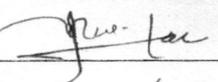
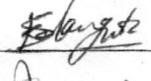
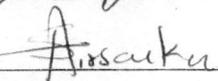
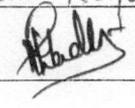
GOVERNMENT OF GOA
 DIRECTORATE OF SETTLEMENT & LAND RECORDS,
 PANAJI-GOA

PROCEEDINGS OF SITE INSPECTION

FILE NO:- 19/DSL/Resurvey Cell/ CRZ-mapping 119130
 DATE: 30/10/2019

SUB: 1) CRZ delineation ✓
 2) Survey/Mapping of Structures
 REF:- GCMA/NAT matter /onAPP No 47/2919/19-20/1593 dtl: 14/10/19
 Village: Camuli Taluka: Bonda Survey: 224^{11,2,48,} Sub. Div. No. _____

Parties /Officers Present:-

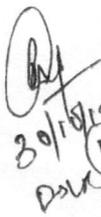
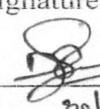
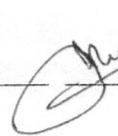
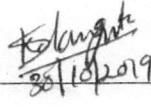
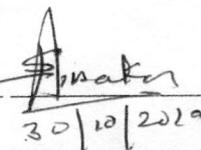
- ① Devendra Gaonkar (F.S) GCZHA. 
- ② John M. Fernandes (RFO) Forest Dept 
- ③ Adv. Suresh G. Kalyanekar (Adv. for Rep no 3) 
- ④ Sajankesh A. Srisaiker (Complainant) 
- ⑤ Adv. D. V. Patil Advocati for Respondent Reyaz Manna.
- ⑥ Marycha Phadte (V.P. secretary) 

Parties Absent:-

Brief description of proceedings:-

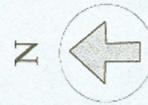
Inspection was conducted in presence of aforesaid members present and signed overlay along with the undersigned field surveyor from DSLR, & representative (F.S) from the o/o GCMA Accordingly as per the instructions of GCMA mapping was carried out using total station Instrument.

Signatures:

 30/10/19
 30/10/19 (F.S) - DSLR
 30/10/19
 30/10/19
 30/10/2019
 30/10/2019




GOVERNMENT OF GOA
Directorate of Settlement and Land Records
PANAJI - GOA



SITE PLAN

Showing structures surveyed as per the notice of site inspection of Member Secretary, Goa Coastal Zone Management Authority, vide their letter No. GCZMA/NGT/MATTER/0/AAPP/No.47/29/19/19-20/05/1593 dtd.14/10/2019 in respect of S.No./ Sub Div. No. 224/1 , 224/2 , 224/48,223, of Village Camurlim of Barddez Taluka.

Scale 1:1000

NOTE:-

THE LEGALITY / ILLEGALITY OF STRUCTURES SHOWN ON THIS PLAN IS NOT KNOWN AND THEREFORE THIS PLAN SHALL NOT BE USED FOR ANY PURPOSE SUCH AS DEVELOPMENT OF STRUCTURES, REVENUE SURVEY MATTERS, OBTAINING LICENSES, PERMISSIONS, CONVERSION OF LAND, ETC. THIS PLAN SHALL BE USED FOR REFERENCE PURPOSE ONLY.

LEGEND

	STRUCTURE
	SHED
	PLINTH
	PAVING TILES
	ECO-FENCING



SURVEYED & PREPARED BY:-

RAJESH D. HARMALKAR (F.S):-

MANDAR M. PHADTE (F.S):-

SEEN BY :-

Patrick Gonsalves

PATRICK GONSALVES
SUPERVISOR

I think R. yoz
Mama nalter. Pls
discuss



Member Secretary
135/1
Date 12-05-2020
Calag
12/5

GOVERNMENT OF GOA
DIRECTORATE OF SETTLEMENT AND LAND RECORDS,
PANAJI - GOA.

Phone: (0832) - 2422036, 2422453 Fax: 2234360 Email: dir-land.goa@nic.in

No.19/DSL/Re -Cell/CRZ-Mapping/19/30/ 1061

Date: 07/05/2020.

To
The Member Secretary,
Goa Coastal Zone Management Authority,
C/o Department of Science, Technology and Environment (Govt. of Goa)
1st Floor, Pandit Deendayal Upadhyay Bhavan,
Pundalik Nagar, Porvorim, Bardez-Goa.403521

Sub:-Delineation of 100 mts. HTL and width of tidally influenced Water body.

Sir,

This has reference to your letter No.GCZMA/N/Ille-Compl/18-19/151/2750 dated 27/04/2020 on the above cited subject matter. The site plan is plotted to the scale of 1:1000 and is bounded by River and Creek. In order to ascertain whether the offending structures are in violation of Coastal Regulation Zone, the High Tide Line for River & Creek is required which is not reflected in this office records.

