

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH PUNE AT PUNE  
IA No. 53/2025 (WZ)**

**IN**

**ORIGINAL APPLICATION NO. 141 OF 2024**

IN THE MATTER OF:

PRAKASH AGRAWAL

...APPLICANT(S)

VERSUS

MATHIAS CONSTRUCTION PVT. LTD. & ORS. ...RESPONDENT(S)

**INDEX**

| <b>Sr.</b> | <b>Description</b>   | <b>Page Nos.</b> |
|------------|--|------------------|
|            | <b>Index</b>   | 1 – 5            |
| <b>1</b>   | Reply Affidavit of Original Applicant to IA No. 53/2025 filed by PP for dismissal of OA  | 6 – 41           |
| <b>2</b>   | <b><u>EXHIBIT-R-1</u></b><br>A true copy of complaint dated March 1, 2022, filed with the Ministry of Environment, Forests and Climate Change (MOEFCC) and the Goa State Pollution Control Board (GSPCB) regarding the supply of <b>unhygienic and unpotable drinking water</b> within the project, which was causing environmental degradation and endangering the health of residents regarding the failure to implement solar energy in the project, leading to severe environmental degradation. | 42 – 71          |
| <b>3</b>   | <b><u>EXHIBIT-R-2</u></b><br>A true copy of complaint dated March 11, 2022, filed with MOEFCC and GSPCB regarding the failure to implement solar energy in the project, leading to severe environmental degradation.   | 72 – 114         |
| <b>4</b>   | <b><u>EXHIBIT-R-3</u></b><br>A true copy of letter dated March 16, 2022, sent a letter to the developers, <b>M/S Mathias Construction Private Limited</b> , requesting details about the project.  | 115 – 119        |
| <b>5</b>   | <b><u>EXHIBIT-R-4</u></b><br>A true copy of letter dated March 16, 2022, filed a complaint with the <b>Panjim Police</b> regarding a risk to life due to <b>intimidation</b> faced by the Applicant.   | 120 – 125        |
| <b>6</b>   | <b><u>EXHIBIT-R-5</u></b><br>A true copy of letter dated March 17, 2022, the Applicant sent a letter to <b>M/S Mathias Construction Private</b>  | 126 - 129        |

|           |  |           |
|-----------|--|-----------|
|           | <b>Limited</b> , highlighting the issue of <b>nonpayment of the maintenance deposit</b> for unsold flats and raising concerns over financial and maintenance responsibilities.   |           |
| <b>7</b>  | <b><u>EXHIBIT-R-6</u></b><br>A true copy of letter dated March 17, 2022, to the <b>Panjim Police</b> regarding <b>failure to provide clean and hygienic drinking water</b> .   | 130 – 179 |
| <b>8</b>  | <b><u>EXHIBIT-R-7</u></b><br>A true copy of email dated March 26, 2022, to <b>M/S Mathias Construction Private Limited</b> , highlighting the project's operation <b>without Consent to Operate</b> , the need to upgrade the STP per CPCB directives, concerns over the <b>illegal purchase of groundwater</b> , and the <b>misuse of drinking water for flushing</b> . | 180 – 182 |
| <b>9</b>  | <b><u>EXHIBIT-R-8</u></b><br>A true copy of complaint dated March 28, 2022, lodged with the <b>Panjim Police</b> regarding the <b>theft of solar panels</b> from Sector 1, which were part of the fractionally owned property of residents.  | 183 – 309 |
| <b>10</b> | <b><u>EXHIBIT-R-9</u></b><br>A true copy of Show Cause notice Dated 11.12.2019 of Goa State Pollution Control Board confirming the non-submission of the Form for disposal of hazardous waste  | 310 – 311 |
| <b>11</b> | <b><u>EXHIBIT-R-10</u></b><br>A true copy of reply of the R1 dated 17.12.2019 to the Show Cause Notice dated 11.12.2019 of GSPCB confirming non maintenance of the data for disposal of Hazardous Waste.   | 312 – 313 |
| <b>12</b> | <b><u>EXHIBIT-R-11</u></b><br>A true copy of letter dated 19.08.2024 of The Goa State Pollution Control Board addressed to SEIAA- Goa with note sheet confirming the violations of Environmental Clearance Dated 16.05.2007.   | 314 – 321 |
| <b>13</b> | <b><u>EXHIBIT-R-12</u></b><br>A true copy of letter dated 05.12.2024 of The Goa State Pollution Control Board confirming that no returns under the waste management rules have been filed by the R1 to R4 from 2007. The letter also confirms that Hazardous Waste disposal returns have been filed from 2019-20.  | 322       |
| <b>14</b> | <b><u>EXHIBIT-R-13</u></b>   | 323 - 325 |

# 2595

|           |   |           |
|-----------|---|-----------|
|           | A true copy of letter dated 21.01.2025 of The Goa State Pollution Control Board addressed to the Village Panchayat of Taleigao and PWD Goa confirming the non-availability of potable water in the project.   |           |
| <b>15</b> | <b><u>EXHIBIT-R-14</u></b><br>A true copy of letter dated 28.01.2025 of The Goa State Pollution Control Board confirming that the commercial units viz. Norbert's Fitness Studio, KFC, Pizza Hut, Costa Coffee were operating in the project without CTO. | 326 – 327 |
| <b>16</b> | <b><u>EXHIBIT-R-15</u></b><br>A true copy of letter dated 26.02.2025 of The Goa State Pollution Control Board confirming that Zoe's Café was operating without CTO.   | 328       |
| <b>17</b> | <b><u>EXHIBIT-R-16</u></b><br>A true copy of Show Cause notice dated 10.03.2025 to the R1 to R4 issued by The Goa State Pollution Control Board for discharge of 400 KLD of untreated effluent in soil and sea.   | 329 – 342 |
| <b>18</b> | <b><u>EXHIBIT-R-17</u></b><br>A true copy of letter dated 17.03.2025 of the Directorate of Fire and Emergency Services of the State of Goa confirming major violations of the terms of sanction regarding Fire and Life Safety                            | 343 – 350 |
| <b>19</b> | <b><u>EXHIBIT-R-18</u></b><br>A true copy of letter dated 21.03.2025 of The Goa State Pollution Control Board that the system of the project was never connected to the OCMS system which is a requirement of the CTO dated 15.03.2019.                   | 351 – 352 |
| <b>20</b> | <b><u>EXHIBIT-R-19</u></b><br>A true copy of Letter dated 21.03.2025 of The Goa State Pollution Control Board confirming the initiation of action under Section 19 (b) of the Environment Protection Act against R1 to R4 along with note sheet           | 353 – 354 |
| <b>21</b> | <b><u>EXHIBIT-R-20</u></b><br>A true copy of letter dated 21.03.2025 of The Goa State Pollution Control Board confirming the initiation of action under Air Act & Water Act against R1 to R4 along with note sheet  | 355 – 356 |
| <b>22</b> | <b><u>EXHIBIT-R-21</u></b><br>A true copy of letter dated 22.03.2025 of this applicant addressed to Directorate of Fire and Emergency Services of the State of Goa and other authorities highlighting the   | 357 - 377 |

|           |  |           |
|-----------|--|-----------|
|           | deficiencies ignored by the team of officials of Directorate of Fire and Emergency Services of the State of Goa which conducted inspection on 24.01.2025   |           |
| <b>23</b> | <b><u>EXHIBIT-R-22</u></b><br>A true copy of email dated 10 July 2024, sent by Nahar Group, against whom this applicant has filed OA No. 104/2016, and addressed to Respondent No. 1, against whom I have filed OA No. 141/2016                          | 378       |
| <b>24</b> | <b><u>EXHIBIT-R-23</u></b><br>A true copy of Form 1 filed by PP with SEIAA-Goa on 24.12.2018   | 379 – 394 |
| <b>25</b> | <b><u>EXHIBIT-R-24</u></b><br>A true copy of email dated 12.02.2025 of Advocate Manish Salkar appearing for Goa State Pollution Control Board sent an email to this Hon'ble Tribunal seeking the adjournment of the above matter on ground of ill health | 395       |
| <b>26</b> | <b><u>EXHIBIT-R-25</u></b><br>A true copy of the email dated 12.02.2025 of Mr. Siddharth Sardesai appearing for Respondent Nos. 1 to 4 giving no objection to the request of Advocate Manish Salkar appearing for Goa State Pollution Control board      | 396 – 397 |
| <b>27</b> | <b><u>EXHIBIT-R-26</u></b><br>A true copy of daily orders showing appearance of Mr. Manish Salkar before the Hon'ble Bombay High Court – Goa Bench on 12 <sup>th</sup> , 13 <sup>th</sup> & 14 <sup>th</sup> of February 2025                            | 398 – 400 |
| <b>28</b> | <b><u>EXHIBIT-R-27</u></b><br>A true copy of notice dated 25.04.2024 of Advocate Matlock D'Souza   | 401 – 444 |
| <b>29</b> | <b><u>EXHIBIT-R-28</u></b><br>A true copy of Email dated 11.05.2023 of Joe Mathias to the owners of the Sector 1 apartments  | 445 – 453 |
| <b>30</b> | <b><u>EXHIBIT-R-29</u></b><br>A true copy of application dated 20.08.2013 for development permission of the PP   | 454       |
| <b>31</b> | <b><u>EXHIBIT-R-30</u></b><br>A true copy of letter dated 03.09.2024 of the Goa State Pollution Control Board wherein they have declined to provide any reason for grant of Consent to Establish and Consent to Operate                                  | 455       |
| <b>32</b> | <b><u>EXHIBIT-R-31</u></b><br>A true copy of letter dated 25.02.2010 of Joe Mathias addressed to NGPDA   | 456 – 466 |

|           |   |           |
|-----------|---|-----------|
| <b>33</b> | <b><u>EXHIBIT-R-32</u></b><br>Screenshot of call record to Julian Mathias (R2) informing him about the visit of the Team of Goa State Pollution Control Board.  | 467       |
| <b>34</b> | <b><u>EXHIBIT-R-33</u></b><br>Screenshot of incoming call of Chief Engineer of Mathias Construction Private Limited (R1) called this applicant and informed him that he has been instructed by Julian Mathias (R2) to immediately reach the project site and assist the team of officers from the Goa State Pollution Control Board (R7). | 468       |
| <b>35</b> | <b><u>EXHIBIT-R-34</u></b><br>Screenshot of Joe Mathias (R3) called this applicant and requested him to visit his office at 4 PM  | 469       |
| <b>36</b> | <b><u>EXHIBIT-R-35</u></b><br>Pre-Trap Panchnama dated 20.04.2022 of Goa Police confirming withdrawal of an amount of Rs. 5,00,000.00 to be paid to this applicant as bribe money.  | 470 – 477 |
| <b>37</b> | <b><u>EXHIBIT-R-36</u></b><br>A true copy of seizure memo dated 20.04.2022 of the house search of this applicant  | 478 – 482 |
| <b>38</b> | <b><u>EXHIBIT-R-37</u></b><br>Letter dated 01 April 2022 of Joe Mathias addressed to this applicant thanking this applicant   | 483       |



**ORIGINAL APPLICANT**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
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IA No. 53 OF 2025

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IN THE MATTER OF:

PRAKASH AGRAWAL

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Versus

MATHIAS CONSTRUCTION PVT. LTD. & ORS. ...RESPONDENTS

REPLY ON BEHALF OF THE ORIGINAL APPLICANT TO IA NO.  
53/2025 FILED BY PP FOR SEEKING DISMISSAL OF OA

I, Prakash Agrawal, aged 64 Years, residing at 703 La Gomera, Mathias Ocean Park Residency, Dr E Borges Road, Donna Paula, Panji 403004, do hereby solemnly affirm and state on oath as follows:

- 1) It is respectfully submitted that, the IA No. 53/2024 filed by Respondent No. 1 to 4 in OA No. 141/2024 seeking dismissal of the OA is baseless, misleading & time pass for prolonging the final adjudication of the case and same is filed with ulterior motive.

**PRELIMINARY OBJECTIONS**

- 2) I state that the IA is in contravention of provisions of "The National Green Tribunal Act, 2010 reads as:

*"An Act to provide for the establishment of a **National Green Tribunal for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for***

***damages to persons and property and for matters connected therewith or incidental thereto.***

*AND WHEREAS India is a party to the decisions taken at the United Nations Conference on the Human Environment held at Stockholm in June 1972, in which India participated, calling upon the States to take appropriate steps for the protection and improvement of the human environment;*

*AND WHEREAS decisions were taken at the United Nations Conference on Environment and Development held at Rio de Janeiro in June, 1992, in which India participated, calling upon the States to provide effective access to judicial and administrative proceedings, including redress and remedy and to develop national laws regarding liability and compensation for the victims of pollution and other environmental damage;*

*AND WHEREAS in the judicial pronouncement in India, the right to healthy environment has been construed as a part of the right to life under article 21 of the Constitution;”*

- 3)** The Applicant, a Senior Citizen, has personally suffered due to the violations of environmental laws committed by Respondents R1 to R4 and has, therefore, filed the present Original Application. The Applicant has submitted compelling evidence before this Hon’ble Tribunal, demonstrating violations of every term of the CTE dated 11.01.2016, CTE dated 15.03.2019, and EC dated 16.05.2007. The authorities have also confirmed the violation of the right to life under article 21 of the Constitution. This applicant states that he is a victim of the violations of R1 to R4. **By no stretch of imagination, the present OA of the applicant can be construed to be filed as a PIL.** This is an attempt by R1 to

# 2600

R4 to misguide this Hon'ble Tribunal as they till date have not shown any intention to rectify the violations in the project.

- 4) The authorities have officially confirmed the violations, causing frustration among the Respondents, who now fear strict legal action. These violations have been documented and verified in the following official records:

| <b>Sr.</b> | <b>Description</b>  |
|------------|---|
| 1.         | <b><u>25.02.2010</u></b><br>The PP has stated in their letter that they started the development and construction work on 22.03.2007 while the EC was granted on 16.05.2007  |
| 2.         | <b><u>20.08.2013</u></b><br>The PP made an application for grant of Development permission on 29.08.2013, after expiry of the EC dated 16.05.2007 on 15.05.2012.  |
| 3.         | <b><u>01.10.2013</u></b><br>Development Permission was granted by NGPDA to the PP. <b>(P@776-778)</b>   |
| 4.         | <b><u>14.05.2015</u></b><br>The Completion Certificated dated 14.05.2015 <b>(P@391)</b> by the North Goa Planning and Development Authority confirms that the construction of the project has been carried out by the Respondent Nos. 1 to 4 after expiry of the Environmental Clearance Dated 16.05.2007 <b>(P@386-390)</b> on 15.05.2012. |
| 5.         | <b><u>25.08.2015</u></b><br>The Part Occupancy Certificate dated 25.08.2015 <b>(P@392-408)</b> by the Village Panchayat of Taleigao confirms that the construction of the project has been carried out by the Respondent Nos. 1 to 4 after expiry of the Environmental Clearance Dated 16.05.2007 <b>(P@386-390)</b> on 15.05.2012.         |
| 6.         | <b><u>15.03.2019</u></b><br>The PP was granted Consent to Operate by GSPCB while Occupation Certificate Dated 25.08.2015 was granted to the PP and the buyers occupied the premises. For 4 years the project operated without any CTO.  |
| 7.         | <b><u>07.04.2022</u></b><br>Inspection Report of Goa State Pollution Control Board has confirmed the violations of EC and CTO dated 15.03.2019.   |
| 8.         | <b><u>26.06.2024</u></b><br>Inspection Report of Goa State Pollution Control Board has confirmed the violations of EC and CTO dated 15.03.2019.   |

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| 9.  | <b><u>22.09.2024</u></b><br>Inspection Report of the committee appointed by this Hon'ble Tribunal has confirmed the violations of EC and CTO dated 15.03.2019.                                |
| 10. | <b><u>21.01.2025</u></b><br>The Goa State Pollution Control Board addressed to the Village Panchayat of Taleigao and PWD Goa confirming the non-availability of potable water in the project. |
| 11. | <b><u>17.03.2025</u></b><br>Inspection Report of the Department of Fire and Emergency Services has confirmed the major violations of the terms of sanction of Fire and Life Safety.           |

- 5) It is important to note that the project is currently being operated by R1 to R4 without a valid Consent to Operate from the Goa State Pollution Control Board (GSPCB) and without a No Objection Certificate (NOC) from the Department of Fire and Emergency Services of the State of Goa.

**FULL DISCLOSURE BY THIS APPLICANT BEFORE THIS HON'BLE COURT**

- 6) The Applicant refers to paragraph 17(v) on **page 14** of the Original Application, wherein a full disclosure was made regarding the FIR registered by R3 against the Applicant. The Hon'ble Tribunal has registered the OA after considering this fact.
- 7) It is evident that R1 to R4, having realized that they lack a substantive defense on merit, have now filed this frivolous and misleading application solely to delay the trial. The relevant portion of paragraph 17(v) is reproduced below for reference:

*“The PP to suppress the voice of the applicant registered an FIR with the Crime Branch of Goa Police against the applicant on 07.04.2022 under section 384 of IPC.”*

- 8) The timing and the suppression of crucial events prior to the registration of FIR against this applicant will speak loud about the intention of the R1 to R4 in filing these complaints. FIR 36/22 was filed by the R3 on 07.04.2022, the day of the inspection of the Goa State Pollution Control Board. The subsequent FIR filed in 2024 were file after filing of the present OA before this Hon'ble Tribunal.
- 9) That On 07.04.2022, a team of officials from the Goa State Pollution Control Board (GSPCB) conducted an inspection at the project site. Within hours of their visit, an FIR was registered against the applicant. The inspection report of the GSPCB confirms violations of Environmental Clearance (EC), Consent to Establish (CTE), and Consent to Operate (CTO), as documented on Pages 626-629. Additionally, photographic evidence of human excreta floating at the project site on the same day, as observed and confirmed by the GSPCB, is annexed at Pages 367-368. Further, images of a JCB removing the human excreta on 08.04.2022 are enclosed at Pages 369-372. The FIR is a retaliatory action against the complaint, inspection, and findings of grave environmental violations.
- 10) The Applicant filed the following complaints against the developers, which ultimately led to the filing of FIR No. 36/22 against the Applicant by Respondent No. 3. This crucial fact has been deliberately and intentionally suppressed by Respondents Nos. 1 to 4 from this Hon'ble Tribunal:

| <b>Sr.</b> | <b>Description</b>  | <b>Response</b>                   |
|------------|---|-----------------------------------|
| <b>1</b>   | On March 1, 2022, the Applicant filed a complaint with the Ministry of Environment, Forests and Climate Change (MOEFCC) and the Goa State Pollution Control Board | No action by judicial authorities |

# 2603

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|          | (GSPCB) regarding the supply of <b>unhygienic and unpotable drinking water</b> within the project, which was causing environmental degradation and endangering the health of residents. <b>(EXHIBIT-R-1)</b>   |                                   |
| <b>2</b> | On March 11, 2022, the Applicant filed a complaint with MOEFCC and GSPCB regarding the failure to implement solar energy in the project, leading to severe environmental degradation. <b>(EXHIBIT-R-2)</b>   | No action by judicial authorities |
| <b>3</b> | On March 16, 2022, the Applicant sent a letter to the developers, <b>M/S Mathias Construction Private Limited</b> , requesting details about the project. <b>(EXHIBIT-R-3)</b>   | No response from the developer    |
| <b>4</b> | On March 16, 2022, the Applicant filed a complaint with the <b>Panjim Police</b> regarding a risk to life due to <b>intimidation</b> faced by the Applicant. <b>(EXHIBIT-R-4)</b>  | No action by judicial authorities |
| <b>5</b> | On March 17, 2022, the Applicant sent a letter to <b>M/S Mathias Construction Private Limited</b> , highlighting the issue of <b>nonpayment of the maintenance deposit</b> for unsold flats and raising concerns over financial and maintenance responsibilities. <b>(EXHIBIT-R-5)</b> | No response from the developer    |
| <b>6</b> | On March 17, 2022, the Applicant filed a complaint with the <b>Panjim Police</b> regarding <b>failure to provide clean and hygienic drinking water</b> . <b>(EXHIBIT-R-6)</b>  | No action by judicial authorities |

|          |   |                                   |
|----------|---|-----------------------------------|
| <b>7</b> | On March 26, 2022, the Applicant emailed <b>M/S Mathias Construction Private Limited</b> , highlighting the project's operation <b>without Consent to Operate</b> , the need to upgrade the STP per CPCB directives, concerns over the <b>illegal purchase of groundwater</b> , and the <b>misuse of drinking water for flushing</b> . <b>(EXHIBIT-R-7)</b> | No response from the developer    |
| <b>8</b> | On March 28, 2022, the Applicant lodged a complaint with the <b>Panjim Police</b> regarding the <b>theft of solar panels</b> from Sector 1, which were part of the fractionally owned property of residents. <b>(EXHIBIT-R-8)</b>   | No action by judicial authorities |

The suppression of these complaints by Respondents Nos. 1 to 4 is a **clear attempt to mislead this Hon'ble Tribunal** and obscure the serious environmental and legal violations associated with the project.

**AUTHORITIES HAVE CONFIRMED THE VIOLATIONS ALLEGED IN THE COMPLAINT OF THIS APPLICANT**

- 11)** The violations alleged to have been committed by the developers, as per the complaints of this applicant, have been confirmed by the authorities as follows:

| <b>Sr.</b> | <b>Description</b>  | <b>Exhibits/Pg.</b>   |
|------------|---|-----------------------|
| 1.         | Show Cause notice Dated 11.12.2019 of Goa State Pollution Control Board confirming the non-submission of the Form for disposal of hazardous waste | <b>(EXHIBIT-R-9)</b>  |
| 2.         | Reply of the R1 dated 17.12.2019 to the Show Cause Notice dated 11.12.2019 of GSPCB   | <b>(EXHIBIT-R-10)</b> |

# 2605

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|     | confirming non-maintenance of the data for disposal of Hazardous Waste.  |                       |
| 3.  | Inspection Report dated 07.04.2022 of Goa State Pollution Control Board  | 626-629               |
| 4.  | Inspection Report dated 26.06.2024 of Goa State Pollution Control Board  | 630-644               |
| 5.  | Letter dated 19.08.2024 of The Goa State Pollution Control Board addressed to SEIAA- Goa with note sheet confirming the violations of Environmental Clearance Dated 16.05.2007.  | <b>(EXHIBIT-R-11)</b> |
| 6.  | Inspection Report dated of the Hon'ble Committee appointed by this Hon'ble Tribunal 16.09.2024   | 1178-1282             |
| 7.  | Letter dated 05.12.2024 of The Goa State Pollution Control Board confirming that no returns under the waste management rules have been filed by the R1 to R4 from 2007. The letter also confirms that Hazardous Waste disposal returns have been filed from 2019-20. | <b>(EXHIBIT-R-12)</b> |
| 8.  | Objections to Inspection Report dated 16.09.2024 filed by this applicant on 04.01.2025   |                       |
| 9.  | Letter dated 21.01.2025 of The Goa State Pollution Control Board addressed to the Village Panchayat of Taleigao and PWD Goa confirming the non-availability of potable water in the project.   | <b>(EXHIBIT-R-13)</b> |
| 10. | Letter dated 28.01.2025 of The Goa State Pollution Control Board confirming that the commercial units viz. Norbert's Fitness Studio, KFC, Pizza Hut, Costa Coffee were operating in the project without CTO.   | <b>(EXHIBIT-R-14)</b> |
| 11. | Letter dated 26.02.2025 of The Goa State Pollution Control Board confirming that Zoe's Café was operating without CTO.   | <b>(EXHIBIT-R-15)</b> |
| 12. | Show Cause notice dated 10.03.2025 to the R1 to R4 issued by The Goa State Pollution Control Board for discharge of 400 KLD of untreated effluent in soil and sea.   | <b>(EXHIBIT-R-16)</b> |
| 13. | Letter dated 17.03.2025 of the Directorate of Fire and Emergency Services of the State of Goa confirming major violations of the terms of sanction regarding Fire and Life Safety  | <b>(EXHIBIT-R-17)</b> |

|     |   |                       |
|-----|---|-----------------------|
| 14. | Letter dated 21.03.2025 of The Goa State Pollution Control Board that the system of the project was never connected to the OCMS system which is a requirement of the CTO dated 15.03.2019.  | <b>(EXHIBIT-R-18)</b> |
| 15. | Letter dated 21.03.2025 of The Goa State Pollution Control Board confirming the initiation of action under Section 19 (b) of the Environment Protection Act against R1 to R4 along with note sheet  | <b>(EXHIBIT-R-19)</b> |
| 16. | Letter dated 21.03.2025 of The Goa State Pollution Control Board confirming the initiation of action under Air Act & Water Act against R1 to R4 along with note sheet   | <b>(EXHIBIT-R-20)</b> |
| 17. | Letter dated 22.03.2025 of this applicant addressed to Directorate of Fire and Emergency Services of the State of Goa and other authorities highlighting the deficiencies ignored by the team of officials of Directorate of Fire and Emergency Services of the State of Goa which conducted inspection on 24.01.2025 | <b>(EXHIBIT-R-21)</b> |

**12)** The applicant states that, as of today, Sector 1 of the project is operating without a valid Consent to Operate from the Goa State Pollution Control Board and without a No Objection Certificate (NOC) from the Directorate of Fire and Emergency Services, Government of Goa.

**13)** The following are the confirmed violations of the **non-existent environment infrastructure in the project under dispute** in inspection reports dated 07.04.2022, 26.06.2024 & 22.09.2024:

| Sr. | Major Points of Environment   | Page No.             |
|-----|---|----------------------|
| 1.  | STP Flow meter not in operation since 2020  | P@628,<br>clause (d) |
| 2.  | the operator was only trained to start the pump and discharge the effluent from the STP in thick vegetation | P@628,<br>clause (e) |
| 3.  | No sampling Pothole at the outlet of STP  | P@628,<br>clause (f) |

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| 4.  | unit has not provided tertiary treatment plant   | P@628,<br>clause (g) |
| 5.  | treated water is disposed in thick vegetation  | P@628,<br>clause (h) |
| 6.  | treated water not used for gardening   | P@629,<br>clause (i) |
| 7.  | Treated water Not used for flushing  | P@629,<br>clause (j) |
| 8.  | Samples of Treated Water collected exceeded the prescribed limits  | P@629,<br>clause (k) |
| 9.  | Not maintained records of treated water and STP  | P@629,<br>clause (m) |
| 10. | As per consent condition no. 6(xix) the unit shall operate an composting facility for the wet waste and maintain daily records of all the waste generated, treated and disposed from the premises and submit a compliance report to the Board within 45 days from the date of issue of this consent. However unit disposed wet waste generated from the unit through Village Panchayat Taleigao resulting in EC and Consent conditions violations. | P@629,<br>clause (n) |
| 11. | During inspection it was observed that <b>STP of unit (Sector 1) was not in operation</b> , it was informed that STP was kept idle for settling of sludge.   | P@639                |
| 12. | The unit doesn't have sufficient garden area to utilize the treated water.   | P@639                |
| 13. | STP water not used for flushing  | P@639                |
| 14. | it was observed that the treated water was finding its way into the Storm Water Drainage and polluting surrounding areas   | P@639                |
| 15. | While inspecting the existing SIP of 175 KLD it was observed that unit has kept 2nos. open pipe in the aeration tank, as per unit representative they have kept pipe to bypass the overflow in the aeration tank (Fig I).  | P@639                |
| 16. | The unit has provided flow meter only at the outlet for existing STP of 175 KLD however it was found nonfunctional during inspection.  | P@640                |
| 17. | The STP is not maintained properly, sludge was observed in the final treated water tank, the   | P@640                |

|     |   |       |
|-----|---|-------|
|     | operator present was also notable to explain the process of STP properly.   |       |
| 18. | It was also noted that there is no alternate power supply for STP, also there are no standby PUMPS.   | P@640 |
| 19. | As per unit representative the generated sludge is disposed using night soil tankers.   | P@640 |
| 20. | During inspection it is also observed that solid waste was dumped in open and there is no dedicated shed for the same Fig (6).  | P@640 |
| 21. | Housekeeping of the unit is lacking in maintaining the cleanliness, solid waste was found being stored inside the premises in an improper manner.   | P@640 |
| 22. | It was also observed that commercial activities are being carried out in the said unit at Sector 1, i.e Nobert Fitness studio and café in the name Zoe's Café was found in operation inside the unit premises at sector 1 during inspection Fig (7).  | P@640 |
| 23. | It is observed that there are violation of consent terms 3(iv) ( <b>There shall be no discharge of effluent outside the complex – Page 415 of OA</b> ), 3(v) ( <b>Effluent Samples shall be collected and tested in recognized lab) – Page 415 of OA</b> ), 3(vi) ( <b>There shall be good housekeeping – Page 415 of OA</b> ), 5(vii) ( <b>Manifest of waste to be maintained – Page 417 of OA</b> ), 5(x) ( <b>Maintain records of disposal of Hazardous waste – Page 418 of OA</b> ), 5(xii) ( <b>Online Board – Page 418 of OA</b> ), 6(ix) ( <b>Reliable flow meters to be installed – Page 419 of OA</b> ), 6(xvii) ( <b>Maintain records for water consumption and treated water – Page 420 of OA</b> ), 6(xx) ( <b>The unit shall maintain dedicated facility for waste collected – Page 420 of OA</b> ) mentioned in consent order dated 15.03.2019. | P@640 |
| 24. | The unit at Sector 1 has failed to comply with consent conditions mentioned in consent dated 15/03/2019.  | P@640 |
| 25. | High water absorbing plant such as banana plantations etc has to be provided to utilize the treated water.  | P@641 |

|     |   |                 |
|-----|---|-----------------|
| 26. | The unit has to provide filtration after disinfection, ozonation for odour /color removal before treated water is used for gardening or dual plumbing for flushing.                           | P@641           |
| 27. | The unit shall operate and composting facility for the wet waste and maintain daily records of all the waste generated, treated and disposed from the premises.                               | P@641           |
| 28. | No Rainwater Harvesting in Sector 1   | P@1180, ¶2      |
| 28. | All Waste Disposed Through Village Panchayat (Dry, Wet, Hazardous, Medical and Battery waste including), No Bio methanation Plant Set up in Sector 1, No Organic Waste Converter in Sector 1. | P@1180, ¶3      |
| 29. | E Waste disposed by individual owners, 175 KLD water is being used for irrigation (Not Explained as to how 1500 M/2 of garden space could Soak 175 KLD of water)                              | P@1180-1181, ¶4 |
| 30. | Solar Panel not functioning in Sector 1   | P@1181, ¶5      |
| 31. | No Water saving fixtures in Sector 1  | P@1181, ¶6      |
| 32. | Dual Plumbing not installed in Sector 1   | P@1181, ¶7      |
| 33. | Solar Based electric power to each unit not made in Sector 1  | P@1181, ¶8      |
| 34. | Solar Lighting Provided in Garden Area of Sector 1<br><b>(Blatantly false statement as less than 5% of the garden Lights in Sector 1 operate on Solar Energy)</b>                             | P@1181, ¶8      |
| 35. | Common area lighting and street lighting not provided in Sector 1 on Solar Energy.  | P@1181, ¶8      |
| 36. | No Green Belt Provided in the entire project.   | P@1181-1182, ¶9 |
| 37. | Provision of EV Charging Point Not made in Sector 1   | P@1182, ¶11     |
| 38. | CTO dated 15.03.2019 Violated the CPCB directives dated 21.04.2015 for STP  | P@415           |

- 14)** The FIR filed by the spouses of the Waterproofing Contractor and the Electrical Contractor of R1 in 2024 is a retaliatory action in response to the filing and acceptance of the present OA by this applicant before this Hon'ble Tribunal.

## **BUILDERS WORKING IN SYNDICATE TO SILENCE THE VOICE OF A GREEN ACTIVIST**

- 15) The enclosed email dated **10 July 2024 (EXHIBIT-R-22)**, sent by **Nahar Group**, against whom I have filed **OA No. 104/2016**, and addressed to **Respondent No. 1**, against whom I have filed **OA No. 141/2016**, provides clear and irrefutable evidence that these two developers are acting in collusion to suppress my voice as a green activist. This correspondence establishes beyond reasonable doubt that they are working in a coordinated manner to obstruct my environmental advocacy and legal proceedings. Such actions not only undermine the principles of justice but also highlight the unethical practices being employed to silence those who stand against environmental violations. I urge the relevant authorities to take immediate cognizance of this matter and initiate necessary action against the involved parties.
- 16) This applicant states and submits that a syndicate of environmental polluters is operating in a coordinated manner with the backing of political influence. Furthermore, they enjoy the support of officials who, through deliberate and intentional inaction, fail to fulfill their judicial and regulatory duties, thereby serving the financial interests of these polluters. As a result, this collective negligence and collusion are causing irreversible damage to the environment and ecology of the region, warranting urgent intervention by the relevant authorities.

## **PRESUPTION OF INNOCENCE IS A CARDINAL PRINCIPLE OF INDIAN CRIMINAL JURISPRUDANCE**

- 17)** The applicant asserts that the alleged false criminal complaint, as referenced by Respondent Nos. 1 to 4, was admittedly filed by them only after the applicant lodged complaints with the authorities regarding severe environmental violations in the project.
- 18)** This applicant states that every individual accused of a crime is presumed innocent until proven guilty in a court of law. Upholding this fundamental principle is essential to protecting the ideals of fairness, reasonableness, and personal liberty, as guaranteed by Articles 14 and 21 of the Indian Constitution. Article 14 ensures equality before the law, while Article 21 upholds the right to life and personal liberty. Judgments about a person's integrity or guilt must be based solely on concrete evidence that has been properly presented and examined in a court of law. Relying on media narratives, speculation, or strong suspicions not only undermines due process but also threatens the very foundation of justice. Ensuring a fair and impartial trial, free from external influence, is crucial in maintaining the rule of law and protecting individual rights.
- 19)** The presumption of innocence has been a fundamental aspect of the right to a fair trial even in the pre-constitutional era. With the adoption of the Constitution, it has become an integral part of human rights and the procedure established by law. This right is also enshrined in the International Covenant on Civil and Political Rights. The presumption of innocence is a cardinal principle of Indian criminal jurisprudence, serving as a golden thread running through all criminal proceedings. The prosecution bears the burden of proving the case against the accused beyond a reasonable

doubt. Condemning an innocent person is a far greater miscarriage of justice than allowing a guilty person to go free

**LACK OF POTABLE AND HYGENIC PWD WATER SUPPLY TO THE PROJECT AFTER 10 YEARS OF GRANT OF OCCUPATION CERTIFICATE – VIOLATION OF RIGHT TO LIFE UNDER ATRICLE 21 OF THE CONSTITUTION**

- 20)** The Respondent Nos. 1 to 4 have facilitated the occupation of the apartments without ensuring the supply of potable hygienic drinking water from the Public Works Department (PWD), as mandated by the Environmental Clearance (EC) dated 16.05.2007. Despite this non-compliance, the above Respondents have managed to obtain the Consent to Establish (CTE) and Consent to Operate (CTO) through political influence.
- 21)** The Occupation of the apartments has been granted by the Respondent Nos. 1 to 4 without supply of Potable Hygienic Drinking Water from the PWD (**P@157**) as per the terms of the EC dated 16.05.2007. Political influence has been used by the Respondent Nos. 1 to 4 to manage to obtain the CTE/CTO.
- 22)** The Respondent Nos. 1 to 4 have filed Form 1 with SEIAA-Goa on 24.12.2018 (**EXHIBIT-R-23**) with a declaration and the Form 1 in Para 2.2 state as under:

*“Total water requirement of 219 KLD will be sourced from PWD. Details are provided in Annexure - 2(a)”*

**R1 to R4 ATTMEPTING TO MANIPULATE THE MIND OF THIS HON’BLE TRIBUNAL**

- 23)** Repetition seems to be the strategy employed by Respondent Nos. 1 to 4 to sway the judgment of this Honorable Tribunal.

Through repeated statements, they are attempting to establish a belief in the Tribunal's mind. Initially, Respondent Nos. 1 to 4 referenced the FIR in their affidavit dated February 12, 2025 (**P@2118-2119**), and they included a copy of FIR No. 36/2022 (**P@2165-2168**), along with a complaint dated April 7, 2022 (**P@2169-2170**). Furthermore, at **P@1171-1173**, they annexed what is claimed to be a news item. However, what Respondent Nos. 1 to 4 are presenting to this Honorable Tribunal is more a matter of optics rather than substantive evidence and arguments.

**ATTEMPT TO PROTRACT THE TRIAL IN OA NO: 141/24 – JUDICIAL AUTHORITIES JOIN IN**

- 24)** On 12.02.2025 at 16.50 hours, Advocate Manish Salkar appearing for Goa State Pollution Control Board sent an email to this Hon'ble Tribunal seeking the adjournment of the above matter on ground of ill health. **(EXHIBIT-R-24)**
- 25)** On 12.02.2025 at 21.26 PM, Mr. Siddharth Sardesai appearing for Respondent Nos. 1 to 4 gave a no objection to the request of Advocate Manish Salkar appearing for Goa State Pollution Control board. **(EXHIBIT-R-25)**
- 26) THE MATTER WAS THUS ADJOURNED:** Copies of Multiple Orders of the Hon'ble Bombay High Court – Goa Bench where Mr. Manish Salkar appeared on 12<sup>th</sup>, 13<sup>th</sup> & 14<sup>th</sup> of February 2025 **(EXHIBIT-R-26)** are enclosed herewith. I would leave it to this Hon'ble Court How to deal with Shri Manish Salkar who is also an officer of this Hon'ble Tribunal. This applicant states that Shri Manish Salkar has abused the process of this Hon'ble Court.

## **FRUSTRATION OF R1 TO R4 LEADING TO FILING UNSUSTAINABLE IA TO PROTRACT THE TRIAL**

- 27)** The conduct of the PP is evident from the FIR No. 17/2002 (P@1256-1257) registered against R3 for forging the signatures of Clothildes Fernandes to obtain the title to 10% of the undivided share of the project land. This exposure before the authorities has further frustrated and agitated Respondent Nos. 1 to 4. This applicant has provided evidence before this Hon'ble Court of a serious violation u/s 468, 470 & 420 of IPC by R3 which has exposed the PP before the authorities and the purchasers of the apartments.
- 28)** The admitted violations in the project, ranging from non-compliance with environmental clearance conditions to illegal land possession and improper waste management, are a serious cause for concern. These infractions not only endanger environmental sustainability but also undermine regulatory frameworks meant to protect public health and natural resources. Instead of addressing these critical issues, the Respondent Nos. 1 to 4 are resorting to filing unsustainable Interim Applications (IA) as a delaying tactic to evade accountability and stall the trial process. Their actions reflect a deliberate attempt to divert attention from the gravity of their violations, further exacerbating the environmental and legal consequences of their non-compliance.
- 29)** The action initiated by the Applicant since 2022 has compelled Respondent Nos. 1 to 4 to establish environmental infrastructure for the first time since 2007, highlighting their long-standing neglect of regulatory compliance. Faced with accountability, the Respondent Nos. 1 to 4 have reacted with resistance, driven by their frustration over being forced to take

corrective measures. Their hostility stems from the fact that they can no longer evade their obligations, exposing their years of environmental mismanagement and regulatory violations. The residents of the project have been subjected to sustained oppression and intimidation, **creating an atmosphere of fear that prevents them from even demanding their basic right to clean and potable drinking water. This deliberate suppression not only violates their fundamental rights but also underscores the Respondent Nos. 1 to 4 s' blatant disregard for the well-being of the community.** The residents' silence is not a sign of consent but a consequence of the coercion they face, further highlighting the urgent need for judicial intervention to uphold their rights and ensure compliance with essential environmental and public health standards.

- 30)** The frustration of Respondent Nos. 1 to 4 arises from the fact that this Applicant has successfully demonstrated before this Hon'ble Tribunal and the relevant statutory authorities that **Sector 1 lacked essential environmental infrastructure** until the filing of the present OA. Multiple inspection reports have revealed significant violations, including the absence of a functional sewage treatment plant (STP), failure to implement a dual plumbing system, and the unchecked discharge of untreated sewage into the surrounding environment. The exposure of these deficiencies has not only contradicted the Respondent Nos. 1 to 4 claims but has also highlighted their **continued non-compliance with environmental regulations**, necessitating urgent corrective measures.
- 31)** This The Applicant had previously raised concerns regarding the title of the land, which were later confirmed upon receiving

a notice dated 25.04.2024 (**EXHIBIT-R-27**) from Advocate Matlock D'Souza. Enclosed with the notice was an order dated 14.02.2008 (**P@246-264**) issued by the Hon'ble Bombay High Court – Goa Bench in First Appeal No. 289/2006. This order conclusively adjudicated that the possession and title of the project land by Respondent Nos. 1 to 4 were illegal. However, the Respondent Nos. 1 to 4 deliberately suppressed this crucial order from flat purchasers, including the Applicant.

**THE R1 TO R4 HAVE NOT APPROACHED THIS HON'BLE COURT WITH CLEAN HANDS, SUPRESSED IMPORTANT INFORMATION AND MISGUIDED THIS HON'BLE TRIBUNAL**

**32)** The R1 to R4 have made the following suppressions/misdeclaration before this Hon'ble Court:

| <b>Sr.</b> | <b>Description</b>  |
|------------|---|
| 1.         | Suppressed the fact that the copy of the application along with the submissions made to MOECC while applying for grant of EC have not been supplied by R1 to R4 to the authorities namely GSPCB (R-7), SEIAA Goa and Regional Office of MOECC |
| 2.         | Suppressed that the List of 364 owners of Sector 1 contains many names of entities who do not have a registered Sale Deed. Deliberately and intentionally refrained from supplying copies of Sale Deeds (Email dated 04.10.2024 of R1).       |
| 3.         | suppressed the list of owners of Sector 4 apartments  |
| 4.         | Suppressed the list of owners of the 4 bungalows on the project land.   |

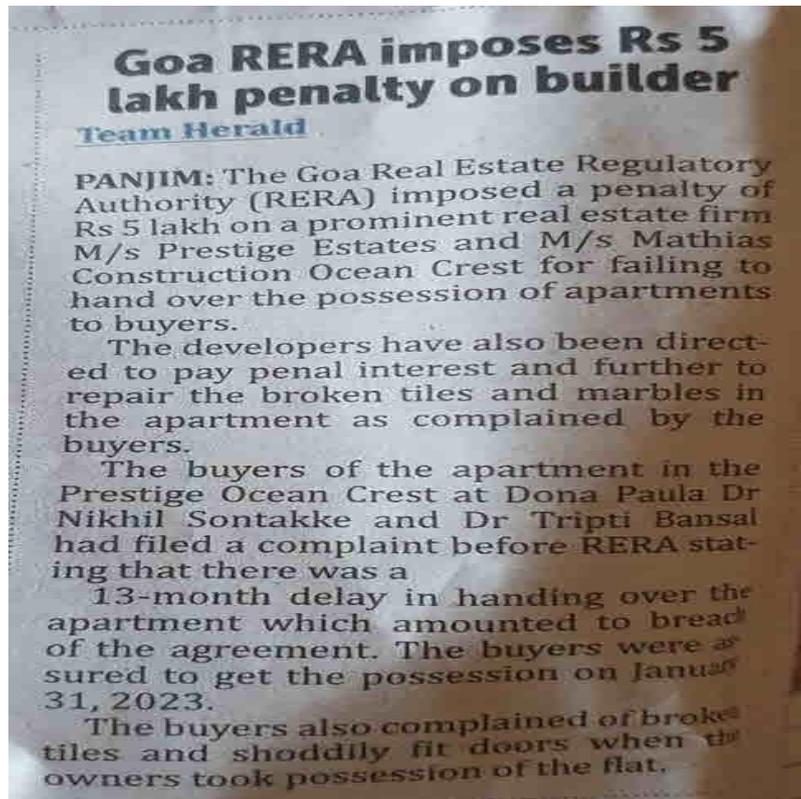
# 2617

|     |  |
|-----|--|
| 5.  | Suppressed the name of Prestige Estates Projects Limited as a Joint Developer of the project with clearances obtained by authorities in the name of Prestige Estate Projects Limited.                |
| 6.  | Suppressed the Email dated 27.05.2024 of R1 to R4 stating that MOPA is a legal entity.   |
| 7.  | Suppressed the fact that there is no requirement as per Goa Law to form a coop society in the State of Goa   |
| 8.  | suppressed the fact that MOPA has Memorandum of Association as well as Rules and Bye laws  |
| 9.  | Suppressed the fact the R3 was the Chairman of MOPA up to 2022.  |
| 10. | suppressed the fact that R1 Collected huge sums of monies from flat purchasers running over 10 crores as deposits while the R3 was the Chairman of MOPA  |
| 11. | Suppressed the fact that when R3 was the Chairman of MOPA, he appointed entities without a registered sale deed as office bearers of MOPA.   |
| 12. | suppressed the fact that MOPA has a PAN Card and pays income tax regularly   |
| 13. | suppressed the fact that Electrical Contractor of R1 and His Spouse were the Secretary of MOPA for major period since formation without having a registered Sale Deed of any apartment in Sector 1   |
| 14. | suppressed the fact that spouse of the water Proofing Contractor of R1 was the Treasurer of MOPA for major period since formation without having a registered Sale Deed of any apartment in Sector 1 |
| 15. | Suppressed the fact the Dr. Eugene Rent who was the Secretary of MOPA for a brief period was his friends' son.   |

|     |   |
|-----|---|
| 16. | suppressed the fact that he admittedly ( <b>Email dated 11.05.2023</b> ) used his influence with Goa Police so that no action was taken against Dr. Eugene Rent who were instrumental in disposing environmental infrastructure without the approval of GSPCB, MOECC & SEIAA-Goa. |
|-----|---|

**THE CONDUCT OF R1 TO R4 & THE AUTHORITIES EXPOSED DUE TO THE CONFIRMED AND ESTABLISHED VIOLATIONS**

- 33)** A news item in the local goa newspaper which appeared shows the conduct of the Respond net Nos. 1 to 4 is as under:



- 34)** The documentary evidence submitted before this Hon'ble Tribunal establishes beyond reasonable doubt that serious violations of environmental and ecological norms have existed in the project since its commencement in 2007

- 35) This is a clear case of ongoing environmental violations in the project since 2007, as confirmed by the statutory authorities.

**REPLY TO PARA 2 OF THE IA:**

- 36) Para 2 of the IA raises the question of Locus Standi of this applicant. Under the National Green Tribunal (NGT) Act, "locus standi" is interpreted broadly, meaning any "person aggrieved" by an environmental issue can approach the NGT, essentially allowing a wide range of individuals to file petitions, including activists and concerned citizens, due to the expansive view of who can be considered "affected" by environmental damage.
- 37) The NGT interprets the term "person aggrieved" liberally, allowing anyone who feels affected by environmental degradation to file a petition.
- 38) Section 18 of NGT Act specifies who can move application/appeal before the Tribunal. It includes, among others, 18(2)(d) "any person aggrieved including any representative body / organization" and the locus standi is not limited only to the aggrieved party. Thus, any person or organization who may be interested in the subject matter is permitted to approach the NGT.
- 39) In cases where respondents face allegations of causing irreversible environmental damage, they may sometimes find it challenging to mount a strong defense based on the substantive merits of the case. This difficulty might arise when the evidence of damage is clear and compelling. As a result, respondents might attempt to shift focus away from the core environmental issues by raising procedural, technical, or jurisdictional objections. These arguments are sometimes perceived as flimsy or unsustainable because they don't

address the actual harm alleged. Instead, they might aim to delay proceedings or create doubt where substantive defenses are weak or unavailable.

- 40) Courts and tribunals, particularly those with an environmental mandate, prioritize addressing the substantive environmental issues to ensure accountability for harm and to promote proper environmental stewardship. Ultimately, strong emphasis is placed on rectifying environmental harm and preventing further damage, which can shape how procedural grievances are assessed and potentially dismissed if they lack real substance or connection to the merits of the case.

### **REPLY TO PARA 3 OF THE IA**

- 41) The Para 3 of their Application Reads as:

*“The Applicant Prakash Agrawal was arrested RED HANDED on charges of extortion, from the present project concerning OA141/2024.”*

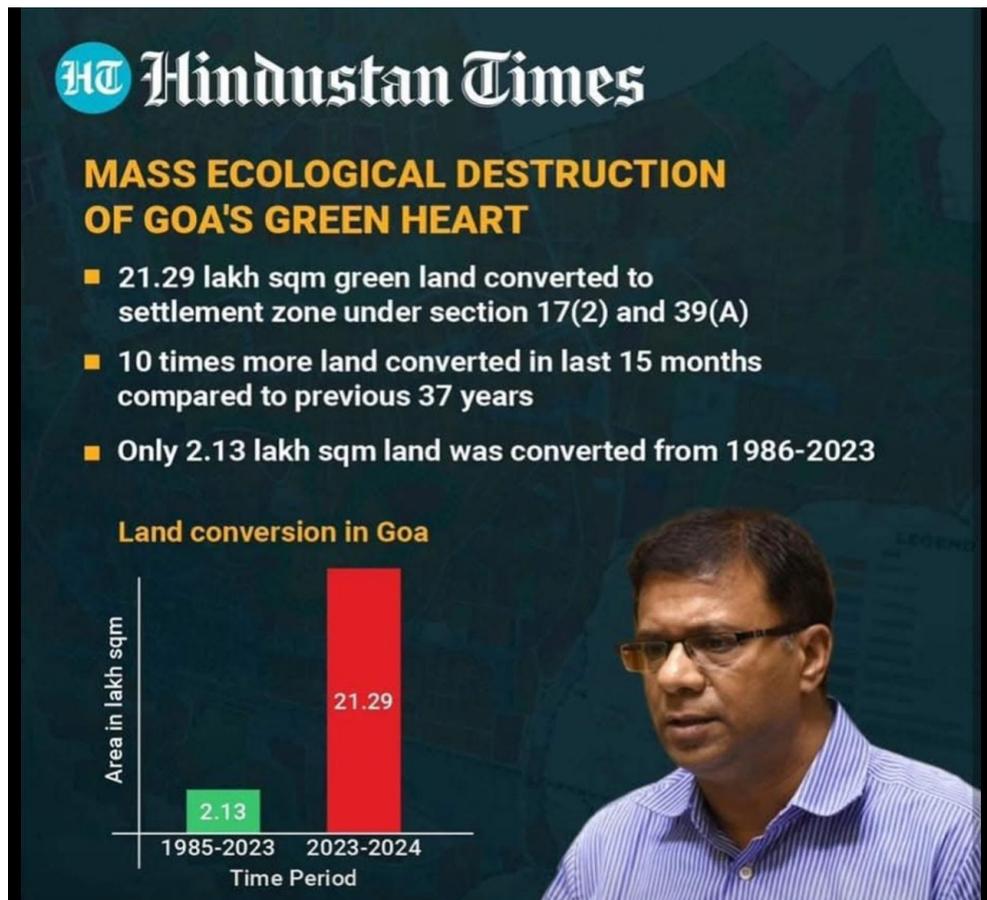
This applicant highlights the importance of basing judgments on solid evidence rather than relying on external perceptions or assumptions. In legal contexts, media reports and speculation, are insufficient for determining a person's integrity or guilt. The legal process requires evidence that is rigorously presented, scrutinized, and evaluated in court. This approach upholds the principles of fairness and justice as enshrined in constitutional values.

The presumption of innocence is a fundamental right, meaning individuals are considered innocent until proven guilty. Without a conviction, an individual retains their presumption of innocence and status. Ensuring that judgments are only made based on tangible and tested

evidence safeguards not only individual rights but also the integrity of the judicial process. It's critical to rely on court proceedings to assess and validate claims against an individual, thereby maintaining the rule of law and due process.

- 42)** In the reply dated 10 February 2024 to IA No. 290/2024, this applicant has conclusively established the political connection with the current Minister of Town & Country Planning in the State of Goa. It has been demonstrated beyond reasonable doubt that Respondent Nos. 1 to 4 sold a portion of land from Survey No. 249/1-A in Village Taleigao on 05.07.2010 at a 98% discount compared to the price at which Respondent No. 1 had acquired it on 31.03.2009 from the Respondent No. 3.
- 43)** This applicant has provided details that raise important questions about potential conflicts of interest and improprieties that could warrant further scrutiny. The claim of a land transaction at a significant discount, particularly when it involves parties with political connections, suggests undue influence or preferential treatment.
- 44)** This applicant has also annexed letters dated 26.03.2010 and 03.03.2010 written by Late Shri Ranjit Satardekar wherein Shri Satardekar has raised the question of involvement of the then Chief Minister Shri Pratap Singh Rane to the favors granted to the project by the authorities to the project of the Respondent Nos. 1 to 4. This applicant states that today Shri Satardekar purportedly jointly owns the project land with the Respondent Nos. 1 to 4 and hence is a partner in the project. It's important to thoroughly examine the letters written by the late Shri Ranjit Satardekar, as well as any additional documentation that pertains to the involvement of public officials and the specific actions taken regarding the project.

- 45) A News item that appeared in the Hindustan Times On 23.07.2024 titled “**MASS ECOLOGICAL DESTRUCTION OF GOA’S GREEN HEART**” during the tenure of Shri Vishwajeet P Rane as Minister of Town and Country Planning. On July 23, a report on *Hindustan Times* website titled “21.29 lakh sq m green zones in Goa converted for construction in 15 months: Data” by reporter Gerard de Souza detailed how two changes in rules reportedly made way for the spurt in land conversion. The report was based on data shared by Goa’s Forest minister Vishwajit Rane in the state legislative assembly last week in response to a query by AAP MLA Cruz Silva.



**46) ‘10x more than total land conversion between 1986 and 2005’**

The now deleted report had detailed that the BJP-led Goa government approved the conversion of 21.29 lakh square metres of green zones, or 0.057 percent of the state’s total landmass, for “settlement” in a span of 15 months since the government introduced two changes in rules in March 2023. It stated the amount of land converted in the past 15 months is about 10 times higher than the total land converted between 1986 and 2005.

**47)** A PIL has been filed in the Hon’ble Bombay High Court – Goa Bench where it has been alleged that the TCP Minister who is in collusion with the Respondent Nos. 1 to 4, has clash of interest in the conversion of 53.5 Hectares of Land. The same minister is the beneficiary of the “Land Grab” by the Respondent Nos. 1 to 4.

**‘Dept caused loss of ₹7.1cr to exchequer’**

▶ From P1

He said that on Aug 1, 2024, the finance department wrote to the chief town planner stating that these levies are not in accordance with the notification. He also told the court that a preliminary investigation has already been initiated by the director of vigilance into the matter and the report will be submitted in a sealed cover to the HC.

The petitioners, Swapnesh Shriekar and others, filed the PIL alleging that the TCP deliberately undervalued the calculation of fees for the correction of zones under Section 17(2) of the TCP Act. The PIL al-

**TCP minister has stake in Bicholim project, ordered 53.5ha land conversion: PIL in HC**

Times News Network

**Panaji:** The PIL alleging a conflict of interest and direct involvement of town and country planning (TCP) minister Vishwajit Rane in decisions concerning ‘One Goa project’ proposed in Karapur village in Bicholim has been filed in the high court.

The petition alleging colourable orders under Section 17(2) of the TCP Act, to enable the development of 53.5ha for One Goa project, was mentioned on Thursday. It will be heard next on March 12.



Two plots which were originally owned by Karapur Estates Pvt Ltd, where Rane and his MLA wife Deviya are directors, were sold to Errichter Infra Pvt Ltd, with the couple retaining a revenue-sharing interest, the PIL stated

Two plots which were originally owned by Karapur Estates Pvt Ltd, where Rane and his MLA wife Deviya are directors, were sold to Errichter Infra Pvt Ltd, with the couple retaining a revenue-sharing interest. Yet, Rane in his capacity as TCP minister granted approvals for the property’s commercial development, alleged petitioners Pravin Singh Shetgaonkar, Pritesh Salgaonkar, Ashish Poroh, Jose Gracias and Rupesh Shinkre.

The petitioners said that alleged mala fide approvals under Sections 17 (2)/38A of the TCP Act were granted in five cases in which the minister retains a direct interest contrary to statutory rules, procedures and guidelines.

The petition raises grave public interest concerns regarding the sheer conflict of interest that affects all facets of decision-making process in the TCP department in Goa with respect to the ‘One Goa’ project, the petition states, alleging open corruption of officials within govt at the highest levels.

The approvals were granted for the massive development project One Goa with the first phase comprising 1,388 plots for building constructions and other structures such as clubhouse, gym, 5star hotel, artificial beach etc without any assessment of environmental impact, or environmental clearance as per the EIA notification 2006 by manipulation of plot documents and overall scheme of proposed project, they have further submitted to the high court, the petitioners stated.



‘Fortune is an manaogino’ | Ex-chief corp draws 2nd PIL over | HC wishes to advance

**REPLY TO PARA 4 OF THE IA**

- 48) This applicant firmly challenges Respondent Nos. 1 to 4 to present strict proof regarding any claims that have purportedly been made by this applicant. To date, the applicant has been steadfast in pursuing cases related to environmental damage, ensuring that every matter has been contested vigorously until a final judgment was rendered. Through dedicated efforts, the applicant has successfully held violators accountable, compelling them to adhere to environmental obligations and secure the necessary Environmental Clearance. The applicant's diligence has also resulted in penalties being levied against the Project Proponent for proven environmental violations. This record underscores the applicant's unwavering commitment to upholding environmental standards and legal compliance.
- 49) This applicant firmly challenges Respondent Nos. 1 to 4 to provide strict proof regarding any personal enrichment claims made against the applicant.
- 50) The applicant reaffirms the assertion that Respondent Nos. 1 to 4 are attempting to mislead and divert attention from their documented environmental violations. By employing tactics that create a misleading impression or shift focus away from the actual issues, the respondents appear to be deflecting scrutiny instead of addressing the environmental infractions they have committed. This behavior undermines the importance of compliance and transparency concerning environmental regulations, and the applicant remains committed to ensuring that these concerns are brought to the forefront and addressed appropriately.

**REPLY TO PARA 5 OF THE IA**

- 51) Respondent Nos. 1 to 4 have neither submitted these complaints before the Hon'ble Tribunal nor provided any evidence to demonstrate that the applicant's complaints are motivated or lack merit. Their failure to submit a response or present supporting evidence indicates that the allegations put forth by the applicant remain unchallenged. This lack of rebuttal raises concerns regarding the respondents' commitment to transparency and accountability in the matter. Furthermore, the allegations raised in the complaints have been duly confirmed by the authorities.

## **REPLY TO PARA 6 OF THE IA**

- 52) Respondent Nos. 1 to 4 have mentioned the case involving the Nahar Group, which is irrelevant to OA No. 141/2024. This reference appears to detract from the core issues at hand by focusing on unrelated matters.
- 53) The dispute with the Nahar Group has been ongoing since 2016, with the applicant successfully securing favorable orders from the Hon'ble Bombay High Court. Additionally, multiple Public Interest Litigations related to the environmental violations by the Nahar Group have been admitted in the Hon'ble Bombay High Court, highlighting the significance and gravity of these concerns.
- 54) The applicant reiterates the claim that Respondent Nos. 1 to 4 are attempting to mislead or divert attention from their own confirmed environmental violations. This tactic appears to be an effort to undermine the applicant's position by introducing unrelated issues, rather than addressing the substantive environmental concerns present in OA No. 141/2024.

## **REPLY TO PARA 7 OF THE IA**

- 55) The applicant challenges Respondent Nos. 1 to 4 to provide strict proof of any claims regarding unlawful gains purportedly received by the applicant from any entity involved in environmental violations. This demand underscores the applicant's position that no such gains have been made, and it calls on the respondents to substantiate their claims with concrete evidence, thereby ensuring that all assertions are addressed transparently and accurately.

### **REPLY TO PARA 8 OF THE IA**

- 56) The applicant requires Respondent Nos. 1 to 4 to provide strict proof regarding any claims that the applicant lacks locus standi and is allegedly exerting undue pressure on the respondents. This challenge aims to ensure that the respondents substantiate their assertions with solid evidence, assuring that the applicant's standing and actions are evaluated fairly and accurately.

### **REPLY TO PARA 9 OF THE IA**

- 57) The applicant reiterates the fundamental legal principle that any person accused of a crime is presumed innocent until proven guilty in a court of law. This applicant opposes forming judgments based on media reports, speculation, or strong suspicions, as such sources cannot establish a person's integrity or guilt. The assessment of integrity should rely on concrete evidence that is presented and scrutinized within the framework of legal proceedings, in accordance with constitutional principles.
- 58) The Respondent Nos. 1 to 4 are making baseless and unsubstantiated allegations against this applicant.

### **REPLY TO PARA 10 & 11 OF THE IA**

- 59) This applicant states that a trap was laid by the Goa Police on 07.04.2022 and the same failed. The copy of Pre-Trap Panchnama and the sequence of events on 07.04.2022 have been intentionally suppressed by the Respondent Nos. 1 to 4 are detailed as under:

| Sr. | Date     | Time (Approx) | Description  |
|-----|----------|---------------|--|
| 1.  | 07.04.22 | 08.30         | Team of Goa State Pollution Control Board (R7) visited the project site for carrying out inspection based on the complaint of this applicant. <b>(Visit Report at P@626-631)</b> . They reported serious violations of the terms of EC dated 16.05.2007 <b>(P@386-390)</b> , CTO dated 11.01.2016 <b>(P@409-413)</b> and CTE dated 15.03.2019 <b>(P@414-420)</b> . |
| 2.  | 07.04.22 | 10.07         | This applicant gave a call to Julian Mathias (R2) informing him about the visit of the Team of Goa State Pollution Control Board (R7). <b>(EXHIBIT-R-)</b>   |
| 3.  | 07.04.22 | 10.23         | Chief Engineer of Mathias Construction Private Limited (R1) called this applicant and informed him that he has been instructed by Julian Mathias (R2) to immediately reach the project site and assist the team of officers from the Goa State Pollution Control Board (R7). <b>(EXHIBIT-R-32)</b>   |
| 4.  | 07.04.22 | 11.00         | Julian Mathias (R2) visited the site and interacted with the officials of Goa State Pollution Control Board (R7).  |

|    |          |       |   |
|----|----------|-------|---|
| 5. | 07.04.22 |       | Joe Mathias (R3) makes a complaint to the Crime Branch of Goa Police and stated as follows:<br><i>“The project has been constructed by obtaining the required permissions and licenses from the concerned departments. Despite having shown Mr. Agrawal all the permissions and licenses, he repeatedly states that there are shortcoming, etc., in the project and time and again induces fear in me by stating that I will be jailed, legal proceedings will be initiated against me, etc., which has caused me tremendous stress and tension. I am a law abiding senior citizen, 73 years of age and suffering from various serious illnesses for the last 5 years.”</i> |
| 6. | 07.04.22 | 12.07 | Joe Mathias (R3) called this applicant and requested him to visit his office at 4 PM. <b>(EXHIBIT-R-34)</b>   |
| 7. | 07.04.22 | 12.39 | FIR No. 36/22 registered against this applicant by Joe Mathias (R3). FIR was registered before the <b>“purported”</b> crime.  |
| 8. | 07.04.22 |       | Respondent Nos. 1 to 4 Rush to the HDFC Bank and withdrew an amount of Rs. 5,00,000.00 to be paid to this applicant as bribe money. <b>(EXHIBIT-R-35)</b>   |
| 9. | 07.04.22 |       | <u>Pre-Trap was laid on the complaint which failed and thus the crime never happened. The FIR was registered against this applicant in anticipation of the Crime to happen which is unheard of in criminal jurisprudence.</u>   |

|     |          |       |   |
|-----|----------|-------|---|
| 10. | 07.04.22 | 16.05 | This applicant visited the office of R1 and met R2 & R3 and walked out without any extortion money. <b>NO CRIME WAS COMITTED.</b> |
|-----|----------|-------|---|

- 60)** The applicant asserts that Respondent Nos. 1 to 4 were obligated to present all facts leading up to the registration of the retaliatory FIR by Respondent Nos. 1 to 4, as well as the events preceding the FIR's registration. However, Respondent Nos. 1 to 4 have deliberately and intentionally withheld these facts from this Hon'ble Tribunal.
- 61)** The applicant states that within a span of 2 hours (from 10:07 AM, when the applicant informed R2 about the GSPCB (R7) inspection, to 12:07 PM, when R2 requested the applicant to visit his office at 4 PM, FIR No. 36/22 was registered by Joe Mathias (R2) against the applicant. Subsequently, within the next 4 hours, cash was withdrawn from HDFC Bank, police officials from the Crime Branch of Goa Police arrived at the office of R1, and a pre-trap Panchnama was laid. These facts were intentionally and deliberately withheld by Respondent Nos. 1 to 4 from this Hon'ble Tribunal to mislead it.
- 62)** The applicant states that he never used the word "shortcomings" with Respondent Nos. 1 to 4. Instead, the applicant consistently informed them of serious violations of every term of the Environmental Clearance (**P@386-390**), Consent to Establish (**P@409-413**), and Consent to Operate (**Page 414-420**), as well as serious violations of the fundamental rights of the residents of the project.
- 63)** The seizure memo dated 20.02.2022 (**EXHIBIT-R-36**) related to the search of the applicant's residence sheds light on the intent of the Goa Police, as the following 'purportedly' objectionable documents were seized from my house:

- i) Letter of this applicant to the Principal Secretary, MOECC & GSPCB (R-7) making a complaint under Section 19 (b) of the Environment Protection Act, 1986.
- ii) File containing permissions from various authorities for the project of the Respondent Nos. 1 to 4.

The Panchnama states that no other incriminating documents were found in the flat, thereby implying that the two documents seized are considered incriminating. However, the Goa Police lacks jurisdiction to investigate matters related to environmental violations. The applicant has full liberty under Article 14 of the Constitution of India to file complaints regarding environmental violations with the appropriate authorities. Furthermore, the applicant is duty-bound under Article 51(A)(g) of the Constitution of India to protect and improve the natural environment.

### **REPLY TO PARA 12 OF THE IA**

- 64)** This applicant states that the case "The State of Uttar Pradesh vs. Uday Education and Welfare Trust", decided by the Supreme Court of India, revolves around the establishment of Wood-Based Industries (WBIs) in Uttar Pradesh. The appeals challenge the National Green Tribunal's (NGT) order, which had quashed a government notice allowing the setup of new WBIs and revoked provisional licenses issued to 1215 applicants. This was a matter of Public Interest and would have affected the economy of the state of Uttar Pradesh. The current OA caters to the effects of the Violations in the project where the applicant owns an apartment.
- 65)** This judgment has no resemblance to the present matter. The judgment in para 97 of states as follows:

*“Undisputedly, the U.P. Timber Association was a litigant interested in the litigation. However, insofar as the other original applicants, i.e. Uday Education and Welfare Trust and Samvit Foundation, for whom Shri Dhruv Mehta and Shri Brijender Chahar, learned Senior Counsel are appearing, specific queries with regard to the activities undertaken by the said original applicants were made as to whether they were involved in any activity with regard to the protection of the environment; had they at least been engaged in promoting plantation; what were the aims and objectives of the said original applicants; and what are the sources of funding, etc. Shri Mehta and Shri Chahar, learned Senior counsel, fairly submitted that apart from the fact that they (original applicants) had previously filed some public interest litigations wherein orders were passed in their favour, they had no other information.”*

- 66)** The case of the Respondent Nos. 1 to 4 is that this applicant has had previous interests in filing cases of Environmental Damage.

**REPLY TO PARA 13 TO 15 OF THE IA**

- 67)** The Respondent Nos. 1 to 4 have not been able to show any conviction of this applicant based on concrete evidence presented and tested in a court of law, adhering to constitutional principles.

**REPLY TO PARA 16 OF THE IA**

- 68)** The applicant asserts that he has the locus to file the present OA, and Respondent Nos. 1 to 4 have failed to provide any valid reasons challenging the applicant's locus.

## **REPLY TO PARA 17 OF THE IA**

- 69)** This The applicant asserts his absolute right to challenge the report of the Committee constituted by this Hon'ble Tribunal, as the Committee, under political influence, has failed to conduct the inspection in accordance with the orders of this Hon'ble Court. The challenge to the Committee's report cannot, by any stretch of the imagination, be considered a ground for dismissal.

## **REPLY TO PARA 18 OF THE IA**

- 70)** The R1 to R4 have failed to demonstrate any ground for the dismissal of the OA/141/24.
- 71)** Therefore, this IA No. 53/2025 (WZ) under reply may kindly be dismissed with heavy cost for abusing process of law and wasting valuable time of this Hon'ble NGT.

Whatever stated above is true and correct to the best of my knowledge, belief and information, hence, to verify the same I have signed hereunder at Nagpur.



(Mr. PRAKASH AGRAWAL)



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH PUNE AT PUNE  
ORIGINAL APPLICATION NO. 141 OF 2024

IN THE MATTER OF:  
PRAKASH AGRAWAL

...APPLICANT

Versus

MATHIAS CONSTRUCTION PVT. LTD. & ORS. ...RESPONDENTS

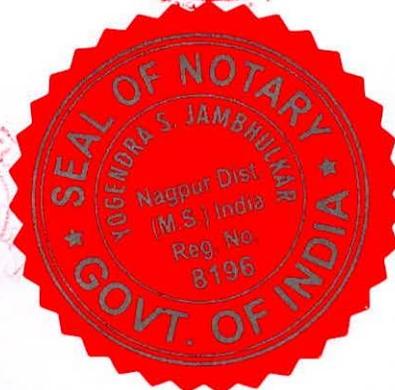
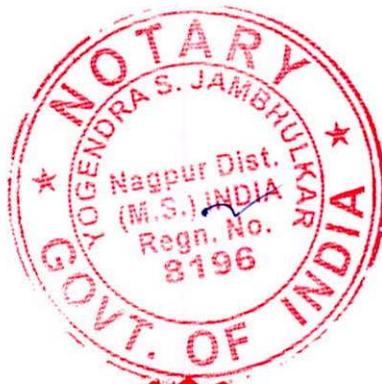
**REPLY FOR IA FOR DISMISSAL THE OA**

I, Prakash Agrawal, aged 64 years, residing at 703 La Gomera, Mathias Ocean Park Residency, Dr E Borges Road, Donna Paula, Panji 403004. The applicant herein, does hereby verify the contents of Paragraphs 1 to \_\_\_\_ and confirm that the same are true and correct to the best of my knowledge and I have not suppressed any facts.

Solemnly affirmed and verified at \_\_\_\_

On this day of April 2025

  
**DEPONENT**



SWORN BEFORE ME ON THIS 8 DAY OF April 25 AT NAGPUR BY SHR/SMT/KU. ab abou R/O..... WHO HAS BEEN IDENTIFIED BY SHR/SMT..... ADVOCATE, NAGPUR.

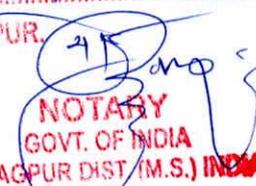
  
**NOTARY  
GOVT. OF INDIA  
NAGPUR DIST. (M.S.) INDIA**

EXHIBIT-R-1

**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park  
Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email:  
prakashagrawal@msn.com

To,

**1. HON'BLE PRINCIPAL SECRETARY**

Ministry of Environments Forests & Climate Change  
Paryawaran Bhawan,  
CGO Complex  
Lodhi Road  
New Delhi 110003

**2. HON'BLE MEMBER SECRETARY**

Goa Pollution Control Board-GPCB  
Nr. Pilerne Industrial Estate,  
Opp. Saligao Seminary,  
Saligao, Goa 403511

**Subject: Notice U/s. 19(b) of the Environment  
(Protection) Act, 1986 and U/s. 49 (b) Water  
(Prevention & Control of Pollution) Act, 1974**

Sir,

Whereas an offence under the Environment (Protection)  
Act, 1986 has been committed by;

- 1) Eugene Rent  
Secretary  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 3) Mr. Prashant Chopra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 4) Dr. Peter Rodrigues  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 5) Mrs Lata Mishra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 6) Mrs Revati  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 7) Mr. Yogesh Arora  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 8) Mr. Carmo Baretto  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 9) Mr. Randhir Nath  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 10) Mr. Prince Arora  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

**Ref: Deliberate Violation of the terms of EC under No. 21-15/2007-1A.III dated 16 may 2007 granted to project titled "Ocean Park" located at Survey No. 249/1-A at village: Talegaon, Tiswadi, Panjim, Goa, attracting penal action U/s. 19 (b) of Environment (Protection) Act, 1986 and U/s. Water (Prevention & Control of Pollution) Act, 1974 against the alleged Accused No. 1 to 9 herein above.**

Dear Sir,

- 1) I am a resident of Apartment No. 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panjim 403004. Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. The Mathias Ocean Park Association, who took over the affairs of the phase of the project for which the EC is granted was supposed to implement the Environment Management Plan. This has been brought to the notice of Dr. Eugene Rent, who is the Secretary of the Association repeatedly who has declined to implement the same and even provide clean and potable drinking water.
- 2) I am enclosing herewith the Minutes of the Meeting of the Association that was held on 18<sup>th</sup> December 2021. The said meeting was held under the Chairmanship of Mr.

Eugene Rent the secretary of the society. The resolution reads as:

***"5. Separate water supply line for kitchen***

*The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavour which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply."*

- 3) The Mathias Ocean Park Association has been buying water from Water Tankers mafia who are supplying ground water to the association and the Ground Water is untreated, impure and unsafe for drinking & cooking. Although the Mathias Ocean Park Association has water connection for 65000 litres of water supply from the PWD per day which is more than sufficient for the purposes of Drinking and Cooking, still Mr. Eugene Rent takes an arbitrary decision to deprive the members of Pure and safe drinking water.
- 4) The accused Nos. 1 to 9 attended the Meeting of the Managing Committee held on 18<sup>th</sup> December 2021 in which this decision to deprive the members of pure drinking water was taken.

- 5) The Developer has provided for separate lines for Water Supplies to Kitchen and rest of the apartments and the same can be very conveniently done without much expenditure. What is needed for the same is a few water tanks at the ground floor 3 Plasto Water Tanks of 20000 Litres each & about 7 Plasto Water Tanks of 5000 Litres each. The cost is hardly anything as compared to the number of apartments in the project. The accused has deliberately played with the purity of water. Providing impure & unsafe ground water from tanker for drinking & cooking purposes and that too without treatment cannot be a part of any Environmental Clearance that can be granted under EIA Notification, 2006.
- 6) The agenda of the accused is very clear that they want to extract money from the members on the sensitive issue of Pure Water Supply. Here is a whatsapp message posted by the spouse of one of the attendees to the meeting of the office bearers of the of Mathias Ocean Park Association which reads as follows:

*"As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the*

*underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong for the benefit of coming generations for next 100 years or as long as the bldg survives”*

- 7) I say that the deprivation of Pure and Safe water is only to extort monies from the residents of the society.
- 8) I am detailing the actual requirement of funds that would be needed for the purpose, wherein they have quoted an expenditure of Rs. 5 Crores.

| Head                                  | Quantity X Price | Total                   |
|---------------------------------------|------------------|-------------------------|
| 20000 Litres Tank                     | 3 X 1,40,000     | Rs. 4,20,000.00         |
| 5000 Litres Tank                      | 3 X 30,000       | Rs. 2,10,000.00         |
| Additional Cost of Pumps and Pipeline |                  | Rs. 10,00,000.00        |
| <b>Total</b>                          |                  | <b>Rs. 16,30,000.00</b> |
| Contingencies                         |                  | Rs. 3,00,000.00         |
| <b>Total</b>                          |                  | <b>Rs. 19,30,000.00</b> |

- 9) Please note that the Water Pipe Line for Kitchen has been separately provided by the builder at the terrace. What The Mathias Ocean Park Association was required

to do is that connect the pipe line of the PWD water to these dedicated lines provided by the builder.

- 10) I say that there is no question of Kilometers and Kilometers of Pipe Lines. I further say that the 5,00,000.00 (5 Crores estimate is more than 25 times the actual expenditure that is required to be made for this purpose.
- 11) The Mathias Ocean Park Association has not approached the builders for the same seeking their assistance in resolving this important issue as their agenda was to deprive the members and extort money from the owners of the apartments in the society.
- 12) Thus, substantial damage to the air, Water Environment & the groundwater level has been carried out by the accused. The Ground Water purchased by the accused is without proper permission of the competent authority and Tanker Supplier have not obtained any permission from the CGWA as mandated under Notification dated 24.09.2020. That is a separate offence that has been carried out by the accused.
- 13) Needless to say that, from the 65,000.00 Litres of Water Supply the needs for kitchen could be easily met and for rest of the purposes the groundwater could be used. That

would have saved the residents from the forcible consumption of ground water.

- 14) This applicant has informed the members in the Whatsapp Group on 3<sup>rd</sup> January 2022 that there is an Environment Clearance that has been granted to the project and for which they need to follow the rules.
- 15) The Managing Committee has permitted some selected employees of the society to stay in the premises of the society with their families. This is also not in conformity with the Environment Clearance and these are illegal occupancies giving unassessed & unapprised burden on the consumption of natural resources.
- 16) There is improper solid waste disposal deliberately carried out by the Managing Committee of the society. The same is damaging the water, air and soil quality in the area. This is causing huge deterioration in the quality of environment in the area.
- 17) The STP treated water is not being recycled / reused for flushing, which is actually causing the shortage of water and this is a very basic requirement. The additional tanks at the terrace for use of the STP treated water for flushing has deliberately not been provided separately by the Managing Committee of the Society. It is pertinent to

note that the builder has provided a separate line for the purposes of flushing. The same is not in operation and water getting mixed.

- 18) I say that by providing ground water for the kitchen, these accused have also compromised quality of living and right to decent life and hence a violation of my rights under Article 21 of the Constitution for right to decent life has been breached for which I am paying huge amount of charges towards maintenance & other expenses sought by the committee, however, these Accused from Committee of Apartment are not giving their heads towards their legal responsibility of providing clean, treated water for use.
- 19) Therefore, by not carrying out periodical testing of water supplied by tankers and STP treated Water in Government Laboratory, they have not followed the Environment Management Plan and Environment Mitigation Plan and hence caused huge damage to the environment and the safety of the residents of the project.
- 20) Thus, I am giving you notice including the accused No. 1 to 9 for clearly intending to prosecute you all under the provisions of Environment (Protection) Act, 1986 and

Water (Prevention & Control of Pollution) Act, 1974, after notice period.

I request you to act against all the accused in accordance with the provisions of The Environment Protection Act, 1986.

Date: 1 March 2021

Place: Panjim



PRAKASH AGRAWAL  
COMPLAINANT

**INDEX**  
**ANNEXURES**

| <b>Sr. No.</b> | <b>Particulars</b>  | <b>Page No.</b> |
|----------------|---|-----------------|
| 1.             | Copy of EC No. 21-16/2007-1A, III dated 16 <sup>th</sup> May 2007                                       | 13-18           |
| 2.             | Minuetes of the Meeting of the Managing Committee dated 18 December 2021                                | 19-25           |
| 3.             | Screenshot of Whatasspp Message dated 23 December 2021 in the Whatsapp Group titled "Ocean Park Owners" | 26              |
| 4.             | Screenshot of Whatasspp Message dated 03 Janauary 2022 in the Whatsapp Group titled "Ocean Park Owners" | 27              |

Date: 1 March 2021  
Place: Panjim



**PRAKASH AGRAWAL**  
**COMPLAINANT**

No. 21-16/2007-IA,III  
Government of India  
Ministry of Environment & Forests

Paryavaran Bhawan,  
CGO Complex, Lodi Road,  
New Delhi-110003.

Dated: 16<sup>th</sup> May, 2007

To

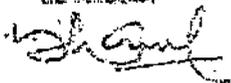
Mr. Joe Mathias,  
M/s. Mathias Constructions Pvt Ltd  
Mathias Plaza, 18<sup>th</sup> June Road,  
Panaji, Goa 403 001.

Subject: Construction of 'OCEAN PARK' at Survey No.248/1-A, Village  
Taloigao, Tiswadi, Panjim, Goa by M/s. Mathias Constructions Pvt.  
Ltd. Goa. - Environmental Clearance - reg.

This has reference to your application No. nil dated 29.12.2006 and subsequent letters dated 12.03.2007 seeking prior environmental clearance for the above project under the EIA Notification, 1994. The proposal has been processed as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Committee constituted by the competent authority in its meetings held on 22-24 February 2007 and 23-24 March 2007.

It is, inter alia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 82,232 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,998 sq.m. Stilt + 5 floors. It is proposed to construct 548 apartments in C-1 zone and 840 apartments in C-2 zone. Total car parking spaces proposed are 1469. The total cost of the project is Rs. 130 crores.

The Expert Committee after due considerations of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations have accorded environmental clearance as per the provisions of Environmental Impact Assessment Notification - 1994 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:



PART A SPECIFIC CONDITIONSI. Construction Phase

- i) "Consent for Establishment" shall be obtained from Karnataka State Pollution Control Board and a copy shall be submitted to the Ministry before start of any construction work at the site.
- ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
- iii) A First Aid Room will be provided in the project both during construction and operation of the project.
- iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- v) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- vi) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
- vii) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to E(P) Rules prescribed for air and noise emission standards.
- viii) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- ix) Ambient noise levels should conform to residential standards both during day and night. Environmental pollution loads on the ambient air and noise quality should be regularly monitored during construction phase.
- x) Ready mixed concrete must be used in building construction.
- xi) Storm water collection and its re-use as per CGWB and BIS standards for various applications.
- xii) Water demand for construction should be reduced by use of pre-mixed concrete and other best practices referred.
- xiii) Separation of plumbing line for grey and black water should be done by the use of dual plumbing line for separation of grey and black water.

*Shankar*

- xiv) Treatment of 100% grey water by decentralised treatment should be done.
- xv) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- xvi) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on airconditioning. If necessary, use high quality double glass with special reflective coating in windows.
- xvii) Roof should meet prescriptive requirement as per draft Energy Conservation Building Code by using appropriate thermal insulation material to fulfil requirement.
- xviii) Adequate measures to reduce air and noise pollution during construction keeping in mind CPCB norms on noise limits.
- xix) Opaque wall should meet prescriptive requirement as per draft Energy Conservation Building Code which is proposed to be mandatory for all airconditioned spaces while it is aspirational for non-airconditioned spaces by use of appropriate thermal insulation material to fulfil requirement.

