

**BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL, WEST ZONE AT PUNE**

Appeal no. 20/2022 (WZ)

Paul Lobo & ors.

...Appellants(s)

*Versus*

Goa Coastal Zone Management

Authority & ors

...Respondent(s)

**AFFIDAVIT IN SUR REJOINDER OF**  
**RESPONDENT NO. 2**

**MAY IT PLEASE YOUR LORDSHIP:**

The Respondent No. 2 begs to state and submits as under:

1. In the above said matter the Respondent No. 2 had filed its reply to the application for condonation of delay and also filed separate reply dealing with the contents of the appeal filed by the Appellant, however, the Appellants, while dealing with the said respective replies filed by the Respondent, choose to file a composite affidavit dated 07/09/2022 dealing with the contents of both the replies. A sur rejoinder came to be filed by this Respondent on 19/10/2022 dealing only with the contents relating to

*20/10/2022*

*Manoj Melan*

condonation of delay. This Respondent in the said sur rejoinder craved leave to file a detailed affidavit if need be on the merit of the appeal dealing with the content of the affidavit in rejoinder dated 07/09/2022 filed on behalf of the Appellants.

2. It is stated that this Hon'ble Authority vide order dated 22/04/2024 was pleased to condone the delay, as such it is imperative for this Respondent to deal with the contents of the affidavit in rejoinder filed on behalf of the Appellant on merits of the case and also to bring on record certain subsequent events which took place during the pendency of this appeal.
3. It is stated that in the rejoinder the Appellants in substance have urged *two grounds* (a) Alleged non-compliance of impugned order of GCZMA by the Respondent No. 2 which averments are found at para 5 to 10 of the rejoinder and (b) clearance and permissions granted by the authorities to the Respondents No. 2 which averments are found from para 21 to 29.







4. It is stated that para 1 to 4 and para 11 to 20, of the affidavit in rejoinder dated 07/09/2022 of the Appellants deals with the condonation of delay application hence the contents of the same are not dealt herewith as the same is decided by this Hon'ble Tribunal vide order dated 22/04/2024.
5. Now dealing with the averments pertaining to the alleged ***non-compliance of impugned order of GCZMA***, the Respondent No. 2 state and submits as under.
6. With regards to the contents of para 5, of the rejoinder, at the outset, it is reiterated and stated that the Respondent No. 2 has complied with the directions issued by the GCZMA in the impugned order. As matter of fact it is most respectfully stated that the present proceedings filed by the Appellant is not tenable in law in as much as the reliefs which are sought by the Appellants, as is apparent from the prayer clause, is self-destructive and the same cannot be granted. It is stated that on one hand the Appellant claims that the impugned order be set aside and on other hand the Appellant claims that the entire project of the

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Respondent No. 2 be stalled without there being any cause. It is stated that the Appellate are not good relators and has filed this proceeding with oblique motive. The Appellants are aware that this Respondent in accordance with law has obtained permissions for setting up a resort in the said property bearing survey no. 134/3 of village cavlossim, however as the Appellants are involved in the tourism related business, the Appellants, with an intent to stall the project of the Respondent has raised false and motivated claim. Contents of para 5 are therefore denied.

7. With regards to the contents of para 6 and 7, it is denied that there is any damage caused to the low-lying areas of sand dunes as alleged. As a matter of fact, in the area where constructions is being undertaken by this Respondent No. 2 there are no sand dunes or low-lying areas as claimed by the Appellant. It is denied that any damage is caused to the alleged sand dunes due to construction as alleged.

8. The allegations made by the Appellant that sub paragraph a) of the impugned order has not been complied is factually incorrect. It is most respectfully stated, that in

*Manoj Mani*





compliance with the impugned directions, this Respondent removed the iron metal sheets and the sand there has been restored to its original conditions. It is reiterated that the directions issued in the impugned directions issued in the impugned order has been duly complied by the Respondent No. 2, the said fact can also be ascertained by this Hon'ble Court by directing the GCZMA to verify the said facts at site. This Respondent is annexing hereto as **Annexure A** the photographs indicating compliance of the said directions. Contents of para 6 and 7 are therefore specifically denied.

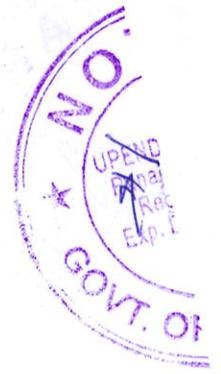
9. With regards to the contents of para 8 and 9, the allegations made by the Appellate in the said paras are unwarranted and without any base. It is specifically denied that there are any alleged destructive activities continuing unchecked by the Respondent No. 2 as alleged. The allegations made by the Appellants in the appeal and in the affidavit are false and are concocted. This Respondent states that they have not destroyed any of the sand dunes as alleged. It is stated that Respondent No. 2 do not intend to destroy any of the low-lying areas or sand

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dunes areas. It is denied that the Respondent No. 2 has not addressed the representation submitted by the Appellants on 27/04/2022 as alleged. It is stated that the impugned order which is challenged before this Hon'ble Authority is in fact passed by the GCZMA on the said representation made on 27/04/2022. It is stated that this Respondent in the earlier reply filed before this Hon'ble Authority has stated that the directions issued by the GCZMA has been duly complied. It is denied that the conduct of the Respondent No. 2 makes it evident that it will take no effort to restore the sand dunes it has allegedly destroyed thus far, despite the fact that restoration of the sand dunes allegedly destroyed by the Respondent No. 2 is a specific condition within the impugned directions as alleged. It is stated that no dunes has been destroyed by this Respondent as alleged. Contents of para 8 and 9 are therefore denied.

10. With regards to the contents of para 10, the Respondent No.2 states that the conditions referred to in the impugned order has been duly complied. This Respondents states that the Appellants obviously has no

*M. Pravin Kumar*





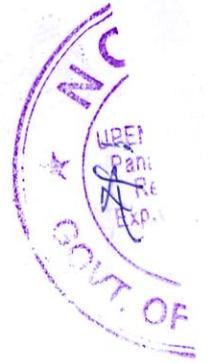
better scientific expertise than CRZ authorities to make averments made in para 10, said averments are superficial and are devoid of any merits. Contents of para 10 are therefore specifically denied.