This is for your kind Information.

Yours faithfully,

(Signature)

(Domiana Nazareth)
Supdt. of Survey & Land Records
Panaji-Goa.

BEFORE GOA COASTAL ZONE MANAGEMENT AUTHORITY
Ref. No. GCZMA/N/ILLE-COMP/18-19/151/1264 dated 02/08/2019

SAGARDEEP SIRSAIKAR . . . Complainant

Vs.

REYAZ RATAN MAMA . . . Respondent

RESPONDENT'S REPLY TO THE SITE INSPECTION PLAN
SUBMITTED BY THE SUPERINTENDENT OF SURVEY AND
LAND RECORDS, PANAJI VIDE LETTER DATED 06/11/2019.

MAY IT PLEASE THE AUTHORITY

The Respondent above named most humbly submits as follows: –

1. On 30/10/2019 two persons purportedly working in office of the Director of Settlement and Land Records came to the property bearing Survey Nos. 224, Sub-Division Nos. 1, 2 and 48 of Village Camurlim to conduct a site inspection as such site inspection was directed by the Authority. However, the said persons neither showed their identity cards nor did they reveal their identity on the occasion. The said person also did not reveal their qualifications in the area of land survey. Furthermore, the said persons were accompanied to the said property by the Complainant Sagardeep Sirsaikar, with whom the two persons seemed to have very friendly relations. In fact, Sagardeep Sirsaikar himself carried some equipment, which

was used by the said two persons on that occasion. Consequently, the Respondent has serious doubts about the identity of the said persons, their authority and ability to conduct the site inspection. The Respondent also has serious doubts about the ownership and genuineness of the said equipment and the readings, if any, recorded with the aid of the said equipment. Furthermore, all throughout the time while the said persons were in the said property, the two were acting only according to the instructions from the Complainant Sagardeep Sirsaikar. Therefore, the Respondent has good reasons to believe that any report of the site inspection prepared by the said two persons was prepared to suit the Complainant Sagardeep Sirsaikar.

2. The Authority has received a letter dated 06/11/2019 from the Superintendent of Surveys and Land Records, Panaji forwarding a copy of the proceedings of the site inspection on 30/10/2019 and a plan purportedly showing structures surveyed as per notice of the site inspection from the Authority in Survey Nos. 224, Sub-Division Nos. 1, 2 and 48, and Surey No. 223 of Village Camurlim.
3. The Respondent raises the following amongst other objections and/or grievances to the said plan received by the Authority: –

- (a) While the proceedings of the site inspection reveal that the site inspection on 30/10/2019 was conducted in the properties bearing Survey Nos. 224, Sub – Division Nos. 1, 2 and 48 of Village Camurlim only, the plan also indicates certain structure in the property bearing Survey No. 224 of Village Camurlim. It is simply not understood as to how any plan for the property bearing Survey No. 224 could be prepared without surveying the same.
- (b) The plan submitted per se also does not indicate anywhere that the same is drawn pursuant to the site inspection conducted on 30/10/2019.
- (c) The office of the Director of Settlement of Land Records never demarcated the high Tide line for the river adjoining the said properties. Such an exercise was also never conducted by the Authority.
- (d) The said persons who conducted the site inspection on 30/10/2019 also did not make any attempt to identify the high tide line at loco before commencing the survey. Consequently, the site inspection could never be useful to determine whether the structures are within 100 metres from the high tide line or beyond.

- (e) The plan also does not indicate the high tide line for the river adjoining the said properties. The plan also does not show the 100 metres line from the high tide line. Consequently, by a mere reference to the plan it is impossible to come to any conclusion whether the structures are within or beyond 100 metres from the high tide line.
- (f) The Director of Settlement and Land Records has failed and/or omitted to submit the raw readings, if any, recorded by the instruments/equipment used by the said persons for carrying out the survey. Consequently, the Respondent is seriously prejudiced in as much as he has not been given an opportunity to verify the correctness of the plan submitted to the Authority by making a cross reference to the readings taken.
4. In view of the above and for such other and further reasons which may be raised by or on behalf of the Respondent at the time of arguments, the Respondent hereby denies all contents of the report, ^{and the plan} except those which are expressly admitted herein.
5. The Respondent states that the plan submitted is arbitrary, bad in law and highly perverse in nature. It is further submitted that

the plan cannot be considered, referred to, relied upon or taken into account by the Authority for any purposes whatsoever.

6. The Respondent hereby seeks an opportunity to cross examine the said persons, who conducted the site inspection. It is further submitted that the plan in question may not be used for any purposes whatsoever.

Porvorim

29/10/2019

DAJVIP V. PATKAR
Advocate for Respondent