

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO● 91/ 2025 WZ
(EARLIER ORIGINAL APPLICATION NO. 372/ 2025 PB)**

**IN RE: NEWS ITEM TITLED "20K SQM PILERNE HILL
CONVERSION RISKS LANDSLIDES THREATENS LAKE"
APPEARING IN TIMES OF INDIA DATED 19.07.2025**

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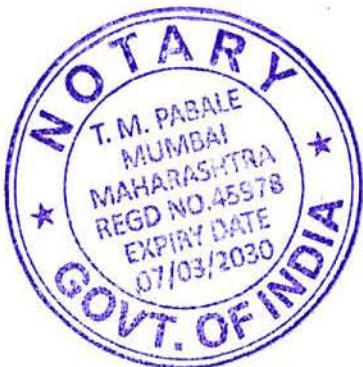
LIMITED AFFIDAVIT-IN-REPLY ON BEHALF OF THE

RESPONDENT NO. 1 – GOA TOWN & COUNTRY

PLANNING DEPARTMENT

I, Ms. Vertika Dagur, aged 56 years, Indian Inhabitant, being the Chief Town Planner (Planning), State of Goa, having my office at Panaji - Goa, do hereby, solemnly affirm and state as under:

1. I say that I am filing the present Affidavit in Reply for the limited purpose of placing on record the relevant facts germane to the captioned *suo moto* proceedings as also to address the issues recorded in the order dated 28th July 2025 passed by the



Vertika Dagur



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National Green Tribunal, Principal Bench, New Delhi (“**Principal Bench**”) in Original Application No. 372 of 2025.

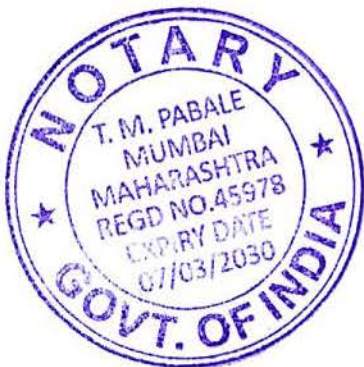
I say that I am aware of the facts of the matter on the basis of the records maintained by the Town and Country Planning Department, State of Goa (“**TCP Department**”) and am therefore able to depose to the same.

2. I understand that the present proceedings emanate from certain opinions contained and expressed by the author in the news item titled “*20k sqm pilerne hill conversion risks landslides threatens lake*” appearing in the Times of India dated 19th July 2025 (“**Captioned Article**”).
3. Save and except what is expressly admitted herein, nothing stated in the Captioned Article should be deemed to be admitted, for want of specific traverse. I crave leave to refer to and rely upon relevant records and documents as may be necessary. I further reserve the right and crave leave of this Hon’ble Tribunal to file a detailed affidavit in reply, if so advised or if directed by this Hon’ble Tribunal at a later stage.



4. The Captioned Article , *inter alia*, states that:

- (a) The TCP Department has *provisionally* permitted a change of zone under Section 39A of the Goa, Daman and Diu Town and Country Planning Act, 1976 (“**TCP Act**”) in respect of Survey Nos. 37/0 and 37/1 of Pilerne village in Goa;
- (b) The proposed change of zone pertains to a land parcel admeasuring approximately 20,000 sq. mtrs. of Survey No. 37/1 situated on the Pilerne hillside (“**Land Parcel**”) a ‘buffer zone’ and ‘catchment area’ for the Pilerne Lake (also referred to as Saulem Lake), which is classified as a ‘protected wetland’. The TCP Department has ignored the proximity to the eco-sensitive Saulem Lake;
- (c) The Land Parcel is classified as “Partly Orchard and Partly No Development Slope” in the Regional Plan for Goa, 2021 (“**RP-2021**”) meaning that the gradient is considered too steep for construction and is vulnerable to soil instability;
- (d) The proposed change of zone, if approved finally, may have environmental consequences, including risk of



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landslides, slope erosion, and a potential impact on the nearby Pilerne Lake, which is an eco-sensitive area.

5. It is submitted that the contents of the Captioned Article are based on certain assumptions and / or incorrect appreciation of the Statutory Framework (as defined below) and factual position. The contents of the said Captioned Article are also exaggerated and are, at best, specious. In view of the above, Respondent will proceed to make submissions as under:

I. PRELIMINARY OBJECTION

6. At the outset, it is submitted that Section 39A of the TCP Act read with the Goa Town and Country Planning (Change of zone of land in the Regional Plan or the Outline Development Plan) Rules, 2024 (as amended from time to time) (“**2024 Rules**”) (collectively referred to as the “**Statutory Framework**”) prescribes a detailed, structured and consultative process governing any proposed “change of zone”.



7. Under the Statutory Framework, every proposal is subjected to scrutiny by the TCP Department in accordance with prescribed parameters, and inputs/comments are obtained, wherever necessary, from concerned authorities including the Forest Department, Goa Coastal Zone Management Authority, Water Resource Department, Agriculture Department and other competent bodies. The proposal is placed before the TCP Board for consideration and is thereafter subjected to a process of public notice inviting objections and suggestions from stakeholders.
8. The proposal is thereafter reconsidered and evaluated by the TCP Board. Thereafter, the application is placed before the State Government for final approval. It is only upon grant of final approval by the State Government that any “*change of zone*” attains finality under Section 39A of the TCP Act and is formally notified in accordance with law.
9. The process followed by the TCP Department under the Statutory Framework is explained hereinafter, in detail.



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10. In the present case, it is pertinent to note that the Land Parcel has only been recommended as per sub-rule (1) of Rule 4 for a “*change of zone*” under the Statutory Framework by the Town and Country Planning Board, State of Goa (“**TCP Board**”). Such recommendation is merely a step in the decision-making process contemplated under the Statutory Framework and does not result in any change of zone or confer any right, entitlement or equity in favour of the applicant.
11. The proposed change of zone has not attained finality and remains contingent upon final approval by the State Government in accordance with law.
12. Since the proposal remains subject to the State Government’s decision and no final approval for change of zone has been issued, it is humbly submitted that the present proceedings appear to be peremptory.
13. Without prejudice to the aforesaid, the TCP Department further states and submits as under:



II. GROUNDS FOR RESPONSE

A. The statutory framework contemplates a detailed procedure for change of zone and no final approval has been granted

14. It is submitted that Section 39A of the TCP Act and the 2024 Rules prescribe the procedure to be followed prior to notification of alteration / modification contemplated under Section 39A of the TCP Act. The 2024 Rules consider applications for change of zone by following a detailed process prescribed in the TCP Act, which include inherent safeguards as set out below:

a. **Scrutiny of Applications:** The first stage will be the Chief Town Planner (Planning) receiving directions from the Government or an application from an individual. The proposal/application received for change of zone from any person is first scrutinized by the TCP Department by following the guidelines set out in Rule 5 of the 2024 Rules and a scrutiny report is prepared by this Respondent. [Rule 4(1) of the 2024 Rules]