11. Now dealing with the contents raised in the rejoinder under heading ***Clearance and permissions of the Respondent No. 2*** which runs from para 21 to 29 this Respondent No. 2 states as under

12. With respect to the contents of para 21, 22 and 23, the reference made by the Appellant is not the only ground on which the Respondent No.2 has based its claim. It is stated that as a matter of fact the Respondent No. 2 in the affidavit in reply has mentioned about conversion sanad and other permissions obtained. It is stated that none of the conditions mentioned in the conversion sanad has been violated by this Respondent and all the approvals granted by the various authorities are in consonance with the provisions of law including the CRZ Regulations, as such the attributions sought to be made in para 21 are categorically denied. The Respondent No. 2 is

*Manoj Chavhan*

undertaking construction activity in consonance with the permissions granted by the competent authority and in accordance with law.



13. The Respondent No. 2, at the cost of repetition, most respectfully submits that, with an intention to set up a resort in the property bearing survey no. 134/3 of the Village Cavlossim, Respondent No. 2 has acquired right to the said property by virtue of Deed of Sale dated 22.04.1994 duly registered before the Sub-registrar of Margao bearing registration no. 2844 at page 1 to 100 of Book no I, Vol 433 dated 10.11.1994 and since then the Respondent No. 2 is struggling to have resort in the said property. That this Respondent with an object of setting up a hotel project applied for permission from the competent authorities in the year 2015 and accordingly following permissions came to be granted:

- i. Recommendation/Permission dated 20.10.2015 from GCZMA
- ii. Conversion Sanand dated 12.04.2016
- iii. Assessment order dated 17.05.2016
- iv. Technical Clearance Order dated 22.07.2016

*M. S. M. Chavasi*



- v. Construction license dated 22.10.2016 issued by Village Panchayat of Cavelossim

14. The authorities whilst granting the said permissions visited the site, conducted site inspection and upon having ascertained that such permissions can be granted in respect of the said property and approved the plans after following due procedure of law. When this Respondent commenced with the construction activities, without there being any base, the Appellant filed complaint, on false and concocted averments. The CRZ authority after considering the material on record and after considering all the permissions granted by the authorities, discharged the proceedings pertaining to revocation of permission granted in favour of the Respondent and directed the Respondents to comply with the directions contained in the impugned order which directions has been duly complied by the Respondent No. 2.

15. The Respondent No. 2 states that during the pendency of the above said proceedings certain subsequent development took place in respect of the said project. The

22/10/2016

*M. S. M. M. M.*

said subsequent events are very germane to the subject matter of the proceedings and will have direct impact on the outcome of the proceedings pending before this Hon'ble Authority.

16. I say that during the pendency of the appeal the Respondent No. 2, with an intention to avoid any Unwanted controversy/ allegations of violation of any environmental law as the Appellants relying upon the CZMP plan, were trying to urge that this Respondent is undertaking activity in the sand dunes area hence the Respondent No. 2, decided to file revised plans for approval wherein certain areas, which formed part of the original Project and which were duly approved by the competent authorities, were decided to be left out of the project. I say that the Respondent No. 2 applied for revised permissions vide application dated 18/10/2021 whereby the Respondent No. 2 called upon the GCZMA to consider the revised plans for construction of hotel/resorts in plot bearing no. 134/3 of Village Cavelossim. The said approvals came to be applied in the portion of the property where there cannot be any



*M. Anuj Mehra*





allegation of existence of the sand dunes as the proposed development as per the revised plan would not fall in the area earmarked as sand dunes in CZMP plan.

17. I say that GCZMA, in its meeting held on 26<sup>th</sup> April 2022, in accordance with the provisions of CRZ notifications and on application of mind to the project plan and the documents furnished for its perusal, approved the revised plans for construction of the hotel project and compound wall in the said property as per the revised approval dated 27/02/2023.

18. After obtaining necessary permissions from the GCZMA, vide order dated 29/04/2022, the Respondent No. 2 applied to Town and Country Planning Department (TCP) for technical clearance in respect of the proposed construction of hotel project and compound wall. I say the TCP vide technical clearance order dated 27/2/2023, granted technical clearance thereby approving the plan from the technical point of view.

*Mansi Melaw*



19. I say that upon obtaining permission from the Town and Country Planning Department, revised construction license came to be applied by this Respondent from Village Panchayat of Cavelossim. The Village Panchayat of Cavelossim deliberated on the said application in its meeting held on 01/03/2023 and unanimously resolved vide resolution number 3(1), to grant revised construction license. Annexed hereto and marked as **Annexure B** are the copies of the revised approvals granted by the GCZMA and Town and Country Planning Department and Village Panchayat of Cavelossim along with the approved Plan.

20. I say that the said fact of grant of revise permissions is well within the knowledge of the Appellant. As a matter of fact, the wife of Appellant No. 1 is a deputy sarpanch of the Village Panchayat of Cavelossim within whose jurisdiction the project is being undertaken by the Respondent No. 2.

21. I say that at this juncture it may be necessary to put forth before this Hon'ble Court, that as per the original plans approved by the authority, which is part of record before this Hon'ble Court this Respondent sought approval for

*Mansij Mehani*



construction of 80 rooms which covered 40 rooms on the ground floor and 40 rooms on the first floor. I say that by virtue of the revised plans, duly approved as annexed above the Respondent in order to avoid any unwanted objections, decided to reduce the coverage of its project and applied for permissions to construct a resort in an area wherein the issue of sand dunes and other violations of CRZ would not at all arise. I say that If one peruses the revised plan vis -a-vis the plan approved at the inception, it becomes apparent that instead of constructing 80 rooms as planned initially, by virtue of the revised plans the Respondent No. 2 has restricted its construction to only 56 rooms thereby reducing the overall coverage of the plot and that too in the area where issue of sand dunes is not at all attracted. The said fact is well within the knowledge of the Appellants yet the Appellants choose to pursue this appeal with malafide intention.

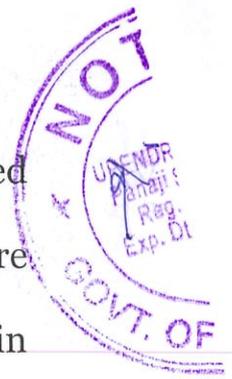
22. In order to simplify the said fact the Respondent No. 2 has annexed a plan as **Annexure C** which would demonstrate the scope of the original permissions granted by the authorities and the subsequent revised

*M. P. Melane*

permissions. If one peruses the said plan, area identified in pink colour covers the permissions which were originally granted however the area which is depicted in the said plan in green color is the area to be constructed as per the revised plan thereby giving a go by to the other areas which were originally approved pursuant to the approval as granted by the GCZMA. Though Respondent No. 2 is entitled to construct the said project as per the original plans, the Respondent No. 2 reduced the area of the construction thereby reducing coverage at ground as per the revised plan. I say that as stated above and without prejudice to the right of the Respondent No. 2 to undertake development of project in accordance with law in order to avoid any issues and to complete the project in accordance with law the Respondent took the said steps.