## II. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards of the Goa Pollution Control Board.
- ii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
- iii) The solid waste generated should be properly collected & segregated before disposal to the City Municipal Facility. The in-vessel bio-conversion technique should be used for composting the organic waste.
- iv) Any hazardous waste including biomedical waste should be disposed of as per applicable Rules & norms with necessary approvals of the Goa Pollution Control Board.
- v) The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential landuse. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous variety.
- vi) Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored after commissioning of the project.

*[Handwritten signature]*

- vii) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
- viii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- ix) A Report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.

#### PART - B. GENERAL CONDITIONS

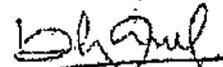
- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
- ii) Six monthly monitoring reports should be submitted to the Ministry and its Regional Office Bangalore.
- 4. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
- 5. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
- 6. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
- 7. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, etc. shall be obtained, as applicable by project proponents from the competent authorities.
- 8. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Goa Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 7 days from the day of issue of the clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.



9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

10. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority (if applicable).

11. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.



(Bharat Bhushan)  
Director (IA)

bbhushan\_98@yahoo.com

Tel: 24260795

Copy to :-

16.05.2007

1. The Secretary, Department of Environment, Government of Goa, Panjim, Goa.
2. The Member Secretary, Goa Pollution Control Board, Dempo Tower, 1<sup>st</sup> Floor, Patta Plaza, Panjim, Goa - 403 001.
3. The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IV<sup>th</sup> Floor, E&F wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore - 560 034.
4. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
5. Guard file.

(Bharat Bhushan)  
Director (IA)

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

---

Minutes of the 3rd Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 18th December 2021 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mrs. Revati - Member
- Mr. Yogesh Arora - Member
- Mr. Carmo Baretto - Member
- Mr. Randir Nath - Member

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### **1. Lift Annual Maintenance Contract**

After reviewing the terms and condition provided by team Shindler, the committee agreed to proceed with renewing the AMC contract for a period of 3 years. The contract states that there would be no increase in amount for this year however there would be a 7% increase for the coming 2 years. Mr. Carmo stated that he would review the offer and try and bring it down to 5% in a meeting planned with the schindler team. The current contract for 14 lifts is Rs.7,00,052 which works out to Rs.50,003 per lift including an 18% GST

## **2. Timing of facilities**

The committee reviewed the timing of facilities and agreed that we could continue with the current timings of 6AM to 11 PM for all club house facilities. However from 6 to 7 AM, 2 PM to 4 PM and 10 to 11 PM would be a silent zone and if excess noise is made during this period the timings will have to be revised accordingly. This was agreed upon in view of the excess noise experienced by residents in Gran Canaria and Boa Vista buildings.

## **3. Barrier around the swimming pool**

A proposal to have barriers a. Around the swimming pool and b. between the adults and children's pool was evaluated. It was found that a queue Manager would not serve the purpose as children could get around it. A metal barrier could be hazardous to swimmers within the pool with a potential to cause injury if it falls into the pool. It was hence decided that barricades around the pool would not be put. Regarding putting barricades between the adult and children's pools options would be looked into and reviewed in the coming meeting.

## **4. Entry stickers (Four and two wheelers)**

Stickers for cars / two wheelers to enter the complex will be distributed from 20<sup>th</sup> December 2021 onwards at the estate Managers office from 10AM to 5 PM. Special distribution on one of the Sundays would be organized for residents who cannot collect the sticker on weekdays. After 15<sup>th</sup> January 2022 vehicles without the new ocean park sticker would have restricted entry into the complex and overnight parking will not be permitted.

#### **5. Separate water supply line for kitchen**

The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavor which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply.

#### **6. CCTV**

The committee unanimously decided to upgrade the security camera facilities available on campus and install security cameras with sound and good recording facilities. It was also decided that the switchboards for the security systems would be internalized to prevent tampering with the same. 3 quotations would be obtained for the same.

#### **7. Speeding and parking regulations within complex**

It was resolved that any car found to be speeding would be issued a warning with a fine of Rs1000 and multiple repeated offenders would be restricted from entry into the complex. A log of the same would be maintained at the security cabin.

A second decision was to put up speed limit boards of 20Km/hr at the entrance of each lane so that residents are made aware of the agreed upon speed limits.

Also in order to prevent speeding a speed breaker would be installed on the first crossroad. Speed breakers are already installed on the rest of the crossroads.

The parking is a concern in the internal lanes as some people park covering the access road. To deter haphazard parking in the lanes, car parking slots will be marked and the residents are requested to ensure parking within the slots.

### **8. Facility Management**

The committee has reviewed the quotation provided by Chauhan for taking care of the facility management and has found it to be acceptable. Following assurances have been provided.

1. Adequate staff taking care cleaning all common areas.
2. Uniforms for all personnel
3. Accommodation of all personnel outside the premises
4. Monthly review by a representative from each building who will signoff on quality of work at the end of the month
5. Better attention to common areas and sports galleries.
6. Time table for cleaning of parking areas.

### **9. Society formation**

The process of society formation needs to be expedited and the assistance of residents with knowledge in the process involved is to be sought. The committee has decided to hire a lawyer and expedite the process.

### **10. Sewage treatment plant related issues**

The committee resolved that the care of sewage treatment plant should be outsourced to a third party that is competent in managing the same in order to aid its smooth running and prevent regular breakdown. Also the blower of the STP which is damaged needs to be replaced and quotations are to be procured for the same on priority.

### **11. Security guard review meetings**

It was resolved that the performance of the security team would be reviewed on a bimonthly basis with two objectives. A. To better the security facilities and to fine tune the security detail b. To deal with grievances raised both by the security personnel and those against them so as to provide better working environment and at the same time better services by them. Mr. Yogesh volunteered to be the first point of contact in dealing with security related issues. It was also resolved that till the GST issues of Thunderforce is resolved the salaries of the security personnel will be paid directly from the society account on the 5<sup>th</sup> of every month.

### **12. Electrical and Plumbing**

It was decided that any contract with all service providers within the complex would be terminated and the estate manager would call an electrician or plumber when required from a registry of available providers. Any of these personnel staying within the complex will have to vacate before the 15<sup>th</sup> of January 2022. The contract with excel engineering would be terminated as of 1<sup>st</sup> January 2022

### **13. Non occupancy charges**

It was resolved that the society would start collecting non occupancy charges of Rs. 900 per month from apartments that are given out on rent from 1<sup>st</sup> of January 2022 as it was decided in the AGM that we would be doing the same. Any contention regarding the above would have to be raised in the following AGM.

### **14. Police verification**

It has been resolved that as per the government regulations all tenants occupying the premises have to get the police verification done and the required documents have to be

submitted at the society office. A deadline of 15<sup>th</sup> of January 2022 for getting the same done has been issued. Following this date a list of tenants without police verification documents will be submitted to the responsible authorities.

## **15. Complaint register**

In order to reduce the number of calls received by the members of the committee and the managerial staff and to streamline facilities it was resolved that a complaint / work register would be kept in the estate managers office. Any issue that needs to be looked into can be entered into this register and it would be duly responded to. The residents are requested to utilize this register rather than whatsapp groups to register complaints / work orders / other issues.

## **16. Census collection**

It was resolved that the committee members would aid the security in collection of census data so as to complete the project by 15<sup>th</sup> January 2022

## **17. Notice for non compliance**

It has been decided that the committee would send notices to those residents not complying with the rules set for civil work in apartments mainly work between 2PM to 4PM in the afternoon and using the lift to transport heavy goods. The Rs.20,000 security deposit collected would be forfeited if the above rules are not followed. The committee unanimously agreed to the same.

## **18. Protocol for quotations**

Mr. Prashanth would be the point of contact for procurement and quotations. It was also decided that a break up of labor cost and material cost would be obtained separately to aid in better assessment of said quote.

As there were no other points for discussion, the meeting ended at 8.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman

4:04



97%



## Ocean Park Owners

Abdul, Abhijit, Abhinav, Ali, Almira, Amrita,...



kitchens.

23 December 2021

1:59 pm

Atul Mishra

As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong..for the benefit of coming generations for next 100 years or as long as the bldg survives

2:49 pm



You can't send messages to this group because you're no longer a participant.





environment



They wash car additional serv. 3 January 2022 gh  
personal time. This is their right and choice of free will. There are many who use their services and I don't think the committee should have any say in that. Whether they stay inside the complex or not, sure that's for the committee to decide.

5:28 am

**Nirav**

They wash cars or earn through additional services in their personal time. This is their right and choice of free will. ....

As per the sanctioned plans we cannot permit anyone to live in the common areas of the society. Please note that this complex has a environment clearance also and it will be a violation of the environment protection act as well as the town planning sanction.

6:28 am ✓

**Nirav**

Like i said whether they can stay or not is not my decision. But whom I employ or take services from is my decision.

7:05 am

**Nirav**

Like i said whether they can stay or not is not my decision. But whom I employ or



You can't send messages to this group because you're no longer a participant.



\* Indicates a required field.

\* Consignment Number

EM563984905IN

Track More

| Booked At          | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|--------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Nio Dona Paula S.O | 12/03/2022 11:37:08 | 403511              | 29.50  | Inland Speed Post | Saligao S.O       | 14/03/2022 14:29:12   |

## Event Details For : EM563984905IN

Current Status : Item Delivery Confirmed

| Date       | Time     | Office             | Event                   |
|------------|----------|--------------------|-------------------------|
| 14/03/2022 | 14:29:12 | Saligao S.O        | Item Delivery Confirmed |
| 14/03/2022 | 11:39:39 | Saligao S.O        | Out for Delivery        |
| 14/03/2022 | 09:56:16 | Saligao S.O        | Item Received           |
| 13/03/2022 | 02:21:27 | Panaji NSH         | Item Dispatched         |
| 13/03/2022 | 01:35:26 | Panaji NSH         | Item Bagged             |
| 12/03/2022 | 21:51:02 | Panaji NSH         | Item Received           |
| 12/03/2022 | 15:04:51 | Nio Dona Paula S.O | Item Dispatched         |
| 12/03/2022 | 15:02:07 | Nio Dona Paula S.O | Item Bagged             |
| 12/03/2022 | 11:37:08 | Nio Dona Paula S.O | Item Booked             |
| 20/06/2020 | 14:56:37 | IN                 | Dispatched for Ukraine  |

\* Indicates a required field.

\* Consignment Number

EM563984914IN

Track More

| Booked At          | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|--------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Nio Dona Paula S.O | 12/03/2022 11:37:08 | 110003              | 70.80  | Inland Speed Post | Lodi Road HO      | 14/03/2022 19:28:39   |

Event Details For : EM563984914IN

Current Status : Item Delivery Confirmed

| Date       | Time     | Office             | Event                   |
|------------|----------|--------------------|-------------------------|
| 14/03/2022 | 19:28:39 | Lodi Road HO       | Item Delivery Confirmed |
| 14/03/2022 | 10:16:54 | Lodi Road HO       | Out for Delivery        |
| 14/03/2022 | 08:41:36 | Lodi Road HO       | Item Received           |
| 14/03/2022 | 02:08:16 | NSH Delhi          | Item Received           |
| 13/03/2022 | 18:15:38 | Delhi AP TMO       | Item Dispatched         |
| 13/03/2022 | 17:59:44 | Delhi AP TMO       | Item Received           |
| 13/03/2022 | 02:32:45 | Panaji NSH         | Item Dispatched         |
| 12/03/2022 | 23:58:38 | Panaji NSH         | Item Bagged             |
| 12/03/2022 | 21:00:05 | Panaji NSH         | Item Received           |
| 12/03/2022 | 15:04:51 | Nio Dona Paula S.O | Item Dispatched         |
| 12/03/2022 | 15:02:57 | Nio Dona Paula S.O | Item Bagged             |
| 12/03/2022 | 11:37:08 | Nio Dona Paula S.O | Item Booked             |

# 2662

भारतीय डाक



India Post

EP5639849051N IVR:6977563984905

SP NID JONG PANA S.O <403004>

Counter No:1, 12/03/2022, 11:37

To:RUBIN W/MB SE, SA JAGAN

PIN:403511, Saligao S.O

From:PRAKASH ANA, 703, 1A DOMERA DO

Wt:100gms

amt:79.50(Cash)Tax:4.50

<Track on [www.indiapost.gov.in](http://www.indiapost.gov.in)>

## 70

# 2663

भारतीय डाक

India Post

EP563984905IN IVR:6977563984905

SP NIDHUNG PANA S.O (403004)

Counter No:1, 12/03/2022, 11:37

To: NIDHUNG PANA SF, SALIGAN

Pin: 403511, Saligao S.O

From: PRAKASH AGA, 703, 1A GUMERA DE

Wt: 100gms

Am: 79.50 (Ea=h) Tax: 4.50

(Track on [www.indiapost.gov.in](http://www.indiapost.gov.in))

**TRUE COPY**

71

EXHIBIT-R-2

Date: 11.03.2022

**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email: rakashagrawal@msn.com

To,

**1. HON'BLE PRINCIPAL SECRETARY**

Ministry of Environments Forests & Climate Change  
Paryawaran Bhawan, CGO Complex  
Lodhi Road, New Delhi 110003

**2. HON'BLE MEMBER SECRETARY**

Goa Pollution Control Board-GPCB  
Nr. Pilerne Industrial Estate,  
Opp. Saligao Seminary,  
Saligao, Goa 403511

**Subject: Notice U/s. 19(b) of the Environment  
(Protection) Act, 1986, U/s. 49 (b) Water  
(Prevention & Control of Pollution) Act, 1974  
and 43 (b) of Air (Prevention & Control of  
Pollution) Act, 1981**

Sir,

Whereas an offence under the Environment (Protection)  
Act, 1986 has been committed by;

- 1) Eugene Rent  
Secretary  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 3) Mr. Prashant Chopra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 4) Dr. Peter Rodrigues  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency

Opposite NIO Colony  
Donna Paula, Panjim 403004

- 5) Mrs Lata Mishra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 6) Mr. Carmo Baretto  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 7) Mr. Sadiq Sheikh  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 8) Mr. Prince Arora  
Member

Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

**Ref: Deliberate Violation of the terms of EC under No. 21-15/2007-1A.III dated 16 may 2007 granted to project titled "Ocean Park" located at Survey No. 249/1-A at village: Talegaon, Tiswadi, Panjim, Goa, attracting penal action U/s. 19 (b) of Environment (Protection) Act, 1986 and U/s. 49 (b) of Water (Prevention & Control of Pollution) Act, 1974 against the alleged Accused No. 1 to 8 herein above.**

Dear Sir,

- 1) I am a resident of Apartment No. 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panjim 403004. Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. The Mathias Ocean Park Association, who took over the affairs of the phase of the project for which the EC is granted was supposed to implement the Environment Management Plan. This has been brought to the notice of Dr. Eugene Rent, who is the Secretary of the Association repeatedly who has declined to implement the same and even provide clean and potable drinking water.

- 2) I am enclosing herewith the Minuets of the Meeting of the Association that was held on 15<sup>th</sup> January 2022. The said meeting was held under the Chairmanship of Mr. Eugune Rent the secretary of the society. The resolution reads as:

*"1. Solar Systems. The solar systems of the terrace have been badly damaged during the recent cyclone and the cost of repair will far outweigh the benefit. Since it is an expensive to maintain and the facilities will serve only the 6th and 7th floor the committee decided to review the cost benefit status of the facility. Mr Badami was asked to get in touch with the firm that had installed the system to see whether the system could be put to use. Any debris from the damaged water heaters is to be cleared when the waterproofing work is undertaken."*

- 3) The accused Nos. 1 to 8 attended the Meeting of the Managing Committee held on 15<sup>th</sup> January 2022 as representatives of the residents of the Mathias Ocean Park Association in which this decision of serious violation of the conditions of Environment Clarence granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 was taken.

- 4) Attention is invited to the Environment Clarence granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 issued by Government of India,

Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003 in accordance with the provisions of Environment (Protection) Act, 1986 read with EIA Notification 1994 with amendments from time to time.

**Under Part B of General Conditions reads as follows:**

*“vii) Application of solar energy should be incorporated for illumination of common areas, lighting of gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartment should be provided.”*

- 5) This applicant has informed the members in the WhatsApp Group on 3<sup>rd</sup> January 2022 that there is an Environment Clearance that has been granted to the project and for which they need to follow the rules.
  
- 6) The Executive Committee of the Mathias Ocean Park Association has even started to remove the entire solar panel system that was provided by the Developer at the time of handing over the possession of the Apartment. When I took possession of the apartment in October 2021 I had personally gone to the terrace and verified that the solar water system is there and that there was an attempt on the part of the developer to fulfil this part of the requirement of the terms of Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. I am enclosing herewith the

pictures of the terrace from where the system has been removed and destroyed.

- 7) It was the duty of the Executive Committee of the Mathias Ocean Park Association to seek the approval of the Ministry of Environment and in fact they were required to make an application for modification of the terms of the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007, should they desire to remove the Solar System. I am sure that these panels must be inspected by the Environment Department and they have noted in the records the compliance on the part of the Developers in this regard.
- 8) I say that due to non-implementation of the alternate energy sources, there is a substantial damage to the environment that has been deliberately caused by the Executive Committee of the Mathias Ocean Park Association.
- 9) The act of removal of the Solar Power System in itself is a criminal act and amounts to theft of the common property of the residents of the Mathias Ocean Park Association. All the assets of the project are fractionally owned by the individual purchasers of apartment in the project.

- 10) The minutes of the meeting of the Executive Committee of the Mathias Ocean Park Association dated 15 January 2022 were deliberately circulated by Dr. Eugene Rent to the members on 10 March 22 at 22.35 Hours. A Copy of the said email is also annexed. When I inspected the terrace on 11 March 2022. The damage was already done. I then took GPS Photographs of the damage on 12 March 2022 which I am attaching as evidence.
- 11) The Accused Nos. 1 to 8 have not only have planned and strategized this conspiracy to defraud the individual purchasers of the apartments in the project but also conspired to secretly violate the conditions of the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007.
- 12) The Accused Nos. 1 to 8 have caused huge damage to the environment deliberately and intentionally and with full knowledge.
- 13) The developers on their part have inserted the following clause in the agreement which makes it very clear to the purchasers about their responsibilities towards the Environment (Protection) Act, 1986. The clause reads as under:

*" AND WHEREAS the Environmental Clearance/NOC has been granted for the Project in respect of the SAID*

*PROPERTY vide letter bearing No.21-16/2007-IA.III dated 16/05/2007 by the Ministry of Environmental & Forest, New- Delhi.”*

This clause has been inserted in every sale agreement that has been entered between the Purchasers of the apartments in the project executed by the developers.

- 14) When Mathias Ocean Park Association was formed and the affairs of the project were transferred to them by the developers, the members of the Executive Committee were liable to fulfil their obligations towards the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007.
- 15) Because of the acts of the present executive committee there has been huge damage to the Environment in the area. The project no longer remains a **“sustainable development”**.
- 16) I reiterate that this is the second decision taken by this executive committee which violates the conditions of Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. I say that this is a deliberate act and done with full criminal intent.

- 17) The previous Executive Committee's never took such decisions that caused severe damage to the environment. If strictest action in accordance with law is not taken on the violators, then they will continue to destroy the environment recklessly.
- 18) Thus, I am giving you notice including the Accused Nos. 1 to 8 for clearly intending to prosecute under the provisions of Environment (Protection) Act, 1986 and Air (Prevention & Control of Pollution) Act, 1974, after notice period and 43 (b) of Air (Prevention & Control of Pollution) Act, 1981

I request you to act against all the accused in accordance with the provisions of The Environment Protection Act, 1986.

Date: 14 March 2021

Place: Panjim



PRAKASH AGRAWAL

COMPLAINANT

INDEXANNEXURES

| <b>Sr. No.</b> | <b>Particulars</b>  | <b>Page No.</b> |
|----------------|---|-----------------|
|                | Copy of EC No. 21-16/2007-1A, III dated 16 <sup>th</sup> May 2007                                     | 12-17           |
|                | Minuets of the Meeting of the Managing Committee dated 15 January 2021                                | 18-24           |
|                | Screenshot of WhatsApp Message dated 03 January 2022 in the WhatsApp Group titled "Ocean Park Owners" | 25              |
|                | Email dated 10 March 2022 of Dr. Eugene Rent.   | 26-27           |
|                | GPS Photographs of the terrace from where the solar system has been removed                           | 28-39           |

Date: 14 March 2021

Place: Panjim



PRAKASH AGRAWAL

COMPLAINANT

No. 21-16/2007-IA,III  
Government of India  
Ministry of Environment & Forests

Paryavaran Bhawan,  
CGO Complex, Lodi Road,  
New Delhi-110003.

Dated: 16<sup>th</sup> May, 2007

To

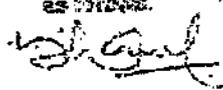
Mr. Joe Mathias,  
M/s. Mathias Constructions Pvt Ltd  
Mathias Plaza, 18<sup>th</sup> June Road,  
Panaji, Goa 403 001.

Subject: Construction of 'OCEAN PARK' at Survey No. 245/1-A, Village  
Taloigab, Tiswadi, Panjim, Goa by M/s. Mathias Constructions Pvt.  
Ltd. Goa. - Environmental Clearance - reg.

This has reference to your application No. nil dated 29.12.2006 and subsequent letters dated 12.03.2007 seeking prior environmental clearance for the above project under the EIA Notification, 1994. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Committee constituted by the competent authority in its meetings held on 22-24 February 2007 and 23-24 March 2007.

2. It is, inter alia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 12,232 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,988 sq.m. Stilt + 8 floors. It is proposed to construct 548 apartments in C-1 zone and 840 apartments in C-2 zone. Total car parking spaces proposed are 1488. The total cost of the project is Rs. 130 crores.

3. The Expert Committee after due considerations of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations have accorded environmental clearance as per the provisions of Environmental Impact Assessment Notification - 1994 and its subsequent amendments, subject to strict compliance of the terms and conditions as stated.



PARA-SPECIFIC CONDITIONS

I. Construction Phase

- i) Consent for Establishment shall be obtained from Karnataka State Pollution Control Board and a copy shall be submitted to the Ministry before start of any construction work at this site.
- ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
- iii) A First Aid Room will be provided in the project both during construction and operation of the project.
- iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- v) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- vi) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
- vii) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to E(P) Rules prescribed for air and noise emission standards.
- viii) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- ix) Ambient noise level should conform to residential standards both during day and night. Environmental pollution loads on the ambient air and noise quality should be regularly monitored during construction phase.
- x) Ready mixed concrete must be used in building construction.
- xi) Storm water collection and its re-use as per CGWB and BIS standards for various applications.
- xii) Water demand during construction should be reduced by use of pre-mixed concrete, curing and other best practices referred.
- xiii) Separation of grey and black water should be done by the use of dual plumbing line for collection and treatment of grey and black water.

*Shankar*

- xiv) Treatment of 100% grey water by decentralised treatment should be done.
- xv) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators, or pressure reducing devices, or sensor based control.
- xvi) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on airconditioning. If necessary, use high quality double glass with special reflective coating in windows.
- xvii) Roof should meet prescriptive requirement as per draft Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirement.
- xviii) Adequate measures to reduce air and noise pollution during construction keeping in mind CPCB norms on noise limits.
- xix) Opaque wall should meet prescriptive requirement as per draft Energy Conservation Building Code which is proposed to be mandatory for all airconditioned spaces while it is aspirational for non-airconditioned spaces by use of appropriate thermal insulation material to fulfill requirement.

## II. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards of the Goa Pollution Control Board.
- ii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
- iii) The solid waste generated should be properly collected & segregated before disposal to the City Municipal Facility. The in-vessel bio-conversion technique should be used for composting the organic waste.
- iv) Any hazardous waste including biomedical waste should be disposed of as per applicable Rules & norms with necessary approvals of the Goa Pollution Control Board.
- v) The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential landuse. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous variety.
- vi) Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored after commissioning of the project.

*[Handwritten signature]*

- (15)
- vii) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
  - viii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
  - ix) A Report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.

#### PART - B. GENERAL CONDITIONS

- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
- ii) Six monthly monitoring reports should be submitted to the Ministry and it's Regional Office Bangalore.
- 4. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
- 5. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
- 6. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures, in a time bound and satisfactory manner.
- 7. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, etc shall be obtained, as applicable by project proponents from the competent authorities.
- 8. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Goa Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 7 days from the day of issue of the clearance letter, and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.

*Shankar*

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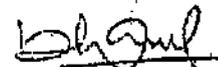
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9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

10. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority (if applicable).

11. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.



(Bharat Bhushan)  
Director (IA)

bbhushan\_98@yahoo.com  
Tel: 24360795

16.05.2007

Copy to :-

1. The Secretary, Department of Environment, Government of Goa, Panjim, Goa.
2. The Member Secretary, Goa Pollution Control Board, Dempo Tower, 1<sup>st</sup> Floor, Patta Plaza, Panjim, Goa - 403 001.
3. The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IV<sup>th</sup> Floor, E&F wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore - 560 034.
4. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
5. Guard file.

(Bharat Bhushan)  
Director (IA)

# Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

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Minutes of the 4th Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 15th January 2022 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Mr. Joe Mathias - President
- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mr. Sadique Shaikh - Member
- Mr. Carmo Baretto - Member
- Mr. Prince Arora - Member
- Mr. Julian Mathias
- Mr. Badami
- Mr. Rahul Chauhan - Estate Manager

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

## 1. Solar Systems.

The solar systems of the terrace have been badly damaged during the recent cyclone and the cost of repair will far

19  
outweigh the benefit. Since it is an expensive to maintain and the facilities will serve only the 6th and 7th floor the committee decided to review the cost benefit status of the facility. Mr Badami was asked to get in touch with the firm that had installed the system to see whether the system could be put to use. Any debris from the damaged water heaters is to be cleared when the waterproofing work is undertaken.

## **2. Fencing beyond the ten meter road**

The fencing of our society beyond the ten meter road separating us from 2nd phase is a temporary one and dogs constantly breach the perimeter. The committee also pointed out that it can be a security hazard. However in view of future work that will have to be undertaken for phase II with movement of trucks Mr. Mathias refused to undertake any permanent solution and instructed Mr. Badami to look into it and put new aluminum sheets. The secretary and Mr. Barretto suggested that we put a temporary metal fence since this current one is neither safe nor aesthetic. Mr. Mathias however said that the same cannot be undertaken in view of work expected during following phases. It was hence concluded that only temporary aluminum sheet fencing would be done and gaps will be assessed on 18th January 2022.

## **3. Marking of Parking**

It was resolved that parking will be marked in the common area at an angle rather than parallel parking as it would be easier to remove cars, it increases the number of parking slots and it helps in regularization of parking where one car will not block two slots. Residents will be urged to park within the marked lines. Adequate care will be taken to see that residents who have paid parking will not get blocked by cars parked within the marked lines. Committee agreed to have provision of a few slots for visitors parking in the ten

metre road parking area. Also exclusive areas will be marked for parking of scooters.

#### **4. Collection of maintenance dues**

It was pointed out that during collection of maintenance at the time of occupation the amount collected has not been the same. That is some residents have paid a higher maintenance amount and some lower. It was resolved that when collecting subsequent amount the interest on the amount already collected would be calculated proportionately that is with a benefit to those who have paid a higher amount. Mr. Mathias said he would be sending a letter to this effect. The committee also agreed that time frame for collection of dues from residents is to be discussed in the coming AGM

#### **5. Power Supply**

There have been lot of complaints regarding power tripping on a regular basis and a number of residents are having electrical issues. Mr. Mathias instructed Mr. Sadiq to look into the issue and set it right on an emergency basis. It was also decided to look into the issues with lifts in corvo building and the generator related issues. It was decided that the battery of the generator set should be assessed and if required to be changed. Committee member sadiq agreed to coordinate with the estate manager and look into the above issues. The committee agreed to undertake an electrical audit from an external agency to assess the situation.

#### **6. Leakage Issues**

Mr. Mathias has agreed to look into the leakage issues and has issued a contract to Mr. Nazir to repair and maintain the buildings waterproofing which will include terrace and roof waterproofing, chejars, parapets and leakages from the windows in common areas. The work will have a 12 year

(21)

warranty. It will not include repair of damages caused by civil work by owners within their apartments.

The committee pointed out that damages caused by residents to the flat is because of improper instructions and regulations by the sales and marketing team of Mathias constructions and that the buyers should have been instructed that they cannot undertake such work in the flat. Mr. Mathias said he will speak to his team and see that it does not repeat this in the future. To this the committee pointed out that the damage has already been done.

The committee members added that since leakage is a major issue and the committee does not have the power or ability to address it all calls regarding the same would be directed to the promotor / builder.

### **7. Sewage treatment plant**

Mathias constructions has agreed to undertake complete renovation of the sewage treatment plant and a list of work undertaken has been attached. They however wanted to shift the sewage treatment plant from its current location to a new location between the gas bank and cross within the garden. The committee members firmly objected to this. Mr. Mathias hence said he would earmark a new location for the same and would seek committee's approval.

### **8. Facility Management**

It was resolved that although we have to pay just 250rs per apartment per month for outsourcing the facility management of the complex, it will not be done in view of objections raised by the current residents. Chauhan will continue being in charge and taking care of facility management.

### **9. Society formation**

The Secretary has agreed to actively pursue formation of the society and Julian provided the required contacts for the same.

### **10. Breaches in contract rules**

The committee pointed out that there are lot of air-conditioners being installed outside the apartments which is not permitted and Mr. Mathias asked us to send him the list of flats and his team will speak to the residents to shift them within the flat. The committee has resolved that anyone breaking rules will get a letter from the committee regarding the same and will have to pay a predetermined fine and a copy of the letter would be put on the notice board and shared with the rest of the residents.

If residents break the rules set for the betterment of the society the estate manager would request them to follow the rules and inform the committee. If this is to no avail then the security would intervene. For residents who continue to break rules the committee members will have to step in.

### **11. Security issues**

Due to issues with the GST that thunderforce is having we have resolved to change our security to another provider. Quotes for the same from various security agencies were welcomed. Following this discussions were undertaken with thunderbird and we have decided to proceed with them as our security agency. They would be providing 4 day and 3 night guards at a price of Rs 1,60,000 including GST

### **12. Water Supply**

The second water supply connection has come and the committee said that the promoter has to fund the connection. Mr. Mathias stated that he would only pay for the first connection and all subsequent connections will have to be funded by the society despite the fact the the first connection does not supply enough water to cater to all the apartments.

### **13. Insurance**

23

It was discussed that we have to take insurance for the property against fire and other natural calamities. This however needs further detailed evaluation followed by quotations for the same.

#### **14. Shifting of classes to the clubhouse**

It has been noted that classes being conducted on the clubhouse terrace for children in the afternoon in various disciplines like gymnastics and dance is disturbing occupants of boa vista and grand caneria. It was hence resolved that the same would be shifted to the first floor hall.

#### **15. CCTV**

It was resolved that an evaluation of the CCTV facilities within the complex would be done and required steps would be taken to repair / augment the available security system.

#### **16. Adda gate management**

It was resolved that the quote given for gate management at Mathias Ocean park by Adda is too expensive and we will not be employing their services.

#### **17. Additional Estate Manager**

It was resolved that we should get a second estate manager because it is very difficult for one person to manage so many calls. A senior person with some experience in managing a large society would be advisable.

#### **18. Resignation of the president**

Mr. Mathias submitted his resignation letter as president of the ocean park committee with his thanks to the residents and current committee members.

As there were no other points for discussion, the meeting ended at 7.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman

prakashagrawal@msn.com

**From:** eugene rent <dr.e.rent@gmail.com>  
**Sent:** 10 March 2022 22:35  
**To:** devidasnaik2018@gmail.com; info rliindia; namankumar50@gmail.com; Vijay Khedekar; 722 Dattarai Kallapa Patil; mahasgub@gmail.com; shubhdmahesh@gmail.com; prsawant@rediffmail.com; Swati Verma; Gaurav Kamlakant Naik; dhermendratiwari@gmail.com; rajesh.ks@pg.com; vishal walavalkar; Nilesh.Thanekar00@gmail.com; alpharaazkhan@icloud.com; jisarandhir2015@gmail.com; Rohan Ramesh Badave; cajetonlondon@yahoo.co.uk; graceferns81@gmail.com; info; y2kanilchoudary@gmail.com; pravitdessai@gmail.com; netravalakar17@gmail.com; 1414 Martina D Costa; pratimakessarkar@gmail.com; amitdahiya9027@gmail.com; dhume.ps@gmail.com; bandodkarsujal@gmail.com; cruzdias1962@gmail.com; sardareef@gmail.com; Kundan Kumar; Daryl Varghese; Keith Daniel Dsouza; joshua87puthran@gmail.com; yrshwant.satardekar@sbi.co.in; mallkarjun badami; konnurdattatray@gmail.com; suchitrakonnur@gmail.com; pvarthanatendolkar@gmail.com; deolia\_santosh@yahoo.com; saloniyashpal@gmail.com; chandni.davda@gmail.com; John Samson; Sundaram Narayanan; GMC unknown Melanie Roselle Dias; satarinosocorro@gmail.com; ellyalmeida12@gmail.com; edwin\_dias@yahoo.com; Tr Dilip Melwani; assiscunha2003@gmail.com; doctrate.gfadadu@gmail.com; sumitramazumdar@hotmail.com; satish339@gmail.com; amavelp@gmail.com; swetap111@gmail.com; nadijivani2@hotmail.com; dhapu@rediffmail.com; Trevor Fernandes; prabhapriya1000@gmail.com; excelenginer@yahoo.com; debvodio@gmail.com; vandey12@rediffmail.com; ravindrann@yahoo.com; eric fernandes; petriks14@yahoo.com.in; sandeepraul@gmail.com; Mahadeva swamy B C; Vinetha Varghese; Ramsey Braganza; pdewangan@gmail.com; sailor89.deepak@gmail.com; Raja Melvani; Kishan Shirodkar; mariab@nio.org; y2kanilchoudhary@gmail.com; nirmasinha80@gmail.com; Reginald Rufus; milind.deolkar@gmail.com; wiltfer007@gmail.com; bentotorcato21@gmail.com; prabhudeepak32@gmail.com; dr.rita@yahoo.com; 201 Boa Vista B Anshul Singhal; 1122 Maxie Lewis; veena\_dprabhu@yahoo.co.in; drpawanrane@gmail.com; ashtinne@yahoo.com; akshay\_622@gmail.com; rahul@gmx.net; koshytharakan@yahoo.co.in; jagbirsinha@hotmail.com; Nityanand Haldankar; sushant@nio.org; deenaramos@gmail.com; Chandu-Jhoney-Natasha-Franco; eugene rent; Nachiket Karmarkar; Anil Gudinho; ashyee80@gmail.com; mihir Choudhary; bhupesh64k@yahoo.co.in; chhayasachdev@hotmail.com; Nisha George; royanalmeida@hotmail.com; preethipednekar@yahoo.co.in; 1221 La Gomera Darryl Pais; Valerina Fernandes; ilango@nio.org; smitajp29@gmail.com; fatimacarvalho@gmail.com; yogesharora31@yahoo.com; kuerianjohn@gmail.com; neetu@nio.org; jerrybraganza@gmail.com; Alok Sharma; santoshuskaikar@gmail.com; ashishkumar.chhatterjee@mail.com; saurabhshrivastava@gmail.com; mht.ravinder@yahoo.com; vinay.shetty@canandiansolar.com; CARMO BARRETTO; mavoncolaco@hotmail.com; bhadresh@hotmail.com; sanil@nio.org; augustusgoa@gmail.com; prakashagrawal@msn.com; mahendra.wani29@gmail.com; sat644@gmail.com; lucienegomes@gmail.com; Dr. Sangeeta Dessai; Zeena Avelina & Chrislyn Ann D'lima; Alziraraujo25@yahoo.com; mousamisingh@gmail.com; Michael Menezes; amar-go@rediffmail.com; rajeshdesai2017@gmail.com; 1237 Satish Kumar; khemraj.varsha@gmail.com; 1242 Indrajit Singh & Hardeep Kaur; Vivek Karekar; malcomlmgomes@gmail.com; ayushisharma687@gmail.com; y2kanilchowdhary@gmail.com; Ceser Menezes La Palma 601 & 701; Dr. Dinesh F Swamy; sundeep@airbornerrecruiting.com; atulmishra@gmail.com; Ravi Dakoju; kripadesai8@yahoo.com; Jaideep Fernandes; rahulgulati@yahoo.co.in; Prashant Chopra; Filipe borges; drborgesmaria0103@gmail.com; yuvrajshirodkar@gmail.com; Pradeep & Anju Khanna; krishanpalsiwach01

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**To:** @gmail.com; Bhupinder Khalsa; Kevin Rodrigues; sameer.ghali77@gmail.com; 171 Premnath Iyer; arupbose1@gmail.com; 211 Azores B Tamal Raha; SK Naik; belmira\_paul@yahoo.co.in; vibhashk53@gmail.com; ninafaria204@gmail.com; arun.malik72@gmail.com; 231 Azores B Osswin D'Costa; coolali5152@gmail.com; Pillai Prashant Tulsidharan; sunilkhhot@hotmail.com; Gopa Kumar OP & Dali; georgethomas79@gmail.com; veena43jain@gmail.com; Louella DSouza; 262 Jeffrey Agnelo Melagrus Gracias; Abhijeet Srinivas Shirsekar; chintamansamant@yahoo.co.in; 311 Flores A Sanjay Kulkarni; Agostinho Rebello; Chiara Da Costa; Udesch Fatarpekar; mesha87@gmail.com; priyapia1993@gmail.com; 331 Flores A Yogesh V Nadkarni; anita.a.fernandes31@gmail.com; Nazareth Sayana & Neil Soares; jamesroy00@yahoo.co.uk; caridadepereiracp@gmail.com; 351 Flores A Mahesh Kumar Yadav; vince.rodrigues@responsivemts.com; kevalmashelkar@gmail.com; 411 Flores B Jayant & Kavita & Beena Bhatia; devarat.samant11@gmail.com; drvijaypatil\_1966@rediffmail.com; silvaa@rediffmail.com; ashwink189@gmail.com; Aashish Surendra Kamath; Anu Richa Sondhi; Vijay Jain; stevennovo@rediffmail.com; Nitin Naik Bombi & Sons; ecaencies@rediffmail.com; Prince Arora; Abhay Dalvi; Noel Mendes; vpikale@gmail.com; CA Vinesh Pikale; drleelachavan@yahoo.com; rivatrindade@yahoo.co.in; Srinivasshinkre@gmail.com; sameervolvoicar@gmail.com; guifsands@hotmail.com; abhinav.shah84@yahoo.com; sudhinpednekar94@gmail.com; Gandharv Singh Chauhan; mryashodaanand@gmail.com; neel\_pawar@yahoo.com; randeepather@yahoo.com; ashokrane@gmail.com; brad281@rediffmail.com

**Subject:** Minutes of the meeting

**Attachments:** MINUTES\_05COMMITTEE.pdf; MINUTES\_04COMMITTEE.pdf

Attached are the minutes of the 4th and 5th committee meeting

25

environment

They wash car additional serv 3 January 2022 gh  
personal time. This is their right and choice of free will. There are many who use their services and I don't think the committee should have any say in that. Whether they stay inside the complex or not, sure that's for the committee to decide.

5:28 am

Nirav

They wash cars or earn through additional services in their personal time. This is their right and choice of free will. ...

As per the sanctioned plans we cannot permit anyone to live in the common areas of the society. Please note that this complex has a environment clearance also and it will be a violation of the environment protection act as well as the town planning sanction.

6:28 am ✓

Nirav

Like i said whether they can stay or not is not my decision. But whom I employ or take services from is my decision.

7:05 am

Nirav

Like i said whether they can stay or not is not my decision. But whom I employ or

You can't send messages to this group because you're no longer a participant.

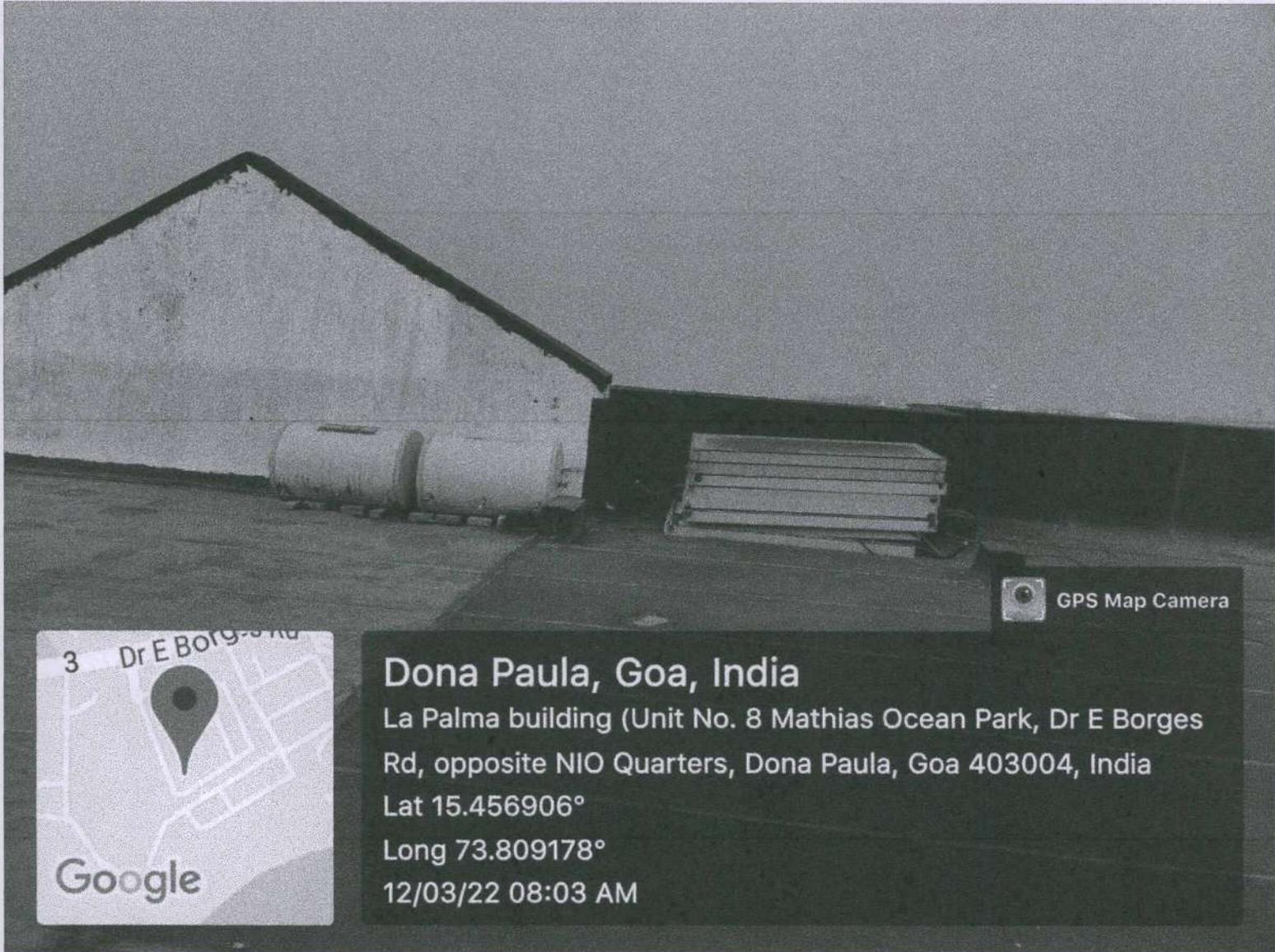


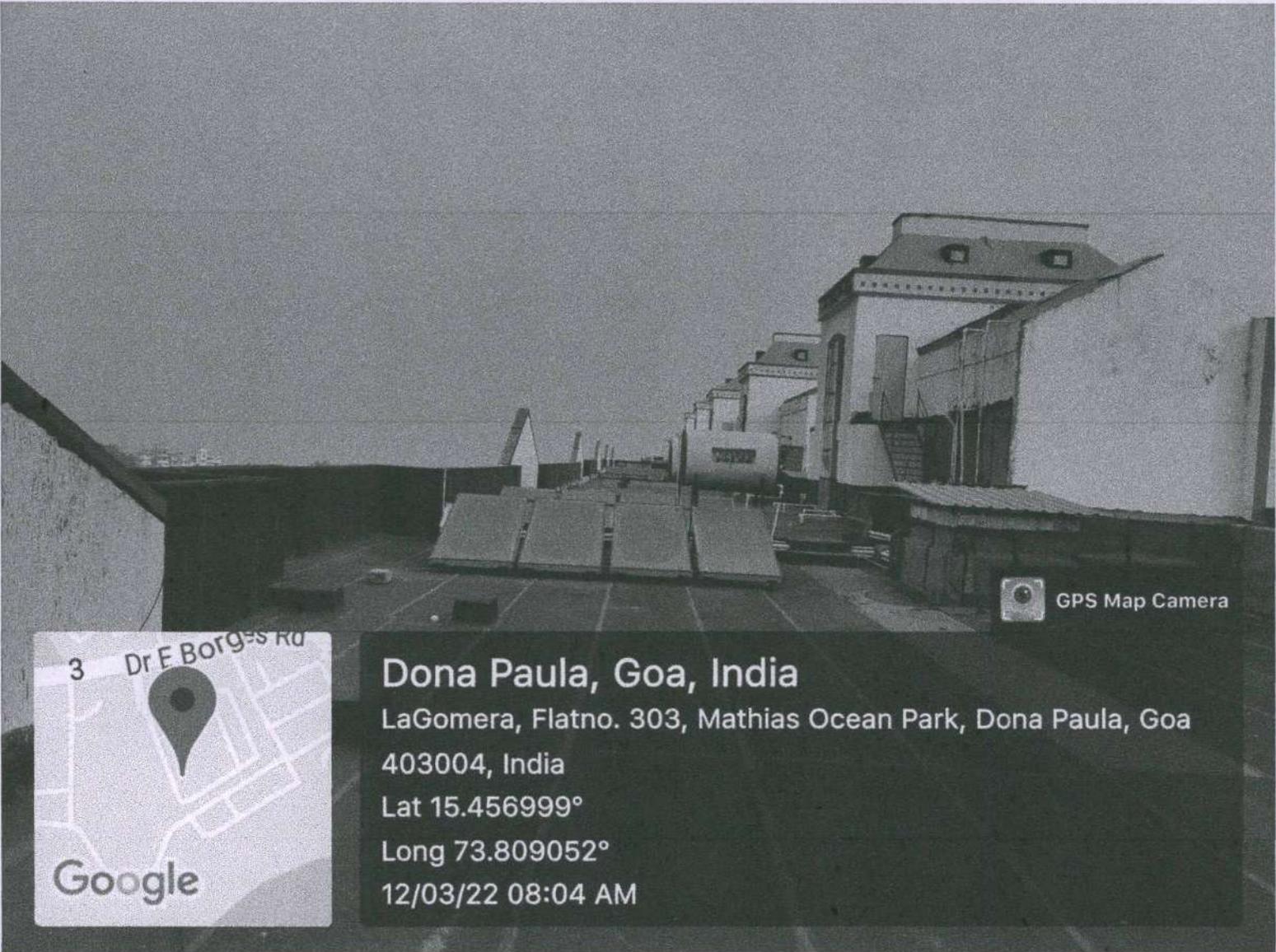


 GPS Map Camera

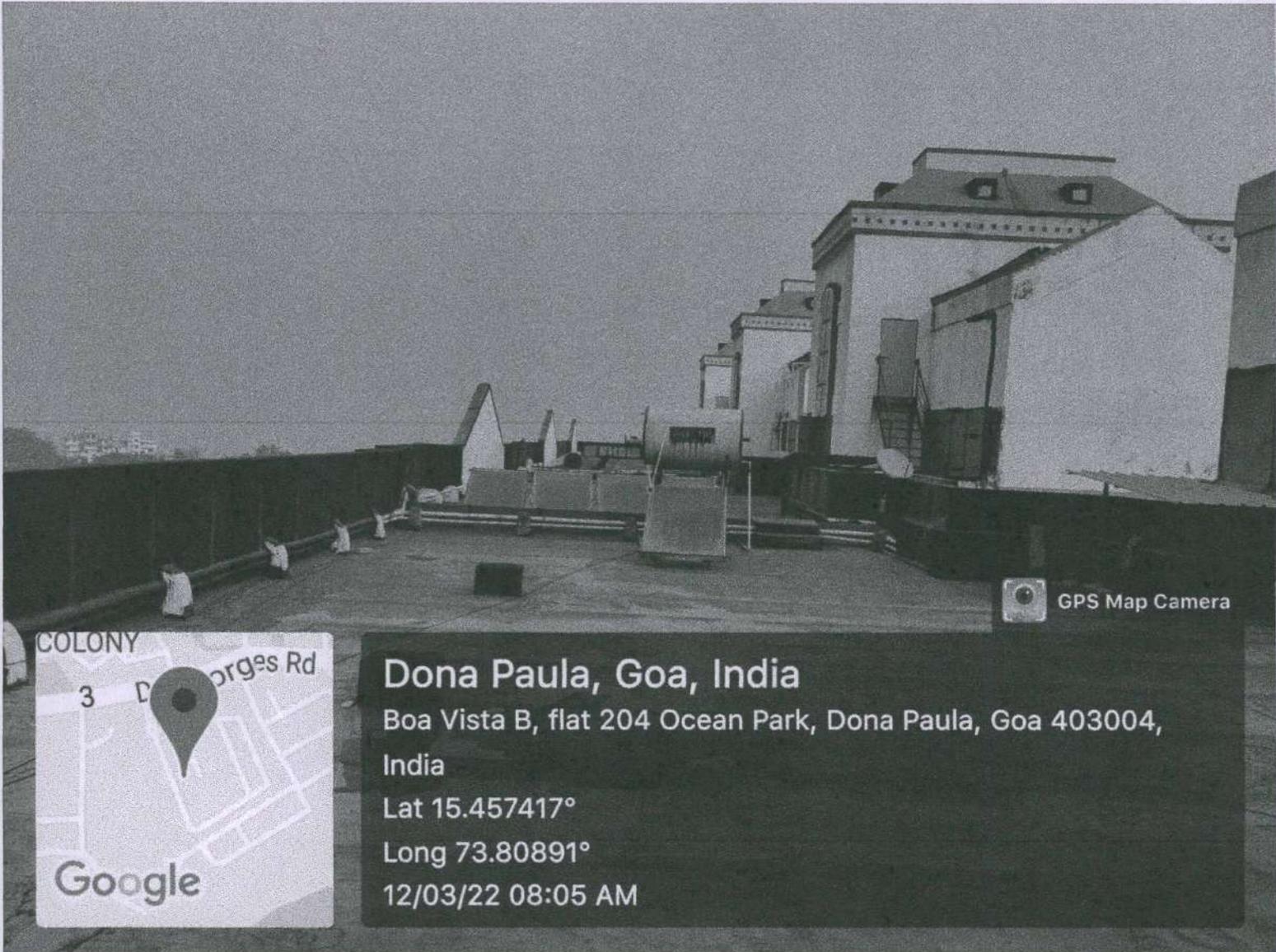


**Dona Paula, Goa, India**  
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Dona Paula, Goa 403004, India  
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Long 73.809183°  
12/03/22 08:01 AM





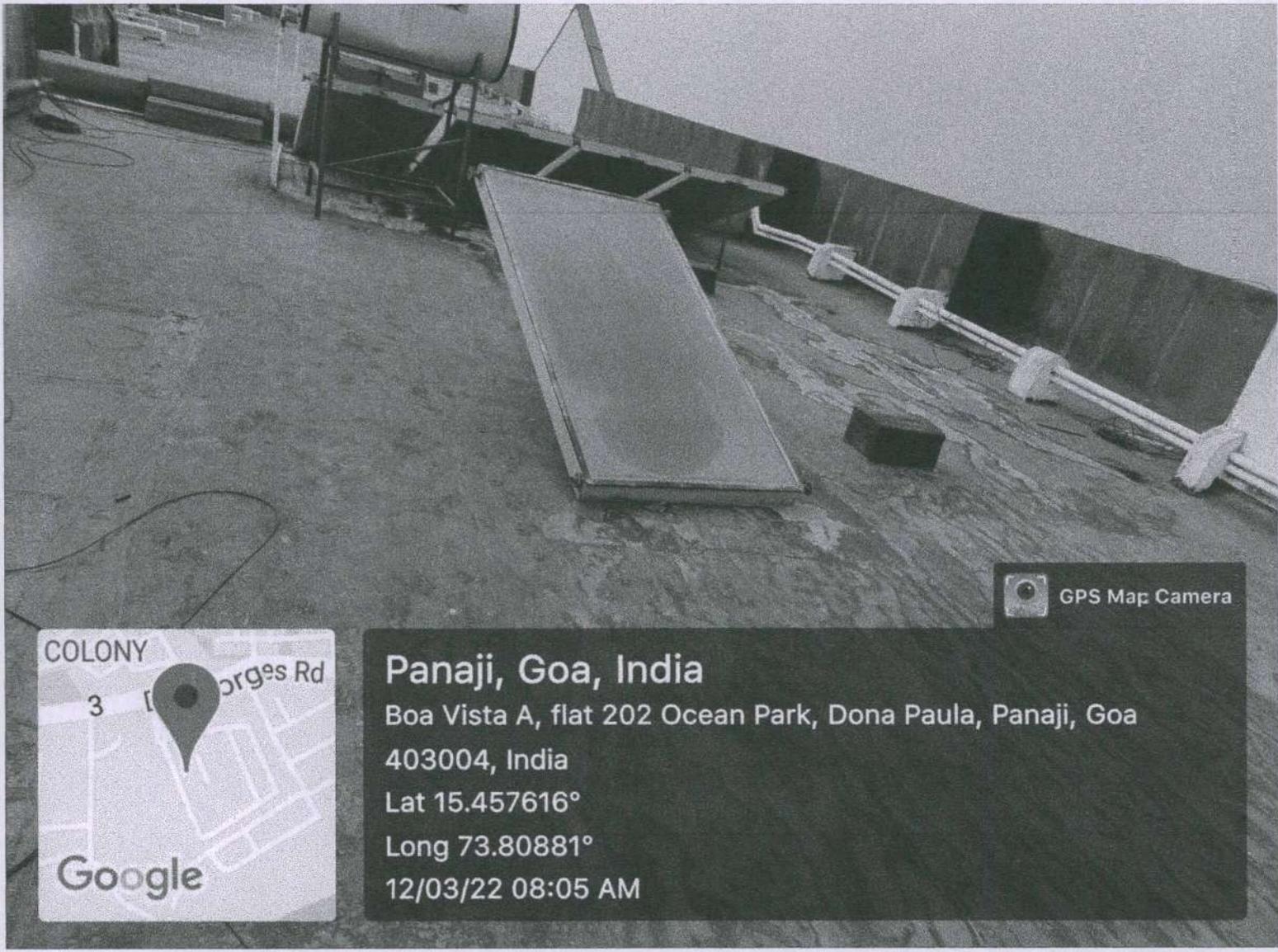
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LaGomera, Flatno. 303, Mathias Ocean Park, Dona Paula, Goa  
403004, India  
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Long 73.809052°  
12/03/22 08:04 AM



GPS Map Camera



**Dona Paula, Goa, India**  
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India  
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Long 73.80891°  
12/03/22 08:05 AM



 GPS Map Camera



**Panaji, Goa, India**  
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403004, India  
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Long 73.80881°  
12/03/22 08:05 AM

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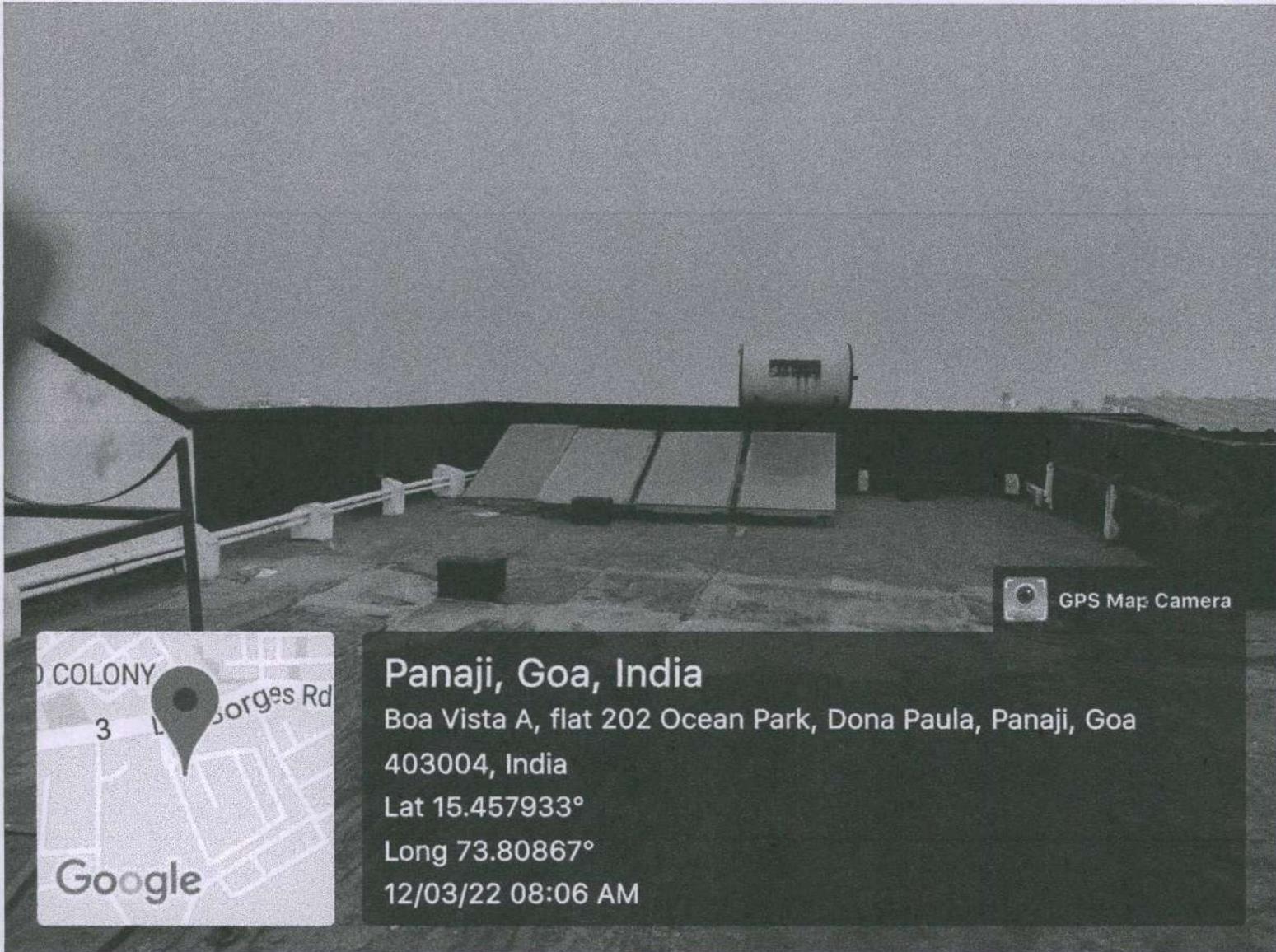
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GPS Map Camera



**Panaji, Goa, India**  
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Panaji, Goa 403004, India  
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12/03/22 08:06 AM



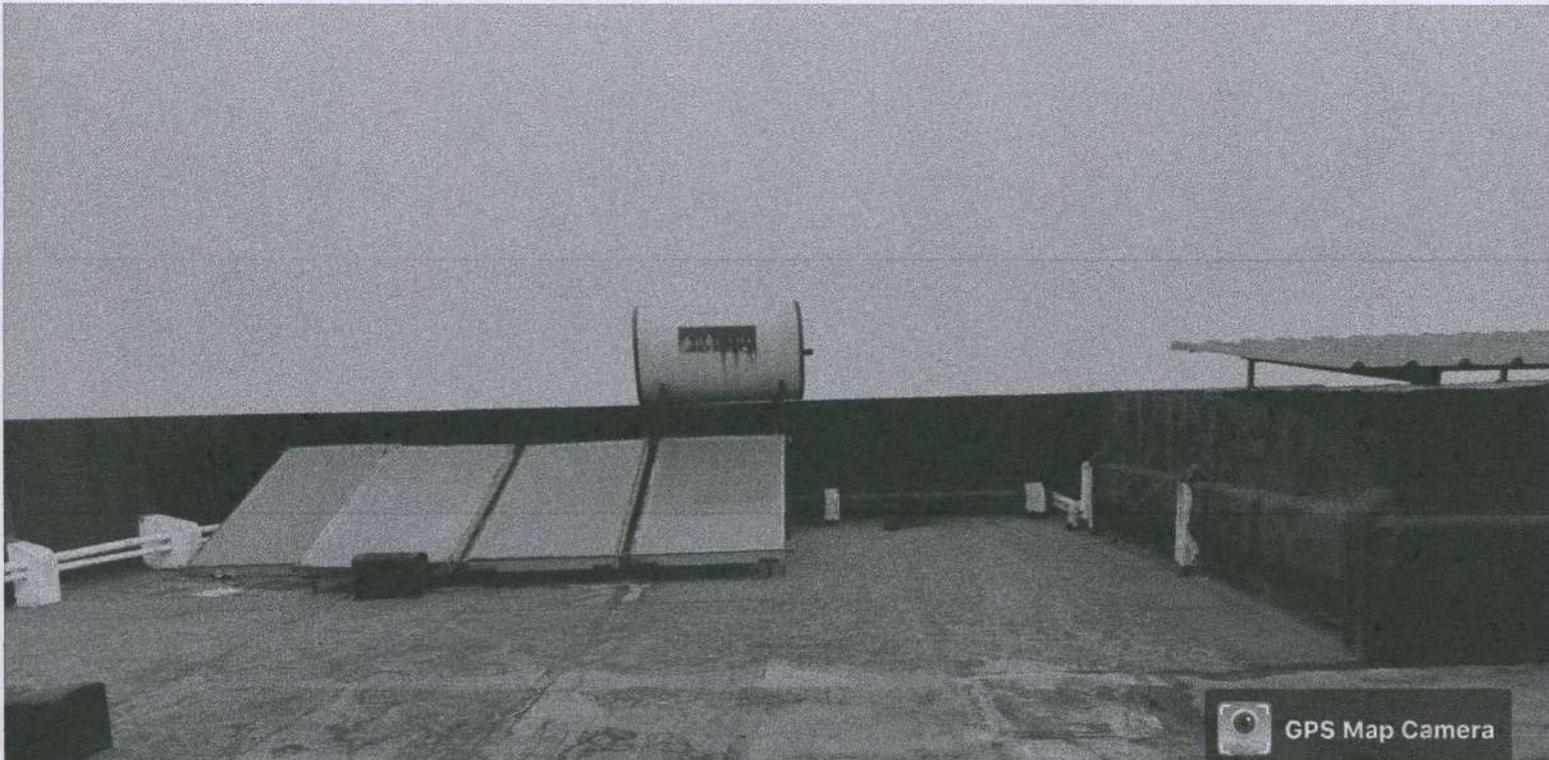
**Panaji, Goa, India**

Boa Vista A, flat 202 Ocean Park, Dona Paula, Panaji, Goa  
403004, India

Lat 15.457933°

Long 73.80867°

12/03/22 08:06 AM



 GPS Map Camera



**Panaji, Goa, India**  
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403004, India  
Lat 15.458003°  
Long 73.808657°  
12/03/22 08:06 AM



GPS Map Camera



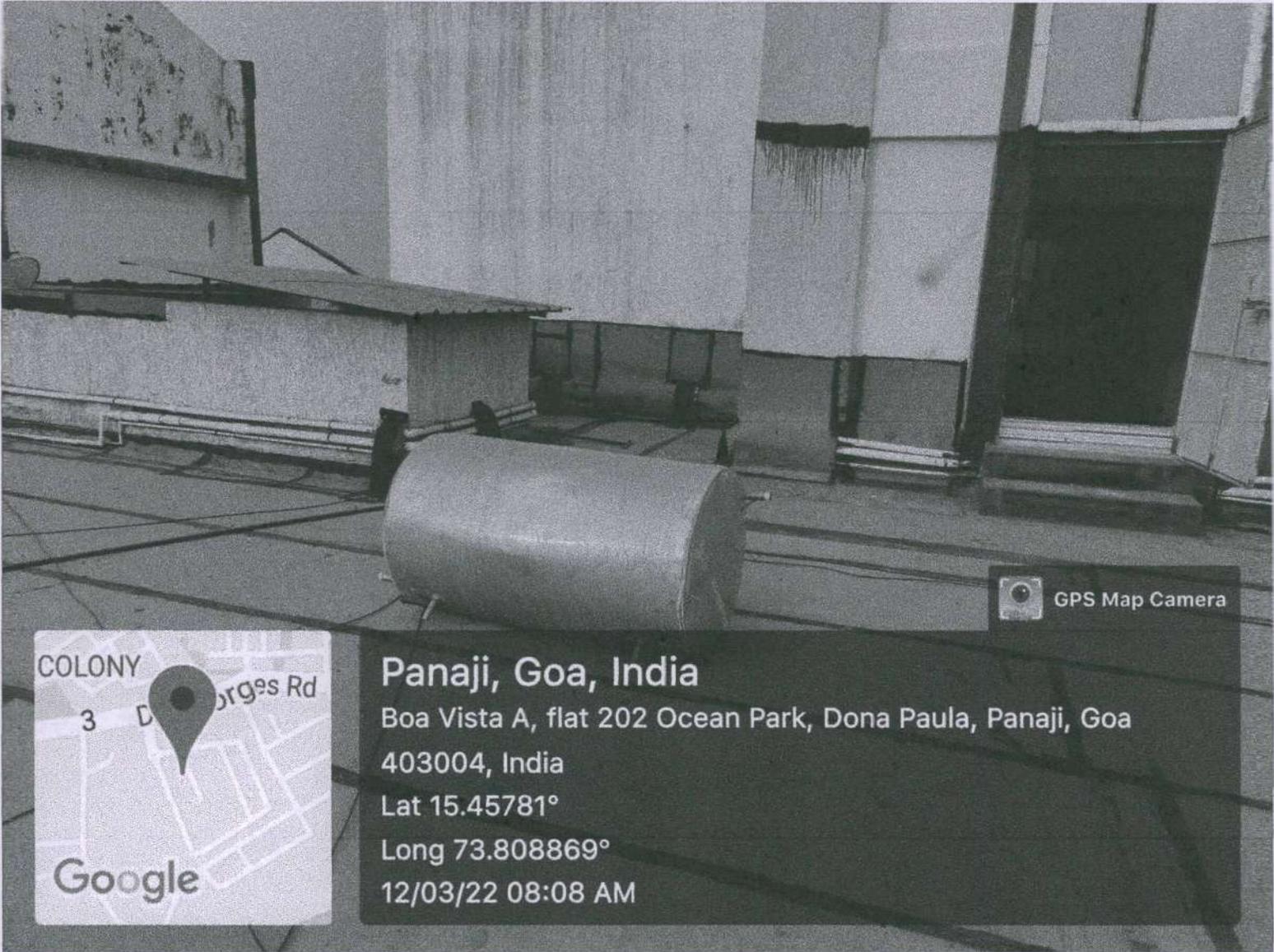
**Dona Paula, Goa, India**

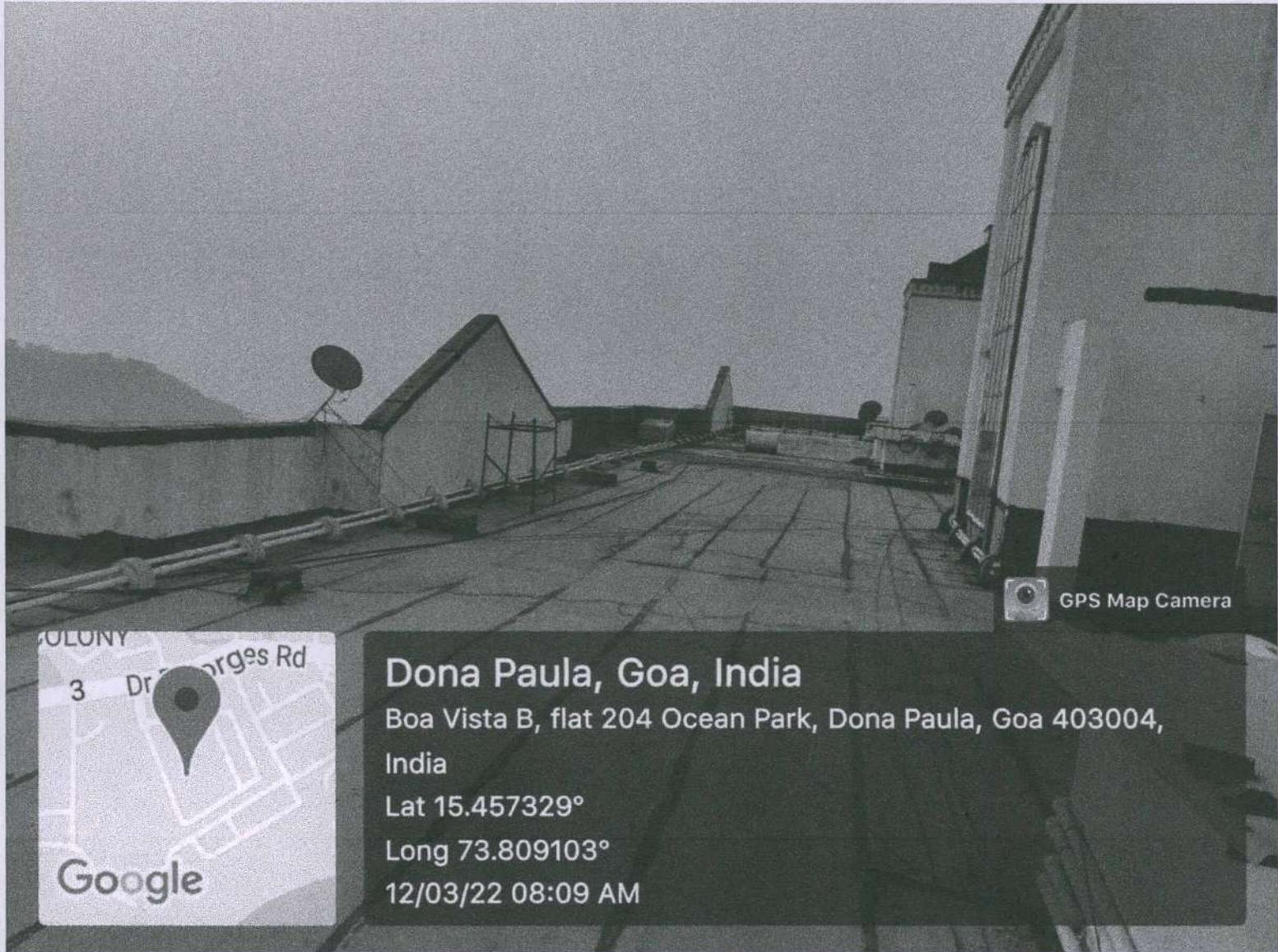
Boa Vista B, flat 204 Ocean Park, Dona Paula, Goa 403004,  
India

Lat 15.458081°

Long 73.808804°

12/03/22 08:08 AM





GPS Map Camera



**Dona Paula, Goa, India**

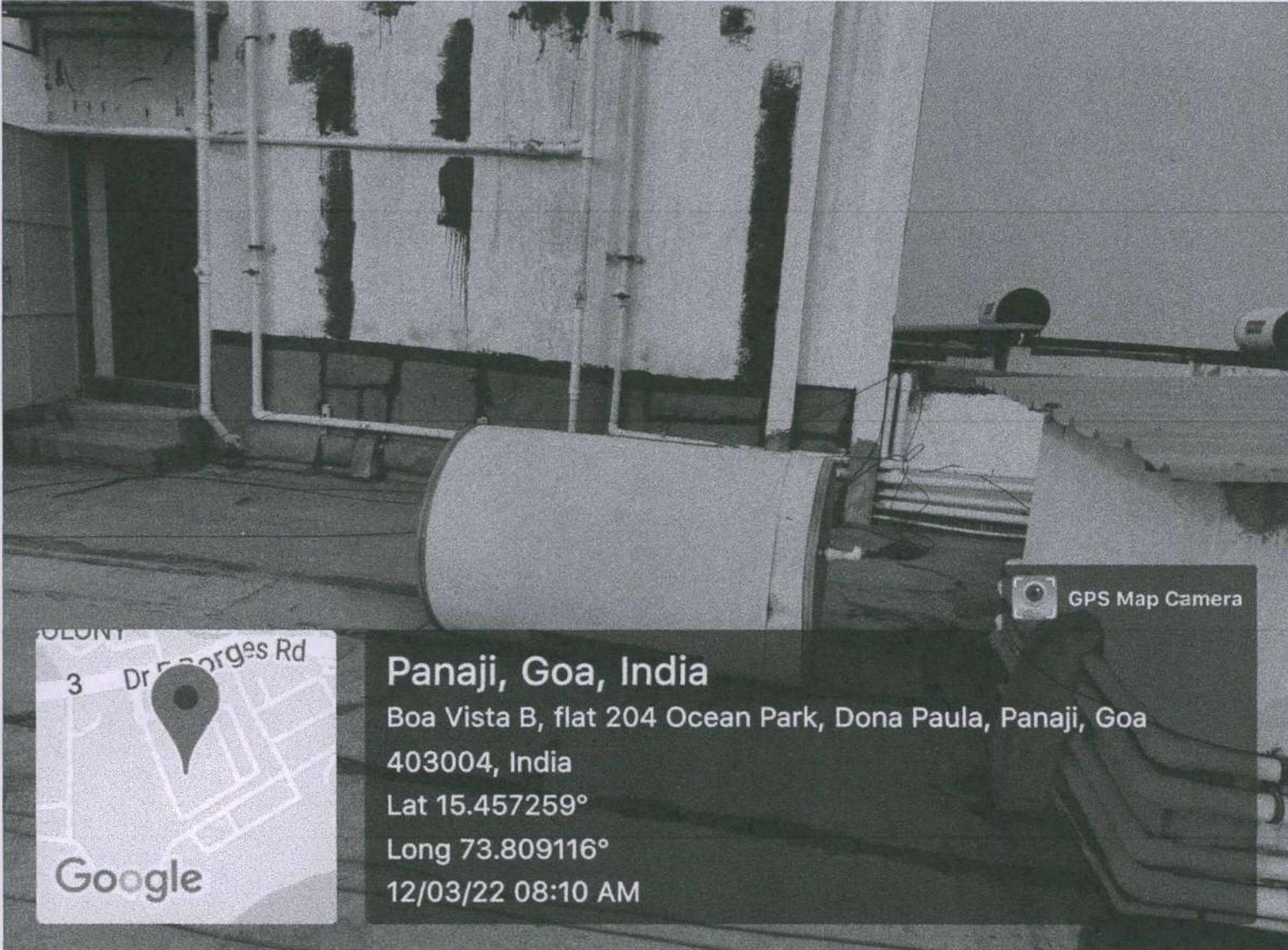
Boa Vista B, flat 204 Ocean Park, Dona Paula, Goa 403004, India

Lat 15.457329°

Long 73.809103°

12/03/22 08:09 AM

39



\* Indicates a required field.

\* Consignment Number

[Track More](#)

| Booked At          | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location |
|--------------------|---------------------|---------------------|--------|-------------------|-------------------|
| Nio Dona Paula S.O | 15/03/2022 09:41:10 | 110003              | 70.80  | Inland Speed Post | Lodi Road HO      |

**Event Details For : EM563985075IN**

**Current Status : Item Dispatched**

| Date       | Time     | Office                        | Event           |
|------------|----------|-------------------------------|-----------------|
| 17/03/2022 | 06:00:00 | Delhi AP TMO                  | Item Dispatched |
| 17/03/2022 | 01:29:32 | NSH Delhi                     | Item Received   |
| 16/03/2022 | 20:57:38 | Delhi AP TMO                  | Item Received   |
| 16/03/2022 | 01:21:55 | Panaji NSH                    | Item Dispatched |
| 15/03/2022 | 23:04:41 | Panaji NSH                    | Item Bagged     |
| 15/03/2022 | 20:14:15 | Panaji NSH                    | Item Received   |
| 15/03/2022 | 14:55:12 | Nio Dona Paula S.O            | Item Dispatched |
| 15/03/2022 | 14:51:48 | Nio Dona Paula S.O            | Item Bagged     |
| 15/03/2022 | 09:41:10 | Nio Dona Paula S.O <b>111</b> | Item Booked     |

\* Indicates a required field.

\* Consignment Number

EM563985061IN

Track More

| Booked At          | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|--------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Nio Dona Paula S.O | 15/03/2022 09:41:10 | 403511              | 29.50  | Inland Speed Post | Saligao S.O       | 16/03/2022 15:42:43   |

Event Details For : EM563985061IN

Current Status : Item Delivery Confirmed

| Date       | Time     | Office             | Event   |
|------------|----------|--------------------|---|
| 16/03/2022 | 15:42:43 | Saligao S.O        | Item Delivery Confirmed                       |
| 16/03/2022 | 11:04:06 | Saligao S.O        | Out for Delivery                              |
| 16/03/2022 | 10:09:25 | Saligao S.O        | Item Received                                 |
| 16/03/2022 | 01:30:01 | Panaji NSH         | Item Dispatched                               |
| 16/03/2022 | 01:13:17 | Panaji NSH         | Item Bagged                                   |
| 15/03/2022 | 19:57:01 | Panaji NSH         | Item Received                                 |
| 15/03/2022 | 14:55:12 | Nio Dona Paula S.O | Item Dispatched                               |
| 15/03/2022 | 14:52:32 | Nio Dona Paula S.O | Item Bagged                                   |
| 15/03/2022 | 09:41:10 | Nio Dona Paula S.O | Item Booked                                   |
| 23/06/2020 | 22:04:57 | US                 | Received Receptacle from abroad               |
| 19/06/2020 | 11:44:44 | IN                 | Dispatched for United States of America (the) |





2707 ✓

EXHIBIT-R-3

**PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email: [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

16 March 2022

To,  
Mathias Construction Private Limited  
Mathias House,  
Opp. Luis Gomes Garden,  
Campal,  
Panaji, Goa 403001

Dear Sir,

I wish to seek the following information from you as I am concerned about the current state of affairs of the Mathias Ocean Park Association:

- 1) Please provide me with a copy of Environment Management Plan and Environment Mitigation Plan approved by the Environment Department.
- 2) Details of Flats Sold by You
  - a. Flat No.
  - b. Names of Purchasers
  - c. Date of Sale
  - d. Date of Possession
  - e. Date of Payment of Stamp Duty for registration by the purchaser
  - f. Date of Registration of Sale Deed
- 3) I wish to draw your kind attention to the following resolution Passed by the Executive Committee at its meeting held on 1<sup>st</sup> March 2022.

**"4. Society formation**

*It was noted that since we have not yet formed the society it has been very difficult for the committee to enforce the desired rules and regulations as the legal standing has been regularly questioned by*

*erring residents. This is more so after Mr. Mathias has resigned as president of the committee. The committee hence resolved that it is the responsibility of the Promoter and the Builder to undertake the task of forming the Cooperative Maintenance society following which the president Mr. Mathias may tender his resignation as he desired. The handover of the Committee will be done after the formation of the society. A letter to this effect would be drafted by the Secretary and signed by all the committee members. A time line for the same will also have to be provided by the promoter / Builder."*

I would like to know from you the following:

- 1) Was it your responsibility to form a Co Op Society?
- 2) Has the handover of the Premises not yet been given by you to the Executive Committee of the Association?
- 3) If this be so, is Mathias Construction Private Limited still responsible for the compliance of various aspects regarding the project.
- 4) From the above resolution, it appears that the Executive Committee has not accepted your resignation and you continue to be the Chairman of the same. Please explain the correct situation in this regard.
- 5) In the Meeting of Executive Committee held on 15 January 2022 you tendered your resignation. The minuets of the meeting do not state that the same was accepted. What is your response to this?
- 6) What is the present status of the Executive Committee? Please provide me the following information:
  - i) Names of the Members Office bearers of the Present Executive Committee.
  - ii) Their Apartment Numbers and Building names
  - iii) The Date when they came in possession of their flats
  - iv) The date of execution of sale deed and payment of stamp duty.
- 7) Please let me know the amount of Maintenance charges paid by you to the association since its formation towards the share of Unsold Flats in the project. Please Provide a year wise and flat wise detail of the same.

8) When this undersigned purchased the flat, I was given to understand that the amount of Rs. 3,50,000.00 is a 4-year advance Maintenance Charges that was required to be paid by me. Thus, I safely assumed that there was a Rs. 500 Rs. Per Square metres maintenance charge that is being paid by all other owners. But to my surprise nobody seems to be paying maintenance. Does this not defy the principles of natural justice?

None of the communications of the Executive Committee spell out the correct strategy of the Association and how the same is fair and beneficial to members.

Some of the members of the Executive Committee have even resorted to Defamation, Intimidation and oppression of the residents. Trolling and threatening has become a normal phenomenon.

The Executive Committee is behaving as if its their personal fiefdom and they are not governed by any laws of humanity. The rules framed do not define the powers of the Executive Committee. The Rules are also signed only by Messers Joe Mathias, Malikarjun V Badami & Basavraj Hujaratti on 15 December 2015 on behalf of Mathias Construction Pvt. Ltd. These rules are not Governed by any law.

The acts of the Executive Committee are causing irreparable harm, damage and injury to the property in the society. They are acting arbitrarily and taking major decisions keeping the members in the dark.

The Society Manager is arrogant and rude and refuses to acknowledge letters delivered to him. He says that he has been instructed by the Executive Committee not to acknowledge my letters.

Many acts of the Executive Committee constitute criminal offence.

An early reply in this regard will be highly appreciated.

Regards



Prakash Agrawal

\* Indicates a required field.