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- b. **Consultation with Authorities:** During the scrutiny process, the TCP Department is required to consult authorities such as the Goa Coastal Zone Management Authority, Forest Department, Agricultural Department etc. and obtain their comments. [Rule 5 of the 2024 Rules].
- c. **Initial approval of the TCP Board:** The scrutiny report prepared by the TCP Department is thereafter placed before the TCP Board for its recommendation/approval/decision. [Rule 4(1) of the 2024 Rules].
- d. **Public Notice and consultation with public:** Upon the approval by the TCP Board a notice regarding the proposed change of zone of land is issued by way of a notification published in the Official Gazette and also in 2 local newspapers inviting suggestions from the public within a period of 30 days from the date of publication of the notification in this regard. [Rule 4(2) of the 2024 Rules];



- e. **Scrutiny of the suggestions received from public and final approval of the TCP Board:** Upon the expiry of 30 days, the proposal for change of zone of land, along with suggestions, if any, received from the public is again placed before the TCP Board, for its recommendation/approval/decision. [Rule 4(3) of the 2024 Rules];
- f. **Approval of the Government:** The recommendation / decision of the TCP Board shall then be placed before the Government of Goa for decision under Rule 4(4) of the 2024 Rules. It is only upon approval from the Government will this Respondent alter / modify the Regional Plan or the Development Plan for carrying out the change of zone of any land therein. [Rules 4(5) of the 2024 Rules];
- g. **Change of zone is notified to the public:** Each alteration / modification to the Regional Plan or Development Plan is published by this Respondent by notification in the



official gazette and accordingly, the public is notified of the same. [Rule 6 of the 2024 Rules];

- h. Restrictions on change of zone:** Section 39A of the TCP Act and Rule 5 of the 2024 Rules contain inherent safeguards such as imposing certain restrictions on proposed modifications/ alterations to the Regional Plan / Development Plan. Such restrictions include prohibition of consideration of eco-sensitive lands (as prescribed) for change of zone, including any past commitment / approval / sanad granted in respect thereof. Another safeguard contained in Section 39A is that alterations or modifications carried out thereunder cannot alter the character of the existing Regional Plan and/or the Development Plan.
15. Having placed on record the Statutory Framework, it is now important to place on record the procedure adopted by the TCP Department in respect of the change of zone application, which is as under:



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a. The Land Parcel forms a part of Survey No. 37 subdivision 1 of Pilerne Village, Bardez Taluka (“**Plot**”) total admeasuring 1,22,500.00 sq. mts. The said Plot under reference falls in “Partly Settlement Zone” (VP-1) with permissible FAR 80 & “Partly Orchard Zone” overlapping partly with No Development Slope. A copy of zoning information dated 11th June 2024 is annexed hereto as **Exhibit A.**

b. On 25th July 2024, M/s. Mathias Construction (“**Mathias**”) filed an application (“**39A Application**”) under Section 39A of the TCP Act in respect of the Land Parcel for change of zone. The 39A Application was filed for an area of 30,000 sq. mts. of the total area of 1,22,500.00 sq. mts. A copy of the Application dated 25th July 2024 is annexed hereto as **Exhibit B.**

c. Pursuant to the 39A Application, a site inspection was carried out by the TCP Department on 21st April 2025 The site inspection report *inter alia* contains observations with respect to the Land Parcel. A copy of the site inspection



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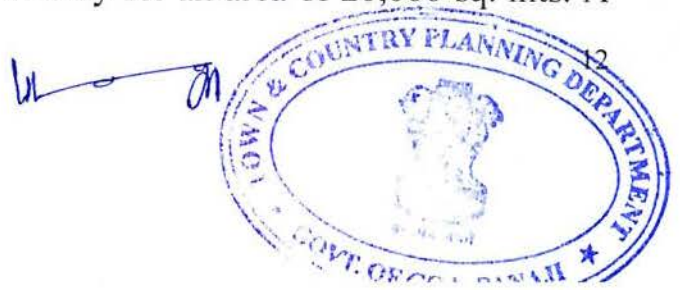


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report dated 21st April 2025 is annexed hereto as **Exhibit C**.

d. In view of the 39A Application and the findings contained in the site inspection report dated 21st April 2025, the TCP department prepared a scrutiny sheet dated 25th July 2024. The said scrutiny sheet *inter alia* observed that (i) a part of property has a slope of more than 25% and (ii) the Plot is adjoining Sy no. 205/2 which is shown as a Pond in RP-2021. However, as per the site / contour plans submitted by the 39A Application, the area sought for change of the zone is 50 meters away from the said Pond. A copy of the scrutiny sheet dated 25th July 2024 is annexed hereto as **Exhibit D**.

e. Subsequently, in terms of Rule 4(2) of the 2024 Rules, the TCP Department issued a public notice dated 19th June 2025 in the official gazette *inter alia* calling for public comments. Pertinently, although the 39A Application was made with respect to 30,000 sq. mts, the change of zone was recommended only for an area of 20,000 sq. mts. A



copy of the Public Notice dated 19th June 2025 is annexed hereto as **Exhibit E**. The public notice was issued pursuant to the meeting of the TCP Board held on 24th April 2025. Pursuant to the public notice, the TCP department received objections from Pilerne Citizens Forum dated 17th July 2025 and Rainbow Warriors, Goa dated 18th July 2025. Copies of the objections are annexed hereto as **Exhibit F and G**.

- f. After issuance of the public notice dated 19th June 2025, the TCP Department addressed a letter dated 2nd July 2025 to the Dy. Conservator of Forest *inter alia* seeking its comments on the change of zone of Land Parcel. A copy of the letter dated 2nd July 2025 is annexed hereto as **Exhibit H**. Pursuant to its letter dated 28th July 2025, the Office of the Deputy Collector of Forests, North Goa Division *inter alia* confirmed that the Land Parcel is not a Government Forest or Private Forest. A copy of the letter dated 28th July 2025 is annexed hereto as **Exhibit I**.



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g. Pursuant to the above, the matter was again placed before the TCP Board on 29th July 2025. Pursuant to the meeting of the TCP Board, it was unanimously decided to recommend the proposal for change of zone for an area of 20,000 sq. mts. A copy of the decision of the TCP Board is annexed hereto as **Exhibit J**. It may not be out of place to state that, although the TCP Board recommended the proposal for change of zone, the proposal is not submitted to the Government.

h. Pending the State Government's approval, Respondent No. 1 received a letter dated 19th August 2025 addressed by Mathias. By this letter, Mathias *inter alia* stated that it re-conducted the survey using the Total Station Method. Accordingly, Mathias, along with a copy of the letter submitted section drawing and certificate from the surveyor for consideration by the TCP Department. A copy of the letter dated 19th August 2025 is annexed hereto as **Exhibit K**.



16. From the above, it is clear that the 39A Application has progressed only up to the stage contemplated under Rule 4(4) and 4(5) of the 2024 Rules..

17. As stated above, no final decision has been taken with respect to the Land Parcel. The 39A Application continues to remain subject to further statutory scrutiny and approvals, including consideration by the Government.

B. The allegations in the Captioned Article regarding slope, zoning classification, and suitability are incorrect

18. With respect to the Land Parcel, it is alleged in the Captioned Article that it is 'Partly Orchard with No Development Slope', as per RP 2021, and its gradient renders it unfit for conversion to a Settlement zone.

19. At the outset, it is important to once again take note of the zoning information dated 11th June 2024 addressed by the TCP Department. As is evident, the total area of the Plot is 1,22,500 sq. mts. Pertinently, the Section 39A Application was



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submitted in respect of an area of 30,000 sq. mts., out of which only 20,000 sq. mts. was recommended for a change of zone. The aforesaid zoning information dated 11th June 2024 further clarifies that the Plot is already, *inter alia*, partly classified as a Settlement Zone with a permissible FAR of 80.