23. I say and Submit that upon obtaining the said permissions this Respondents have already commenced with the construction in the said property as per the approved plan and the same is at advanced stage. I say that till date, since inception the Respondent no 2 has spent a sum of Rs. 9,72,79,000/- on the said project which includes Rs.

*M. Anoj Mehan*



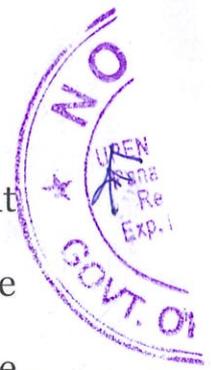


72,41,000/- cost of land, 57,60,000/- cost incurred for conversion sanad fee, Rs. 60,29,000/- infrastructure tax, Rs, 29,90,000/- cost for obtaining permissions in the form of infrastructure tax, construction licence and renewal fees, Rs. 7,52,59,000/- cost of construction including architect, engineers fees and other miscellaneous expenses etc, totalling to sum of **Rs. 9,72,79,000/-** details of which is set out at **Annexure D** which annexure shall form the integral part of this affidavit. The Respondent No. 2 is also annexing the photographs as **Annexure E** which depicts the stage of construction activity at site.

24. It is stated that going by the revised approved plan and considering the fact that the area in which the construction has been undertaken by the Respondent No. 2, the questions of existence of sand dunes or violation of any environmental law does not arise as such all the apprehensions, allegation and insinuations made by the Appellants in the appeal would not survive. The case of the Appellants in the appeal is that the Respondent No. 2 is allegedly constructing a project in an area identified as

*[Faint handwritten signature]*

*[Handwritten signature: Manoj M. Chawli]*



sand dunes and in the lowlying area. It is stated that considering the revised plan it becomes apparent that the construction which is being undertaken by the Respondent, by no stretch of imagination can be said to be offending any of the provisions of the environmental law and CRZ Regulations moreover the CZMP Plan referred to by the Appellant which apparently earmarks sand dunes nowhere reflects dunes in the area within which proposed construction is being undertaken by the Respondent No. 2 as per the revised plan. It is stated that the Respondent No. 2 without admitting the existing of any sand dunes even in the area which was initially sought to be developed by the Respondent No. 2 by virtue of which were plans approved originally, in order to enable the Respondent No. 2 to complete the project and not to get entangled in the whirl of unwanted issues and controversies malafide raised by the Appellants, the Respondent No. 2 decided to file revised plan. If one peruses the revised plans visa viz the CZMP plan it becomes very clear and apparent that there are no sand dunes in the area where construction is being undertaken by the Respondent No. 2. The revised plan has

*M. K. Mishra*



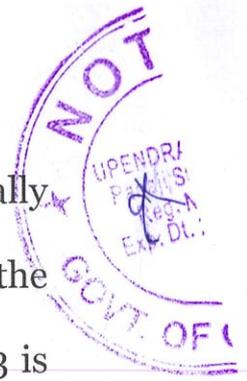
been super imposed on the plan prepared by the authority identifying sand dunes which will clearly establish the fact that nothing would survive in the appeal and that the permissions granted by the authorities are in accordance with law and this Respondent is undertaking constructions as per the approval granted. It is most respectfully reiterated that this Respondent do no intent to destroy and or damage any sand dunes. In any event as stated above the construction undertaken by this Respondent is not in the area identified as sand dunes.

25. Contents of para 21, 22 and 23 are specifically denied. The permissions as of today are duly granted by all the authorities and this Respondent is undertaking construction as per the approved plans.

26. With regards to the contents of para 24, it is specially denied that the construction of the project would involved destruction of the sand dunes as alleged. The Respondents crave leave to refer and rely on the minutes of the 299<sup>th</sup> meeting of GCZMA as and when produced.

*Manoj Mehani*

27. With regards to the contents of para 25, it is specifically denied that the Respondent GCZMA has stated that the substantial portion of the property under sy no. 134/3 is covered by sand dunes as per Draft CZMP for Goa prepared by NCSCM Chennai, it is denied that geo referenced map with draft CZMP map and it is denied that hence plan would need to be revised to exclude any construction on the sand dunes indicated on the draft CZMP as alleged. It is further denied that it is evident even to the Respondent GCMZA that the proposed hotel project cannot be undertaken on survey no. 134/3 without substantially destroying sand dunes and accordingly the GCZMA has directed the Respondent to revise its construction plan as alleged. If one peruses the revised plan granted by the authorities visa vis CZMP draft plan it becomes abundantly clear that the revised construction do not fall in the area earmarked as sand dunes as a matter of fact. There are objections raised to the said CZMP draft Plan prepared by the NCSCM. In any event the reliance on the said plan is unwarranted. It is stated that the GCZMA on application of mind to the facts of the case and upon



*M. P. S. M. S. M. S.*



considering all the material on record granted revised plan to the Respondent. Contents of para 25 are denied.

28. With regards to the contents of para 27 it is specifically denied GCZMA is inclined to permit the destruction of the sand dunes on survey no. 134/3 in contraventions as referred in para 27 as alleged. It is stated that the authorities have acted in consonance with the provisions of the law and CRZ notifications and has granted approvals to this Respondent after acknowledging that the constructions which has been undertaken by the Respondent is not falling in the area earmarked as the sand dunes.

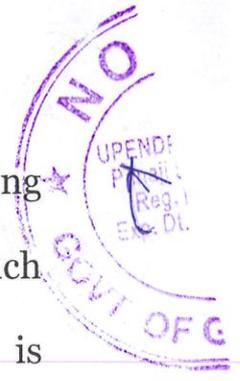
29. With regards to the contents of para 28, it is reiterated and submitted that impugned directions based on the site inspection report clearly shows that so called 1100 m<sup>2</sup> area. In-fact, as recorded in the draft CZMP and the said site inspection report there a *katcha road* exist since prior to 2002 based on the Google Earth images. It is specially denied that there is destruction of sand dunes on survey no. 134/3 due to the proposed hotel project as alleged. It

*Mansi Mehra*

is stated that the area referred to in para 28 admeasuring 1100 m2 is not altered by this Respondent the road which is referable to the said area was already existing. It is specifically denied that the Respondent GCZMA is purposely and deliberately turning a blind eye towards the inevitable destruction of sand dunes shows the malafide intention and neglect demonstrated by the Respondent GCZMA towards the issues raised by the Appellants with regards to the destruction of sand dunes in the site as alleged. Whilst denying the contents of para 28 it is most restfully stated that all the contents there in contained would have no merits more particularly in view of the fact that the revised approvals have been granted by all the authorities and the construction has been undertaken by the Respondent as per revised approvals.