\* Consignment Number

EM571983685IN

Track More

| Booked At         | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|-------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvorim S.O | 17/03/2022 12:00:27 | 403001              | 17.70  | Inland Speed Post | Panaji H.O        | 19/03/2022 16:15:11   |

## Event Details For : EM571983685IN

Current Status : Item Delivery Confirmed

| Date       | Time     | Office            | Event                   |
|------------|----------|-------------------|-------------------------|
| 19/03/2022 | 16:15:11 | Panaji H.O        | Item Delivery Confirmed |
| 19/03/2022 | 10:41:58 | Panaji H.O        | Out for Delivery        |
| 19/03/2022 | 09:46:20 | Panaji H.O        | Item Received           |
| 18/03/2022 | 02:21:20 | Panaji NSH        | Item Dispatched         |
| 17/03/2022 | 23:28:07 | Panaji NSH        | Item Bagged             |
| 17/03/2022 | 19:53:03 | Panaji NSH        | Item Received           |
| 17/03/2022 | 18:43:55 | Alto porvorim S.O | Item Dispatched         |
| 17/03/2022 | 15:09:17 | Alto porvorim S.O | Item Bagged             |
| 17/03/2022 | 12:00:27 | Alto porvorim S.O | Item Booked             |

2711

भारतीय डाक



India Post

TO: 2711198

SP ALTO FORMOSIN S.O. 540332

Counter No: 17/03/2022, 12:00

To: MATHEUS CONST, MATHEUS HOUSE

Pin: 403001, Parcel H.O

From: FRANCISCO STARBUK, LA GOMERA

Wt: 30gms

Rate: 17.70 (Post) Tax: 2.70

<Track on [www.indiapost.gov.in](http://www.indiapost.gov.in)>

<Dial 19002166648> (Near Marks, Stay Safe)

TRUE COPY

*Signature*

119

## EXHIBIT-R-4

From:

**PRAKASH AGRAWAL**

703, La Gomera,  
 Mathias Ocean Park Residency,  
 Dr. E Borges Road,  
 Opposite NIO Colony,  
 Panjim 403004, Goa  
 Cell No.: 9403070000  
 Email: prakashagrawal@msn.com

16 March 2022

To,  
**The Senior Inspector of Police**  
**Panjim Police Station**  
**Panjim 403004**

**Sub: Threat to life**

Dear Sir,

I am a senior citizen and I have decided to settle down in Goa thereby I purchased an apartment at Mathias Ocean Park Residency at Donna Paula numbered "703- La Gomera" from the Developers M/S Mathias Construction Private Limited. Sometime in the first week of February 2022 the sale deed was registered and there was a clause regarding environment clearance being granted to the project. When I went through the same, I witnessed large scale deliberate violations of the Environment Protection Act.

I have initiated many complaints relating to Civil and Criminal offences. I have been receiving threats from some unknown persons who have been telling me that the persons whom I am complaining about are very powerful.

My complaints are mainly against the members of the Executive Committee of Mathias Ocean Park Association. I am giving below their names as under:

| SR.NO | MEMBERS             | FLAT NOS | BUILDING      |
|-------|---------------------|----------|---------------|
| 1.    | Dr. Eugene Rent     | 602      | LA Gomera     |
| 2.    | Dr. Peter Rodrigues | 302      | Boa Vista "A" |



|    |                     |     |                  |
|----|---------------------|-----|------------------|
| 3. | Ms. Revati Mazumdar | 103 | Gran Canaria "B" |
| 4. | Mrs. Lata Mishra    | 703 | LA Palma         |
| 5. | Mr. Carmo Baretto   | 504 | LA Gomera        |
| 6. | Mr. Prashant Chopra | 104 | Azores-1A        |
| 7. | Mrs. Nadiya Radani  | 101 | Boa Vista-6A     |
| 8. | Mr. Prince Arora    | 404 | Flores "B"       |
| 9. | Mr. Randhir Nath    | 502 | Gran Canaria "A" |

I am making this complaint to you so that in case anything happens to me, these above named would be jointly and severally responsible for the same. I do not have any animosity with any other person in Goa from which I perceive threat. I have initiated action against the above who are in very grave and serious violations of various acts and the consequences of my complaint may lead to very strict punishment to them.

Thanking You.  
Yours Sincerely,

Prakash Agrawal

**CC to:**  
**Inspector General of Police, Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: igpgoa@goapolice.gov.in

**Director General of Police, Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: dgpgoa@goapolice.gov.in

**Supintendent of Police – North Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: spn-pol.goa@nic.in



India Post



### Track Consignment

Quick help

\* Indicates a required field.

\* Consignment Number

| Booked At         | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|-------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvaram S.O | 17/03/2022 12:00:27 | 403001              | 17.70  | Inland Speed Post | Panaji H.O        | 18/03/2022 14:52:49   |

Event Details For : EM571984227IN Current Status : Item Delivery Confirmed

| Date       | Time     | Office                     | Event                                |
|------------|----------|----------------------------|--------------------------------------|
| 18/03/2022 | 14:52:49 | Panaji H.O                 | Item Delivery Confirmed              |
| 18/03/2022 | 10:57:40 | Panaji H.O (Last Number:4) | Item Delivered [To: gmv (Addressee)] |
| 18/03/2022 | 10:34:23 | Panaji H.O                 | Out for Delivery                     |
| 18/03/2022 | 08:54:20 | Panaji H.O                 | Item Received                        |
| 18/03/2022 | 02:21:20 | Panaji NSH                 | Item Dispatched                      |
| 17/03/2022 | 23:18:46 | Panaji NSH                 | Item Bagged                          |
| 17/03/2022 | 19:53:03 | Panaji NSH                 | Item Received                        |
| 17/03/2022 | 18:43:55 | Alto porvaram S.O          | Item Dispatched                      |
| 17/03/2022 | 15:09:17 | Alto porvaram S.O          | Item Bagged                          |
| 17/03/2022 | 12:00:27 | Alto porvaram S.O          | Item Booked                          |

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- About Us
- Forms
- Recruitments
- Holidays
- Feedback
- Right To Information

- Tenders India
- Related sites
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### Track Consignment

Quick Help

\* Indicates a required field.

\* Consignment Number

| Booked At         | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|-------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvorim S.O | 17/03/2022 12:00:27 | 403001              | 17.70  | Inland Speed Post | Panaji H.O        | 18/03/2022 14:52:49   |

**Event Details For : EM571984160IN** **Current Status : Item Delivery Confirmed**

| Date       | Time     | Office                     | Event                                 |
|------------|----------|----------------------------|---------------------------------------|
| 18/03/2022 | 14:52:48 | Panaji H.O                 | Item Delivery Confirmed               |
| 18/03/2022 | 10:57:40 | Panaji H.O (Best Number-1) | Item Delivered [To: gov. (Addressee)] |
| 18/03/2022 | 10:34:23 | Panaji H.O                 | Out for Delivery                      |
| 18/03/2022 | 09:46:20 | Panaji H.O                 | Item Received                         |
| 18/03/2022 | 02:21:20 | Panaji NSH                 | Item Dispatched                       |
| 17/03/2022 | 23:28:07 | Panaji NSH                 | Item Bagged                           |
| 17/03/2022 | 19:53:03 | Panaji NSH                 | Item Received                         |
| 17/03/2022 | 18:43:56 | Alto porvorim S.O          | Item Dispatched                       |
| 17/03/2022 | 15:09:17 | Alto porvorim S.O          | Item Bagged                           |
| 17/03/2022 | 12:00:27 | Alto porvorim S.O          | Item Booked                           |

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- Forms
- Recruitments
- Holidays
- Feedback
- Right To Information

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Department of Posts  
Ministry of Communications  
Government of India

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### Track Consignment

\* Indicates a required field.

\* Consignment Number

| Booked At          | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|--------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvottin S.O | 17/03/2022 12:50:27 | 403001              | 17.70  | Inland Speed Post | Panaji H.O        | 19/03/2022 14:52:49   |

Event Details For : EM571984085IN Current Status : Item Delivery Confirmed

| Date       | Time     | Office                     | Event                                |
|------------|----------|----------------------------|--------------------------------------|
| 19/03/2022 | 14:52:48 | Panaji H.O                 | Item Delivery Confirmed              |
| 19/03/2022 | 10:57:40 | Panaji H.O (Best Number 4) | Item Delivered [To: gmv (Addressee)] |
| 19/03/2022 | 10:34:23 | Panaji H.O                 | Out for Delivery                     |
| 19/03/2022 | 09:48:20 | Panaji H.O                 | Item Received                        |
| 18/03/2022 | 02:21:20 | Panaji NSH                 | Item Dispatched                      |
| 17/03/2022 | 23:28:07 | Panaji NSH                 | Item Bagged                          |
| 17/03/2022 | 19:53:03 | Panaji NSH                 | Item Received                        |
| 17/03/2022 | 18:43:55 | Alto porvottin S.O         | Item Dispatched                      |
| 17/03/2022 | 15:09:17 | Alto porvottin S.O         | Item Bagged                          |
| 17/03/2022 | 12:00:27 | Alto porvottin S.O         | Item Booked                          |

- Home
- About Us
- Forms
- Recruitments
- Holidays
- Feedback
- Right To Information

- Tenders India
- Related sites
- Website Policies
- Contact Us
- Employee Corner
- Stamp

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Track Consignment

\* Indicates a required field.

# 2717

\* Consignment Number **EM571983685N** Track More

| Booked At        | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvath S.O | 17/03/2022 12:00:27 | 403001              | 17.70  | Inland Speed Post | Paraji H.O        | 19/03/2022 16:15:11   |

Event Details For : **EM571983685N** Current Status : **Item Delivery Confirmed**

| Date       | Time     | Office                    | Event                               |
|------------|----------|---------------------------|-------------------------------------|
| 19/03/2022 | 16:15:11 | Paraji H.O                | Item Delivery Confirmed             |
| 19/03/2022 | 11:02:34 | Paraji H.O (Seal Number5) | Item Delivered (To: MAAR (Address)) |
| 19/03/2022 | 10:41:56 | Paraji H.O                | Out for Delivery                    |
| 19/03/2022 | 09:40:20 | Paraji H.O                | Item Received                       |
| 18/03/2022 | 02:21:20 | Paraji NSH                | Item Dispatched                     |
| 17/03/2022 | 23:28:07 | Paraji NSH                | Item Bagged                         |
| 17/03/2022 | 19:53:03 | Paraji NSH                | Item Received                       |
| 17/03/2022 | 18:43:55 | Alto porvath S.O          | Item Dispatched                     |
| 17/03/2022 | 15:09:17 | Alto porvath S.O          | Item Bagged                         |
| 17/03/2022 | 12:00:27 | Alto porvath S.O          | Item Booked                         |

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- Holidays
- Feedback
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EM571983685N IVR:897757198  
 SP ALTO PORVATH S.O 403001  
 Counter No:1, 17/03/2022, 12:00  
 To: MATHIAS CONST, MATHIAS HOUSE  
 PIN:403001, Paraji H.O  
 From: PRAKASH WARMAL, LA GONERA  
 Wt:30gms  
 Amt:17.70 INR Cash 1 Tax:1.70  
 (Track on www.IndiaPost.gov.in)  
 (Dial 19002643849) (Wear Masks, Stay Safe)

TRUE COPY

2718

EXHIBIT-R-5

**PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email: [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

17 March 2022

To,  
Mathias Construction Private Limited  
Mathias House,  
Opp. Luis Gomes Garden,  
Campal,  
Panaji, Goa 403001

**Ref: The Residents Handbook, version 1 Published by the Present Executive Committee**

**Sub: Irreparable Harm, damage, injury being carried out by the present Executive Committee Members including attack on personal dignity of the legitimate owners.**

Dear Sir,

I wish to bring to your knowledge the following glaring discrepancies that have been noticed in the Rules Framed by the Present Executive Committee of the Society in The Residents Handbook, version 1.

- 1) A maintenance deposit was levied by you at the time of purchase of the apartment and the same was to be paid to the Mathias Ocean Park Association. There are certain members who have paid the deposit @ Rs. 1000.00 per Square Metres while I have been directed to pay @ Rs. 2000.00 Per Square Metres. Why this disparity?
- 2) The Bye Law no. 6 speaks of payment @ Rs. 1000.00 Per Square Metres. How could money in excess of the Bye Laws be collected?
- 3) The purchasers who are in occupation of flat since 2015 and have paid the Maintenance Deposit @ Rs. 1000.00 have already enjoyed maintenance free period of Seven years. Now the Rules suggest that the funds may last for a period of 4 to 5 years. Assuming that the funds last for 5 years which means that those who purchased the apartment

in 2015 and paid @ Rs. 1000.00 per Square Metres would Enjoy the free maintenance for a period of 12 years. While those who paid recently and @ Rs. 2000.00 per square metres would enjoy the free maintenance for a period of only 5 years. How can this be fair and acceptable?

- 4) There seems to be no deposit from Mathias Construction Pvt. Ltd. For the unsold flats for sinking fund as well as maintenance deposits, thus you have enjoyed zero maintenance on the unsold flats in the society from the beginning. How do you find this in fairness?
- 5) The Residents Handbook, version 1 speaks of deciding in the AGM of 2022 as to how money will be collected from the owners which makes it very clear that there is no intention on the part of the Association to form a society which can be run according to laws of the country.
- 6) The Residents Handbook, version 1 talks of Clearance of expenses. What I understand is that they say that they will send mails to 60% owners and proceed with the expenses. There is no talk of 60% members approving the expenses. How can this be acceptable?
- 7) The Residents Handbook, version 1 talks of regulations while occupying apartments. Now those who paid Rs. 2000.00 per square metres are also burdened with paying a Rs. 20,000.00 deposit. How could this be fair and acceptable?
- 8) How can Norbert's be allowed to use the Parking Spaces in the complex while the owners do not have sufficient parking.
- 9) Is the entry of non-members not a security threat to the residents? Is there a mechanism in place to ensure that the mechanism Gym Users do not trespass to other areas in the complex?
- 10) As per Bye Law No. 3 only owners are entitled to be members of Mathias Ocean Park. Ownership is determined only by a registered agreement executed in accordance with the provisions of the Registration Act, 1908. In the case of the present association, the same have been granted to persons who have not even executed the agreement.
- 11) It has been seen that even those who do not have a registered agreement are even holding the post of office bearers of the Association.

- 12) I say that the Bye Laws as well as the agreement Residents Handbook, version 1 is both unfair and not based on the principles on equity and natural justice. The same will not hold ground in any court of law.
- 13) The Present Executive Committee is acting Arbitrarily and responsible for breaking many provisions of very important Acts which have serious criminal implications.
- 14) They have arbitrarily decided to damage and remove the property of the owners without seeking their consent and approval.
- 15) There has been intimidation and oppression for which action has been initiated. One member of the Executive Committee thinks that he has the powers to invade the personal privacy of the members and is knocking at the gates at 6.10 PM and harassing the new purchasers.
- 16) There are instances where the employees of the Association are drawing salary from the Association and are also working in many houses and domestic help during working hours. Many of the houses are the houses of the close friends and supporters of the current executive committee members. Hence the same is being permitted by the present executive committee.
- 17) One Member of the Executive Committee has received a water proofing contract from you. The workers of that EC Member carrying out the water proofing work are permitted to stay in basement of the premises.
- 18) The Executive Committee has selectively permitted employees to stay within the premises.
- 19) There is no compliance of Many Important Acts which can lead to disconnection of Water and Electricity supply to the project is seen. The same is deliberately carried out by the EC Members.
- 20) The present Executive Committee is causing irreparable damage to the premises.
- 21) It is sad that in a place like Goa, well-educated and employed individuals want to take benefits out the benefits monies of retired senior citizens.

22) - Since the time I have purchased the apartment it's for the first time I have received a communication from the Secretary via email in the month of March 22. The working is chaotic and non-comprehensible.

You are requested to intervene and resolve the issues, failing which I shall be constrained to take legal recourse on the aspects explained above. Some members of the Executive Committee have exceeded their moral and legal authority and caused immense stress to me during the interior work of my premises. This cannot be tolerated and is not in accordance with any law of the land. I have to the best of my ability exercised restraint but now things and the fresh revelations are too disturbing.

I have already initiated some proceedings for certain violations of the present Executive Committee.

An early reply in this regard will be highly appreciated.

Regards



Prakash Agrawal

TRUE COPY



## EXHIBIT-R-6

**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email: prakashagrawal@msn.com

17 March 2022

To,  
**The Senior Inspector of Police**  
**Donna Paula Police Station**  
**Panjim 403004**  
[pipanaji@goapolice.gov.in](mailto:pipanaji@goapolice.gov.in)

Subject: Failure and negligence to provide clean drinking water  
resulting in culpable homicide, conspiray and extortion

Sir,

I am desirous to file the present complaint against the following  
persons for reasons more particularly mentioned herein below:

- 1) Eugene Rent  
Secretary  
602 La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004



- 3) Mr. Prashant Chopra  
Member  
La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 4) Dr. Peter Rodrigues  
Member  
302 Boa Vista A  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 5) Mrs Lata Mishra  
Member  
703 La Palma  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 6) Mrs Revati Kumar  
Member  
103 Gran Canaria - B  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 7) Mr. Yogesh Arora  
Member  
302 La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 8) Mr. Carmo Baretto  
Member  
504 La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 9) Mr. Randhir Nath  
Member  
502 Gran Canaria - A  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 10) Mr. Prince Arora  
Member  
404 Flores - B  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 

- 1) By virtue of a sale deed dated 01.02.2022, executed on 05.02.2022 between:
- M/s. Mathias construction Private Limited, in its capacity as the promoter vendor of which Mr. Julian Mathias is the director;
  - M/s. Paramount Buildwell Construction Private Limited, the Developer;
  - Myself;
  - Mr. Joe Mathias and his wife Mrs. Mariola Mathias, acting in their capacity as Confirming Party, and being represented through their POA holder, Mr. Julian Richard Mathias.

I am a resident of Apartment no. 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panjim 403004.

- 2) As a fundamental right, I am entitled to clean and fresh drinking water. However, I have been deprived since the very beginning i.e., 01.02.2022. Instead of clean drinking water, I am provided with unsafe and contaminated ground water from the tanker for drinking and cooking purposes, without any treatment, which is hazardous, unsafe and unfit for consumption purposes. In fact, the ground water is also taken without proper permission of the competent authority and the tanker supplier have not even obtained permission from the CGWA as mandated under Notification dated 24.09.2020.
- 3) In the project, the developer has already provided separate lines for water supply to the kitchen and rest of the apartment. Thus, for availing clean water, all that is required are water tanks at the ground floor, 3 plasto water tanks of 20000 litres each and 7 plasto water tanks of 5000 litres each. In fact, Mathias Ocean Park Association has water connection for 65000 litres of water supply from the PWD per day which is more than sufficient for the purposes of drinking and cooking, however the same is mixed with the contaminated and impure ground water thus making it unfit for consumption. All that is required to be done is to have separate tanks for the kitchen and rest of the apartment to avoid any contamination.
- 4) However, even though the Accused are aware of the ground realities and that separate tanks was the solution to the problem, the Accused are taking undue advantage of the present scenario and are misusing their key position in the Mathias Ocean Park Association only to extort monies from the members which is evident and amply clear from the events mentioned hereinbelow. The Accused intentionally and deliberately fail to take proactive steps to provide clean drinking water.
- 5) The Accused have misrepresented and manipulated facts to create fear in minds of the resident only with the ulterior motive to extort monies. The Accused are taking undue advantage of the situation and misusing their power and exceeding their authority only to coerce the members to pay huge sums of money which is unwarranted and uncalled for. The same is evident from the Minutes of Meeting held on 18.12.2021 which states as follows:

***“5. Separate water supply line for kitchen***

*The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavour which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply.”*

Enclosed herewith is the Minutes of Meeting held on 18.12.2021.

- 6) In addition to the above, a *WhatsApp* message dated 23.12.2021 from one Mr. Atul Mishra, spouse of Accused no. 5 (reproduced herein below) also brings to light the *malafide* intention of the Accused that all the Accused want is to extort money on the pretext on providing clean drinking water.

*“As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong for the benefit of coming generations for next 100 years or as long as the bldg survives”.*

Enclosed is the screenshot of the message dated 23.12.2021.

- 7) On 23.12.2021, Accused no.1 messaged on the *WhatsApp* group of the Mathias Ocean Park owners as follows:

*"It's fantastic that there are so many interested residents in taking this forward. The committee will look into it for sure... The only issue is that the estimated cost for the new tank, new overhead tank new piping with digging of the roads, changing the piping in all the buildings will work out to a few crores. So, if one of the interested residents would be kind enough to help the committee by getting a two thirds majority support in taking this project forward we will get it done... They would have to sign a document stating that the cost will be shared by all flats which at a reasonable estimate is 1.5 lakhs per flat."*

Thus, to summarise it is evident that the Accused are acting in collusion and in connivance with each other and propelling residents to pay huge sums of monies for providing safe drinking water.

Enclosed is the screenshot of the message dated 23.12.2021.

- 8) To surmise, there is no need for kilometres and kilometres of pipelines. The costs estimated by the Accused i.e., Rs. 5 crores are more than 25 times the actual expenditure. As stated above, the water pipeline for the kitchen has been separately provided by the builder at the terrace. All that is required to connect the pipeline of the PWD water to these dedicated lines provided by the builder.
- 9) Mathias Ocean Park Association has not even approached the developer for resolving such a sensitive issue, rather, it continues to deprive the members of clean drinking water, putting their lives in jeopardy. In fact, to misguide the owners on 22.12.2021 Accused no.5 writes on the *WhatsApp* group of the Association stating as follows:

*"Mr Mathias is a part of the committee and involved in the discussions."*

Enclosed is the screenshot of the message dated 22.12.2021.

- 10) In addition, the Managing Committee has permitted some selected employees of the society to stay in the premises of the society with

their families. This is not in conformity with the Environment Clearance and resulting in unnecessary pollution load. Further, there is also improper disposal of solid waste which is damaging the water, air and soil quality in the area. Also, the STP treated water is not being recycled/reused for flushing, which is resulting in shortage of water. The additional tanks at the terrace for use of the STP treated water for flushing has deliberately not been provided separately by the Managing Committee of the Society. Although the developer has provided a separate line for the purposes of flushing, the same is not in operation and the water is getting mixed.

- 11) In view of the above, I addressed a letter dated 1.03.2021 calling upon the Accused and the Hon'ble Principal Secretary, Environment Department and the Hon'ble Member Secretary, Goa Pollution Control Board, to take action with regards to providing clean drinking water, but in vain. There is no reply or objection to whatever is stated in the letter dated 1 March 2021. In fact, the Accused have feigned ignorance and turned a blind eye to the contents of the letter which demonstrates that the Accused are deliberately and intentionally not making necessary arrangements for providing clean and pure drinking water in spite of having all the provisions to do so. Enclosed herewith is the letter dated 1.03.2021.
- 12) Due to failure of the Accused to provide clean drinking water even though the requirements are in place, I am forced to incur more expenses to arrange for clean drinking water. It causes unnecessary stress and burden, both mentally and financially. I am a senior citizen and more susceptible to water borne diseases. In fact, when I moved in this apartment in May 2021, I suffered bloating and severe indigestion on account of drinking the contaminated ground water. As on today as well, a lot of members are not even aware of the fact that they are consuming unfit water and the repercussions of the same.
- 13) Drinking contaminated groundwater can have serious health effects. Diseases such as hepatitis and dysentery may be caused by contamination from septic tank waste. Poisoning may be caused by toxins that have leached into well water supplies. Wildlife can also be harmed by contaminated groundwater. Other long-term effects

such as certain types of cancer may also result from exposure to polluted water.

- 14) It is evident from the above that the Accused are intentionally and deliberately depriving the members of clean drinking water only to extort monies and cause wrongful gain to themselves. Even though the Accused are aware that impure ground water is hazardous for the health, they are knowingly ignoring to take steps to provide clean and fresh drinking water which amounts to culpable homicide and a gross violation of my fundamental rights i.e., right to life and liberty guaranteed to me under the Constitution of India. All the Accused are hand in gloves and are colluding with each other in order to extort monies from the members.
- 15) Although, the Accused are also aware of the ill effects of drinking and consuming contaminated ground water, no action is taken to provide the residents with clean drinking water. This itself only goes on to show the intention of the Accused. In fact, there is more to this than meets the eye. There appears to be a bigger scam involved. It appears that there are more people involved in this scam. Lives of innocent people are being played with only to satisfy their illegal motives and intentions and greed for money. Precious lives of residents are in grave danger. On top of it, what the Accused are doing is that they are instilling fear of life and health in the mind of the residents in order to extort monies. This is all done at the cost of lives. Such conduct amounts to culpable homicide especially considering that the Accused have also acknowledged and admitted that the water is not safe for consumption purposes and have thus proposed to spend a whopping sum of Rs. 5 crores approx., which is not required considering that only tanks need to be separated.
- 16) Thus, in light of this, I am constrained to approach you and bring this crime to your notice under sections 120B, 384 and 304 of the Indian Penal Code, 1860. I trust and hope you shall register this offence, investigate, identify individuals involved in this scam and let law take its due course. I am willing to cooperate and provide assistance, information and documents, as required for the purpose of investigation.

Yours truly,



Prakash Agrawal  
+91 9403070000

Enclosure:

- (1) Minutes of Meeting held on 18.12.2021
- (2) *WhatsApp* message dated 22.12.2021
- (3) Two *WhatsApp* message dated 23.12.2021
- (4) Letter dated 1.03.2021

**CC to:**

**Inspector General of Police, Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: igpgoa@goapolice.gov.in

**Director General of Police, Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: dgpgoa@goapolice.gov.in

**Superintendent of Police – North Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: spn-pol.goa@nic.in

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

---

Minutes of the 3rd Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 18th December 2021 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mrs. Revati - Member
- Mr. Yogesh Arora - Member
- Mr. Carmo Baretto - Member
- Mr. Randir Nath - Member

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### **1. Lift Annual Maintenance Contract**

After reviewing the terms and condition provided by team Shindler, the committee agreed to proceed with renewing the AMC contract for a period of 3 years. The contract states that there would be no increase in amount for this year however there would be a 7% increase for the coming 2 years. Mr. Carmo stated that he would review the offer and try and bring it down to 5% in a meeting planned with the schindler team. The current contract for 14 lifts is Rs.7,00,052 which works out to Rs.50,003 per lift including an 18% GST

## **2. Timing of facilities**

The committee reviewed the timing of facilities and agreed that we could continue with the current timings of 6AM to 11 PM for all club house facilities. However from 6 to 7 AM, 2 PM to 4 PM and 10 to 11 PM would be a silent zone and if excess noise is made during this period the timings will have to be revised accordingly. This was agreed upon in view of the excess noise experienced by residents in Gran Caneria and Boa Vista buildings.

## **3. Barrier around the swimming pool**

A proposal to have barriers a. Around the swimming pool and b. between the adults and children's pool was evaluated. It was found that a queue Manager would not serve the purpose as children could get around it. A metal barrier could be hazardous to swimmers within the pool with a potential to cause injury if it falls into the pool. It was hence decided that barricades around the pool would not be put. Regarding putting barricades between the adult and children's pools options would be looked into and reviewed in the coming meeting.

## **4. Entry stickers (Four and two wheelers)**

Stickers for cars / two wheelers to enter the complex will be distributed from 20<sup>th</sup> December 2021 onwards at the estate Managers office from 10AM to 5 PM. Special distribution on one of the Sundays would be organized for residents who cannot collect the sticker on weekdays. After 15<sup>th</sup> January 2022 vehicles without the new ocean park sticker would have restricted entry into the complex and overnight parking will not be permitted.

### **5. Separate water supply line for kitchen**

The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavor which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply.

### **6. CCTV**

The committee unanimously decided to upgrade the security camera facilities available on campus and install security cameras with sound and good recording facilities. It was also decided that the switchboards for the security systems would be internalized to prevent tampering with the same. 3 quotations would be obtained for the same.

### **7. Speeding and parking regulations within complex**

It was resolved that any car found to be speeding would be issued a warning with a fine of Rs1000 and multiple repeated offenders would be restricted from entry into the complex. A log of the same would be maintained at the security cabin.

A second decision was to put up speed limit boards of 20Km/hr at the entrance of each lane so that residents are made aware of the agreed upon speed limits.

Also in order to prevent speeding a speed breaker would be installed on the first crossroad. Speed breakers are already installed on the rest of the crossroads.

The parking is a concern in the internal lanes as some people park covering the access road. To deter haphazard parking in the lanes, car parking slots will be marked and the residents are requested to ensure parking within the slots.

### **8. Facility Management**

The committee has reviewed the quotation provided by Chauhan for taking care of the facility management and has found it to be acceptable. Following assurances have been provided.

1. Adequate staff taking care cleaning all common areas.
2. Uniforms for all personnel
3. Accommodation of all personnel outside the premises
4. Monthly review by a representative from each building who will signoff on quality of work at the end of the month
5. Better attention to common areas and sports galleries.
6. Time table for cleaning of parking areas.

### **9. Society formation**

The process of society formation needs to be expedited and the assistance of residents with knowledge in the process involved is to be sought. The committee has decided to hire a lawyer and expedite the process.

### **10. Sewage treatment plant related issues**

The committee resolved that the care of sewage treatment plant should be outsourced to a third party that is competent in managing the same in order to aid its smooth running and prevent regular breakdown. Also the blower of the STP which is damaged needs to be replaced and quotations are to be procured for the same on priority.

**11. Security guard review meetings**

It was resolved that the performance of the security team would be reviewed on a bimonthly basis with two objectives. A. To better the security facilities and to fine tune the security detail b. To deal with grievances raised both by the security personnel and those against them so as to provide better working environment and at the same time better services by them. Mr. Yogesh volunteered to be the first point of contact in dealing with security related issues. It was also resolved that till the GST issues of Thunderforce is resolved the salaries of the security personnel will be paid directly from the society account on the 5<sup>th</sup> of every month.

**12. Electrical and Plumbing**

It was decided that any contract with all service providers within the complex would be terminated and the estate manager would call an electrician or plumber when required from a registry of available providers. Any of these personnel staying within the complex will have to vacate before the 15<sup>th</sup> of January 2022. The contract with excel engineering would be terminated as of 1<sup>st</sup> January 2022

**13. Non occupancy charges**

It was resolved that the society would start collecting non occupancy charges of Rs. 900 per month from apartments that are given out on rent from 1<sup>st</sup> of January 2022 as it was decided in the AGM that we would be doing the same. Any contention regarding the above would have to be raised in the following AGM.

**14. Police verification**

It has been resolved that as per the government regulations all tenants occupying the premises have to get the police verification done and the required documents have to be

submitted at the society office. A deadline of 15<sup>th</sup> of January 2022 for getting the same done has been issued. Following this date a list of tenants without police verification documents will be submitted to the responsible authorities.

### **15. Complaint register**

In order to reduce the number of calls received by the members of the committee and the managerial staff and to streamline facilities it was resolved that a complaint / work register would be kept in the estate managers office. Any issue that needs to be looked into can be entered into this register and it would be duly responded to. The residents are requested to utilize this register rather than whatsapp groups to register complaints / work orders / other issues.

### **16. Census collection**

It was resolved that the committee members would aid the security in collection of census data so as to complete the project by 15<sup>th</sup> January 2022

### **17. Notice for non compliance**

It has been decided that the committee would send notices to those residents not complying with the rules set for civil work in apartments mainly work between 2PM to 4PM in the afternoon and using the lift to transport heavy goods. The Rs.20,000 security deposit collected would be forfeited if the above rules are not followed. The committee unanimously agreed to the same.

### **18. Protocol for quotations**

Mr. Prashanth would be the point of contact for procurement and quotations. It was also decided that a break up of labor cost and material cost would be obtained separately to aid in better assessment of said quote.

As there were no other points for discussion, the meeting ended at 8.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman



Kitchens. 23 December 2021 1:59 pm

Atul Mishra

As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong..for the benefit of coming generations for next 100 years or as long as the bldg survives

2:49 pm



You can't send messages to this group because you're no longer a participant.





lata



Perhaps have 22 December 2021 interactions with builder/promoter/developer

And best for each committee to minute and hand over status report of all such issues & discussions ...

9:30 am

Would be happy to volunteer for any residents' group formed for such interactions

9:35 am

**Lata Mishra**

+91 98201 80349

Perhaps have regular formal interactions with builder/promoter/developer

...

Mr Mathias is part of the committee and involved in the discussions.

9:49 am

+91 98201 80349

~S

**Dr. Eugene Rent**

Nisha with all due respect there are some issues that can be handled by the committee, there are some like leakages...

No worries then...

Only volunteered since the second half of this post said ..



You can't send messages to this group because you're no longer a participant.





# Ocean Park Owners

Abdul, Abhijit, Abhinav, Ali, Amrita, Amrita,...



Prabha

23 December 2021

Datta Patil

We should involve Mathais and his plumbing contractor and obtain experts opinion and cost



3:23 pm

Dr. Eugene Rent

It's fantastic that there are so many interested residents in taking this forward. The committee will look into it for sure... The only issue is that the estimated cost for the new tank, new overhead tank new piping with digging of the roads, changing the piping in all the buildings will work out to a few crores. So if one of the interested residents would be kind enough to help the committee by getting a two thirds majority support in taking this project forward we will get it done... They would have to sign a document stating that the cost will be shared by all flats which at a reasonable estimate is 1.5 lakhs per flat.

3:28 pm

If someone can arrange a competitive quote that is welcome too.

3:31 pm

Search inside screenshot

Prabha

You can't send messages to this group because you're no longer a participant.

Share

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Lens

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**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park  
Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email:  
prakashagrawal@msn.com

To,

**1. HON'BLE PRINCIPAL SECRETARY**

Ministry of Environments Forests & Climate Change  
Paryawaran Bhawan,  
CGO Complex  
Lodhi Road  
New Delhi 110003

**2. HON'BLE MEMBER SECRETARY**

Goa Pollution Control Board-GPCB  
Nr. Pilerne Industrial Estate,  
Opp. Saligao Seminary,  
Saligao, Goa 403511

**Subject: Notice U/s. 19(b) of the Environment  
(Protection) Act, 1986 and U/s. 49 (b) Water  
(Prevention & Control of Pollution) Act, 1974**

Sir,

Whereas an offence under the Environment (Protection)  
Act, 1986 has been committed by;

- 1) Eugene Rent  
Secretary  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 3) Mr. Prashant Chopra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 4) Dr. Peter Rodrigues  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 5) Mrs Lata Mishra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 6) Mrs Revati  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 7) Mr. Yogesh Arora  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
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- 8) Mr. Carmo Baretto  
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- 9) Mr. Randhir Nath  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 10) Mr. Prince Arora  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

**Ref: Deliberate Violation of the terms of EC under No. 21-15/2007-1A.III dated 16 may 2007 granted to project titled "Ocean Park" located at Survey No. 249/1-A at village: Talegaon, Tiswadi, Panjim, Goa, attracting penal action U/s. 19 (b) of Environment (Protection) Act, 1986 and U/s. Water (Prevention & Control of Pollution) Act, 1974 against the alleged Accused No. 1 to 9 herein above.**

Dear Sir,

- 1) I am a resident of Apartment No. 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panjim 403004. Environemnt Clarance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. The Mathias Ocean Park Association, who took over the affairs of the phase of the project for which the EC is granted was supposed to implement the Environment Management Plan. This has been brought to the notice of Dr. Eugene Rent, who is the Secretary of the Association repeatedly who has declined to implement the same and even provide clan and potable drinking water.
- 2) I am enclosing herewith the Minuets of the Meeting of the Association that was held on 18<sup>th</sup> December 2021. The said meeting was held under the Chairmanship of Mr.

Eugene Rent the secretary of the society. The resolution reads as:

**"5. Separate water supply line for kitchen**

*The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavour which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply."*

- 3) The Mathias Ocean Park Association has been buying water from Water Tankers mafia who are supplying ground water to the association and the Ground Water is untreated, impure and unsafe for drinking & cooking. Although the Mathias Ocean Park Association has water connection for 65000 litres of water supply from the PWD per day which is more than sufficient for the purposes of Drinking and Cooking, still Mr. Eugene Rent takes an arbitrary decision to deprive the members of Pure and safe drinking water.
- 4) The accused Nos. 1 to 9 attended the Meeting of the Managing Committee held on 18<sup>th</sup> December 2021 in which this decision to deprive the members of pure drinking water was taken.

- 5) The Developer has provided for separate lines for Water Supplies to Kitchen and rest of the apartments and the same can be very conveniently done without much expenditure. What is needed for the same is a few water tanks at the ground floor 3 Plasto Water Tanks of 20000 Litres each & about 7 Plasto Water Tanks of 5000 Litres each. The cost is hardly anything as compared to the number of apartments in the project. The accused has deliberately played with the purity of water. Providing impure & unsafe ground water from tanker for drinking & cooking purposes and that too without treatment cannot be a part of any Environmental Clearance that can be granted under EIA Notification, 2006.
- 6) The agenda of the accused is very clear that they want to extract money from the members on the sensitive issue of Pure Water Supply. Here is a whatsapp message posted by the spouse of one of the attendees to the meeting of the office bearers of the of Mathias Ocean Park Association which reads as follows:

*"As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the*

*underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong for the benefit of coming generations for next 100 years or as long as the bldg survives”*

- 7) I say that the deprivation of Pure and Safe water is only to extort monies from the residents of the society.
- 8) I am detailing the actual requirement of funds that would be needed for the purpose, wherein they have quoted an expenditure of Rs. 5 Crores.

| Head                                  | Quantity X Price | Total                   |
|---------------------------------------|------------------|-------------------------|
| 20000 Litres Tank                     | 3 X 1,40,000     | Rs. 4,20,000.00         |
| 5000 Litres Tank                      | 3 X 30,000       | Rs. 2,10,000.00         |
| Additional Cost of Pumps and Pipeline |                  | Rs. 10,00,000.00        |
| Total                                 |                  | Rs. 16,30,000.00        |
| Contingencies                         |                  | Rs. 3,00,000.00         |
| <b>Total</b>                          |                  | <b>Rs. 19,30,000.00</b> |

- 9) Please note that the Water Pipe Line for Kitchen has been separately provided by the builder at the terrace. What The Mathias Ocean Park Association was required

to do is that connect the pipe line of the PWD water to these dedicated lines provided by the builder.

- 10) I say that there is no question of Kilometers and Kilometers of Pipe Lines. I further say that the 5,00,000.00 (5 Crores estimate is more than 25 times the actual expenditure that is required to be made for this purpose.
- 11) The Mathias Ocean Park Association has not approached the builders for the same seeking their assistance in resolving this important issue as their agenda was to deprive the members and extort money from the owners of the apartments in the society.
- 12) Thus, substantial damage to the air, Water Environment & the groundwater level has been carried out by the accused. The Ground Water purchased by the accused is without proper permission of the competent authority and Tanker Supplier have not obtained any permission from the CGWA as mandated under Notification dated 24.09.2020. That is a separate offence that has been carried out by the accused.
- 13) Needless to say that, from the 65,000.00 Litres of Water Supply the needs for kitchen could be easily met and for rest of the purposes the groundwater could be used. That

would have saved the residents from the forcible consumption of ground water.

- 14) This applicant has informed the members in the Whatsapp Group on 3<sup>rd</sup> January 2022 that there is an Environment Clearance that has been granted to the project and for which they need to follow the rules.
- 15) The Managing Committee has permitted some selected employees of the society to stay in the premises of the society with their families. This is also not in conformity with the Environment Clearance and these are illegal occupancies giving unassessed & unapprised burden on the consumption of natural resources.
- 16) There is improper solid waste disposal deliberately carried out by the Managing Committee of the society. The same is damaging the water, air and soil quality in the area. This is causing huge deterioration in the quality of environment in the area.
- 17) The STP treated water is not being recycled / reused for flushing, which is actually causing the shortage of water and this is a very basic requirement. The additional tanks at the terrace for use of the STP treated water for flushing has deliberately not been provided separately by the Managing Committee of the Society. It is pertinent to

note that the builder has provided a separate line for the purposes of flushing. The same is not in operation and water getting mixed.

- 18) I say that by providing ground water for the kitchen, these accused have also compromised quality of living and right to decent life and hence a violation of my rights under Article 21 of the Constitution for right to decent life has been breached for which I am paying huge amount of charges towards maintenance & other expenses sought by the committee, however, these Accused from Committee of Apartment are not giving their heads towards their legal responsibility of providing clean, treated water for use.
- 19) Therefore, by not carrying out periodical testing of water supplied by tankers and STP treated Water in Government Laboratory, they have not followed the Environment Management Plan and Environment Mitigation Plan and hence caused huge damage to the environment and the safety of the residents of the project.
- 20) Thus, I am giving you notice including the accused No. 1 to 9 for clearly intending to prosecute you all under the provisions of Environment (Protection) Act, 1986 and

Water (Prevention & Control of Pollution) Act, 1974, after notice period.

I request you to act against all the accused in accordance with the provisions of The Environment Protection Act, 1986.

Date: 1 March 2021  
Place: Panjim



PRAKASH AGRAWAL  
COMPLAINANT

**INDEX**  
**ANNEXURES**

| <b>Sr. No.</b> | <b>Particulars</b>  | <b>Page No.</b> |
|----------------|---|-----------------|
| 1.             | Copy of EC No. 21-16/2007-1A, III dated 16 <sup>th</sup> May 2007                                       | 13-18           |
| 2.             | Minuetes of the Meeting of the Managing Committee dated 18 December 2021                                | 19-25           |
| 3.             | Screenshot of Whatasspp Message dated 23 December 2021 in the Whatsapp Group titled "Ocean Park Owners" | 26              |
| 4.             | Screenshot of Whatasspp Message dated 03 Janauary 2022 in the Whatsapp Group titled "Ocean Park Owners" | 27              |

Date: 1 March 2021  
Place: Panjim

  
PRAKASH AGRAWAL  
COMPLAINANT

No. 21-16/2007-IA.III  
 Government of India  
 Ministry of Environment & Forests

Paryavaran Bhawan,  
 CGO Complex, Lodi Road,  
 New Delhi-110003.

Dated: 16<sup>th</sup> May, 2007

To

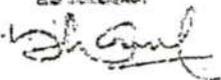
Mr. Joe Mathias,  
 M/s. Mathias Constructions Pvt Ltd  
 Mathias Plaza, 18<sup>th</sup> June Road,  
 Panaji, Goa 403 001.

Subject: Construction of 'OCEAN PARK' at Survey No. 245/1-A, Village Taleigao, Tiswadi, Panjim, Goa by M/s. Mathias Constructions Pvt. Ltd. Goa. - Environmental Clearance - reg.

This has reference to your application No. nil dated 29.12.2006 and subsequent letters dated 12.03.2007 seeking prior environmental clearance for the above project under the EIA Notification, 1994. The proposal has been processed as per prescribed procedure in the lights of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Committee constituted by the competent authority in its meetings held on 22-24 February 2007 and 23-24 March 2007.

2. It is, interalia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 27,232 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,988 sq.m. Stilt + 8 floors. It is proposed to construct 548 apartments in C-1 zone and 840 apartments in C-2 zone. Total car parking spaces proposed are 1489. The total cost of the project is Rs. 130 crores.

3. The Expert Committee after due considerations of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations have accorded environmental clearance as per the provisions of Environmental Impact Assessment Notification - 1994 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:



PART A SPECIFIC CONDITIONSI. Construction Phase

- i) "Consent for Establishment" shall be obtained from Karnataka State Pollution Control Board and a copy shall be submitted to the Ministry before start of any construction work at the site.
- ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
- iii) A First Aid Room will be provided in the project both during construction and operation of the project.
- iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- v) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
- vi) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
- vii) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to E(P) Rules prescribed for air and noise emission standards.
- viii) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- ix) Ambient noise levels should conform to residential standards both during day and night. Environmental pollution loads on the ambient air and noise quality should be regularly monitored during construction phase.
- x) Ready mixed concrete must be used in building construction.
- xi) Storm water collection and its re-use as per CGWB and BIS standards for various applications.
- xii) Water demand during construction should be reduced by use of pre-mixed concrete and other best practices referred.
- xiii) Separation of grey and black water should be done by the use of dual plumbing line for collection of grey and black water.

*Shankar*

- xiv) Treatment of 100% grey water by decentralised treatment should be done.
- xv) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators, or pressure reducing devices, or sensor based control.
- xvi) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on airconditioning. If necessary, use high quality double glass with special reflective coating in windows.
- xvii) Roof should meet prescriptive requirement as per draft Energy Conservation Building Code by using appropriate thermal insulation material to fulfil requirement.
- xviii) Adequate measures to reduce air and noise pollution during construction keeping in mind CPCB norms on noise limits.
- xix) Opaque wall should meet prescriptive requirement as per draft Energy Conservation Building Code which is proposed to be mandatory for all airconditioned spaces while it is aspirational for non-airconditioned spaces by use of appropriate thermal insulation material to fulfil requirement.

## ii. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards of the Goa Pollution Control Board.
- ii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
- iii) The solid waste generated should be properly collected & segregated before disposal to the City Municipal Facility. The in-vessel bio-conversion technique should be used for composting the organic waste.
- iv) Any hazardous waste including biomedical waste should be disposed of as per applicable Rules & norms with necessary approvals of the Goa Pollution Control Board.
- v) The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential landuse. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous variety.
- vi) Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored after commissioning of the project.



- vii) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
- viii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- ix) A Report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three-months time.

**PART - B. GENERAL CONDITIONS**

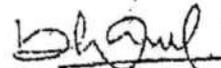
- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
- ii) Six monthly monitoring reports should be submitted to the Ministry and its Regional Office Bangalore.
- 4. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
- 5. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
- 6. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures, in a time bound and satisfactory manner.
- 7. All other statutory clearances, such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, etc. shall be obtained, as applicable by project proponents from the competent authorities.
- 8. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Goa Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 7 days from the day of issue of the clearance letter, and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.

*Shankar*

9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

10. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority (if applicable).

11. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.



(Bharat Bhushan)  
Director (IA)

bbhushan\_98@yahoo.com  
Tel: 24360795

16.05.2007

Copy to :-

1. The Secretary, Department of Environment, Government of Goa, Panjim, Goa.
2. The Member Secretary, Goa Pollution Control Board, Dempo Tower, 1<sup>st</sup> Floor, Patis Plaza, Panjim, Goa - 403 001.
3. The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IV<sup>th</sup> Floor, E&F wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore - 560 034.
4. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
5. Guard file.

(Bharat Bhushan)  
Director (IA)

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

---

Minutes of the 3rd Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 18th December 2021 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mrs. Revati - Member
- Mr. Yogesh Arora - Member
- Mr. Carmo Baretto - Member
- Mr. Randir Nath - Member

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### **1. Lift Annual Maintenance Contract**

After reviewing the terms and condition provided by team Shindler, the committee agreed to proceed with renewing the AMC contract for a period of 3 years. The contract states that there would be no increase in amount for this year however there would be a 7% increase for the coming 2 years. Mr. Carmo stated that he would review the offer and try and bring it down to 5% in a meeting planned with the schindler team. The current contract for 14 lifts is Rs.7,00,052 which works out to Rs.50,003 per lift including an 18% GST

## **2. Timing of facilities**

The committee reviewed the timing of facilities and agreed that we could continue with the current timings of 6AM to 11 PM for all club house facilities. However from 6 to 7 AM, 2 PM to 4 PM and 10 to 11 PM would be a silent zone and if excess noise is made during this period the timings will have to be revised accordingly. This was agreed upon in view of the excess noise experienced by residents in Gran Canaria and Boa Vista buildings.

## **3. Barrier around the swimming pool**

A proposal to have barriers a. Around the swimming pool and b. between the adults and children's pool was evaluated. It was found that a queue Manager would not serve the purpose as children could get around it. A metal barrier could be hazardous to swimmers within the pool with a potential to cause injury if it falls into the pool. It was hence decided that barricades around the pool would not be put. Regarding putting barricades between the adult and children's pools options would be looked into and reviewed in the coming meeting.

## **4. Entry stickers (Four and two wheelers)**

Stickers for cars / two wheelers to enter the complex will be distributed from 20<sup>th</sup> December 2021 onwards at the estate Managers office from 10AM to 5 PM. Special distribution on one of the Sundays would be organized for residents who cannot collect the sticker on weekdays. After 15<sup>th</sup> January 2022 vehicles without the new ocean park sticker would have restricted entry into the complex and overnight parking will not be permitted.

#### **5. Separate water supply line for kitchen**

The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavor which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply.

#### **6. CCTV**

The committee unanimously decided to upgrade the security camera facilities available on campus and install security cameras with sound and good recording facilities. It was also decided that the switchboards for the security systems would be internalized to prevent tampering with the same. 3 quotations would be obtained for the same.

#### **7. Speeding and parking regulations within complex**

It was resolved that any car found to be speeding would be issued a warning with a fine of Rs1000 and multiple repeated offenders would be restricted from entry into the complex. A log of the same would be maintained at the security cabin.

A second decision was to put up speed limit boards of 20Km/hr at the entrance of each lane so that residents are made aware of the agreed upon speed limits.

Also in order to prevent speeding a speed breaker would be installed on the first crossroad. Speed breakers are already installed on the rest of the crossroads.

The parking is a concern in the internal lanes as some people park covering the access road. To deter haphazard parking in the lanes, car parking slots will be marked and the residents are requested to ensure parking within the slots.

### **8. Facility Management**

The committee has reviewed the quotation provided by Chauhan for taking care of the facility management and has found it to be acceptable. Following assurances have been provided.

1. Adequate staff taking care cleaning all common areas.
2. Uniforms for all personnel
3. Accommodation of all personnel outside the premises
4. Monthly review by a representative from each building who will signoff on quality of work at the end of the month
5. Better attention to common areas and sports galleries.
6. Time table for cleaning of parking areas.

### **9. Society formation**

The process of society formation needs to be expedited and the assistance of residents with knowledge in the process involved is to be sought. The committee has decided to hire a lawyer and expedite the process.

### **10. Sewage treatment plant related issues**

The committee resolved that the care of sewage treatment plant should be outsourced to a third party that is competent in managing the same in order to aid its smooth running and prevent regular breakdown. Also the blower of the STP which is damaged needs to be replaced and quotations are to be procured for the same on priority.

**11. Security guard review meetings**

It was resolved that the performance of the security team would be reviewed on a bimonthly basis with two objectives. A. To better the security facilities and to fine tune the security detail b. To deal with grievances raised both by the security personnel and those against them so as to provide better working environment and at the same time better services by them. Mr. Yogesh volunteered to be the first point of contact in dealing with security related issues. It was also resolved that till the GST issues of Thunderforce is resolved the salaries of the security personnel will be paid directly from the society account on the 5<sup>th</sup> of every month.

**12. Electrical and Plumbing**

It was decided that any contract with all service providers within the complex would be terminated and the estate manager would call an electrician or plumber when required from a registry of available providers. Any of these personnel staying within the complex will have to vacate before the 15<sup>th</sup> of January 2022. The contract with excel engineering would be terminated as of 1<sup>st</sup> January 2022

**13. Non occupancy charges**

It was resolved that the society would start collecting non occupancy charges of Rs. 900 per month from apartments that are given out on rent from 1<sup>st</sup> of January 2022 as it was decided in the AGM that we would be doing the same. Any contention regarding the above would have to be raised in the following AGM.

**14. Police verification**

It has been resolved that as per the government regulations all tenants occupying the premises have to get the police verification done and the required documents have to be

submitted at the society office. A deadline of 15<sup>th</sup> of January 2022 for getting the same done has been issued. Following this date a list of tenants without police verification documents will be submitted to the responsible authorities.

## **15. Complaint register**

In order to reduce the number of calls received by the members of the committee and the managerial staff and to streamline facilities it was resolved that a complaint / work register would be kept in the estate managers office. Any issue that needs to be looked into can be entered into this register and it would be duly responded to. The residents are requested to utilize this register rather than whatsapp groups to register complaints / work orders / other issues.

## **16. Census collection**

It was resolved that the committee members would aid the security in collection of census data so as to complete the project by 15<sup>th</sup> January 2022

## **17. Notice for non compliance**

It has been decided that the committee would send notices to those residents not complying with the rules set for civil work in apartments mainly work between 2PM to 4PM in the afternoon and using the lift to transport heavy goods. The Rs.20,000 security deposit collected would be forfeited if the above rules are not followed. The committee unanimously agreed to the same.

## **18. Protocol for quotations**

Mr. Prashanth would be the point of contact for procurement and quotations. It was also decided that a break up of labor cost and material cost would be obtained separately to aid in better assessment of said quote.

As there were no other points for discussion, the meeting ended at 8.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman

4:04



97%



## Ocean Park Owners

Abdul, Abhijit, Abhinav, Ali, Almira, Amrita,...



Kitchens.

23 December 2021

1:59 pm

Atul Mishra

As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong..for the benefit of coming generations for next 100 years or as long as the bldg survives

2:49 pm



You can't send messages to this group because you're no longer a participant.



← environment ^ v

They wash car additional serv 3 January 2022 gh personal time. This is their right and choice of free will. There are many who use their services and I don't think the committee should have any say in that. Whether they stay inside the complex or not, sure that's for the committee to decide. 5:28 am

**Nirav**  
They wash cars or earn through additional services in their personal time. This is their right and choice of free will. ...

As per the sanctioned plans we cannot permit anyone to live in the common areas of the society. Please note that this complex has a environment clearance also and it will be a violation of the environment protection act as well as the town planning sanction. 6:28 am ✓

**Nirav**  
Like i said whether they can stay or not is not my decision. But whom I employ or take services from is my decision. 7:05 am

**Nirav**  
Like i said whether they can stay or not is not my decision. But whom I employ or

You can't send messages to this group because you're no longer a participant.

12/3

From

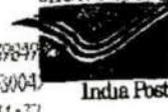
भारतीय डाक



India Post

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 PIN:110013, Lodi Road HO  
 From: PANKASH AGA, 703, LA GOMERA DO  
 Wt:100gms  
 Amt:70.80(Cash)Tax:10.80  
 <Track on [www.indiapost.gov.in](http://www.indiapost.gov.in)>  
 <Dial 18007666068> <Wear Masks, Stay Safe>

भारतीय डाक



India Post

EN5639849051H IVR:69775639849  
 SP NO DDA PAULA S.O (403004)  
 Counter No:1,12/03/2022,11:37  
 To:MR. MEHIN SF, 64 IGAON  
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 From: PRAKASH AGA, 703, LA GOMERA DO  
 Wt:100gms  
 Amt:79.50(Cash)Tax:4.50  
 <Track on [www.indiapost.gov.in](http://www.indiapost.gov.in)>



### Track Consignment

\* Indicates a required field.

\* Consignment Number

| Booked At         | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|-------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvorim S.O | 17/03/2022 12:00:27 | 403001              | 17.70  | Inland Speed Post | Panaji H.O        | 18/03/2022 14:52:49   |

| Event Details For : EM5719836151N |          | Current Status : Item Delivery Confirmed |                                      |
|-----------------------------------|----------|--|--------------------------------------|
| Date                              | Time     | Office                                   | Event                                |
| 18/03/2022                        | 14:52:49 | Panaji H.O                               | Item Delivery Confirmed              |
| 18/03/2022                        | 10:57:40 | Panaji H.O (Beat Number-4)               | Item Delivered [To: gmv (Addressee)] |
| 18/03/2022                        | 10:34:23 | Panaji H.O                               | Out for Delivery                     |
| 18/03/2022                        | 09:49:20 | Panaji H.O                               | Item Received                        |
| 18/03/2022                        | 02:21:20 | Panaji NSH                               | Item Dispatched                      |
| 17/03/2022                        | 23:28:07 | Panaji NSH                               | Item Bagged                          |
| 17/03/2022                        | 19:53:03 | Panaji NSH                               | Item Received                        |
| 17/03/2022                        | 18:43:55 | Alto porvorim S.O                        | Item Dispatched                      |
| 17/03/2022                        | 15:09:17 | Alto porvorim S.O                        | Item Bagged                          |
| 17/03/2022                        | 12:00:27 | Alto porvorim S.O                        | Item booked                          |

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EM5719836151N ITR:697757199  
 SP ALTO PORVORIM S.O (403521)  
 Counter No:3, 17/03/2022, 12:00  
 To: THE SR INSP, PANAJI POLICE ST  
 PIN: 403001, Panaji H.O  
 From: PRAKASH AGARWAL, LA GOMERA  
 Wt: 20gms  
 Amt: 17.70 (Cash) Tar: 2.70  
 (Track on www.indiapost.gov.in)



### Track Consignment

Quick help

\* Indicates a required field.

\* Consignment Number

| Booked At         | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|-------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvorim S.O | 17/03/2022 12:00:27 | 403001              | 29.50  | Inland Speed Post | Panaji H.O        | 19/03/2022 14:52:49   |

Event Details For : EM571984235IN Current Status : Item Delivery Confirmed

| Date       | Time     | Office                     | Event                                 |
|------------|----------|----------------------------|---------------------------------------|
| 19/03/2022 | 14:52:49 | Panaji H.O                 | Item Delivery Confirmed               |
| 19/03/2022 | 10:57:40 | Panaji H.O (Beat Number:4) | Item Delivered [To: gmv (Addressee) ] |
| 19/03/2022 | 10:34:23 | Panaji H.O                 | Out for Delivery                      |
| 19/03/2022 | 09:46:20 | Panaji H.O                 | Item Received                         |
| 18/03/2022 | 02:21:20 | Panaji NSH                 | Item Dispatched                       |
| 17/03/2022 | 23:28:07 | Panaji NSH                 | Item Bagged                           |
| 17/03/2022 | 19:53:03 | Panaji NSH                 | Item Received                         |
| 17/03/2022 | 18:43:56 | Alto porvorim S.O          | Item Dispatched                       |
| 17/03/2022 | 15:09:17 | Alto porvorim S.O          | Item Bagged                           |
| 17/03/2022 | 12:00:27 | Alto porvorim S.O          | Item Booked                           |

- Home
- About Us
- Forms
- Recruitments
- Holidays
- Feedback
- Right To Information

- Tenders India
- Related sites
- Website Policies
- Contact Us
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<Dist: 13002666868> <Wear Masks, Stay Safe>

भारतीय डाक



EM571984235IN IVR:89775719

SP ALTO PORVORIM S.O <403001>

Counter No:3,17/03/2022,12:00

To:SUPT OF POLI,NR AZAD MAIDAN

PIN:403001, Panaji H.O

From:PRAKASH AGARWAL,LA GOMERA

Wt:150gms

Am:29.50(Cash)Tax:4.50

<Track on www.indiapost.gov.in>



### Track Consignment

\* Indicates a required field.

\* Consignment Number

| Booked At         | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|-------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvorim S.O | 17/03/2022 12:00:27 | 403001              | 29.50  | Inland Speed Post | Panaji H.O        | 18/03/2022 14:52:49   |

Event Details For : EM571984099IN Current Status : Item Delivery Confirmed

| Date       | Time     | Office                     | Event                                |
|------------|----------|----------------------------|--------------------------------------|
| 18/03/2022 | 14:52:49 | Panaji H.O                 | Item Delivery Confirmed              |
| 19/03/2022 | 10:57:40 | Panaji H.O (Beat Number:4) | Item Delivered [To: gmv (Address:4)] |
| 19/03/2022 | 10:34:23 | Panaji H.O                 | Out for Delivery                     |
| 19/03/2022 | 09:48:20 | Panaji H.O                 | Item Received                        |
| 18/03/2022 | 02:21:20 | Panaji NSH                 | Item Dispatched                      |
| 17/03/2022 | 23:28:07 | Panaji NSH                 | Item Bagged                          |
| 17/03/2022 | 19:53:03 | Panaji NSH                 | Item Received                        |
| 17/03/2022 | 18:43:55 | Alto porvorim S.O          | Item Dispatched                      |
| 17/03/2022 | 15:09:17 | Alto porvorim S.O          | Item Bagged                          |
| 17/03/2022 | 12:00:27 | Alto porvorim S.O          | Item Booked                          |

- Home
- About Us
- Forms
- Recruitments
- Holidays
- Feedback
- Right To Information

- Tenders India
- Related sites
- Website Policies
- Contact Us
- Employee Corner
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- india.gov.in
- National Voter's Service Portal
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EM571984099IN IVR:6977571  
 SP ALTO PORVORIM S.O (403521)  
 Counter No:3, 17/03/2022, 12:00  
 To: INSPECTOR GEN, NR AZAD MAIDAN  
 PIN:403001, Panaji H.O  
 From: FRANKASH AGARNAL, LR GOMERA  
 Wt: 150gms  
 Amt: 29.50 (Cash) Tax: 4.50  
 (Track on www.indiapost.gov.in)  
 (Chit: 18002144919) (Date: 18/03/2022)



### Track Consignment

\* Indicates a required field.

\* Consignment Number

| Booked At         | Booked On           | Destination Pincode | Tariff | Article Type      | Delivery Location | Delivery Confirmed On |
|-------------------|---------------------|---------------------|--------|-------------------|-------------------|-----------------------|
| Alto porvorim S.O | 17/03/2022 12:00:27 | 403001              | 29.50  | Inland Speed Post | Panaji H.O        | 19/03/2022 14:52:49   |

| Event Details For : EM571984156IN |          |                            | Current Status : Item Delivery Confirmed |
|-----------------------------------|----------|----------------------------|--|
| Date                              | Time     | Office                     | Event                                    |
| 19/03/2022                        | 14:52:49 | Panaji H.O                 | Item Delivery Confirmed                  |
| 19/03/2022                        | 12:57:40 | Panaji H.O (Best Number 4) | Item Delivered [To: gov. (Addressee)]    |
| 19/03/2022                        | 10:34:23 | Panaji H.O                 | Out for Delivery                         |
| 19/03/2022                        | 09:46:20 | Panaji H.O                 | Item Received                            |
| 18/03/2022                        | 02:21:20 | Panaji NSH                 | Item Dispatched                          |
| 17/03/2022                        | 23:28:07 | Panaji NSH                 | Item Bagged                              |
| 17/03/2022                        | 19:53:03 | Panaji NSH                 | Item Received                            |
| 17/03/2022                        | 18:43:55 | Alto porvorim S.O          | Item Dispatched                          |
| 17/03/2022                        | 15:08:17 | Alto porvorim S.O          | Item Bagged                              |
| 17/03/2022                        | 12:00:27 | Alto porvorim S.O          | Item Booked                              |

- Home
- About Us
- Forms
- Recruitments
- Holidays
- Feedback
- Right To Information

- Tenders India
- Related sites
- Website Policies
- Contact Us
- Employee Corner
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भारतीय डाक  
EM571984156IN IVR:6777  
SP ALTO PORVORIM S.O 403001  
Counter No:3, 17/03/2022, 12:00  
ORDER GEN OF PD, POLICE HEAD QTR  
PIN:403001, Panaji H.O  
From: PRAKASH AGARWAL, LA GOMERA  
Wt:150gms  
Amt:29.50(Cash)Tax:4.50  
(Track on www.indiapost.gov.in)  
Q:11 19AN011812P / M-11 H-112 1121 01-11

TRUE COPY

**From:** Prakash Agrawal  
**Sent:** 26 March 2022 09:00  
**To:** Joe Mathias  
**Cc:** 'Julian Mathias'  
**Subject:** GPCB Consent to Establish

Dear Mr. Joe Mathias,

I need some inputs from you on the above subject:

- 1) The process of handing over possession began in the year 2016.
- 2) I am sure you must have obtained the Consent to Operate from Goa Pollution Control Board. Please provide me a copy of the same.
- 3) The Consent to Operate is valid for a period of 5 years which in my understanding should have expired in 2021. Has the same been renewed.
- 4) Please forward me a copy of the renewed Consent to operate.
- 5) As per CPCB Circular dated 21 April 2015, all the STP had to be upgraded to the new norms and even the consent to operate granted to you in 2016 would have that clause which required upgradation of STP to the new norms. Has the upgradation of the STP been done in accordance with the CPCB Circular dated 21 April 2015. The Upgradation was required to be done by 21<sup>st</sup> April 2020. In case it is not done then renewal of the GPCB Consent to operate will be difficult to obtain.
- 6) The new standards laid down by the CPCB vide circular dated 21 April 2015 are very stringent and the quality of final water is very good. Of course not fit for drinking purposes.
- 7) What type of technology has been used in the upgradation process.
- 8) We have a STP capacity of 175 KLD and a PWD water Supply of 65 KLD. This totals 240 KLD. By any stretch of imagination the current consumption should not exceed 240 KLD as a large number of flats are unoccupied. Thus, is the STP actually churning out 175 KLD of treated water?
- 9) What is the basis of arriving at a STP Capacity of 175 KLD? I feel that when all flats are occupied in that case this capacity would fall short.
- 10) The CPCB Circular dated 21 April 2015 debars using of Potable water for purposes like flushing. Right now since the tank is one common even the scarce potable water is being used for flushing. This violates the CPCB Circular dated 21 April 2015. The circular states as follows:

*“Secondary treated sewage should be mandatorily sold for use for non-potable purposes such as industrial process, railways & bus cleaning, flushing of toilets through dual piping, horticulture and irrigation. **No potable water to be allowed for such activities**. They will also digest methane for captive power generation to further improve viability of STPs”*

- 11) The Ministry of Jal Shakti has issued a notification dated 24 September 2020, wherein they have laid strict conditions for conditions for permission for use if ground water subject to many factors one of them being as below:

***“2.0 Drinking & Domestic use for Residential apartments/ Group Housing Societies/ Government water supply agencies in urban areas***

*For grant of No Objection Certificate for ground water extraction, the project proponent has to furnish the details as per the guidelines issued by the CGWA in proper format as available in CGWA website. No Objection Certificate for new /existing wells shall be granted only in such cases where the local Government water supply agency is unable to supply requisite amount of water in the area.*

*No Objection Certificate shall be granted subject to the following specific conditions:*

- i) **Installation of Sewage Treatment Plants shall be mandatory for all residential apartments/ Group Housing Societies where ground water requirement is more than 20 m<sup>3</sup> /day. The water from Sewage Treatment Plants shall be utilized for toilet flushing, car washing, gardening etc.***
- ii) The No Objection Certificate shall be valid for a period of five years from the date of issue or till such time local Government water supply is provided to the project area, whichever is earlier. In case the project proponent receives water supply from the concerned local Government Water Supply Agency during the validity of the No Objection Certificate, intimation regarding availability of public water supply shall be sent by the project proponent to CGWA and No Objection Certificate will be cancelled by the Authority. In other cases, the project proponent will apply for renewal of No Objection Certificate, ninety days before the expiry of No Objection Certificate.*
- iii) Proponents shall be liable to pay ground water abstraction charges for the quantum of ground water proposed to be extracted, as per rates mentioned in Table 5.1.”*

- 12) Last week the Hon'ble National Green Tribunal has levied a penalty of 15.99 crores on a project in Maharashtra that was consuming Ground water without the requisite permission. I am also given to understand that the NGO which has perused the case is making an application to revise the penalty further.

- 13) There is a very simple procedure to obtain permission of the CGWA in case we comply with the requirements of The Ministry of Jal Shakti notification dated 24 September 2020 & CPCB Circular dated 21 April 2015.

- 14) I feel that a fresh relook to the water situation needs to be done carefully to avoid any future complications in the matter.

**2774**

- 15) If the existing resources are utilised properly then the cost that the Association is incurring on Tanker Water could be saved. This is a very substantial drain on the finances of the Association.

Please let me have your inputs on the same. If you need any inputs from me for this purpose I shall be pleased to provide the same to you as to how to regularise this process. It would be in the best interest of all concerned to have the same regularised at the earliest.

Kind regards

Prakash Agrawal

TRUE COPY



182

## EXHIBIT-R-8

**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park  
Residency,  
Dr E Borges Road,  
Opposite NIO Colony,  
Panji 403004, Goa  
Cell No.: 9403070000  
Email:  
prakashagrawal@msn.com

28 March 2022

To,  
**The Senior Inspector of Police**  
**Donna Paula Police Station**  
**Panji 403004**  
[pipanaji@goapolice.gov.in](mailto:pipanaji@goapolice.gov.in)

**Subject: Theft of the fractionally owned property of the owners of the complex, conspiracy and extortion**

Sir,

I am desirous to file the present complaint against the following persons for reasons more particularly mentioned herein below:

- 1) Eugene Rent  
Secretary  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panji 403004

- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panji 403004
  
- 3) Mr. Prashant Chopra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panji 403004
  
- 4) Dr Peter Rodrigues  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panji 403004
  
- 5) Mrs Lata Mishra  
Member

Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panji 403004

- 6) Mr. Carmo Baretto  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panji 403004

- 7) Mr. Sadiq Sheikh  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panji 403004

- 8) Mr. Prince Arora  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency

Opposite NIO Colony  
Donna Paula, Panji 403004

---

1) By virtue of a sale deed dated 01.02.2022, executed on 05.02.2022 between:

- M/s. Mathias construction Private Limited, in its capacity as the promoter vendor of which Mr. Julian Mathias is the director;
- M/s. Paramount Buildwell Construction Private Limited, the Developer;
- Myself;
- Mr. Joe Mathias and his wife Mrs. Mariola Mathias, acting in their capacity as Confirming Party, and being represented through their POA holder, Mr. Julian Richard Mathias.

I am a resident of Apartment no. 703, La Gomera, Mathias Ocean Park Residency, Dr E Borges Road, Donna Paula, Panji 403004.

1) Attention is invited to the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 issued by Government of India, Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi- 110003 in accordance with the provisions of Environment

(Protection) Act, 1986 read with EIA Notification 1994 with amendments from time to time.

**Under Part B of General Conditions reads as follows:**

*“vii) Application of solar energy should be incorporated for illumination of common areas, lighting of gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartment should be provided.”*

I am enclosing herewith a copy of the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 issued by Government of India, Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi– 110003.

- 2) A clear reading of the above clause illustrates that it was mandatory for the Mathias Ocean Park Association to ensure that:
  - a. Application of solar energy was incorporated for illumination of common areas
  - b. Application of solar energy should be incorporated for lighting of gardens and street lights
  - c. A hybrid system or fully solar system for a portion of the apartment should be provided

I say that the accused have failed to have the same operational and as on today there is not a single usage of solar energy in the project.

- 3) I am enclosing herewith the Minuets of the Meeting of the Association that was held on 15<sup>th</sup> January 2022. The said meeting was held under the Chairmanship of Mr. Eugene Rent the secretary of the society. The resolution reads as:

*"1. Solar Systems. The solar systems of the terrace have been badly damaged during the recent cyclone and the cost of repair will far outweigh the benefit. Since it is an expensive to maintain and the facilities will serve only the 6th and 7th floor the committee decided to review the cost benefit status of the facility. Mr Badami was asked to get in touch with the firm that had installed the system to see whether the system could be put to use. Any debris from the damaged water heaters is to be cleared when the waterproofing work is undertaken."*

- 4) I say that the above resolution passed by the said Executive Committee is intentionally filled with wrong facts and statements for the purpose of extortion of monies from the owners of the apartments in the complex. What is specified in the Environment Clarence

granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 issued by Government of India, Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi- 110003 is totally different than what they have reflected in the above stated resolution. This can be clearly seen from the contents of Paragraphs Nos. 1 & 2.

- 5) I Invite your kind attention to the Meeting of the Executive Committee dated 19<sup>th</sup> March 2022 in which the true intention of the accused has been displayed.

***“4. Solar panels for generating electricity***

*The committee decided to look into the option of solar panels on the terrace for generating electricity and the same would offset the cost of electricity in common areas. The financial viability of the same is to be looked into. Mrs. Lata Mishra agreed to coordinate the same.”*

I am enclosing herewith a copy of the Minuets of the Meeting of the Executive Committee dated 19<sup>th</sup> March 2022 sent by Dr Eugene Rent on email today to members of the Mathias Ocean Park Association.

- 6) I say that the resolution passed in the meeting of the Executive Committee held on 15<sup>th</sup> January 2022 was a well thought of act of conspiracy by the members of the

Managing Committee of the Mathias Ocean Park Association. There were solar panels installed on the rooftop of the premises which were removed stating that they were cost of repair outweigh the benefits and that they were meant only for the 6<sup>th</sup> and 7<sup>th</sup> Floor. This is untrue as the same were meant for the hot water for entire 364 apartments as well as the common areas of the premises.

- 7) I say that the constitution of Mathias Ocean Park Association does not permit the members of the Executive Committee to dispose of the property of the owners in such a manner. I say that all owners own the property fractionally and a handful of individuals for their personal gains cannot dispose of the solar panels.
- 8) I say that as a part of conspiracy the minutes of the meeting dated 15<sup>th</sup> January 2022 were circulated by Dr Eugene Rent only on 10<sup>th</sup> March 2022 as a part of well thought of conspiracy i.e., after seven weeks of the meeting. And when this applicant inspected the terrace of the society, I was surprised to see that the solar panels had already been removed. I say that I inspected the solar panels personally and that there was no substantial damage to them by the cyclone. I say that with minimal costs they could have been repaired and put to use.

- 9) I am enclosing herewith the GPS Photographs of the terrace with Time Stamp as evidence. From the photographs you will see that the panels are in sound shape and no substantial damage has been caused by the cyclone to them. No substantial damage could be caused by the cyclone as they were protected by the side walls of the terrace.
- 10) In view of the above, I addressed a letter dated 11.03.2021 calling upon the Accused and the Hon'ble Principal Secretary, Environment Department and the Hon'ble Member Secretary, Goa Pollution Control Board, to take action with regards to providing clean drinking water, but in vain. There is no reply or objection to whatever is stated in the letter dated 11 March 2021. In fact, the Accused have feigned ignorance and turned a blind eye to the contents of the letter which demonstrates that the Accused are deliberately and intentionally not making necessary arrangements for providing clean and pure drinking water in spite of having all the provisions to do so. Enclosed herewith is the letter dated 11.03.2021.
- 11) I say that the passing of the resolution in the Meeting of the Executive Committee was a part of well thought of conspiracy.

- 12) I say that the Accused are also guilty of causing irreparable damage and theft of the assets of the society whereas they were required to maintain those assets.
- 13) I say that I have already filed a police Complaint against the Members of the Executive Committee on 17 March 2022 for culpable homicide, conspiracy and extortion. I am enclosing herewith a copy of the same.
- 14) I say that now the Members of the Executive Committee of Mathias Ocean Park Association want to extort monies from the members of the Association for erecting the same panels which they rendered as useless and unviable.
- 15) I say that I have been living in this complex since May 2021 and I have not seen a single usage of solar energy in the premises either for the purposes of lighting or water heating. I say that as a part of the conspiracy the Members of the Executive Committee did not intentionally put to use the said solar system which was installed by the developers.
- 16) I say that the accused are habitual extortionists and violators of law and should be dealt with very sternly in accordance with the provisions of law.
- 17) Thus, in light of this, I am constrained to approach you and bring this crime to your notice under relevant

provisions of the Indian Penal Code, 1860. I trust and hope you shall register this offence, investigate, identify individuals involved in this scam and let law take its due course. I am willing to cooperate and provide assistance, information and documents, as required for the purpose of investigation.

Yours truly,



Prakash Agrawal  
+91 9403070000

Enclosure:

- (1) Copy of Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 issued by Government of India, Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi- 110003
- (2) Minutes of the Meeting of the Association that was held on 15<sup>th</sup> January 2022
- (3) Minutes of the Meeting of the Executive Committee dated 19<sup>th</sup> March 2022
- (4) Time stamped images of the theft of the fractionally owned property of the owners and its removal without any intimation to the other residents of the society.
- (5) Letter dated 11.03.2021 to the Hon'ble Principal Secretary, Environment Department and the Hon'ble Member Secretary, Goa Pollution Control Board
- (6) Copy of the police Complaint against the Members of the Executive Committee on 17 March 2022 for culpable homicide, conspiracy and extortion.

**CC to:****Inspector General of Police, Goa**

GOA POLICE HEAD QUARTERS

NEAR AZAD MAIDAN

PANJIM-GOA, 403001

Email: igpgoa@goapolice.gov.in

**Director General of Police, Goa**

GOA POLICE HEAD QUARTERS

NEAR AZAD MAIDAN

PANJIM-GOA, 403001

Email: dgpgoa@goapolice.gov.in

**Superintendent of Police – North Goa**

GOA POLICE HEAD QUARTERS

NEAR AZAD MAIDAN

PANJIM-GOA, 403001

Email: spn-pol.goa@nic.in

No. 21-16/2007-IA-III  
 Government of India  
 Ministry of Environment & Forests

Paryavaran Bhawan,  
 CGO Complex, Lodi Road,  
 New Delhi-110003.

Dated: 16<sup>th</sup> May, 2007

To

Mr. Joe Mathias,  
 M/s. Mathias Constructions Pvt Ltd  
 Mathias Plaza, 16<sup>th</sup> June Road,  
 Panaji, Goa 403 001.

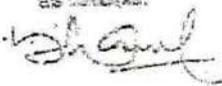
Subject: Construction of 'OCEAN PARK' at Survey No. 249/1-A, Village Taleigao, Tiswadi, Panjim, Goa by M/s. Mathias Constructions Pvt. Ltd. Goa. - Environmental Clearance - reg.

Sr.

This has reference to your application No. nil dated 29.12.2006 and subsequent letters dated 12.03.2007 seeking prior environmental clearance for the above project under the EIA Notification, 1984. The proposal has been processed as per prescribed procedure in the lights of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Committee constituted by the competent authority in its meetings held on 22-24 February 2007 and 23-24 March 2007.

2. It is, interalia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 62,220 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,988 sq.m. Stilt + 5 floors. It is proposed to construct 548 apartments in C-1 zone and 840 apartments in C-2 zone. Total car parking spaces proposed are 1469. The total cost of the project is Rs.130 crores.

3. The Expert Committee after due considerations of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations have accorded environmental clearance as per the provisions of Environmental Impact Assessment Notification - 1984 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:



PART A - SPECIFIC CONDITIONS

- Construction Phase
- i) "Consent for Establishment" shall be obtained from Karnataka State Pollution Control Board and a copy shall be submitted to the Ministry before start of any construction work at the site.
  - ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
  - iii) A First Aid Room will be provided in the project both during construction and operation of the project.
  - iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
  - v) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
  - vi) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
  - vii) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to E(P) Rules prescribed for air and noise emission standards.
  - viii) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
  - ix) Ambient noise level should conform to residential standards both during day and night. Environmental pollution loads on the ambient air and noise quality should be regularly monitored during construction phase.
  - x) Ready mixed concrete must be used in building construction.
  - xi) Storm water collection and its re-use as per CGWB and BIS standards for various applications.
  - xii) Water demand during construction should be reduced by use of pre-mixed concrete, curing and other best practices referred.
  - xiii) Separation of grey and black water should be done by the use of dual plumbing line for collection and treatment of grey and black water.

*Shankar*

- xiv) Treatment of 100% grey water by decentralised treatment should be done.
- xv) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- xvi) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on airconditioning. If necessary, use high quality double glass with special reflective coating in windows.
- xvii) Roof should meet prescriptive requirement as per draft Energy Conservation Building Code by using appropriate thermal insulation material to fulfil requirement.
- xviii) Adequate measures to reduce air and noise pollution during construction keeping in mind CPCB norms on noise limits.
- xix) Opaque wall should meet prescriptive requirement as per draft Energy Conservation Building Code which is proposed to be mandatory for all airconditioned spaces while it is aspirational for non-airconditioned spaces by use of appropriate thermal insulation material to fulfil requirement.

## II. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards of the Goa Pollution Control Board.
- ii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
- iii) The solid waste generated should be properly collected & segregated before disposal to the City Municipal Facility. The in-vessel bio-conversion technique should be used for composting the organic waste.
- iv) Any hazardous waste including biomedical waste should be disposed of as per applicable Rules & norms with necessary approvals of the Goa Pollution Control Board.
- v) The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential landuse. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous variety.
- vi) Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored after commissioning of the project.



- vii) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
- viii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- ix) A Report on the energy conservation measures confirming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.

#### PART - B. GENERAL CONDITIONS

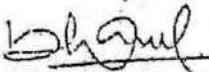
- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
- ii) Six monthly monitoring reports should be submitted to the Ministry and its Regional Office Bangalore.
- 4. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
- 5. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
- 6. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures, in a time bound and satisfactory manner.
- 7. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, etc shall be obtained, as applicable by project proponents from the competent authorities.
- 8. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Goa Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 7 days from the day of issue of the clearance letter, and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.



9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

10. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority (if applicable).

11. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.



(Bharat Bhushan)  
Director (IA)

bbhushan\_98@yahoo.com  
Tel: 24360795

16.05.2007

Copy to :-

1. The Secretary, Department of Environment, Government of Goa, Panjim, Goa.
2. The Member Secretary, Goa Pollution Control Board, Dempo Tower, 1<sup>st</sup> Floor, Patis Plaza, Panjim, Goa - 403 001.
3. The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IV<sup>th</sup> Floor, E&F wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore - 560 034.
4. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
5. Guard file.

(Bharat Bhushan)  
Director (IA)

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

---

Minutes of the 4th Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 15th January 2022 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Mr. Joe Mathias - President
- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mr. Sadique Shaikh - Member
- Mr. Carmo Baretto - Member
- Mr. Prince Arora - Member
- Mr. Julian Mathias
- Mr. Badami
- Mr. Rahul Chauhan - Estate Manager

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### 1. Solar Systems.

The solar systems of the terrace have been badly damaged during the recent cyclone and the cost of repair will far

outweigh the benefit. Since it is an expensive to maintain and the facilities will serve only the 6th and 7th floor the committee decided to review the cost benefit status of the facility. Mr Badami was asked to get in touch with the firm that had installed the system to see whether the system could be put to use. Any debris from the damaged water heaters is to be cleared when the waterproofing work is undertaken.

## **2. Fencing beyond the ten meter road**

The fencing of our society beyond the ten meter road separating us from 2nd phase is a temporary one and dogs constantly breach the perimeter. The committee also pointed out that it can be a security hazard. However in view of future work that will have to be undertaken for phase II with movement of trucks Mr. Mathias refused to undertake any permanent solution and instructed Mr. Badami to look into it and put new aluminum sheets. The secretary and Mr. Barretto suggested that we put a temporary metal fence since this current one is neither safe nor aesthetic. Mr. Mathias however said that the same cannot be undertaken in view of work expected during following phases. It was hence concluded that only temporary aluminum sheet fencing would be done and gaps will be assessed on 18th January 2022.

## **3. Marking of Parking**

It was resolved that parking will be marked in the common area at an angle rather than parallel parking as it would be easier to remove cars, it increases the number of parking slots and it helps in regularization of parking where one car will not block two slots. Residents will be urged to park within the marked lines. Adequate care will be taken to see that residents who have paid parking will not get blocked by cars parked within the marked lines. Committee agreed to have provision of a few slots for visitors parking in the ten

metre road parking area. Also exclusive areas will be marked for parking of scooters.