20. The Captioned Article contains allegations with respect to the gradient and alleged unsuitability of the Land Parcel for conversion to a Settlement zone. The allegations are incorrect, misconceived and denied. In this regard, proviso (a) to Section 9 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 provides that no land development shall be permitted in areas having a gradient exceeding 25%. Lands having a gradient above 25% are treated as having a prohibitive slope and are ordinarily not considered suitable for development or conversion to a Settlement zone.

21. It is submitted that, in the present case, the proposal was examined in accordance with the Statutory Framework. The contour map submitted along with the 39A Application makes it clear that the gradient is 20.93%, *i.e.*, below the threshold of



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25%, and therefore does not fall within the category of land having a prohibitive slope. Accordingly, the area was found to be suitable for consideration for conversion to a Settlement zone, subject to compliance with the applicable statutory procedure.

22. The above fact is also confirmed by the physical survey report submitted by Mathias *vide* its letter dated 19th August 2025, which *inter alia* records as follows:

- (a) The area is not a low-lying or khazan land, is not prone to flooding and does not contain any water bodies in it;
- (b) As per the contour plan and physical survey, the gradient of the area was found to be 20.93%;
- (c) The area is neither a government forest nor a private forest;
- (d) The area does not fall within the wildlife buffer zone; and
- (e) The area has access to water, electricity and requisite infrastructure.

23. Although the Land Parcel is classified as “Partly Orchard with No Development Slope” under RP 2021, the findings of the report demonstrate that the Land Parcel has a slope below 25%



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and does not fall within the category of land having a prohibitive slope. In any event, the proposal is presently pending and is subject to further deliberations and considerations.

C. The allegation in the Captioned Article regarding the Land Parcel being within the buffer zone / zone of influence of Pilerne Lake is incorrect.

24. The Captioned Article states that the Land Parcel is located within the buffer zone and catchment area of the Pilerne Lake. On this basis, the Captioned Article appears to suggest that the Land Parcel is a 'zone of influence' under the Wetland Notification of 2018.

25. In this regard, I say that no part of the Land Parcel is located within the 'buffer zone' or 'zone of influence' of the Pilerne Lake and accordingly, no change of zone has been provisionally recommended for a 'buffer zone' or 'zone of influence' of the Pilerne Lake. In fact, the approval of the TCP Board explicitly records that, as per the Survey Plan, the "area



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requested for change of zone [is] beyond [the] buffer zone of wetland”.

26. In view of the above, the assertion in the Captioned Article that the Land Parcel falls within the ‘buffer zone’ or ‘zone of influence’ of the Pilerne Lake is incorrect and misconceived.

D. The Statutory Framework is under challenge before the Hon’ble High Court of Bombay at Goa and any change of zone is subject to its outcome

27. It is also pertinent to note that the constitutionality of the Statutory Framework is presently under challenge before the Hon’ble High Court of Judicature at Bombay at Goa in PIL Writ Petition Nos. 53 and 54 of 2024 (“**Writ Petitions**”). By an order dated 23rd April 2025, the Hon’ble High Court has directed that all final notifications issued under Section 39A of the TCP Act for change of zone shall remain subject to the final outcome of the Writ Petitions. The said Writ Petitions are currently *sub judice* and pending final adjudication. Accordingly, any change of zone, even if finally approved in



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accordance with the Statutory Framework, would be expressly subject to and governed by the outcome of the Writ Petitions.

28. In view of what is set out above, it is respectfully submitted that this Hon'ble Tribunal be pleased to dispose of the present *suo-moto* proceedings, in as much as the Captioned Article is based on certain assumptions and / or incorrect appreciation of the Statutory Framework.

Solemnly affirmed at Mumbai)

Dated 11 day of April, 2026)



Respondent No. 1

Goa Town and Country Planning Department

VERIFICATION

I, Ms. Vertika Dagur, aged 56 years, Indian Inhabitant, being the Chief Town Planner (Planning), State of Goa, having my office at Panaji – Goa, presently in Mumbai, do hereby solemnly declare

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that what is stated hereinabove is based on the information and records maintained by the Town and Country Planning Department and I believe the same to be true.

Solemnly affirmed at Mumbai)

This 11 day of April 2026)

Before me,



[Handwritten Signature]
Respondent No. 1

Goa Town and Country Planning Department



BEFORE ME

[Handwritten Signature]
TUSHAR M. PABALE
B.Sc., LL.B.
ADVOCATE & NOTARY (GOVT. OF INDIA)
05, Ground Floor, Viram Chambers,
Janmabhoomi Road, Fort, Mumbai - 400 001.

NOTED & REGISTERED

Page No. 80/8 Sr No. 841
Date 11 APR 2026





OFFICE OF THE SENIOR TOWN PLANNER
Town & Country Planning Dept., North Goa District Office,
302, Govt. Building Complex, Mapusa, Bardez - Goa.

Ref No : TPBZ/ZON/16409/PII/TCP-2024/ 4885

Dated: 11 / 06 / 2024

ZONING INFORMATION

Inward no. 5461

Dated: 06/06/2024

The Zoning of the property bearing Survey No. 37 Sub division no. 1 of Pilerne Village Bardez Taluka total admeasuring 1,22,500.00m² is as follows.

As per Regional Plan for Goa 2021 the plot under reference falls in "Partly Settlement Zone" (VP-1) with permissible FAR 80 & "Partly Orchard Zone" overlapped partly with No Development Slope.

This information is issued based on the application received from M/s. Mathias Constructions dated 06/06/2024 to be read with note given below:

This information is valid only for three years or till the Regional Plan for Goa 2021 is in force, whichever is earlier from the date of issue of this letter.

Processing fees of Rs. 3000/- paid vide Challan No. ZON/626 dated 04/06/2024.

Verified by

(Saviour O. Coutinho)
Planning Assistant

10/6/2024
(Zaidev R. Aldonkar)
Dy. Town Planner

To,
M/s. Mathias Constructions,
Miramar, Panjim-Goa.

NOTE:-

The Zoning information provided is as per Regional Plan 2021 in force as on date of issue of the above information and shall not be construed as NOC in any form for undertaking any development including construction and sub-Division etc.

Further any development shall be subject to provisions of Tenancy Act, Land Use Regulation Act, Forest Conservation Act, Highways Act, Ancient Monuments and Archeological Sites and Remains Act, (State and Central), EIA notification issued by MOUF, Coastal Regulation Zone, including section 17- A of the TCP Act.

This Certificate is issued based on the order issued vide no.29/8/TCP/2018 (Pt. file)/1672 dtd. 13/08/2018 pertaining to guidelines for processing various application and Circular issued vide no. 29/8/TCP/Pt.File/2020/239 dated 31/07/2020 and Ref. no.29/8/TCP/Pt.File/2020/1284 dated 11/8/2020.



P.T.O.

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Additional information for reference and determination of values of the property except Settlement zone/development zone.

Broad Land use classification and sub-classification of zone as per Regional Plan for Goa 2021.