30. With respect to the contents of para 29, this Respondent reiterate and states that the present appeal is filed purely based on surmises and conjecture and filed with a sole motive to blackmail this Respondent and hold the construction activity of this Respondent in the property

*Mansoj Mehar*





bearing survey no. 134/3 of Village Cavelossim at ransom.  
Therefore, the contents of para 29 are specifically denied.

31. It is reiterated that the GCZMA, in its meeting held on 26<sup>th</sup> April 2022, in accordance with the provisions of CRZ notifications has approved the revised plans for construction of the hotel project and compound wall in the said property and based on the said approvals the other licensing authorities have also issued revised permissions. Considering the above said facts nothing would survive in the present appeal and the present appeal is liable to be dismissed. Contents of the affidavit in rejoinder dated 07/09/2022 filed by the Appellant which are not admitted and what is contrary to the affidavit dated 23/08/2022 be taken as specifically denied.

Place: Panaji, Goa

Date: 27.05.2024

**RESPONDENT NO 2**

**ADV FOR RESPONDENT NO 2**

Adv S. Vaiganfar

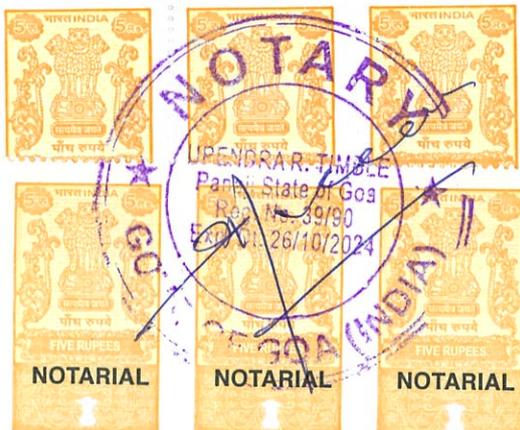
**AFFIDAVIT**

I, Manoj Kumar Mehani, authorised representative of the Respondent No. 2, being conversant with the facts and circumstances of the present case on solemn affirmation do hereby state that contents of the foregoing paragraph no. 1(Part), 2(Part), 3(Part), 4, 5, 6(Part), 7, 8(Part), 9(Part), 10, 11, 12(Part), 13, 14(Part), 15(Part), 16(Part), 17(Part), 18, 19, 20, 21(Part), 22, 23, 24(Part), 25, 26, 27(Part), 28(Part), 29(Part), 30(Part), 31 are true to my personal knowledge and contents of paragraph no. 1(Part), 2(Part), 3(Part), 6(Part), 8(Part), 9(Part), 12(Part), 14(Part), 15(Part), 16(Part), 17(Part), 21(Part), 24(Part), 27(Part), 28(Part), 29(Part) and 30(Part) are legal submission which I believe to be true and correct.

Solemnly affirmed at Panaji)

On 27<sup>th</sup> May 2024)

*Manoj Mehani*  
**DEPONENT**



*27/05/24*  
This affidavit / document is executed  
before me and / attest its execution  
Ser. no: 766 / D / 2024  
Dated: 27/05/2024

*U. R. Timble*  
**U. R. Timble**  
ADVOCATE & NOTARY  
F08, 1st Floor,  
Atmaram Commercial Complex,  
Dr. A. B. Road, Panaji - Goa.











**GOA COASTAL ZONE MANAGEMENT AUTHORITY**

C/o Department Environment (Govt. of Goa)

4<sup>th</sup> floor, Dempo Tower, Patto Plaza,

Panaji Goa-403 001

Website: www.czma.goa.gov.in

Ref. No. GCZMA/S/15-16/09/216

Date: 29/04/2022

To,

✓ Nova Resorts Private Limited,  
C/o. Soares & Associates,  
G-1, Vikas Building,  
Near Pharmacy College,  
18<sup>th</sup> June Road, Panajim-Goa.

**Sub:** NOC for revised plan for construction of Hotel/Resort in the plot bearing Sy.No.134/3 at Cavelossim Village, Salcete Taluka.

**Ref.:-** Your application no. NIL dated 18/10/2021.

Sir/Madam,

With reference to your application on the above mentioned subject, it is hereby conveyed that the Goa Coastal Zone Management Authority (GCZMA) has examined your aforementioned proposal in the 300th GCZMA Meeting held on 26/04/2022 in accordance to the provisions of the para 8 of the CRZ Notification 2011, (as amended). As such the Authority after discussion and deliberate on decided to approve the Revised Plan for construction of Hotel/Resort in the plot bearing Sy.No.134/3 at Cavelossim Village, Salcete Taluka, further subject to the confirmation with local building bye laws.

All other terms and conditions stipulated in our earlier approval letter No. GCZMA/S/15-16/09/1775 dated 20.10.2015 stands remain the same and should be strictly complied with.

Please find enclosed herewith the revised plans is duly endorsed by this office.

*Yours faithfully,*



(Dasharath M. Redkar)

**Member Secretary (GCZMA)**

**Encl: As above**

Copy to:

1. P.A to Secretary (Environment) / Chairman (GCZMA), Secretariat, Porvorim.....for kind information.
2. The Chief Town Planner, Town & Country Planning Department, Patto, Panaji-Goa.....for information and necessary action.
3. The Dy. Collector & SDO, (Salcete), Margao- Goa.... for information
4. The Secretary, Village Panchayat of Mobor-Cavelossim, Salcete Taluka ....for information and necessary action.

1163  
Government of Goa  
Primary Health Centre Chinchinim

No. PHC-Chin/NOC/20-21/ 641

Dated: 10/10/2020

NO OBJECTION CERTIFICATE

**This is to certify that the construction site of the project of M/s. Nova Resorts Pvt. Ltd., at Survey No. 134/3 of Cavlossim village, Taluka Salcete, Goa has been inspected and this office has NO Objection to the said construction from the sanitation point of view.**

Capacity of STP: As per recommendation from GSPCB.

Location of the STP: North-East corner.