#### **4. Collection of maintenance dues**

It was pointed out that during collection of maintenance at the time of occupation the amount collected has not been the same. That is some residents have paid a higher maintenance amount and some lower. It was resolved that when collecting subsequent amount the interest on the amount already collected would be calculated proportionately that is with a benefit to those who have paid a higher amount. Mr. Mathias said he would be sending a letter to this effect. The committee also agreed that time frame for collection of dues from residents is to be discussed in the coming AGM

#### **5. Power Supply**

There have been lot of complaints regarding power tripping on a regular basis and a number of residents are having electrical issues. Mr. Mathias instructed Mr. Sadiq to look into the issue and set it right on an emergency basis. It was also decided to look into the issues with lifts in corvo building and the generator related issues. It was decided that the battery of the generator set should be assessed and if required to be changed. Committee member sadiq agreed to coordinate with the estate manager and look into the above issues. The committee agreed to undertake an electrical audit from an external agency to assess the situation.

#### **6. Leakage Issues**

Mr. Mathias has agreed to look into the leakage issues and has issued a contract to Mr. Nazir to repair and maintain the buildings waterproofing which will include terrace and roof waterproofing, chejars, parapets and leakages from the windows in common areas. The work will have a 12 year

warranty. It will not include repair of damages caused by civil work by owners within their apartments.

The committee pointed out that damages caused by residents to the flat is because of improper instructions and regulations by the sales and marketing team of Mathias constructions and that the buyers should have been instructed that they cannot undertake such work in the flat. Mr. Mathias said he will speak to his team and see that it does not repeat this in the future. To this the committee pointed out that the damage has already been done.

The committee members added that since leakage is a major issue and the committee does not have the power or ability to address it all calls regarding the same would be directed to the promotor / builder.

### **7. Sewage treatment plant**

Mathias constructions has agreed to undertake complete renovation of the sewage treatment plant and a list of work undertaken has been attached. They however wanted to shift the sewage treatment plant from its current location to a new location between the gas bank and cross within the garden. The committee members firmly objected to this. Mr. Mathias hence said he would earmark a new location for the same and would seek committee's approval.

### **8. Facility Management**

It was resolved that although we have to pay just 250rs per apartment per month for outsourcing the facility management of the complex, it will not be done in view of objections raised by the current residents. Chauhan will continue being in charge and taking care of facility management.

### **9. Society formation**

The Secretary has agreed to actively pursue formation of the society and Julian provided the required contacts for the same.

**10. Breaches in contract rules**

The committee pointed out that there are lot of air-conditioners being installed outside the apartments which is not permitted and Mr. Mathias asked us to send him the list of flats and his team will speak to the residents to shift them within the flat. The committee has resolved that anyone breaking rules will get a letter from the committee regarding the same and will have to pay a predetermined fine and a copy of the letter would be put on the notice board and shared with the rest of the residents.

If residents break the rules set for the betterment of the society the estate manager would request them to follow the rules and inform the committee. If this is to no avail then the security would intervene. For residents who continue to break rules the committee members will have to step in.

**11. Security issues**

Due to issues with the GST that thunderforce is having we have resolved to change our security to another provider. Quotes for the same from various security agencies were welcomed. Following this discussions were undertaken with thunderbird and we have decided to proceed with them as our security agency. They would be providing 4 day and 3 night guards at a price of Rs 1,60,000 including GST

**12. Water Supply**

The second water supply connection has come and the committee said that the promoter has to fund the connection. Mr. Mathias stated that he would only pay for the first connection and all subsequent connections will have to be funded by the society despite the fact the the first connection does not supply enough water to cater to all the apartments.

**13. Insurance**

It was discussed that we have to take insurance for the property against fire and other natural calamities. This however needs further detailed evaluation followed by quotations for the same.

#### **14. Shifting of classes to the clubhouse**

It has been noted that classes being conducted on the clubhouse terrace for children in the afternoon in various disciplines like gymnastics and dance is disturbing occupants of boa vista and grand caneria. It was hence resolved that the same would be shifted to the first floor hall.

#### **15. CCTV**

It was resolved that an evaluation of the CCTV facilities within the complex would be done and required steps would be taken to repair / augment the available security system.

#### **16. Adda gate management**

It was resolved that the quote given for gate management at Mathias Ocean park by Adda is too expensive and we will not be employing their services.

#### **17. Additional Estate Manager**

It was resolved that we should get a second estate manager because it is very difficult for one person to manage so many calls. A senior person with some experience in managing a large society would be advisable.

#### **18. Resignation of the president**

Mr. Mathias submitted his resignation letter as president of the ocean park committee with his thanks to the residents and current committee members.

As there were no other points for discussion, the meeting ended at 7.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

---

Minutes of the 6th Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 5 P.M on 19<sup>th</sup> March 2022 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- |                       |   |                |
|-----------------------|---|----------------|
| • Dr. Eugene Rent     | - | Secretary      |
| • Mrs. Nadiya Rayani  | - | Treasurer      |
| • Dr. Peter Rodrigues | - | Member         |
| • Mrs. Lata Mishra    | - | Member         |
| • Mr. Carmo Baretto   | - | Member         |
| • Mrs Revati          | - | Member         |
| • Rahul Chauhan       | - | Estate Manager |

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### **1. Setting the Agenda for the AGM**

It was decided to set the agenda for the AGM as follows

1. Annual report
2. Presentation of accounts
3. Society formation
4. Closing of outsourcing of facility management
5. Investment of funds
6. Repair of swimming pool
7. PWD water connections & water tank management
8. Implementation of society rules & need for lawyer
9. Covered Parking
10. STP related issues

## 11. Election of new committee members

### **2. Accountant and lawyer**

- The committee resolved that we would have to hire our own lawyer and accountant independent of Mathias constructions who would have to audit the accounts and handle colony related funds management and legal issues.

### **3. Election of new committee members**

Since 4 committee members that is Mr. Mathias, Eugene rent, Mr. Yogesh Arora, Mr. Randir Nath have tendered their resignation it was resolved that we would have to call for fresh nominations to fill these posts. If the number of nominations exceeds 14 members then an election will be conducted to select the new members. Following this there would be an election amongst the new committee members to select a chairman and secretary. A notice for submitting nominations for post of committee member is to be circulated at least 1 week before the Annual general Body Meeting.

### **4. Solar panels for generating electricity**

The committee decided to look into the option of solar panels on the terrace for generating electricity and the same would offset the cost of electricity in common areas. The financial viability of the same is to be looked into. Mrs. Lata Mishra agreed to coordinate the same.

### **5. Diesel for back up generator**

The Committee resolved to have an MOU with the diesel supplier where they would come and fill the generator tank on the 1<sup>st</sup> of every alternate month so that there will not be any sudden shortage related issues.

### **6. Fire hydrant issues**

The committee resolved that we would get quotations for covers for the fire hydrants and the hose of the fire hydrants need to be cleaned rather than changed. Mr. Carmo agreed to coordinate the same.

## **7. CC TV**

It has been passed that we would proceed with the CCTV renovation and instillation of new camera as planned. The quotation provided was approved.

## **8. Visitors pass for house help working in the complex**

It was resolved that in order to improve security we would have to make ID cards for the house help and their details would be kept in the estate managers office.

## **9. Common notice board**

It was resolved that a common notice board for official communication will be put up in the ground floor of the club house. All important notices will be displayed on this board.

## **10. Storage unit for security cabin**

It was resolved that we would provide a cupboard storage unit in the security cabin for their personal belongings.

## **11. Clearing of construction material**

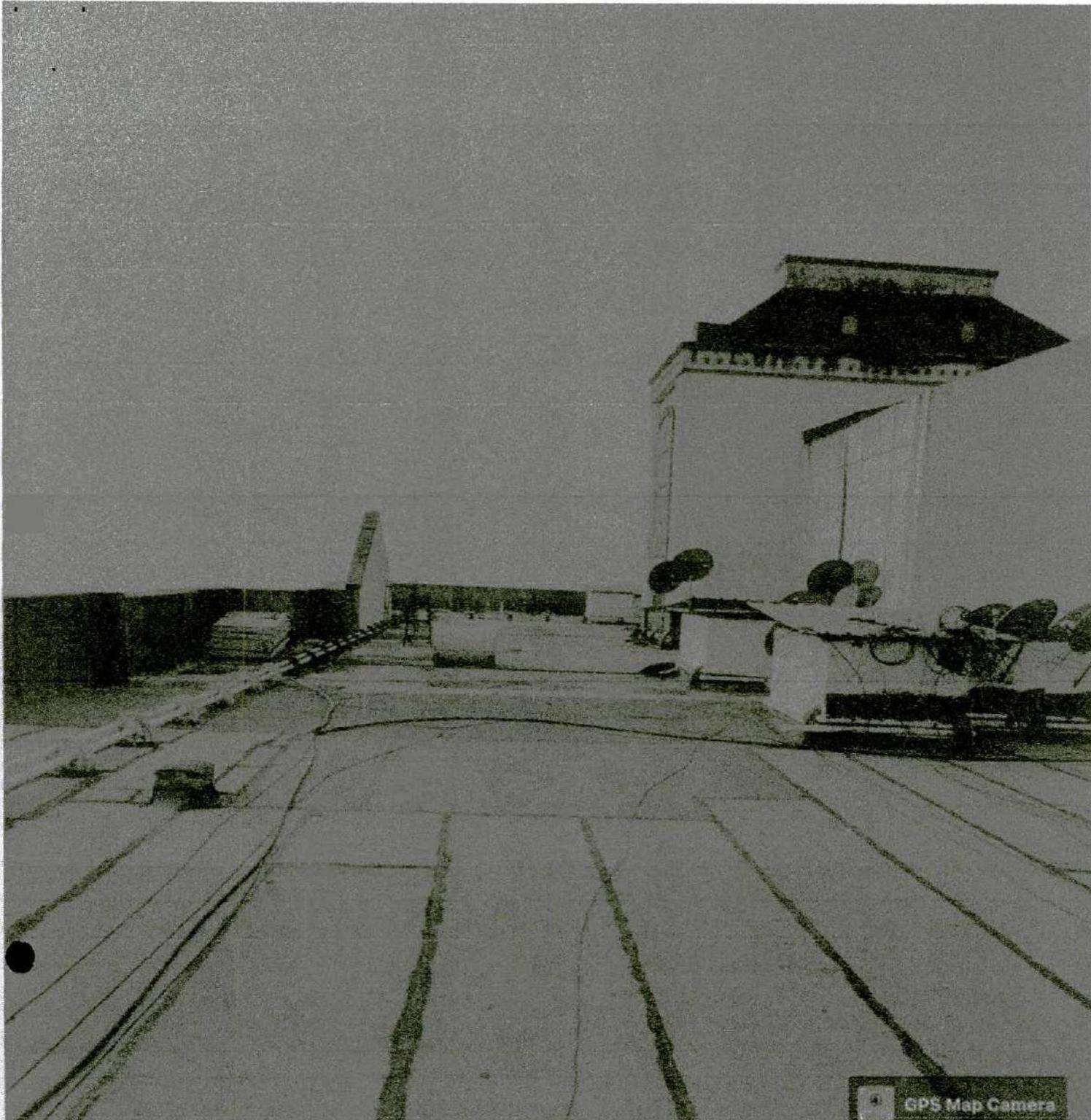
It was resolved that all construction material lying around the complex will have to be cleared. The estate manager would arrange for a lorry to clear the same and the cost of the same would be billed to the erring residents.

## **10. Managing the garbage area**

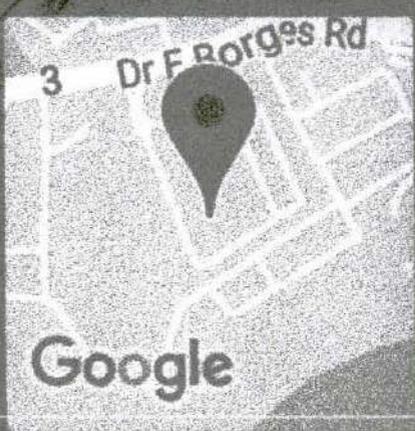
Options for covering the garbage collection area needs to be looked into. The estate manager was instructed to get quotations for the same.

For Mathias Ocean Park Association

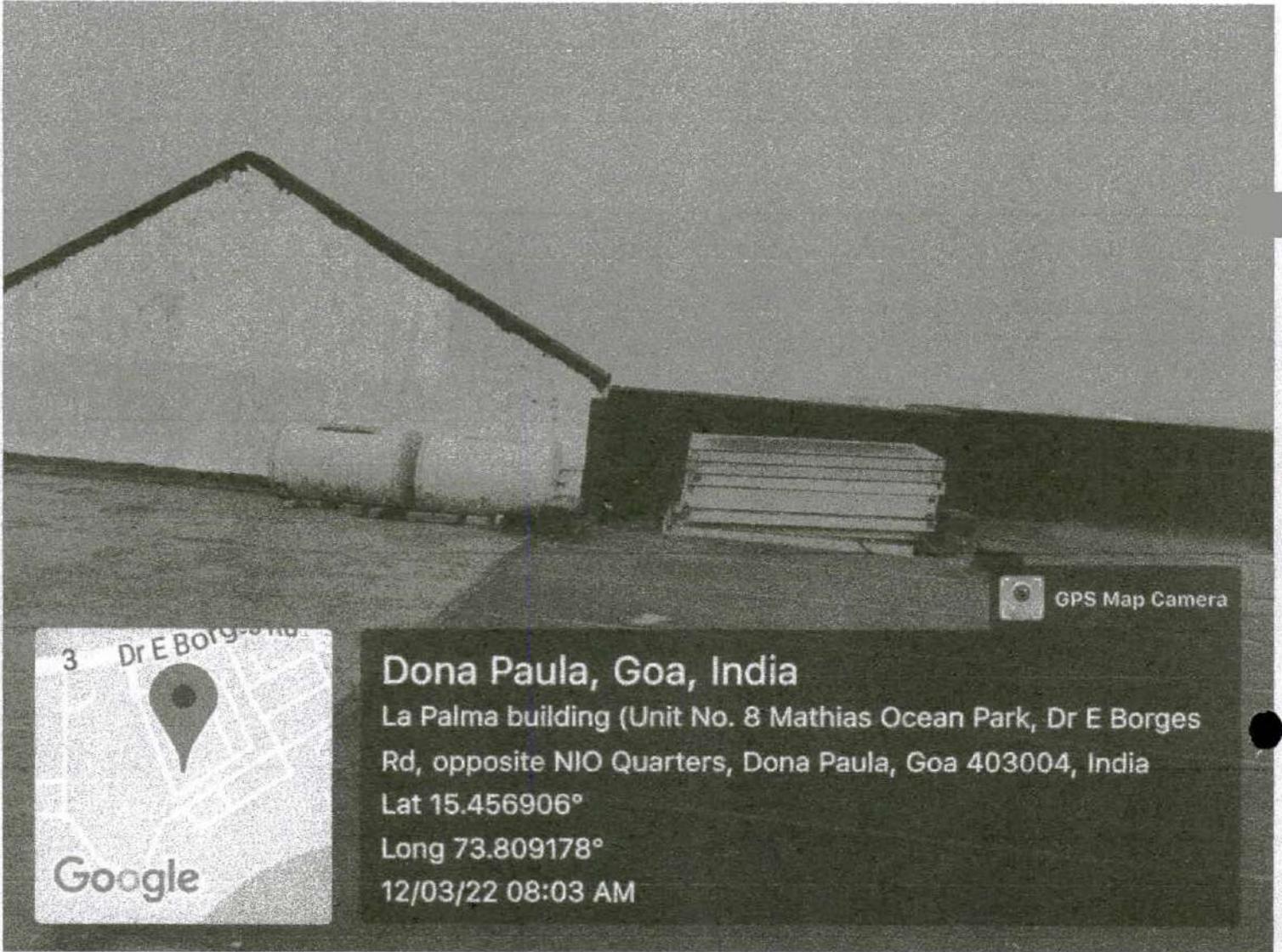
Eugene Rent,  
Secretary



GPS Map Camera



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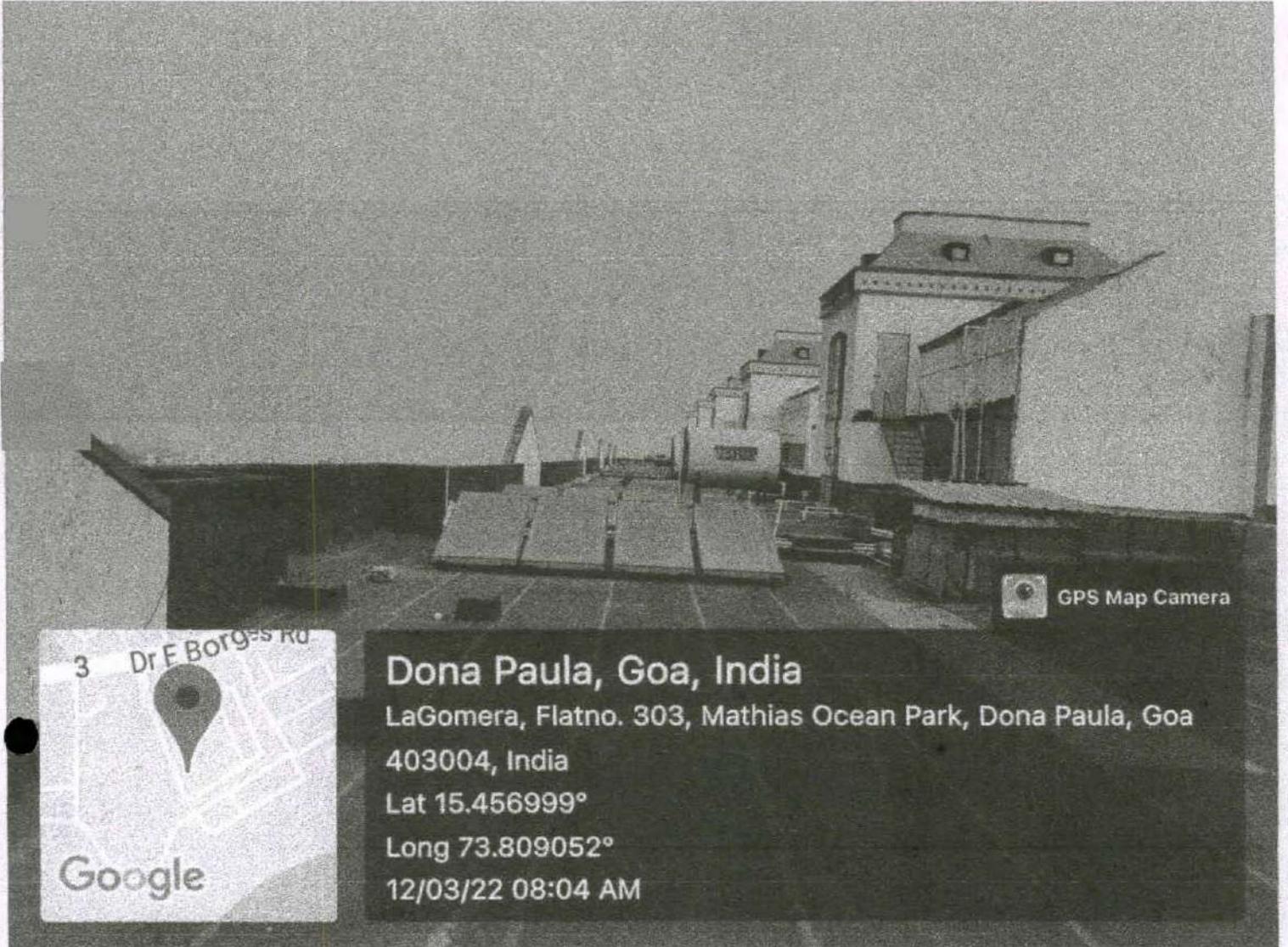
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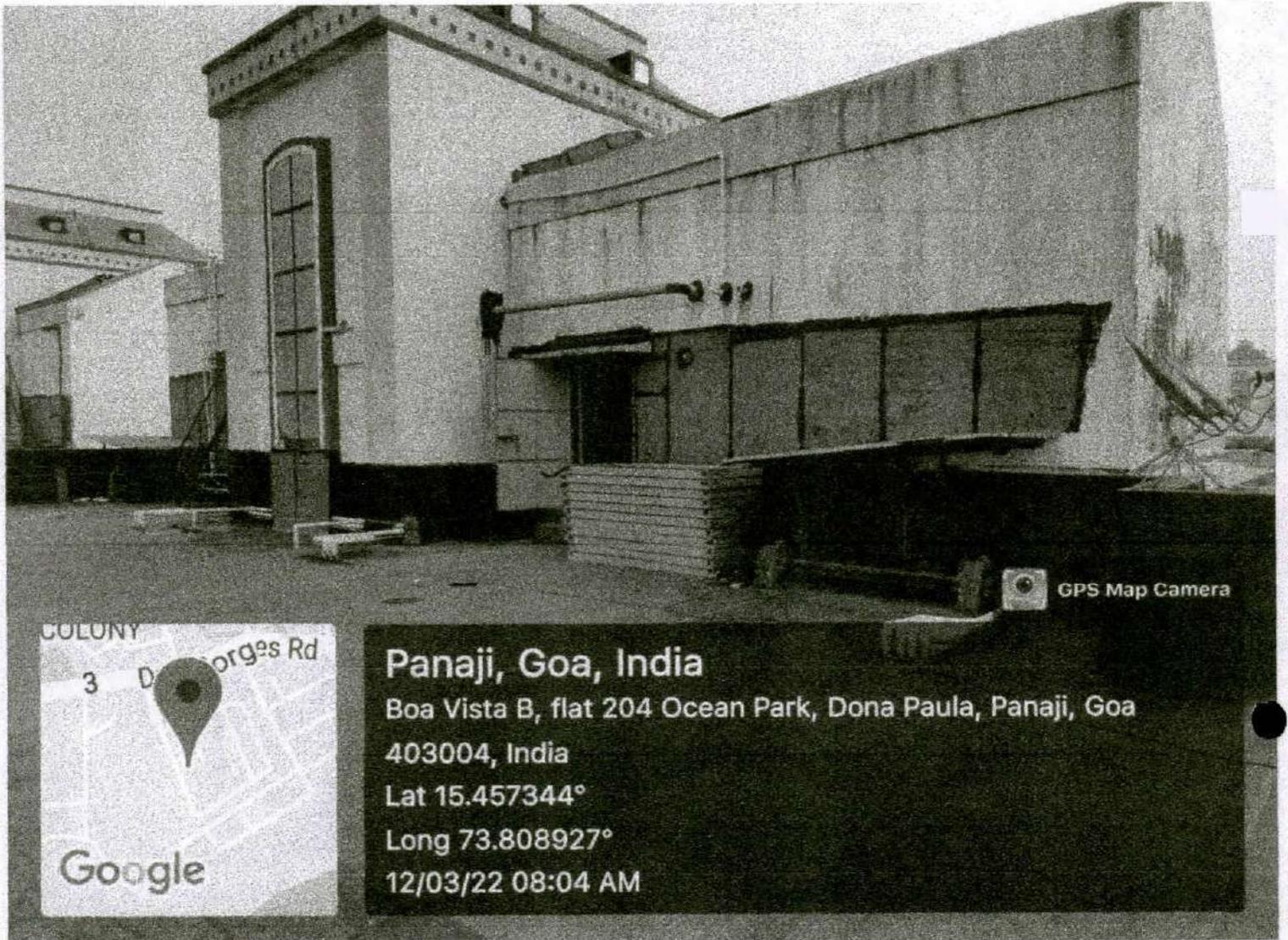
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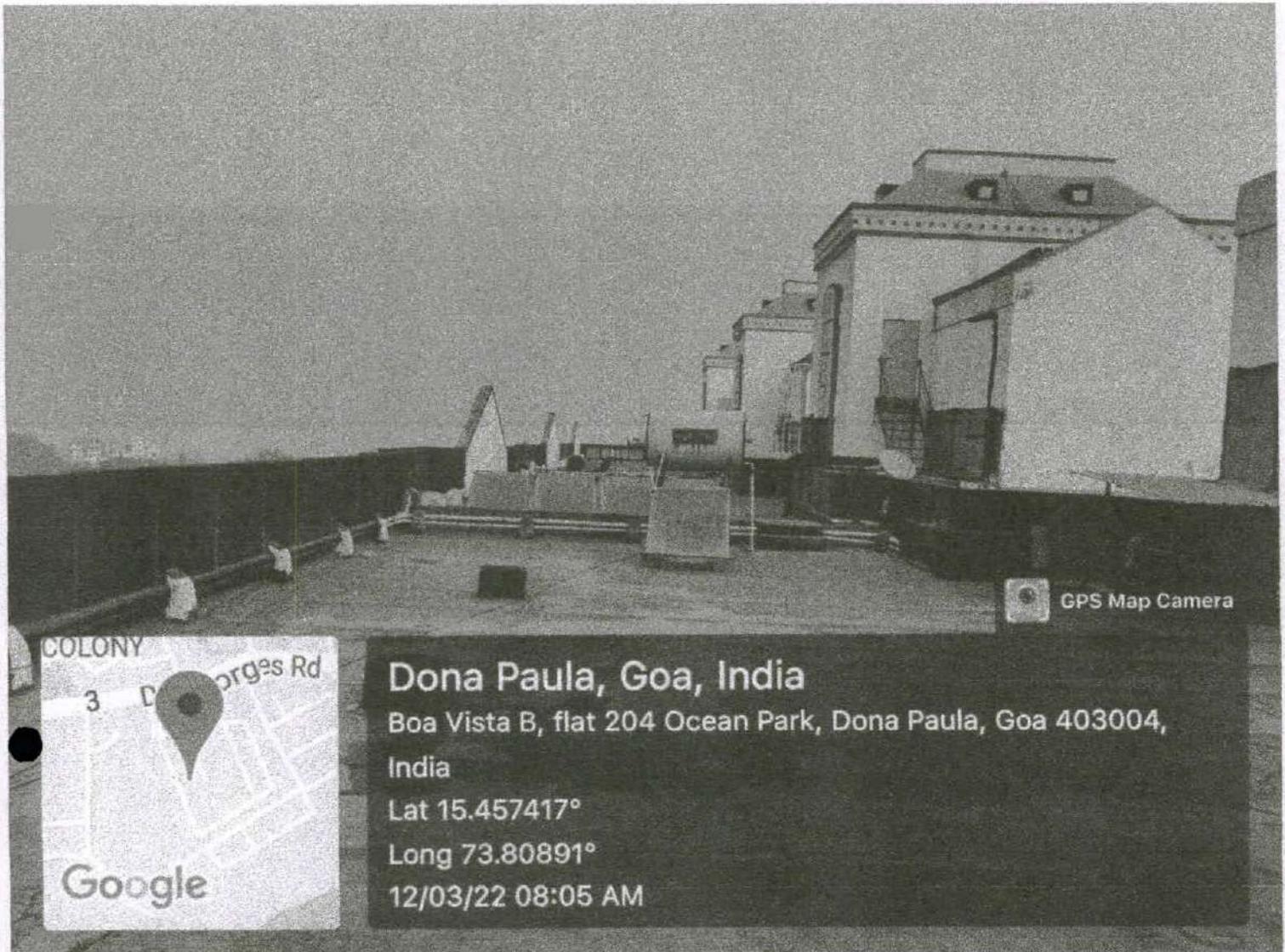
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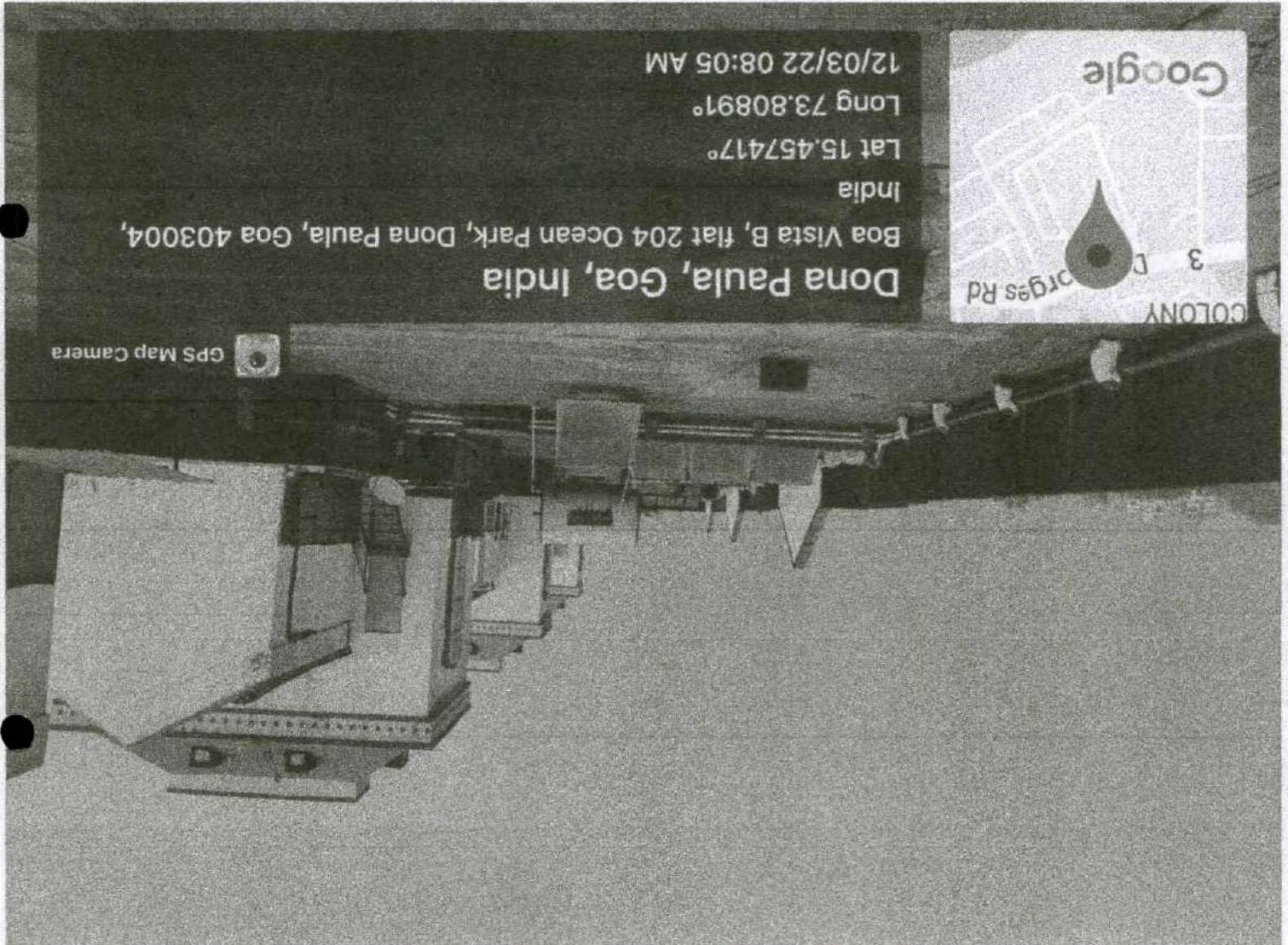
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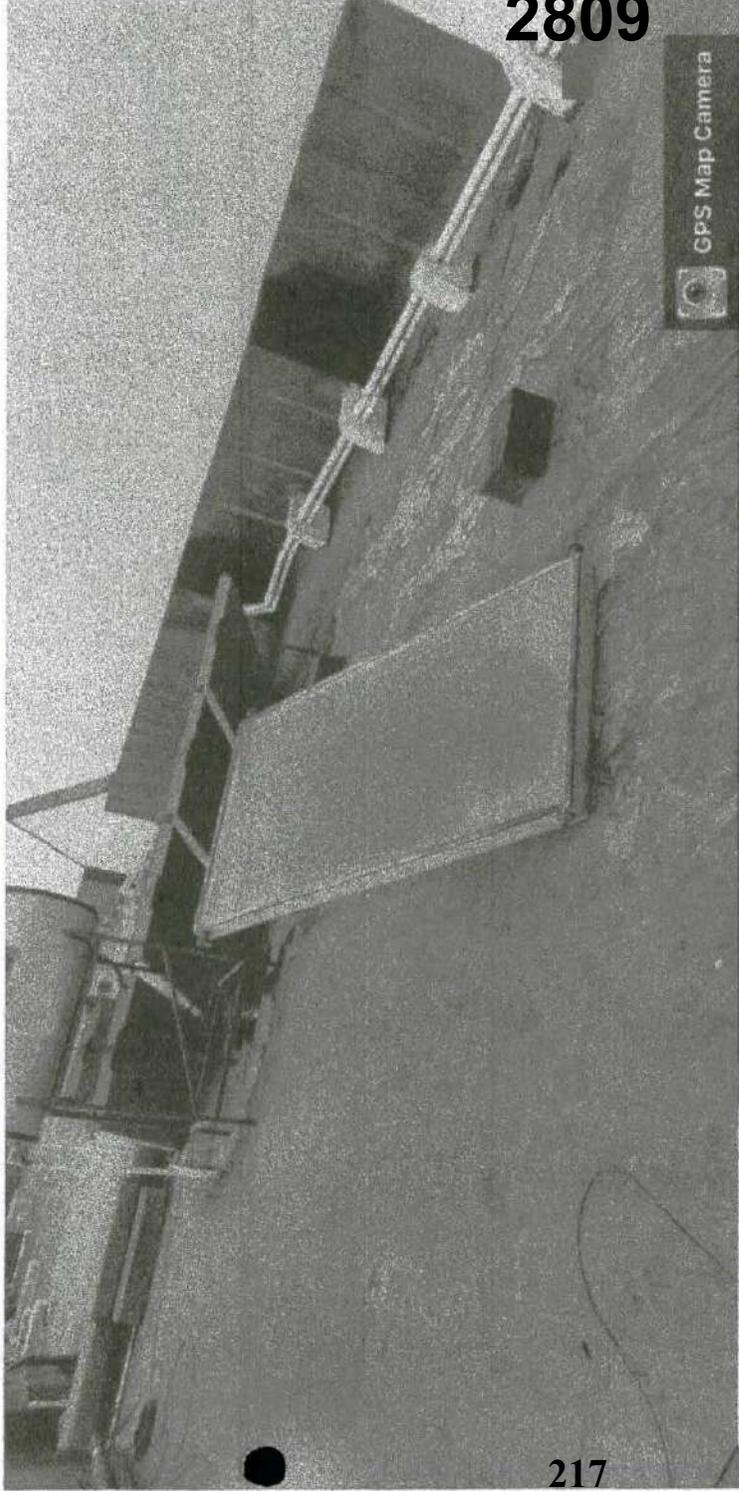
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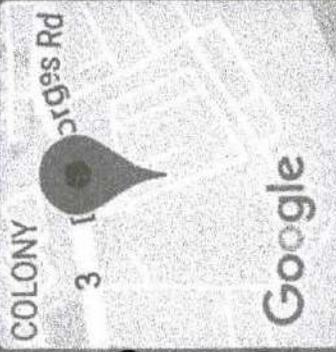
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**Panaji, Goa, India**

Boa Vista A, flat 202 Ocean Park, Dona Paula, Panaji, Goa

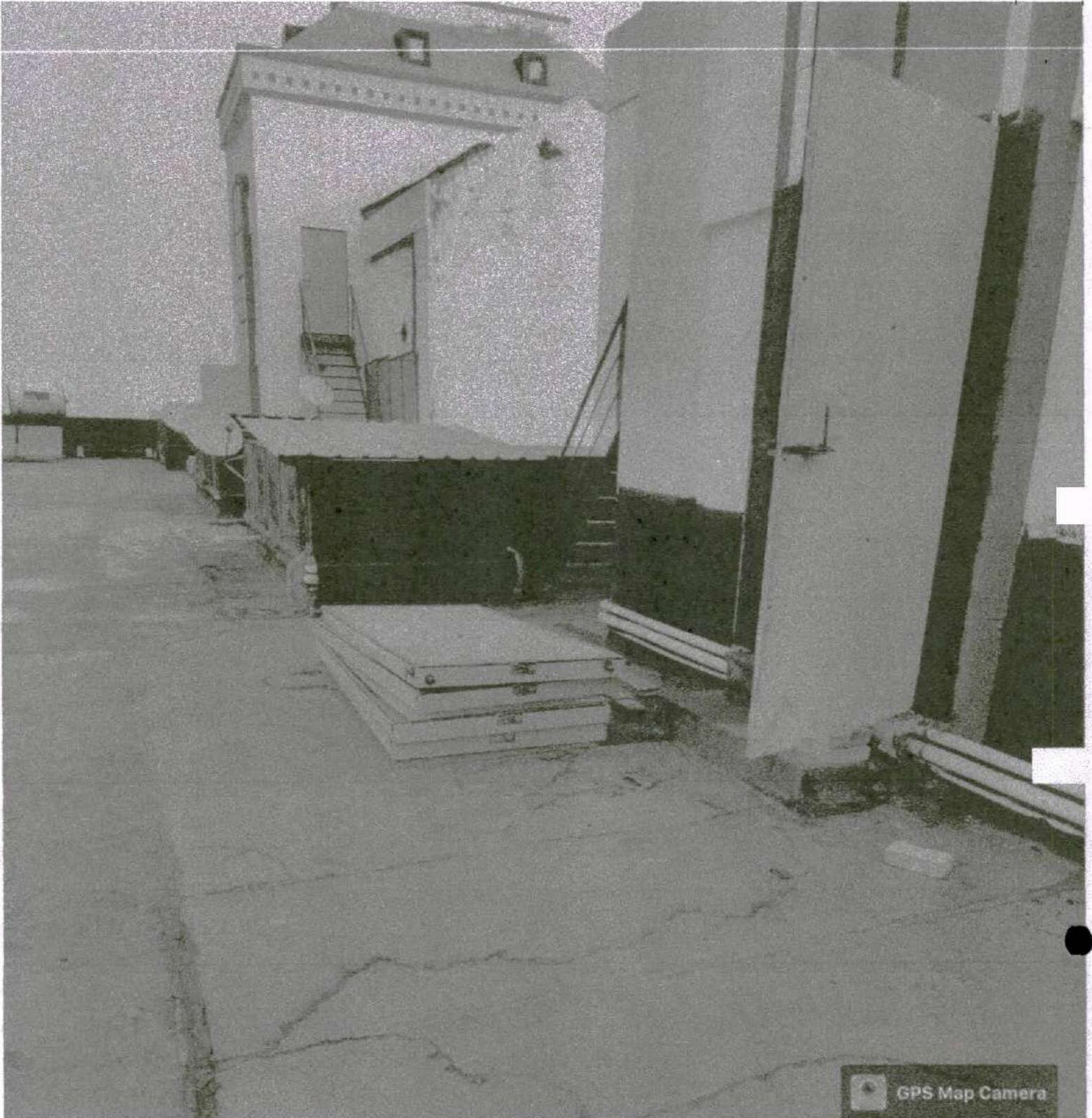
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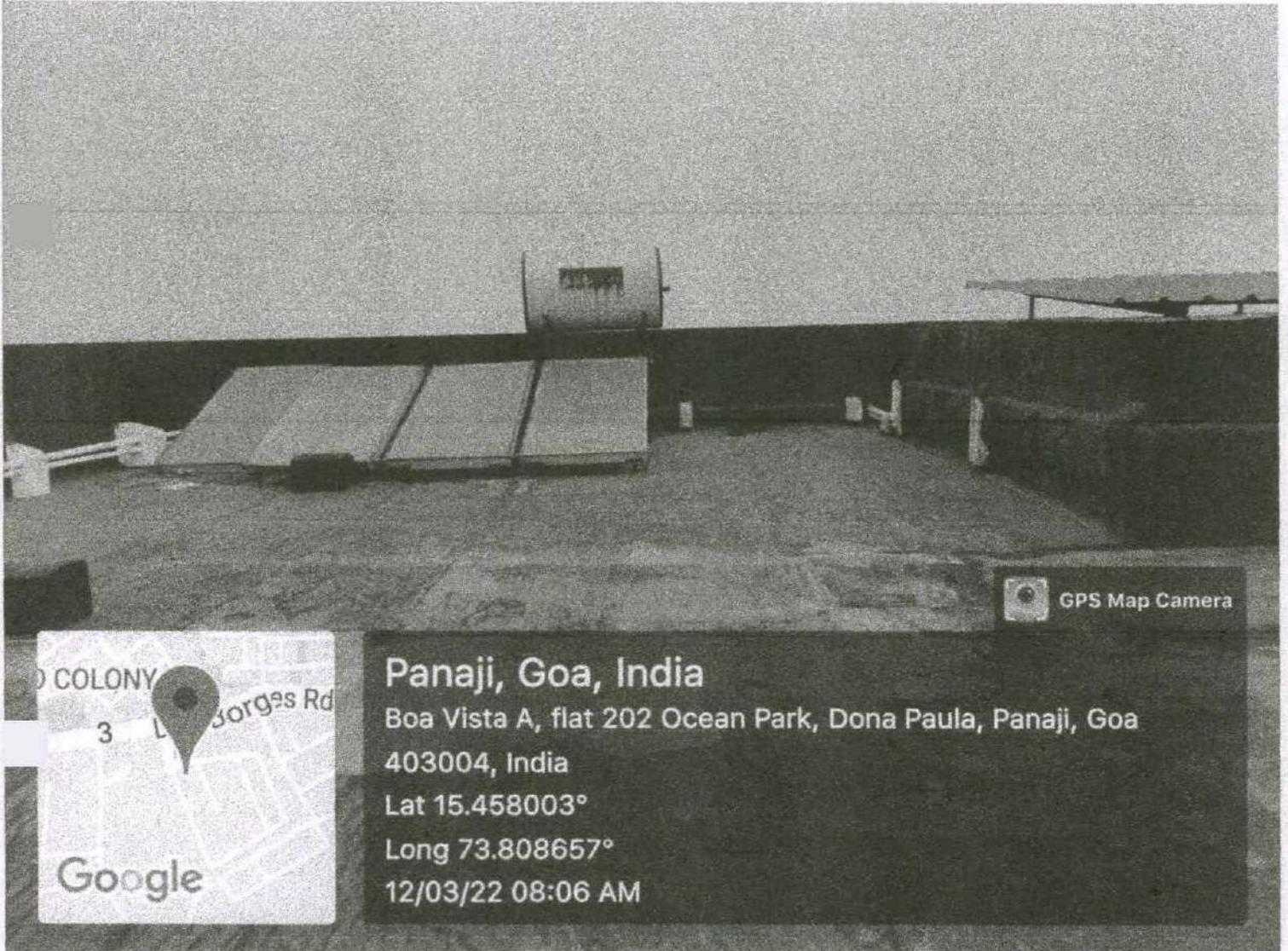
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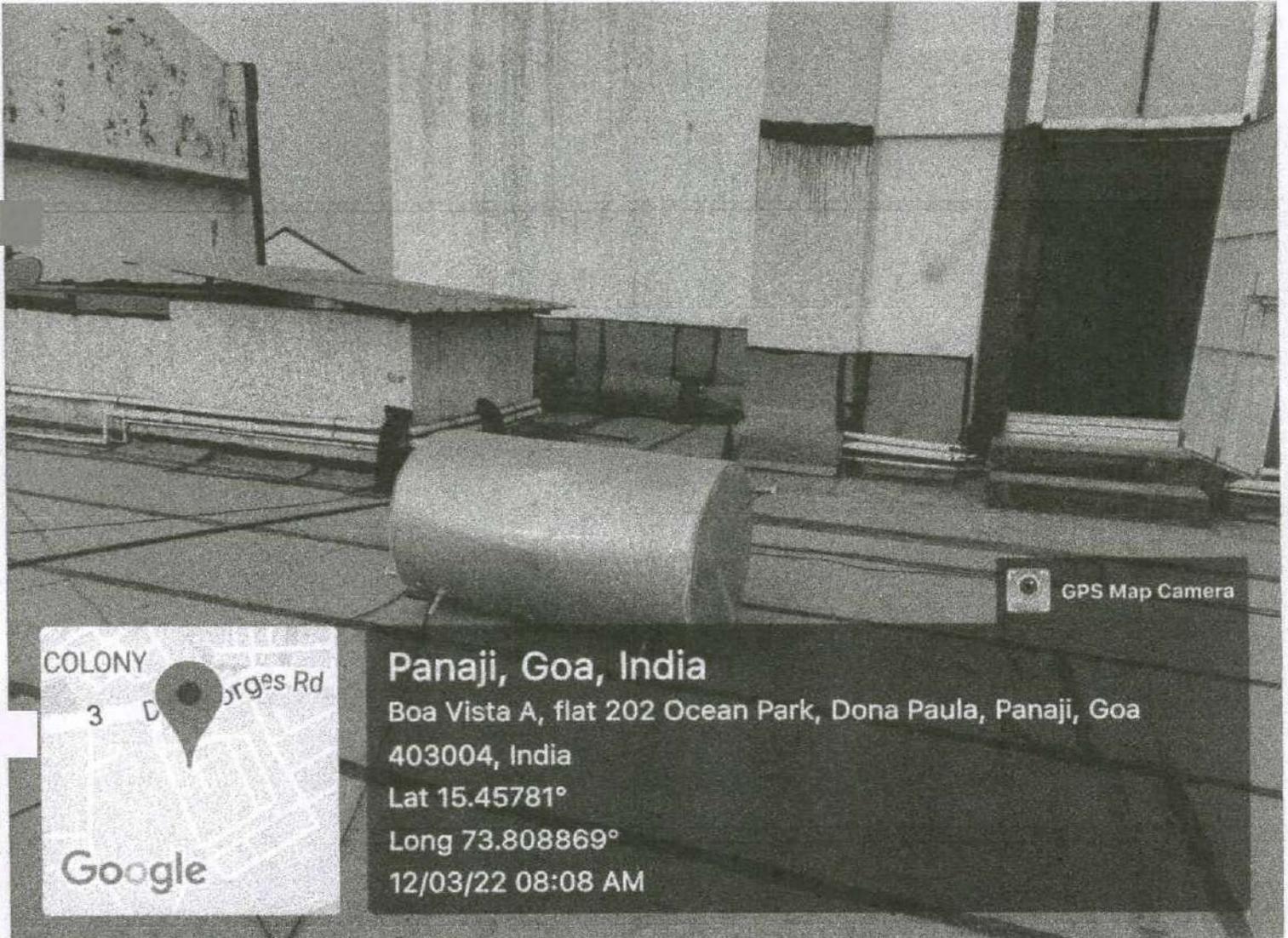
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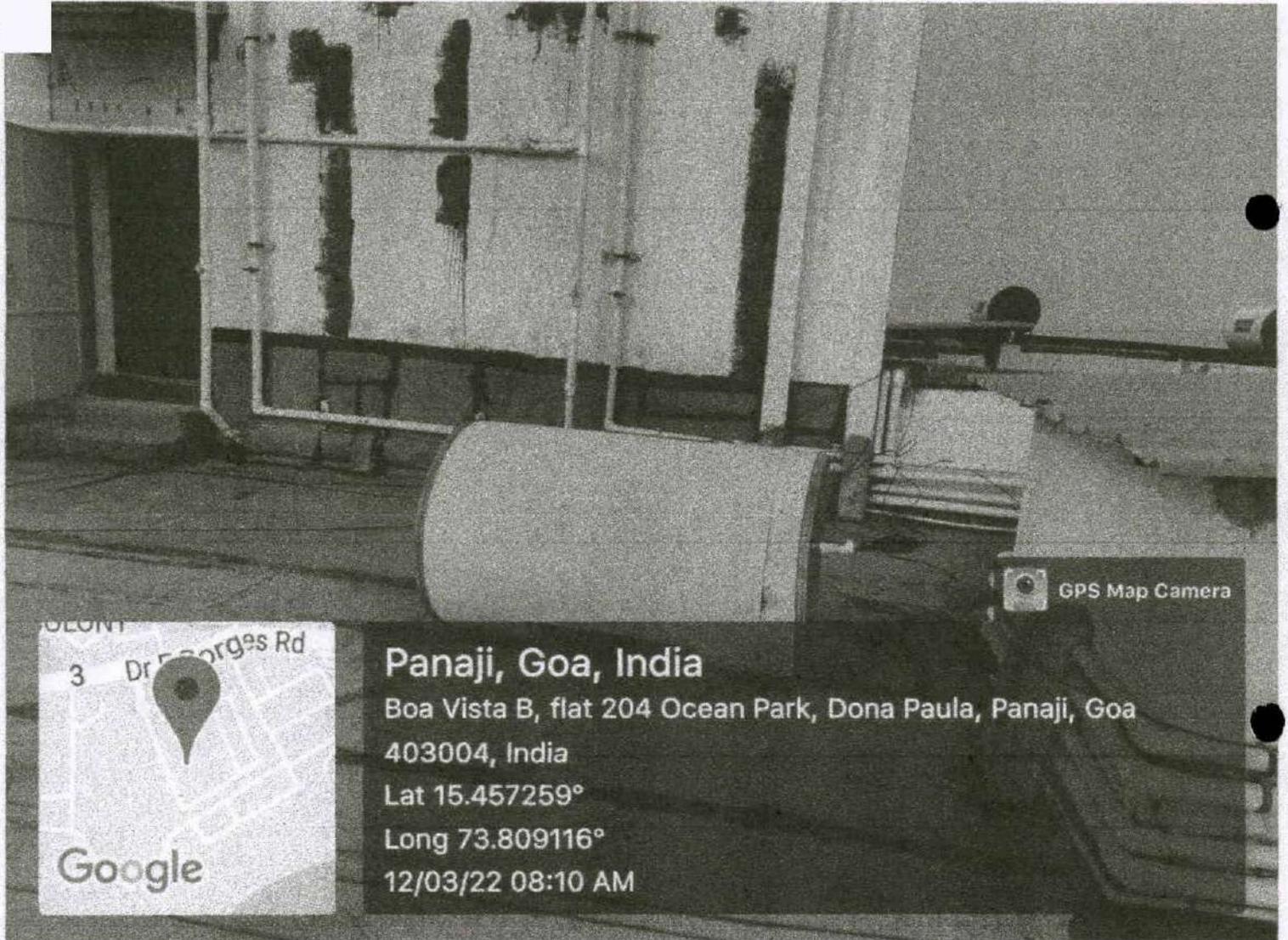
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**Panaji, Goa, India**

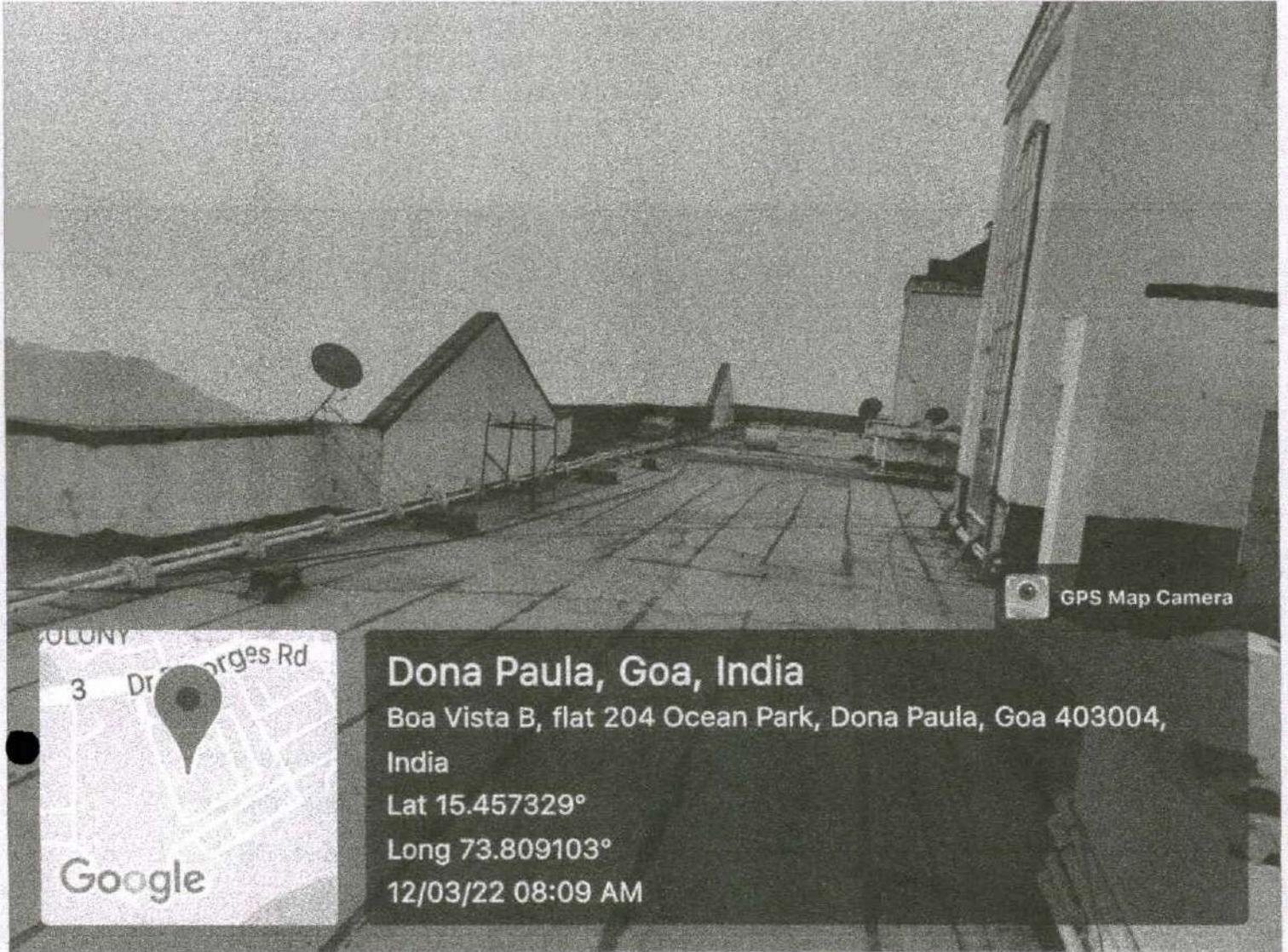
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403004, India

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**Dona Paula, Goa, India**

Boa Vista B, flat 204 Ocean Park, Dona Paula, Goa 403004,  
India

Lat 15.457329°

Long 73.809103°

12/03/22 08:09 AM

Date: 11.03.2022

**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email: rakashagrawal@msn.com

To,

**1. HON'BLE PRINCIPAL SECRETARY**

Ministry of Environments Forests & Climate Change  
Paryawaran Bhawan, CGO Complex  
Lodhi Road, New Delhi 110003

**2. HON'BLE MEMBER SECRETARY**

Goa Pollution Control Board-GPCB  
Nr. Pilerne Industrial Estate,  
Opp. Saligao Seminary,  
Saligao, Goa 403511

**Subject: Notice U/s. 19(b) of the Environment  
(Protection) Act, 1986, U/s. 49 (b) Water  
(Prevention & Control of Pollution) Act, 1974  
and 43 (b) of Air (Prevention & Control of  
Pollution) Act, 1981**

Sir,

Whereas an offence under the Environment (Protection)  
Act, 1986 has been committed by;

- 1) Eugene Rent  
Secretary  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 3) Mr. Prashant Chopra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 4) Dr. Peter Rodrigues  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency

Opposite NIO Colony  
Donna Paula, Panjim 403004

- 5) Mrs Lata Mishra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 6) Mr. Carmo Baretto  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 7) Mr. Sadiq Sheikh  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 8) Mr. Prince Arora  
Member

Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

**Ref: Deliberate Violation of the terms of EC under No. 21-15/2007-1A.III dated 16 may 2007 granted to project titled "Ocean Park" located at Survey No. 249/1-A at village: Talegaon, Tiswadi, Panjim, Goa, attracting penal action U/s. 19 (b) of Environment (Protection) Act, 1986 and U/s. 49 (b) of Water (Prevention & Control of Pollution) Act, 1974 against the alleged Accused No. 1 to 8 herein above.**

Dear Sir,

- 1) I am a resident of Apartment No. 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panjim 403004. Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. The Mathias Ocean Park Association, who took over the affairs of the phase of the project for which the EC is granted was supposed to implement the Environment Management Plan. This has been brought to the notice of Dr. Eugene Rent, who is the Secretary of the Association repeatedly who has declined to implement the same and even provide clean and potable drinking water.

- 2) I am enclosing herewith the Minuets of the Meeting of the Association that was held on 15<sup>th</sup> January 2022. The said meeting was held under the Chairmanship of Mr. Eugene Rent the secretary of the society. The resolution reads as:

*"1. Solar Systems. The solar systems of the terrace have been badly damaged during the recent cyclone and the cost of repair will far outweigh the benefit. Since it is an expensive to maintain and the facilities will serve only the 6th and 7th floor the committee decided to review the cost benefit status of the facility. Mr Badami was asked to get in touch with the firm that had installed the system to see whether the system could be put to use. Any debris from the damaged water heaters is to be cleared when the waterproofing work is undertaken."*

- 3) The accused Nos. 1 to 8 attended the Meeting of the Managing Committee held on 15<sup>th</sup> January 2022 as representatives of the residents of the Mathias Ocean Park Association in which this decision of serious violation of the conditions of Environment Clarence granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 was taken.
- 4) Attention is invited to the Environment Clarence granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007 issued by Government of India,

Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003 in accordance with the provisions of Environment (Protection) Act, 1986 read with EIA Notification 1994 with amendments from time to time.

**Under Part B of General Conditions reads as follows:**

*“vii) Application of solar energy should be incorporated for illumination of common areas, lighting of gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartment should be provided.”*

- 5) This applicant has informed the members in the WhatsApp Group on 3<sup>rd</sup> January 2022 that there is an Environment Clearance that has been granted to the project and for which they need to follow the rules.
  
- 6) The Executive Committee of the Mathias Ocean Park Association has even started to remove the entire solar panel system that was provided by the Developer at the time of handing over the possession of the Apartment. When I took possession of the apartment in October 2021 I had personally gone to the terrace and verified that the solar water system is there and that there was an attempt on the part of the developer to fulfil this part of the requirement of the terms of Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. I am enclosing herewith the

pictures of the terrace from where the system has been removed and destroyed.

- 7) It was the duty of the Executive Committee of the Mathias Ocean Park Association to seek the approval of the Ministry of Environment and in fact they were required to make an application for modification of the terms of the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007, should they desire to remove the Solar System. I am sure that these panels must be inspected by the Environment Department and they have noted in the records the compliance on the part of the Developers in this regard.
- 8) I say that due to non-implementation of the alternate energy sources, there is a substantial damage to the environment that has been deliberately caused by the Executive Committee of the Mathias Ocean Park Association.
- 9) The act of removal of the Solar Power System in itself is a criminal act and amounts to theft of the common property of the residents of the Mathias Ocean Park Association. All the assets of the project are fractionally owned by the individual purchasers of apartment in the project.

- 10) The minutes of the meeting of the Executive Committee of the Mathias Ocean Park Association dated 15 January 2022 were deliberately circulated by Dr. Eugene Rent to the members on 10 March 22 at 22.35 Hours. A Copy of the said email is also annexed. When I inspected the terrace on 11 March 2022. The damage was already done. I then took GPS Photographs of the damage on 12 March 2022 which I am attaching as evidence.
- 11) The Accused Nos. 1 to 8 have not only have planned and strategized this conspiracy to defraud the individual purchasers of the apartments in the project but also conspired to secretly violate the conditions of the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007.
- 12) The Accused Nos. 1 to 8 have caused huge damage to the environment deliberately and intentionally and with full knowledge.
- 13) The developers on their part have inserted the following clause in the agreement which makes it very clear to the purchasers about their responsibilities towards the Environment (Protection) Act, 1986. The clause reads as under:

*" AND WHEREAS the Environmental Clearance/NOC has been granted for the Project in respect of the SAID*

*PROPERTY vide letter bearing No.21-16/2007-IA.III dated 16/05/2007 by the Ministry of Environmental & Forest, New-Delhi."*

This clause has been inserted in every sale agreement that has been entered between the Purchasers of the apartments in the project executed by the developers.

- 14) When Mathias Ocean Park Association was formed and the affairs of the project were transferred to them by the developers, the members of the Executive Committee were liable to fulfil their obligations towards the Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007.
- 15) Because of the acts of the present executive committee there has been huge damage to the Environment in the area. The project no longer remains a "**sustainable development**".
- 16) I reiterate that this is the second decision taken by this executive committee which violates the conditions of Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. I say that this is a deliberate act and done with full criminal intent.

- 17) The previous Executive Committee's never took such decisions that caused severe damage to the environment. If strictest action in accordance with law is not taken on the violators, then they will continue to destroy the environment recklessly.
- 18) Thus, I am giving you notice including the Accused Nos. 1 to 8 for clearly intending to prosecute under the provisions of Environment (Protection) Act, 1986 and Air (Prevention & Control of Pollution) Act, 1974, after notice period and 43 (b) of Air (Prevention & Control of Pollution) Act, 1981

I request you to act against all the accused in accordance with the provisions of The Environment Protection Act, 1986.

Date: 14 March 2021

Place: Panjim



PRAKASH AGRAWAL  
COMPLAINANT

INDEXANNEXURES

| <b>Sr. No.</b> | <b>Particulars</b>  | <b>Page No.</b> |
|----------------|---|-----------------|
|                | Copy of EC No. 21-16/2007-1A, III dated 16 <sup>th</sup> May 2007                                     | 12-17           |
|                | Minuets of the Meeting of the Managing Committee dated 15 January 2021                                | 18-24           |
|                | Screenshot of WhatsApp Message dated 03 January 2022 in the WhatsApp Group titled "Ocean Park Owners" | 25              |
|                | Email dated 10 March 2022 of Dr. Eugene Rent.   | 26-27           |
|                | GPS Photographs of the terrace from where the solar system has been removed                           | 28-39           |

Date: 14 March 2021

Place: Panjim



PRAKASH AGRAWAL

COMPLAINANT

No. 21-43/2007-IA.III  
Government of India  
Ministry of Environment & Forests

Paryavaran Bhawan,  
OGD Complex, Lodi Road,  
New Delhi-110003.

Dated: 16<sup>th</sup> May, 2007

To

Mr. Joe Mathias,  
M/s. Mathias Constructions Pvt Ltd  
Mathias Plaza, 16<sup>th</sup> June Road,  
Panaji, Goa 403 001.

Subject: Construction of 'OCEAN PARK' at Survey No. 243/1-A, Village Taluigao, Tiawadi, Panjim, Goa by M/s. Mathias Constructions Pvt. Ltd. Goa. - Environmental Clearance - reg.

This has reference to your application No. nil dated 29.12.2006 and subsequent letters dated 12.03.2007 seeking prior environmental clearance for the above project under the EIA Notification, 1994. The proposal has been processed as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Committee constituted by the competent authority in its meetings held on 22-24 February 2007 and 23-24 March 2007.

2. It is, interalia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 12,232 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,988 sq.m. Stilt + 8 floors. It is proposed to construct 548 apartments in C-1 zone and 640 apartments in C-2 zone. Total car parking spaces proposed are 1488. The total cost of the project is Rs. 180 crores.

3. The Expert Committee after due considerations of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations have accorded environmental clearance as per the provisions of Environmental Impact Assessment Notification - 1994 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

*(Signature)*

PROJECT SPECIFIC CONDITIONS

- Construction Phase
- i) "Consent for Establishment" shall be obtained from Kamataka State Pollution Control Board and a copy shall be submitted to the Ministry before start of any construction work at the site.
  - ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
  - iii) A First Aid Room will be provided in the project both during construction and operation of the project.
  - iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
  - v) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
  - vi) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
  - vii) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to E(P) Rules prescribed for air and noise emission standards.
  - viii) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
  - ix) Ambient noise level should conform to residential standards both during day and night. Environmental pollution loads on the ambient air and noise quality should be regularly monitored during construction phase.
  - x) Ready mixed concrete must be used in building construction.
  - xi) Storm water collection and its re-use as per CGWB and BIS standards for various applications.
  - xii) Water demand during construction should be reduced by use of pre-mixed concrete, curing and other best practices referred.
  - xiii) Separation of plumbing line for grey and black water should be done by the use of dual system of grey and black water.

*Shankar*

- (14)
- xiv) Treatment of 100% grey water by decentralised treatment should be done.
  - xv) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
  - xvi) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on air conditioning. If necessary, use high quality double glass with special reflective coating in windows.
  - xvii) Roof should meet prescriptive requirement as per draft Energy Conservation Building Code by using appropriate thermal insulation material to fulfil requirement.
  - xviii) Adequate measures to reduce air and noise pollution during construction keeping in mind CPCB norms on noise limits.
  - xix) Opaque wall should meet prescriptive requirement as per draft Energy Conservation Building Code which is proposed to be mandatory for all air conditioned spaces while it is aspirational for non-air conditioned spaces by use of appropriate thermal insulation material to fulfil requirement.

## II. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards of the Goa Pollution Control Board.
- ii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
- iii) The solid waste generated should be properly collected & segregated before disposal to the City Municipal Facility. The in-vessel bio-combustion technique should be used for composting the organic waste.
- iv) Any hazardous waste including biomedical waste should be disposed of as per applicable Rules & norms with necessary approvals of the Goa Pollution Control Board.
- v) The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential land use. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous variety.
- vi) Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored after commissioning of the project.

*[Signature]*

- (15)
- vii) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
  - viii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
  - ix) A Report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.

PART - E. GENERAL CONDITIONS

- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
- ii) Six monthly monitoring reports should be submitted to the Ministry and its Regional Office Bangalore.
- 4. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
- 5. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
- 6. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures, in a time bound and satisfactory manner.
- 7. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, etc. shall be obtained, as applicable by project proponents from the competent authorities.
- 8. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Goa Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 7 days from the day of issue of the clearance letter, and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.

*Shankar*

- vi) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
- vii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- ix) A Report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.

#### PART - B, GENERAL CONDITIONS

- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
- ii) Six monthly monitoring reports should be submitted to the Ministry and its Regional Office Bangalore.
- 4. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
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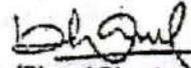
*Shankar*

17

9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

10. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority (if applicable).

11. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.



(Bharat Bhushan)  
Director (IA)

bbhushan\_88@yahoo.com  
Tel: 24360795

16.05.2007

Copy to :-

1. The Secretary, Department of Environment, Government of Goa, Panjim, Goa.
2. The Member Secretary, Goa Pollution Control Board, Dampo Tower, 1<sup>st</sup> Floor, Patto Plaza, Panjim, Goa - 403 001.
3. The OCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IVth Floor, E&F wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore - 560 034.
4. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
5. Guard file.

(Bharat Bhushan)  
Director (IA)

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

---

Minutes of the 4th Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 15th January 2022 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Mr. Joe Mathias - President
- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mr. Sadique Shaikh - Member
- Mr. Carmo Baretto - Member
- Mr. Prince Arora - Member
- Mr. Julian Mathias
- Mr. Badami
- Mr. Rahul Chauhan - Estate Manager

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### 1. Solar Systems.

The solar systems of the terrace have been badly damaged during the recent cyclone and the cost of repair will far

(19)

outweigh the benefit. Since it is an expensive to maintain and the facilities will serve only the 6th and 7th floor the committee decided to review the cost benefit status of the facility. Mr Badami was asked to get in touch with the firm that had installed the system to see whether the system could be put to use. Any debris from the damaged water heaters is to be cleared when the waterproofing work is undertaken.

## **2. Fencing beyond the ten meter road**

The fencing of our society beyond the ten meter road separating us from 2nd phase is a temporary one and dogs constantly breach the perimeter. The committee also pointed out that it can be a security hazard. However in view of future work that will have to be undertaken for phase II with movement of trucks Mr. Mathias refused to undertake any permanent solution and instructed Mr. Badami to look into it and put new aluminum sheets. The secretary and Mr. Barretto suggested that we put a temporary metal fence since this current one is neither safe nor aesthetic. Mr. Mathias however said that the same cannot be undertaken in view of work expected during following phases. It was hence concluded that only temporary aluminum sheet fencing would be done and gaps will be assessed on 18th January 2022.

## **3. Marking of Parking**

It was resolved that parking will be marked in the common area at an angle rather than parallel parking as it would be easier to remove cars, it increases the number of parking slots and it helps in regularization of parking where one car will not block two slots. Residents will be urged to park within the marked lines. Adequate care will be taken to see that residents who have paid parking will not get blocked by cars parked within the marked lines. Committee agreed to have provision of a few slots for visitors parking in the ten

metre road parking area. Also exclusive areas will be marked for parking of scooters.

#### **4. Collection of maintenance dues**

It was pointed out that during collection of maintenance at the time of occupation the amount collected has not been the same. That is some residents have paid a higher maintenance amount and some lower. It was resolved that when collecting subsequent amount the interest on the amount already collected would be calculated proportionately that is with a benefit to those who have paid a higher amount. Mr. Mathias said he would be sending a letter to this effect. The committee also agreed that time frame for collection of dues from residents is to be discussed in the coming AGM

#### **5. Power Supply**

There have been lot of complaints regarding power tripping on a regular basis and a number of residents are having electrical issues. Mr. Mathias instructed Mr. Sadiq to look into the issue and set it right on an emergency basis. It was also decided to look into the issues with lifts in corvo building and the generator related issues. It was decided that the battery of the generator set should be assessed and if required to be changed. Committee member sadiq agreed to coordinate with the estate manager and look into the above issues. The committee agreed to undertake an electrical audit from an external agency to assess the situation.

#### **6. Leakage Issues**

Mr. Mathias has agreed to look into the leakage issues and has issued a contract to Mr. Nazir to repair and maintain the buildings waterproofing which will include terrace and roof waterproofing, chejars, parapets and leakages from the windows in common areas. The work will have a 12 year

(21)

warranty. It will not include repair of damages caused by civil work by owners within their apartments.

The committee pointed out that damages caused by residents to the flat is because of improper instructions and regulations by the sales and marketing team of Mathias constructions and that the buyers should have been instructed that they cannot undertake such work in the flat. Mr. Mathias said he will speak to his team and see that it does not repeat this in the future. To this the committee pointed out that the damage has already been done.

The committee members added that since leakage is a major issue and the committee does not have the power or ability to address it all calls regarding the same would be directed to the promotor / builder.

### **7. Sewage treatment plant**

Mathias constructions has agreed to undertake complete renovation of the sewage treatment plant and a list of work undertaken has been attached. They however wanted to shift the sewage treatment plant from its current location to a new location between the gas bank and cross within the garden. The committee members firmly objected to this. Mr. Mathias hence said he would earmark a new location for the same and would seek committee's approval.

### **8. Facility Management**

It was resolved that although we have to pay just 250rs per apartment per month for outsourcing the facility management of the complex, it will not be done in view of objections raised by the current residents. Chauhan will continue being in charge and taking care of facility management.

### **9. Society formation**

The Secretary has agreed to actively pursue formation of the society and Julian provided the required contacts for the same.

**10. Breaches in contract rules**

The committee pointed out that there are lot of air-conditioners being installed outside the apartments which is not permitted and Mr. Mathias asked us to send him the list of flats and his team will speak to the residents to shift them within the flat. The committee has resolved that anyone breaking rules will get a letter from the committee regarding the same and will have to pay a predetermined fine and a copy of the letter would be put on the notice board and shared with the rest of the residents.

If residents break the rules set for the betterment of the society the estate manager would request them to follow the rules and inform the committee. If this is to no avail then the security would intervene. For residents who continue to break rules the committee members will have to step in.

**11. Security issues**

Due to issues with the GST that thunderforce is having we have resolved to change our security to another provider. Quotes for the same from various security agencies were welcomed. Following this discussions were undertaken with thunderbird and we have decided to proceed with them as our security agency. They would be providing 4 day and 3 night guards at a price of Rs 1,60,000 including GST

**12. Water Supply**

The second water supply connection has come and the committee said that the promoter has to fund the connection. Mr. Mathias stated that he would only pay for the first connection and all subsequent connections will have to be funded by the society despite the fact the the first connection does not supply enough water to cater to all the apartments.

**13. Insurance**

(23)

It was discussed that we have to take insurance for the property against fire and other natural calamities. This however needs further detailed evaluation followed by quotations for the same.

#### **14. Shifting of classes to the clubhouse**

It has been noted that classes being conducted on the clubhouse terrace for children in the afternoon in various disciplines like gymnastics and dance is disturbing occupants of boa vista and grand caneria. It was hence resolved that the same would be shifted to the first floor hall.

#### **15. CCTV**

It was resolved that an evaluation of the CCTV facilities within the complex would be done and required steps would be taken to repair / augment the available security system.

#### **16. Adda gate management**

It was resolved that the quote given for gate management at Mathias Ocean park by Adda is too expensive and we will not be employing their services.

#### **17. Additional Estate Manager**

It was resolved that we should get a second estate manager because it is very difficult for one person to manage so many calls. A senior person with some experience in managing a large society would be advisable.

#### **18. Resignation of the president**

Mr. Mathias submitted his resignation letter as president of the ocean park committee with his thanks to the residents and current committee members.

As there were no other points for discussion, the meeting ended at 7.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman

prakashagrawal@msn.com

**From:** eugene rent <dr.e.rent@gmail.com>  
**Sent:** 10 March 2022 22:35  
**To:** devidasnaik2018@gmail.com; info rliindia; namankumar50@gmail.com; Vijay Khedekar; 722 Dattarai Kallapa Patil; mahasgub@gmail.com; shubhdmahesh@gmail.com; prsawant@rediffmail.com; Swati Verma; Gaurav Kamlakant Naik; dhermendratiwari@gmail.com; rajesh.ks@pg.com; vishal walavalkar; Nilesh.Thanekar00@gmail.com; alpharaazkhan@icloud.com; jisarandhir2015@gmail.com; Rohan Ramesh Badave; cajetonlondon@yahoo.co.uk; graceferns81@gmail.com; info; y2kanilchoudary@gmail.com; pravitdessai@gmail.com; netravalkar17@gmail.com; 1414 Martina D Costa; pratimakessarkar@gmail.com; amitdahiya9027@gmail.com; dhume.ps@gmail.com; bandodkarsujal@gmail.com; cruzdias1962@gmail.com; sardareef@gmail.com; Kundan Kumar; Daryl Varghese; Keith Daniel Dsouza; joshua87puthran@gmail.com; yrshwant.satardekar@sbi.co.in; mallikarjun badami; konnurdattatray@gmail.com; suchitrakonnur@gmail.com; pvarthanatendolkar@gmail.com; deolia\_santosh@yahoo.com; saloniyashpal@gmail.com; chandni.davda@gmail.com; John Samson; Sundaram Narayanan; GMC unknown Melanie Roselle Dias; satarinosocorro@gmail.com; ellyalmeida12@gmail.com; edwin\_dias@yahoo.com; Tr Dilip Melwani; assiscunha2003@gmail.com; doctrate.gfadadu@gmail.com; sumitramazumdar@hotmail.com; satish339@gmail.com; amavelp@gmail.com; swetap111@gmail.com; nadijivani2@hotmail.com; dhapu@rediffmail.com; Trevor Fernandes; prabhapriya1000@gmail.com; excelengineer@yahoo.com; debvodio@gmail.com; vandey12@rediffmail.com; ravindrann@yahoo.com; eric fernandes; petriks14@yahoo.com.in; sandeepraul@gmail.com; Mahadeva swamy B C; Vinetha Varghese; Ramsey Braganza; pdewangan@gmail.com; sailor89.deepak@gmail.com; Raja Melvani; Kishan Shirodkar; mariab@nio.org; y2kanilchoudhary@gmail.com; nirmasinha80@gmail.com; Reginald Rufus; milind.deokar@gmail.com; wiltfer007@gmail.com; bentotorcato21@gmail.com; prabhudeepak32@gmail.com; dr.rita@yahoo.com; 201 Boa Vista B Anshul Singhal; 1122 Maxie Lewis; veena\_dprabhu@yahoo.co.in; drpawanrane@gmail.com; ashtinne@yahoo.com; akshay\_622@gmail.com; rahul@gmx.net; koshytharakan@yahoo.co.in; jagbirsinha@hotmail.com; Nityanand Haldankar; sushant@nio.org; deenaramos@gmail.com; Chandu-Jhoney-Natasha-Franco; eugene rent; Nachiket Karmarkar; Anil Gudinho; ashyee80@gmail.com; mihir Choudhary; bhupesh64k@yahoo.co.in; chhayasachdev@hotmail.com; Nisha George; royanalmeida@hotmail.com; preethipednekar@yahoo.co.in; 1221 La Gomera Darryl Pais; Valerina Fernandes; ilango@nio.org; smitajp29@gmail.com; fatimacarvalho@gmail.com; yogesharora31@yahoo.com; kuerianjohn@gmail.com; neetu@nio.org; jerrybraganza@gmail.com; Alok Sharma; santoshuskakar@gmail.com; ashishkumar.chhatterjee@mail.com; saurabhshrivastava@gmail.com; mht.ravinder@yahoo.com; vinay.shetty@canandiansolar.com; CARMO BARRETTO; mavoncolaco@hotmail.com; bhadresh@hotmail.com; sanil@nio.org; augustusgoa@gmail.com; prakashagrawal@msn.com; mahendra.wani29@gmail.com; sat644@gmail.com; lucienegomes@gmail.com; Dr. Sangeeta Dessai; Zeena Avelina & Chrislyn Ann D'lima; Alziraraujo25@yahoo.com; mousamisingh@gmail.com; Michael Menezes; amar-go@rediffmail.com; rajeshdesai2017@gmail.com; 1237 Satish Kumar; khemraj.varsha@gmail.com; 1242 Indrajit Singh & Hardeep Kaur; Vivek Karekar; malcomlmgomes@gmail.com; ayushisharma687@gmail.com; y2kanilchowdhary@gmail.com; Ceser Menezes La Palma 601 & 701; Dr. Dinesh F Swamy; sundeep@airbornerrecruiting.com; atulmishra@gmail.com; Ravi Dakoju; kripadesaiB@yahoo.com; Jaideep Fernandes; rahulgulati@yahoo.co.in; Prashant Chopra; Filipe borges; drborgesmaria0103@gmail.com; yuvrajshirodkar@gmail.com; Pradeep & Anju Khanna; krishanpalsiwach01

(27)

To:

@gmail.com; Bhupinder Khalsa; Kevin Rodrigues; sameer.ghali77@gmail.com; 171 Premnath Iyer; arupbose1@gmail.com; 211 Azores B Tamal Raha; SK Naik; belmira\_paul@yahoo.co.in; vibhashk53@gmail.com; ninafaria204@gmail.com; arun.malik72@gmail.com; 231 Azores B Osswin D'Costa; coolali5152@gmail.com; Pillai Prashant Tulsidharan; suniikhot@hotmail.com; Gopa Kumar OP & Dali; georghomas79@gmail.com; veena43jain@gmail.com; Louella DSouza; 262 Jeffrey Agnelo Melagrus Gracias; Abhijeet Srinivas Shirsekar; chintamansamant@yahoo.co.in; 311 Flores A Sanjay Kulkarni; Agostinho Rebello; Chiara Da Costa; Udesch Fatarpekar; mesha87@gmail.com; priyapia1993@gmail.com; 331 Flores A Yogesh V Nadkarni; anita.a.fernandes31@gmail.com; Nazareth Sayana & Neil Soares; jamesroy00@yahoo.co.uk; caridadepereiracp@gmail.com; 351 Flores A Mahesh Kumar Yadav; vince.rodrigues@responsivemts.com; kevalmashelkar@gmail.com; 411 Flores B Jayant & Kavita & Beena Bhatia; devarat.samant11@gmail.com; drvijaypatil\_1966@rediffmail.com; silvaa@rediffmail.com; ashwink189@gmail.com; Aashish Surendra Kamath; Anu Richa Sondhi; Vijay Jain; stevennovo@rediffmail.com; Nitin Naik Bombi & Sons; ecaencies@rediffmail.com; Prince Arora; Abhay Dalvi; Noel Mendes; vpikale@gmail.com; CA Vinesh Pikale; drleelachavan@yahoo.com; rivatrindade@yahoo.co.in; Srinivasshinkre@gmail.com; sameervolvoicar@gmail.com; guifsands@hotmail.com; abhinav.shah84@yahoo.com; sudhinpednekar94@gmail.com; Gandharv Singh Chauhan; mryashodaanand@gmail.com; neel\_pawar@yahoo.com; randeepather@yahoo.com; ashokrane@gmail.com; brad281@rediffmail.com

Subject:

Minutes of the meeting

Attachments:

MINUTES\_05COMMITTEE.pdf; MINUTES\_04COMMITTEE.pdf

Attached are the minutes of the 4th and 5th committee meeting

25

environment

They wash car additional serv 3 January 2022 gh rsonal time. This is their right and choice of free will. There are many who use their services and I don't think the committee should have any say in that. Whether they stay inside the complex or not, sure that's for the committee to decide. 5:28 am

Nirav

They wash cars or earn through additional services in their personal time. This is their right and choice of free will. ...