Eco-Sensitive Zone I		Eco-Sensitive Zone II	
1	Protected/Reserved Forest	1	Orchard
2	Mangrove Forest	2	Natural Cover
3	No Development Slopes	3	Fish Farm
4	Paddy Field/Khazan	4	Cultivated land
5	River & Nallah/Pond	5	Irrigation Command Area
6	Mud flats	6	Salt Pans
7	Sand Dunes/Sandy Area		

For the purpose of Evaluation of the value of the property following shall be noted.

All the aforesaid zones in Eco-Sensitive Zone-I Category shall be taken as A-Zone (Agriculture)

All the aforesaid Zones in Eco-Sensitive Zone-II Category shall be taken under Orchard/Forest Zone.

This is also issued on the basis of order bearing no. 29/8/TCP/Pt.file/2020/951 dated 10/6/2020.

_____ X _____

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EXHIBIT - B

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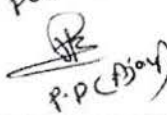
APPLICATION UNDER SECTION 39A OF TCP ACT

FORM 'A'

[Seerule3]

From: M/s Mathias Construction
(rep by) Mr. Julian Richard Mathias
Add: Campal , Panaji Goa. 403001
Contact no: 9850406180

Inward No: 293
Town & Country Planning Department
Government of Goa
2nd Floor, Dempo Tower
Patto Plaza, Panaji Goa
Date: 25/07/2024

P.P. put up

P.P. (P)04

To,
The Chief Town Planner(Planning)Town
& Country Planning Department
DempoTower, 2nd floor, Patto, Panaji-Goa.

1	Name and address of the applicant	Name : M/s Mathias Construction (rep by) Mr. Julian Richard Mathias Add: Campal , Panaji Goa. 403001
2	Survey No. Village. Panchayat and Taluka in Which land is situated	Sy No: 37/1 Village -Pileme Taluka -Bardez
3	Whether free hold or lease hold	Free hold
4	Existing zone as per Regional Plan 2021/Outline Development Plan	Existing zone As per Regional plan 2021 Partly Settlement Zone (VP -1) with permissible FAR 80 & Partly Orchard zone overlapped partly with No Development Slope
5	Road Accessibility/Status	Yes 10.00 meters wide road
6	Tenancy details	No tenants
7	CRZ status(River/Sea)	Not applicable
8	Past commitment such as developments like sub-division approvals by Competent Authorities, Conversion Sanad under Land Revenue Code,1968, building approvals/NOC's etc.)	NA
9	Change of zone sought for change for(Specify the proposed zone)	Orchard Overlapped with NDS to Settlement
10	Area of land Sought for change of zone	30.000 Sqm
11	Nature of Land, specify whether sloping/low lying	Slight Slope (contour plan enclosed)
12	Purpose of change	Residential Purpose
13	Details of processing fee paid	

Date: / /2024


Place: Patto Panjim
Enclosed following documents

- i) Survey Plan
- ii) Form I&IV.
- iii) Ownership documents.
- iv) Contour Plan, photograph of the property if required.

*Pl. issue cheller according to
RS 10,000/-
processing fee*


Signature of the Applicant
(Mr. Julian Richard Mathias)

Taxable application according to 39/A


23/7/24



Site Inspection Report (Section 39A of the TCP Act)

1. Date of inspection: 21/04/2025.
2. Name of applicant: M/s Mathias Construction reg by Jacobian Richard M.
3. Sy. No.: 37/1 and Village Pilane.
4. Is property is low lying paddy field (Yes/No.)
Depth of paddy field from adjoining level: No.
5. Is property affected by water body (Yes/No.)
Type of water body Plot is adjoining Sy no: 205/2 & 205/1 which is Pond as per RP-2021.
6. Is property is kasan land: Yes/No.
7. Is property is under flood prone area: Unknown.
8. Slopes of property: Part of Property have gradual slope & Part of Property have slope above 25%.
9. Infrastructure availability: Existing Houses towards the northern Side of Plot.
10. Accessibility: Tar road: approx 5mt.
11. Type of road: TAR.
12. CRZ applicability (River/Sea): No.
13. Details of mangroves forest (within/surrounding): —
14. Characteristics of surrounding area: Property is Compounded on one Side, There are Existing Jungle Trees & bushes & Part of Property is barren land.



[Signature]

Scrutiny sheet for applications made under Section 39A of the TCP Act

1. Inward No.: 293 Date: 25/07/2024

2. Name of the Applicant: M/s Mathias Construction

3. Purpose of change of zone: Residential Purpose

4. Is application is made by Religious, Health, Educational Institutions and Tourism Related projects. (Provide details): — No —

5. Is applicant request for change of zone is classified as Eco sensitive land [(eco-sensitive land" means a low lying paddy field, water body, khazan land, flood prone area, land having slope more than 25%, forest land including private forest land, land falling in the buffer zone of Wild Life Sanctuary)] specify if it is in Eco sensitive zone. as per the above RCZ & ECZ definition Part of Property is having a slope more than 25%.

6. Is the property requested for change of zone is having any past commitments/approvals/ Sanad. Provide details of the same —

7. Is property falls within Coastal Regulation Zone? No YES/NO
If yes, the comments of CZMA is submitted: _____

8. Is property request for change of zone is part of unauthorized layouts in non-confirming zone. If yes, provide the details of the same: —

9. Is the property is classified as Private Forest/Govt. Forest: NO YES/NO

10. Is the property is within Buffer zone of any Wild Life Sanctuary: NO YES/NO

11. Is the comments from Forests/Agriculture Department is required? YES/NO YES

12. Is the project is recommended by GIPB. Provide details of the same: — No —

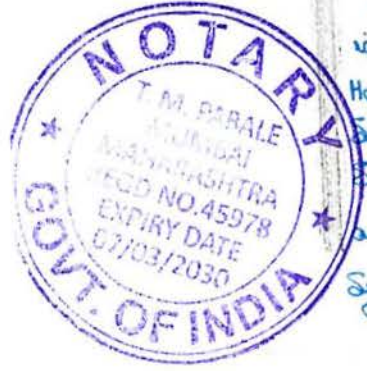
13. Is the property requested for change of zone is for public utility or tourism related project? Provide details of the same: — No —

14. Is the property/plot requested for change of zone whose zoning has been reverted to Agriculture from non-developable zone in RP-2021: YES/NO
If yes provide Zone as per RPG-2021: Partly Settlement, Partly Orchard & Partly Orchard
Zone as per RP-2001: with No

15. Site Inspection Report: (Please fill format) Development

16. Any other observations relevant to the application: Ref: Sy Plan is approved
if property is adjoining Sy No: 205/2 which
is shown as a pond in RP-2021,
However as per the site/Contour Plans
submitted by the applicant, the area
taught for change of Zone is 50 mt
away from the pond bearing
Sy No: 205/2 & 205/1

[Signature]
Signature of Dealing Hand



at Sr. No. 4); and suggestions were invited from the public within a period of thirty days from the date of publication of the said Notifications in the Official Gazette;

And whereas, suggestions received from public were placed before the Goa Town and Country Planning Board in terms of sub-rule (3) of Rule 4 for its recommendation/approval and the Goa Town and Country Planning Board after due consideration of the suggestions received from the public recommended the proposals for change of zone as regards to Sr. No. 1 & 2 in its 212th TCP Board meeting held on 03-02-2025 and Sr. No. 3 & 4 in its 211th TCP Board meeting held on 15-01-2025, directed to take further action as per sub-rule (4) of rule 4 of the said Rules;

And whereas, as required by sub-rule (4) of Rule 4 of the said Rules, the recommendation/ approval/decision of the Goa Town and Country Planning Board along with the said proposals were placed before the Government for decision and the Government has approved the same;

Now, therefore, in view of the recommendation of the Goa Town and Country Planning Board being approved by the Government and in exercise of the powers conferred by section 39A of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975) read with sub-rule (5) of Rule 4 and rule 6 of the Goa Town and Country Planning (Change of Zone of land in the Regional Plan or the Outline Development Plan) Rules, 2024, the Regional Plan and the Outline Development Plan is hereby altered and modified as specified in column No. (8) of above Table.