**This certificate is issued on condition that the Applicant and/or Builder shall comply with the following requirements:-**

- 1) The name of the Construction &/or Proprietor, V.P. Construction License Number & Number of the NOC from the Health Department shall be prominently displayed at the construction site.
- 2) Consent to establish STP shall be obtained from GSPCB.
- 3) No public nuisance, foul smell, noise etc. shall be caused by the Sewage Treatment Plant.
- 4) All the labourers employed in the construction activity shall possess valid Health Cards and the same shall be renewed every three months. No labourer shall be engaged at the site unless he /she has a valid Health Card. The Health cards shall compulsorily be maintained at the construction site. A fine of Rs. 10,000 (Rupees Ten Thousand only) shall be imposed for each labourer found without a valid Health Card at the construction site.
- 5) It shall be ensured that appropriate anti mosquito-larval chemicals are sprayed on the water accumulated in pits, curing sites etc. so as to avoid breeding of mosquitoes.
- 6) Adequate provision shall be made for the sanitation requirements of the labourers involved in the construction activity and no nuisance shall be created at and around the construction site.
- 7) Consent to operate STP shall be obtained from GSPCB before applying for NOC for Occupancy.
- 8) NOC from this authority shall be obtained before obtaining the Occupancy Certificate.
- 9) The applicant shall seek appropriate permission/ Construction License from the Licensing Body for undertaking the above construction.
- 10) The applicant/ his representatives at the construction-site shall cooperate with the Health Authorities whenever they visit for inspection.
- 11) The Authority issuing the Construction License shall verify the ownership of the property.
- 12) This NOC is liable to be withdrawn if the conditions stipulated above are not complied with or if it is established that this NOC has been obtained using fraudulent means.



08.10.2020  
Dr. Nixon Martins Fernandes

MEDICAL OFFICER  
PRIMARY HEALTH CENTRE  
CHINCHINIM

✓  
To,  
M/s. Nova Resorts Pvt. Ltd.  
C/o. Soares & Associates,  
G-1, Vikas Building,  
18<sup>th</sup> June Road, Panaji, Goa

Copy to:

The Secretary, Village Panchayat of Cavlossim, for information.



**OFFICE OF THE SENIOR TOWN PLANNER  
TOWN & COUNTRY PLANNING DEPARTMENT,  
SOUTH GOA DISTRICT OFFICE,  
OSIA COMMERCIAL ARCADE, 4<sup>TH</sup> FLOOR 'B' WING  
MARGAO-GOA.**

REF:- TPM/27994/kavelossim/134/3/2023/1051  
DATE: 27/02/2023

**TECHNICAL CLEARANCE ORDER**

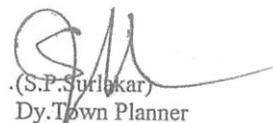
Technical Clearance is hereby granted for carrying out the work of **proposed construction of Hotel Project and compound wall** as per the enclosed approved plans in the property zoned as **Settlement Zone in Regional Plan for Goa 2021** and situated in Survey no.134, sub-division 3 of **Cavelossim Village of Salcete Taluka** with the following conditions:-

1. Construction shall be strictly as per the approved plans No changes shall be effected in the approved plans/approved built spaces without the prior permission of this Authority.
2. The permission granted shall be revoked, if any information, plans, calculations, documents and any other accompaniments of the application are found incorrect or wrong at any stage after the grant of the permission and the applicant will not be entitled for any compensation.
3. The development permission will not entitle the applicant for making/laying any claim on water and any other connection from the Government of Goa.
4. The Developer/applicant should display a sign board of minimum size 1.00mts. x-0.50mts. with writing in black colour, on a white background at the site, as required under the Regulations.
5. The applicant /developer shall obtain Commercial Conversion Sanad under the Goa Land Revenue Code, 1968, before the commencement of any development/construction as per the permission granted by this order.
6. The commencement and the completion of the work shall be notified to the authority in writing in appropriate forms.
7. Completion Certificate has to be obtained from this Authority before applying for Occupancy Certificate from the licensing authority.
8. Storm water drain should be constructed along the boundary of the effected plot abutting to the road.
9. Adequate Utility space, for the dustbin, transformer etc. should be reserved within the plot area
10. In case of any cutting of sloppy land or filling of low lying land, are involved, prior permission of the Chief Town Planner shall be obtained before the commencement of the works per the provisions of Section 17(A) of the Goa Town and Country Planning Act, 1974.
11. In case of wire mesh fencing, the gates shall open inwards only and traditional access, if any passing through the property shall not be blocked.
12. The Ownership of the property shall be verified by the licensing body before issuing the licence.
13. Verification of the tenancy position as on 2/11/1990 and thereafter shall be made by the licensing body before issuing the licence.
14. Maximum height of a compound wall along the boundary other than that abutting on a street shall be 1.80mts and along the boundary abutting on a street upto a height of 1.50mts only which shall be of closed type up to a height of 90cm. only and open type above that height.
15. Along the intersections of streets no compound wall shall be raised to a height of more than 1.0mts from the crown of the road for a length of 9.0mts from the intersections corner of the plot, on both sides of the plot.

16. In case of road intersection the construction of compound wall should be carried out in a smooth curve of 3.00mts radius for roads upto 10.0mts R/W and that of 5.00mts radius for roads above 10.00mts R/W.
17. As regards complaints, pertaining to encroachments, Judicial orders/directive and other legal issues, the same may be verified and confirmed by the concern Village Panchayat before issuing licence.
18. The set backs shown on the site plan shall be strictly maintained.
19. The Village Panchayat shall ensure about the availability of power and water supply and other required infrastructure before issuing licence.
20. The area under road widening shall be deemed to be public road and shall not be enclosed/encroached. Affidavit/undertaking in this regard shall be sworn before the Village Panchayat/PWD as the case may be on stamp paper of Rs.100/-.
21. This Technical clearance order is issued relying on the survey plan submitted to this office from the concerned authority. In case of any boundary dispute encroachment if any shall be resolved by the applicant with clear demarcation of the boundaries from survey Department. This office shall not be held responsible at any point of time as the said technical clearance order is only from Planning point of view.
22. Applicant shall dispose the construction debris at his/her own level and/or the same shall be taken to the designated site as per the disposal plan given by the applicant in the Affidavit to be produced to the corporation/Municipal Council/Village Panchayat (as the case may be).
23. This Technical Clearance Order is issued with the approval of Government vide reference no.TPM/27994/Cavelossim/134/3/23/384 dtd. 25/1/23.
24. This technical clearance order supersedes the earlier order no.TPM/27994/Cavel/134/3/16/3492 dtd.22/7/2016.
25. All the conditions stated in the Official letter GCZMA/S/15-16/1775 dtd. 20/10/2015 should be strictly complied with.
26. This technical clearance order is issued based on the clearance issued by GCZMA/S/15-16/09/2/06 dtd. 16/12/2022.
27. The existing sand dunes shall not be disturbed while carrying out construction activity.
28. Necessary permission from Directorate of Fire Services shall be obtained.
29. Any other permission required under National Building code s and energy Conservation Building Code hall be obtained.
30. Necessary provision of solar panel shall be made over the terraces.
31. Adequate provision of rain water harvesting shall be made within project premises..
32. Necessary provision for physically disabled persons shall be made within the project permission.
33. Adequate arrangements for disposal of sewage and garbage shall be made by the project proponent in consultation with local authority.
34. Necessary consent if required shall be obtained from the Defence establishment since the property is located in adjacent property owned by Defence.
35. The arrangement of water for the swimming pool proposed shall be made by owner at his own cost and also the hygiene of water in said swimming pool shall be strictly maintained.
36. The 10.0mts wide proposed road shown along the southern side of the property shall be strictly developed and maintained and shall be put to the public use.