As per the sanctioned plans we cannot permit anyone to live in the common areas of the society. Please note that this complex has a environment clearance also and it will be a violation of the environment protection act as well as the town planning sanction. 6:28 am ✓

Nirav

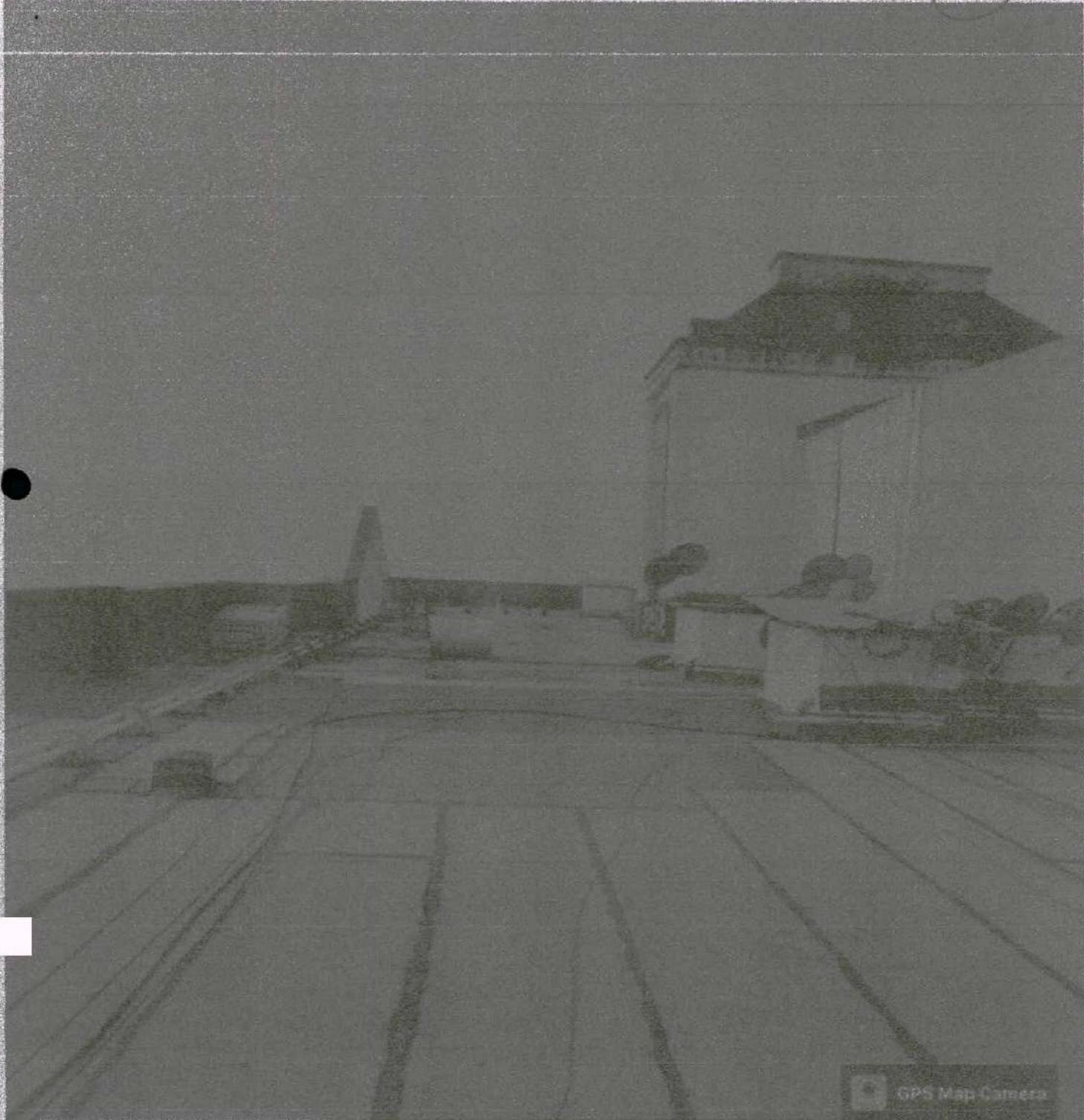
Like i said whether they can stay or not is not my decision. But whom I employ or take services from is my decision. 7:05 am

Nirav

Like i said whether they can stay or not is not my decision. But whom I employ or

You can't send messages to this group because you're no longer a participant.





GPS Map Camera



Dona Paula, Goa, India

LaGomera, Flatno. 303, Mathias Ocean Park,  
Dona Paula, Goa 403004, India

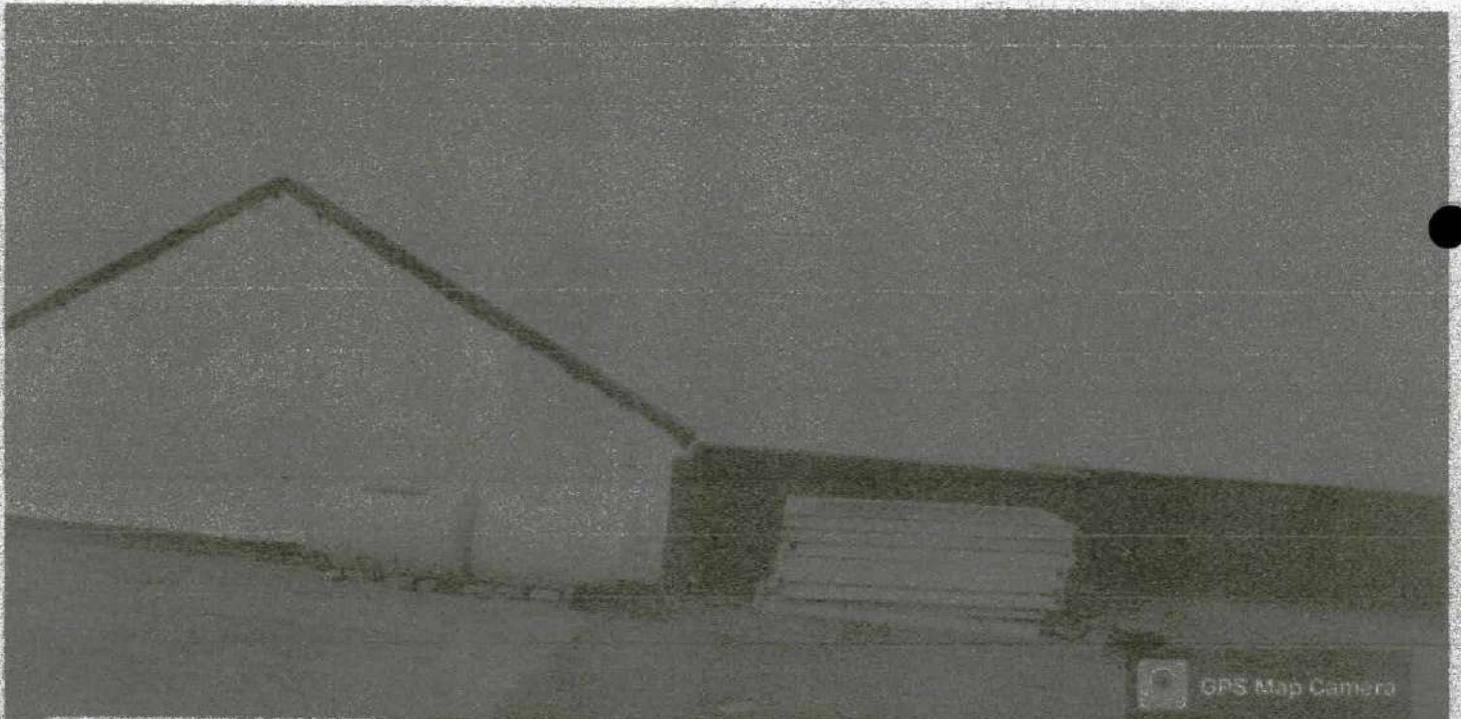
Lat 15.457129°

Long 73.809183°

12/03/22 08:01 AM

2844

29



GPS Map Camera



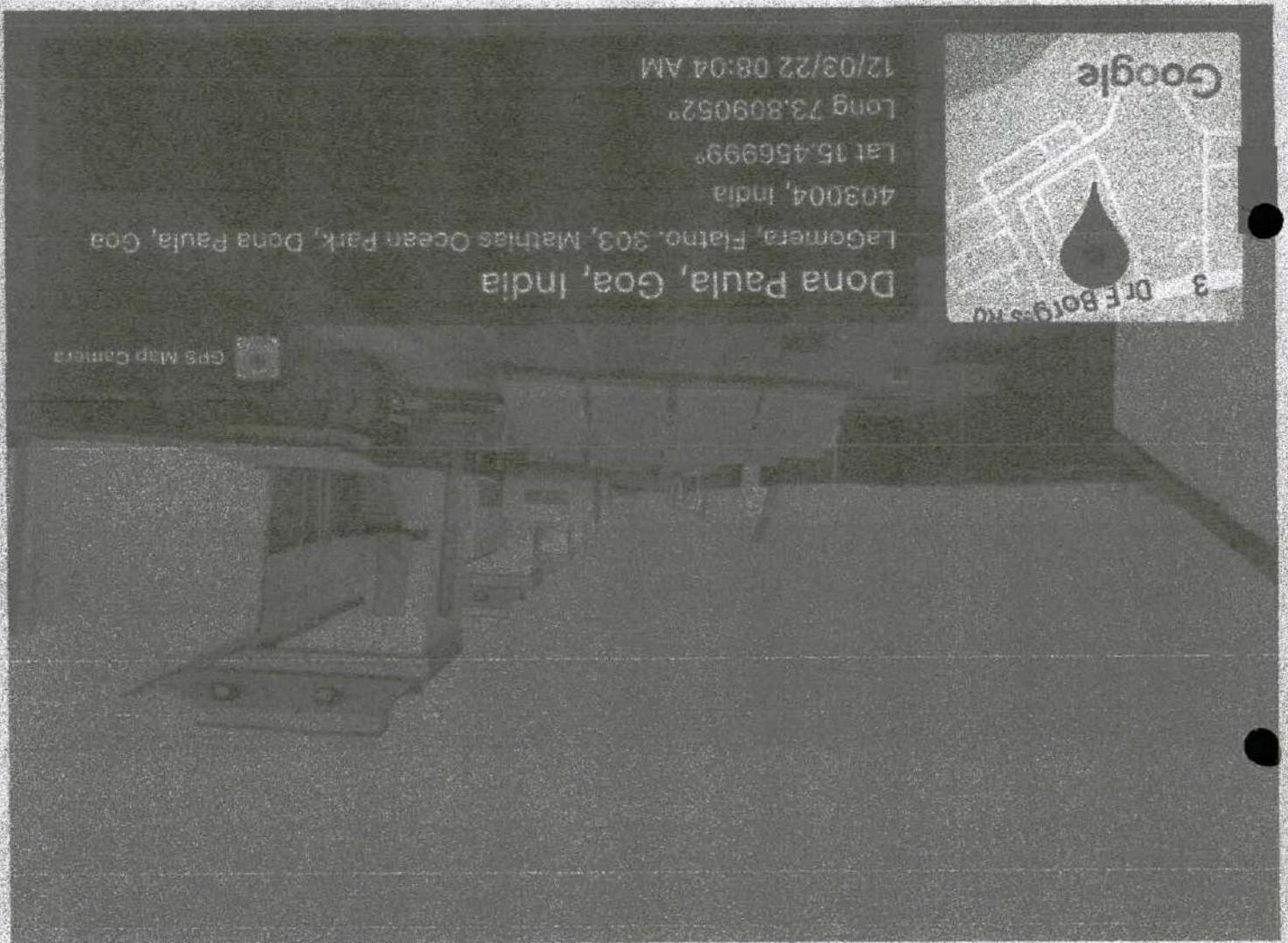
**Dona Paula, Goa, India**

La Palma building (Unit No. 8 Mathias Ocean Park, Dr E Borges Rd, opposite NIO Quarters, Dona Paula, Goa 403004, India

Lat 15.456906°

Long 73.809178°

12/03/22 08:03 AM



30

(31)

2846



COLONY

3

orges Rd

Google

Dona Paula, Goa, India

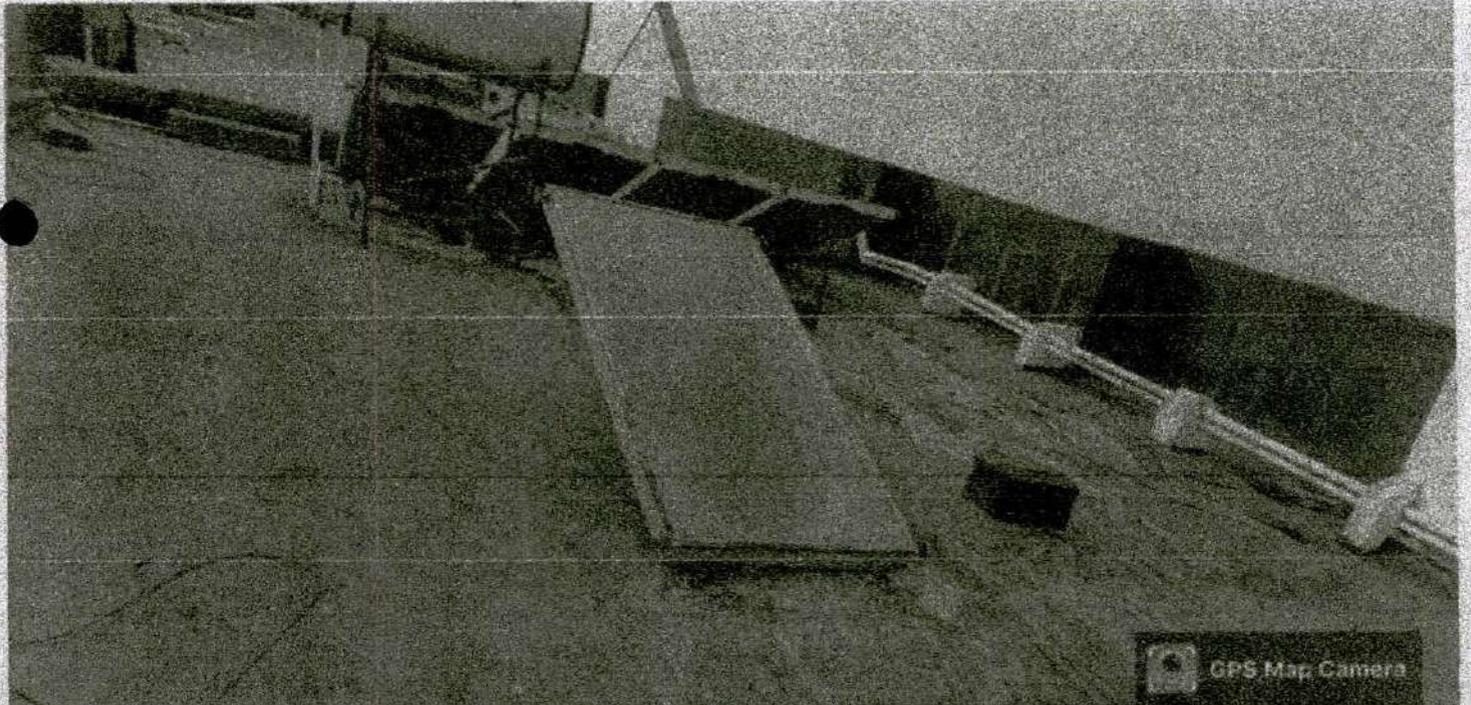
Boa Vista B, flat 204 Ocean Park, Dona Paula, Goa 403004,  
India

Lat 15.457417°

Long 73.80891°

12/03/22 08:05 AM

GPS Map Camera



GPS Map Camera



**Panaji, Goa, India**

Boa Vista A, flat 202 Ocean Park, Dona Paula, Panaji, Goa

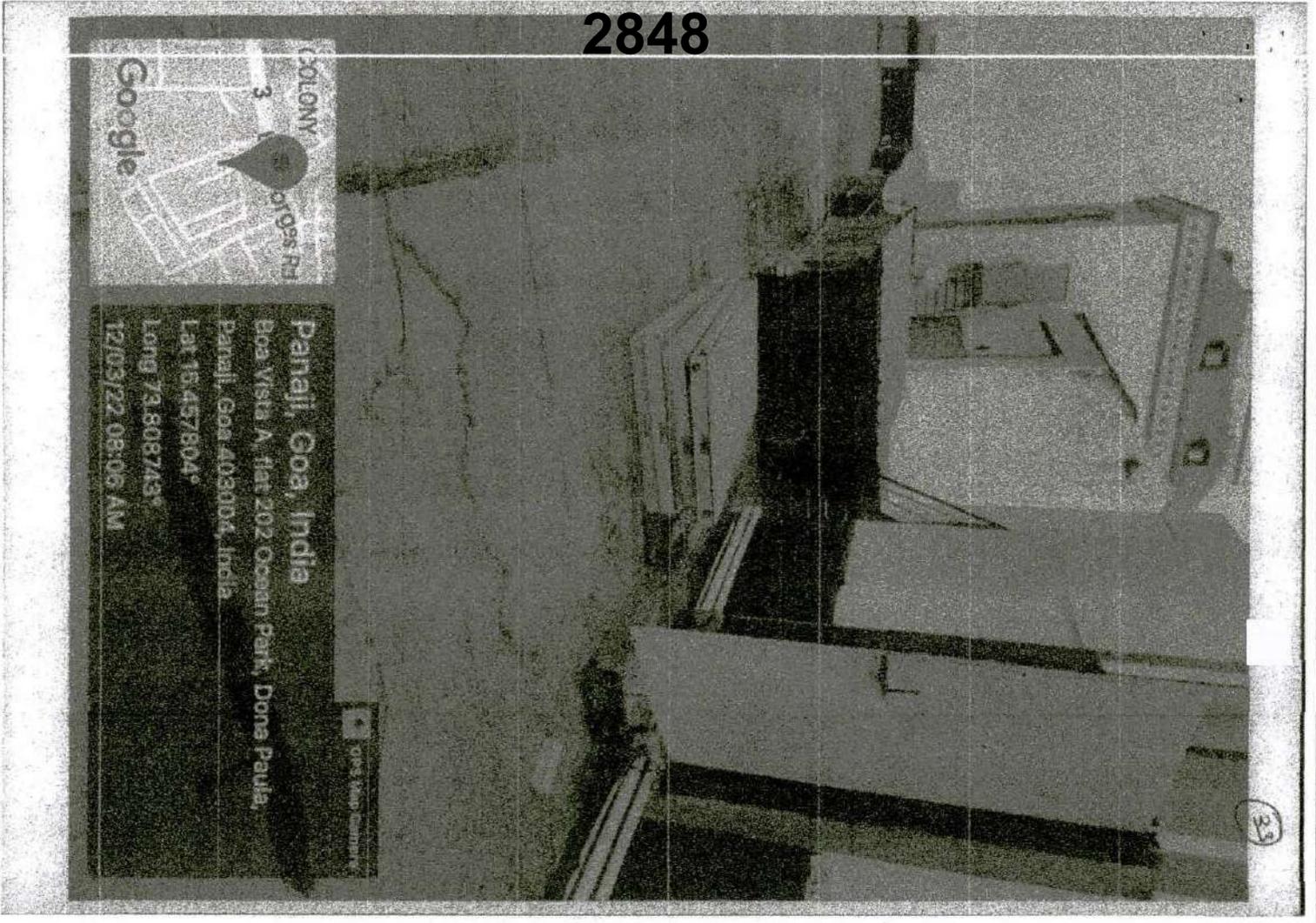
403004, India

Lat 15.457616°

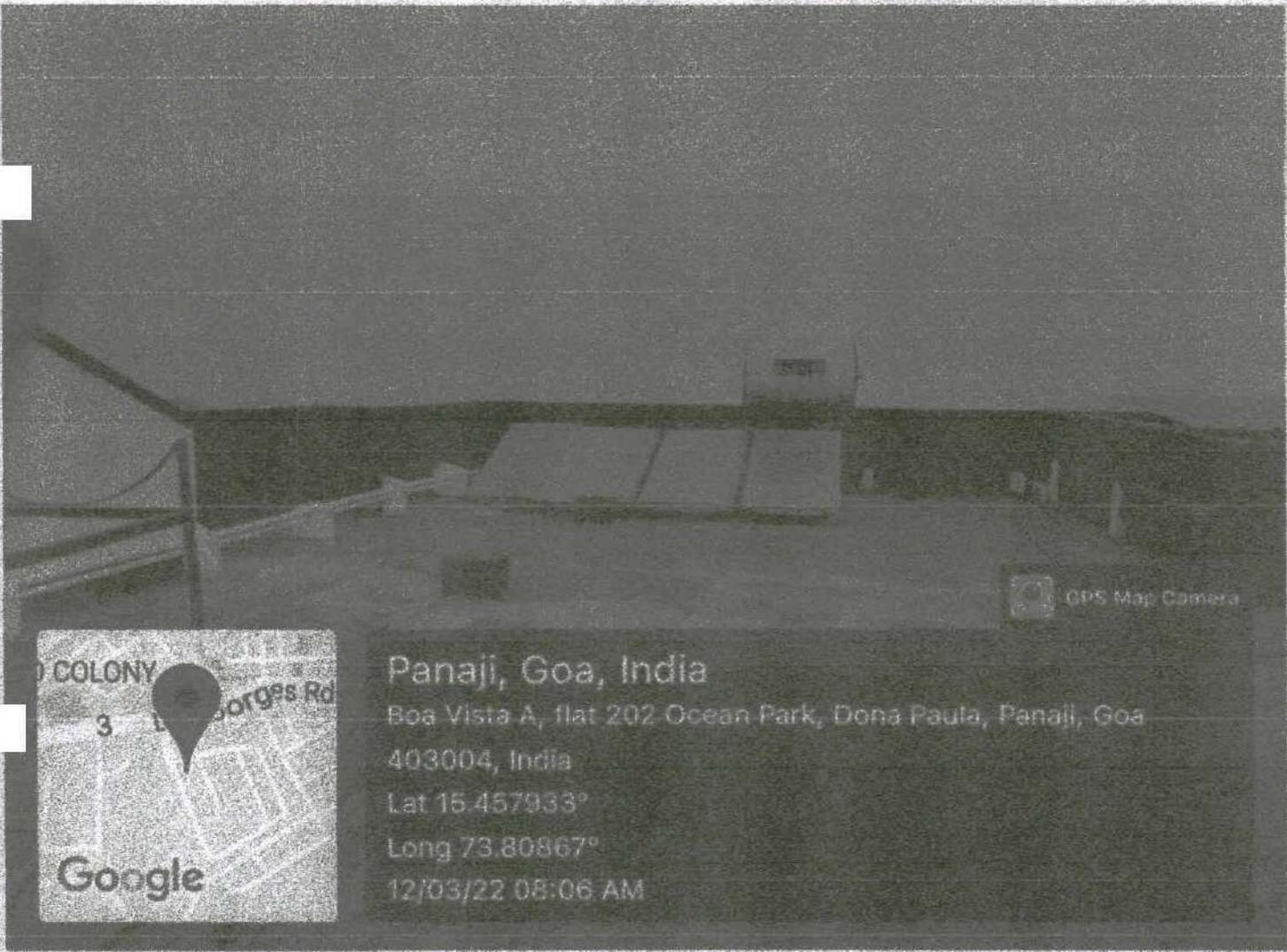
Long 73.80881°

12/03/22 08:05 AM

2848



**Panaji, Goa, India**  
Boa Vista A, Flat 202 Ocean Park, Dona Paula,  
Panaji, Goa 403004, India  
Lat 15.457804°  
Long 73.808743°  
12/03/22 08:06 AM



GPS Map Camera



Panaji, Goa, India

Boa Vista A, flat 202 Ocean Park, Dona Paula, Panaji, Goa

403004, India

Lat 15.457933°

Long 73.80867°

12/03/22 08:06 AM

35



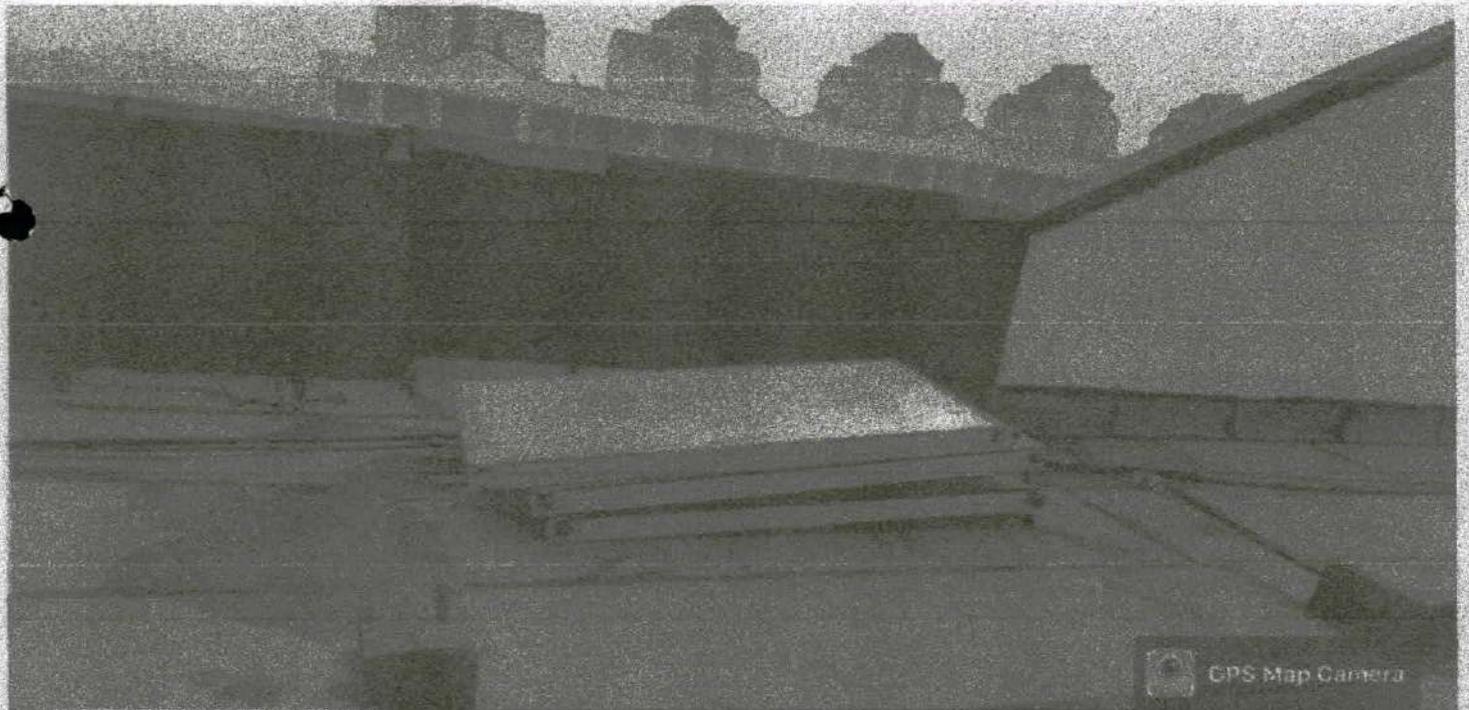
GPS Map Camera



Panaji, Goa, India

Boa Vista A, flat 202 Ocean Park, Dona Paula, Panaji, Goa  
403004, India

Lat 15.458003°  
Long 73.808657°  
12/03/22 08:06 AM



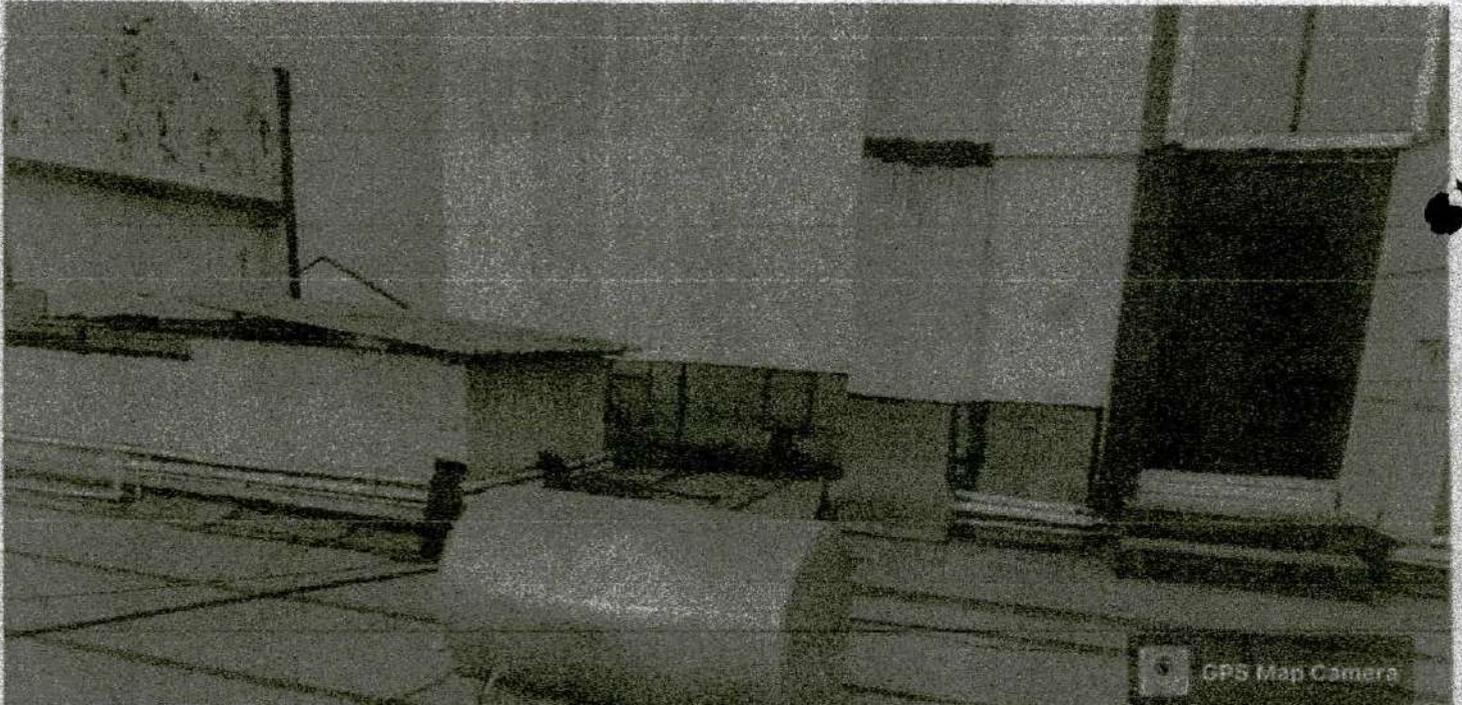
CPS Map Camera



**Dona Paula, Goa, India**  
Boa Vista B, flat 204 Ocean Park, Dona Paula, Goa 403004,  
India  
Lat 15.458081°  
Long 73.808804°  
12/03/22 08:08 AM

2852

37



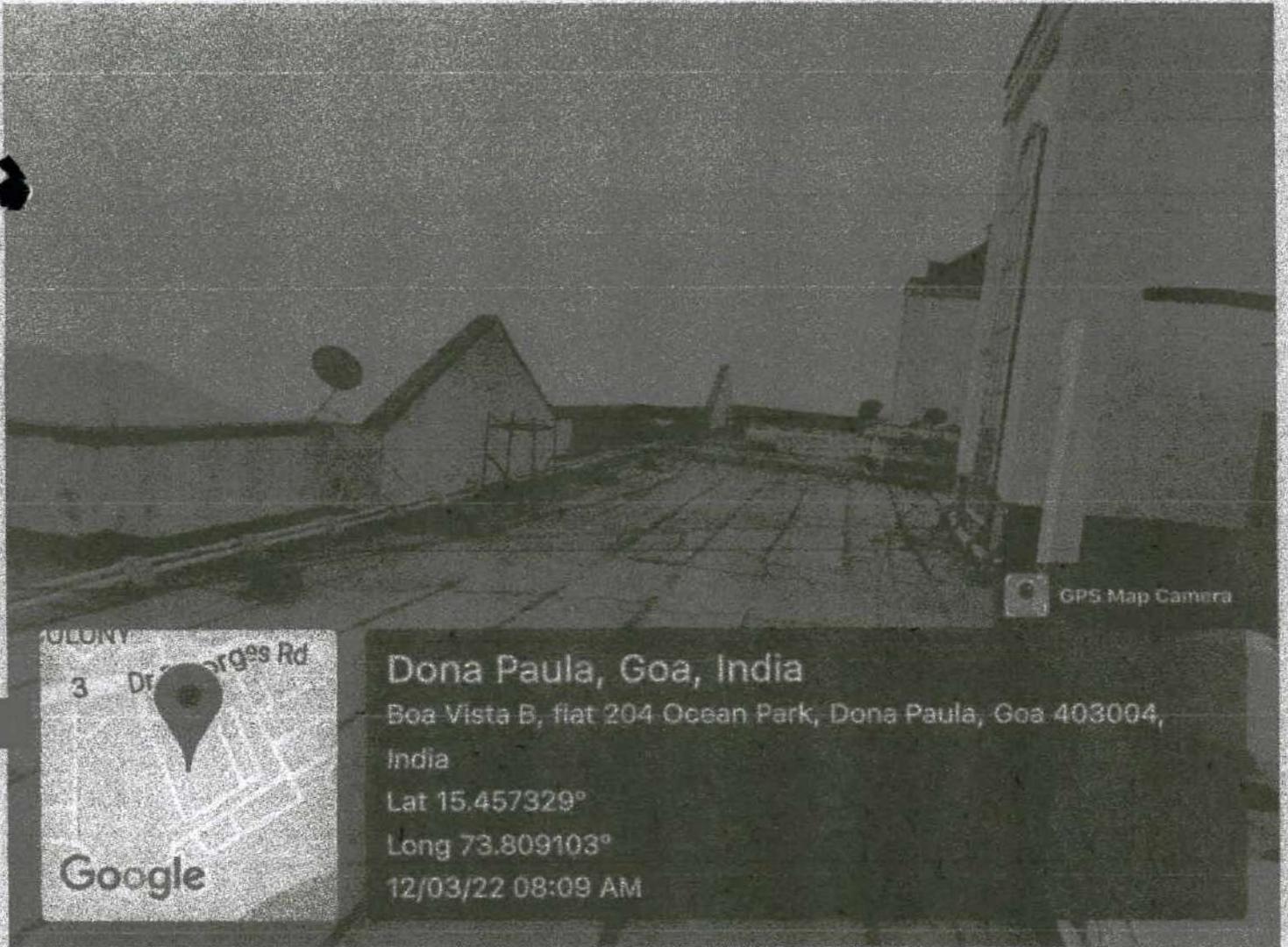
GPS Map Camera



Panaji, Goa, India  
Boa Vista A, flat 202 Ocean Park, Dona Paula, Panaji, Goa  
403004, India  
Lat 15.45781°  
Long 73.808869°  
12/03/22 08:08 AM

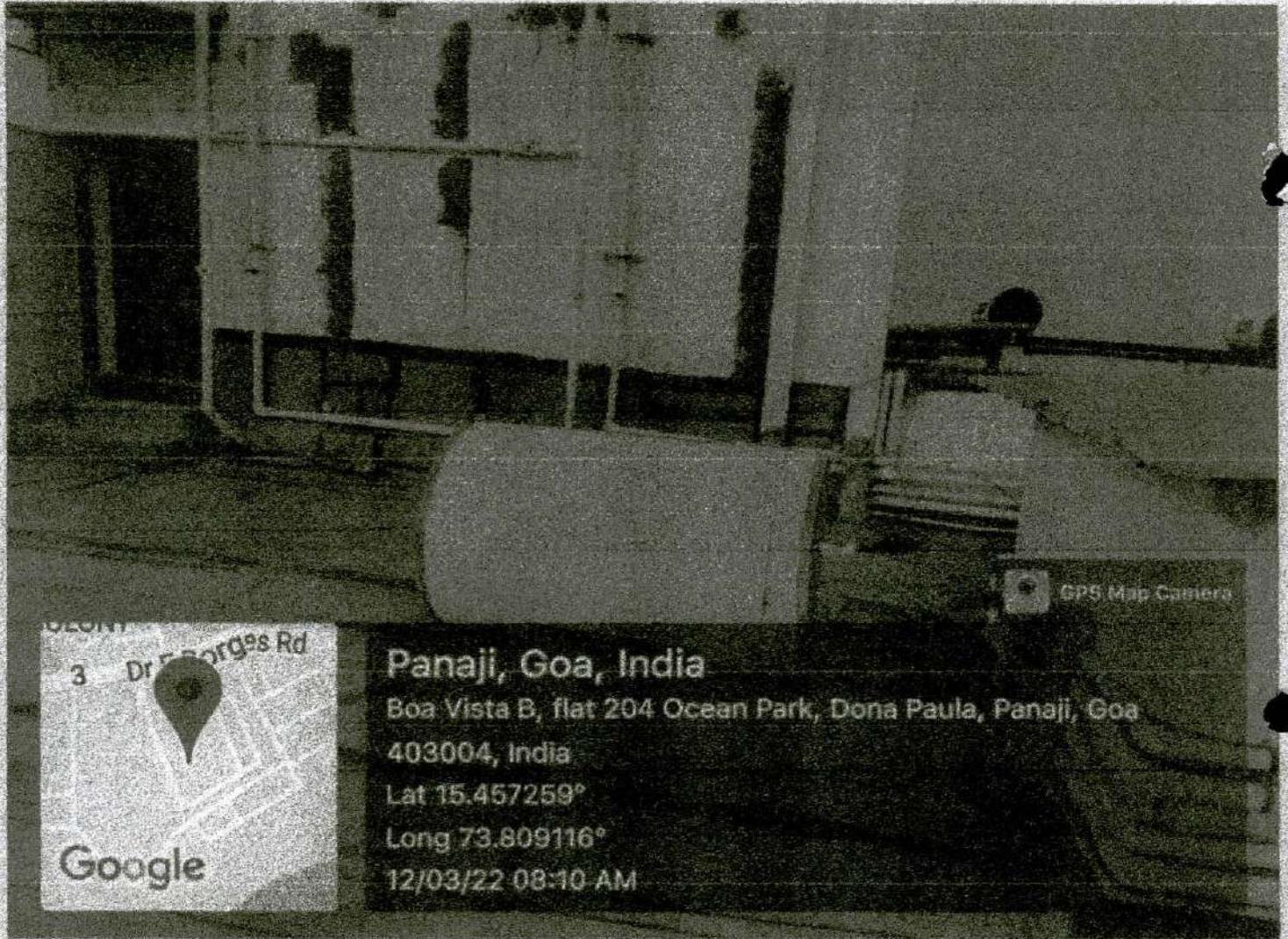
2853

38



2854

39



**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email: prakashagrawal@msn.com

17 March 2022

To,  
**The Senior Inspector of Police**  
**Donna Paula Police Station**  
**Panjim 403004**  
[pipanaji@goapolice.gov.in](mailto:pipanaji@goapolice.gov.in)

Subject: Failure and negligence to provide clean drinking water  
resulting in culpable homicide, conspiray and extortion

Sir,

I am desirous to file the present complaint against the following  
persons for reasons more particularly mentioned herein below:

- 1) Eugene Rent  
Secretary  
602 La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 3) Mr. Prashant Chopra  
Member  
La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 4) Dr. Peter Rodrigues  
Member  
302 Boa Vista A  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 5) Mrs Lata Mishra  
Member  
703 La Palma  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 6) Mrs Revati Kumar  
Member  
103 Gran Canaria - B  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 7) Mr. Yogesh Arora  
Member  
302 La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 8) Mr. Carmo Baretto  
Member  
504 La Gomera  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 9) Mr. Randhir Nath  
Member  
502 Gran Canaria - A  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 10) Mr. Prince Arora  
Member  
404 Flores - B  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 
- 1) By virtue of a sale deed dated 01.02.2022, executed on 05.02.2022 between:
- M/s. Mathias construction Private Limited, in its capacity as the promoter vendor of which Mr. Julian Mathias is the director;
  - M/s. Paramount Buildwell Construction Private Limited, the Developer;
  - Myself;
  - Mr. Joe Mathias and his wife Mrs. Mariola Mathias, acting in their capacity as Confirming Party, and being represented through their POA holder, Mr. Julian Richard Mathias.

I am a resident of Apartment no. 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panjim 403004.

- 2) As a fundamental right, I am entitled to clean and fresh drinking water. However, I have been deprived since the very beginning i.e., 01.02.2022. Instead of clean drinking water, I am provided with unsafe and contaminated ground water from the tanker for drinking and cooking purposes, without any treatment, which is hazardous, unsafe and unfit for consumption purposes. In fact, the ground water is also taken without proper permission of the competent authority and the tanker supplier have not even obtained permission from the CGWA as mandated under Notification dated 24.09.2020.
- 3) In the project, the developer has already provided separate lines for water supply to the kitchen and rest of the apartment. Thus, for availing clean water, all that is required are water tanks at the ground floor, 3 plasto water tanks of 20000 litres each and 7 plasto water tanks of 5000 litres each. In fact, Mathias Ocean Park Association has water connection for 65000 litres of water supply from the PWD per day which is more than sufficient for the purposes of drinking and cooking, however the same is mixed with the contaminated and impure ground water thus making it unfit for consumption. All that is required to be done is to have separate tanks for the kitchen and rest of the apartment to avoid any contamination.
- 4) However, even though the Accused are aware of the ground realities and that separate tanks was the solution to the problem, the Accused are taking undue advantage of the present scenario and are misusing their key position in the Mathias Ocean Park Association only to extort monies from the members which is evident and amply clear from the events mentioned hereinbelow. The Accused intentionally and deliberately fail to take proactive steps to provide clean drinking water.
- 5) The Accused have misrepresented and manipulated facts to create fear in minds of the resident only with the ulterior motive to extort monies. The Accused are taking undue advantage of the situation and misusing their power and exceeding their authority only to coerce the members to pay huge sums of money which is unwarranted and uncalled for. The same is evident from the Minutes of Meeting held on 18.12.2021 which states as follows:

**“5. Separate water supply line for kitchen**

*The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavour which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply.”*

Enclosed herewith is the Minutes of Meeting held on 18.12.2021.

- 6) In addition to the above, a *WhatsApp* message dated 23.12.2021 from one Mr. Atul Mishra, spouse of Accused no. 5 (reproduced herein below) also brings to light the *malafide* intention of the Accused that all the Accused want is to extort money on the pretext on providing clean drinking water.

*“As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong for the benefit of coming generations for next 100 years or as long as the bldg survives”.*

Enclosed is the screenshot of the message dated 23.12.2021.

- 7) On 23.12.2021, Accused no.1 messaged on the *WhatsApp* group of the Mathias Ocean Park owners as follows:

*"It's fantastic that there are so many interested residents in taking this forward. The committee will look into it for sure... The only issue is that the estimated cost for the new tank, new overhead tank new piping with digging of the roads, changing the piping in all the buildings will work out to a few crores. So, if one of the interested residents would be kind enough to help the committee by getting a two thirds majority support in taking this project forward we will get it done... They would have to sign a document stating that the cost will be shared by all flats which at a reasonable estimate is 1.5 lakhs per flat."*

Thus, to summarise it is evident that the Accused are acting in collusion and in connivance with each other and propelling residents to pay huge sums of monies for providing safe drinking water.

Enclosed is the screenshot of the message dated 23.12.2021.

- 8) To surmise, there is no need for kilometres and kilometres of pipelines. The costs estimated by the Accused i.e., Rs. 5 crores are more than 25 times the actual expenditure. As stated above, the water pipeline for the kitchen has been separately provided by the builder at the terrace. All that is required to connect the pipeline of the PWD water to these dedicated lines provided by the builder.
- 9) Mathias Ocean Park Association has not even approached the developer for resolving such a sensitive issue, rather, it continues to deprive the members of clean drinking water, putting their lives in jeopardy. In fact, to misguide the owners on 22.12.2021 Accused no.5 writes on the *WhatsApp* group of the Association stating as follows:

*"Mr Mathias is a part of the committee and involved in the discussions."*

Enclosed is the screenshot of the message dated 22.12.2021.

- 10) In addition, the Managing Committee has permitted some selected employees of the society to stay in the premises of the society with

their families. This is not in conformity with the Environment Clearance and resulting in unnecessary pollution load. Further, there is also improper disposal of solid waste which is damaging the water, air and soil quality in the area. Also, the STP treated water is not being recycled/reused for flushing, which is resulting in shortage of water. The additional tanks at the terrace for use of the STP treated water for flushing has deliberately not been provided separately by the Managing Committee of the Society. Although the developer has provided a separate line for the purposes of flushing, the same is not in operation and the water is getting mixed.

- 11) In view of the above, I addressed a letter dated 1.03.2021 calling upon the Accused and the Hon'ble Principal Secretary, Environment Department and the Hon'ble Member Secretary, Goa Pollution Control Board, to take action with regards to providing clean drinking water, but in vain. There is no reply or objection to whatever is stated in the letter dated 1 March 2021. In fact, the Accused have feigned ignorance and turned a blind eye to the contents of the letter which demonstrates that the Accused are deliberately and intentionally not making necessary arrangements for providing clean and pure drinking water in spite of having all the provisions to do so. Enclosed herewith is the letter dated 1.03.2021.
- 12) Due to failure of the Accused to provide clean drinking water even though the requirements are in place, I am forced to incur more expenses to arrange for clean drinking water. It causes unnecessary stress and burden, both mentally and financially. I am a senior citizen and more susceptible to water borne diseases. In fact, when I moved in this apartment in May 2021, I suffered bloating and severe indigestion on account of drinking the contaminated ground water. As on today as well, a lot of members are not even aware of the fact that they are consuming unfit water and the repercussions of the same.
- 13) Drinking contaminated groundwater can have serious health effects. Diseases such as hepatitis and dysentery may be caused by contamination from septic tank waste. Poisoning may be caused by toxins that have leached into well water supplies. Wildlife can also be harmed by contaminated groundwater. Other long-term effects

such as certain types of cancer may also result from exposure to polluted water.

- 14) It is evident from the above that the Accused are intentionally and deliberately depriving the members of clean drinking water only to extort monies and cause wrongful gain to themselves. Even though the Accused are aware that impure ground water is hazardous for the health, they are knowingly ignoring to take steps to provide clean and fresh drinking water which amounts to culpable homicide and a gross violation of my fundamental rights i.e., right to life and liberty guaranteed to me under the Constitution of India. All the Accused are hand in gloves and are colluding with each other in order to extort monies from the members.
- 15) Although, the Accused are also aware of the ill effects of drinking and consuming contaminated ground water, no action is taken to provide the residents with clean drinking water. This itself only goes on to show the intention of the Accused. In fact, there is more to this than meets the eye. There appears to be a bigger scam involved. It appears that there are more people involved in this scam. Lives of innocent people are being played with only to satisfy their illegal motives and intentions and greed for money. Precious lives of residents are in grave danger. On top of it, what the Accused are doing is that they are instilling fear of life and health in the mind of the residents in order to extort monies. This is all done at the cost of lives. Such conduct amounts to culpable homicide especially considering that the Accused have also acknowledged and admitted that the water is not safe for consumption purposes and have thus proposed to spend a whopping sum of Rs. 5 crores approx., which is not required considering that only tanks need to be separated.
- 16) Thus, in light of this, I am constrained to approach you and bring this crime to your notice under sections 120B, 384 and 304 of the Indian Penal Code, 1860. I trust and hope you shall register this offence, investigate, identify individuals involved in this scam and let law take its due course. I am willing to cooperate and provide assistance, information and documents, as required for the purpose of investigation.

Yours truly,



Prakash Agrawal  
+91 9403070000

Enclosure:

- (1) Minutes of Meeting held on 18.12.2021
- (2) *WhatsApp* message dated 22.12.2021
- (3) Two *WhatsApp* message dated 23.12.2021
- (4) Letter dated 1.03.2021

**CC to:**

**Inspector General of Police, Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: [igpgoa@goapolice.gov.in](mailto:igpgoa@goapolice.gov.in)

**Director General of Police, Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: [dgpgoa@goapolice.gov.in](mailto:dgpgoa@goapolice.gov.in)

**Superintendent of Police – North Goa**  
GOA POLICE HEAD QUARTERS  
NEAR AZAD MAIDAN  
PANJIM-GOA, 403001  
Email: [spn-pol.goa@nic.in](mailto:spn-pol.goa@nic.in)

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

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Minutes of the 3rd Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 18th December 2021 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mrs. Revati - Member
- Mr. Yogesh Arora - Member
- Mr. Carmo Baretto - Member
- Mr. Randir Nath - Member

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### **1. Lift Annual Maintenance Contract**

After reviewing the terms and condition provided by team Shindler, the committee agreed to proceed with renewing the AMC contract for a period of 3 years. The contract states that there would be no increase in amount for this year however there would be a 7% increase for the coming 2 years. Mr. Carmo stated that he would review the offer and try and bring it down to 5% in a meeting planned with the schindler team. The current contract for 14 lifts is Rs.7,00,052 which works out to Rs.50,003 per lift including an 18% GST

## **2. Timing of facilities**

The committee reviewed the timing of facilities and agreed that we could continue with the current timings of 6AM to 11 PM for all club house facilities. However from 6 to 7 AM, 2 PM to 4 PM and 10 to 11 PM would be a silent zone and if excess noise is made during this period the timings will have to be revised accordingly. This was agreed upon in view of the excess noise experienced by residents in Gran Caneria and Boa Vista buildings.

## **3. Barrier around the swimming pool**

A proposal to have barriers a. Around the swimming pool and b. between the adults and children's pool was evaluated. It was found that a queue Manager would not serve the purpose as children could get around it. A metal barrier could be hazardous to swimmers within the pool with a potential to cause injury if it falls into the pool. It was hence decided that barricades around the pool would not be put. Regarding putting barricades between the adult and children's pools options would be looked into and reviewed in the coming meeting.

## **4. Entry stickers (Four and two wheelers)**

Stickers for cars / two wheelers to enter the complex will be distributed from 20<sup>th</sup> December 2021 onwards at the estate Managers office from 10AM to 5 PM. Special distribution on one of the Sundays would be organized for residents who cannot collect the sticker on weekdays. After 15<sup>th</sup> January 2022 vehicles without the new ocean park sticker would have restricted entry into the complex and overnight parking will not be permitted.

#### **5. Separate water supply line for kitchen**

The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavor which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply.

#### **6. CCTV**

The committee unanimously decided to upgrade the security camera facilities available on campus and install security cameras with sound and good recording facilities. It was also decided that the switchboards for the security systems would be internalized to prevent tampering with the same. 3 quotations would be obtained for the same.

#### **7. Speeding and parking regulations within complex**

It was resolved that any car found to be speeding would be issued a warning with a fine of Rs1000 and multiple repeated offenders would be restricted from entry into the complex. A log of the same would be maintained at the security cabin.

A second decision was to put up speed limit boards of 20Km/hr at the entrance of each lane so that residents are made aware of the agreed upon speed limits.

Also in order to prevent speeding a speed breaker would be installed on the first crossroad. Speed breakers are already installed on the rest of the crossroads.

The parking is a concern in the internal lanes as some people park covering the access road. To deter haphazard parking in the lanes, car parking slots will be marked and the residents are requested to ensure parking within the slots.

### **8. Facility Management**

The committee has reviewed the quotation provided by Chauhan for taking care of the facility management and has found it to be acceptable. Following assurances have been provided.

1. Adequate staff taking care cleaning all common areas.
2. Uniforms for all personnel
3. Accommodation of all personnel outside the premises
4. Monthly review by a representative from each building who will signoff on quality of work at the end of the month
5. Better attention to common areas and sports galleries.
6. Time table for cleaning of parking areas.

### **9. Society formation**

The process of society formation needs to be expedited and the assistance of residents with knowledge in the process involved is to be sought. The committee has decided to hire a lawyer and expedite the process.

### **10. Sewage treatment plant related issues**

The committee resolved that the care of sewage treatment plant should be outsourced to a third party that is competent in managing the same in order to aid its smooth running and prevent regular breakdown. Also the blower of the STP which is damaged needs to be replaced and quotations are to be procured for the same on priority.

**11. Security guard review meetings**

It was resolved that the performance of the security team would be reviewed on a bimonthly basis with two objectives. A. To better the security facilities and to fine tune the security detail b. To deal with grievances raised both by the security personnel and those against them so as to provide better working environment and at the same time better services by them. Mr. Yogesh volunteered to be the first point of contact in dealing with security related issues. It was also resolved that till the GST issues of Thunderforce is resolved the salaries of the security personnel will be paid directly from the society account on the 5<sup>th</sup> of every month.

**12. Electrical and Plumbing**

It was decided that any contract with all service providers within the complex would be terminated and the estate manager would call an electrician or plumber when required from a registry of available providers. Any of these personnel staying within the complex will have to vacate before the 15<sup>th</sup> of January 2022. The contract with excel engineering would be terminated as of 1<sup>st</sup> January 2022

**13. Non occupancy charges**

It was resolved that the society would start collecting non occupancy charges of Rs. 900 per month from apartments that are given out on rent from 1<sup>st</sup> of January 2022 as it was decided in the AGM that we would be doing the same. Any contention regarding the above would have to be raised in the following AGM.

**14. Police verification**

It has been resolved that as per the government regulations all tenants occupying the premises have to get the police verification done and the required documents have to be

submitted at the society office. A deadline of 15<sup>th</sup> of January 2022 for getting the same done has been issued. Following this date a list of tenants without police verification documents will be submitted to the responsible authorities.

#### **15. Complaint register**

In order to reduce the number of calls received by the members of the committee and the managerial staff and to streamline facilities it was resolved that a complaint / work register would be kept in the estate managers office. Any issue that needs to be looked into can be entered into this register and it would be duly responded to. The residents are requested to utilize this register rather than whatsapp groups to register complaints / work orders / other issues.

#### **16. Census collection**

It was resolved that the committee members would aid the security in collection of census data so as to complete the project by 15<sup>th</sup> January 2022

#### **17. Notice for non compliance**

It has been decided that the committee would send notices to those residents not complying with the rules set for civil work in apartments mainly work between 2PM to 4PM in the afternoon and using the lift to transport heavy goods. The Rs.20,000 security deposit collected would be forfeited if the above rules are not followed. The committee unanimously agreed to the same.

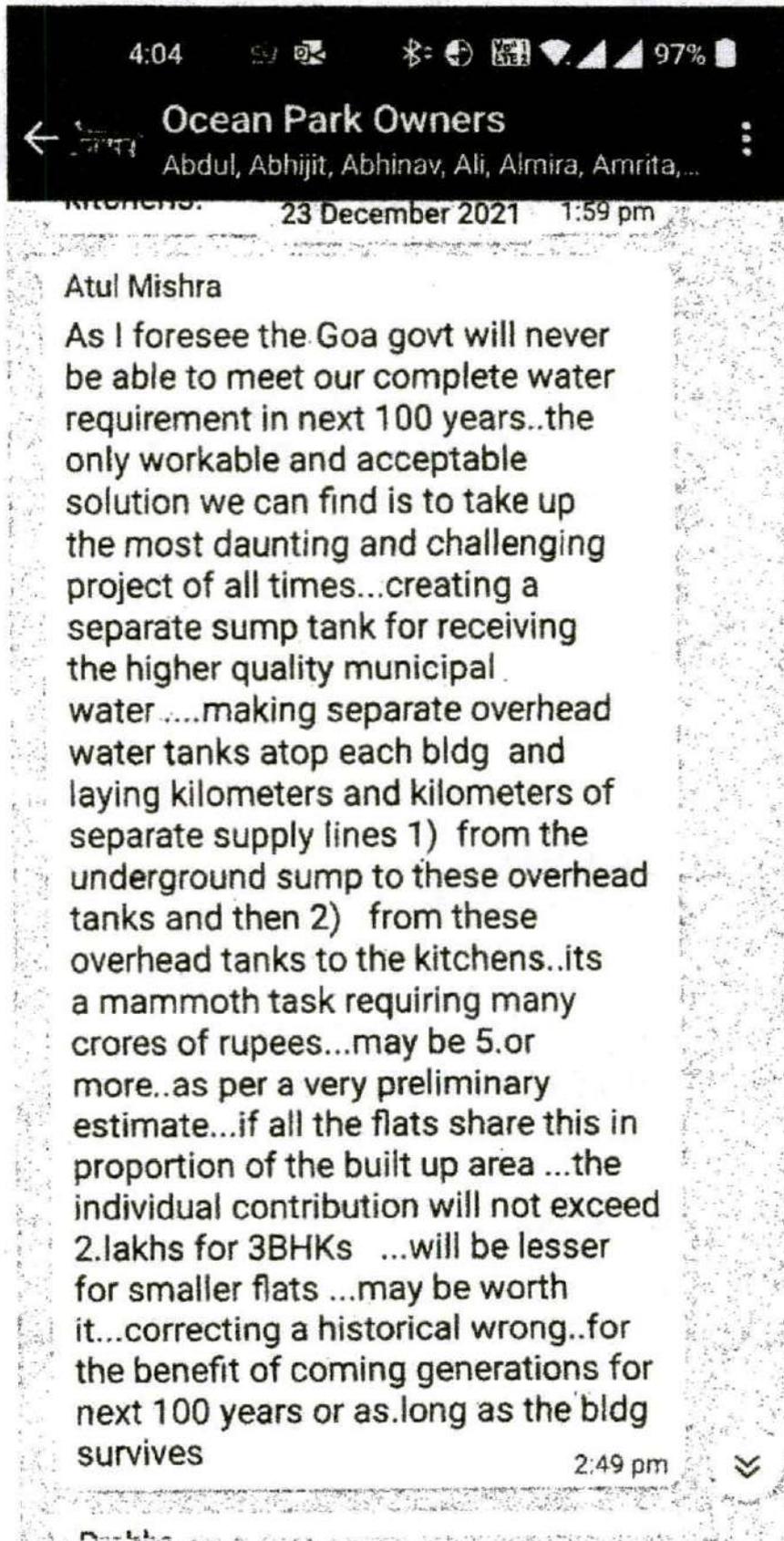
#### **18. Protocol for quotations**

Mr. Prashanth would be the point of contact for procurement and quotations. It was also decided that a break up of labor cost and material cost would be obtained separately to aid in better assessment of said quote.

As there were no other points for discussion, the meeting ended at 8.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman



You can't send messages to this group because you're no longer a participant.





lata



Perhaps have 22 December 2021 interactions with builder/promoter/developer

And best for each committee to minute and hand over status report of all such issues & discussions ...

9:30 am

Would be happy to volunteer for any residents' group formed for such interactions

9:35 am

**Lata Mishra**

**+91 98201 80349**

Perhaps have regular formal interactions with builder/promoter/developer ...

Mr Mathias is part of the committee and involved in the discussions.

9:49 am

**+91 98201 80349**

~S

**Dr. Eugene Rent**

Nisha with all due respect there are some issues that can be handled by the committee, there are some like leakages...

No worries then...

Only volunteered since the second half of this post said ..

You can't send messages to this group because you're no longer a participant.





# Ocean Park Owners

Abdul, Abhijit, Abhinav, Ali, Amrita, Amrita,...



23 December 2021

Datta Patil

We should involve Mathais and his plumbing contractor and obtain experts opinion and cost



3:23 pm

Dr. Eugene Rent

It's fantastic that there are so many interested residents in taking this forward. The committee will look into it for sure... The only issue is that the estimated cost for the new tank, new overhead tank new piping with digging of the roads, changing the piping in all the buildings will work out to a few crores. So if one of the interested residents would be kind enough to help the committee by getting a two thirds majority support in taking this project forward we will get it done... They would have to sign a document stating that the cost will be shared by all flats which at a reasonable estimate is 1.5 lakhs per flat.

3:28 pm

If someone can arrange a competitive quote that is welcome too.

3:31 pm

Search inside screenshot

Prabha

You can't send messages to this group because you're no longer a participant.

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**From: PRAKASH AGRAWAL**

703, La Gomera,  
Mathias Ocean Park  
Residency,  
Dr. E Borges Road,  
Opposite NIO Colony,  
Panjim 403004, Goa  
Cell No.: 9403070000  
Email:  
prakashagrawal@msn.com

To,

1. **HON'BLE PRINCIPAL SECRETARY**  
Ministry of Environments Forests & Climate Change  
Paryawaran Bhawan,  
CGO Complex  
Lodhi Road  
New Delhi 110003

2. **HON'BLE MEMBER SECRETARY**  
Goa Pollution Control Board-GPCB  
Nr. Pilerne Industrial Estate,  
Opp. Saligao Seminary,  
Saligao, Goa 403511

**Subject: Notice U/s. 19(b) of the Environment  
(Protection) Act, 1986 and U/s. 49 (b) Water  
(Prevention & Control of Pollution) Act, 1974**

Sir,

Whereas an offence under the Environment (Protection)  
Act, 1986 has been committed by;

- 1) Eugene Rent  
Secretary  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 2) Mrs Nadiya Rayani  
Treasurer  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 3) Mr. Prashant Chopra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 4) Dr. Peter Rodrigues  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
  
- 5) Mrs Lata Mishra  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

- 6) Mrs Revati  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 7) Mr. Yogesh Arora  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 8) Mr. Carmo Baretto  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 9) Mr. Randhir Nath  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004
- 10) Mr. Prince Arora  
Member  
Mathias Ocean Park Association  
First Floor of Club House  
Mathias Ocean Park Residency  
Opposite NIO Colony  
Donna Paula, Panjim 403004

**Ref: Deliberate Violation of the terms of EC under No. 21-15/2007-1A.III dated 16 may 2007 granted to project titled "Ocean Park" located at Survey No. 249/1-A at village: Talegaon, Tiswadi, Panjim, Goa, attracting penal action U/s. 19 (b) of Environment (Protection) Act, 1986 and U/s. Water (Prevention & Control of Pollution) Act, 1974 against the alleged Accused No. 1 to 9 herein above.**

Dear Sir,

- 1) I am a resident of Apartment No. 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panjim 403004. Environemnt Clarance granted to the project under No. 21-15/2007-IA, III dated 15<sup>th</sup> May 2007. The Mathias Ocean Park Association, who took over the affairs of the phase of the project for which the EC is granted was supposed to implement the Environment Management Plan. This has been brought to the notice of Dr. Eugene Rent, who is the Secretary of the Association repeatedly who has declined to implement the same and even provide clan and potable drinking water.
- 2) I am enclosing herewith the Minuets of the Meeting of the Association that was held on 18<sup>th</sup> December 2021. The said meeting was held under the Chairmanship of Mr.

Eugene Rent the secretary of the society. The resolution reads as:

**"5. Separate water supply line for kitchen**

*The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavour which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply."*

- 3) The Mathias Ocean Park Association has been buying water from Water Tankers mafia who are supplying ground water to the association and the Ground Water is untreated, impure and unsafe for drinking & cooking. Although the Mathias Ocean Park Association has water connection for 65000 litres of water supply from the PWD per day which is more than sufficient for the purposes of Drinking and Cooking, still Mr. Eugene Rent takes an arbitrary decision to deprive the members of Pure and safe drinking water.
- 4) The accused Nos. 1 to 9 attended the Meeting of the Managing Committee held on 18<sup>th</sup> December 2021 in which this decision to deprive the members of pure drinking water was taken.

- 5) The Developer has provided for separate lines for Water Supplies to Kitchen and rest of the apartments and the same can be very conveniently done without much expenditure. What is needed for the same is a few water tanks at the ground floor 3 Plasto Water Tanks of 20000 Litres each & about 7 Plasto Water Tanks of 5000 Litres each. The cost is hardly anything as compared to the number of apartments in the project. The accused has deliberately played with the purity of water. Providing impure & unsafe ground water from tanker for drinking & cooking purposes and that too without treatment cannot be a part of any Environmental Clearance that can be granted under EIA Notification, 2006.
- 6) The agenda of the accused is very clear that they want to extract money from the members on the sensitive issue of Pure Water Supply. Here is a whatsapp message posted by the spouse of one of the attendees to the meeting of the office bearers of the of Mathias Ocean Park Association which reads as follows:

*"As I foresee the Goa govt will never be able to meet our complete water requirement in next 100 years..the only workable and acceptable solution we can find is to take up the most daunting and challenging project of all times...creating a separate sump tank for receiving the higher quality municipal water ....making separate overhead water tanks atop each bldg and laying kilometers and kilometers of separate supply lines 1) from the*

*underground sump to these overhead tanks and then 2) from these overhead tanks to the kitchens..its a mammoth task requiring many crores of rupees...may be 5.or more..as per a very preliminary estimate...if all the flats share this in proportion of the built up area ...the individual contribution will not exceed 2.lakhs for 3BHKs ...will be lesser for smaller flats ...may be worth it...correcting a historical wrong for the benefit of coming generations for next 100 years or as long as the bldg survives"*

- 7) I say that the deprivation of Pure and Safe water is only to extort monies from the residents of the society.
- 8) I am detailing the actual requirement of funds that would be needed for the purpose, wherein they have quoted an expenditure of Rs. 5 Crores.

| Head                                  | Quantity X Price | Total                   |
|---------------------------------------|------------------|-------------------------|
| 20000 Litres Tank                     | 3 X 1,40,000     | Rs. 4,20,000.00         |
| 5000 Litres Tank                      | 3 X 30,000       | Rs. 2,10,000.00         |
| Additional Cost of Pumps and Pipeline |                  | Rs. 10,00,000.00        |
| <b>Total</b>                          |                  | <b>Rs. 16,30,000.00</b> |
| Contingencies                         |                  | Rs. 3,00,000.00         |
| <b>Total</b>                          |                  | <b>Rs. 19,30,000.00</b> |

- 9) Please note that the Water Pipe Line for Kitchen has been separately provided by the builder at the terrace. What The Mathias Ocean Park Association was required

to do is that connect the pipe line of the PWD water to these dedicated lines provided by the builder.

- 10) I say that there is no question of Kilometers and Kilometers of Pipe Lines. I further say that the 5,00,000.00 (5 Crores estimate is more than 25 times the actual expenditure that is required to be made for this purpose.
- 11) The Mathias Ocean Park Association has not approached the builders for the same seeking their assistance in resolving this important issue as their agenda was to deprive the members and extort money from the owners of the apartments in the society.
- 12) Thus, substantial damage to the air, Water Environment & the groundwater level has been carried out by the accused. The Ground Water purchased by the accused is without proper permission of the competent authority and Tanker Supplier have not obtained any permission from the CGWA as mandated under Notification dated 24.09.2020. That is a separate offence that has been carried out by the accused.
- 13) Needless to say that, from the 65,000.00 Litres of Water Supply the needs for kitchen could be easily met and for rest of the purposes the groundwater could be used. That

would have saved the residents from the forcible consumption of ground water.

- 14) This applicant has informed the members in the Whatsapp Group on 3<sup>rd</sup> January 2022 that there is an Environment Clearance that has been granted to the project and for which they need to follow the rules.
- 15) The Managing Committee has permitted some selected employees of the society to stay in the premises of the society with their families. This is also not in conformity with the Environment Clearance and these are illegal occupancies giving unassessed & unapprised burden on the consumption of natural resources.
- 16) There is improper solid waste disposal deliberately carried out by the Managing Committee of the society. The same is damaging the water, air and soil quality in the area. This is causing huge deterioration in the quality of environment in the area.
- 17) The STP treated water is not being recycled / reused for flushing, which is actually causing the shortage of water and this is a very basic requirement. The additional tanks at the terrace for use of the STP treated water for flushing has deliberately not been provided separately by the Managing Committee of the Society. It is pertinent to

note that the builder has provided a separate line for the purposes of flushing. The same is not in operation and water getting mixed.

- 18) I say that by providing ground water for the kitchen, these accused have also compromised quality of living and right to decent life and hence a violation of my rights under Article 21 of the Constitution for right to decent life has been breached for which I am paying huge amount of charges towards maintenance & other expenses sought by the committee, however, these Accused from Committee of Apartment are not giving their heads towards their legal responsibility of providing clean, treated water for use.
- 19) Therefore, by not carrying out periodical testing of water supplied by tankers and STP treated Water in Government Laboratory, they have not followed the Environment Management Plan and Environment Mitigation Plan and hence caused huge damage to the environment and the safety of the residents of the project.
- 20) Thus, I am giving you notice including the accused No. 1 to 9 for clearly intending to prosecute you all under the provisions of Environment (Protection) Act, 1986 and

Water (Prevention & Control of Pollution) Act, 1974, after notice period.

I request you to act against all the accused in accordance with the provisions of The Environment Protection Act, 1986.

Date: 1 March 2021  
Place: Panjim



PRAKASH AGRAWAL  
COMPLAINANT

**INDEX**  
**ANNEXURES**

| <b>Sr. No.</b> | <b>Particulars</b>  | <b>Page No.</b> |
|----------------|---|-----------------|
| 1.             | Copy of EC No. 21-16/2007-1A, III dated 16 <sup>th</sup> May 2007                                       | 13-18           |
| 2.             | Minuetes of the Meeting of the Managing Committee dated 18 December 2021                                | 19-25           |
| 3.             | Screenshot of Whatasspp Message dated 23 December 2021 in the Whatsapp Group titled "Ocean Park Owners" | 26              |
| 4.             | Screenshot of Whatasspp Message dated 03 Janauary 2022 in the Whatsapp Group titled "Ocean Park Owners" | 27              |

Date: 1 March 2021

Place: Panjim



**PRAKASH AGRAWAL**  
**COMPLAINANT**

No. 21-16/2007-IA,III  
 Government of India  
 Ministry of Environment & Forests

Paryavaran Bhawan,  
 CGO Complex, Lodi Road,  
 New Delhi-110003.

Dated: 16<sup>th</sup> May, 2007

To

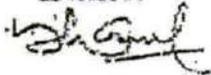
Mr. Joe Mathias,  
 M/s. Mathias Constructions Pvt Ltd  
 Mathias Plaza, 18<sup>th</sup> June Road,  
 Panaji, Goa 403 001.

Subject: Construction of 'OCEAN PARK' at Survey No. 245/1-A, Village Taleigao, Talewadi, Panjim, Goa by M/s. Mathias Constructions Pvt. Ltd. Goa. - Environmental Clearance - reg.

This has reference to your application No. nil dated 29.12.2006 and subsequent letters dated 12.03.2007 seeking prior environmental clearance for the above project under the EIA Notification, 1994. The proposal has been approved as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Committee constituted by the competent authority in its meetings held on 22-24 February 2007 and 23-24 March 2007.

2. It is interalia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 22,232 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,988 sq.m. Stilt + 5 floors. It is proposed to construct 548 apartments in C-1 zone and 840 apartments in C-2 zone. Total car parking spaces proposed are 1488. The total cost of the project is Rs.130 crores.

3. The Expert Committee after due considerations of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations have accorded environmental clearance as per the provisions of Environmental Impact Assessment Notification - 1994 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:



**PART - SPECIFIC CONDITIONS**

- 1. Construction Phase**
- i) "Consent for Establishment" shall be obtained from Karnataka State Pollution Control Board and a copy shall be submitted to the Ministry before starting any construction work at the site.
  - ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase.
  - iii) A First Aid Room will be provided in the project both during construction and operation of the project.
  - iv) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
  - v) All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.
  - vi) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
  - vii) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to E(P) Rules prescribed for air and noise emission standards.
  - viii) Vehicles hired for bringing construction material to the site should be in good condition and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
  - ix) Ambient noise level should conform to residential standards both during day and night. Environmental pollution loads on the ambient air and noise quality should be regularly monitored during construction phase.
  - x) Ready mixed concrete must be used in building construction.
  - xi) Storm water collection and its re-use as per CGWB and BIS standards for various applications.
  - xii) Water demand during construction should be reduced by use of pre-mixed concrete, curing compounds and other best practices referred.
  - xiii) Separation of grey and black water should be done by the use of dual plumbing line for collection of grey and black water.

*Shankar*

- xiv) Treatment of 100% grey water by decentralised treatment should be done.
- xv) Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.
- xvi) Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on airconditioning. If necessary, use high quality double glass with special reflective coating in windows.
- xvii) Roof should meet prescriptive requirement as per draft Energy Conservation Building Code by using appropriate thermal insulation material to fulfil requirement.
- xviii) Adequate measures to reduce air and noise pollution during construction keeping in mind CPCB norms on noise limits.
- xix) Opaque wall should meet prescriptive requirement as per draft Energy Conservation Building Code which is proposed to be mandatory for all airconditioned spaces while it is aspirational for non-airconditioned spaces by use of appropriate thermal insulation material to fulfil requirement.

## II. Operation Phase

- i) The installation of the Sewage Treatment Plant (STP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Discharge of treated sewage shall conform to the norms & standards of the Goa Pollution Control Board.
- ii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease.
- iii) The solid waste generated should be properly collected & segregated before disposal to the City Municipal Facility. The in-vessel bio-conversion technique should be used for composting the organic waste.
- iv) Any hazardous waste including biomedical waste should be disposed of as per applicable Rules & norms with necessary approvals of the Goa Pollution Control Board.
- v) The green belt design along the periphery of the plot shall achieve attenuation factor conforming to the day and night noise standards prescribed for residential landuse. The open spaces inside the plot should be suitably landscaped and covered with vegetation of indigenous variety.
- vi) Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored after commissioning of the project.

*[Handwritten signature]*

- vii) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
- viii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- ix) A Report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.

#### PART - B. GENERAL CONDITIONS

- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.
- ii) Six monthly monitoring reports should be submitted to the Ministry and its Regional Office Bangalore.
- 4. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
- 5. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
- 6. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
- 7. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, etc. shall be obtained, as applicable by project proponents from the competent authorities.
- 8. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Goa Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 7 days from the day of issue of the clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.

*[Handwritten signature]*

9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

10. Environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority (if applicable).

11. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (CMI) No.460 of 2004 as may be applicable to this project.

*Bhushan*

(Bharat Bhushan)  
Director (IA)

bbhushan\_98@yahoo.com  
Tel: 24260795

16.05.2007

Copy to :-

1. The Secretary, Department of Environment, Government of Goa, Panjim, Goa.
2. The Member Secretary, Goa Pollution Control Board, Dempo Tower, 1<sup>st</sup> Floor, Patis Plaza, Panjim, Goa - 403 001.
3. The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IV<sup>th</sup> Floor, E&F wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore - 560 034.
4. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
5. Guard file.

(Bharat Bhushan)  
Director (IA)

## Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

---

Minutes of the 3rd Committee Meeting of the term 2021 – 23 of “Mathias Ocean Park Association” held at 6.30 P.M on 18th December 2021 on the First Floor of the Club House of Mathias Ocean Park, Opp. NIO Colony, Dona Paula – Goa. 403 004

Members present were as follows

- Dr. Eugene Rent - Secretary
- Mrs. Nadiya Rayani - Treasurer
- Mr. Prashant Chopra - Member
- Dr. Peter Rodrigues - Member
- Mrs. Lata Mishra - Member
- Mrs. Revati - Member
- Mr. Yogesh Arora - Member
- Mr. Carmo Baretto - Member
- Mr. Randir Nath - Member

Subsequent to welcoming the members the meeting proceeded with the points on the Agenda.

### 1. Lift Annual Maintenance Contract

After reviewing the terms and condition provided by team Shindler, the committee agreed to proceed with renewing the AMC contract for a period of 3 years. The contract states that there would be no increase in amount for this year however there would be a 7% increase for the coming 2 years. Mr. Carmo stated that he would review the offer and try and bring it down to 5% in a meeting planned with the schindler team. The current contract for 14 lifts is Rs.7,00,052 which works out to Rs.50,003 per lift including an 18% GST

## **2. Timing of facilities**

The committee reviewed the timing of facilities and agreed that we could continue with the current timings of 6AM to 11 PM for all club house facilities. However from 6 to 7 AM, 2 PM to 4 PM and 10 to 11 PM would be a silent zone and if excess noise is made during this period the timings will have to be revised accordingly. This was agreed upon in view of the excess noise experienced by residents in Gran Caneria and Boa Vista buildings.

## **3. Barrier around the swimming pool**

A proposal to have barriers a. Around the swimming pool and b. between the adults and children's pool was evaluated. It was found that a queue Manager would not serve the purpose as children could get around it. A metal barrier could be hazardous to swimmers within the pool with a potential to cause injury if it falls into the pool. It was hence decided that barricades around the pool would not be put. Regarding putting barricades between the adult and children's pools options would be looked into and reviewed in the coming meeting.

## **4. Entry stickers (Four and two wheelers)**

Stickers for cars / two wheelers to enter the complex will be distributed from 20<sup>th</sup> December 2021 onwards at the estate Managers office from 10AM to 5 PM. Special distribution on one of the Sundays would be organized for residents who cannot collect the sticker on weekdays. After 15<sup>th</sup> January 2022 vehicles without the new ocean park sticker would have restricted entry into the complex and overnight parking will not be permitted.

#### **5. Separate water supply line for kitchen**

The plan of having a separate water line supplying the kitchen and the rest of the flat was proposed. The massive cost of this endeavor which would warrant digging up all the roads for laying new piping, construction of a new tank at the main station and segregating the tanks on all the buildings would exceed the available budget and hence the plan was deferred. Meanwhile we would focus on getting additional PWD water supply.

#### **6. CCTV**

The committee unanimously decided to upgrade the security camera facilities available on campus and install security cameras with sound and good recording facilities. It was also decided that the switchboards for the security systems would be internalized to prevent tampering with the same. 3 quotations would be obtained for the same.

#### **7. Speeding and parking regulations within complex**

It was resolved that any car found to be speeding would be issued a warning with a fine of Rs1000 and multiple repeated offenders would be restricted from entry into the complex. A log of the same would be maintained at the security cabin.

A second decision was to put up speed limit boards of 20Km/hr at the entrance of each lane so that residents are made aware of the agreed upon speed limits.

Also in order to prevent speeding a speed breaker would be installed on the first crossroad. Speed breakers are already installed on the rest of the crossroads.

The parking is a concern in the internal lanes as some people park covering the access road. To deter haphazard parking in the lanes, car parking slots will be marked and the residents are requested to ensure parking within the slots.

### **8. Facility Management**

The committee has reviewed the quotation provided by Chauhan for taking care of the facility management and has found it to be acceptable. Following assurances have been provided.

1. Adequate staff taking care cleaning all common areas.
2. Uniforms for all personnel
3. Accommodation of all personnel outside the premises
4. Monthly review by a representative from each building who will signoff on quality of work at the end of the month
5. Better attention to common areas and sports galleries.
6. Time table for cleaning of parking areas.

### **9. Society formation**

The process of society formation needs to be expedited and the assistance of residents with knowledge in the process involved is to be sought. The committee has decided to hire a lawyer and expedite the process.

### **10. Sewage treatment plant related issues**

The committee resolved that the care of sewage treatment plant should be outsourced to a third party that is competent in managing the same in order to aid its smooth running and prevent regular breakdown. Also the blower of the STP which is damaged needs to be replaced and quotations are to be procured for the same on priority.

**11. Security guard review meetings**

It was resolved that the performance of the security team would be reviewed on a bimonthly basis with two objectives. A. To better the security facilities and to fine tune the security detail b. To deal with grievances raised both by the security personnel and those against them so as to provide better working environment and at the same time better services by them. Mr. Yogesh volunteered to be the first point of contact in dealing with security related issues. It was also resolved that till the GST issues of Thunderforce is resolved the salaries of the security personnel will be paid directly from the society account on the 5<sup>th</sup> of every month.

**12. Electrical and Plumbing**

It was decided that any contract with all service providers within the complex would be terminated and the estate manager would call an electrician or plumber when required from a registry of available providers. Any of these personnel staying within the complex will have to vacate before the 15<sup>th</sup> of January 2022. The contract with excel engineering would be terminated as of 1<sup>st</sup> January 2022

**13. Non occupancy charges**

It was resolved that the society would start collecting non occupancy charges of Rs. 900 per month from apartments that are given out on rent from 1<sup>st</sup> of January 2022 as it was decided in the AGM that we would be doing the same. Any contention regarding the above would have to be raised in the following AGM.

**14. Police verification**

It has been resolved that as per the government regulations all tenants occupying the premises have to get the police verification done and the required documents have to be

submitted at the society office. A deadline of 15<sup>th</sup> of January 2022 for getting the same done has been issued. Following this date a list of tenants without police verification documents will be submitted to the responsible authorities.

#### **15. Complaint register**

In order to reduce the number of calls received by the members of the committee and the managerial staff and to streamline facilities it was resolved that a complaint / work register would be kept in the estate managers office. Any issue that needs to be looked into can be entered into this register and it would be duly responded to. The residents are requested to utilize this register rather than whatsapp groups to register complaints / work orders / other issues.

#### **16. Census collection**

It was resolved that the committee members would aid the security in collection of census data so as to complete the project by 15<sup>th</sup> January 2022

#### **17. Notice for non compliance**

It has been decided that the committee would send notices to those residents not complying with the rules set for civil work in apartments mainly work between 2PM to 4PM in the afternoon and using the lift to transport heavy goods. The Rs.20,000 security deposit collected would be forfeited if the above rules are not followed. The committee unanimously agreed to the same.

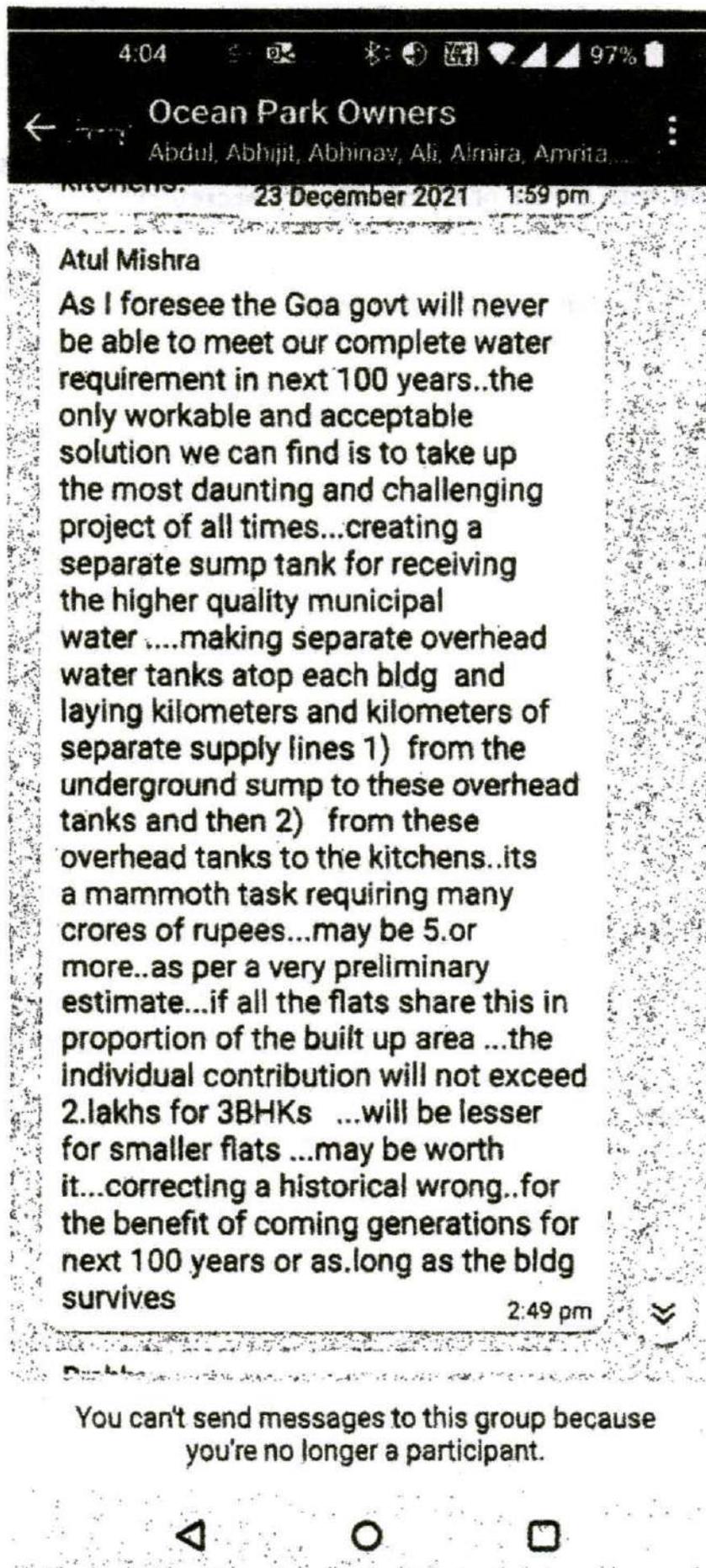
#### **18. Protocol for quotations**

Mr. Prashanth would be the point of contact for procurement and quotations. It was also decided that a break up of labor cost and material cost would be obtained separately to aid in better assessment of said quote.