The alteration and modification of the Regional Plan as notified in this Notification shall be subject to the outcome of the PIL Writ Petition Nos. 53 of 2024 and 54 of 2024 which are pending final disposal before the Hon'ble High Court of Bombay at Goa.

Vertika Dagur, Chief Town Planner (Planning).

Panaji.

◆◆◆◆◆
Notification

36/18/39A/Notification (23)/TCP/2025/236

Date: 18-Jun-2025

Whereas, Town and Country Planning Department of the Government of Goa is in receipt of applications under sub-section (1) of Section 39A of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975) for change of zone in the Regional Plan for Goa 2021 and Vasco-da-Gama Planning Area -030 in respect of the plots of land as specified in detail in the table below (hereinafter referred to as "the said Proposals");

TABLE

Sr. No.	Name of the applicant	Sy.No./Sub-Div. No./Ch.No./P.T.S. No.	Village/Taluka	Published land use as per RPG 2021/ODP/Total Area in sq. mts.	Proposed land use	Area proposed in sq. mts.	Decision of the TCP Board
1.	Lalita Kambli alias Rakshita Govekar	103/2 (Part)	Assagao, Bardez.	Partly Settlement (13m2), Partly Natural Cover (1665m2), Partly Natural Cover with Irrigation Command Area (272m2) Total Area (1950)	Settlement Zone	1937	Recommended for change of zone to an area of 1665m2 from Natural Cover to Settlement and 272m2 from Natural Cover with Irrigation Command Area to Settlement subject to report from Water Resources Department.

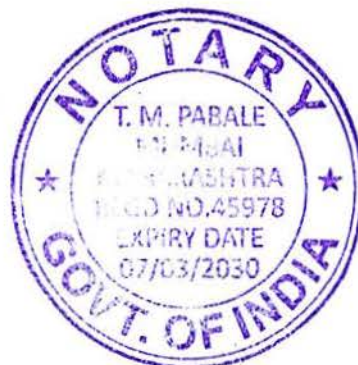


2.	Shivali Financial Advisors Private Limited, Authorized Signatory Mr. Amit D. Shah	44/1 (Part)	Sircaim, Bardez	Partly Settlement Zone (358m ²), Partly Playground (2879m ²) Total Area (3237)	Settlement Zone	2879	Recommended for change of zone to Settlement zone subject to report from concern Village Panchayat.
3.	M/s Mathias Constructions rep by Julian Richard Mathias	37/1 (Part)	Pilerne, Bardez	Partly Settlement (49184m ²), Partly Orchard (9444m ²), Partly Orchard with No Development Slope (63872m ²)	Settlement Zone	30000	Recommended for change of zone for an area of 20000m ² from Orchard with No Development Slope to Settlement being found within permissible gradient as per contour plan submitted and also directed to obtain report from Forest Department.
4.	Pausilipo Eutico Estevo & Selma Sacramento Dourado	130/2 (Part)	Colomba, Sanguem	Partly Settlement (2220m ²), Partly Cultivable Land with Irrigation Command Area (80m ²) Total Area (2300)	Settlement Zone	80	Recommended for change of zone and also directed to obtain report from Water Resources Department.
5.	Imperial Northstar Exim LLP	42/1 (Part) 42/2 (Part)	Siridao, Tiswadi	Partly Natural Cover (3350m ²) Partly Natural Cover with No Development Slope (1650m ²) Total Area (5000)	Settlement zone	5000	Recommended for change of zone within permissible gradient.
6.	Imperial Northstar Exim LLP	44/1	Curca, Tiswadi	Orchard Total Area (6000)	Settlement zone	6000	Recommended for change of zone

And Whereas, in terms of sub-rule (1) of Rule 4 of the Goa Town and Country Planning (Change of zone of land in the Regional Plan or the Outline Development Plan) Rules, 2024 (hereinafter referred to as the "said Rules"), the Town and Country Planning Department, after scrutinizing the said Proposals, had placed such proposals alongwith it's scrutiny reports before the Goa Town and Country Planning Board for its recommendation/approval/decision;

And Whereas, the Goa Town and Country Planning Board in it's 211th Meeting held on 15-01-2025, 213th Meeting held on 07-03-2025, 214th meeting held on 24-04-2025, 215th Meeting held on 04-06-2025 and 216th Meeting held on 13-06-2025 has approved the said proposals as specified in above table;

Now, therefore, as required by sub-rule (2) of Rule 4 of the said Rules, a notice is hereby given to the public that the Goa Town and Country Planning Board in it's 211th Meeting held on 15-01-2025, 213th Meeting held on 07-03-2025, 214th meeting held on 24-04-2025, 215th Meeting held on 04-06-2025 and 216th Meeting held on



13-06-2025 has approved the said proposals for change of zones, in respect of the plots of land as specified in above table, which were placed before it under sub-rule (1) of Rule 4 of the said Rules and suggestions are hereby invited from the public within a period of thirty days from the date of publication to this Notification in the Official Gazette.

All the proposals as specified in the above table are available for the purpose of inspection in the Regional Plan Cell, Office of Tiswadi Taluka, Town and Country Planning Department, Kamat Tower, 5th Floor, Patto, Panaji-Goa.

Suggestions, if any, to the said proposals as approved by the Goa Town and Country Planning Board may be forwarded to the Chief Town Planner (Planning), 2nd Floor, Dempo Tower, Patto Plaza, Panaji Goa, before the expiry of the said period of thirty days, so that the said proposals alongwith suggestions, if any received, can be placed before the Goa Town and Country Planning Board for its recommendation/approval/decision in terms of sub-rule (3) of Rule 4 of the said Rules.

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

Vertika Dagur, Chief Town Planner (Planning) & ex officio Joint Secretary.

Panaji.

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Department of Water Resources

Office of the Chief Engineer

Notification

4/4/CE-WRD/EO/2025-26/99

Date: 10-Jun-2025

In exercise of powers conferred by Sub-Section (1) of Section 14 of "The Dam Safety Act, 2021" (No. 41 of 2021) of Government of India which extends to whole of India, the Government of Goa hereby re-constitutes The Goa State Committee on Dam Safety, for the dam's in the State of Goa for further term of three years from 24/06/2025.