THIS ORDER IS ISSUED WITH REFERENCE TO THE APPLICATION DATED 22/12/2022 RECEIVED FROM Nova Resorts Pvt. Ltd.

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

  
(S.P. Sutlekar)  
Dy. Town Planner

Note:- Pursuant to this office earlier assessment Order No TPM/27994/Cavel/134/3/16/2481 dtd. 17/5/2016, the applicant has paid the Infrastructure Tax of Rs. 59,88,288/- vide challan no. 129 dtd 24/6/2016.

To,  
Nova Resorts Pvt. Ltd,  
C/o Soares & Associates,  
G1, Vikas Building,  
18<sup>th</sup> June Road, Panaji-Goa.

Copy to:  
The Sarpanch/Secretary,  
Village Panchayat of Cavelossim  
Salcete Goa.



**VILLAGE PANCHAYAT CAVELOSSIM, SALCETE GOA.**

**REVISED CONSTRUCTION LICENCE**

**YEAR – 2022-23 DATE: - 21/03/2023**  
**Construction Licence No. VP/Cav/2022-2023/5**  
**Resolution no. 3(1) dt. 01/03/2023**

**Nova Resorts Pvt. Ltd, C/o. Soares & Associates, G1, Vikas Building, 18<sup>th</sup> June Road, Panaji-Goa, is hereby granted this Revised licence for work of proposed construction of Hotel Project and compound wall in Sy. No. 134/3 at Cavelossim Salcete Goa based on the approved order/letter of Senior Town Planner, Margao, Letter No. TPM/27994/Cavelossim/134/3/2023/1051 dated 27/02/2023 and in terms of resolution No.3(1) taken in the Panchayat meeting dated 01/03/2023 as per the plan in Duplicate attached to her/his application vide inward No. 900 dated 28/11/2022 one copy of the plans concerned with the approval note carrying the embossed seal of this Panchayat and duly signed, is returned to the interested party who shall comply with the following conditions:**

1. To limit himself/herself to the plans approved and statement therein.
2. The construction shall be as per plans approved by this Panchayat and condition imposed on it.
3. To inform the Panchayat after excavation and before lying of plinth level.
4. To inform the Panchayat when the construction has been completed upto plinth level.
5. To inform the Panchayat as soon as the construction is completed.
6. Not to inhabit the building without the prior permission of this Panchayat.
7. To abide by the other related provision in force.
8. That building or construction is carried out as per the alignment given and the plinth level fixed by the Panchayat.
9. The construction licence shall be revoked.
  - a. if the construction work is not executed as per the plans approved and statements therein;
  - b. Wherever there is any false statement or any misrepresentation of any material /wrong plans/Calculations/documents in any incorrect of wrong at any stage.
10. Any change to be effected to the approved plans, prior permission on has to be obtained.
11. Prior to commencement in development work it will be incumbent upon the applicant to have valid conversion sanad of use of land as contemplated under Goa, Daman & Diu Land Revenue code 1968.
12. There should not be any drinking water well within 15 meters from Soak pit, Septic tank vice versa.

SE



.....Other Conditions Continued on Page No. 2.....

13. Trees if any shall be cut only with prior permission from the concerned Authority
14. The opening of the compound wall gate shall be inward only.
15. Traditional Pathway if any, passing through the property shall not be blocked.
16. Neat and clean environment with special reference to drainages, sewage, garbage etc. shall be maintained.
17. If any HT/LT/electric line is passing through the property then N.O.C. of The Electricity department shall be obtained prior to starting the construction work.
18. Completion certificate should be obtained from Senior Town Planner.
19. It is advisable to plant trees suitable to site condition.
20. In case of compound wall adequate openings at the bottom of the Compound wall shall be kept so that no cross drainage is blocked.
21. No hill cutting or filling of low lying area shall be undertaken without obtaining prior permission from the Chief Town Planner under section 17 of T.P. Act.
22. N.O.C. from all concerned authorities shall be obtained before commencement of the development.
23. F.A.R. coverage & Setback shall be strictly maintained as per the Approved plans and as per the rules in force.
24. Curring water should be treated with anti-larval chemicals.
25. The labourers engaged for the construction work shall possess Health Card failing which each labour shall be penalized with a fine of Rs. 1000/- at the first instance and Rs. 50/- daily under section 75AA of Goa, Daman & Diu Public Health Act.
26. The R.C.C. Layout should be conformed to the approved building dimensions.
27. The setback for construction of compound wall from the center line of the Road may be confirmed from the competent authority.
28. The Owner/Occupier of the building should also provide dust bin for disposal of their garbage etc. and same should be borne from their end.
29. The set backs shown on the site plan shall be strictly maintained.

...Page 3....

30. All the conditions mentioned in Town and Country Planning Department No. TPM/27994/Cavelossim/134/3/2023/1051 dated 27/02/2023 Shall be strictly complied with.
31. The Owner/ Occupier of the building has to take adequate measures to have a rain water harvesting infrastructure setup to conserve water in his premises.
32. Waste generated by the owner/ occupier should be segregated and handed over to Government authorized entity or Individual No burning and No dumping is allowed and is a punishable offence under the act.

**The Following conditions are to be followed as per Contempt Petition No. 43 of 2017 in public interest litigation WP No. 4 of 2007 and Notification No.5-1-PCE-PWD-EO/2018/181 dtd. 07/03/2018:-**

1. The applicant shall dispose the construction debris at his/her own level and/or the same shall be taken to the designated site as per the disposal plan given by the applicant in the affidavit at his own expenses.
2. Applicant shall produce the certificate issued by the concerned PWD officials of designated sites as mentioned in the said notification dated 07/03/2018.
3. Failing to comply clause (a) and (b) the penalty shall be imposed to the applicant at the rate of 0.5% on the total cost of the project and also the construction licence issued to the applicant shall be withdrawn/cancelled.
4. Before Commencement of work to get Mutation on form I & XIV and demarcation of property.