As there were no other points for discussion, the meeting ended at 8.30 PM with a vote of thanks by the secretary.

For Mathias Ocean Park Association

Joe Mathias,  
Chairman



2:17 63%



environment



They wash car additional serv 3 January 2022 3h personal time. This is their right and choice of free will. There are many who use their services and I don't think the committee should have any say in that. Whether they stay inside the complex or not, sure that's for the committee to decide.

5:28 am

**Nirav**

They wash cars or earn through additional services in their personal time. This is their right and choice of free will. ...

As per the sanctioned plans we cannot permit anyone to live in the common areas of the society. Please note that this complex has a environment clearance also and it will be a violation of the environment protection act as well as the town planning sanction.

6:28 am ✓

**Nirav**

Like i said whether they can stay or not is not my decision. But whom I employ or take services from is my decision.

7:05 am

**Nirav**

Like i said whether they can stay or not is not my decision. But whom I employ or

You can't send messages to this group because you're no longer a participant.



A

12/3

From

भारतीय डाक



LN5639849141H INR:69775639849

SP H/O DEHA PARLA S.O (403004)

Counter No:1, 12/03/2022, 11:32

To:SHYAM PRINCIP, NEW DELHI

Pin:110003, Lodi Road Rd

From:PRAKASH AGA, 703, LA GUMERA DO

Wt:100gms

Rate:70.80(Cash)Tax:10.80

(Track on [www.indiapost.gov.in](http://www.indiapost.gov.in))

<Dial 18007666368> Clear Masks, Stay Safe

भारतीय डाक



EN5639849051H INR:69775639849

SP H/O DEHA PARLA S.O (403004)

Counter No:1, 12/03/2022, 11:37

To:SHYAM PRINCIP, NEW DELHI

Pin:110003, Lodi Road Rd

From:PRAKASH AGA, 703, LA GUMERA DO

Wt:100gms

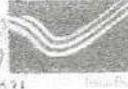
Rate:77.50(Cash)Tax:4.50

(Track on [www.indiapost.gov.in](http://www.indiapost.gov.in))

SR NIN NIN PANA S.O (400004)  
 Counter No: 30/03/2022\_09:30  
 INDIR GEN OF PIA OF PANAJI  
 PIN: 30001, Panaji ILB  
 From: PANAJI AIR, 703, 1A BUREAU IN  
 W: 30000  
 Amt: 5.40(Cash) + 5.40  
 Check on www.indiapost.gov.in  
 Quid 1800666550 (Wear Masks, Stay Safe)



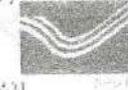
SR NIN NIN PANA S.O (400004)  
 Counter No: 30/03/2022\_09:30  
 INDIR GEN OF PIA OF PANAJI  
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 Counter No: 30/03/2022\_09:30  
 INDIR GEN OF PIA OF PANAJI  
 PIN: 30001, Panaji ILB  
 From: PANAJI AIR, 703, 1A BUREAU IN  
 W: 30000  
 Amt: 5.40(Cash) + 5.40  
 Check on www.indiapost.gov.in



TRUE COPY

## EXHIBIT-R-9

## GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, OHSAS 18001:2007 Certified Board)

Phone Nos : 0832- 2407700,  
2407701, 2407702  
Tel/Fax No: 0832- 2407700



Email ids:  
Chairman, GSPCB, chairman-gspcb.goa@gov.in  
Member Secretary, GSPCB, ms-gspcb.goa@gov.in  
Environment Engineer, GSPCB, ee-gspcb.goa@gov.in  
Scientist, GSPCB, scientist-gspcb.goa@gov.in  
Office, goapcb@gov.in

No. 1/25/19-PCB/legal/517

Speed Post

11/12/2019

SHOW CAUSE NOTICE

WHEREAS, under rule 6 (i) of Hazardous and other Wastes (Management and Transboundary Movement) amended Rules 2018, all the units which is generating hazardous waste in the State of Goa and having Consent of the Board are require to submit annual return through OCCMS system for the financial year 2018-2019 before 30/06/2019,

WHEREAS, on perusal of records available with this office, it is noted that your unit, M/s. Mathias Ocean Park Residency, located at Survey No. 249/1 - A, Opp. NIO Colony, Dona - Paula, Taliegao, Tiswadi - Goa, has failed to submit the annual return under Rule 20(2) of Hazardous and other Wastes (Management and Transboundary Movement) amended Rules 2018 for the financial year 2018-2019.

WHEREAS, the Board at its 135<sup>th</sup> meeting held on 13/12/2018 has delegated its powers to issue, refuse, withdraw and vary authorization under Rule 6 (i) of the Hazardous and other Wastes (Management and Transboundary Movement) amended Rules 2018 to the undersigned.

NOW THEREFORE, in view of the above and in exercise of the powers delegated to the undersigned under Rule 6 (i) of the Hazardous and other Wastes (Management and Transboundary Movement) amended Rules 2018, the management of your unit, M/s. Mathias Ocean Park Residency, located at Survey No. 249/1 - A, Opp. NIO Colony, Dona - Paula, Taliegao, Tiswadi - Goa is hereby directed to show cause within 07 days from the date of receipt of this notice as to why penalty should not be imposed and further action as per the Environment Protection Act, 1986 should not be initiated against your unit for non submission of Annual return.

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao-Bardez Goa-403511

PIO /APIO

Goa State Pollution Control Board, Saligao Goa.

**TAKE NOTE**, that failure to comply with the aforesaid notice will compel the Board to initiate stringent legal action against you under the under Rule 6 (i) of the Hazardous and other Wastes (Management and Transboundary Movement) amended Rules 2018 which may include revocation of authorization issue by the Board without further notice.

Issued on this <sup>th</sup> 11 day of December, 2019

  
(Dr. Shamila Monteiro)  
Member Secretary

For Goa State Pollution Control Board.

To,  
M/s. Mathias Ocean Park Residency,  
Survey No. 249/1 - A, Opp. NIO Colony,  
Dona - Paula, Taliegao, Tiswadi - Goa.

Copy to:

1. Office file.
2. Guard file.
3. Legal Section file.

---

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao-Bardez Goa-403511

Page 2 of 2

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Right to Information Act 2005

  
PIO /APIO

Goa State Pollution Control Board, Saligao Goa

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December 17, 2019

To,  
The Member Secretary  
Goa State Pollution Control Board  
Near Pilerne Industrial Estate,  
Opp.- Saligao Seminary Saligao  
Bardez - Goa 403511

Sub : Clarification to your show cause

Ref : Your letter No.1/25/19-PCB/legal/517, dated 11/12/2019

Respected Madam,

With reference to above show cause, we wish to clarify that we have received consent to operate on 15.03.2019. During this period of 15 days since the issue of consent for the financial year 2018-19. Total running hours of the DG was only for 2hrs, hence we have not generated any amount of Hazardous waste used oil/Waste oil under category 5.1 of Hazardous and other wastes (Management and Transboundary Movement) amended Rules 2018.

We don't generate any other hazardous waste other than category 5.1. as we are residential complex. Hence we will be submitting the Hazardous waste annual return for the financial year 2019-20 before its due date.

Kindly take note of the same.

Please find attached copy of consent which is self-explanatory.

Thanking You

Yours faithfully,  
For MATHIAS CONSTRUCTION PVT. LTD.

(Authorized Signatory)

**MATHIAS CONSTRUCTION PVT. LTD.**

**"MATHIAS HOUSE"**

Campal, Panaji - Goa. 403 001. Tel.: +91 0832 2425454

W : www.mathiasgoa.com E : mathias@mathiasgoa.com

CIN : U45201GA1994PTC001685

"Information" made available under  
Right to Information Act 2005

PIO /APIO

Goa State Pollution Control Board, Saligao G.

03 GSPCB Outward 20.01.2020 10:55:48

ISSUED COPY ATTACHED

517

002 Shane Judy Gracias 10.01.2020 16:51:01

Please attach issued copy of directions

001 GSPCB Inward 10.01.2020 15:28:24

CLARIFICATION TO YOUR SHOW CAUSE FROM MATHIAS

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Right to Information Act 2005



\_\_\_\_\_  
PIO /APIO  
Goa State Pollution Control Board, Saligao Goa.

TRUE COPY



# GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos : 0832- 2407700,  
2407701, 2407703



Email Ids:  
Chairman, GSPCB: chairman-gspeb.goa@nic.in  
Member Secretary, GSPCB: ms-gspeb.goa@nic.in  
Office: mail.gspeb@gov.in

No. 2025/GSPCB/Letter/7457/Tech/2123

Dated: 19/08/2024

To,  
The Member Secretary,  
Goa Sate Environmental Impact Assessment Authority,  
4<sup>th</sup> Floor Dempo Towers Patto Panaji,  
Tiswadi-Goa.

Sub: Issue of CTE dated 12/01/2024 by GSPCB despite violation of conditions of the  
EC vide order no. 21-16/2007-IA.III dated 16/05/2007.  
Ref:1) Letter from Mr. Praksh Agarwal dated: 28/06/2024.

Sir,

With reference to the subject cited above, the Board was in receipt of a letter from  
Mr.Prakash Agarwal dated 28/06/2024. Copy of the letter is attach herewith (copy enclosed).

In view of the same, you are hereby requested to submit your comments on the  
allegation of violation of the EC within 7 days on receipt of this letter.

(Dr. Shamila Monteiro)  
Member Secretary  
Goa State Pollution Control Board

Copy to:

1. Mr Prakash Agarwal: prakashagrawal@msn.com, for information
2. Office copy
3. Guard file

Information made available under  
Right to Information Act 2005

M.

PIO / APIO  
Goa State Pollution Control Board, Saligao Goa.

0016 Saişh Waldankar 13.12.2024 15:29:44

FOR RECORDS

0015 Dorothy Fernandes 06.11.2024 12:53:44

linked to main daak only

0014 Saish Waldankar 09.10.2024 01:18:40

please attach in concern file

0013 Dorothy Fernandes 16.08.2024 14:44:22

Letter was issued to M/s Goa State Environmental Impact Assessment Authority dated 19/08/2024 and cc was marked to Mr.Prakash Agarwal.

GSPCB/2025/Tech Section, Technical Section/12123

The Board was in receipt of reply from Mr.Prakash Agarwal dated 20/08/2024(Refer daak 12421).

0012 NANDAN PRABHUDESAI 13.08.2024 11:03:16

As approved

0011 Mahesh Patil 13.08.2024 10:54:36

Approved

0010 Dr. Shamila Monteiro 07.08.2024 07:03:51

may approve draft letter

009 NANDAN PRABHUDESAI 06.08.2024 13:12:29

May approve draft letter in view of comments at 008

008 Amit Shanbag 05.08.2024 17:15:45

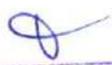
Draft letter seeking comments of the SEIAA regarding EC condition violation may be approved

007 Saish Waldankar 05.08.2024 10:32:00

Draft letter is put up for approval

[draftletter](#)

"Information" made available under  
Right to Information Act 2005

  
PIO /APIO  
Goa State Pollution Control Board, Saligao Goa.

**006 Dorothy Fernandes 30.07.2024 16:39:00**

Draft letter is put up for approval

draftletter

**005 Amit Shanbag 04.07.2024 12:19:58**

Put up a draft letter to the SEAC seeking their comments on the allegation of violation of the EC

**004 NANDAN PRABHUDESAI 03.07.2024 14:42:08**

Please put up letter

**003 Amit Shanbag 03.07.2024 10:45:57**

The violations are primarily pertaining to the violations of the EC granted to the project  
May seek comments of the SEAC in this matter and decide accordingly

**002 NANDAN PRABHUDESAI 03.07.2024 10:06:28**

Please examine. The complainant is filing repeated complaints. Compile the complaints and put up detailed reply and ATR in time bound manner

**001 GSPCB Inward 02.07.2024 15:18:43**

PRAKASH AGRAWAL - ISSUE OF CTE DATED 12.1.2024 BY YOU DESPITE VIOLATION OF MAJOR CONDITIONS OF THE EC

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PIO/APIO  
Goa State Pollution Control Board, Saligao Goa

## GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos : 0832- 2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No. 2024/GSPCB/Letter/tech/18375

By Regd. A.D.

Date: 29/10/2024

To,

Mr. Prakash Agrawal,  
703 La Gomera,  
Mathias Ocean Park Residency,  
Dr.E Borges Road, Donna Paula Panaji,  
Tiswadi-Goa.Shri Joe Mathias  
M/s. Mathias Ocean Park Residency  
Sy.No.249/1-A,  
Opp. Nio Colony, Donapaula Panaji,  
Tiswadi-Goa.

Sub: Personal hearing with respect to complaint regarding violations of consent conditions of unit M/s Mathias Ocean Park Residency at Dona Paula, Panaji – Goa.

Ref: 1. GSPCB letter dated 04/10/2024.

2. Application for extension of time dated 08/10/2024.

Sir,

With reference to the complaint regarding Consent conditions violations, you are required to remain present before the Member Secretary of the Goa State Pollution Control Board on 12<sup>th</sup> December, 2024 at 11.00 a.m. in order to submit your say on the same.

Take note that failure to remain present for the said meeting, the Board will take further action in the matter.

Yours faithfully,

  
(Dr. Shamila Monteiro)  
Member Secretary

For Goa State Pollution Control Board

Copy to:-

- 1) Legal Officer, Goa State Pollution Control Board..... *to remain present for the said hearing.*
- 2) Mr. Amit Shanbang, Assistant Environmental Engineer, Goa State Pollution Control Board..... *to remain present for the said hearing.*
- 3) Miss. Priyanka Naik , Jr. Steno, Goa State Pollution Control Board..... *to note down the minutes of the hearing.*
- 4) Office copy
- 5) Guard file.

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Right to Information Act 2005

  
PIO / APIO  
Goa State Pollution Control Board, Saligao Goa. }

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao - Bardez Goa - 403511

005 Saish Waldankar 15.10.2024 16:35:59

Shall be placed in the personal hearing file which will be held on 12/12/2024 between Prakash Agarwal and Mathias.

004 Amit Shanbag 15.10.2024 00:15:27

please examine and put up

003 Natalia Dias 11.10.2024 10:56:38

eamie the issues

002 Constance Fernandes 10.10.2024 15:44:50

Technical section may kindly like to comment please.

001 GSPCB Inward 09.10.2024 12:28:26

PRAKASH AGRAWAL - CLARENCES -PERMISSIONS AND CONSENTS GRANTED TO THE PROJECT WITHOUT VERIFICATION OF ITS TITLE. DELIBERATE CONCEALMENT OF INFORMATION

Information made available under  
Right to Information Act 2005

  
PIO / APIO  
Goa State Pollution Control Board, Saligao Goa

2911

GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos : 0832- 2407700,  
2407701, 2407703



Email Ids:  
Chairman, GSPCB: chairman-gspeb.goa@nic.in  
Member Secretary, GSPCB: ms-gspeb.goa@nic.in  
Office: mail.gspeb@gov.in

No. 2025 GSPCB Complaints 10898 /Tech/ 25512

Date: 21/01/2025

To,

The Secretary  
Village Panchayat Taleigao  
Tiswadi-Goa.

The Principal Chief Engineer,  
Public Works Department,  
Government of Goa,  
Head Office,  
Altinho, Panaji – Goa 403 001.

Sub: Complaint regarding non availability of potable and hygienic drinking water makes the sector 1 of the project unfit for human habitation.  
Ref: Complaint dated: 01/08/2024 from Prakash Agrawal.

Sir,

With reference to the subject cited above, the Board was in receipt of complaint from Mr. Prakash Agarwal dated:01/08/2024 regarding non availability of potable and hygienic drinking water makes the sector 1 of the project unfit for human habitation. Copy of the complaint is attached herewith.

In view of the same, you are hereby directed to take necessary action upon receipt of this letter.

Yours faithfully,

(Dr. Shamila Monteiro)  
Member Secretary  
Goa State Pollution Control Board

Copy to:-

- 1) Office copy.
- 2) Guard file.

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Right to Information Act 2005

FID /APIO  
Goa State Pollution Control Board, Saligao Goa.

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao - Bardez Goa - 403511

0019 GSPCB Outward 03.02.2025 16:35:36

ISSUED COPY ATTACHED  
25512

0018 Dorothy Fernandes 20.01.2025 12:31:23

final letter is put up for signature  
Kindly upload the issued copy

0017 Saish Waldankar 20.01.2025 11:44:23

for final signature as approved.

0016 Mahesh Patil 18.01.2025 11:36:06

Approved

0015 Dr. Shamila Monteiro 16.01.2025 16:45:00

may approve draft letter

0014 Sanjeev Joglekar 16.01.2025 10:15:11

may approve draft letter

0013 NANDAN PRABHUDESAI 15.01.2025 17:30:24

In view of comments at 0012 may approve draft letter

0012 Amit Shanbag 14.01.2025 17:23:00

Draft letter forwarding the complaint of non availability of drinking water to sector 1 to the VP and PWD, may be approved

0011 Saish Waldankar 13.12.2024 16:53:44

draft letter is put up for approval

0010 Dorothy Fernandes 18.10.2024 12:02:09

Corrected draft letter is put up for approval  
[draftletter](#)

009 Saish Waldankar 15.10.2024 16:42:49

Unit falls under taleigao panchayat plz correct the draft

008 Amit Shanbag 15.10.2024 00:11:25

Is the unit located within the jurisdiction of the CCP or the VP Taleigao? Please check and put up

007 Saish Waldankar 09.10.2024 00:56:42

draft letter is put up for approval

006 Dorothy Fernandes 24.09.2024 12:36:21

draft letter is put up for approval  
[draftletter](#)

005 Amit Shanbag 08.08.2024 00:23:32

Put up draft letter as per 004

004 NANDAN PRABHUDESAI 07.08.2024 09:50:25

Please examine the complaint. Link to all complaints. Since it is regarding potable drinking water may also forward to Local Body and PWD for necessary action

003 Constance Fernandes 06.08.2024 11:36:23

"Information" made available under  
Right to Information Act 2005

  
PIO / APIO  
Goa State Pollution Control Board, Saligao Goa.

Technical section may please comment

002 SHALAKA BANDODKAR 05.08.2024 15:44:20

THIS BOARD IS IN RECEIPT OF COMPLAINT REGARDING NON AVAILABILITY OF POTABLE AND HYGENIC DRINKING WATER MAKES THE SECTOR 1 OF THE PROJECT UNFIT FOR HUMAN HABITATION BY PRAKASH AGRAWAL

001 GSPCB Inward 05.08.2024 14:38:54

COMPLAINT-PRAKASH AGRAWAL - NON AVAILABILITY OF POTABLE AND HYGENIC DRINKING WATER MAKES THE SECTOR 1 OF THE PROJECT UNFIT FOR HUMAN HABITATION

### Documents

25512

Uploaded By - GSPCB Outward ; Uploaded On - 03.02.2025 16:34:56

Document Type - Correspondence

File Name: DraftLetter.docx

draftletter

Uploaded By - Amit Shanbag ; Uploaded On - 14.01.2025 17:22:09

Document Type - Correspondence

File Name: DraftLetter.docx

10898

Uploaded By - GSPCB Inward ; Uploaded On - 05.08.2024 14:39:20

Document Type - Correspondence

File Name: DraftLetter.docx

### Workflow

"Information" made available under  
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PIO /APIO  
Gor State Pollution Control Board, Satinag G

TRUE COPY



# 2914

EXHIBIT-R-12

## GOA STATE POLLUTION CONTROL BOARD

### गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos : 0832- 2407700,  
2407701, 2407703



Email Ids:

Chairman, GSPCB: chairman-gspcb.goa@nic.in

Member Secretary, GSPCB: ms-gspcb.goa@nic.in

Office: mail.gspcb@gov.in

No. 8/33/2024-PCB/19874/legal/21AS6 By Reg.A.D

Date: 5/12/2024

To,  
Prakash Agrawal,  
703 La Gomera, Mathias Ocean Park Residency,  
Dr. E Borges Raod,  
Donna Panaji Goa. 40304.  
Email: prakashagrwal@msn.com

Sub: Information under the Right to Information Act, 2005.  
Ref: Your application dated on 14/11/2024 received 18/11/2024.

Sir,

With regard to your Application as referred to above; as per the information submitted by the relevant section of the Board that maintain these records; I am to inform you as under;

| Sr. No. | Information Sought   | Reply  |
|---------|--|--|
| 1.      | The annual returns filed by the PP under the Hazardous and other wastes (Management and Transboundary Movement) Rules as amended from time to time since 2007 till the date of issue of information. | Copy of the Hazardous waste annual returns from 2019-2020 to 2023-2024 may be collected. No other returns are available on record. |
| 2.      | The annual returns filed by the PP under the various Waste Management Rules as amended from time to time since 2007 till the date of issue of information.   | No other annual returns are available on record with the Board.  |
| 3.      | The annual returns filed by the PP in compliance of the consents issued by the board from 2007 till the date of issue of information.  | Copy of the environmental statement may be collected. No other returns are available on record.                                    |

The information as available on record of the Board runs into 25 pages and which may be collected by you from the office of the Goa State Pollution Control Board at Saligao, Goa, upon payment of Rs.50/- at the office Board, towards charges for providing the requested certified copies.

Yours faithfully,

Public Information Officer  
Goa State Pollution Control Board

TRUE COPY

Copy to; 1. Office File 2. Guard File

# 2915

EXHIBIT-R-13

## GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos : 0832- 2407700,  
2407701, 2407703



Email Ids:  
Chairman, GSPCB: chairman-gspeb.goa@nic.in  
Member Secretary, GSPCB: ms-gspeb.goa@nic.in  
Office: mail.gspeb@gov.in

No. 2025 GSPCB Complaints 10898 / Tech / 25512

Date: 21/01/2025

To,

The Secretary  
Village Panchayat Taleigao  
Tiswadi-Goa.

The Principal Chief Engineer,  
Public Works Department,  
Government of Goa,  
Head Office,  
Altinho, Panaji – Goa 403 001.

Sub: Complaint regarding non availability of potable and hygienic drinking water makes the sector 1 of the project unfit for human habitation.  
Ref: Complaint dated: 01/08/2024 from Prakash Agrawal.

Sir,

With reference to the subject cited above, the Board was in receipt of complaint from Mr. Prakash Agarwal dated:01/08/2024 regarding non availability of potable and hygienic drinking water makes the sector 1 of the project unfit for human habitation. Copy of the complaint is attached herewith.

In view of the same, you are hereby directed to take necessary action upon receipt of this letter.

Yours faithfully,

(Dr. Shamila Monteiro)  
Member Secretary  
Goa State Pollution Control Board

Copy to:-

- 1) Office copy.
- 2) Guard file.

"Information" made available under  
Right to Information Act 2005

FIO / APIO  
Goa State Pollution Control Board, Saligao Goa.

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao - Bardez Goa - 403511

0019 GSPCB Outward 03.02.2025 16:35:36

ISSUED COPY ATTACHED

25512

0018 Dorothy Fernandes 20.01.2025 12:31:23

final letter is put up for signature

Kindly upload the issued copy

0017 Saish Waldankar 20.01.2025 11:44:23

for final signature as approved.

0016 Mahesh Patil 18.01.2025 11:36:06

Approved

0015 Dr. Shamila Monteiro 16.01.2025 16:45:00

may approve draft letter

0014 Sanjeev Joglekar 16.01.2025 10:15:11

may approve draft letter

0013 NANDAN PRABHUDESAI 15.01.2025 17:30:24

In view of comments at 0012 may approve draft letter

0012 Amit Shanbag 14.01.2025 17:23:00

Draft letter forwarding the complaint of non availability of drinking water to sector 1 to the VP and PWD, may be approved

0011 Saish Waldankar 13.12.2024 16:53:44

draft letter is put up for approval

0010 Dorothy Fernandes 18.10.2024 12:02:09

Corrected draft letter is put up for approval

[draftletter](#)

009 Saish Waldankar 15.10.2024 16:42:49

Unit falls under taleigao panchayat plz correct the draft

008 Amit Shanbag 15.10.2024 00:11:25

Is the unit located within the jurisdiction of the CCP or the VP Taleigao? Please check and put up

007 Saish Waldankar 09.10.2024 00:56:42

draft letter is put up for approval

006 Dorothy Fernandes 24.09.2024 12:36:21

draft letter is put up for approval

[draftletter](#)

005 Amit Shanbag 08.08.2024 00:23:32

Put up draft letter as per 004

004 NANDAN PRABHUDESAI 07.08.2024 09:50:25

Please examine the complaint. Link to all complaints. Since it is regarding potable drinking water may also forward to Local Body and PWD for necessary action

003 Constance Fernandes 06.08.2024 11:36:23

"Information" made available under  
Right to Information Act 2005

0

PIO / APIO  
Goa State Pollution Control Board, Saligao Goa.

Technical section may please comment

002 SHALAKA BANDODKAR 05.08.2024 15:44:20

THIS BOARD IS IN RECEIPT OF COMPLAINT REGARDING NON AVAILABILITY OF POTABLE AND HYGENIC DRINKING WATER MAKES THE SECTOR 1 OF THE PROJECT UNFIT FOR HUMAN HABITATION BY PRAKASH AGRAWAL

001 GSPCB Inward 05.08.2024 14:38:54

COMPLAINT-PRAKASH AGRAWAL - NON AVAILABILITY OF POTABLE AND HYGENIC DRINKING WATER MAKES THE SECTOR 1 OF THE PROJECT UNFIT FOR HUMAN HABITATION

### Documents

25512

Uploaded By - GSPCB Outward ; Uploaded On - 03.02.2025 16:34:56

Document Type - Correspondence

File To Not ...

draftletter

Uploaded By - Amit Shanbag ; Uploaded On - 14.01.2025 17:22:09

Document Type - Correspondence

File To Not ...

10898

Uploaded By - GSPCB Inward ; Uploaded On - 05.08.2024 14:39:20

Document Type - Correspondence

File To Not ...

### Workflow

"Information" made available under  
Right to Information Act 2005

  
PIO /APIO  
Gor State Pollution Control Board, Satinag G

TRUE COPY



## GOA STATE POLLUTION CONTROL BOARD

## गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos. : 0832-2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No. 8/33/2024-PCB/25418/legal/26163 By Reg.A.D

Date: 28/01/2025

To,  
Prakash Agrawal  
703 La Gomera, Mathias Ocean Park Residency,  
Dr. E. Borges Road, Donna Paula, Panaji. 403004.  
Email: prakashagrawal@msn.comSub: Information under the Right to Information Act, 2005.  
Ref: Your application dated on 17/01/2025 received on 20/1/2025.

Sir,

With regard to your Application as referred to above; as per the information submitted by the relevant section of the Board that *maintain* these records; I am to inform you as under;

| Sr. No. | Information Sought   | Reply  |
|---------|--|--|
| 1.      | Copies of Inspection Report of the site visit in respect of the above, if any.   | Copy of the noting and inspection report may be collected. |
| 2.      | Copies of Consent to Establish and Consent to Operate issued by you to these 4 commercial establishment viz. Norbert's Fitness Studio, KFC, Pizza Hut and Costa Coffee in the above project. | No consent are issued to the units.                        |
| 3.      | Copy of Show Cause Notice issued by you to the above establishments, if any.   | No show cause notice issued.                               |
| 4.      | Copies of consent to establish and consent to operate issued by you to the project in the last six months.   | No consent issued.   |

The information as available on record of the Board runs into 6 pages and which may be collected by you from the office of the Goa State Pollution Control Board at Saligao, Goa, upon payment of Rs.12/- at the office Board, towards charges for providing the requested certified copies or paid through NEFT/RTGS Bank details are as follows:-

Name of Party - Goa state Pollution Control Board  
Bank Account No - 01641010003480  
Bank Name - Punjab National bank  
Branch - Patto Panaji Branch

# 2919

IFSC Code - PUNB0016410  
MICR code -- 403024011

Yours faithfully,



**Public Information Officer  
Goa State Pollution Control Board**

Copy to;  
1. Office File  
2. Guard File

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327

**GOA STATE POLLUTION CONTROL BOARD****गोंय राज्य प्रदूषण नियंत्रण मंडळ****(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)**Phone Nos. : 0832-2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No.2025/GSPCB/Complaints/26730/Tech/28859

Date:26/02/2025

To,  
M/s. Zoe's Café,  
Mathias Ocean Park Residency  
Sector 1,  
Sy.no. 249/1-A, Taleigao, Dona Paula,  
Tiswadi-Goa.

Sub: Complaint against M/s.Zoe's Café located at Sector 1,Sy.No.249/1-A,Taleigao-Goa.

Ref: Complaint dated 31/01/2025 by Mr. Prakash Agrawal.

Sir/Madam,

With reference to the subject cited above, the Board was in receipt of a complaint dated 31/01/2025 from Mr. Prakash Agrawal against the unit M/s. Zoe's Café, located at Sector 1,Sy.No.249/1-A,Taleigao, Dona Paula, Tiswadi-Goa.

In view of the above, you are hereby required to register your unit under white category and ensure that the activity does not lead to environmental pollution. Also, you are required to take necessary permissions from the concerned authorities as applicable to your unit.

Yours faithfully,

  
(Dr. Shamila Monteiro)  
Member Secretary

Goa State Pollution Control Board

Copy to:

- 1) Mr.Prakash Agrawal 703 La Gomera,Mathias Ocean Park Residency,Dr.E.Borges Road , Donapaula, Panaji, Tiswadi-Goa....for information.  
Email address: prakashagrwal@msn.com
- 2) Office copy
- 3) Guard file.

TRUE COPY



**GOA STATE POLLUTION CONTROL BOARD****गोंय राज्य प्रदूषण नियंत्रण मंडळ****(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)**Phone Nos. : 0832-2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No 2025/GSPCB/Letter/15693.1Tech/29850

Date: 03/03/2025

To,  
Shri Joe Mathias  
M/s. Mathias Ocean Park Residency  
Sy.No.249/1-A, Opp. Nio Colony, Donapaula  
Panaji, Tiswadi-Goa.

Sub: Complaint regarding 400 KLD of effluents discharged into the soil and sea since 2015 by the PP.

Ref: Letter dated 27/09/2024 by Mr. Prakash Agrawal .

Sir,

With reference to the subject cited above, the Board was in receipt of complaint from Mr. Prakash Agrawal dated 27/09/2024 with regards to 400 KLD of effluents discharged into the soil and sea since 2015 by the PP. Copy of the complaint is attached herewith.

In view of the same, you are hereby directed to submit your clarification on the allegations made in the complaint letter within 7 days on receipt of this letter.

Yours faithfully,

(Dr. Shamila Monteiro)  
Member Secretary

For Goa State Pollution Control Board

Copy to:

1. Mr. Prakash Agrawal, 703 La Gomera, Mathias Ocean Park Residency, Dr.E Borges Road, Donna Paula Panaji Tiswadi-Goa.
2. Office copy.
3. Guard file.

Prakash Agrawal, 703 La Gomera, Mathias Ocean Park Residency, Dr E  
Borges Road, Donna Paula, Panjim 403004  
Phone: 9403070000, E Mail : [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

27 September 2024

To,  
Dr. Sharmila Monteiro  
Member Secretary  
Goa State Pollution Control Board  
Near Pilerne Industrial Estate  
Opposite Saligao Seminary  
Saligao  
Bardez  
Goa 403511

**Sub: Approximately 400 KLD of effluents discharged in the Soil and Sea since 2015 by the PP**

**Ref: Non Compliance of the terms of the Environmental Clearance Granted to the project on the above land under number: 21-16/2007-IA.III dated 16<sup>th</sup> May 2007 on land bearing survey no. 249/1-A in Village Taleigao and the CTO granted by GSPCB.**

Dear Dr. Sharmila Monteiro,

This is further to my letter dated 23.09.2024 on the above subject matter.

- 1) First and foremost, the provision of clean potable drinking water in any project is a mandatory requirement and authorities cannot continue to grant clearances/sanction/permissions/consent to the project where there is no supply of clean and hygienic water from PWD for the past 9 years. The project was sanctioned by MOECC based on claim of the PP that during operation phase water will be supplied by PWD.
- 2) This is a clear mockery of the EC Conditions.
- 3) It was the duty of GSPCB to ensure supply of clean and potable drinking water before issuing multiple CTE and CTO to the project over the period of over a decade. If you calculate the period from the grant of EC we are nearing a period of two decades.

Prakash Agrawal, 703 La Gomera, Mathias Ocean Park Residency, Dr E Borges Road, Donna Paula, Panjim 403004  
 Phone: 9403070000, E Mail : [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

4) Extract from the minutes of the meeting dated 30.01.2024 of the Managing Committee of Mathias Ocean Park Association which were shared with the owners of apartments in Sector 1 by Joe Mathias Vide email dated 03.07.2024.

- *Mr. Mathias explained that the Builder/Promoter's responsibility is to get the water connection.*
- *Housing projects in Goa usually get one 1-inch water connection irrespective of the size of the project.*
- *At first we applied for a 4 inch water connection from PWD, but managed to get a 2 inch water connection.*
- *Thereafter we again applied for 2nd 4 inch connection and after pursuing the matter with the PWD Department and the department higher ups we managed to get a 2nd 2inch water connection at Mathias Ocean Park.*
- *At present, Mathias Ocean Park has two(2) nos. of 2 inch water connections whereas most of the other housing projects in the same area have only 1 Water Connection.*
- *The issue here is not about sufficient water connections for the project but sufficient supply of water by the PWD which is not the responsibility of the Builder/Promoter.*
- *As per articles published in various leading newspapers of Goa dated 08-09-2023 (which has been shared with EC MOPA), there is inadequate water supply in Dona Paula and surrounding areas. PWD*
- *CE has submitted an affidavit in High Court stating measures that would be taken for improvement of water supply in Dona Paula and surrounding areas. (Check the article)*
- *With the new STP, treated water would be used for flushing purposes which would save potable water consumption by approx. 35% which will reduce the requirement of getting tanker water and the related costs.*
- *However high cost of getting water through water tankers is an issue which all other housing societies in the area of Taleigao are also facing.*
- *In this scenario Mr Mathias said it would be advisable that Owners as Consumers take up the matter with the concerned authorities/department*

Prakash Agrawal, 703 La Gomera, Mathias Ocean Park Residency, Dr E Borges Road, Donna Paula, Panjim 403004

Phone: 9403070000, E Mail : [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

*and that if required he will provide the legal support and bear the legal expenses. I see a great reluctance and delay in the action being initiated by you against the PP."*

- 5) I say that after a period of nine years since the grant of Occupation Certificate, the PP is suggesting that owners of apartments have to take legal recourse in the matter of getting water supply in the region.
- 6) The PP is also suggesting that the cost of litigation will be borne by him.
- 7) The first inspection was carried out by you on 07.04.2022 on a complaint of this applicant wherein you have observed the following:

*"As observed during the time of inspection an STP plant is operated by a worker who does not aware of any technicalities of the plant, he is only trained to start the pump to discharge the raw water from the aeration tank to the discharge pipe installed near the STP into the thick vegetation.*

*The unit has not provided tertiary treatment for the plant i.e. Sand and Carbon Filters.*

*As observed during the time of inspection treated water after aeration is being disposed into thick vegetation.*

*Unit has provided separate storage tanks for utilization of Treated Water for toilet flushing. However treated water is not used for toilet flushing which is a violation of EC and Consent conditions.*

*As observed during the time of inspection treated water after aeration is being disposed into thick vegetation."*

- 8) The above makes it very clear that the STP is nonfunctional, and the treated water is disposed off in the soil and sea causing irreversible damage to soil quality in the region and impacting the marine life as the effluent finally finds its way in the nearby sea.

Prakash Agrawal, 703 La Gomera, Mathias Ocean Park Residency, Dr E Borges Road, Donna Paula, Panjim 403004

Phone: 9403070000, E Mail : [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

- 9) The consumption of water in the Sector 1 of the project is estimated to be at 373 KLD. This makes it clear that 373 KLD of untreated effluent is being discharged in soil and sea daily by the PP since the commencement of the construction of the project in 2007 as the STP was to be set up before the commencement of the construction of the project. It is beyond comprehension that such irreversible damage to the environment is being committed by the PP for the past 17 years and there is no action taken by the GSPCB of the PP.
- 10) I say that the PP could not have provided possession of the apartments unless the water supply for the required quantity was made available by the PWD to the project.
- 11) Your reply dated 04.09.2024 to this applicant confirms that you have neither issued any show cause notice nor initiated any action against the PP for the said violations. This confirms your reluctance to initiate action against the PP, which is beyond comprehension. A period of 30 months has lapsed since you first inspected the site on 07.04.2022.

You are requested to explain as to why you have not taken any action against the PP. You are requested to initiate strictest action against the PP for deliberate and intentional violation of Fundamental Rights of the residents of sector 1 depriving them of the basic requirement of clean and hygienic drinking water.

Regards

Yours sincerely,



Prakash Agrawal

Enclosed:

- 1) Extract from the minutes of the meeting dated 30.01.2024 of the Managing Committee of Mathias Ocean Park Association which were shared with the owners of apartments in Sector 1 by Joe Mathias Vide email dated 03.07.2024

Prakash Agrawal, 703 La Gomera, Mathias Ocean Park Residency, Dr E  
Borges Road, Donna Paula, Panjim 403004  
Phone: 9403070000, E Mail : [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

2) Letter dated 04.09.2024 of GSPCB addressed to the applicant.

Cc to:

- 1) Principal Secretary  
Ministry of Environment, Forests & Climate Change  
Indira Paryavaran Bhawan  
Jor Bagh Road  
New Delhi 110003
- 2) Shri Arun Kumar Mishra  
Secretary  
Environment Department  
Goa Government  
Goa Government Secretariat  
Bardez  
Goa 403521
- 3) Director  
Ministry of Environment Forests and Climate Change  
Regional Office (Southern Zone)  
4<sup>th</sup> Floor, E & F Wing, Kendriya Sadan  
17 Main Road  
Koramangala  
Bangalore 560034
- 4) Chairman  
Central Pollution Control Board  
Parivesh Bhawan,  
East Arjun Nagar,  
Delhi-110032
- 5) Member Secretary  
State Environment Impact Assessment Agency - Goa  
Dempo Towers  
Plot No. 16, EDC Complex  
Patto  
Panji 403001

## Minutes of Meeting with EC MOPA dated 30-01-2024

Venue: Mathias House

Time: 11 AM to 12 Noon.

### Participants:

Ms. Azra Khan - Secretary

Ms. Nadia Rayani - Treasurer

Ms. Nisha George – EC Member

Mr. Carridade Pereira – EC Member

Mr. Satish Gupta – EC Member (Attended Online)

Mr. Mathias – Director, MCPL

Mr. Julian – Joint Director, MCPL

Mr. Lloyd – Inter CA (Attended Online)

Mr. Christopher Parakh – General Manager, MPPL

The meeting started with Mr. Mathias welcoming EC Members and responding to their queries point-wise as stated below:

### Appendix – 1

Queries from residents on monthly maintenance calculations shared by Lloyd:

1. How are the maintenance costs which have been apportioned to each apartment computed?  
And who has computed these costs?

*Mr. Lloyd explained that apportionment of expenses distributed among the members is arrived at by dividing the net expenses (i.e Actual Expenses minus Interest earned on FD's of Maintenance Deposits) which is computed year wise with area of occupancy taken during various quarters of the year.*

*Mr. Lloyd further explained how over FY 2017-18, 2018-19 & 2019-20 maintenance expenses of Mathias Ocean Park has been apportioned between Owners and MCPL with MCPL bearing 67.66% of the maintenance cost amounting to Rs 1,00,45,325/- for the above-mentioned period as per his email dated 16-01-2024.*

*Mr. Lloyd also pointed out that the maintenance paid by MCPL for unsold flats was paid in FULL for common amenities like Water, Electricity and Swimming Pool whereas normally*

*Builders pay part-maintenance for unsold flats as these flats are unoccupied and therefore do not consume full amenities and facilities.*

2. Has anyone analyzed and checked these costs?

*Mr. Lloyd explained that the expenses incurred are on actual basis which are supported by ledger extract in the books of MCPL and bills made available during bookkeeping. The same extracts were shared with EC MOPA in his email dated 16-01-2024.*

3. We need our own accountant and auditor to safeguard the interests of the residents?

*EC Members proposed they would appoint their own CA to check these calculations to which Mr Mathias stated they are more than welcome to do so and asked Mr. Lloyd to schedule a meeting with the CA appointed by EC MOPA on 09-02-2024.*

4. Why is there such a big difference in the balances of the maintenance costs between those who deposited Rs. 1000/ sqmt and Rs.2000/ sqmt?

*Mr Lloyd explained that the owners who have contributed Rs 2000 have got a higher set-off benefit from the Interest Earned on Deposits to arrive at net expenses. Thus their share of balance is more than those of the Rs 1000 contributories.*

*a. Mr. Vinay Shetty; Date of Possession – 31-05-2017; Paid maintenance @ Rs 2,000*

*Area: 175 sqft*

*- Purchased on 31-05-2017*

*- Balance as of 31st March '23: Rs.2,53,597.50*

*b. Mr. Zaheer Karmali; Date of Possession – 08-06-2017; Paid maintenance @ Rs 1,000*

*- Area: 175 sqft*

*- Purchased on 08-06-2017*

*- Balance as of 31st March '23: Rs. 24,478.52/-*

*The difference between their balances is Rs. 2,29,118.98/-. Such a substantial gap in amounts seems inconceivable.*

*Mr Mathias asked Mr Lloyd to check on this and get back.*

5. Usage of club house cum gym by Phase I and Phase II:

*As mentioned under clause 20h of the deed of sale for MOP, these facilities are for Phase I and Phase I, but later April 2022 AGM, it was clearly mentioned by Mr. Mathias that both the facilities will be independent for each sector/ Phase will be each sectors individual amenities. Regarding the above amendments should be made and it should be cleared out.*

*Mr. Mathias informed EC MOPA that the Minutes of the AGM Apr'22 did not contain what EC MOPA has stated as having been said by Mr Mathias.*

*Mr. Mathias further clarified that minutes of GBM held on 11-02-2023, point no. 24 clearly stated that all facilities in each Sector would be independent. There was no mention of Phase I & II in this context. EC Members present agreed to this.*

*Therefore, Club House cum Gym Facilities located in Sector I would be availed by Sector I and Phase 1 owners as per commitment due to related clauses stated in their respective sale deeds. Mr Mathias mentioned that the Phase 1 owners would have to pay maintenance and a deposit to avail the facilities of the Sector1 details of which have already been shared with EC MOPA as per email dated 22-12-2023.*

6. We are yet to get a confirmation regarding builders share of maintenance of unsold apartments from 2017. Why is it not reflecting in the maintenance accounts statement? Point that needs clarity - Refer to MOM dated 01/05/2017 between Owners Ad-hoc committee and M/S Mathias, it was agreed that owners / residents shall start paying maintenance (to be deducted from money collected upfront) from date of occupancy provided M/s Mathias also puts in his share of maintenance amount for all the unoccupied apartments. This point was unilaterally agreed and a consensus reached. if so, we would like to see M/S Mathias's contribution of maintenance for unsold inventory until these units were sold.

NOTE - Unless the builder pays this maintenance amount, 103 owners will end up subsidizing the builder/promoter for this period.

*Details already provided under Point No. 1 and as per email from Mr Lloyd dated 16-01-2024.*

*Mr. Lloyd further explained how over FY 2017-18, 2018-19 & 2019-20 maintenance expenses of Mathias Ocean Park has been apportioned between Owners and MCPL with MCPL bearing 67.66% of the maintenance cost amounting to Rs 1,00,45,325/- for the above-mentioned period as per his email dated 16-01-2024.*

*Mr. Lloyd also pointed out that the maintenance for unsold flats was paid by MCPL in FULL up to March 2020 for common amenities like Water, Electricity and Swimming Pool, whereas normally Builders pay part-maintenance for unsold flats as these flats are unoccupied and therefore do not consume full amenities and facilities.*

*Thereafter payment towards maintenance for unsold flats was discontinued from April 2020 onwards as per Minutes of EC Meeting dated 30-05-2020. The minutes of the EC Meeting scheduled on 30-05-2020 were further approved in the Minutes of the EC Meeting dated 23-01-2021.*

## Appendix - 2

Following pending work items to be completed by Builder/Promoter before maintenance society formation:

1. Clarity regarding maintenance amount paid by Builder/Promoter from 2017 to 2020. Also, liable to continue paying for unsold flats, with proper information.

*Details already provided under Point No. 1 and as per email from Mr Lloyd dated 16-01-2024.*

2. The maintenance of the STP is a major concern for us. The required minimum capacity should be 1000kld, however as you are aware the present capacity is 240kld which is way below the required minimum capacity and this is causing frequent breakdowns and a huge financial burden for the residents. We don't even have catch basin system which filters excess discharge water from the STP which is against the standard pollution norms. The same polluted water is sprinkled in the garden area, with the residents constantly complain about bad odour emanating from the lawns. So basically, all temporary arrangements have been made and later handed over to us which is illegal and unethical. The only option left for us is to continue with this unfortunate situation till the new STP is commissioned. However, you can do your bit to bring some sort of relief to our predicament, by taking care of the financial loss incurred. Request you to please clear all the pending bill's and continue the same as and when the new STP starts functioning.

*EC Members were asked to explain how have they reached the conclusion of the requirement of a 1000 KLD STP to which they responded stating that they felt that a 1000 KLD capacity would be required for Sector I, II and III.*

*Mr. Mathias & Mr. Julian thereafter explained that the STP being provided for Sector I was exclusive for Sector I and not for Sector II & III and that 240 KLD was the required capacity. Mr Julian also further explained to the EC Members that what needs to be taken care of is that the STP is constantly run morning and evening to treat raw sewage continuously. If this is not done, then backlog of sewage from the earlier morning or evening gets added to the present morning or evening sewage creating an overload of raw sewage to be treated. This is what has exactly happened in the present STP which has caused maintenance issues.*

*Mr. Mathias also pointed out that there are 2+1(reliever) people required to run the STP on a continuous basis and it cannot be left upon one person to do the same.*

3. STP maintenance expense for the whole year FY22-23, Rs 1,50,000 (Rupees One Lakh Fifty Thousand only) to be reimbursed by the Builder/Promoter

*Mr. Mathias made it very clear that he would not bear any maintenance expense for the present STP as it was the responsibility of the Association that regular maintenance and continuous operation of the STP takes place. He added that he was already bearing nearly one crore as cost for the new STP that covers installation and civil work. EC stated that the STP was already in a bad state when the present EC took over. (date of take over from Azra)*

4. Terrace water drain and Rainwater drain pipe:

Water from the drain pipe flows across the road and collects near the stilt parking and spoils the aesthetic look of the surroundings and is a breeding ground for mosquitoes. Please look into it and find an alternative solution.

*EC Members stated the problem of terrace and balcony drains outlet causing water collection in the stilt parking and internal roads and suggested cutting across channels in the internal roads to divert the water to the gutters. However, Mr. Mathias and Mr. Julian pointed out that due to the internal roads being made of concrete with steel reinforcement, cutting channels in the road would not be possible as it would deteriorate the road.*

*EC then stated that the road was having potholes in some places.*

5. Water problem: At no point of time during purchase where we informed that there would be an issue with the water supply. This fact was not conveyed to the owner's during the time of purchase nor did we come to know once we occupied our apartment in MOP. later on, as more and more units were sold and occupancy increased, we were left disappointed after coming to know that there is only 2 PWD connection for 364 apartments (approximately 1,456 resident's). The question that comes up is, how did such a big Residential project get all the necessary clearance from the government with just 2 water connection, whereas the basic essential is to provide enough water for all unit's that is approved in the project. So, the builder/promoter is responsible for the present situation the residents are facing with regard to the shortfall of water.

To manage this shortfall, we have to purchase approximately 350 water tankers a month (38.5 lakh liters) and our annual expense on water comes to nearly 53 lakhs which is exponentially high. This is all adding up to our monthly maintenance which is not acceptable. The solution is for the builder/promoter to make arrangements to increase the water supply either through additional pipe connection or through water tankers. Expecting residents to find a solution to this problem is not morally right from the Builder/Promoter/Government who are responsible for the welfare of the community. We are more than willing to pay the monthly maintenance amount excluding the unreasonable water charges.

Hope you have understood the situation which is put forward to you in clear terms.

Request you to please take ownership and do what is morally right in the given situation.

- *Mr. Mathias explained that the Builder/Promoter's responsibility is to get the water connection.*
  - *Housing projects in Goa usually get one 1 inch water connection irrespective of the size of the project.*
  - *At first we applied for a 4 inch water connection from PWD, but managed to get a 2 inch water connection.*
  - *Thereafter we again applied for 2<sup>nd</sup> 4 inch connection and after pursuing the matter with the PWD Department and the department higher ups we managed to get a 2<sup>nd</sup> 2inch water connection at Mathias Ocean Park.*
  - *At present, Mathias Ocean Park has two(2) nos. of 2 Inch water connections whereas most of the other housing projects in the same area have only 1 Water Connection.*
  - *The issue here is not about sufficient water connections for the project but sufficient supply of water by the PWD which is not the responsibility of the Builder/Promoter.*
  - *As per articles published in various leading newspapers of Goa dated 08-09-2023 (which has been shared with EC MOPA), there is inadequate water supply in Dona Paula and surrounding areas. PWD – CE has submitted an affidavit in High Court stating measures that would be taken for improvement of water supply in Dona Paula and surrounding areas. (Check the article)*
  - *With the new STP, treated water would be used for flushing purposes which would save potable water consumption by approx. 35% which will reduce the requirement of getting tanker water and the related costs.*
  - *However high cost of getting water through water tankers is an issue which all other housing societies in the area of Taleigao are also facing.*
  - *In this scenario Mr Mathias said it would be advisable that Owners as Consumers take up the matter with the concerned authorities/department and that if required he will provide the legal support and bear the legal expenses.*
6. Drain cover to be replaced with better quality as it frequently breaks (falls down in gutter)  
*Mr Mathias mentioned that the broken drain covers will be replaced within 8 days.*
7. Bore-well setup and 2 additional water connection – Mr. Mathias is liable to arrange drinking water.
- *Mr. Mathias explained that we have drilled bore wells in the past but were not able to get good quality water and the yield of the bore wells were poor. Borewells have not been successful in Dona Paula area due to hard laterite rock.*

- *In this scenario, it would be advisable that Owners as Consumers take up the matter with the concerned authorities/department. Mr. Mathias also said any kind of legal expenses will be borne by him.*
  - *EC suggested Mr Mathias to give one of the existing borewells for washing cars but Mr Mathias pointed out that the water quality is red and muddy which will not be suitable to wash cars to which EC members agreed.*
8. Compound walls – Raise height and fix all the gaps  
*Photos of the compound wall were shown where EC Members requested Mr. Mathias to raise the height of the existing wall. Mr Mathias mentioned that the wall along the western side of the project was raised a few years back to keep stray dogs away from the project. Regarding the gaps there was no conclusion.*
  9. Enclosed area for garbage should be provided  
*Mr. Mathias said that a dedicated garbage collection area will be allocated near the new STP area to which EC disagreed and requested Mr Mathias to inform owners about this to which Mr Mathias said he will take appropriate steps.*
  10. Parking needs to be provided with marking (one parking per flat)  
*Already discussed in the meeting on 29-01-2024 at Mathias Ocean Park. A plan would be submitted by 15<sup>th</sup> February.*
  11. Builder has to fix all the leakage problems
    - *Mr. Mathias stated that Mathias Ocean Park housing project is now nearly 8 years old.*
    - *There has been no annual/periodic maintenance that has been undertaken by the Association since take-over of maintenance of Mathias Ocean Park i.e. w.e.f. 01-04-2020 as per Minutes of EC Meeting dated 30-05-2020.*
    - *In spite of the above, in 2022, waterproofing was done at our cost by Leakproof Solutions at a cost of 11.21 lakhs with a 12 year warranty. Therefore any issues related to leakage may be directly pursued with Mr Nazir Rayani, Leakproof Solutions who can be contacted on 9284502641/7709064438 and who also is an owner of Flat No. 101, Boa Vista A in Mathias Ocean Park.*
    - *Mr. Mathias stated that he cannot continue to fix leakage problems even after 8 years have passed since Occupancy was given to the project in 2015.*

- *Specific leakage issues being faced by flats on the 7<sup>th</sup> floor have been taken up with the Builder i.e. Paramount.*
  - *EC Members pointed out that something needs to be done as there will be a lot of leakage expected during the upcoming monsoon.*
12. Additional DG set to be installed on Corvo building side. The requirement is 125KVA the present DG set is only 62.5KVA
- Mr. Mathias stated that the capacity of the DG Set i.e. 62.5 KVA is sufficient to meet requirements. However, EC Members pointed out that the DG has to be started manually to which Mr. Mathias responded that an auto-start switch needs to be installed at an additional cost by the Association.*
13. Electrical panel needs to be replaced.
- Replacement to be done as part of annual maintenance at the expense of MOPA.*
14. Fire protection system should be in place and necessary clearance given including periodic fire drills.
- *After EC MOPA agreeing to the Association maintaining Mathias Ocean Park with effect from 01-04-2020, as per minutes of EC Meeting dated 30-05-2020, Fire NOC was obtained and shared by email dated 24-08-2021.*
  - *This indicates that all Fire Protection related System was set up and functional post-handover to MOPA dated 22-06-2021 and maintenance being handled by Association w.e.f. 01-04-2020.*
- Mr Mathias mentioned that it is the responsibility of EC MOPA to ensure that Fire Extinguishers need to be refilled every year. NOC needs to be obtained from the Fire & Emergency Department every year.*
- Other related work:**
- *EC Members pointed out the absence of smoke detectors in response to which Mr Mathias stated we will check on this and get back to EC MOPA.*
15. Require more clarity regarding maintenance amount paid by the builder from 2017 to 2020. Also, liable to continue paying for the unsold apartments.
- Already covered under point no. 1 Appendix 1 above*
16. As agreed the construction of the new STP to be completed at the earliest.
- Mr Mathias mentioned that the work is already in progress.*

# 2935

EXHIBIT-R-17



**Government of Goa**  
**Directorate of Fire & Emergency Services**  
**(ISO 9001:2015 & 45001:2018 Certified)**

St. Inez, Panaji,  
Goa - 403 001 - India



File No.: DFES/FP/HB/134/24-25/ 20/8648

Date: 13.03.2025.

17

**Sub:-** Fire Prevention Inspection of Residential Building Ocean Park - Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2), for Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao - Goa.

- Ref:-**
1. Your Letter Dated 06.02.2024
  2. Your Letter Dated 25.11.2024
  3. Your Letter Dated 26.11.2024
  4. Your Letter Dated 06.12.2024
  5. Your Letter Dated 10.11.2024
  6. This office letter No. DFES/FP/HB/134/24-25/228/7106, dated 20.12.2024
  7. Letter dated 24.12.2024 received from General Manager, M/s Mathias Construction Pvt. Ltd.
  8. Letter Dated 20.12.2024
  9. Your email Dated 24.12.2024
  10. Your Letter Dated 18.12.2024
  11. Your Letter Dated 27.12.2024
  12. Your Letter Dated 24.12.2024
  13. Your Letter Dated 30.12.2024
  14. Your Email Dated 01.01.2025
  15. Your Letter Dated 03.01.2024
  16. Your Letter Dated 27.12.2024
  17. This Office No. DFES/HB/134/24-25/250/7581, dated 21.12.2024
  18. Your Email Dated 02.01.2025
  19. Your Letter Dated 03.01.2025
  20. Your Letter Dated 01.01.2025
  21. Your Letter Dated 02.01.2025
  22. Your Email Dated 10.01.2025
  23. Letter Dated 28.10.2025 received from Managing Director M/s Mathias Construction Pvt. Ltd.
  24. Your Letter Dated 17.01.2025
  25. Your Letter Dated 16.01.2025
  26. Your Letter Dated 24.01.2025
  27. Your Email Dated 30.01.2025
  28. Your Letter Dated 19.01.2025
  29. Your Letter Dated 26.01.2025
  30. Your Letter Dated 24.01.2025
  31. Your Letter Dated 31.01.2025
  32. Your Letter Dated 30.01.2025
  32. Your Letter Dated 31.01.2025
  33. Your Email Dated 27.01.2025

343

|                                       |
|---------------------------------------|
| <b>MATHIAS CONSTRUCTION PVT. LTD.</b> |
| Received on 19/03/2025                |
| Hand / Post / Courier Post            |
| Ref. No. 9504                         |
| For Action to .....                   |

34. Your Email Dated 26.01.2025
35. Your Letter Dated 24.01.2025
36. Your Letter Dated 27.01.2025
37. Your Letter Dated 28.01.2025
38. Your Letter Dated 09.02.2025
39. Your Letter Dated 16.02.2025
40. Your Email Dated 15.02.2025
41. Your Letter Dated 14.02.2025
42. Your Letter Dated 10.02.2025
43. Your Letter Dated 07.02.2025
44. Your Letter Dated 10.02.2025
45. Your Letter Dated 10.02.2025

With reference to the above, I am directed to inform that, the Fire Prevention Inspection of Residential Building **Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2)**, for M/s. Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa was conducted on 24.01.2025 in the presence of Shri Christopher Parekh, General Manager & Other Staff of M/s. Mathias Construction Pvt., Ltd. and Executive Committee of Mathias Ocean Park Association and the complainant remained absent, the Residential Building were inspected with respect to the Fire Safety Requirement as stipulated in the Initial No Objection Certificate No. DFES/FP/C-1/3/07-08/173, dated: 30.05.2007 & DFES/FP/C-1/3/2012-13/281, dated 18.08.2013 and the Fire Protection Measures indicated at Annexure in the Final No Objection Certificate issued vide this Office letter No. DFES/FP/HB/18-19/729, dated 26.03.2019 and the point wise observations are enclosed herewith which are self explanatory.

This issues with the approval of Director, Fire & Emergency Services.

  
( SHAILESH H.GAWADE )  
STATION FIRE OFFICER(FP)

To:  
Shri. Prakash Agarwal,  
703 La Gomera, Mathias Ocean Park Residency,  
Dr. E Borges Road, Dona Paula, Panaji, Goa.

Copy to:

1. The Under Secretary (Home I),  
Home Department (General),  
Secretariat, Porvorim Goa,..... For Information please.
2. Mr. Joe Mathias,  
Managing Director  
M/s. Mathias Construction Pvt. Ltd.  
"Mathias House" Campal Panaji, Goa..... For necessary Compliance.

| Sr. No. | Fire Safety requirement stipulated in the Initial No Objection Certificate No. DFS/FP/C-1/3/07-08/173, dated 30.05.2007 & DFES/FP/C-1/3/2012-13/281, dated 18.01.2013  | Observations Noted during the Fire Prevention Inspection conducted on 24.01.2025  |
|---------|--|---|
| 1.      | <p><b><u>Approach To Fire Appliances.</u></b></p> <ol style="list-style-type: none"> <li>1. The Open Space around or inside shall confirm to the requirement of Party III development &amp; General Building requirement of NBC 1983.</li> <li>2. Adequate passage way clearance required for the Fire Fighting vehicles to enter the premises shall be provided at the main entrance, the width of such entrance shall not be less than 4.5 mtrs, If an arch or covered gate is constructed it shall have a clear head room of not less than 5 mtres.</li> <li>3. The compulsory open space around the building shall not be used for parking.</li> </ol> | <p>Roundabout and Landscape Garden at the western side of the building shall be removed behind building No. 4(A) for the movement of fire services vehicles to carry out Fire Fighting and rescue operation.</p> <p>The setback all around the Residential Building in the premises Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1) shall be maintained as per the approved Architectural Plan No. NGPDA/342/1653/201 dated 01.10.2023.</p> <p>The sheet metal canopy constructed at the Eastern side of the building No. 1 to 3 shall be removed and maintained as per the approved Architectural Plan No. NGPDA/342/1653/2013 dated 01.10.2023. and ensure that the open spaces all around the building shall be free of any obstruction for movement of Fire Service Vehicle to carry out Fire Fighting and Rescue Operation.</p> <p>Tree plantation made in the way of setback shall be removed from the rear side and front side of the building No.4 to 8.</p> |
| 2.      | <p><b><u>Courtyard :-</u></b> The Courtyard upto 12 mtrs, distance from the building line on all sides shall be hard surfaced to take the weight of the fire engine weighing upto 24 metric tones. All the courtyard, including the pathway shall be in the same plain without any obstruction.</p>  | <p>The main entrance of the building is found of adequate width and height to allow easy access to the Fire Service Vehicles as per the rules in force.</p> <p>The Courtyard of the premises found to be hard surfaced to take weight of the Fire Engine Weighing upto 24 metric tones.</p>   |

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| 3. | <p><b><u>Fire Escape / External Stairs:-</u></b></p> <p>a) All the building in the complex i.e. Block namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 &amp; K3 and Club House shall be provided with Fire Escape Staircase of Dog leg type with adequate landing on every floor in addition to the normal staircase as shown in the approved plan No. NGPDA/342/3276/07 dated 02.02.2007. The fire escape should be of R.C.C construction and shall be of enclosed type directly connected to the ground and the staircase shall be separate and remote from the internal staircase.</p> <p>b) Entrance to the fire escape shall be separate and remote from the internal staircase.</p> <p>c) The Fire Escape shall be constructed of non-combustible material and any doorway leading to the fire escape shall be of 2 hours fire resistance to prevent spread of fire and smoke.</p> <p>d) No Staircase used as fire escape shall be inclined at an angle greater than 45° from the horizontal.</p> <p>e) Fire Escape staircase shall have flight not less than 125 cms. Wide with 25 cms. Treads and Risers not more than 19 cms. And should be limited to 15 per flight.</p> <p>f) The hand rails shall be of height not less than 100 cms. And not exceeding 120 cms.</p> | <p>The Fire Exit staircases are found as per the approved Architectural Plan and it admeasure 125 cm. in width.</p> <p>The Fire Exit Staircase are found remote from each other and are arranged to give direct access in separate Direction, further fire exit staircase are found remote from internal staircase.</p> |
| 4. | <p><b><u>Flat Entrance:</u></b> - The flat entrance and kitchen doors shall be of solid core with fire resistance of not less than half hour (solid wood of 35 mm shutter) finished thickness and the same shall be of self closing type.</p>   | <p>The flat entrance and kitchen door are found solid core type having resistance not less than half hour.</p>  |

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| 5. | <p><b><u>Fire Lifts and Other Lifts:-</u></b></p> <p>a) Fire Lift shall be provided with a minimum capacity for Eight Passengers full automated with emergency Switch on ground level and shall be equipped with inter communication equipments.</p> <p>b) Wall enclosing lift shall have fire resistance of not less than 2 Hours.</p> <p>c) Shaft shall have permanent vents of not less than 0.2 sq. mtrs. In clear area immediately under machine room.</p> <p>d) Landing doors and lift car doors of the lift shall be of steel shutters of fire resistance of one hour. No collapsible shutters shall be permitted.</p>  | <p>The lifts are found provided for every block having capacity of 08 passengers and it fulfills the requirement as stated in Initial No Objection Certificate.</p> <p>Lift are also found provided with Grounding Switch for grounding of lift in each building.</p> |
| 6. | <p><b><u>Electrical Cable Shaft and Electrical Meter Room:-</u></b></p> <p>a) Electrical cables shafts be exclusively used for electrical cables and should not open in the staircase enclosures.</p> <p>b) Inspection doors for the shaft if provided shall have two hours fire resistance.</p> <p>c) Electrical shaft shall be sealed at each floor level with non-combustible material such as venticulated concrete.</p> <p>d) Electrical meter rooms shall be provided at ground floor level and they shall be adequately ventilated.</p> <p>e) The Electrical installation should conform to BIS:1646/1997 Code of Practice for the fire safety of the building.</p> | <p>Electrical shaft found not sealed on every floor with non-combustible material having fire resistance not less than 1 hour. The same shall be carried out on priority basis.</p>   |
| 7. | <p><b><u>Escape Route Lighting:-</u></b> Escape route lighting (Staircase and Corridor light) shall be on independent circuit as per N.B.C 2005 part IV Clause 4.17 illumination of Means of Exit. The exit arrangements comply with IS:1644/1989 Code of practice for safety of building</p>  | <p>Adequate escape route lightening are found provided in premises.</p>   |

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|    | (General).   |   |
| 8. | <p><b><u>Fire Fighting Requirement:-</u></b></p> <p>a) <b><u>Overhead (Terrace Water Storage Tank):-</u></b> A tank of 25,000 liters capacity each shall be provided on top of the terrace level of every Blocks namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 &amp; K3 and Club House. The tank shall be connected to the Down Comer all through by a booster pump through a non-return valve and a gate valve.</p> <p>b) <b><u>Down Comer:-</u></b> Down Comer of Internal diameter of 15 cms of GI"C" class pipe shall be provided in the duct in every Block with landing valve and Hose Reel Hose conforming to type "A" 884-1985 on each floor in such a way as not to reduce the width of the corridor and no part of the floor is more than 6 mtrs. Away from the nozzle when fully extended.<br/>Two way Fire Service Inlet Connection of 63 mm diameter standard coupling shall be provided at ground floor to connect the mobile pump of the fire service to the Down Comer.</p> <p>c) <b><u>Fire Pumps:</u></b></p> <p>i) Electric Fire Pump of 900 liters/Min. giving a pressure of not less than 2 kg/cm<sup>2</sup> at the top most hydrant outlet of the Down Comer shall be provided at terrace level for every Block.</p> <p>ii) Electric supply to this pump shall be on independent circuit.</p> | <p>The building has not been provided with Down Comers coupled with Booster Pump connected to overhead Tank. However Fire Fighting arrangement are provided for all the buildings by the means of Wet Riser System, where the Fire Hydrant ring main found connected with Main pump and Jockey pump coupled with underground static water storage tank of adequate capacity of 1,00,000 liters.</p> <p>The Internal Hydrant and Hose Reel Hose found provided in every building on every floor the observations / shortcomings noted during inspection are as under;</p> <ol style="list-style-type: none"> <li>1. The Fire Fighting Pump consisting of Main pump and Jockey pump found non-functional in Auto mode and Manual Mode as such Courtyard Hydrant, Landing Valve, Hose Reel Hose installed in the premises could not be tested. The Fire Fighting pump shall be made functional in Auto and Manual Mode.</li> <li>2. The Internal Hydrant Courtyard Hydrant, Hose reel Hose installed in the premises shall be serviced; the Rubber Washers, Spring Loaded hollow Lugs and Nozzle of the Hose Reel Hose shall be checked and shall be replaced with new one if necessary.</li> <li>3. The Dilapidated delivery hoses provided in the Hose Box near Courtyard Hydrant and Landing Valve shall be replaced with new one.</li> </ol> <p>The entire Fire Hydrant ring main and Wet Riser shall be painted with post Fire Red Colour conforming to the requirement of IS; 5 Shade No. 536 and same shall be subjected to Hydro Static pressure Test.</p> |

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| <p>d) <b><u>Alternate Source of Power Supply:-</u></b> An alternate source of L.V./ H.V. supply from a separate Sub-Station with appropriate change over switch shall be provided for the corridor lighting circuits and manual fire alarm system. It shall be housed in a separate circuit.</p> <p>e) <b><u>Manual Operated Electric Fire Alarm System:-</u></b> All the Blocks namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 &amp; K3 and Club House shall be provided with the above system conforming to BIS:2189/1999 with the main control panel at Ground Floor and Pill Boxes, Hooters at each side of the upper floors. The Layout shall be on in accordance with Indian Standard Specification.</p> <p>f) <b><u>Sprinkler System:-</u></b> Automatic Sprinkler System should be installed in the basement of the Blocks A1 A2 &amp; A3 as per Indian Standard Specification.</p> <p>g) <b><u>Portable Fire Extinguishers: -</u></b> The type/distribution of Fire Extinguishers shall be in accordance with BIS:2190/1992.</p> <p>h) <b><u>Fire Exit:-</u></b> "Fire Exit" signs boards (illuminated) showing the line of escape shall be provided on all floors in every Block.</p> | <p>The Alternate Source of power supply found provided for corridor lighting, Fire Alarm Panel, Fire Pump and Lift having 125 KVA 02 Nos.</p> <p>The Fire Alarm Control Panel provided on Ground floor of every building and same were found to be non functional.</p> <p>The Manual Call Points provided in all buildings at a every floor, the testing of the same could not be carried out as such the Fire Alarm Panel found non functional.</p> <p>The Stilt Floor of the Building is found naturally ventilated as such the Installation of Automatic Sprinkler System is not required.</p> <p>The Portable Fire extinguishers are randomly checked and the pressure gauge reading of Extinguishers shows they are not in referable range. All Fire Extinguishers Installed in the premises shall be checked for it functional efficiency and same shall be refilled if necessary.</p> <p>Fire Safety Signage's, emergency exit Signage's showing line of escape, Assembly Point, Signage's shall be provided at as appropriate places.</p> |
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|  |  | <p><b><u>The Observation made at the L.P.G Gas Bank in the premises is as Under</u></b></p> <p>The LPG Gas Bank provided at southern side of the building shall be provided with commercial grade LPG Gas leak Detector and same shall be coupled with Gas Leak Detection Panel. The LPG manifold/pipeline provided on every floor on every building shall be tested as per standard.</p> |
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**Shortcoming noted at the Club House.**

1. The Smoke Detector and Manual Call Point installed in the Club House were found non-Functional.
2. Fire Extinguishers installed in the Club House were found in non-operable range, same shall be serviced and refilled if necessary.
3. The LPG Cylinder used in the pantry shall be shifted outside and shall be Housed in the LPG Gas Bank, the Construction of LPG Gas Bank shall confirm to requirement of IS 6044 Part (1), the LPG Gas Bank shall be provided with LPG Gas Leak Detector.
4. The Fire Exit Signage's, Emergency Exit Signage's shall be provided on every floor of Club House Building.
5. The Restaurant M/s. Zoe's Café by Noebert's located on Ground floor at the entrance of the Club House shall be removed.

Further it is to informed that, the No Objection Certificate were issued to Residential Building Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2), for Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa was due for renewal on 26.08.2023 and same has not been renewed till date. The No Objection Certificate shall be renewed after due compliance to the Observations noted above.

With regard to M/s. Pizza Hut, M/s. Costa Coffee and M/s. KFC located on Ground floor of the Building 'Prestige Ocean Crest' Taleigao, Tiswadi, Goa, it is to informed that the adequate Fire Protection measures found provided in the said units and the No Objection Certificate from Fire Safety point of view has been issued to all the individual Units and which is valid till 24.10.2025,

( SHAILESH H.GAWADE )  
STATION FIRE OFFICER(FP)

## GOA STATE POLLUTION CONTROL BOARD

## गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos. : 0832-2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No.8/33/2025-PCB/29045/legal/30840 By Reg. A.D

21/03/2025

To,  
Prakash Agrawal,  
703 La Gomera, Mathias Ocean Park Residency,  
Dr. E. Borges Road,  
Donna Paula, Panaji 403004.  
Email: [prakashagrawal@msn.com](mailto:prakashagrawal@msn.com)

Sub: Information under the Right to Information Act, 2005.  
Ref: Ref: Your Email application 2 nos dated on 27/2/2025

Sir,

With regard to your Application as referred to above; as per the information submitted by the relevant section of the Board that maintain these records; I am to inform you as under;

| Sr. No. | Information Sought  | Reply                                |
|---------|---|--------------------------------------|
| 1.      | The exact date on which the STP of Sector 1 was connected to the OCMS system.   | No data available.                   |
| 2.      | The exact date on which the STP of Sector 4 was connected to the OCMS system.   | No data available.                   |
| 3.      | The data recorded by the OCMS for both Sector 1 and sector 4 STPs, from the date of connection until the date of issue of both STPs.  | No data available.                   |
| 4.      | Action initiated by you reference to the Show Cause notice dated 11.12.2019 under no. 1/25/19-PCB/legal/517. Please provide copies of reply of the P with all correspondence and file noting's. | Copy of the noting may be collected. |
| 5.      | Detail table of the project from the date of start submitted by the PP as per the minutes of the TAC dated 20.12.2024.  | No data available.                   |

The information as available on record of the Board runs into 2 pages and which may be collected by you from the office of the Goa State Pollution Control Board at Saligao, Goa, upon payment of Rs.4/- at the office Board, towards charges for providing the requested certified copies or paid through NEFT/RTGS Bank details are as follows:-

# 2944

Name of Party - Goa State Pollution Control Board  
Bank Account No - 01641010003480  
Bank Name - Punjab National bank  
Branch - Patto Panaji Branch  
IFSC Code - PUNB0016410  
MICR code - 403024011

Yours faithfully,



**Public Information Officer  
Goa State Pollution Control Board**

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352

## GOA STATE POLLUTION CONTROL BOARD

## गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos. : 0832-2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No.8/33/2025-PCB/28542/legal/30239 By Reg. A.D

21/03/2025

To,  
Prakash Agrawal  
A-6 Ganga Sagar, 83 Canal Road,  
Ramdaspath, Nagpur 440010.  
Email: prakashagrawal@msn.comSub: Information under the Right to Information Act, 2005.  
Ref: Ref: Your application dated on 20/2/2025 received 24/2/2025

Sir,

With regard to your Application as referred to above; as per the information submitted by the relevant section of the Board that maintain these records; I am to inform you as under;

| Sr. No. | Information Sought   | Reply   |
|---------|--|---|
| 1.      | Action, if any, on my notice dated 27.05.2024 under the Environment Protection Act.                            | Copy of the noting giving detail of processing of your complaint is attached which is self explanatory. |
| 2.      | Action, if any, on my notice dated 13.12.2024 under the AIR Act.   |   |
| 3.      | Action, if any, on my notice 13.12.2024 under the WATER Act.   |   |
| 4.      | Please supply all copies of file noting, legal opinion, correspondence in relation to the above three notices. |   |

Yours faithfully,

Public Information Officer  
Goa State Pollution Control Board

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006 Ashley Pereira 13.03.2025 17:02:26

Draft letter is put up for perusal and approval.

005 Dorothy Fernandes 07.03.2025 14:34:47

Draft letter is put up for approval

draftletter

004 Amit Shanbag 06.01.2025 17:19:29

please put up a draft reply to the letter giving details of the inspection carried out with regards to the complaints and also NGT committee inspection and also MoEFCC official inspection

003 Natalia Dias 30.12.2024 15:36:23

May be examined and appropriate action initiated..

002 SHALAKA BANDODKAR 26.12.2024 12:59:03

THIS BOARD IS IN RECEIPT OF COMPLAINT REGARDING FORM OF NOTICE BY PRAKASH AGRAWAL

001 GSPCB Inward 24.12.2024 13:12:50

PRAKASH AGRAWAL -FORM OF NOTICE

"Information" made available under  
Right to Information Act 2005



PIO /APIO

Goa State Pollution Control Board, Salgao Goa.

TRUE COPY



**GOA STATE POLLUTION CONTROL BOARD**  
**गोंय राज्य प्रदूषण नियंत्रण मंडळ****(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)**Phone Nos. : 0832-2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.inNo.8/33/2025-PCB/28542/legal/ **30239** By Reg. A.D

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PIO /APIO

Goa State Pollution Control Board, Salgao Goa.

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NOTICE

22 March 2025

To,

| <b>Serial</b> | <b>Name and Address</b>   |
|---------------|---|
| 1.            | Shri. Nitin V Raiker<br>The Director<br>Directorate of Fire & Emergency Services,<br>St. Inez,<br>Panaji,<br>Goa-403001.  |
| 2.            | Shri Vishwajeet Rane<br>The Hon'ble Town & Country Planning Minister<br>Government of Goa<br>Government of Goa Secretariat,<br>Porvorim,<br>Bardez, Goa – 403521                        |
| 3.            | Jennifer Atanasio Monserrate<br>H. No. 167, Galli Taleigao,<br>Tiswadi,<br>Goa 403002<br>9822980033<br><a href="mailto:jennifermonserrate3@gmail.com">jennifermonserrate3@gmail.com</a> |
| 4.            | Dr. Sharmila Monteiro<br>Member Secretary<br>Goa State Pollution Control Board<br>Near Pilerne Industrial Estate<br>Opposite Saligao Seminary<br>Saligao<br>Bardez<br>Goa 403511        |
| 5.            | Principal Secretary<br>Ministry of Environment, Forests & Climate Change<br>Indira Paryavaran Bhawan<br>Jor Bagh Road<br>New Delhi 110003   |

|     |   |
|-----|---|
| 6.  | Shri Arun Kumar Mishra<br>Secretary<br>Environment Department<br>Goa Government<br>Goa Government Secretariat<br>Bardez<br>Goa 403521   |
| 7.  | Director<br>Ministry of Environment Forests and Climate Change<br>Regional Office (Southern Zone)<br>4 <sup>th</sup> Floor, E & F Wing, Kendriya Sadan<br>17 Main Road<br>Koramangala<br>Bangalore 560034 |
| 8.  | Chairman<br>Central Pollution Control Board<br>Parivesh Bhawan,<br>East Arjun Nagar,<br>Delhi-110032  |
| 9.  | Directorate of Panchayat<br>Government of Goa<br>Myles High Corporate Hub Building<br>5 <sup>th</sup> Floor<br>Patto<br>Panji 403001  |
| 10. | State Registrar Cum Head of Notary Services<br>7th floor Shram Shakti Bhavan,<br>Patto Centre,<br>Panaji, Goa 403001  |
| 11. | Chief Secretary<br>State of Goa<br>Goa Secretariat<br>Porvorim<br>Goa 403521  |
| 12. | The Chief Town Planner  |

|     |   |
|-----|---|
|     | Office of the Chief Town Planner<br>Town & Country Planning Department<br>Dempo Tower, 2 <sup>nd</sup> Floor<br>Patto Plaza<br>Panji<br>Goa 403001            |
| 13. | Member Secretary<br>North Goa Planning and Development Authority<br>Shanta Building<br>Next To Vivanta Hotel<br>St. Inez<br>Panji 403001                      |
| 14. | The Sarpanch<br>Office of the Village Panchayat of Taleigao<br>Taleigao<br>Tiswadi<br>Goa 403002  |
| 15. | Member Secretary<br>State Environment Impact Assessment Agency - Goa<br>Dempo Towers<br>Plot No. 16, EDC Complex<br>Patto<br>Panji 403001                     |
| 16. | Member Secretary<br>The Goa Real Estate Regulatory Authority<br>SPACES, Plot No. 40,<br>Block No. 101, 1st Floor,<br>EDC, Patto Plaza,<br>Panaji – Goa 403001 |
| 17. | Block Development Officer of Tiswadi<br>Block Development Office Tiswadi<br>Altinho,<br>Panaji,<br>Goa 403001   |
| 18. | The Director General of Police  |

Prakash Agrawal

A-6 Ganga Sagar, 83 Canal Road, Ramdaspath, Nagpur 440010

E Mail: [prakashagrwal@msn.com](mailto:prakashagrwal@msn.com) Telephone: 9403070000

|     |  |
|-----|--|
|     | Goa Police<br>Police Headquarters<br>Panjim<br>Goa 403001  |
| 19. | The Secretary<br>Mathias Ocean Park Association<br>Dr. E Borges Road<br>Donna Paula<br>Panjim 403004 |

**Sub: Notice to the authorities as per the Hon'ble Supreme Court in the matter of Rajendra Kumar Barjatya & another versus U.P. Avas Evam Vikas Parsiahd & Ors for Project Title "Ocean Park" of Mathias Construction Pvt Ltd located at Plot Bearing Survey No. 249/1-A at Village Taleigao in Tiswadi Taluka in Goa for violation of the lives and safety of the residents of the project.**

**Ref: Report of Shri Shailesh H Gawade, Station Fire Officer (FP) dated 17.03.2025 under no: DFES/FP/HB/134/24-25/300/8648**

Dear Sirs,

- 1) This applicant states that the inspection report read with my observations in this communication clearly establishes the fact that the authorities at Directorate of Fire & Emergency Services, Goa State Pollution Control Board, North Goa Planning and Development Authority and Village Panchayat of Taleigao have ignored the safety of the residents of the project and continued to grant clearances and permissions to the PP despite known violations and expiry of NOC of Directorate of Fire & Emergency Services.
- 2) This applicant states that the attitude of the Directorate of Fire & Emergency Services can be gauged from the fact that the NOC was granted by them with these preexisting violations in the project and no

action in accordance with law was taken by the Directorate of Fire & Emergency Services against the violations of the PP. If this complainant had not raised any alarm the Directorate of Fire & Emergency Services would have once again obliged the PP with the renewal of the NOC.