The said committee shall be with following composition:-

Sr. No.	Name of the official post/representative on behalf of Government	Designation
(i)	Chief Engineer, Water Resources Department & Ex. Officio Additional Secretary to Government.	Chairperson
(ii)	Superintending Engineer, Central Planning Organization, WRD, Porvorim-Goa.	Member
(iii)	Three Expert Members nominated by Government for Dam Safety Panel from time to time.	Members
(iv)	Principal Chief Engineer, Public Works Department, Altinho, Panaji-Goa.	Member
(v)	Director, Appraisal, Bengaluru (Karnataka), Central Water Commission.	Member
(vi)	Director, Instrumentation, Central Water Commission, Room No. 411, 4 th Floor (South), Sewa Bhawan, R.K. Puram, New Delhi 110066.	Member
(vii)	Director, Hydro Project Appraisal (HPA) Division, Central Electricity Authority, Ministry of Power Sewa Bhawan, R.K. Puram, New Delhi 110066.	Member
(viii)	Head of the Civil Engineering Department - Goa Engineering College-Farmagudi, Ponda-Goa.	Member
(ix)	Superintending Engineer, Circle-IV, WRD, Gogol, Margao-Goa.	Member Secretary

- The above committee shall discharge its functions as specified in the Third Schedule of Dam Safety Act 2021 as may be necessary to prevent dam failure related disasters under this Act as per guidelines, standards and other directions on dam safety issued by the Authority.



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2. The State Dam Safety Committee in discharge of its functions shall be assisted by such sub-committee as it may consider necessary and the Secretarial assistance to the State committee as well as its sub-committee shall be provided by the concerned State Dam Safety Organization.
 3. The State Dam Safety Committee may invite the representative of the owner of any specified dam and such other experts in dam safety as it may consider appropriate for the discharge of its functions.
 4. The State Dam Safety Committee shall meet at such times and places and shall observe such rules of procedure in regards to the transaction of business at its meetings as may be prescribed by the State Government provided that the State Dam Safety Committee shall meet twice in a year and one meeting shall be held before the onset of the monsoon season.
 5. The above composition of State Dam Safety Committee shall be in force for three years from the date of this notification and thereafter the Committee shall be re-constituted for every three years thereafter.
 6. The expenditure incurred on the meetings of the State Committee shall be in the manner as may be prescribed by the State Government.
 7. The specialist members & other expert invitees who attend the meeting of the State Committee or its sub-committee shall be paid such fees and allowances as may be prescribed by the State Government.
- By order and in the name of the Governor of Goa.

D. Y. Salelkar, Chief Engineer, WRD. & ex. officio Additional Secretary.

Panaji.



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PILERNE CITIZENS FORUM

Reg No 518/GOA/2007

C/o. Hilario Lobo H.No. 190, Volvaddo, Pilerne, Bardez - Goa.

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To,

The Chief Town Planner
Town and Country Planning Department,
2nd Floor, Dempo Tower, Patto Plaza,
Panaji, Goa.

PA (Sousa) (cell)
DTP (cell)
W

Inward No. 4343
Town & Country Planning Dept.
Government of Goa
2nd Floor, Dempo Tower,
Patto Plaza, Panaji, Goa
Date: 17/7/25

Date: 17 July 2025

Subject: Objection to Change of Zone under Section 39A to Survey no 37/0 & 37/1 (part) in Pilerne village.

Dear Sir/Madam,

We wish to formally state our strong objection to the proposed change of zone for the property bearing Survey No. 37/0 and 37/1 (part) in Pilerne village, as notified in Notification 36/18/39A/Notification (23)/TCP/2025/236, dated 18 June 2025 published in the Official Gazette Series II No. 12 dated 18 June 2025. This proposal, submitted by M/s Mathias Constructions, sought to convert an area of 30,000 sq. m., which the TCP Board has recommended 20,000 sq. m., comprising land currently designated as partly settlement, partly orchard, and partly orchard with No Development Slope (NDS), into a Settlement Zone. Our objections to this Change of Zone are based on the following critical points:

1. Property bears significant No Development Slopes (NDS) and poses Landslide Risk:

- o The property includes areas designated as **No Development Slopes (NDS)** in the **Goa Regional Plan – 2021**, prepared by the TCP Department, as can be seen in **Image 1** below. The Survey Report prepared by Engineer K H Kamaladinni states a gradient of 20.93%, which itself is incorrect, and comments that “the property is slightly sloping”, which is a complete misrepresentation of facts. While the gazette notification claims the slope is within the permissible gradient for conversion to Settlement, we are in possession of ISRO-based satellite imagery analysis that indicates the slope is **greater than 25 degrees**, which should classify it as NDS. The Engineer should therefore be held accountable for criminal misrepresentation of facts.

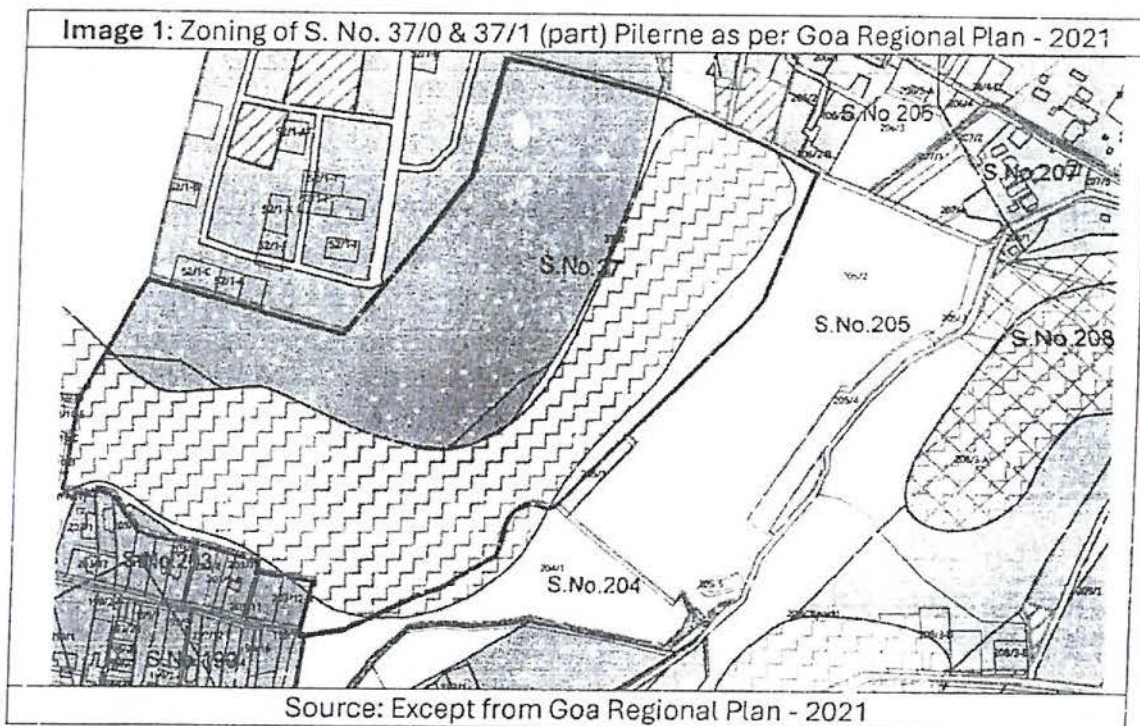
This also alludes to the fact that the TCP Department has failed to independently assess the gradient and slope of the said property.



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Considering that the TCP Department would have access to their own contour maps and that of institutions like ISRO, one fails to understand how the TCP Board could recommend such a project.