**The applicant has paid the respective tax/fees the tune of Rs. 6,84,350/- (Rupees Six Lakhs Eighty Four Thousand Three Hundred Fifty only) by receipt no. 64/27 dated 21/03/2023.**

**The Licence shall be valid for a period of three years beginning from 21/03/2023.**

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

Place: - Cavelossim, Salcete, Goa.  
Date: 21/03/2023



  
(Ankita Dessai)  
Secretary  
V. P. Cavelossim



Annexure C

NEW APPROVAL**BLOCK-A (01 LOBBY)**BASEMENT FLOOR

- 1) KITCHEN/BHO/PARKING/SERVICES

GROUND FLOOR

- 1) ALL DAY DINING/RESTURANT/MEETING ROOM/FRONT OFFICE/RECEPTION

FIRST FLOOR

- 1) RESTURANT/OFFICE AREA/ALL DAY DINING KITCHEN

**BLOCK-A (08 VILLAS)**GROUND FLOOR

- 1) LIVING/TOILET / LOBBY

FIRST FLOOR

- 1) BED ROOM/TOILET

**BLOCK-B (20 VILLAS )**GROUND FLOOR

- 2) LIVING/TOILET / LOBBY

FIRST FLOOR

- 2) BED ROOM/TOILET

**BLOCK-SPA (01 VILLAS )**GROUND FLOOR

- 1) RECEPTION LOBBY/LOCKERS/GROOMING/TOILET

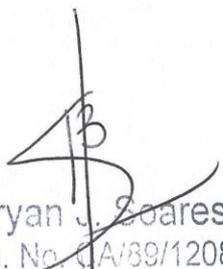
FIRST FLOOR

- 3) SEATING/MASSAGE/TOILET

**COVERAGE=2768.10 M2**

**F.A.R= 4840.05 M2**

**B.U.A (Without Basement)=5034.70 M2 (ALL BLOCKS+SWIMMING POOL+SECURITY CABIN)**

  
 Bryan J. Soares  
 Reg. No. GA/39/12085  
 AR/0051/2010

OLD APPROVAL**BLOCK-A (01 BLOCK)**GROUND FLOOR

- 1) 06 SHOPS

FIRST FLOOR

- 2) CLUBHOUSE

**BLOCK-B (01 BLOCK)**GROUND FLOOR

- 1) LOBBY/RESTAURANT/KITCHEN/BAR CAFFE SHOP

FIRST FLOOR

- 2) CONFERENCE/MINI HALL/RESTAURANT

**BLOCK-D (01 BLOCK)**GROUND FLOOR

- 1) SQUACH COURT/SAUNA/MASSAGE/JACUZZI

FIRST FLOOR

- 3) CHILDREN PLAY ROOM/CARD ROOM

**BLOCK-F (04 BLOCK)**GROUND FLOOR

- 1) 10 ROOMS X 04 BLOCK=40 ROOMS

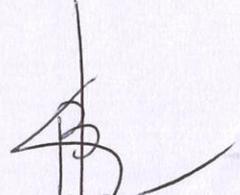
FIRST FLOOR

- 4) 10 ROOMS X 04 BLOCK=40 ROOMS

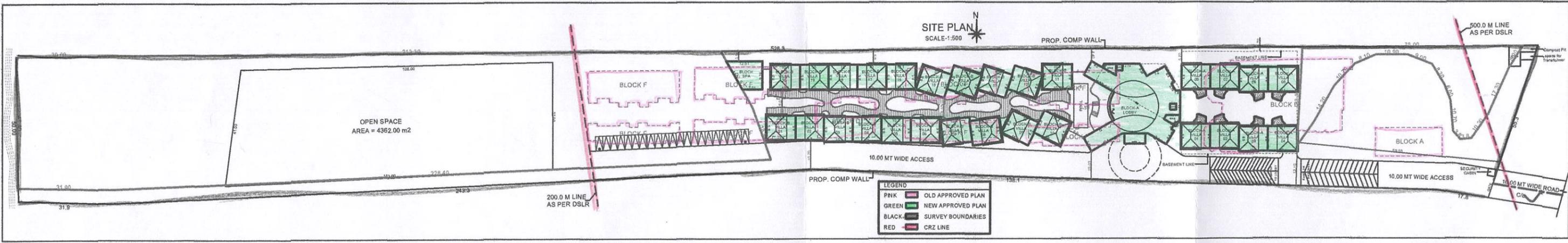
**COVERAGE=3818.56 M2**

**F.A.R= 5774.71 M2**

**B.U.A (Without Basement)=7527.43 M2 (ALL BLOCKS+SWIMMING POOL+SECURITY CABIN)**



Bryan J. Soares  
Reg. No. CA/89/12085  
AR/0031/2010



  
Bryan U. Soares  
Reg. No. CA/89/12085  
AR/0031/2010

ESTIMATED EXPENSES TOWARDS LICENSES AND DEVELOPMENT OF THE PROJECT		
		RUPEES
1	LAND COST	72,41,000.00
2	CONVERSION SANAD FEE	57,60,000.00
3	INFRASTRUCTURE TAX	60,29,000.00
4	CONSTRUCTION LICENSE AND RENEWALS FEES	29,90,000.00
5	COST OF CONSTRUCTION INCLUDING ARCHITECT, ENGINEERS FEES AND OTHER MISCELLANEOUS EXPENSES	7,52,59,000.00
<b>TOTAL</b>		<b>9,72,79,000.00</b>

*Approved*

Anneure E



# O HERALDO

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Pangim | MONDAY, MAY 27, 2024 | PRICE: ₹10.00 | AIR SURCHARGE: ₹10 | REG. NO. GZ/RR/GOA/101/2023-23 | PAGES: 12 | GOA'S LARGEST CIRCULATED NEWSPAPER

## DELHI HORROR: Seven newborns killed in private neonatal hospital inferno

The deceased babies included four boys and three girls; all were 15 days old except one boy aged 25 days; hospital's owner Dr Naveen Khichi and Dr Aakash Mittal's initial cause of the fire is stated to be a short circuit.

PTL NEW DELHI: Seven newborns were killed in a massive fire in a private neonatal hospital in east Delhi's Vasant Vihar, according to officials. and on Sunday the arrested the hospital's owner Dr Naveen Khichi and Dr Aakash Mittal. The fire broke out on Saturday night.



## Police say facility didn't have fire NOC

PTL RAJKOT: Police have issued an FIR against six partners of a game zone in Gujarat's Rajkot. Some charges of amounting to murder and attempted murder are also included in the FIR. Two partners were arrested.