- 3) This applicant states that the report of Shri Shailesh H Gawade Station Fire Officer (FP) has been prepared by him without application of mind. It appears that Shri Shailesh H Gawade in an attempt to bail out the defaulting developer, has put the life of the residents of the Sector 1 of the project to stake. The report explicitly states “*This issues with the approval of Director, Fire & Emergency Services*”. This applicant would like to know if Directorate of Fire & Emergency Services was appraised of the violations listed hereunder? It appears that the learned Shri Shailesh H Gawade Station Fire Officer (FP) has intentionally and deliberately failed to consider the following facts:

| Serial | Description  |
|--------|--|
| 1. 1.  | The report of the learned Station Fire Officer (FP) remains deliberately and intentionally silent about the availability of PWD water in the Sector 1 of the project. Continuous Supply of Water to the Project is paramount for Fire Safety without which no amount of infrastructure can be sufficient to protect the lives and properties of the residents of the project. The learned Shri Shailesh H Gawade Station Fire Officer (FP) has intentionally and deliberately failed to highlight this aspect in the report under reference. It is beyond comprehension that the learned Station Fire Officer (FP) failed to take note as to how this aspect was overlooked since 2013 for a period of 12 years. |
| 2.     | The report of the learned Station Fire Officer (FP) is deliberately and intentionally silent about a single dedicated facility for the usage of Fire Safety in the Sector 1 of the project with respect to water storage.  |

|    |   |
|----|---|
| 3. | The report of the learned Station Fire Officer (FP) is deliberately and intentionally remains silent about missing 10 metres second exit road on the west side of the Sector 1 which is crucial for the free and easy movement of Fire Tenders and ambulance in case of emergency. It is beyond comprehension that the learned Station Fire Officer (FP) failed to take note as to how this aspect was overlooked since 2013 for a period of 12 years.  |
| 4. | The report of the learned Station Fire Officer (FP) is deliberately and intentionally remains Silent about the missing 6 metres periphery road which is a part of every sanctioned plan which is vital and important for movement of Fire Tenders and Emergency Vehicles. It is beyond comprehension that the learned Station Fire Officer (FP) failed to take note as to how this aspect was overlooked since 2013 for a period of 12 years.   |
| 5. | <p>The report of the learned Station Fire Officer (FP) deliberately and intentionally has attempted to bypass and overrule the requirement of National Building Code IV. The national Building Code IV has clearly stated in Table 7 that Buildings over 15 metres height but less than 35 metres are required to have a dedicated water tank for fire safety in each of the towers. This has been explicitly specified in the Undertaking of Joe Mathias dated 22.05.2007 states as under:</p> <p><b><i>“A tank of 25.000 liters capacity each shall be provided on top of the terrace level of every Blocks namely ‘A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1, C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, 11, 12, J1, K1, K2 &amp; K3 and Club House. The tank shall be connected to the Down Comer all through by a booster pump through a non-return valve and a gate valve.”</i></b></p> <p>There are 4 individual tanks atop all the 14 buildings of capacities 25,000.00 Liters each that were to be provided by the PP viz. Drinking Water, STP Water, Solar Heated</p> |

|     |   |
|-----|---|
|     | Water and Fire Fighting. The PP has not provided with these 14 X 4 = 56 Tanks.  |
| 6.  | The report of the learned Station Fire Officer (FP) is deliberately and intentionally silent about the 14 missing overhead tanks of 25,000 liters capacity in the sector 1 of the project. This causes severe risk to the lives and safety of the residents of the project. It is beyond comprehension that the learned Station Fire Officer (FP) failed to take note as to how this aspect was overlooked since 2013 for a period of 12 years. |
| 7.  | The report of the learned Station Fire Officer (FP) is deliberately and intentionally silent about the 453 Covered parking Spaces in the Sector 1 of the project and a major part of the same were to be in the basement is Sector 1 which has not been constructed. It is beyond comprehension that the learned Station Fire Officer (FP) failed to take note as to how this aspect was overlooked since 2013 for a period of 12 years.        |
| 8.  | The report of the learned Station Fire Officer (FP) is deliberately and intentionally silent about the fact that the down comer has no water flow. It is beyond comprehension that the learned Station Fire Officer (FP) failed to take note as to how this aspect was overlooked since 2013 for a period of 12 years.  |
| 9.  | The report of the learned Station Fire Officer (FP) is deliberately and intentionally misleading the authorities that the usage of the "purported" 100000 liters capacity underground tank is only one tank which the developers are misleading every authority for usage for incoming PWD Water, Tanker Water for a water requirement of 373 KLD. Which implies that the water would not even last 6 hours.                                    |
| 10. | The report of the learned Station Fire Officer (FP) is mischievously ignored the following (1.7 of NBC Part 3) :<br><br><i>"Where required for fire apparatus access roads shall have an unobstructed carriageway width of 4.8 m and the minimum vertical clearance shall be 5m. The width and vertical clearance of fire apparatus access roads may be</i>   |

|     |  |
|-----|--|
|     | <p><i>increased as per requirement of the fire authority, if the clearances are not adequate to provide fire apparatus access.”</i></p> <p>There are illegal sheds constructed on the eastern and Northern side of the Sector 1.</p>   |
| 11. | <p>The report of the learned Station Fire Officer (FP) has deliberately and intentionally ignored the following (1.7 of NBC Part 3) :</p> <p><i>“Access roads longer than 30 m having a dead end shall be provided with appropriate provisions for turning around of the fire apparatus at the dead end.”</i></p> <p>This applicant states that there is not a single turning in the complex where the Fire Tender and the large size life saving ambulance can navigate and turn.</p> |
| 12. | <p>The report of the learned Station Fire Officer (FP) has deliberately and intentionally ignored the following (1.8 of NBC Part 3) :</p> <p><i>“1.8.2 At least 50 percent of the minimum open space in a plot shall remain unpaved with or without vegetation to allow water penetration.”</i></p> <p>The area of Open Recreational Space specified in the project is 26.2% of the project area. Sector 1 has less than 5% open area.</p>   |
| 13. | <p>The report of the learned Station Fire Officer (FP) has deliberately and intentionally ignored that all passages in the ground floor are to be mandatorily kept open and cannot be used for parking of vehicles. The Environmental Clearance dated 16.05.2007 also mandates the same.</p>   |
| 14. | <p>The report of the learned Station Fire Officer (FP) has deliberately and intentionally ignored that the Completion Certificate dated 14.05.2015, Occupancy Certificate dated 25.08.2015 and EC dated 16.05.2007 are based on the fact that Sector 1 is purely residential and no commercial</p>   |

|     |   |
|-----|---|
|     | activity can be carried out therein. The Club House is meant for purely use of members of Sector 1. The learned Station Fire Officer (FP) has nor ordered closure of the “Norbert’s Fitness Studio”.  |
| 15. | The report of the learned Station Fire Officer (FP) has deliberately and intentionally ignored the fact that the lift does state capacity of 08 Persons, but can eight persons be accommodated in the lift. The capacity of the lift cannot be judged on the basis of the capacity mentioned in the lift.   |
| 16. | The report of the learned Station Fire Officer (FP) has deliberately and intentionally ignored that not a single area of 12 meters from the building line has hard surface. The affidavit dated 22.05.2007 states: <i>“The Courtyard upto 12 mtrs, distance from the building line on all sides shall be hard surfaced to take the weight of the fire engine weighing upto 24 metric tons.”</i> |
| 17. | The report of the learned Station Fire Officer (FP) has deliberately and intentionally failed to explain as to when the Fire NOC expired on 26.08.2023, how was the building permitted to function without a NOC from 26.08.2023. Why a Show Cause notice was not issued to the PP.   |
| 18. | The report of the learned Station Fire Officer (FP) has deliberately and intentionally failed to explain as to how a Fire NOC was issued to the Sector 1 of the project with the existence of violations explained above.   |
| 19. | The report of the learned Station Fire Officer (FP) has not stated that a show cause notice, if any, has been issued to the PP for the violations acknowledged by him in the report.  |
| 20. | The report of the learned Station Fire Officer (FP) states that the renewal of the NOC would be considered only if the PP rectifies all the violations, which means that the PP has been permitted to continue with the violations of times to come at his wish. No timeline has been set by the learned Station Fire Officer (FP) for removal of the violations.                               |
| 21. | The report of the learned Station Fire Officer (FP) has deliberately and intentionally failed to take into account that there is no existing two-way communication between the lifts and the main gate.   |

|     |   |
|-----|---|
| 22. | The report of the learned Station Fire Officer (FP) has deliberately and intentionally failed to explain as how Could the Goa State Pollution Control Board grant CTE/CTO after the expiry of Fire NOC to the project.  |
| 23. | The report of the learned Station Fire Officer (FP) has deliberately and intentionally failed to explain as how Could the NGPDA and Village Panchayat of Taleigao grant clearances to the project after the expiry of the NOC of Fire and emergency services on 26.08.2023. |

- 4) This applicant states and submits that para 20 of the Order dated 17 December 2024 of the Hon'ble Supreme Court in the matter of Rajendra Kumar Barjatya & another versus U.P. Avas Evam Vikas Parishad & Ors has held as under:

*“20. In the ultimate analysis, we are of the opinion that **construction(s) put up in violation of or deviation from the building plan approved by the local authority and the constructions which are audaciously put up without any building planning approval, cannot be encouraged. Each and every construction must be made scrupulously following and strictly adhering to the Rules.** In the event of any violation being brought to the notice of the Courts, it has to be curtailed with iron hands and any lenience afforded to them would amount to showing misplaced sympathy. Delay in directing rectification of illegalities, administrative failure, regulatory inefficiency, cost of construction and investment, negligence and laxity on the part of the authorities concerned in performing their obligation(s) under the Act, cannot be used as a shield to defend action taken against the illegal/unauthorized constructions. That apart, the State Governments often seek to enrich themselves through the process of regularisation by condoning/ratifying the violations and illegalities. **The State is unmindful that this gain is insignificant compared to the long-term damage it causes to the orderly urban development and irreversible adverse impact on the environment.** Hence, regularization schemes must be brought out only in exceptional*

*circumstances and as a onetime measure for residential houses after a detailed survey and considering the nature of land, fertility, usage, impact on the environment, availability and distribution of resources, proximity to water bodies/rivers and larger public interest. **Unauthorised constructions, apart from posing a threat to the life of the occupants and the citizens living nearby, also have an effect on resources like electricity, ground water and access to roads, which are primarily designed to be made available in orderly development and authorized activities. Master plan or the zonal development cannot be just individual centric but also must be devised keeping in mind the larger interest of the public and the environment. “.***

Paras 21 (iii), (v), (vii), (viii), (x) & (xii) of the above order read as:

*“(iii) Upon conducting personal inspection and being satisfied that the building is constructed in accordance with the building planning permission given and there is no deviation in such construction in any manner, the completion/occupation certificate in respect of residential / commercial building, be issued by the authority concerned to the parties concerned, without causing undue delay. If any deviation is noticed, action must be taken in accordance with the Act and the process of issuance of completion/occupation certificate should be deferred, unless and until the deviations pointed out are completely rectified.”*

*“(v) Even after issuance of completion certificate, deviation / violation if any contrary to the planning permission brought to the notice of the authority immediate steps be taken by the said authority concerned, in accordance with law, against the builder / owner / occupant; and the official, who is responsible for*

***issuance of wrongful completion /occupation certificate shall be proceeded departmentally forthwith.”***

*“(vii) The development must be in conformity with the zonal plan and usage. Any modification to such zonal plan and usage must be taken by strictly following the rules in place and in consideration of the larger public interest and the impact on the environment.”*

*“(viii) Whenever any request is made by the respective authority under the planning department/local body for co-operation from another department to take action against any unauthorized construction, the latter shall render immediate assistance and co-operation, and any delay or dereliction would be viewed seriously. The States/UT must also take disciplinary action against the erring officials once it is brought to their knowledge.”*

***“(x) If the authorities strictly adhere to the earlier directions issued by this court and those being passed today, they would have deterrent effect and the quantum of litigation before the Tribunal / Courts relating to house / building constructions would come down drastically. Hence, necessary instructions should be issued by all the State/UT Governments in the form of Circular to all concerned with a warning that all directions must be scrupulously followed and failure to do so will be viewed seriously, with departmental action being initiated against the erring officials as per law.”***

***“(xii) The violation of any of the directions would lead to initiation of contempt proceedings in addition to the prosecution under the respective laws.”***

# 2961

Prakash Agrawal

A-6 Ganga Sagar, 83 Canal Road, Ramdaspath, Nagpur 440010

E Mail: [prakashagrwal@msn.com](mailto:prakashagrwal@msn.com) Telephone: 9403070000

---

5) I would request you to take into account the above and initiate action against the officials and the PP in accordance with law, failing which this applicant would be forced to seek legal recourse in this matter.

Thanking You,

Yours Sincerely,



Prakash Agrawal

Enclosed:

1) Letter dated 17.03.2025 of the Directorate of Fire & Emergency Services



**Government of Goa**  
**Directorate of Fire & Emergency Services**  
 (ISO 9001:2015 & 45001:2018 Certified)

St. Inez, Panaji,  
Goa – 403 001 – India



File No.: DFES/FP/HB/134/24-25/ 300/8648

Date : 13.03.2025.

17

**Sub:-** Fire Prevention Inspection of Residential Building Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2), for Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa.

- Ref:-**
1. Your Letter Dated 06.02.2024
  2. Your Letter Dated 25.11.2024
  3. Your Letter Dated 26.11.2024
  4. Your Letter Dated 06.12.2024
  5. Your Letter Dated 10.11.2024
  6. This office letter No. DFES/FP/HB/134/24-25/228/7106, dated 20.12.2024
  7. Letter dated 24.12.2024 received from General Manager, M/s Mathias Construction Pvt. Ltd.
  8. Letter Dated 20.12.2024
  9. Your email Dated 24.12.2024
  10. Your Letter Dated 18.12.2024
  11. Your Letter Dated 27.12.2024
  12. Your Letter Dated 24.12.2024
  13. Your Letter Dated 30.12.2024
  14. Your Email Dated 01.01.2025
  15. Your Letter Dated 03.01.2025
  16. Your Letter Dated 27.12.2024
  17. This Office No. DFES/HB/134/24-25/250/7581, dated 21.12.2024
  18. Your Email Dated 02.01.2025
  19. Your Letter Dated 03.01.2025
  20. Your Letter Dated 01.01.2025
  21. Your Letter Dated 02.01.2025
  22. Your Email Dated 10.01.2025
  23. Letter Dated 28.10.2025 received from Managing Director M/s Mathias Construction Pvt. Ltd.
  24. Your Letter Dated 17.01.2025
  25. Your Letter Dated 16.01.2025
  26. Your Letter Dated 24.01.2025
  27. Your Email Dated 30.01.2025
  28. Your Letter Dated 19.01.2025
  29. Your Letter Dated 26.01.2025
  30. Your Letter Dated 24.01.2025
  31. Your Letter Dated 31.01.2025
  32. Your Letter Dated 30.01.2025
  32. Your Letter Dated 31.01.2025
  33. Your Email Dated 27.01.2025

34. Your Email Dated 26.01.2025
35. Your Letter Dated 24.01.2025
36. Your Letter Dated 27.01.2025
37. Your Letter Dated 28.01.2025
38. Your Letter Dated 09.02.2025
39. Your Letter Dated 16.02.2025
40. Your Email Dated 15.02.2025
41. Your Letter Dated 14.02.2025
42. Your Letter Dated 10.02.2025
43. Your Letter Dated 07.02.2025
44. Your Letter Dated 10.02.2025
45. Your Letter Dated 10.02.2025

With reference to the above, I am directed to inform that, the Fire Prevention Inspection of Residential Building **Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2)**, for M/s. Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa was conducted on 24.01.2025 in the presence of Shri Christopher Parekh, General Manager & Other Staff of M/s. Mathias Construction Pvt., Ltd. and Executive Committee of Mathias Ocean Park Association and the complainant remained absent, the Residential Building were inspected with respect to the Fire Safety Requirement as stipulated in the Initial No Objection Certificate No. DFES/FP/C-1/3/07-08/173, dated: 30.05.2007 & DFES/FP/C-1/3/2012-13/281, dated 18.08.2013 and the Fire Protection Measures indicated at Annexure in the Final No Objection Certificate issued vide this Office letter No. DFES/FP/HB/18-19/729, dated 26.03.2019 and the point wise observations are enclosed herewith which are self explanatory.

This issues with the approval of Director, Fire & Emergency Services.

  
( **SHAILESH H.GAWADE** )  
**STATION FIRE OFFICER(FP)**

To:

Shri. Prakash Agarwal,  
703 La Gomera, Mathias Ocean Park Residency,  
Dr. E Borges Road, Dona Paula, Panaji, Goa.

Copy to:

1. The Under Secretary (Home I),  
Home Department (General),  
Secretariat, Porvorim Goa,..... For Information please.
2. Mr. Joe Mathias,  
Managing Director  
M/s. Mathias Construction Pvt. Ltd.  
“Mathias House” Campal Panaji, Goa..... For necessary Compliance.

| Sr. No. | Fire Safety requirement stipulated in the Initial No Objection Certificate No. DFS/FP/C-1/3/07-08/173, dated 30.05.2007 & DFES/FP/C-1/3/2012-13/281, dated 18.01.2013  | Observations Noted during the Fire Prevention Inspection conducted on 24.01.2025  |
|---------|--|---|
| 1.      | <p><b><u>Approach To Fire Appliances.</u></b></p> <ol style="list-style-type: none"> <li>1. The Open Space around or inside shall confirm to the requirement of Party III development &amp; General Building requirement of NBC 1983.</li> <li>2. Adequate passage way clearance required for the Fire Fighting vehicles to enter the premises shall be provided at the main entrance, the width of such entrance shall not be less than 4.5 mtrs, If an arch or covered gate is constructed it shall have a clear head room of not less than 5 mtres.</li> <li>3. The compulsory open space around the building shall not be used for parking.</li> </ol> | <p>Roundabout and Landscape Garden at the western side of the building shall be removed behind building No. 4(A) for the movement of fire services vehicles to carry out Fire Fighting and rescue operation.</p> <p>The setback all around the Residential Building in the premises Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1) shall be maintained as per the approved Architectural Plan No. NGPDA/342/1653/201 dated 01.10.2023.</p> <p>The sheet metal canopy constructed at the Eastern side of the building No. 1 to 3 shall be removed and maintained as per the approved Architectural Plan No. NGPDA/342/1653/2013 dated 01.10.2023. and ensure that the open spaces all around the building shall be free of any obstruction for movement of Fire Service Vehicle to carry out Fire Fighting and Rescue Operation.</p> <p>Tree plantation made in the way of setback shall be removed from the rear side and front side of the building No.4 to 8.</p> |
| 2.      | <p><b><u>Courtyard :-</u></b> The Courtyard upto 12 mtrs, distance from the building line on all sides shall be hard surfaced to take the weight of the fire engine weighing upto 24 metric tones. All the courtyard, including the pathway shall be in the same plain without any obstruction.</p>  | <p>The main entrance of the building is found of adequate width and height to allow easy access to the Fire Service Vehicles as per the rules in force.</p> <p>The Courtyard of the premises found to be hard surfaced to take weight of the Fire Engine Weighing upto 24 metric tones.</p>   |

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| 3. | <p><b><u>Fire Escape / External Stairs:-</u></b></p> <p>a) All the building in the complex i.e. Block namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 &amp; K3 and Club House shall be provided with Fire Escape Staircase of Dog leg type with adequate landing on every floor in addition to the normal staircase as shown in the approved plan No. NGPDA/342/3276/07 dated 02.02.2007. The fire escape should be of R.C.C construction and shall be of enclosed type directly connected to the ground and the staircase shall be separate an remote from the internal staircase.</p> <p>b) Entrance to the fire escape shall be separate and remote from the internal staircase.</p> <p>c) The Fire Escape shall be constructed of non-combustible material and any doorway leading to the fire escape shall be of 2 hours fire resistance to prevent spread of fire and smoke.</p> <p>d) No Staircase used as fire escape shall be inclined at an angle greater than 45' from the horizontal.</p> <p>e) Fire Escape staircase shall have flight not less than 125 cms. Wide with 25 cms. Treads and Risers not more than 19 cms. And should be limited to 15 per flight.</p> <p>f) The hand rails shall be of height not less than 100 cms. And not exceeding 120 cms.</p> | <p>The Fire Exit staircases are found as per the approved Architectural Plan and it admeasure 125 cm. in width.</p> <p>The Fire Exit Staircase are found remote from each other and are arranged to give direct access in separate Direction, further fire exit staircase are found remote from internal staircase.</p> |
| 4. | <p><b><u>Flat Entrance:</u></b> - The flat entrance and kitchen doors shall be of solid core with fire resistance of not less than half hour (solid wood of 35 mm shutter) finished thickness and the same shall be of self closing type.</p>  | <p>The flat entrance and kitchen door are found solid core type having resistance not less than half hour.</p>  |

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| <p>5. <b><u>Fire Lifts and Other Lifts:-</u></b></p> <p>a) Fire Lift shall be provided with a minimum capacity for Eight Passengers full automated with emergency Switch on ground level and shall be equipped with inter communication equipments.</p> <p>b) Wall enclosing lift shall have fire resistance of not less than 2 Hours.</p> <p>c) Shaft shall have permanent vents of not less than 0.2 sq. mtrs. In clear area immediately under machine room.</p> <p>d) Landing doors and lift car doors of the lift shall be of steel shutters of fire resistance of one hour. No collapsible shutters shall be permitted.</p>  | <p>The lifts are found provided for every block having capacity of 08 passengers and it fulfills the requirement as stated in Initial No Objection Certificate.</p> <p>Lift are also found provided with Grounding Switch for grounding of lift in each building.</p> |
| <p>6. <b><u>Electrical Cable Shaft and Electrical Meter Room:-</u></b></p> <p>a) Electrical cables shafts be exclusively used for electrical cables and should not open in the staircase enclosures.</p> <p>b) Inspection doors for the shaft if provided shall have two hours fire resistance.</p> <p>c) Electrical shaft shall be sealed at each floor level with non-combustible material such as venticulated concrete.</p> <p>d) Electrical meter rooms shall be provided at ground floor level and they shall be adequately ventilated.</p> <p>e) The Electrical installation should conform to BIS:1646/1997 Code of Practice for the fire safety of the building.</p> | <p>Electrical shaft found not sealed on every floor with non-combustible material having fire resistance not less than 1 hour. The same shall be carried out on priority basis.</p>   |
| <p>7. <b><u>Escape Route Lighting:-</u></b> Escape route lighting (Staircase and Corridor light) shall be on independent circuit as per N.B.C 2005 part IV Clause 4.17 illumination of Means of Exit. The exit arrangements comply with IS:1644/1989 Code of practice for safety of building (General).</p>   | <p>Adequate escape route lightening are found provided in premises.</p>   |

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| <p>8. <b><u>Fire Fighting Requirement:-</u></b></p> <p>a) <b><u>Overhead (Terrace Water Storage Tank):-</u></b> A tank of 25,000 liters capacity each shall be provided on top of the terrace level of every Blocks namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 &amp; K3 and Club House. The tank shall be connected to the Down Comer all through by a booster pump through a non-return valve and a gate valve.</p> <p>b) <b><u>Down Comer:-</u></b> Down Comer of Internal diameter of 15 cms of GI"C" class pipe shall be provided in the duct in every Block with landing valve and Hose Reel Hose conforming to type "A" 884-1985 on each floor in such a way as not to reduce the width of the corridor and no part of the floor is more than 6 mtrs. Away from the nozzle when fully extended.<br/>Two way Fire Service Inlet Connection of 63 mm diameter standard coupling shall be provided at ground floor to connect the mobile pump of the fire service to the Down Comer.</p> <p>c) <b><u>Fire Pumps:</u></b></p> <p>i) Electric Fire Pump of 900 liters/Min. giving a pressure of not less than 2 kg/cm<sup>2</sup> at the top most hydrant outlet of the Down Comer shall be provided at terrace level for every Block.</p> <p>ii) Electric supply to this pump shall be on independent circuit.</p> | <p>The building has not been provided with Down Comers coupled with Booster Pump connected to overhead Tank. However Fire Fighting arrangement are provided for all the buildings by the means of Wet Riser System, where the Fire Hydrant ring main found connected with Main pump and Jockey pump coupled with underground static water storage tank of adequate capacity of 1,00,000 liters.</p> <p>The Internal Hydrant and Hose Reel Hose found provided in every building on every floor the observations / shortcomings noted during inspection are as under;</p> <ol style="list-style-type: none"> <li>1. The Fire Fighting Pump consisting of Main pump and Jockey pump found non-functional in Auto mode and Manual Mode as such Courtyard Hydrant, Landing Valve, Hose Reel Hose installed in the premises could not be tested. The Fire Fighting pump shall be made functional in Auto and Manual Mode.</li> <li>2. The Internal Hydrant Courtyard Hydrant, Hose reel Hose installed in the premises shall be serviced; the Rubber Washers, Spring Loaded hollow Lugs and Nozzle of the Hose Reel Hose shall be checked and shall be replaced with new one if necessary.</li> <li>3. The Dilapidated delivery hoses provided in the Hose Box near Courtyard Hydrant and Landing Valve shall be replaced with new one.</li> </ol> <p>The entire Fire Hydrant ring main and Wet Riser shall be painted with post Fire Red Colour conforming to the requirement of IS; 5 Shade No. 536 and same shall be subjected to Hydro Static pressure Test.</p> |
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| <p>d) <b><u>Alternate Source of Power Supply:-</u></b> An alternate source of L.V./ H.V. supply from a separate Sub-Station with appropriate change over switch shall be provided for the corridor lighting circuits and manual fire alarm system. It shall be housed in a separate circuit.</p> <p>e) <b><u>Manual Operated Electric Fire Alarm System:-</u></b> All the Blocks namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 &amp; K3 and Club House shall be provided with the above system conforming to BIS:2189/1999 with the main control panel at Ground Floor and Pill Boxes, Hooters at each side of the upper floors. The Layout shall be on in accordance with Indian Standard Specification.</p> <p>f) <b><u>Sprinkler System:-</u></b> Automatic Sprinkler System should be installed in the basement of the Blocks A1 A2 &amp; A3 as per Indian Standard Specification.</p> <p>g) <b><u>Portable Fire Extinguishers: -</u></b> The type/distribution of Fire Extinguishers shall be in accordance with BIS:2190/1992.</p> <p>h) <b><u>Fire Exit:-</u></b> "Fire Exit" signs boards (illuminated) showing the line of escape shall be provided on all floors in every Block.</p> | <p>The Alternate Source of power supply found provided for corridor lighting, Fire Alarm Panel, Fire Pump and Lift having 125 KVA 02 Nos.</p> <p>The Fire Alarm Control Panel provided on Ground floor of every building and same were found to be non functional.</p> <p>The Manual Call Points provided in all buildings at a every floor, the testing of the same could not be carried out as such the Fire Alarm Panel found non functional.</p> <p>The Stilt Floor of the Building is found naturally ventilated as such the Installation of Automatic Sprinkler System is not required.</p> <p>The Portable Fire extinguishers are randomly checked and the pressure gauge reading of Extinguishers shows they are not in referable range. All Fire Extinguishers Installed in the premises shall be checked for it functional efficiency and same shall be refilled if necessary.</p> <p>Fire Safety Signage's, emergency exit Signage's showing line of escape, Assembly Point, Signage's shall be provided at as appropriate places.</p> |
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|  |  | <p><b><u>The Observation made at the L.P.G Gas Bank in the premises is as Under</u></b></p> <p>The LPG Gas Bank provided at southern side of the building shall be provided with commercial grade LPG Gas leak Detector and same shall be coupled with Gas Leak Detection Panel. The LPG manifold/pipeline provided on every floor on every building shall be tested as per standard.</p> |
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**Shortcoming noted at the Club House.**

1. The Smoke Detector and Manual Call Point installed in the Club House were found non-Functional.
2. Fire Extinguishers installed in the Club House were found in non-operable range, same shall be serviced and refilled if necessary.
3. The LPG Cylinder used in the pantry shall be shifted outside and shall be Housed in the LPG Gas Bank, the Construction of LPG Gas Bank shall confirm to requirement of IS 6044 Part (1), the LPG Gas Bank shall be provided with LPG Gas Leak Detector.
4. The Fire Exit Signage's, Emergency Exit Signage's shall be provided on every floor of Club House Building.
5. The Restaurant M/s. Zoe's Café by Noebert's located on Ground floor at the entrance of the Club House shall be removed.

Further it is to informed that, the No Objection Certificate were issued to Residential Building Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2), for Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa was due for renewal on 26.08.2023 and same has not been renewed till date. The No Objection Certificate shall be renewed after due compliance to the Observations noted above.

With regard to M/s. Pizza Hut, M/s. Costa Coffee and M/s. KFC located on Ground floor of the Building 'Prestige Ocean Crest' Taleigao, Tiswadi, Goa, it is to informed that the adequate Fire Protection measures found provided in the said units and the No Objection Certificate from Fire Safety point of view has been issued to all the individual Units and which is valid till 24.10.2025,

( SHAILESH H. GAWADE )  
STATION FIRE OFFICER(FP)

**2970**  
**EXHIBIT-R-22**



Joe Mathias <mathias@mathiasgoa.com>

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## Chart showing matter of Prakash Agrawal

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**Aparna Narvekar** <legalmgr1@nahargroup.co.in>  
To: mathias@mathiasgoa.com

Wed, Jul 10, 2024 at 12:05 PM

Dear Sir,

Please find attached herewith a chart showing litigation filed by Mr. Prakash Agrawal.

Kindly inform me if any additional details are required.

Best regards,  
Aparna N. - Legal Manager  
Legal Department  
Nahar Group  
Mobile No. 9820321690

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 **Chart\_Prakash Agrawal Matter - 10.07.2024.docx**  
172K

TRUE COPY

A handwritten signature in blue ink, appearing to be "Prakash Agrawal".

FORM - I

**(I) Basic information**

|    |   |  |
|----|---|--|
| 1. | Name of the Project   | <i>Mathias Ocean Park, Dona Paula</i>  |
| 2. | Sl.No. in the schedule  | <i>Serial No. 8(a)</i>   |
| 3. | Proposed capacity/ area/ length/ tonnage to be handles/command area /lease /area /number of wells to be drilled | <p><i>Total Site Area – 82,220 Sqmt</i></p> <p><i>Environmental Clearance has been obtained for the project proposal having site area of 82,220 Sq.m with the total built up area of 2,19,247.471 Sq.m.</i></p> <p><i>With continuation of the Environmental clearance obtained builtup area of 32,489.72 Sq.m has been constructed against 2,19,247.471 Sq.m.</i></p> <p><i>The current proposal is a modification of the project by constructing additional building with built up area of 31,858.73 Sq.m and total built up area after modification will be 64,348.38 Sq.m.</i></p> <p><i>The proposed project consists of 2 sections C1 &amp; C2. C2 consisted Sector I and Sector II and C1 consists Sector IIIa, IIIb &amp; IIIc and Sector IV. Where as in C2, Sector I is developed and is in operation phase, Sector II is reserved for future development. C1 where Sector IIIc consists residential units and commercial shops (Ground + 2 Floors) and Sector IV consists of residential units and commercial shops (Basement + Stilt+ Ground + 7 Floors), whereas Sector IIIa and Sector IIIb is reserved for future development. The maximum height of the building is 24m.</i></p> <p><i>Total built up area - 64,348.38 Sqmt.</i></p> |
| 4. | New/Expansion/Modernization   | <i>Modification</i>  |
| 5. | Existing capacity/area etc  | <i>With continuation of the Environmental clearance obtained builtup area of 32,489.72 Sq.m has been constructed against 2,19,247.471 Sq.m.</i>  |
| 6. | Category of project i.e., 'A' or 'B'  | <i>'B'</i>   |
| 7. | Does it attract the general condition?<br>If yes, please specify  | <i>No</i>  |
| 8. | Does it attract the specific condition?<br>If yes, please specify   | <i>No</i>  |
| 9. | Location  | <p><i>Latitude: 15°27'29.4"N</i></p> <p><i>Longitude: 73°48'32.0"E</i></p> <p><i>At Sy No 249/1-A, Taleigoa Plateau, Dona-Paula, Tiswadi Taluka, Goa</i></p>   |



|     |   |   |
|-----|---|---|
| a.  | Plot/Survey/Khata-No.   | Sy. No. 249/1-A   |
| b.  | Village   | Taleigoa Plateau  |
| c.  | Thesil  | Dona-Paula  |
| d.  | District  | Tiswadi Taluka  |
| e.  | State   | Goa   |
| 10. | Nearest Railway station/Airport along with distance in Kms.   | Vasco Da gama Railway Syation, Goa – 6.6 Km (S)<br>Goa international Airport- 8.6 Km (S)  |
| 11. | Nearest Town, City, District, Head quarters along with distance in Kms  | Tiswadi Taluka<br>Goa   |
| 12. | Village Panchayat, Zilla Parishad, <b>Municipal Corporation</b> , Local body (Complete local address with Telephone Nos. to be given) | Town & Country Planning Department<br>5th Floor, Kamat Towers, EDC Patto Plaza, Behind Bus Stand, Patto Centre, Panaji, Goa 403001.<br>Phone: 0832 243 7352 |
| 13. | Name of the Applicant   | Mr. Joe Mathias   |
| 14. | Registered Address  | M/S Mathias Construction Pvt Ltd<br>Mathias House,<br>H.No C13/156, Opposite Luis Gomes Garden,<br>Campal, Panaji, Goa 403001                               |
| 15. | Address for Correspondence  | Mathias Ocean Park<br>Goa University Road,<br>Opposite NIO Residential Colony,<br>Dona Paula, Goa 403004  |
|     | Name  | Mr. Joe Mathias   |
|     | Designation (Owner/Partner/CEO)   | Managing Director   |
|     | Address .   | M/S Mathias Construction Pvt Ltd<br>Mathias House,<br>H.No C13/156, Opposite Luis Gomes Garden,<br>Campal, Panaji, Goa                                      |
|     | Pin code  | 403 001   |
|     | E-mail  | <a href="mailto:mathias@mathiasgoa.com">mathias@mathiasgoa.com</a>  |
|     | Telephone No.   | Tel: 0832 2425454/2422800   |
|     | Fax No.   | 0832 2421100  |
| 16. | Details of alternative sites examined, if any. Location of these sites would be shown on a topo sheet.                                | No alternative sites were examined  |
| 17. | Interlined Projects   | No interlined projects  |
| 18. | Whether separate application of interlinked project has been submitted?   | No  |
| 19. | If Yes, date of submission  | NA  |
| 20. | If No, reason   | Proposed project is an individual project.  |



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| 21. | Whether the proposal involves approval / Clearance under : if yes, Details of the same and their status to be given<br>a) The Forest (conservation) Act 1980?<br>b) The wild life (protection) Act 1972?<br>c) The C R Z Notification, 1991?               | <i>This proposal does not require approval/clearance under Forest Act, Wild life Act, &amp; C R Z Notification.</i> |
| 22. | Whether there is any Government order / Policy relevant / relating to the site?  | <i>No</i>   |
| 23. | Forest land involved (Hectares)  | <i>No forest land involved</i>  |
| 24. | Whether there is any litigation pending against the project and / or land in which the project is propose to be set up?<br>a) Name of the court<br>b) Case No.<br>c) Orders / directions of the court, if any and its relevance with the proposed project. | <i>Document attached with application</i>   |



(II) Activity

## 1. Construction, operation or decommissioning of the project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

| Sl. No. | Information/checklist confirmation  | Yes/No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data.  |
|---------|---|--------|--|
| 1.1     | Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan) | Yes    | As per the Taleigao Outline Development Plan, the project site is designated as commercial one C1. The proposed project is a modification for the approval obtained from MoEF. Taleigao Outline Development Plan is enclosed with application.   |
| 1.2     | Clearance of existing land, vegetation and buildings?   | No     | No clearance of land is involved.  |
| 1.3     | Creation of new land uses?  | No     | The proposed site is used for construction of residential units and commercial shops.  |
| 1.4     | Pre-construction investigations e.g. bore houses, soil testing?   | Yes    | Geotechnical investigation of the soil at the project site will be conducted.  |
| 1.5     | Construction work?  | No     | Not Applicable   |
| 1.6     | Demolition work?  | No     | Not Applicable   |
| 1.7     | Temporary sites used for construction workers or housing of construction workers?   | No     | Laborer colony will not be provided with in the project site and required facility includes water supply and sanitary facility will be provided at the project site.   |
| 1.8     | Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations   | Yes    | Proposed development involves excavation, construction of buildings, structures above ground level, road & walk way formation etc.   |
| 1.9     | Underground works including mining or tunneling?  | No     | Not Applicable   |
| 1.10    | Reclamation works?  | No     | Not Applicable   |
| 1.11    | Dredging?   | No     | Not Applicable   |
| 1.12    | Offshore structures?  | No     | Not Applicable   |
| 1.13    | Production and manufacturing processes?   | No     | Proposed project is a residential apartment and commercial shops, hence there won't be any Production and manufacturing activity involved.   |
| 1.14    | Facilities for storage of goods or materials?   | Yes    | Material for construction will be bought as and when required and will be temporarily stored at site with proper arrangement of storage and under proper cover.  |
| 1.15    | Facilities for treatment or disposal of solid waste or liquid effluents?  | Yes    | During operation phase, the solid waste will be collected separately as biodegradable (organic) and non-biodegradable (inorganic/recyclable) in the respective bins provided.<br>* Organic waste will be processed in organic waste converter.<br>* Recyclable waste will be handed over to the authorized vendors for further processing. |



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|      |   |     | <p>* STP sludge will be used as manure for gardening.</p> <p>* E-Wastes generated will be handed over to authorized E-Waste processors.</p> <p>The domestic sewage will be treated in STP. Details of treatment facilities are as in Annexure – I(e)</p> |
| 1.16 | Facilities for long term housing of operational workers?  | No  | As local people will be hired for the routine maintenance, no permanent facilities are proposed.   |
| 1.17 | New road, rail or sea traffic during construction or operation?   | No  | The proposed project have well connected road network & the same existing facilities will be made use.   |
| 1.18 | New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc? | No  | Existing facilities will be made use for the transportation.   |
| 1.19 | Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?                        | Yes | Traffic pattern in the approach road during construction and operation phase is expected to increase.  |
| 1.20 | New or diverted transmission lines or pipelines?  | No  | Not applicable   |
| 1.21 | Impoundment, damming, culverting, realignment or other changes to the hydrology or watercourses or aquifers?                        | No  | --   |
| 1.22 | Stream crossings?   | No  | --   |
| 1.23 | Abstraction or transfers of water from ground or surface waters?  | No  | Treated water will be used for Construction purpose.<br>Operation phase water requirements will be met by PWD.   |
| 1.24 | Changes in water bodies or the land surface affecting drainage or runoff?   | No  | Project site doesn't receive/intercept storm water from the surroundings.<br>Roof top will be collected and reused and surface runoff will be utilized for ground water recharge through recharge pits within the site during operation phase .          |
| 1.25 | Transport of personnel or materials for construction, operation or decommissioning?   | Yes | Transport of construction materials will be made mainly through trucks.  |
| 1.26 | Long-term dismantling or decommissioning or restoration works?  | No  | No such works are involved.  |
| 1.27 | Ongoing activity during decommissioning which could have an impact on the environment?  | No  | No such activities are involved.   |
| 1.28 | Influx of people to an area in either   | Yes | There will be a temporary influx of construction   |



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|      | temporary or permanently?                    |    | <i>labourers, and this will be only for a short period until the completion of the construction work. During operation phase about 1,184 numbers of persons from the proposed project.</i> |
| 1.29 | Introduction of alien species?               | No | Not applicable   |
| 1.30 | Loss of native species or genetic diversity? | No | Not applicable   |
| 1.31 | Any other actions?                           | No | Not applicable   |

**2. Use of natural resources for construction or operation of the project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):**

| Sl. No. | Information/checklist confirmation   | Yes /No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data  |
|---------|--|---------|---|
| 2.1     | Land especially underdeveloped or agricultural land (ha)                                   | Yes     | <i>As per the Taleigao Outline Development Plan, the project site is designated as commercial one C1. The proposed project is a modification for the approval obtained from MoEF. Taleigao Outline Development Plan is enclosed with application.</i>   |
| 2.2     | Water (expected source & competing users) unit: KLD  | Yes     | <u>Construction Phase:</u><br><i>For Construction: 15 KLD<br/>For Domestic: 7 KLD<br/>Proposed Source: External tanker water supplier for domestic and treated water for construction purposes.</i><br><u>Operational Phase:</u><br><i>Total water requirement of 219 KLD will be sourced from PWD. Details are provided in Annexure – 2(a)</i> |
| 2.3     | Minerals(MT)   | No      | --  |
| 2.4     | Construction materials- stone, aggregates and soil (expected source MT)                    | Yes     | <i>Steel and cement will be procured from authorized vendors. Sand &amp; aggregate will be procured from local material suppliers.</i>  |
| 2.5     | Forests and timber (source-MT)   | No      | --  |
| 2.6     | Energy including electricity and fuels (source, competing users) unit: fuel(MT),Energy(MW) | Yes     | <u>Construction Phase:</u><br><i>Power: 150 kVA<br/>DG set of 250 kVA will be used.</i><br><u>Operational Phase:</u><br><i>Power requirement: 2631 Kva<br/>DG sets: 2 x 320 kVA &amp; 2X150 KVA</i>   |
| 2.7     | Any other natural resources (use appropriate standard units)                               | No      | --  |

**3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.**

| Sl. No. | Information/checklist confirmation | Yes/ No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data |
|---------|------------------------------------|---------|--|
|---------|------------------------------------|---------|--|



|     |   |     |  |
|-----|---|-----|--|
| 3.1 | Use of substances or materials which are hazardous (as per MSIHC rules) to human health or environment (flora, fauna, and water supplies) | Yes | <i>The proposed project is a residential development project; Diesel for D.G. Sets during power failure will be used and Suitable management practice is adopted for the same.</i>   |
| 3.2 | Changes in occurrence of disease or affected disease vector (e.g. insect or water borne diseases)   | No  | <i>Suitable drainage and waste management measures will be adopted in both construction and operational phase which will restrict stagnation of water or accumulation of waste. This will effectively restrict the reproduction and growth of disease vectors.</i> |
| 3.3 | Affect the welfare of people e.g. by changing living conditions?  | No  | <i>The implementation of the proposed project is both socially and economically beneficial to its local population, as it will creates both long term and short term employment opportunities.</i>   |
| 3.4 | Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.                       | No  | --   |
| 3.5 | Any other causes  | No  | --   |

#### 4. Production of solid waste during construction or operation or decommissioning (MT/month)

| Sl. No. | Information/checklist confirmation                         | Yes /No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data  |
|---------|--|---------|---|
| 4.1     | Spoil, overburden or mine wastes                           | No      | <i>Excavated earth will be refilled at low-lying areas in the project premises. Top cover of the soil will be preserved and used for developing landscape area.</i>   |
| 4.2     | Municipal waste (domestic and or commercial wastes)        | Yes     | <p><u>Construction Phase</u><br/> <i>Project proponents are not going to provide labour colony, quantity of domestic solid waste generation during construction phase is about 38 kg/day will be handed over to local body.</i></p> <p><u>Operation Phase</u><br/> <i>Solid waste generation during operation phase:</i></p> <ul style="list-style-type: none"> <li>• Total solid waste: 659 Kg/day</li> <li>• Biodegradable: 396 Kg/day</li> <li>• Recyclable: 264 Kg/day</li> </ul> |
| 4.3     | Hazardous wastes (as per hazardous waste management rules) | Yes     | <p><i>The only hazardous wastes in the project will be used oil from backup DG sets, which is classified as Hazardous Waste Category 5.1 as per Hazardous Wastes (Management, Handling &amp; Trans boundary) Rules 2008.</i></p> <p><i>Used Oil from backup DG sets will be changed by the service person and oil will be taken back.</i></p>   |
| 4.4     | Other industrial process wastes                            | No      | --  |
| 4.5     | Surplus product  | No      | --  |
| 4.6     | Sewage sludge or other sludge                              | Yes     | <i>Sludge from STP will be around 15 Kg/day, is dried</i>   |

|      |                                      |     |   |
|------|--------------------------------------|-----|---|
|      | from effluent treatment              |     | <i>in the sludge drying beds and is used as manure for in-house landscaping.</i>  |
| 4.7  | Construction or demolition wastes    | Yes | <i>The construction waste will consist of construction debris along with cement bags, steel in bits and pieces, insulating and packaging materials etc. Recyclable waste, construction materials will be sold to recyclers. Unusable and excess construction debris will be used for making internal roads.</i> |
| 4.8  | Redundant machinery or equipment     | No  | --  |
| 4.9  | Contaminated soil or other materials | No  | --  |
| 4.10 | Agricultural wastes                  | No  | <i>The wastes from garden pruning and landscaping area such as dead leaves, stems etc. shall be reused within the site for soil conditioning and manure</i>   |
| 4.11 | Other solid wastes                   | No  | --  |

#### 5. Release of pollutants or any hazardous, toxic or noxious substances to air (kg/hr)

| Sl. No. | Information/checklist confirmation  | Yes /No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data  |
|---------|---|---------|---|
| 5.1     | Emissions from combustion of fossil fuels from stationary or mobile sources                 | Yes     | <i>The proposed project does not envisage any major air pollution sources except operation of backup DG sets during power failure and vehicular traffic</i>   |
| 5.2     | Emissions from production processes   | No      | --  |
| 5.3     | Emissions from material handling including storage or transport                             | No      | <i>There will be fugitive emissions during material handling including storage &amp; transportation of construction materials. Suitable handling measures will be taken in order to avoid the emissions.</i>  |
| 5.4     | Emissions from construction activities including plant and equipment                        | Yes     | <i>There will be fugitive dust emissions during transportation of raw materials for construction. There will be emissions also from concrete mixers, dozers, diesel pumps etc during construction. These equipments will be maintained properly to have minimum impact.</i>                                       |
| 5.5     | Dust or odors from handling of materials including construction materials, sewage and waste | Yes     | <i>There will be dust emission during construction &amp; operation which is controlled by water sprinkling and by erecting barricades around the site. Sewage treatment plant will be well maintained to ensure aerobic conditions. Solid wastes are handled using closed containers to avoid odour nuisance.</i> |
| 5.6     | Emissions from incineration of waste  | No      | --  |

|     |   |    |    |
|-----|---|----|----|
| 5.7 | Emissions from burning of waste in open air (e.g. slash materials, construction debris) | No | -- |
| 5.8 | Emissions from any other sources  | No | -- |

#### 6. Generation of noise and vibration and emissions of light and heat:

| Sl. No. | Information/checklist confirmation                                    | Yes /No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data  |
|---------|---|---------|---|
| 6.1     | From operation of equipment e.g. engines, ventilation plant, crushers | Yes     | <i>DG sets will be used only during power failure. Also, DG sets are provided with good acoustics.</i>  |
| 6.2     | From industrial or similar processes                                  | No      | --  |
| 6.3     | From construction or demolition                                       | Yes     | <i>Construction works will be taken up only during day time. Barricades along with compound wall will be provided around the site to partially curtail the noise.</i>   |
| 6.4     | From blasting or piling   | No      | <i>No Blasting or piling operations are envisaged.</i>  |
| 6.5     | From construction or operational traffic                              | Yes     | <i>Noise generation from</i> <ul style="list-style-type: none"> <li>• <i>The operation of standby DG sets - DG sets will be provided with acoustic enclosures and foundation treatment to this will be done to reduce vibration.</i></li> <li>• <i>Due to movement of traffic, the speed will be controlled and traffic movement will be smooth.</i></li> </ul> |
| 6.6     | From lighting or cooling systems                                      | No      | <i>No cooling systems are proposed in the project.</i>  |
| 6.7     | From any other sources  | No      | --  |

#### 7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

| Sl. No. | Information/checklist confirmation  | Yes /No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data   |
|---------|---|---------|--|
| 7.1     | From handling, storage, use or spillage of hazardous materials  | Yes     | <i>The only hazardous waste generated is waste lubricant oil from DG set which will be disposed through authorized vendors. Hence, no risk of contamination is envisaged</i> |
| 7.2     | From discharge of sewage or other effluents to water or the land (expected mode and place of discharge) | No      | <i>Sewage will be treated to the applicable standards and it will be reused for secondary purposes like flushing and gardening.</i>  |
| 7.3     | By deposition pollutants emitted to air into the land or into water                                     | No      | --   |
| 7.4     | From any other sources  | No      | --   |
| 7.5     | Is there a risk of long term build up of pollutants in the environment from these sources?              | No      | --   |

8. Risk of accidents during construction or operation of the project, which could affect human health or the environments

| Sl. No. | Information/checklist confirmation  | Yes/No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data   |
|---------|---|--------|--|
| 8.1     | From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances.                                | No     | NA   |
| 8.2     | From any other causes   | No     | --   |
| 8.3     | Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)? | No     | <i>There had been no incident of flooding or cloudbursts in the region. The region is situated in Seismic Zone-II where there is a rare occurrence of earthquakes.</i> |

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

| Sl. No. | Information/checklist confirmation   | Yes/No | Details there of (with approximate quantities/rates, wherever possible) with sources of information data   |
|---------|--|--------|--|
| 9.1     | Lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:<br>-Supporting infrastructure (roads, power supply, waste or wastewater treatment, etc.)<br>-Housing development<br>-Extractive industries<br>-Supply industries<br>-other | Yes    | <i>The proposed project will lead to development of the area by providing employment opportunities to local people during construction and operation phase.</i><br><br><i>The project will have positive impact on the ancillary infrastructure like roads, markets, public health, amenities, and communication facilities in the area.</i> |
| 9.2     | Lead to after-use of the site, which could have an impact on the environment   | No     | --   |
| 9.3     | Set a precedent for later developments   | Yes    | <i>Many such projects have already come up in the project surroundings and many more are being proposed.</i>   |
| 9.4     | Have cumulative effects due to proximity to other existing or planned projects with similar effects  | Yes    | <i>The area is already well developed</i>  |

## (III) Environmental sensitivity

| Sl. No. | Areas  | Name/ Identity | Aerial distance (within 15 km) proposed project location boundary   |
|---------|--|----------------|---|
| 1.      | Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value  | No             | --  |
| 2.      | Areas which are important or sensitive for ecological reasons- wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests  | Yes            | Arabian Sea - 420m (S)  |
| 3.      | Areas used by protected, important or sensitive species of flora and fauna for breeding, nesting, foraging, resting, over wintering, migration   | No             | --  |
| 4.      | Inland, coastal, marine or underground waters  | Yes            | Arabian Sea - 420 m (S)   |
| 5.      | State, national boundaries   | No             | --  |
| 6.      | Routes or facilities used by the public for access to recreation or other tourists, pilgrims areas   | Yes            | NH 66 - 5.52 Km (E)<br>NH 4A - 5.6 Km (NE)  |
| 7.      | Defense installations  | No             |   |
| 8.      | Densely populated or built up area   | Yes            | The project is located in Dona Paula which is densely populated   |
| 9.      | Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)   | Yes            | The project is located in Dona Paula which has all these facilities   |
| 10.     | Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)  | No             | --  |
| 11.     | Areas already subjected to pollution or environmental damage (those where existing legal environmental standards are exceeded)   | No             | --  |
| 12.     | Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions) | No             | The project site falls under seismic zone-II, which is classified as the low damage risk zone. Hence project site is less susceptible to natural hazards. |

## (IV). Proposed terms of reference for EIA studies

Not applicable



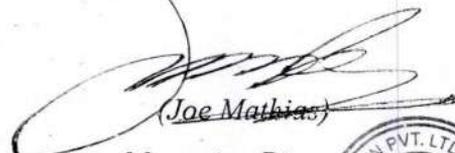
Declaration

"I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost".

Date: 24.12.2018

Place: Goa

Signature of the Applicant,  
With full name & address  
(Project proponent / Authorized signatory)  
*For Mathias Constructions Pvt. Ltd.*

  
(Joe Mathias)  
Managing Director



Annexure – 2(a): Water Demand**WATER DEMAND DURING CONSTRUCTION****For construction workers at site**

Average no. of laborers = 150 no.

Water demand/capita/day = 45 lpcd

Per day water consumption = **7 KLD****For construction purpose**Average water requirement per day = **15 KLD**

Source of water: STP treated water for construction purpose &amp; Tanker water for domestic purpose

Sewage generated at construction site will be treated in mobile STP

**Total water requirement during construction phase = 22 KLD****WATER REQUIREMENT DURING OPERATION**

Water during the operation phase will be met from PWD Water supply. Water conservation practices and rainwater harvesting plan will be implemented as per the guidelines to conserve the resources.

Total fresh water requirement for proposed project will be 214 KLD. The detailed water requirement of the project and other facilities is estimated below along with water balance chart.

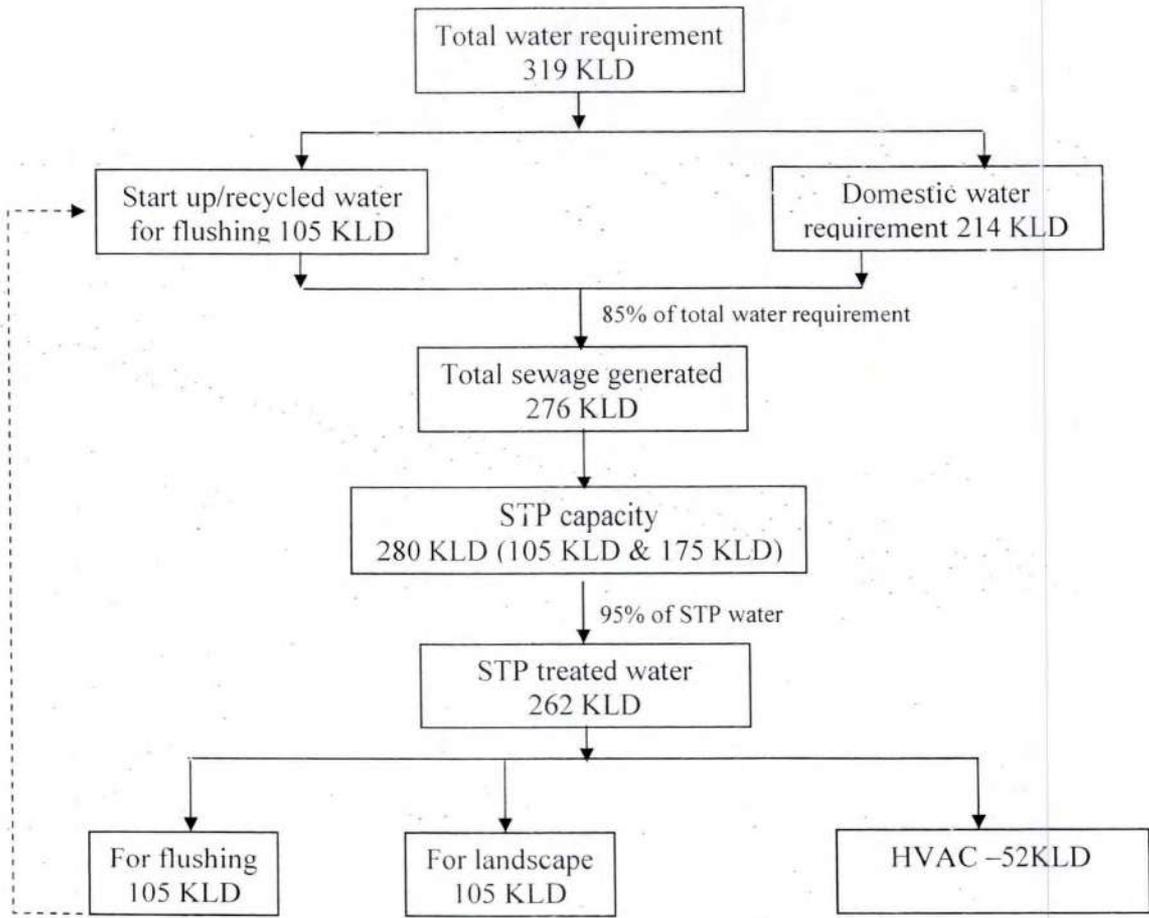
**Existing building:**

| Sl. No. | Description            | Units      | Occupants   | Domestic water @90lpcd, in KLD | Flushing water @45lpcd, in KLD | Total water Demand @135lpcd, in KLD |
|---------|------------------------|------------|-------------|--------------------------------|--------------------------------|-------------------------------------|
| 1       | Residential Apartment: | 364        | 1456        | 130                            | 66                             | 196                                 |
| 3       | Club house             | --         | 50          | 2.25 @45                       | 1.25 @25                       | 3.5                                 |
|         | <b>Total</b>           | <b>364</b> | <b>1506</b> | <b>132.25</b>                  | <b>67.25</b>                   | <b>200</b>                          |

## Proposed buildings

| Sl no | Description of Module | Area in Sqmt | No of Persons | Domestic water demand in lpcd | Flushing water demand in lpcd | Total water demand in lpcd | Domestic water reqt in liters/day | Flushing water reqt in liters/day | Total water reqt in liters/day | Sewage Generated in KLD |
|-------|-----------------------|--------------|---------------|-------------------------------|-------------------------------|----------------------------|-----------------------------------|-----------------------------------|--------------------------------|-------------------------|
| 1     | Ground floor( Retail) | 566          | 189           | 5                             | 10                            | 15                         | 943                               | 1887                              | 2830                           | 20.                     |
| 2     | Restaurant            | 247          | 247           | 55                            | 15                            | 70                         | 13585                             | 3705                              | 17290                          |                         |
|       | <b>Total</b>          | <b>813</b>   | <b>436</b>    |                               |                               |                            | <b>14528</b>                      | <b>5592</b>                       | <b>20120</b>                   |                         |

| Sl no | Description of Module       | Total unit | Rate of Occupancy | No of Persons | Domestic water demand in lpcd | Flushing water demand in lpcd | Total water demand in lpcd | Domestic water reqt in liters/day | Flushing water reqt in liters/day | Total water reqt in liters/day | Sewage Generated in KLD |
|-------|-----------------------------|------------|-------------------|---------------|-------------------------------|-------------------------------|----------------------------|-----------------------------------|-----------------------------------|--------------------------------|-------------------------|
| 1     | 4 BHK                       | 14         | 7                 | 98            | 90                            | 45                            | 135                        | 8820                              | 4410                              | 13230                          | 99                      |
| 2     | 3BHK                        | 92         | 6                 | 552           | 90                            | 45                            | 135                        | 49680                             | 24840                             | 74520                          |                         |
| 3     | CLUB HOUSE                  |            | 0                 | 50            | 70                            |                               | 70                         | 3500                              | 0                                 | 3500                           |                         |
| 4     | Swimming Pool Make-up water |            |                   |               |                               |                               |                            | 1500                              |                                   |                                |                         |
| 5     | Villas                      | 11         | 5                 | 55            | 90                            | 45                            | 135                        | 5000                              | 2500                              | 7500                           |                         |
|       | <b>TOTAL</b>                | <b>117</b> |                   | <b>755</b>    |                               |                               |                            | <b>68500</b>                      | <b>31750</b>                      | <b>98750</b>                   |                         |



**WATER BALANCE CHART**

**SEWAGE TREATMENT PLANT**

The sewage generated from the project is about 276 KLD i.e. 85% of the domestic water requirement. This raw sewage will be treated in the STP of capacity 280 KLD (105 KLD & 175 KLD) using SBR Technology. The treated water will be utilized for secondary purposes like flushing and for gardening.

The sewage generated is about 276 KLD. This sewage is treated in a Sewage Treatment Plant with a designed capacity of 280 KLD (105 KLD & 175 KLD) respectively. Sufficient area for this plant has been earmarked in the layout plan. The treated water will be utilized for secondary purposes like gardening, flushing etc. The sources of wastewater are from toilets, washbasins etc and therefore domestic in nature. This report details the following from the proposed facility viz Collection, Treatment and disposal of domestic effluents.

**Table: Raw Sewage Characteristics**

|                        |         |
|------------------------|---------|
| Quantity, KLD          | 276     |
| p <sup>H</sup>         | 7-10    |
| Suspended Solids, mg/l | 150     |
| BOD, mg/l              | 250-350 |
| COD, mg/l              | 500-600 |

**TREATMENT METHODOLOGY:**

The methodology adopted for treatment of domestic sewage is based on SBR Technology and preliminary treatment for screening, followed with tertiary treatment by filtration & Disinfection.

Design details of Sewage treatment plant is enclosed along with the application.



**2987**  
**EXHIBIT-R-24**

OA 141/2024(WZ) , IA no. 217/2024 Prakash Agarwal VS Mathais Constructions and others

---

From: Manish Salkar (manishsalkar@gmail.com)

To: ngt-pune@gov.in; judicial-ngt@gov.in; tanaji\_9june@yahoo.com; shivshankar.swaminathan@yutilaw.com; mail.gspcb@gov.in; prakashag1960@gmail.com; advsiddharthsardesai@gmail.com

Date: Wednesday, February 12, 2025 at 04:50 PM GMT+5:30

---

Dear Sir ,

The above referred matter , I appear for Respondent no. 7, Goa State Pollution Control . The matter is posted for hearing on 14/02/2025 . I am unable to attend the said matter on 14th due to ill health and is seeking an adjournment in the matter . Kindly grant a short adjournment .

--

manish salkar

---



Adjournemnt application.pdf

87.1kB

TRUE COPY

A handwritten signature in blue ink, appearing to be 'Manish Salkar'.

395

**2988**  
**EXHIBIT 29**

Fwd: OA 141/2024(WZ) , IA no. 217/2024 Prakash Agarwal VS Mathais Constructions and others

---

From: Prakash Agrawal (prakashag1960@gmail.com)  
To: tanaji\_9june@yahoo.com  
Date: Thursday, February 13, 2025 at 01:35 AM GMT+5:30

---

Sent from my iPhone

Begin forwarded message:

**From:** "Siddharth S. S. Sardesai" <Advsideharthsardesai@gmail.com>  
**Date:** 12 February 2025 at 9:26:26 PM GMT+5:30  
**To:** Manish Salkar <manishsalkar@gmail.com>  
**Cc:** National Green Tribunal Pune Bench <ngt-pune@gov.in>, "Consultant Judicial-NGT(P.B.)" <judicial-ngt@gov.in>, tanaji\_9june@yahoo.com, shivshankar.swaminathan@yutilaw.com, Goa PCB <mail.gspcb@gov.in>, Prakash Agrawal <prakashag1960@gmail.com>  
**Subject:** Re: OA 141/2024(WZ) , IA no. 217/2024 Prakash Agarwal VS Mathais Constructions and others

Respected sir,

I on behalf of Respondent No. 1, 2, 3 & 4 tender No Objection to your Application for Adjournment.

Regards,  
Adv. Siddharth S. S. Sardesai,  
Chambers of Senior Advocate Nitin N. N. P. Sardesai,  
St. Inez, Panaji-Goa.  
Mobile: 9881884646 📞Office: 0832-2225471

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2989

On Wed, 12 Feb 2025 at 4:50 PM, Manish Salkar <[manishsalkar@gmail.com](mailto:manishsalkar@gmail.com)> wrote:

Dear Sir ,

The above referred matter , I appear for Respondent no. 7, Goa State Pollution Control . The matter is posted for hearing on 14/02/2025 . I am unable to attend the said matter on 14th due to ill health and is seeking an adjournment in the matter . Kindly grant a short adjournment .

--

manish salkar

TRUE COPY

 397



Sonam

**EXHIBIT-R-26**

**IN THE HIGH COURT OF BOMBAY AT GOA**

**WRIT PETITION NO.819 OF 2024**

GILBERT ANTHONY FERNANDES AND 2  
ORS

... PETITIONERS

Versus

STATE OF GOA, THR. THE CHIEF  
SECRETARY AND 4 ORS.

... RESPONDENTS

Mr. Parag Rao with Ms. Sowmya Ramesh Drago, Advocates for the  
Petitioners.

Mr. Manish Damodar Salkar, Government Advocate for Respondent  
Nos. 1 and 2.

Mr. Dharmanand Vernekar, Advocate for Respondent No. 3.

**CORAM:- VALMIKI MENEZES, J.**

**DATED :- 13th February, 2025**

P.C.:

1. Learned Advocate Mr. Dharmanand Vernekar appears and waives  
service for Respondent No. 3 and undertakes to file Vakalatnama  
within a period of two weeks from today and seeks time to file the  
reply. An advance copy of the reply to be served on the Petitioners by  
17.03.2025 and rejoinder if any, to be filed by 25.03.2025.

2. List the matter on 27.03.2025.

**VALMIKI MENEZES, J.**

## IN THE HIGH COURT OF BOMBAY AT GOA

**MISC.CIVIL APPLICATION NO.2353 OF 2024 (F)**

**IN**

**WRIT PETITION NO.197 OF 2023**

**FATIMA BI A SHAIKH AND 3 ORS**

**... APPLICANTS**

**Versus**

**THE STATE OF GOA THR. THE CHIEF  
SECRETARY AND 4 ORS**

**... RESPONDENTS**

Mr Laban Carvalho holding for Mr Vivek Rodrigues, Advocate for the Applicants.

Mr Manish Salkar, Government Advocate for Respondent Nos.1 to 3.

Ms A. Fernandes, Advocate for Respondent Nos.4 and 5.

**CORAM:- M. S. KARNIK &  
NIVEDITA P. MEHTA, JJ.**

**DATED :- 12th February, 2025**

By consent S.O. 26-02-2025

**( FOR REGISTRAR JUDICIAL )**

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**MISC.CIVIL APPLICATION NO.102 OF 2025 (F)**  
**IN**  
**PUBLIC INTEREST LITIGATION WP NO.6 OF 2024**  
ANIL DATTA SALELKAR ... APPLICANT  
Versus  
THE DIRECTORATE OF MINES AND  
GEOLOGY THR ITS DIRECTOR AND 6 ORS ... RESPONDENTS

Ms. Norma Alvares, Sr.Advocate with Ms Malisa Simoes, Advocate for the applicant.

Ms Maria Correia, Additional Government Advocate for respondent Nos.1 to 5.

Mr Manish Salkar, Advocate for respondent no.6.

Ms Simran Khadilkar, Advocate for respondent No.7.

Mr R. Chodankar, Advocate for respondent No.8.

Mr Yogesh Nadkarni and Mr Nilay Naik, Advocates for respondent No.9.

Mr Shivan Desai, Advocate for respondent No.10.

**CORAM:- M. S. KARNIK &  
NIVEDITA P. MEHTA, JJ.**

**DATED :- 12th February, 2025**

By consent S.O. 13-02-2025

**( FOR REGISTRAR JUDICIAL )**

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400

Page 1 of 1

12th February, 2025

MATLOCK D'SOUZA

B.Com L.L.B (Deg)

Advocate

---

through E-mail

Dated 25.04.2024

To,

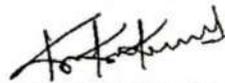
The Flat Owners of Ocean Park residency

Donapaula Goa

Sub: Objections to register any agreement/s of sale/s,  
Memorandum/s of understanding/s, Sale deed/s, lease  
agreement/s with regards to the property bearing Survey  
No 249/1-A of Taleigao Village of Tiswadi Taluka which  
belong to my clients and/or handover vacant possession of  
the 364 flats in the 13 buildings.

Madam/Sir,

Under the instruction of my clients Mrs Dinamati Gomes, Navnath Gomes,  
Mrs Shilpa Andre Gomes, Mr Raghu Arundarya, Mrs Karishma Andre Gomes



---

Address: BB2 First Floor, Near Casa Immaculada Bldg, Near the Panjim Church,  
Panaji, Goa Tel: 9850390360 Email id [advmatlockdsouzalawfirm@gmail.com](mailto:advmatlockdsouzalawfirm@gmail.com)

## MATLOCK D'SOUZA

B.Com L.L.B (Deg)

Advocate

---

*and Mr Vikesh Chimulkar r/o Hno 223, Opp NIO colony Goa University Road, Donapaula Goa, I seek to place the factual position by way of objections To register any agreement/s of sale/s, Memorandum/s of understanding/s, Sale deed/s, lease agreement/s with regards to the property bearing Survey No 249/1-A of Taleigao Village of Tiswadi Taluka with Mathais Construction Private Limited , Paramount Buildwell Construction Private limited, Joe Mathias and/or Mariola Mathias and Montfluery Investment Services Pvt Ltd, Prestige Estates Projects Private ltd and/or any person claiming title from them and/or to return the peaceful possession of the flats(364) situated in the 13 buildings.*

*Brief facts leading to the Present Objections*

- 1. Late Andre Andrade was the owner of several other properties one of which is described below.*

---

*Address: BB2 First Floor, Near Casa Immaculada Bldg, Near the Panjim Church, Panaji, Goa Tel: 9850390360 Email id [advmatlockdsouzalawfirm@gmail.com](mailto:advmatlockdsouzalawfirm@gmail.com)*

## MATLOCK D'SOUZA

B.Com L.L.B (Deg)

Advocate

---

(i) Property known as "maulinguem" bearing survey No.249/1 of village Taleigao Plateau, Bona Paula, Ilhas Goa.

2. Andre Andrade's wife predeceased him on 02.05.1940 and Andre Andrade expired on 22.04.1959 leaving behind five children, Sebastiao Andrade, Rosalina Andrade, Conceicao Andrade, Santana Andrade and Vijaya Andrade. Sebastiao was married to Clotildes Fernandes alias Tolentino Fernandes, Rosalina Andrade married to Santana Pereira, Conceicao Andrade married to Alexo Barreto, Santana Andrade married to Lourenco Mergulhao and Vijaya Andrade married to Raghunath Narvekar alias Jose Fernandes. Eventually and during course of years all the five children and their wives also expired leaving behind their respective children.

3. That the Inventory Proceedings bearing no 993/1940 were initiated on the death of Ana Francisca Estrocio by her husband Andre Andrade. That Andre Andrade have various movables and/or immovables belonging to him at his death which was listed in the inventory.

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*MD*  
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4. *That Andre Andrade and Ana Francisca Estrocio had five children namely*

- a. Sebastian married to Clothildes alias Tolentina*
- b. Rosalina married to Santana Pereira,*
- c. Conceicao Andrade married to Aleixo Barreto,*
- d. Santana Andrade married to Lourenco Mergulhao and*
- e. Vijaya Andrade married to Ragunath Narvekar*

5. *That the two immovable properties were purchased by Andre Andrade who was married to Ana Estrocio*

6. *That the Inventory Proceedings bearing no 993/1940/B were initiated on the death of Ana Francisca Estrocio by her husband Andre Andrade.*

7. *That the Ana Estrocio predeceased Andre Andrade's on 02.05.1940 leaving behind her moiety holder Andre Andrade and five children,*

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*Sebastiao Andrade, Rosalina Andrade, Conceicao Andrade, Santana Andrade and Vijaya Andrade.*

8. *That Andre Andrade had two dowries two immovable's which was listed in the inventory totaling 4 items at the opening of inheritance of his wife Ana Estrocio which he had purchased having described in the Land Registration Office of judicial division of Ilhas under the no. 17202 at pages one hundred and fifty of Book B 45 new – that, being the lot number 15 of the 16 lotes into which the said piece of land had been divided or portion of the northern side of the property fully described under the no. 1686 at fls. 58v of book B 20 old and described in the Land Registration Office of judicial division of Ilhas under the no. 17203 at fls. 150v of book B 45 new - that, being no. 16 of the 16 lotes into which the said piece of land had been divided or portion of the northern side of the property earlier described under the no. 1686 at fls. 58v of book B 20 old.*



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9. That the item Nos 3 & 4 of the List of Assets which was immovable's and as listed by Andre Andrade which is at page nos 39 to 41 which are listed as follows:

Item No 3

Property denominated Caranzalem or Aivao, situated in the village and parochial district of Taleigao, of taluka Ilhas, described in the Land Registration Office of judicial division of Ilhas under the no. 17202 at pages one hundred and fifty of Book B 45 new - that, being the lot number 15 of the 16 lotes into which the said piece of land had been divided or portion of the northern side of the property fully described under the no. 1686 at ffs. 58v of book B 20 old, forms a distinct property by itself - bounded on east by the property of heirs of Jose Maria Pereira, on west by the property of Antonio Manuel Fernandes vulgo Xabi, on north and south by the lotes nos. 16 and 14 respectively of the said piece of land valued for nine hundred rupees 900/=

Item No 4



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*Property denominated Caranzalem or Aivao, situated in the village and parochial district of Talcigao, of taluka Ilhas, described in the Land Registration Office of judicial division of Ilhas under the no. 17203 at fls. 150v of book B 45 new - that, being no. 16 of the 16 lots into which the said piece of land had been divided or portion of the northern side of the property carrier described under the no. 1686 at fls. 58v of book B 20 old, forms a distinct property by itself - bounded on east by the property of Mitra and of heirs of Jose Maria Pereira, on west by the property of Antonio Manuel Fernandes vulgo Xabi, on north by the property of Baboia Gaunco and others and palm-grove of the said Mitra, and on south by the lote no. 15 of the said piece of land valued for nine hundred rupees 900/)*

*10. That the two immovable properties out of the list of assets were i.e Item No 3 and Item No 4 were allotted to Andre Andrade and Sebastiao Andrade respectively. That the Map of partition has clearly held that*

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*the item No 3 was taken by Andre Andrade and that item No 4 was taken by Sebastiao Andrade*

11. *That a List of Assets were filed alongwith the Certificate of Valuation dated 4<sup>th</sup> August 1940.*

12. *There after the Inventory Court was pleased to draw the Description of Assets.*

13. *That thereafter the matter proceeded towards auction and the Andre Andrade was allotted item No 3 for nine hundred and One rupees and Sebastiao Andrade was allotted item No 4 for nine hundred and One rupees.*

14. *That the Map of Partition came to be drawn.*

15. *That the Inventory Proceedings bearing No 993/1940/B culminated into final Order dated 9.09.1940 in the same year itself.*

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16. That Andre Andrade thereafter acquired various movables and/or immovable's belonging to him after the death of Ana Francisca Estrocio.

17. That Andre Andrade died in the year 22.04.1959, had left behind various movables and immovable properties to his children which one of which i.e item no 3 that was listed in the inventory proceedings 993/1940/B.

18. That Andre Andrade died in the year 22.04.1959, had left behind various movables and immovable properties to his children which were listed in the inventory proceedings 993/1940.

19. That upon the death of Andre Andrade and vide Deed of Sale and Quitance dated 22.08.1959 made by Rosalina married to Santana Pereira, Conceicao Andrade married to Aleixo Barreto, Santana Andrade married to



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*Lourenco Mergulhao sold undivided share of the estate of Andre Andrade in favour of Sebastiao Andrade.*

*20. That upon the death of Andre Andrade, Sebastiao Andrade had acquired undivided 1/5<sup>th</sup> share of each property in the estate of Andre Andrade through devolution and 3/5<sup>th</sup> undivided share of each property in the estate of Andrade Andrade vide Deed of Sale and Quitance dated 22.08.1959 and the said Sebastiao Andrade became the owner of 4/5<sup>th</sup> share of the estate of Andre Andrade.*

*21. That from the marriage of Sebastiao Andrade to Clothildes alias Tolentina they had only one daughter Emuna Andrade who was born on 30.07.1944.*

*22. That at the age of 11 years old Emuna Andrade being a minor was married to Caetano Gomes on 15.05.1956 by way of an illegal and unlawful emancipation which was contrary to the provisions of law.*

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23. That upon the death of Sebastian Andrade wherein Emuna who was a minor being a heir to half of the estate left her deceased father including movable and immovable, Clothildes as a mother and/or natural guardian and who was appointed as the head of the family in the inventory proceedings no 993/1940 who was residing with the deceased was bound to be brought on record being a minor, but Clothildes did not inform the court nor the Curator/Public Prosecutor within the time limit so as to take charge of the Emunas rights in the inheritance of Sebastiao and/or Andre Andrade.

24. That Emuna Andrade being a minor had four minor children prior to the year 1963 from her wedlock, namely Emuna Andrade alias Emuna Gomes and Caetano Gomes had 4 children:-

- a. Kshamata Gomes
- b. Albert Gomes
- c. Andre Gomes
- d. Sebastiao Gomes

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25. That on the death of Sebastiao Andrade when the inventory proceedings bearing no 993/1940 were being prosecuted for the estate of Andre Andrade, Clothides Fernandes was appointed as head of the family. That it was the duty of the head of the family to intimate the Court that Sebastiao Andrade expired and that he left behind a minor who was married and had four minor children.

26. While the inventory proceedings were being prosecuted its course in the Court of Civil Judge of Comarca at Panaji, an illegal, void ab initio Extra judicial partition of the estate of Andre Andrade and/or Sebastian Andrade came to be mischievously executed vide Deed of Partition dated 13.09.1963 at the behest of Clothildes Andrade. It must be mentioned that Clothildes had only one child i.e. Emuna Andrade who was a minor at that point of time, and that the Deed of Partition was done without due permission from the inventory court which is the Court of Civil Judge of Comarca at Panaji which renders the Deed of Partition dated 13.09.1963 as null and void ab initio in the eyes of law for all legal and practicable purposes.

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27. *The Deed of Partition dated 13.09.1963 between Clothildes and Emunam and her husband Caetano Gomes for the succession and inheritance of Sebastiao wherein a total of 10 items were listed of which some of the items mentioned in the Deed of Partition were also listed in the Inventory proceedings 993/1940 belonging to the estate of Andre Andrade. The Deed of Partition never mentioned the entire list of movables and immovable's as the law mandates while describing the entire estate i.e items 1 to 88 as shown in the list of assets produced before the Inventory court which is on record.*

28. *That there could not be a Deed of Partition of the estate of Andre Andrade and/or Sebastian Andrade when the inventory proceedings bearing no 993/1940 were being prosecuted. That the Deed of Partition dated 13.09.1963 done by making Emuna as party to the Deed, despite being a minor, is null and void in the eyes of law, since it required the permission of the Court.*

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29. *The items nos 50, 54, 20 & 88 came to be allotted to Clothildes Fernandes, Joe Mathias, Vijaya Satardekar and Sadik Sheikh. These items though purported to be allotted to Emuna and Clothildes by way of the Deed of Partition dated 13.09.1963, but were listed in the inventory and allotted to the other persons, clearly depicts that the Deed of Partition is a mere paper not having legality in essence and therefore is a nullity in the eyes of law. That none of the items from 3 to 10 of the Deed of Partition dated 13.09.1963 were given to Emuna Andrade and Caetano Gomes which can depict that the Deed of Partition is a void ab initio and non est in the eyes of law.*

30. *That the Deed of Partition dated 13.09.1963 executed before the Notary Public, Dr. Fernando Jorge Colaco in his Book of Notes No. 560 at Panaji – Goa is void ab initio and non est in the eyes of law as the value is beyond 20,000\$00 (escudos) there the Notary Public, Dr. Fernando Jorge Colaco could not have even registered the said deed.*




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31. In the year 1971 the said Emuna Gomes alias Yamuna Gomes filed a suit bearing No. 1/1971/A before the Court of the Civil Judge Senior Division for the cancellation of the said Deed of Partition and the same suit came to be dismissed by Judgment and Order dated 27/11/1979 that since the Deed of Partition dated 13.09.1973 was a nullity in the eyes of law since its inception hence the decision passed vide Order dated 27/11/1979 by the Court of the Civil Judge Senior Division in suit bearing No. 1/1971/A based on a document which is a null and void ab initio in the eyes of law is also a nullity and non est in the eyes of law.

32. That Deed of Partition is a nullity, non est in the eyes of law and void ab initio from its inception.

33. The Joe Mathias purported to have purchased a share of 1/10<sup>th</sup> share of Andre Andrade from Vijaya Andrade vide Deed of Sale dated 1.7.1998 without notice of pre-emption to the other co-owners. That the matter with regards to preemption of 1/10<sup>th</sup> share is pending before the Hon'ble High Court of Bombay at Goa in First Appeal no 97 of 2017 which is pending of

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*final adjudication. That Joe Mathias has filed various complaints and suits as a counter blast to the preemption matter and to coerce my clients into entering a settlement.*

34. *That Joe Mathias has connived with the power of attorney of Clothildes Fernandes i.e Kshamata Dessai and has acted with fraud and bad faith in a malicious way to deprive the heirs of Emuna Andrade i.e. my clients. At any rate the minutes of auction, chart of allotment and Order dated 18.08.2006 is void ab initio and a nullity in the eyes of law in view of the Deed of Partition dated 13.09.1963 being a nullity in the eyes of law.*

35. *From 18.08.2008 till the present date the Joe Mathias has failed to deposit the owelty moneies in the inventory court within the time limit as prescribed under law which itself makes the auction, chart of allotment and final Order a nullity in the eyes of law. At any rate the said inventory proceeding through which the Joe Mathias is claiming ownership is non est, Void in the eyes of law and as such is by no stretch of imagination the Joe Mathias is the OWNER of the property.*

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36. That Joe Mathias was well aware that there were two inventories one on the death of Ana Estrochio which culminated on 9<sup>th</sup> September 1940 and the two properties (immovables) were allotted to Andre Andrade and Sebastiao Andrade and after the death of Andre Andrade, Sebastiao Andrade reopened the same Inventory proceedings in the year 1959. That the said Joe Mathias purchased the undivided share of Vijaya Andrade and/or Rosalina Andrade vide Deed of Sale dated 1.07.1998.

37. That Ranjit Satardekar in collusion with Joe Mathias, Kshamata Dessai (power of attorney of Clothildes Fernandes, wife of the Applicant) who would instruct the legal attorneys of Clothildes on behalf of Joe Mathias to suit and aid his case, all in collusion and through fraudulent means moved an application dated 30.01.2006 to incorporate survey numbers/P.T sheet to be corrected and/or added to the immovable items.



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38. That due to collusion and fraud committed by the said Ranjit Satardekar(deceased), Joe Mathias and/or Kshamata Dessai (power of attorney of Clothildes Fernandes) gave a no objection to the Application, which came to be was allowed on the same day i.e. on 30.01.2006.

39. That due to such collusion and/or by illegal means by the said persons they snatched an Order from the Inventory court which is otherwise not permissible under law and therefore the same is a nullity in the eyes of law.

40. That even by consent of the parties such an Order is not permissible since the property never belonged to the inheritance of Andre Andrade and that the property belonged exclusively to Sebastiao Andrade and upon his death to Clothildes Fernandes. That the court even does not have power to declare such a property to the inheritance of Andre Andrade and therefore all acts are nullities in the eyes of law. That

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*since the Order dated 30.01.2006 is void, non est in the eyes of law, a nullity the subsequent procedures are also nullities in the eyes of law.*

*41. That as per the procedure mandated under the Portuguese Civil procedure code i.e when there is amendment to the items in the list, the procedure ought to have been followed is that the List of assets had to be amended but the court directly proceeded in amending the Description of Assets which is not permissible under law which procedure is a nullity in the eyes of law. That the Court has no power under the law to draw the description after amendment of is made to the list of assets. The Court has not proceeded interms of law as there ought to have been objections to the list of assets if any then valuation as the property has been added. That the Court has no power to draw description of assets on an application which has added a new property. That there is no procedure under law for such an act.*

*42. That in paragraph 4 of the application the Item No III which is surveyed under Chalta No 6 of PT Sheet No 174 having an area of*

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6275 sq mts and Chalta Nos 11 & 12 of PT sheet 175 having an approximate area of 2393 sq mts of City Survey, Panaji was added through fraudulent means by deceiving the Inventory Court which is a fraud played on the Court by the parties. That there was no enquiry conducted in the matter nor the court sought to enquire whether the property belonged to the inheritance of Andre Andrade. That even by consent of the parties the same could not have been added as the law does not provide for such a consent and therefore such Order is a nullity in the eyes of law.