- o Allowing development activities on such steep hill slopes poses a **severe risk of landslides** in the future. This danger extends not only to structures within the converted property but also to **adjacent properties with existing structures**, which could face the brunt of slope erosion and altered water flow, potentially leading to loss of life and property.
- o This constitutes a **gross act of criminal negligence** by the TCP Department, especially in light of recent tragedies related to hill slope development, such as the Wayanad landslide tragedy.



2. Property comprises Buffer Zone and Zone of Influence to Notified Wetland (Saulem Lake) and Ecological Risk:

- o The property is **immediately adjacent to the eco-sensitive Saulem Lake**, also known as Pilerne Lake, which was **notified as a protected wetland on December 9, 2021**. Refer to: No. 11-2/GSWA/2021-22/Notification/897 and OFFICIAL GAZETTE — GOVT. OF GOA SERIES No. 37 09TH DECEMBER 2021. As can be seen in Image 2 below.
- o This lake is considered **critically significant for its ecosystem services and biodiversity values** for local communities and society at large.



- o Property bearing Survey No. 37/0 and 37/1 (part) (part) **falls under the buffer zone as well as the zone of influence of this protected wetland**, where development activities are either forbidden or explicitly regulated. Once again we urge you to Refer to: No. 11-2/GSWA/2021-22/Notification/897 and OFFICIAL GAZETTE — GOVT. OF GOA SERIES II No. 37 09TH DECEMBER 2021.
- o Further, the Wetland Notification of 2018 clearly stated that a “zone of influence”, which means “that part of the catchment area of the wetland or wetland complex, where developmental activities induce adverse changes in ecosystem structure and ecosystem services.” In light of this, one fails to understand how the TCP Board could recommend such a project.
- o The lake functions as a **natural funnelled aquifer, replenished by springs, and has been utilised** by the village for generations for irrigation and other purposes.
- o The gazette notification **makes no mention of any analysis or application of mind** regarding the severe risk posed to this protected wetland by allowing development on an abutting NDS area, making the proposed conversion blatantly illegal.

Image 2: Location of the S. No. 37/0 & 37/1 (part) Pilerne



Source: Bhunaksha



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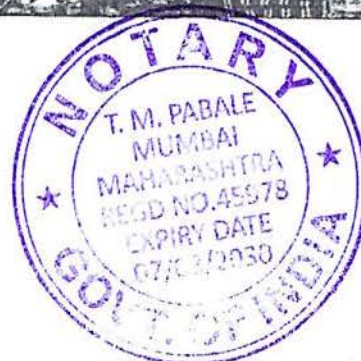
3. Location within Water Catchment Area:

- The property bearing Survey No. 37/1 (part) (part) is located within the **Catchment Area Department Authority of Goa (CADA) and Water Resources Department (WRD) demarcated water catchment area.**
- The WRD provided detailed data, including 11 taluka-level maps showing water catchment areas and wetlands, to the Chief Town Planner in 2007, with a request to incorporate this data into the Regional Plan for Goa (RPG-2021). However, this crucial data was **never incorporated into the official zoning plans.** Instead of updating the TCP zoning plans with crucial information such as this, the TCP is permitting such zone changes, which go against the mandate of the department to uphold the public interest.

4. World Wetland Day 2024 celebrated at Saulem Lake

- **World Wetland Day was celebrated at Savlem Wetland on February 2, 2024** where the Minister for Environment, Mr. Alexio Sequeira, and the local MLA, Mr. Kedar Naik, were present at this event. This event was widely covered in the local press and media, e.g. 'Goan Reporter News: World Wetlands Day celebrated at Pilerne'. See the Photo below. It is now ironic that the very same Government is seeking to destroy the lake by permitting the destruction of the lake's catchment area/ Zone of influence. As can be seen in **Image 3** below, S. No. 37/0 & 37/1 (part) Pilerne serve as the backdrop for the Celebration of World Wetland Day 2024.

Image 3: S. No. 37/0 & 37/1 (part) Pilerne serving as the backdrop for the Celebration of World Wetland Day 2024.





Source: envcc.goa.gov.in

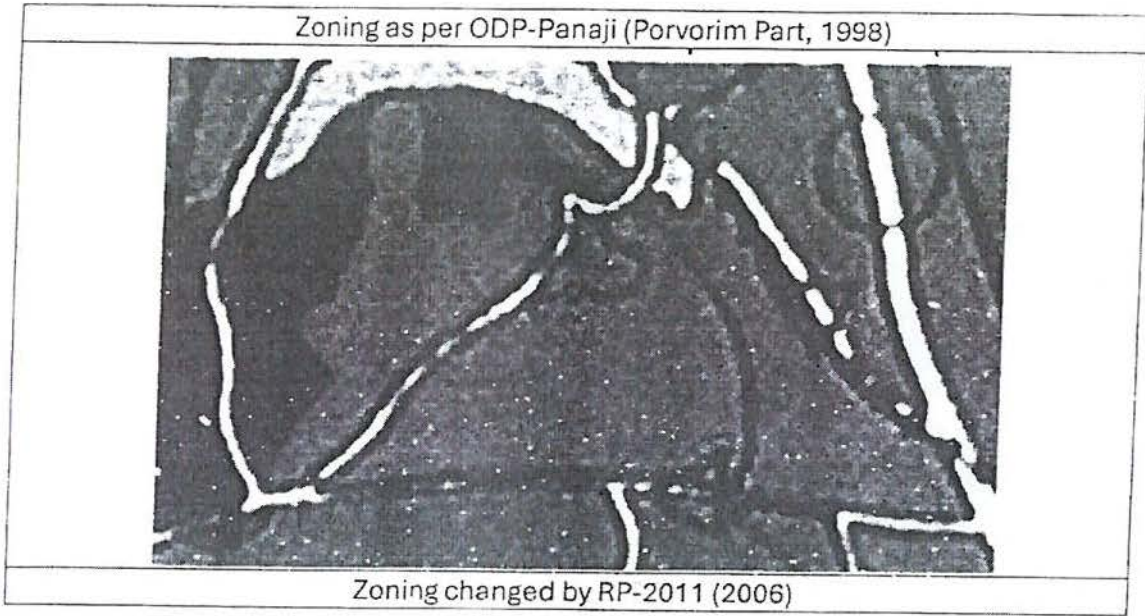
5. History of Illegalities and Retrospective Approval for RP-2011 CoZ:

- This property (Sy. No. 37/1 (part)) was previously part of an area proposed for conversion under the controversial Regional Plan 2011.
- In 2006, in anticipation of zone changes, the owner, Mathias Constructions, allegedly **cut over 90 trees and mercilessly burnt the hill for two days**, leading to a fine from the Forest Department.
- This proposed zone change is a brazenly clear **attempt to retrospectively reward the developer for past illegalities** and to also condone the TCP chequered history in the preparation of RP-2011.

Image 4: S. No. 37/0 & 37/1 (part) Destroyed in 2006 after CoZ by RP-2011.



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A handwritten signature or scribble in black ink, located in the bottom right corner of the page.

6. Destruction of Forested/Orchard Area and Biodiversity:

- As mentioned in 2006, the owner of the said property cut over 90 trees and mercilessly burnt the hill for two days, leading to a fine from the Forest Department. See images of the destruction below at Image 5.
- The forest in the property has, however, rejuvenated and recovered. The TCP's approval for Change of Zone will necessitate a repeat of the same large-scale tree felling, leading to grave danger and degradation of the ecosystem and is essentially rewarding the owners for their actions of gross illegalities and irresponsibility.