## IMPL title No. 3: A 'knight' to remember for KKR

Kolkata Knight Riders dismantle Sunrisers Hyderabad by eight wickets in a lopsided final. In a lopsided final, IPL title No. 3: A 'knight' to remember for KKR. Kolkata Knight Riders dismantled Sunrisers Hyderabad by eight wickets in a lopsided final.





**DELHI HORROR: Seven newborns killed in private neonatal hospital inferno**

The deceased babies included four boys and three girls, all were 15 days old except one boy aged 25 days; hospital's owner Dr Naveen Kitchi and Dr Ashish arrested; initial cause of the fire is stated to be a short circuit, but probe underway; say police

**FIR against six partners of Rajkoti game zone, two arrested**

Police say faculty didn't have fire NDC

**ALL IN LAST 100**  
**ROTOR COACHES**  
**AND 100**  
**QUALITY**

**IPL title No. 3: A 'knight' to remember for KKR**

Kolkata knight Ritesh Saran's Sunrisers Hyderabad by eight wickets in a lopsided final

**THE HERALDO**

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 2020-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000



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## DELHI HORROR: Seven newborns killed in private neonatal hospital inferno

The deceased babies included four boys and three girls; all were 15 days old except one boy aged 25 days. Hospital's owner Dr Naveen Krichal and Dr Vikas arrested.

IPL title No. 3: A 'Knight' to remember for KKR  
Kolkata Knight Riders dismantle Sunrisers Hyderabad by eight wickets in a lopsided final



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Frangipani

MONDAY, MAY 22, 2017

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**DELHI HORROR: Seven newborns killed in private neonatal hospital inferno**

The deceased babies included four boys and three girls; all were 15 days old except...

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**FIR against six partners of Rajkot game zone, two arrested**

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# IPL title No. 3: A 'Knight' to remember for KKR

Kolkata Knight Riders dismantle Sunrisers Hyderabad by eight wickets in a topsided final





UCHAGANKAR

# THE HERALDO

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## DELHI HORROR: Seven newborns killed in private neonatal hospital inferno

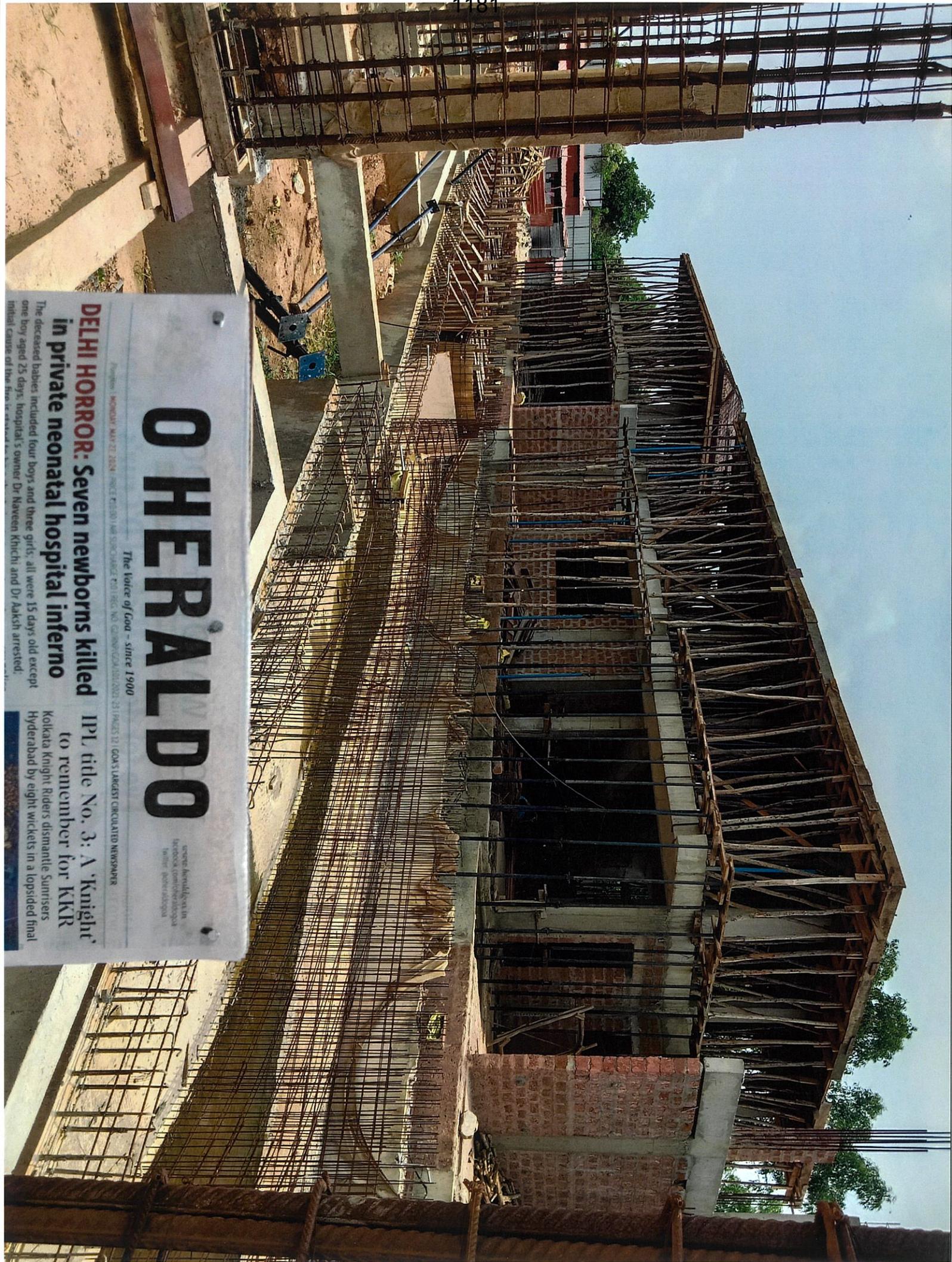
The deceased babies included four boys and three girls; all were 15 days old except one boy aged 25 days; hospital's owner Dr. Navleen Khichri and Dr. Ashish arrested; initial cause of the fire is stated to be a short circuit, but probe underway; say police

FIR against six partners of Rajput game zone; two arrested

MPL title No. 3: A Knight to remember for KKR  
Kolkata Knight Riders dismantle Sunrisers Hyderabad by eight wickets in a lopsided final



Outside court facility didn't have fire HOC



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## DELHI HORROR: Seven newborns killed in private neonatal hospital inferno

The deceased babies included four boys and three girls; all were 15 days old except one boy aged 25 days; hospital's owner Dr Naveen Khichi and Dr Aakshi arrested; initial cause of the fire is under investigation

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## DELHI HORROR: Seven newborns killed in private neonatal hospital inferno

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