43. That the Chalta No 6 of PT Sheet No 174 having an area of 6275 sq mts which presently has an area of 2421 corresponds to the description as described in the Land registration office of judicial division of Ilhas under No 17203 at fls 150v of book B 45 new- that, being no 16 of the 16 lots which was allotted to Sebastiao Andrade on the death of Ana Estrocio in the year 1940.

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44. That the Order dated 30.01.2006 is a nullity in the eyes of law and that the property was never belonging to inheritance of Andre Andrade as it was re opened and/or continued on 27.11.1959.

45. That the Inventory Court has no jurisdiction nor power to bring forth the property of Item No 2 which was allotted to Sebastiao Andrade in the Inventory culminated on 9<sup>th</sup> September 1940 either in the list of assets and/or description of assets which never belonged to the Inheritance of the deceased i.e. Andre Andrade and thereafter it was allotted to Clothildes Fernandes.

46. That through such acts of fraud by Ranjit Satardekar(now deceased), Joe Mathias and/or Kshamata Dessai added the property belonging to Sebastiao Andrade and/or Clothildes Fernandes to the Description of Assets which never belonged to the inheritance of late Andre Andrade on his death.



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47. That the auction proceedings were conducted by the bailiff of the Court which is not permissible under the Portuguese Civil Procedure Code. That it is only the Judge of the Inventory Court who can conduct the auction of the inventory proceedings and that no other person is authorized to conduct the auction proceedings, which in the present case the bailiff has conducted the auction. Therefore the procedure of auction also is a nullity in the eyes of law as it is not in terms of the procedure laid down under the Portuguese Civil Procedure Code.

48. That the Court proceeded thereafter for auction, Chart of partition and the Final Order dated 18.08.2006. That Joe Mathias till the present date has failed to deposit the owelty money in the inventory court within the time limit as prescribed under law which itself makes the auction, chart of allotment and final Order a nullity in the eyes of law and as such is by no stretch of imagination the Joe Mathias is an owner of the said properties.



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49. That despite the inventory being concluded no title and/or possession was handed over to Joe Mathias and/or Mariola Mathias by the Inventory Court.

50. That after completion of the Inventory proceedings bearing no 993/1940/B before the Civil Judge Senior Division at Mapusa a First Appeal came to be filed by Ranjeet Satardekar having registered as First Appeal 289 of 2006 before the Hon'ble High Court of Bombay at Goa.

51. That a Civil Application bearing no 294 of 2007 came to be filed and the same was disposed on 14.02.2008.

*Annexed hereto is the Copy of the Order passed in the CA 294 of 2007.*

52. That the Hon'ble High Court in CA 294 of 2007 has held in paragraph 18.....



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....."Therefore, in my view, although there is no stay granted against the final order/chart of partition dated 18/08/2006, the only mode available to the respondent no.1 to obtain the title and possession was by making an application to the trial Court and since the same has not been done, the possession of respondent no.2 has got to be held illegal and unauthorised and therefore till such time the respondent no.2 obtains the said possession by proper and legal means, he cannot be permitted to continue with the works of construction in the suit property. He is therefore hereby directed to maintain status quo till such time possession is given to him by the trial Court"

"The Respondent No 2 is Joe Mathias "

53. That Joe Mathias preferred a SLP before the Supreme Court of India against the Order passed in the CA 294 of 2007.




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54. That Clothildes Fernandes expired on 29.05.2010 and accordingly the heirs of Clothildes were brought on record by way of CMA 495/2010.

55. That there was a collusive mutual understanding between Joe Mathias and Ranjeet Satardekar and accordingly they through malafide intentions sought to delete the heirs of Clothildes Fernandes at their own risk which included my clients.

56. That Ranjeet Satardekar entered into consent terms with Joe Mathias and vide Order dated 14.3.2012 the FA 289 of 2006 came to be disposed off.

57. That Joe Mathias thereafter withdrew the SLP. That the CA 294 of 2007 is binding on Joe Mathias and/or all successful persons from the assets belonging to the estate of Andre Andrade.

58. That based on Order dated 30.01.2006 and the Inventory proceedings where in the property belonging to Sebastiao Andrade and/or Clothildes

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*Fernandes purportedly added and thereafter amended in the Description of Assets are nullities in the eyes of law and therefore the proceedings till the final Order are also nullities in the eyes of law. That there is a fraud which is played on this court by allowing property of Sebastiao Andrade and/or Clothildes Fernandes to be included in the inventory of Andre Andrade.*

*59. That Joe Mathias as well as his Advocates as on 30.01.2006 were well aware that there was an inventory proceedings in the year 1940 on the death of Ana Francisca(wife of Andre Andrade) which culminated on 9<sup>th</sup> September 1940 itself and that on the death of Andre Andrade the inventory reopened and/or continued in the year 1959 despite which being in collusion all the said persons tried to commit fraud and got a fraudulent Order from the Inventory Court.*

*60. That the entire proceedings were done only to defraud the court and to snatch Orders from the Inventory Court based on an application being craftily drafted.*



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61. That Joe Mathias as well as his Advocates who represented him clearly knew the fact that there were two inventories from the inheritance of Andre Andrade/Ana Francisca Estrocio and that the property bearing Chalta No 6 of PT Sheet No 174 having an area of 6275 sq mts corresponds to the description as described in the Land registration office of judicial division of Ilhas under No 17203 at fls 150v of book B 45 new- that, being no 16 of the 16 lotes which was allotted to Sebastiao Andrade on the death of Ana Estrocio in the year 1940 and thereafter the same was allotted to Clothildes Fernandes vide Deed of Partition dated 13.09.1963 which makes the proceedings of the Inventory as nullities in the eyes of law.

62. That Joe Mathias never deposited a single paisa before the Inventory Court which properties were auctioned and allegedly got allotted to the Joe Mathias without depositing the owelty monies got approval of various plans and licenses by using his influence, money power, political power and suppressing facts in the said properties.

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63. *That the final order in the inventory proceedings is bad in law, as no clear and/or legal title has devolved to Joe Mathias.*

64. *That there is no title nor possession given to Joe Mathias by the Inventory Court and that the Hon'ble High court has imposed a bar/status quo/restriction on Joe Mathias in entering the properties allotted in the Inventory which is in force till today.*

65. *That the Joe Mathias had filed an application for execution as per the directions of the Hon'ble High Court but has chosen for best reasons known to him, withdrawn the same thereby accepting the verdict of the Hon'ble High Court and rendering his possession illegal.*

66. *That the late Andre Gomes married to Dinamati Gomes and from the wedlock they had four children namely.*

i. *Navnath*

ii. *Shilpa married Raghu A*

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iii. Reshma married to Tushar Zambaulikar

iv. Karishma married to Vikesh Chimulkar

*who are my clients*

67. That the said Joe Mathias in order to force a settlement between parties (descendants of Clothildes through Emuna) and in an arm twisting manner through various matters has called upon some persons/henchmen Maxie Lewis and/or Niteen Sant to pressurize the said Dinamati and her family to move away from the front of the property and shift to the side of the property wherein he has constructed four buildings/structures for each of the heirs of Emuna.

68. That the final order in the inventory proceedings is bad in law, as no clear and legal title has devolved to the Joe Mathias since he has not deposited the owelty monies in the Inventory court. There is no title nor possession given to Joe Mathias from the Inventory Court.

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69. That some of the heirs of Clothildes Fernandes have connived with Joe Mathias and have signed various MOU's, agreement and understandings wherein my clients are not part off.

70. That based on such bogus and scandalous acts the Joe Mathias by using his influence, money power, political power and suppression and/or concealment of facts has put up projects known as "Ocean Park" and "Prestige Homes" which project is worth more than 800 crores being illegal occupied and usurped an area of 86000 square meters approximately from its true owners.

71. My Clients have also informed me that the said Joe Mathias has filed a Special Civil Suit 18/2018/B wherein the Joe Mathias Vs Dinamati Andre Gomes & others wherein the Joe Mathias has prayed for:

*It is therefore prayed as under:*

a) For a decree, order or direction directing the defendants to demolish and remove the second floor built on the



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*structure in the said area of 1562.11 square meters and to demolish and remove the said compound wall now existing in the suit property and to hand over the vacant possession of the first floor and ground floor of the said structure and hand over the possession of the said area of 1562.11 square meters or the suit property mentioned above unto the Plaintiff within such time this Hon'ble Court may deem proper and fit.*

*b) Alternatively for a decree or a\_ direction directing the Defendants to demolish and remove the entire structure and compound wall constructed in the said area of 1562.11 square meters or the suit property mentioned above and to hand over the vacant possession of the suit property unto the Plaintiff within such time this Hon'ble Court may deem fit and proper.*

*c) For a compensation of Rs. 270/(Rupees Two Hundred and Seventy Only) per square meter per day of the area*



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*found to be encroached from 10/11/2007 until the actual handing over of vacant Possession of the encroached area unto the Plaintiff.*

*d) For a Permanent Injunction restraining the Defendant's from interfering with the Plaintiffs possession of the suit property in any manner whatsoever and from constructing anything whatsoever in the Suit Property thereafter.*

*e) Any other relief this Hon'ble Court deems fit in the circumstances of the case.*

*f) Costs and Advocate's fees.*

*72. My Clients have filed a counter claim to the Special Civil Suit bearing no 18/2018 filed by Joe Mathias and has sought an Order of demolition of projects known as "Ocean Park" and "Prestige Ocean Crest" which project is worth more than 800 crores being illegal occupied and usurped an area of 86000 square meters approximately from its true owners i.e. my clients &*

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*heirs of Emuna which is marked as Sector I i.e Ocean Park and Sector IV as Prestiges Ocean Crest in the approved plan.*

73. My clients has sought in the counter claim in SCS 18 of 2018 filed by Joe Mathias the following prayers:-

(i) *For Judgment and Decree for demolition of the structure and/or structures/buildings of the projects of Ocean Park and Prestige both built in the suit property which is Sector I and Sector IV in the plan,*

(ii) *For the recovery of vacant possession of the suit property and also for the recovery of possession of an area of 86,000 Square meters,*

(iii) *These Defendants are entitled for Rs. 270/(Rupees Two Hundred and Seventy Only) per square meter*

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*per day amounting to a sum of Rs. 69,66,00,000/(Rupees Sixty Nine Crores Sixty Six Lakhs Only) per month alongwith 9 percent interest p.a. for the illegally occupying, usurping the area of 86,000 sq mts, since 01/11/2007 till the actual handing over of vacant possession of the same to the Defendants*

*(iv) Any Consequential reliefs interms of compensation and mense profits;*

*(v) Any other order this Hon'ble Court may deem fit and proper;*

*(vi) Costs*

*74. My clients(some) have filed appropriate civil proceedings for recession of the Inventory which is registered as CMA 182 of 2022 before the Civil*

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*Judge Senior Division at Mapusa for rescission of judicial partition of the Inventory Proceedings in case bearing no 990/1940/B(old) and 310/2004/A(new) before the Civil Judge Senior Division at Mapusa and consequently all the proceedings from taking on record the Deed of Partition dated 13.09.1963 at page 145 onwards and subsequent Orders are liable to be quashed and annulled being void ab initio, nullity, and non est in the eyes of law including the minutes of auction, chart of allotment and Final Order dated 18.08.2006 and this Hon'ble Court may be pleased to take the further steps and decisions after hearing these Applicants and the remaining heirs of Emuna Andrade and pass appropriate orders in terms of law which is pending.*

*75. My clients have filed appropriate proceedings challenging the following before the authorities under the Goa Panchayat Raj Act 1994*

- *Part Occupancy Certificate dated 25/08/2015 having ref No VP/TLG/OCCUP. CERT/36/1516/1386,*





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➤ *Challenging the legality and proprietary of the Construction licence: VP/TLG/CONST/LIC/35/2006-2007 dated 28.02.2007 having ref no VP/TLG/2006-2007/2409 & Resolution passed by the panchayat bearing Resolution No 3(3) in Panchayat meeting 26.02.2007 under Section 178 & 66(7) of the Goa Panchayat Raj Act 1994;*

➤ *Challenging the legality and proprietary of the Construction licence: VP/TLG/CONST/LIC/82/2009-2010 dated 04.03.2010 having ref no VP/TLG/2009-10/3517 & Resolution passed by the panchayat bearing Resolution No 5(26) in Panchayat meeting 27.02.2010 under Section 178 & 66(7) of the Goa Panchayat Raj Act 1994;*



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➤ *Challenging the legality and propriety of the Construction licence: VP/TLG/CONST/LIC/116/2011-2012/2865 dated 16.03.2012 having ref no VP/TLG/CONST-LIC /116/2011-12/2865 and Resolution passed by the panchayat bearing Resolution No 2(10) in Panchayat meeting 14.02.2012 under Section 178 & 66(7) of the Goa Panchayat Raj Act 1994;*

➤ *Challenging the legality and propriety of the Construction licence: VP/TLG/CONST/LIC/86/2013-14/2240 dated 22.1.2014 having ref no VP/TLG/CONST-LIC/86/2013-2014/2240 and Resolution passed by the panchayat bearing Resolution No 2(1) in Panchayat meeting 15.1.2014 under Section 178 & 66(7) of the Goa Panchayat Raj Act 1994;*



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Advocate

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➤ *Challenging the legality and propriety of the Construction licence: VP/TLG/CONST/LIC/38/2018-19/2012 dated 05.11.2018 having ref no VP/TLG/CONST-LIC/38/2018-2019/2012 and Resolution passed by the panchayat bearing Resolution No 3(1) in Panchayat meeting 29.10.2018 under Section 178 & 66(7) of the Goa Panchayat Raj Act 1994 and all other licences issued to Joe Mathias.*

*76. My clients have informed to me that Joe Mathias has filed a proxy PIL 33 /2022 through one Niteen Sant r/o of Bambolim which is a bogus and proxy litigation in order to submit to the illegal demands of Joe Mathias which matters from the PIL are pending.*

*77. My clients have filed Intervention Application registered as MCA 164 of 2023 in Writ Petition 69 of 2023 with regards to the issue of Conversion Sanad of the Survey No 249/1-A of Talegaio Village, Tiswadi Goa file by*



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*Joe Mathias which is pending for final adjudication before the Hon'ble High Court of Bombay at Goa.*

*78. My clients have also challenged the legality and propriety of the Conversion Sanad dated 19.04.2023 independently before the Administrative Tribunal.*

*79. My clients have informed me that there is a Civil Miscellaneous Application registered as CMA 83 of 2023 under Article 1417(C) of the Portuguese Civil Procedure Code before the Civil Judge Senior Division at Mapusa 'A' Court for demand of deposit of Orwely money of the Inventory Proceedings in case bearing no 990/1940/B(old) and 310/2004/A(new) which was registered as CMA 83 of 2023 before the Civil Judge Senior Division 'A' Court at Mapusa filed by one of the heir of Clothildes Fernandes namely Vinayak Dessai on 06.05.2023 which the Hon'ble Civil Judge Senior Division was pleased to passed the Order on 12.06.2023 as "Issue Notice to the Respondent to deposit the Orwely Money as claimed*

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*as per law" which notice of the demand has been received by Joe Mathias on 14.06.2023.*

*80. That the said Joe Mathias has not complied with the Order dated 14.06.2023 and filed a reply on 19.06.2023 raising various flimsy objections.*

*81. That the time limit of 3 days for depositing of owealty monies which in the present case the Respondents i.e Joe Mathias and his wife Mariola Mathias have failed to deposit in terms of law and as such the licitation (auction), chart of allotment and final order becomes ineffective and null void in eyes of law.*

*82. There is a Writ Petition bearing No 599 of 2023 which was filed by Joe Mathias before the Hon'ble High Court of Bombay at Goa which has partly quashed the Order and remanded the matter to the trial court keeping all contentions open which is pending adjudication.*



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Advocate

83. My clients have informed me that there is a Civil Miscellaneous Application registered as CMA 106 of 2023 before the Civil Judge Senior Division at Mapusa 'A' Court filed by one of the heir of Clothildes Fernandes namely Vinayak Dessai on 01.07.2023 for temporary Injunction under Section 453 of the Goa Succession, Special Notaries & Inventory Proceeding Act 2012 and sought an ex parte injunction which Order dated 04.07.2023 is self explanatory (may refer to the e court site for the Order) which is pending.

84. My clients have informed me that there is a Civil Miscellaneous Application registered as CMA 116 of 2023 before the Civil Judge Senior Division at Mapusa 'A' Court under Article 1417(C) of the Portuguese Civil Procedure Code filed by one of the heir of Clothildes Fernandes namely Vinayak Dessai on 19.07.2023 for to Re-open the Inventory Proceedings in case bearing no 990/1940(old) re-registered as IP 310/2004/A(new) before the Civil Judge Senior Division at Mapusa 'A' Court for failure of deposit of owelty monies as Ordered in CMA 83 of 2023 and to declare the licitation in the Inventory Proceedings in case

   
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*bearing no 990/1940(old) re-registered as IP 310/2004/A(new) before the Civil Judge Senior Division at Mapusa 'A' Court as null and void in the eyes of law and fix a date for re- auction (Joe Mathias, Mariola Mathias, Sadik Sheikh and his wife, heirs of Ranjit Satardekar and the heirs of Clothildes Fernandes ) are parties.*

*85. My Clients have also informed that there is no documentation of title from Mathias Construction Private Limited represented by its Joint Managing Director Mr Julian Richard Mathias to enter into any agreement, development or otherwise which appears to be only fictional done only for the purpose of tax evasion.*

*86. That the First Appeal 289 of 2006 the said Ranjit Satardekar and/or with the consent of Joe Mathias deleted my clients and/or all the heirs of Clothildes Fernandes and signed consent terms. The risk being of the parties who signed the consent terms. It must be mentioned that the order of the Hon'ble High Court still is enforceable and which Order is self explanatory.*




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87. That there is no clear title in the property and that the banks have falsely approved loan on the property on a fraudulent and/or manufactured title report, if any.

88. Therefore the present notice is addressed to you to refrain from registering any agreement/s, memorandum/s of understanding/s, Sale Deed/s with Matthias Construction Private Limited , Paramount Buildwell Construction Private limited, Joe Mathias and Mariola Mathias , Montfluery Investment Services Pvt Ltd and/or Prestige Estates Projects Private Limited, Selling the apartments yourself to third parties and/or bear the consequences thereof.

89. My clients have informed me that you'll are required to handover the peaceful possession of the flats(364) failing which my clients have instructed me to file appropriate Civil as well as Criminal proceedings against you'll for violation of their proprietary rights.

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## MATLOCK D'SOUZA

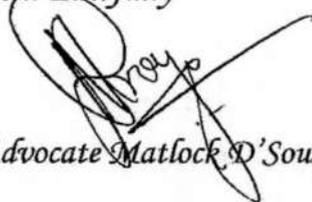
B.Com L.L.B (Deg)

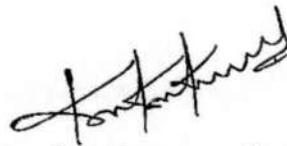
Advocate

90. Any agreement/s, memorandum/s of understanding/s, Sale Deed/s with Mathais Construction Private Limited , Paramount Buildwell Construction Private limited, Joe Mathias and/or Mariola Mathias, Montfluery Investment Services Pvt Ltd and/or Prestige Estates Projects Private Limited registered by you and/or on your behalf shall bear the costs at your own risks which please note. And my clients shall be at liberty to take appropriate civil as well as criminal proceedings.

91. Hoping that wisdom prevails.

Your Lawfully

  
Advocate Matlock D'Souza

  
Navnath Gomes alias Navnath  
Kankonkar

Encl: Order passed in the Civil  
Application No 294 of 2007 before  
the Hon'ble High Court of Bombay at  
Goa

  
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Panaji, Goa Tel: 9850390360 Email id advmatlockdsouzalawfirm@gmail.com

TRUE COPY

Prakash Agrawal

**From:** Joe Mathias <mathias@mathiasgoa.com>  
**Sent:** 11 May 2023 13:17  
**To:** eugene rent  
**Cc:** kripadgoa@gmail.com; Jaideep Fernandes; rahulgulati77@yahoo.co.in; Prashant Chopra; Adv Filipe borges; Dr. Maria Borges; Flocy Camelo; Pradeep & Anju Khanna; Chandrakumar; Prabha Chandran; Bhupinder Khalsa; Kevin Rodrigues; sameer.ghali77@gmail.com; 171 Premnath Iyer; Arup Bose; 211 Azores B Tamal Raha; SK Naik; belmira\_paul@yahoo.co.in; vibhashk53@gmail.com; Percy D; ninapercyd@gmail.com; ninafaria204@gmail.com; arun.malik72@gmail.com; 231 Azores B Osswin D'Costa; coolali5152@gmail.com; yuvrajshirodker@gmail.com; krishanpalsiwach01@gmail.com; Pillai Prashant Tulsidharan; sunilkhhot@hotmail.com; dray@nio.org; its\_vic217@hotmail.com; Gopa Kumar OP & Dali; cynthiadias19@gmail.com; georgethomas79@gmail.com; Veena Jain; Louella DSouza; 262 Jeffrey Agnelo Melagrus Gracias; Abhijeet Srinivas Shirsekar; chintamansamant@yahoo.co.in; 311 Flores A Sanjay Kulkarni; Agostinho Rebello; Chiara Da Costa; Udesh Fatarpekar; mesha87@gmail.com; desaishreyash7@gmail.com; 331 Flores A Yogesh V Nadkarni; jack barretto; Anita Fernandes; Nazareth Sayana & Neil Soares; James Roy; Patricia Pereira; 351 Flores A Mahesh Kumar Yadav; mugdhakamattimble@gmail.com; surendrakhhot@gmail.com; vince.rodrigues@responsivemts.com; kewalmashelkar82@gmail.com; riaz.asif300@gmail.com; 411 Flores B Jayant & Kavita & Beena Bhatia; Mark Joaquim Fernandes; prabhudesai.anura@gmail.com; shilpasamant11@gmail.com; Dattatraya K Patil; silvaa@rediffmail.com; dn.nk135@gmail.com; Aashish Surendra Kamath; Anu Richa Sondhi; Richa Sondhi; Vijay Jain; Stephen Fernandes /Stephanie Fernandes; seeyaneesa99@rediffmail.com; Nitin Naik Bombi & Sons; Aulio Elinio Colaco /Luis Anand Colaco; Prince Arora; Abhay Dalvi; Noel Mendes; satishmistry456@ymail.com; vpikale77@gmail.com; CA Vinesh Pikale; drleela chavan; nacport@yahoo.com; rivatrindade@yahoo.co.in; srinivasshinkre@gmail.com; sameervolvoicar@gmail.com; gabper80@gmail.com; guifsands@hotmail.com; danny.rodrigues2617@gmail.com; Alvo Dias; abhinav.shah84@yahoo.com; saviour.coutinho@gmail.com; Gandharv Singh Chauhan; Shrutin Ulman; neel pawar; randeepather@yahoo.com; ashokrane@gmail.com; irvinmjs@gmail.com; kenthail@gmail.com; sudhaab@yahoo.com; parammktg123@gmail.com; niravpathak1@gmail.com; dvprathameshnaik@gmail.com; brad281@rediffmail.com; Mr Pascoal Trindade; Prasad Amonkar; Rishi Mehrotra; devidasnaik2018@gmail.com; info rliindia; namankumar50@gmail.com; vijked@gmail.com; 722 Dattarai Kallapa Patil; Mahesh Dhamapurkar; Shubha Dhamapurkar; Pratap Raghuvir Sawant; Swati Verma; Gaurav Kamlakant Naik; dhermendratiwari@gmail.com; rajesh.ks29@gmail.com; vishal walavalkar; Nilesh Thanekar Goa Broker; Alpharaaz Khan; jisrandhir2015@gmail.com; Jisa Randir; Rohan Ramesh Badave; cajetonlondon@yahoo.co.uk; graceferns81@gmail.com; info; y2kanilchoudhary@gmail.com; pravitdessai@gmail.com; Devika Mehta; Shekhar Netravalkar; 1414 Martina D Costa; prtimakessarkar@gmail.com; revati@goelectronics.co.in; amitdahiya9027@gmail.com; dhume.ps@gmail.com; Pournima Dhume; Sujal Bandodkar; cruzdias1962@gmail.com; Areef Sardar; Kundan Kumar; Daryl Varghese; Keith Daniel Dsouza; Joshua Puthran; royale.rapl@gmail.com; yeshwant.satardekar@sbi.co.in; malikarjun badami; akshaybadami1993@gmail.com; Dattatray Konnur; suchitrakonnur@gmail.com; Sandesh Tendolkar; Prarthana Tendolkar; deolia\_santosh@yahoo.com; ssg1950@gmail.com; chandni davda; John Samson; Sundaram Narayanan; GMC unknown Melanie Roselle Dias; satarinosocorro@gmail.com; Elly Almeida;

**Cc:** edwin\_dias@yahoo.com; nazioferrao@gmail.com; Dilipkumar Melvani; Assis Cunha; Dhaval Fadadu; prasenjitmazumdar@hotmail.com; sumitramazumdar@hotmail.com; natasha.a.ferrao@gmail.com; sukho068@gmail.com; Satish Babu; Amavel Pereira; Sweta Vishnu Parab; Nazir Phrioz Rayani & Rayani; nadia rayani; Marta Elisa Martis; Trevor Fernandes; prabhakarangoa@gmail.com; prabhapriya1000@gmail.com; Sadique Shaikh; Ritu Chaudhari; Deb Chaudhuri; vandey12@rediffmail.com; ravindranncc@yahoo.com; eric fernandes; PETER Rodrigues; Sandeep Raul; Mahadev Swamy; Vinetha Varghese; Ramsey Braganza; pdewangan@gmail.com; Deepak Sathyan; Raja Melvani; Kishan Shirodkar; mariab@nio.org; jaswant sinha; sudan@un.org; Reginald Rufus; milind.deolalkar@gmail.com; Wilton Fernandes; bentotorcato21@gmail.com; prabhudeepak32@gmail.com; tusharkothalkar@gmail.com; dr.rita@yahoo.com; 201 Boa Vista B Anshul Singhal; 1122 Maxie Lewis; veena\_dprabhu@yahoo.co.in; Dr. Pawan Rane OPR 204/6B; tinashnc; rajan.kantak59@gmail.com; Anand Rahul; Asha Koshy; jagbirsinha@hotmail.com; Nityanand Haldankar; sushant@nio.org; vincent.ramos@tajhotels.com; Deena Ramos; Chandu-Jhoney-Natasha-Franco; Mukesh Arora; annette monteiro; Nachiket Karmarkar; Ramesh Karmarkar; Anil Gudinho; S; ashjee80@gmail.com; mihir Choudhary; Bhupesh Kumar; chhayasachdev@hotmail.com; calvin1608@yahoo.com; Ashwin George; Nisha George; CALANGUTE-DAT-ELISHA; royanalmeida@hotmail.com; preethipednekar@yahoo.co.in; 1221 La Gomera Darryl Pais; Valerina Fernandes; ilango@nio.org; Smita Mitbavkar; fatimicarvalho@gmail.com; Yogesh Arora; yogesharora31@yahoo.com; Dr.John Kurian; neetu@nio.org; jerry braganza; Alok Sharma; santoshuskaikar; Ashishkumar Chatterjee; saurabhshrivastava@gmail.com; Ravinder & Usha Mehta; RavinderMehta; vinay shetty; Carmo Barretto; mavoncolaco@hotmail.com; bhadresh@hotmail.com; sanil@nio.org; rphegde55@gmail.com; Prakash Agrawal; Mahendra Wani; Satendra Kumar; luciennegomes@gmail.com; Dr. Sangeeta Dessai; Zeena Avelina & Chrislyn Ann D'lima; mousamisingh@gmail.com; Jaspal; Michael Menezes; 1232 Dr Amar Rohidas Prabhudesai; rajeshdesai2017@gmail.com; 1237 Satish Kumar; khemraj.varsha@gmail.com; 1242 Indrajit Singh & Hardeep Kaur; Vivek Karekar; 1244 Malcolm Gomes; Narendra Thaly; Gustavo Monteiro; Mimi Menezes; Sundeep Singapuri; Atul; Lata Mishra; ravi ravi; Azra Shaikh; Puja Sinha; devavrat.samant11@gmail.com; Satish Koshal; Rahul Gulati; Rajesh Dessai; Sanjeev Kumar Sudan; tkmehta2021@gmail.com; ravish.hasija99@gmail.com; neetu.nio@gmail.com; hearwellindiaa@gmail.com; MOPA COMMITTEE

**Subject:** Ref. to your whats-app message about me on 18/04/2023 in the owner's whats-app group of Mathias Ocean Park.

**Attachments:** Mathias Construction Pvt. Ltd. Mail - Installation of new STP for Sector – L\_.pdf

Dear Dr. Eugene,

Hope this mail finds you and your family in the best of health and spirit.

This is in reference to a certain whats-app message sent by you about me on 18/04/2023 in the Owners Whats-App group of Mathias Ocean Park, which I have been made aware of and I also have been provided a copy of the same.

Several owners have contacted me in reference to this message sent by you, asking me to reply to the same even though I earlier did not have any intentions of doing so.

Dr. Eugene, problems occur in everyone's lives and there is no doubt that we have had problems at Mathias Ocean Park too. However, even though these problems should have been resolved by

# 3039

the **Developer i.e. Paramount**, as Paramount is not taking any initiative I have come forward to resolve these problems to the best of my abilities and still continue to do so till date.

I am sure you would understand my situation which is very similar to your father's situation, who is also a Builder in Mangalore and a thorough gentleman. Your father also faced similar issues with his building project 'Aquamarine' comprising 48 flats and 2 Penthouses in Mangalore. The building license for this project was granted in 2010-11 with work starting immediately after which there was a gap of 6 years where work on the project completely stopped. Thereafter work resumed and Occupancy Certificate was granted only in Feb-2019 while possession was only provided in 2021-22 i.e. after approximately 12 years. I am aware of these facts as some of my relatives and close friends own flats in this project and have had to wait a long time to get possession of their flats.

Therefore, problems tend to occur in every sphere of life but what eventually matters is our approach in resolving these problems and moving ahead.

I am sure you would recall my gesture of help extended to you when serious allegations of 'Massive Fraud' were raised by Mr Prakash Agrawal against you in his email dated 08/04/2022, wherein he had threatened you with initiating civil/criminal action for the same. As that was a crucial time for you, where any such civil/criminal action would have caused complications, as you were in-the-midst of taking up a new assignment in Dubai and had resigned from Manipal Hospital to do so, you had approached me requesting for my intervention and help. Accordingly, I had intervened and done the needful to help you. Please find a copy of this email attached for your reference.

Likewise, I will never forget your gesture of help when me and my wife were suffering from our respective medical conditions and you stood by us and provided us with the required support in that time of need.

Therefore, as time goes by let us remember the people who have helped us in our time of need. As a part of the community at Mathias Ocean Park let us pass on this gesture of helping one another.

Let us move ahead in the right direction with a positive line of thought to resolve issues at Mathias Ocean Park .

I wish you and your family the very best for future endeavours.

Warm regards,

Joe Mathias



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3040



Joe Mathias <mathias@mathiasgoa.com>

Installation of new STP for Sector – I.

Prakash Agrawal <prakashagrawal@msn.com> Fri, Apr 8, 2022 at 9:24 AM

To: Joe Mathias <mathias@mathiasgoa.com>, "kripadgoa@gmail.com" <kripadgoa@gmail.com>, Jaideep Fernandes <jaifernz14@yahoo.co.in>, "raahulgulati77@yahoo.co.in" <raahulgulati77@yahoo.co.in>, "prashantnchopra@gmail.com" <prashantnchopra@gmail.com>, Adv Filipe borges <filcarborg@gmail.com>, "Dr. Maria Borges" <drborgesmaria0103@gmail.com>, Flocy Camelo <flocycamelo@yahoo.com>, Pradeep & Anju Khanna <mindstprashant@gmail.com>, Chandrakumar <ch@agrawalgroupgoa.com>, "prabha.chandran@gmail.com" <prabha.chandran@gmail.com>, Bhupinder Khalsa <bskhalsa@rogers.com>, Kevin Rodrigues <kevinrod65@yahoo.com>, "sameer.ghali77@gmail.com" <sameer.ghali77@gmail.com>, "premnathiyer@gmail.com" <premnathiyer@gmail.com>, "arupbose1@gmail.com" <arupbose1@gmail.com>, "tamalr@yahoo.com" <tamalr@yahoo.com>, "drsknaik@gmail.com" <drsknaik@gmail.com>, "belmira\_paul@yahoo.co.in" <belmira\_paul@yahoo.co.in>, "vibhashk53@gmail.com" <vibhashk53@gmail.com>, "percydpercyd@gmail.com" <percydpercyd@gmail.com>, "ninapercyd@gmail.com" <ninapercyd@gmail.com>, "ninafaria204@gmail.com" <ninafaria204@gmail.com>, "arun.malik72@gmail.com" <arun.malik72@gmail.com>, "osswin@gmail.com" <osswin@gmail.com>, "coolali5152@gmail.com" <coolali5152@gmail.com>, "yuvrajshirodker@gmail.com" <yuvrajshirodker@gmail.com>, "krishanpalsiwach01@gmail.com" <krishanpalsiwach01@gmail.com>, "pillaiprashant83@yahoo.co.in" <pillaiprashant83@yahoo.co.in>, "sunilkhot@hotmail.com" <sunilkhot@hotmail.com>, "dray@nio.org" <dray@nio.org>, "its\_vic217@hotmail.com" <its\_vic217@hotmail.com>, "gopakumarop@hotmail.com" <gopakumarop@hotmail.com>, "cynthiadias19@gmail.com" <cynthiadias19@gmail.com>, "georgethomas79@gmail.com" <georgethomas79@gmail.com>, "veena43jain@gmail.com" <veena43jain@gmail.com>, "louella777@yahoo.com" <louella777@yahoo.com>, "jeffgracias@gmail.com" <jeffgracias@gmail.com>, "pai.apu27@gmail.com" <pai.apu27@gmail.com>, "abhijit.sh@gmail.com" <abhijit.sh@gmail.com>, "chintamansamant@yahoo.co.in" <chintamansamant@yahoo.co.in>, "sanjaykulkarni2611@gmail.com" <sanjaykulkarni2611@gmail.com>, "agostinhorebello@yahoo.co.in" <agostinhorebello@yahoo.co.in>, "chiaradacosta@gmail.com" <chiaradacosta@gmail.com>, "udeshftr@gmail.com" <udeshftr@gmail.com>, "mesha87@gmail.com" <mesha87@gmail.com>, "desaishreyash7@gmail.com" <desaishreyash7@gmail.com>, "ynadkarni@yahoo.com" <ynadkarni@yahoo.com>, "jackqtr@yahoo.co.in" <jackqtr@yahoo.co.in>, "anita.a.fernandes31@gmail.com" <anita.a.fernandes31@gmail.com>, "synsaiores@yahoo.co.in" <synsaiores@yahoo.co.in>, "jamesroy99@yahoo.co.uk" <jamesroy99@yahoo.co.uk>, "caridadepereiracp@gmail.com" <caridadepereiracp@gmail.com>, "vinod.yadav8887@yahoo.com" <vinod.yadav8887@yahoo.com>, "mugdhakamatimble@gmail.com" <mugdhakamatimble@gmail.com>, "surendrakhot@gmail.com" <surendrakhot@gmail.com>, "vince.rodrigues@responsivemts.com" <vince.rodrigues@responsivemts.com>, "kewalmashelkar82@gmail.com" <kewalmashelkar82@gmail.com>, "riaz.asif300@gmail.com" <riaz.asif300@gmail.com>, "jayantbhatia@rediffmail.com" <jayantbhatia@rediffmail.com>, "marcfernandes@hotmail.com" <marcfernandes@hotmail.com>, "prabhudesai.anura@gmail.com" <prabhudesai.anura@gmail.com>, "shilpasamant11@gmail.com" <shilpasamant11@gmail.com>, "drvjayppatil\_1966@rediffmail.com" <drvjayppatil\_1966@rediffmail.com>, "silvaa@rediffmail.com" <silvaa@rediffmail.com>, "dn.nk135@gmail.com" <dn.nk135@gmail.com>, "kamath901@gmail.com" <kamath901@gmail.com>, "bunty19@hotmail.com" <bunty19@hotmail.com>, "sondhiricha@hotmail.com" <sondhiricha@hotmail.com>, "vijayjain@rashtriyatubes.com" <vijayjain@rashtriyatubes.com>, "stevenovo@rediffmail.com" <stevenovo@rediffmail.com>, "seeyaneesa99@rediffmail.com" <seeyaneesa99@rediffmail.com>, "nitinnaik@bombi.in" <nitinnaik@bombi.in>, "ecagencies@rediffmail.com" <ecagencies@rediffmail.com>, "prince.arora90@gmail.com" <prince.arora90@gmail.com>, "abhaydalvi@hotmail.com" <abhaydalvi@hotmail.com>, "noelmendes@gmail.com" <noelmendes@gmail.com>, 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3041

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Cc: Estate Manager MOPA <estatemanagermopa@gmail.com>

Dear Mr. Mathias,

While I thank you for conforming the upgradation of the STP. I would like to bring to your kind notice the pathetic state of affairs your dream project "Ocean Park Residency" is. I list my concerns hereinunder:

1. I am attaching herewith accounts of the Financial Year ended 20-21 and the accounts tabled before the AGM for 21-22.
2. The following is observed:

| Description           | FY 20-21 (Rs.) | FY 21-22     | %age Increase (addition) | Observation  | Legality                                   |
|-----------------------|----------------|--------------|--------------------------|--|--|
| Advertisement Expense | 3031.00        |              |                          |  |  |
| Bank Charges          | 61.36          | 1931.08      | +3147%                   | No explanation   |  |
| Electricity Charges   | 2,89,063.00    | 2,75,260.00  | -4.77%                   |  |  |
| GST late Fee          | 4180.00        |              |                          |  |  |
| Lift Maintenance      | 4,36,024.94    | 12,77,402.00 | +192.97%                 | Unfathomable and the condition of lift has worsened and a strategy | No Approval Sought from members in the AGM |

449

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|                                    |             |   |         |  |  |
|------------------------------------|-------------|---|---------|--|--|
|                                    |             |   |         | the committee has been blaming few individuals   |  |
| Miscellaneous Expenses             | 1,13,894.64 | 23,248.91                               |         |  |  |
| Printing & Stationary              | 1775.00     | 1,19,282.00                             | -5106%  | Never received and printed documents from MPOA till date, except the illegal notice of Carmo Baretto which was also displayed on notice board. | Members were never informed about such a mammoth increase        |
| Professional Fees                  | 5900.00     | 99,000.00                               | +1577%  | Unfathomable   | Members were never informed                                      |
| Repairs & Maintenance - Ors.       | 2,67,093.00 | 12,80,618.07                            | +378%   | The state of the equipment in MOPA has worsened in spite of this increase.   | No Approval in AGM   |
| Repairs & Maintenance - Electrical | 3,20,013.00 | 3,81,842.00                             | +19.32% |  | No Approval in AGM   |
| Repairs & Maintenance - Genset     | 35,348.00   | 87,322.00<br>(regrouped as genset Fuel) | +147%   |  | Unfathomable as the situation of gensets worsens                 |
| Security Charges                   | 2,66,742.32 | 2,74,159.74                             | +2.78%  |  |  |
| Sewage Treatment Plant             | 2,20,140.60 | 3,25,056.20                             | +52%    |  |  |
| Staff Welfare Expenses             | 5899.00     | 13,150.00                               | +122%   |  |  |
| Wages & Salaries                   | 3,86,127.86 | 20,59,899.00                            | +460%   |  | Beyond Comprehension. No Approval in AGM to spend these amounts. |
| Water Charges                      | 2,82,843.72 | 27,36,197.00                            | +867%   | There can be no check on how   | Beyond Comprehension.  |

**450**

**3043**

|                     |           |             |   |   |  |
|---------------------|-----------|-------------|---|---|--|
|                     |           |             |   | many tankers have come in and whether they carried any water. As it is the old security and staff has been strategically replaced and the salaries and wages are increased disproportionately. The members will never know the truth. | No Approval in AGM to spend these amounts.<br><br>Do they want to say that the number of residents increased 8.67 times. The condition of garden alone is worse. In fact there is no garden at all.<br><br>There is no permission from the Central Ground Water Board to MOPA to purchase ground water. This is illegal. |
| Income Tax paid     | 200.00    |             |   |   |  |
| Finalisation Fees   | 10,000.00 |             |   |   |  |
| Return Filing Fees  | 10,000.00 |             |   |   |  |
| Accounting Fees     |           | 1,20,000.00 | +500%<br>(regrouped From Finalisation Fees and Return filing fees)<br>Or that may still be pending as we do not see any finalisation and stage of return filing |   | Beyond Comprehension. No Approval in AGM to spend these amounts  |
| Conveyance          |           | 2029.00     |   |   |  |
| Facility Management |           | 4,28,670.00 |   |   | Beyond Comprehension. No Approval in   |

**451**

**3044**

|                           |              |                |          |  |  |
|---------------------------|--------------|----------------|----------|--|--|
|                           |              |                |          |  | AGM to spend these amounts. The services have deteriorated                               |
| Fire Extinguishers        |              | 1,99,320.00    |          |  | Where is the approval of this capital investment in the AGM                              |
| Gardening Expenses        |              | 1,29,400.00    |          |  | The condition of garden is pathetic and this new head is created                         |
| General Cleaning Expenses |              | 10,033.00      |          |  |  |
| Guest House Expenses      |              | 7385.00        |          |  |  |
| Office Expenses           |              | 14,865.00      |          |  |  |
| Plumbing Expenses         |              | 1,91,935.80    |          |  | What is this new head.   |
| Transport Charges         |              | 3500.00        |          |  |  |
| Total                     | 26,57,335.44 | 1,00,60,505.08 | +278.59% |  | The Members were never informed that there is an increase in the cost of such magnitude. |

3. I say that the accounts of 20-21 were purposely not placed before the members so that they are not able to compare accounts. This was done with an intent to cheat and defraud the members. If the EC was honest then they should have shared both accounts together as the accounts of 20-21 has not been approved yet. We feel safe as Mr. Joe Mathias was the Chairman then, that they cannot be manipulated now.
4. This "Massive Fraud" Committed by Dr. Eugene Rent calls for a forensic investigation and fixing up the liability on the individual members of the Executive Committee.
5. There was not a single attempt made by the Executive Committee to persuade you to continue to be the Chairman and keep guiding so that the maintenance expenses could be in control around 25 lacs as against the present 100 lacs.
6. Dr Eugene Rent has resigned and as reports suggest that he is likely to flee the country very soon. Wherever he goes the law will catch up and he will be punished for this accounting crime.

**452**

3045

- 7. The Chairmanship of the society is now a person who was apparently a partner in this great financial fraud.
- 8. It is pathetic that young people who are earning and flaunting expensive cars are resorting to make a dent in the hard earned monies of the society.
- 9. Anybody who questions their actions and illegalities is harassed beyond imagination. For two months I was down with COVID-19 weakness but will now expose more violations and illegalities by the present set of EC Members.
- 10. I am also initiating civil/criminal action against these individuals.

To Sum it up Mr. Mathias, You have left us at the mercy of such unscrupulous elements with huge fixed deposits of monies coming from hard earned monies of salaried people and retired persons like me. They are going to squander the money.

**We want the restoration of the old expense pattern and the same vendors and staff who were giving us very effective services and want to stop this carnage and loot by a handful of individuals who defy the principles of natural justice.**

Please lead and guide us to come out of the clutches of this messy Executive Committee. Otherwise this project will not be liveable.

Regards

Prakash Agrawal  
703 La Gomera

[Quoted text hidden]

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**2 attachments**

-  **MOPA\_PL\_PROVISIONAL\_11-03-2022.pdf**  
315K
-  **Accounts 20-21.pdf**  
42K

TRUE COPY



453

EXHIBIT-R-29



August 20, 2013

The Member Secretary  
North Goa Planning & Dev. Authority  
Archdiocese Bldg.,  
1<sup>st</sup> Floor, Mala Link Road,  
Panaji - Goa

Dear Sir,

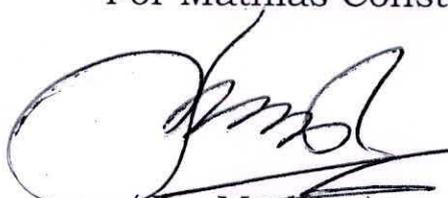
Sub: Revised development permission for construction  
of Group Housing Scheme in property bearing  
Survey No. 249/1-A at Dona Paula, Taleigao,  
Tiswadi, Goa.

Ref : Our letter dated 15.04.2013

Please find enclosed herewith the detailed plans of  
above mentioned project with necessary architectural  
corrections, for your kind perusal.

Thanking you.

Yours faithfully,  
For Mathias Construction Pvt. Ltd.

  
(Joe Mathias)  
Managing Director

Office of the North Goa  
Planning & Dev. Authority  
Inward No. 1237  
Date : 19 AUG 2013

19/8  
DY TR

Encl : a. a.

Mathias Construction Pvt. Ltd.

5th Floor, Mathias Plaza, 18th June Road, Panjim, Goa - 403 001  
T: 0832 2425454/6647333/34/35 F: 0832 2421100  
W: www.mathiasgoa.com E: mathias@mathiasgoa.com

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RIGHT TO INFORMATION ACT 2005**

  
**PUBLIC INFORMATION OFFICER  
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY**

TRUE COPY



**GOA STATE POLLUTION CONTROL BOARD****गोंय राज्य प्रदूषण नियंत्रण मंडळ****(An ISO 9001-2015, ISO 14001:2015, ISO 45001:2018 Certified Board)**Phone Nos : 0832- 2407700,  
2407701, 2407703Email Ids:  
Chairman, GSPCB: chairman-gspcb.goa@nic.in  
Member Secretary, GSPCB: ms-gspcb.goa@nic.in  
Office: mail.gspcb@gov.in

No. 8/33/2024-PCB/11239legal/13624 By Reg.A.D

Date: 03/09/2024

To,  
Prakash Agrawal  
703 La Gomera,  
Mathias Ocean Park Residency,  
Dr. E Borges Road,  
Dona Paula, Panaji.Sub: Information under the Right to Information Act, 2005.  
Ref: Your application dated on 3/8/2024 received on 8/8/2024.

Sir,

With regard to your Application as referred to above; as per the information submitted by the relevant section of the Board that maintain these records; I am to inform you as under;

| Sr. No. | Information Sought  | Reply  |
|---------|---|--|
| 1.      | How you issue a Consent to Establish to the project on 11/01/2016 after expiry of the Environmental Clearance dated 16.05.2007. | No reason or justification as to how & why consent to establish granted after expiry of environmental clearance is available. .<br>Copy of the consent issued and noting may be collected. |
| 2.      | How you issue a Consent to Establish to the project on 15/03/2019 after expiry of the Environmental Clearance dated 16.05.2007. | No reason or justification as to how & why consent to establish granted after expiry of environmental clearance is available. .<br>Copy of the consent issued and noting may be collected. |

The information as available on record of the Board runs into 21 pages and which may be collected by you from the office of the Goa State Pollution Control Board at Saligao, Goa, upon payment of Rs.42/- at the office Board, towards charges for providing the requested certified copies.

Yours faithfully,

**Public Information Officer  
Goa State Pollution Control Board**

Copy to; 1.Office File 2.Guard File

EXHIBIT-R-31

*Joe Mathias*COPY ISSUED UNDER  
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C/814

PUBLIC INFORMATION OFFICER  
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

February 25, 2010

To,  
The Member Secretary  
North Goa Planning and Dev. Authority  
Archdiocese Bldg.,  
1<sup>st</sup> Floor, Mala Link Road,  
Panaji - Goa

Office of the North Goa  
Planning & Dev. Authority  
Inward No. ....2938....  
Date : .....25.FEB.2010

257  
PAC(A/1)

Dear Sir,

Sub: Development and construction in property bearing Survey No. 249/1-A at Dona Paula, Taleigao, Goa

Ref: Letters dated 23.10.2009, 28.01.2010 and 05.02.2010 from Adv. Arun A.S. Talaulikar on behalf of Mr. Ranjit Satardekar and from Adv. Ranjit Satardekar respectively

This is with regard to the above referred letters that were addressed to your goodself, with copies of the letter dated 28.01.2010 marked to the **Hon'ble Chief Minister of Goa, Chief Secretary** and Heads of Government Depts.

At the outset, I wish to bring to your kind notice about the factual position of the property since Mr. Ranjit Satardekar, an advocate by profession, in his usual method of **exerting pressure** on various Govt. Officials when they don't **succumb to his blackmailing tactics** has been for the last 4 years addressing letters, complaints and sending notices to the **entire Top Civil Administration of Goa, 24 Persons in all, including the Chief Secretary, Revenue Secretary, Law Secretary, District Registrar, Collector, Mamlatdar, Directors of different Govt. Depts., Chief Engineers of Electricity and PWD Departments, Chief Town Planner, etc.** besides also filing 2 cases in the Courts against the **Chief Secretary and the Top Brass of the Police Force** threatening them to initiate civil, criminal and disciplinary proceedings before competent Courts and Authorities, claiming compensation from Government employees and also seeking punishments under the

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*Joe Mathias*

*ajg*  
PUBLIC INFORMATION OFFICER  
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

C/813

- 2 -

criminal law and service regulations as is evident from his following letters:

- 14.07.2006
- 24.07.2006
- 22.08.2006
- 13.09.2007
- 28.09.2007

**(Copies of the above letters attached - 1)**

The common threat in most of the above letters reads as follows:

**“Therefore I hereby give you this notice calling upon you to immediately recall, revoke, cancel and withdraw the said construction license, approval of plans, etc., failing which my client will be constrained to file against you appropriate legal proceedings for cancellation of the same and also for getting directions to the Govt. for initiation of disciplinary proceedings against you and other Officers involved in illegal acts. The Civil and criminal proceedings will also be initiated against you at your cost and responsibilities which please be noted.”**

Adv. Satardekar even went to the extent of filing cases against the top brass of the **Goa Police Force**, including the **DGP, SP & Senior Police Officials** as well as, the **Chief Secretary, Govt. of Goa**, a fact that is detailed on **Page No.9** of this letter.

This sort of unruly and unethical behavior on the part of a Senior Advocate by profession who claims to have 35 years of legal service and is supposed to uphold the dignity of the Office of any Govt. Authority, has been abusing his position and Govt. Officials seem to be helpless and for this very reason, I am bringing to the notice of the Bar Councils, by sending copies of the above letters threatening Government servants to the **BAR COUNCIL OF INDIA AND THE BAR COUNCIL OF MAHARASHTRA AND GOA WITH A REQUEST**

*Joe Mathias*

c/812

- 3 -

TO INITIATE APPROPRIATE ACTION TO STOP HIM FROM DOING SO.

For your kind information, Mr. André Andrade and his wife, Mrs. Anna Maria Estrocio were the Owners of the above mentioned property and upon the death of Mrs. Estrocio, the Inventory Proceedings commenced in the year 1940 and after the death of Mr. André Andrade in 1959, the Inventory Proceedings continued thereafter and was pending for more than 60 years.

Andre Andrade left behind the following children:

1. Sebastiao Andrade (Son) --- 20%
2. Santana Andrade (daughter) --- 20%
3. Conceicao Andrade (daughter) --- 20%
4. Rosaline Andrade (daughter) --- 20%
5. Vijaya Andrade (daughter) --- 20%

During the pendency of the Inventory, the 3 daughters of the deceased André Andrade namely Rosalina, Conceicao and Santana sold their shares on 22.08.1959 in the estate to the only son of André Andrade and their brother Sebastiao Andrade and consequently, Sebastiao and his wife Clotildes Fernandes became the holder of 80% share in the property and the fourth daughter Vijaya Andrade together with her husband Raghunath Narvekar held 20% share in the property. Upon the death of Sebastiao Andrade on 18.08.1962 the share of the parties to the property was as follows:

Mrs. Clotildes Fernandes --- 80%

Mrs. Vijaya Andrade/Raghunath Narvekar --- 20%

During the pendency of the Inventory, Vijaya Andrade and Raghunath Narvekar obtained a divorce in 1973 and as a consequence, their 20% share in the property got divided and each of them held 10% share separately in the property.

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*Joe Mathias*

e/810

- 5 -

**cancelled and set aside.** (Copies of the first page and the last 2 pages of the Order dated 30.12.2006 are enclosed herewith-6), since the Order has 132 pages. Infact, a copy of this Order was earlier sent to your Office.

Adv. Ranjit Satardekar appealed against the Order in the High Court where it is admitted and pending for final hearing.

Mrs. Rucmini Narvekar & the family of late Raghunath Narvekar who died on 29.03.2001 also filed a complaint before the Bar Council of Maharashtra & Goa and in a Preliminary Inquiry Report dated 08.11.2002, it was established that there is a "**Prima facie**" case against Adv. Ranjit Satardekar and the matter was referred to the Disciplinary Committee of the Bar Council. **(Copy of the Preliminary Enquiry Report dated 08.11.2002 enclosed - 7)**

Adv. Ranjit Satardekar filed a Writ Petition before the Hon'ble High Court of Bombay at Goa against the above Order dated 08.11.2002 and the same came to be dismissed vide Judgement dated 10.09.2003 with the following observations: "**In the present case, the allegation made by Respondent No. 1 is of a grave nature i.e. betrayal of her confidence. There is no dispute before us and Shri. Kamat has fairly admitted that the property of the Respondent No. 1 was the subject matter of the Sale Deed where under the property stood transferred to the Petitioner's wife. Prima Facie, this is totally an illegal act on the part of the Petitioner. He ought not to have fallen prey to such temptations. He ought to have kept himself away and aloof from such events**". (A copy of the High Court Judgement dated 10.09.2003 is enclosed - 8)

As a result of various objections raised by Adv. Satardekar, the proceedings before the Bar Council of Maharashtra & Goa could not be completed within one year and accordingly the same was transferred on 21.10.2004 to the DISCIPLINARY COMMITTEE OF THE BAR COUNCIL OF INDIA and is now pending hearing. The

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*Joe Mathias*

C/809

- 6 -

last hearing of the case was posted for 2<sup>nd</sup> and 3<sup>rd</sup> of January 2010. **(A copy of the above Notice dated 08.12.2009 is enclosed - 9)**

In another Criminal complaint filed by Mrs. Rucmini Narvekar before the Police Authorities at Panaji against Adv. Satardekar & Ors., and finally after due process, it reached the **Supreme Court and the Supreme Court passed an Order dated 03.10.2008** that the complaint made against him DOES MAKE OUT A PRIMA FACIE CASE AGAINST ACCUSED RANJIT SATARDEKAR AND THE COGNIZANCE TAKEN BY THE LD. MAGISTRATE CANNOT BE FAULTED AND THE APPEAL AS FAR AS HE IS CONCERNED, MUST BE ALLOWED AND **AN INQUIRY SHOULD BE CONDUCTED AGAINST HIM.** (A copy of the Supreme Court Order dated 03.10.2008 is enclosed - 10)

Meanwhile, in the Inventory Proceedings No. 993/40/A before the Civil Judge Senior Division at Panaji, the Hon'ble Civil Judge was pleased to pass an Order for auction dated 02.05.2000 **(Copy of Order enclosed - 11)** but Adv. Satardekar as usual indulged in filing more than 60 frivolous applications to delay the Inventory Proceedings one way or the other. He also made an **application for transfer of the matter accusing the Judge of acting in a biased manner** and got the matter transferred to the CJSD at Mapusa just to delay the proceedings. Some of the applications were carried to the Hon'ble High Court by way of appeal or petition and ultimately some of them reached **the Hon'ble Supreme Court** by way of Special Leave Petition. **The High Court passed more than 6 orders directing the Trial Courts that the matter should be expedited since the same was pending for more than 60 years and the parties involved were very old.** Despite such orders, Adv. Ranjit Satardekar continued to make frivolous applications with mala fide intentions to delay the Inventory Proceedings. **The Hon'ble Supreme Court** by its Order dated 28.11.2005 **dismissed** the Special Leave Petition filed by Adv. Satardekar against the Judgement and Order dated 22.08.2005 of the High Court. **(A copy of the Order dated 28.11.2005 is enclosed - 12)**

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460  
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*Joe Mathias*

c/808

- 7 -

Besides, the Hon'ble High Court has passed several Orders against Adv. Ranit Satardekar's appeal directing the CJSD to dispose off the Special Civil Suits in matters relating to the Inventory Proceedings No. 993/40/A (New 310/04/B. **(Copies of some of the Orders are enclosed - 13)**)

Finally, after several applications, appeals, petitions, objections, etc. before the **Trial Court** and the **High Court**, the **Supreme Court** by its Order dated 11.08.2006 was pleased to order the **auction Proceedings to continue and to be concluded in accordance with law. (Copy of the Supreme Court Order dated 11.08.2006 enclosed - 14)**

Accordingly, the Inventory Proceedings were completed and the Minutes of Auction, Chart of Allotment & Final Order dated 18.08.2006 was **passed confirming the same and allotting the property to me.** In the above order, it is clearly mentioned that the stamp duties has also been paid by me **(Copy of Final Order enclosed - 15).** However, as usual, Satardekar has till date, made several applications that are pending before the Hon'ble Court of Civil Judge Senior Division at Mapusa to prevent the Court from engrossing the same on stamp paper, although the High Court has passed an Order directing the CJSD to complete the proceedings within one month.

During the pendency of the Inventory Proceedings, I had also filed a suit for pre-emption which was decreed in my favour by the Civil Judge Senior Division at Mapusa by its Order dated 24.11.2006. **(Copies of the first page and the last 2 pages of the Order are enclosed herewith-16)**

I had made applications to obtain the NOC's for sale deed from NGPDA on 06.07.1998 upon instructions from the Owners, namely, Mrs. Vijaya Andrade & Mrs. Clotildes Fernandes for 10% share of Mrs. Vijaya Andrade.

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C1807

- 8 -

Mrs. Kshamata Dessai, the grand daughter of Mrs. Clotildes Fernandes was misguided and instigated by Adv. Satardekar to **falsely accuse me** and filed a Criminal Case No. 17/2003/A against me, my staff and others for applying and obtaining the NOC's from the North Goa Planning & Development Authority for registration of sale deed. Infact, he drafted the case, filed the same before the Court and appeared for her with a promise that she would not have to pay his legal charges, as he would appear free of cost for her. However, when Clotildes Fernandes came to know about the case, she immediately asked her grand daughter to withdraw the case and infact wanted to file a Criminal Case against Adv. Satardekar and her grand daughter but was advised by me not to do so. **(Copy of withdrawal application-enclosed - 17)**

In frustration, **HE ALSO FILED 2 CASES ON THE SAME DAY I.E. 30.09.2008 WITH THE SAME FACTS AND SAME MATTER IN 2 DIFFERENT COURTS**, NAMELY, CIVIL SUIT NO. 78/08 IN THE COURT OF ADHOC DISTRICT JUDGE-1 AT PANAJI (FAST TRACK COURT, JUNTA HOUSE) AND CIVIL SUIT NO. 77/08 IN THE COURT OF DISTRICT JUDGE AT PANJIM against the **Chief Secretary, State of Goa, Director General of Police, Superintendent of Police (North) Police Inspectors and Mrs. Rucmini Narvekar. (Copies enclosed - 18)**

Considering his rights in the property is limited to 6.66% share and to the appeals and applications that he continues to file in various Courts, we offered to keep his share in the property reserved for him which was appreciated by the Supreme Court in its Order dated 25.04.2008 as mentioned in their Order, **I QUOTE** - - "THAT Ld. SR. COUNSEL MR. K.K. VENUGOPAL AND Ld. SR. COUNSEL MR. MUKUL ROHATGI MADE A FAIR SUGGESTION THAT ADV. SATARDEKAR AT BEST COULD CLAIM OVER AN AREA MEASURING 6.66% WHICH COMES TO 5544 M<sup>2</sup> CAN BE KEPT RESERVED SUBJECT TO THE RESULT OF LITIGATION" --- **UNQUOTE**, but the Counsel appearing on his behalf submitted that he will seek instructions from his client but almost 2 years have passed, Adv. Satardekar has not replied to the fair suggestion

*Joe Mathias*

C/2006

- 9 -

of the **Hon'ble Supreme Court. (A copy of the same is attached - 19).**

I had also tried on several occasions by having discussions through various prominent citizens and lawyers for a compromise, since the matter was pending for more than 60 years and also considering the fact that 3 of the Owners already died and some of the Owners were old and ailing and on one such occasion, he agreed for a compromise with his demand for his share of 6.66% in the property being Rs. 1.35 crores and the matter was to be settled at the Court in Mapusa through consent terms that were drawn up and on the next day, we were to file the compromise terms for Rs.1.35 crores and **I produced a demand draft for Rs.1.35 crores to be handed over to him** but for reasons best known to him, the next day he changed his mind and disagreed. **(Draft copy of the consent terms and a copy of the demand draft for Rs. 1.35 crores are attached - 20).** Unfortunately, he continued to blackmail all other parties in the Inventory Proceedings including myself as this was precisely his modus operandi to amass wealth on a fast track.

That Adv. Satardekar was in the habit of grabbing the property of his clients is evident from the fact that he got the property of his client, one Mr. Thomas Veriato to be mortgaged by Deed of Mortgage dated 06.11.1987 to him on lieu of his professional fees of Rs. 20,000/- only by way of alleged security which was repayable at 25% interest per annum and the said rate of interest was INCREASED TO 36% PER ANNUM TO BE CAPITALIZED EACH MONTH. Unable to withstand his pressure tactics, Mr. Thomas Veriato sold his property to Adv. Satardekar's client by an Agreement of Assignment dated 23.07.1995 at a throwaway price and paid him the loan which INCLUDED INTEREST CALCULATED @ 36% PER ANNUM CAPITALIZED EVERY MONTH. **(Copies of documents confirming the above are enclosed - 21)**

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2/8/05

- 10 -

As far as Conversion Sanad is concerned, the entire property was earlier converted on 29.08.1990. As per the prevailing law, once the Conversion Sanad is issued for any property there is no need for renewal. However, prior to such a law, since the old Sanad had lapsed, I made a fresh application to the Collector for Conversion Sanad and obtained the same on 01.10.2007. Adv. Satardekar again objected to the same and applied for stay and revocation of the Conversion Sanad issued to me in respect of my property bearing Survey No. 249/1-A. However, the Addtl. Collector-1, Collectorate of North Goa passed a Judgement dated 22.10.2007 **dismissing his applications** and declaring that the Conversion Sanad issued by **their Office stands valid**. He thereafter made an application for stay of the Judgement of the Addtl. Collector-1 before the **Administrative Tribunal who also dismissed the application for stay by Order dated 26.11.2007**. Thereafter he appealed before the High Court against the above Order and the matter is pending in the High Court. **(Copies of the above Sanads, Judgement and Order are enclosed - 22)**

After obtaining the Conversion Sanad, PDA NOC, Panchayat Licence, Clearance from the Ministry of Environment & Forest, Delhi, etc. I started the development and construction work on 22.03.2007 in the above said property.

Sometime on 12.11.2007, Adv. Satardekar trespassed upon the project site accompanied by a number of persons verbally abusing and threatening the workforce and even parked his vehicle bearing No. GA-01-N-1141 in the property to obstruct the progress of work. I complained to the Police Authorities who came to the site and towed away his above mentioned vehicle. **(Photograph of his car that was parked in the property is enclosed - 23)**

When all his efforts to stall the development work failed, it is pertinent to note that he colluded with one of his friend Mr. Nelson Cabral who filed a complaint dated 24.08.2007 to the Chief Secretary and Chief Vigilance Officer of the Govt. of Goa that I had grabbed land belonging to the Govt. and requested for an

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C1804

- 11 -

expeditious high level inquiry pertaining to the same property at Dona Paula, Goa. The Chief Secretary ordered an inquiry and on 13.08.2008 and on completion of the same, it was established that the Government had originally acquired only 89045.43 m<sup>2</sup> out of the total land area of 197140 m<sup>2</sup> in 1969 for the purpose of constructing Police Staff quarters. The acquired land was however handed over to the National Institute of Oceanography on 07.10.1971 which, the NIO staff quarters were built. The same is located on the **left side of the road leading from the Dona Paula NIO Circle to the Goa University** and the property that I am developing is located on the **right side of the same road opposite NIO staff quarters**. Mr. Nelson Cabral was asked by the Dy. Collector to produce the documents to verify and substantiate his claims that the land belonged to the Govt. but till date he failed to produce any documents and the matter is still pending in the Dy. Collector's Office in Panjim.

For your kind information, the inquiry that was conducted by the Collector has been completed, wherein it has been stated that the property bearing Survey No. 249/1-A does not belong to the Government based on the documents in possession of the Government and the same is confirmed by the Vigilance Dept. who carried out the investigation under directions from the Chief Secretary/Chief Vigilance Officer (**copy of the letter dt. 24.06.08 with plan of acquired land, letter dt. 17.09.08 from the Dy. Collector to the Collector and letter dt. 24.09.08 from Collector to the Addtl. Director of Vigilance enclosed - 24**).

Thereafter, Mr. Nelson Cabral also filed a Police complaint on the basis of which the Police filed a FIR against me, Mrs. Clotildes Fernandes and some Govt. Officials. A thorough inquiry is being conducted by the Police Authority and very soon, I am certain that the inquiry will come to a logical conclusion.

After relentlessly pursuing the matter in the Trial Court, Hon'ble High Court & the Hon'ble Supreme Court, he was unsuccessful in

*Joe Mathias*

C/803

- 12 -

getting any relief through any favourable orders. He then fruitlessly tried to negotiate his way through political means to change the situation in his favour by stating that he was a:

1. A former Professor, Salgaoncar Law College, Panaji, Goa
2. Ex-President, North Goa Advocates Association
3. Ex-Election Observer, the Press Council of India
4. Ex-Vice President, All Goa Municipal Worker union
5. Convener, Peoples Union for Human Rights
6. Ex-Vice President, Maharashtrawadi Gomantak Party

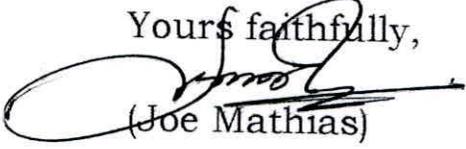
but failed in his attempts to find favour with anybody, since the persons he had approached were of high integrity and morally upright and they saw through the gameplan of Adv. Satardekar and found no reason whatsoever to interfere in the matter.

Now that he has failed in all his attempts to stop me from legally developing the property, I have been given to understand that he constantly visits your Office, harassing, abusing and blackmailing the staff by threatening to file Civil and Criminal cases against them which may please be ignored, as the law will take it own course.

In view of the above, I request you to kindly refer to my application for renewal dated 25.01.2010 in respect of the development permission of my Group Housing Scheme in Survey No. 249/1-A at Dona Paula, Taleigao, Tiswadi, Goa that was earlier approved vide permission Order No. NGPDA/342/3276/07 dated 02.02.2007 and grant me renewal for the same at the earliest.

Thanking you.

Yours faithfully,

  
(Joe Mathias)

Encl: Annexures

- C.C.:
1. Hon'ble Chief Minister
  2. Chief Secretary
  3. Bar Council of India
  4. Bar Council of Maharashtra & Goa

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RIGHT TO INFORMATION ACT 2005**

  
**PUBLIC INFORMATION OFFICER  
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY**

TRUE COPY



Julian Mathias

Blocked • +91 99866 02086



Outgoing call

35s

6 Apr, 10:00

9403070000



Incoming call

7s

6 Apr, 10:20

9403070000



Outgoing call

6 Apr, 10:24

9403070000



Outgoing call

1m 25s

7 Apr, 10:07

9403070000



Outgoing call

4s

7 Apr, 10:19

9403070000



Outgoing call

7s

7 Apr, 10:20

9403070000



Outgoing call

7 Apr, 10:32

9403070000

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Ocean Park Badami

Mobile • +91 98504 06180



Incoming call

7s

7 Apr, 10:23

9403070000



Outgoing call

9m 20s

7 Apr, 13:17

9403070000



Outgoing call

1m 53s

7 Apr, 14:10

9403070000



Outgoing call

17 Apr, 18:22

9403070000

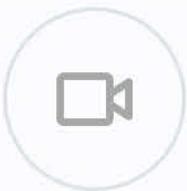


Incoming call

28s

17 Apr, 21:23

9403070000



Video call



Message





Joe Mathias

Blocked • +91 98221 57777



Outgoing call

4m 40s

4 Apr, 15:46



Incoming call

3m 51s

5 Apr, 20:36



Incoming call

3m 34s

6 Apr, 17:44



Incoming call

1m 4s

7 Apr, 12:04



Outgoing call

12m 48s

9 Apr, 14:28



Incoming call

34s

19 Apr, 18:18



Outgoing call

19 Apr, 22:08



Outgoing call

3m 48s

19 Apr, 22:09



EXHIBIT-R-35

Crime Branch PS,  
Ribandar, Tiswadi-Goa  
Dated: - 07/04/2022

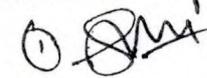
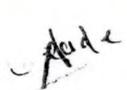
PRE-TRAP PANCHANAMA.

- Panchas 1. Shri. Rakesh s/o Keshav Dalvi, age 36 years, r/o  
H.No.247, Sainik Colony, Bhuipal Sattari, North Goa.
- 2. Shri. Abhay s/o Kashinath Gaude, age 45 years, r/o  
H.No.577/2, Gawantwada, Cumbharjua, Tiswadi  
North Goa.

We the above mentioned panchas are called by PI. Therron D' Costa requested us to Act as Panch witnesses for the pre trap proceeding in Crime No. 36/2022 u/s 384 IPC. PI Therron D' Costa explained to us in brief the facts of the case and the importance of conducting Panchanama, accordingly we agreed to his request and what we observe is as under.

Here in the office of Police Inspector, Crime Branch, and Ribandar we are present. PI Therron D'Costa introduced to us to persons namely Mr. Joe Mathias, Managing Director of M/S Mathias Construction Pvt. Ltd. Having office at H. No. C-13/156, Mathias House, Campal, Panaji-Goa and informed us that he is the complainant in the case. PI Therron D'Costa also introduced Joe Mathias son namely Julian Mathias. PI Therron D'Costa also introduced us to Shri Rahul T. Parab, PI Filomeno L. Costa and other officials of Crime Branch HC-4470 Umesh

Before me,  
  
(Therron D' Costa)  
Police Inspector

  
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1  
  
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POLICE OFFICER, CRIME BRANCH, RIBANDAR

Dessai, HC-4687 Irshad Watangi, PC- 7472 Kalpesh C. Toraskar and PC-7895 Rupesh Gaikwad all of Crime Branch, PS Ribandar and Police Photographer Shri Mahendra Bhandari PSI who will be the members of the raiding party..

PI Therron D'Costa informed us that upon the written complaint received from the Complainant Mr. Joe Mathias and thereafter criminal Case was registered at Crime Branch PS Cr no. 36/2022 u/s 384 IPC against Prakash Agarwal owner of flat No.703, 3 BHK flat in building La Gomera, at Mathias Ocean Park, Dona Paula-Goa for demanding/extorting a sum of Rs.20 Crores to settle the issue of construction in part property bearing survey No 249/1-A of Village Taleigao. Further the complainant stated that the accused Mr. Agarwal will be coming to the complainant office at H. No. C-13/156, Mathias House, Campal, Panaji-Goa on 07/04/2022 at 04.00 PM to collect part of the extortion money which the complainant is not willing to pay.

On the instructions of PI, Therron D'Costa, the complainant has produce the cash amount of Rs. 5,00,000/-. PI, Therron D'Costa told us that a trap is to be laid against the Prakash Agarwal, owner of flat No.703, 3 BHK flat in building La Gomera, at Mathias Ocean Park, Dona Paula-Goa as mentioned above and to catch him red handed, while demanding and accepting an illegal gratification of Rs. 5,00,000/- (Five Lakhs only) from the complainant.

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PISOAPO, CRIME BRANCH, RIBANDAR, GOA

Thereafter, on the direction of the Therron D'Costa the complainant Mr. Joe Mathais, withdrawn today a cash of Rs. 5,00,000/- from HDFC Bank, Panjim Branch and produced cash amount of Rs. 5,00,000/- which will be used as extortion payment to pay accused Prakash Agarwal as extortion amount. The details of the Government currency notes are as under:

| Sr. No. | Serial No. of Currency:   | Denomination |
|---------|---|--------------|
| 1       | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 211201 to 8 DW 211300 | 500          |
| 2       | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 211401 to 8 DW 211500 | 500          |
| 3       | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 211501 to 8 DW 211600 | 500          |
| 4       | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 211701 to 8 DW 211800 | 500          |
| 5       | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 208101 to 8 DW 208200 | 500          |
| 6       | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 208301 to 8 DW 208400 | 500          |

Before me,  
 (Therron D'Costa)  
 Police Inspector,

472

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 ②

3

DOCUMENTS ISSUED TO  
 F. C. BRANCH, PANJIM

|    |   |     |
|----|---|-----|
| 7  | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 208401 to 8 DW 208500 | 500 |
| 8  | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 208701 to 8 DW 208800 | 500 |
| 9  | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 208801 to 8 DW 208900 | 500 |
| 10 | One bundle having hundred notes of Rs. 500/-, having serial Number from 8DW 208901 to 8 DW 209000 | 500 |

Thereafter, all the 10 bundles of Rs. 500/- denomination amounting to be Rs. 5,00,000/- are inserted in brown paper envelope and marked as "x" and same is kept in the possession with the complainant and used the same money for the purpose of dealing with accused Prakash Agarwal in the complainant office. Further PI Therron D'Costa also handed over Voice Recorder make SONY and also a brand new memory card of 16 GB which is inserted in to the voice recorder. PI Therron D'Costa instructed the complainant Joe Mathias to use the Voice recorder during conversation with accused Prakash Agarwal.

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PROCESSED UNDER RTI ACT 2005  
FROM J, CRIME BRANCH, RIIBANKARPOUR

Thereafter, we all the raiding members including the panchas are leaving to proceeded for necessary action at House No.C-13/156, Mathias House, Campal Panaji-Goa.

This part of the Panchanama is conducted at PI Crime Branch Office . The same has been typed by PC Kalpesh Torasker as dictated by Therron Dcosta, PI.

Panchanama commenced at 14:15 hrs and concluded at 15.15 hrs. The same is read over and found correctly recorded as per our say and observations.

Before me,

  
(Therron Dcosta)

Police Inspector

Crime Branch Police station.

1. 

2. 

In continuation of the above Panchanama, we all members of the raiding party and we panchas reached at 15.35 hrs. At the office at H. No. C-13/156, Mathias House, Campal, Panaji-Goa to lay a trap, wherein PI Therron Dcosta instructed the complainant Joe Mathais and his son Juliano sit in the complainant i.e Jose Mathais Office, which is situated at right side of the house bearing No C-13/156, Mathias House, Campal, Panaji-Goa, while one is facing the house. The said house is painted in yellow and white color and compliant informed that

**CERTIFIED COPY**

his main office is situated in this house. PI Therron D'Costa informed the complainant and his son Julian that the raiding team consisting of himself PI Filomeno Costa, PC-7472 Kalpesh Toraskar, Rupesh Gaikwad, LHC Sneha Javeer and Panchas will be sitting in the CCTV room which was adjacent to office room of complainant to monitor movement. Further PI Therron D'Costa informed PI Rahul T. Parab , HC-4687 and HC-4470 to take position and to conceal their presence outside the main entrance of the house and keep watch on the movement of accused Prakash Agarwal. Further PI Therron D'Costa also informed complainant's son Julian to put on voice recorder before the accused Prakash Agarwal could come in the office and no sooner the extortion money of Rs.5,00,000/- was handed over to the accused Prakash Agarwal to make a signal for the raiding team to surround/ apprehend him.

At about 16.05 hrs accused Prakash Agarwal came to the office of complainant and sat in front of complainant Joe and his son Julian, further PI Therron D' Costa along with we panchas were monitoring the activities on the CCTV Camera from adjoining room to the main office of complainant Joe Mathais. Further we noticed that the discussion was at length with the accused Prakash Agarwal and after about one hour accused Prakash Agarwal left from office of complainant, there was no signal was made by the complainant as the extortion money was not delivered to accused Prakash Agarwal. After the accused left the house/office complainant and his son came to CCTV room at that time all the other members of raiding party also came in the said room. The Complainant and his son informed us that

accused spoke about extortion money to be paid, however did not receive the money and informed them that he would come on another date to discuss the same. The son of the complainant Mr Julian informed that the conversation between him and his father Joe and accused Prakash Agarwal is recorded on voice recorder and accordingly he handed over the voice recorder to PI Therron D'Costa. On noticing the said Voice recorder was found switched off. Juilano informed that he had switched off the voice recorder after recording the conversation.

Further PI Therron D'costa, opened the memory slot of the voice recorder and remove the memory card and inserted the Memory card having mark San Disk in transparent auto press polythene packet and further inserted the transparent polythene packet containing in it memory card in greenish colour envelope and packed and sealed with the seal of Crime Branch PS having inscription of "POLICE INSPECTOR CRIME BRANCH PS RIBANDAR GOA NO.8" with Ashoka Emblem at Seven places. The relevant details were written on the envelope and same was signed by we Panchas, PI Therron D'Costa and same is marked as Ex-1.

The cash of Rs 500,000/- which was with the Complainant Joe Mathias during Pre Trap Panchanama dated 07/04/2022 is retained with the complainant Joe Mathais. The Sony voice recorder was taken into possession by PI Therron Dcosta.

This part of the Panchanama is conducted at office at H. No. C-13/156, Mathias House, Campal, Panaji-Goa . The same has been typed by PC Kalpesh Torasker on the laptop as dictated by PI Therron Dcosta.

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PIO/APO, CRIME BRANCH, RIBANDAR-GO

This part of Panchanama commenced at 15.35 hrs and concluded at 17.55 hrs. The same is read over and found correctly recorded as per our say and observations.

Before me,

1. 

  
(Therron Dcosta)

Police Inspector

Crime Branch Police station.

2. 

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DOCUMENTS ISSUED UNDER RTI ACT, 2005  
POLICE, CRIME BRANCH, RIBANDAR-GOIA

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At 703, La Gomera,  
Matias Ocean park R  
Dr. E - Borges Reed,  
Donapaula Panjim -  
Date: 20/04/2022.

House Search Panchanama

Panchas 1) Sandeep Surya Kankants  
age 36 years, OCC - Govt  
Service, r/o Curca Catuhl  
Tiswadi Goa.

2) Heman slo Mahadeu Nar  
age 48 years, OCC - Govt. S  
HNO. 37, Chinch wada d

We the above mentioned panch  
are called by PE Ritesh Tari and  
requested us to act as a panch wala  
for House Search panchanama in  
Crime Crime Branch P.S. Crime No.  
36/2022 U/s 384 IPC. PI Ritesh  
Tari explained us in brief the facts  
of the case and the importance of  
conducting panchanama. Accordingly we  
agreed to his request what we see  
obvious is as under.

Before M,

17/4/2022

(Ritesh Tari)

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30712 -

Here we are present in front of flat No. 703 La Gomera Malias Ocean Residency, Dr. E Borges Road Donapauls Panaji Goa. We see one person with PI Ritesh Tari who is accused in above crime namely Prakash Agarwal.

Accused Prakash Agarwal informed us he is the owner of the said flat. Further he rang the bell of the said flat and door was opened by his servant namely,

We entered the said flat and see there is servant room on the left hand and in the right hand side we see that we further proceeded in the said flat we noticed the living room equipped with sofas and TV and chairs. On the left side we see one bedroom and on the right hand side we see 02 bedrooms. We also see one office in the living room partitioned with glasses and equipped with office chairs and laptops and furniture.

Before Me



(Ritesh Tari)

Police Inspector

Crime Branch P.S. Ribandar

17/10/2020

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PIO/APO, CRIME



On further search we found one file with a caption Matias, Permission and licence in the said file we see 1: Permission, Section, H.O.C. obtained from different Government Authority. Further we panchas and P& Ritesh Tari sign on the last page of the file and said file is attached under panchanama marked as EX-B.

We see one laptop on the Desk having silver colour make microsoft. The said laptop is attached under pancha P& Ritesh Tari with relevant details the piece paper signed and obtained signature and pasted on the said laptop and marked as EX-C.

No any other incriminating articles were found in the said flat.

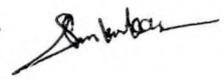
The above panchanama commences 20.45hrs and concluded at 21.30 hrs

Before Me,

  
( Ritesh Tari )

Police Inspector

Crime Branch P.S. Ribandar

1) 

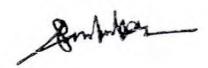
2) 

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30745 —

The above Pancharame is untl  
in English read over to us and for  
to be correctly recorded as per a  
sey and observation.

Before Me,

1) 



(Ritesh Tari)

2) 

Police Inspector

Crime Branch P.S. Ribandar

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DOCUMENTS ISSUED UNDER RTI ACT, 2005  
PIO/APO, CRIME BRANCH, RIBANDAR GCA

TRUE COPY



*Joe Mathias*

EXHIBIT-R-37

*01<sup>st</sup> April, 2022*

*To,  
Mr. Prakash Agrawal,  
Flat No. 703, 3<sup>rd</sup> floor, La Gomera,  
Mathias Ocean Park,  
Opp. NIO Colony,  
Dona Paula - Goa.  
403 004*

*Dear Mr. Agrawal,*

*Many thanks for having introduced me to Ian Yoga expert/teacher/guide, I am sure I am going to benefit a lot from his knowledge & experience.*

*I am sure your visit to Mahakaleshwar Jyotirlinga, the Shrine of Lord Shiva, one of the twelve most sacred abodes of Shiva will bless you & your family abundantly & your trip will be most fruitful. Wishing you a pleasant trip!*

*Sending you 2 books, which I am sure you will enjoy reading at your leisure.*

*Warm regards,*

*Joe  
(Joe)*

**"MATHIAS HOUSE"**

Campal, Panaji - Goa. 403 001, Tel.: +91 0832 2425454 / 2422800  
W : [www.mathiasgoa.com](http://www.mathiasgoa.com) E : [mathias@mathiasgoa.com](mailto:mathias@mathiasgoa.com)

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