Image 5: S. No. 37/0 & 37/1 (part) before and after felling of trees and hill burning in 2006.

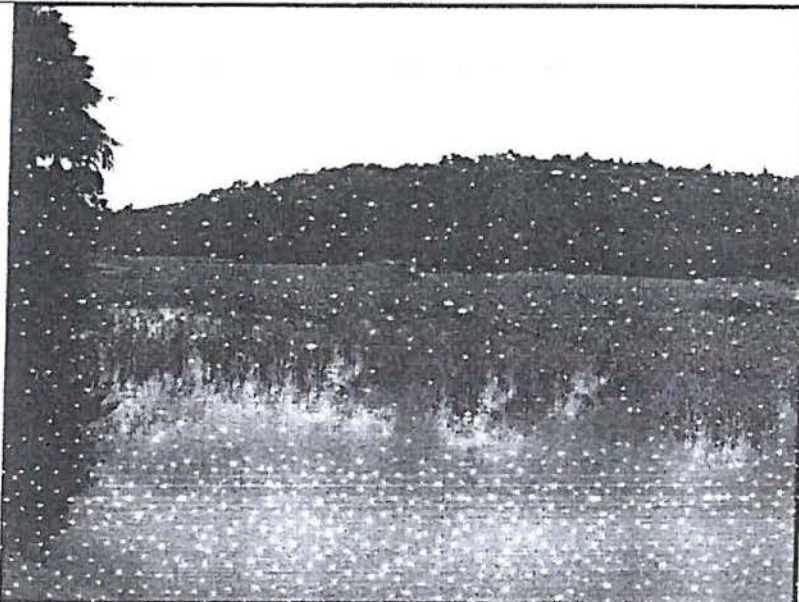
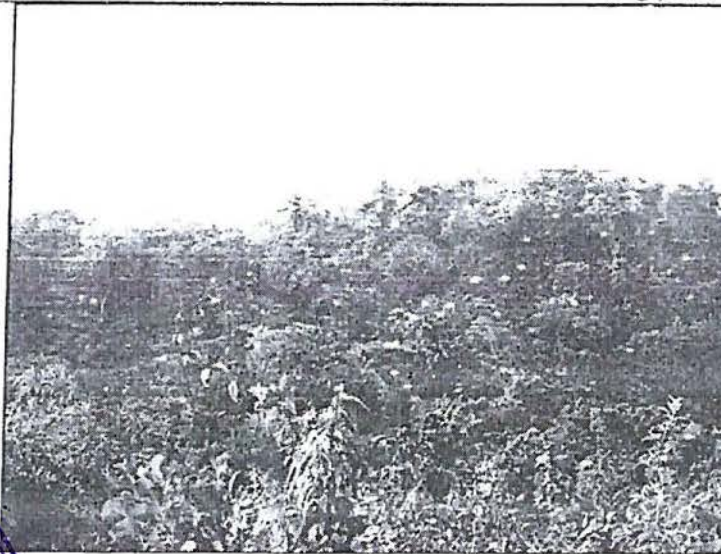


Photo of the property *before* the felling of trees and burning (Taken in 2006).



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Photo of the property *after* the felling of trees and burning (Taken in 2006).

7. Lack of Transparency and Essential Information:

- The public notice for this proposed zone change is **unlawful due to the omission of essential information** necessary for the public to understand and provide informed suggestions. Crucially, it **lacks the justification for the zone change, detailed land use maps** showing the property and its surrounding areas (including survey numbers), slope analyses, and the minutes of the TCP Board meeting that approved this change. Furthermore, the applications and the TCP's assessment reports, including TCP Board meeting minutes, are **not available on the TCP website**, making it preposterous to expect citizens to travel to the TCP office in Panaji to view these proposals.

8. Disregard for Public Interest and Gram Sabha Resolutions:

- The Gram Sabha of Pilerne-Marra has passed **unanimous resolutions** dated 26 January 2007 and 28 February 2024 **to protect the Savlem Lake and its surrounding catchment areas and to not permit any zone change or construction licenses** for development projects in these areas.
- A. Gram Sabha Resolution (26 January 2007):** Following the withdrawal of the controversial Regional Plan – 2011, the Gram Sabha of Pilerne-Marra had previously passed a unanimous resolution on January 26, 2007, to protect the Savlem Lake and its surrounding catchment areas. This resolution was communicated to the TCP Department.
- B. Gram Sabha Resolution (28 February 2024) resolved:**
 Resolution No. 2 (14) explicitly states that it was unanimously resolved by the members of the Gram Sabha of V.P. Pilerne-Marra that no construction/development activities, such as residential housing and commercial projects, be allowed in the eco-sensitive lands. This prohibition specifically covers properties like Survey Nos. 208, 208/3, 208/3-A, and 37/1 (part) of Pilerne Village.
 It was further resolved "That not to allow / grant conversion of the said lands and any kind of change of zone (settlement) zone / or any other development zone" in these properties.
 The resolution also directed owners/occupants of properties in Sy. No. 208, 208/3, and 208/3-A to plant trees in the said property and specify the costs/penalties for illegally cut trees.



[Handwritten signature]

- These resolutions collectively demonstrate a consistent and strong stance from the local community against development in the ecologically sensitive areas surrounding Savlem Lake.
- Despite these clear directives and the ecological significance, the TCP Department continues to "**blindly approve conversions, without any application of mind,**" disregarding the ecological implications and impact on residents.
- The implementation of these zone changes amounts to the **erosion of public interest** and compromises the village's food security and ecosystem services.

9. Strain on Existing Infrastructure:

- The village of Pilerne-Marra is already experiencing **increased traffic, congestion, noise and air pollution, and restricted mobility.**
- The existing infrastructure, including **water, sewer, electricity, and road capacity, is already overburdened.** Candolim, nearby, faces a significant water supply shortfall (0.89 MLD).
- Approving further settlement zones without augmenting the current supply will only **exacerbate the stress on these essential services,** adversely affecting the quality of life for existing residents. The Goa Regional Plan – 2021 had already accounted for population increases and Mopa Airport infrastructure needs, rendering arguments for additional settlements specious.

10. Pending Legal Challenges:

- The legality of Section 39A of the TCP Act, under which this zone change is proposed, is currently **challenged in the High Court via WP 2317 of 2024 and WP 2344 of 2024.**
- The final notification of zone changes under Section 39A is **subject to the outcome of PIL Writ Petition Nos. 53 of 2024 and 54 of 2024** are pending before the Hon'ble High Court of Bombay at Goa. Approving changes while such legal challenges are ongoing is inappropriate and undermines the judicial process.



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In view of the serious objections and the clear illegalities involved in the proposed conversion, we strongly implore the TCP Department and the TCP Board:

1. Not to recommend this change of zone.
2. To not issue the final notification confirming the Change of Zone.
3. That the Change of Zoning notification be **immediately revoked**.
4. We further recommend that the TCP Department does not entertain any future proposals for zone changes under Section 39A in Pilerne-Marra as these are truly not in the long-term public interest and the ecological integrity of our villages.

Yours sincerely,



Hilario Lobo

Secretary

Pilerne Citizens Forum



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Rainbow Warriors

- GOA -



REF. NO. FRW/69/2025

DATE: 18/07/2025

To
The Chief Town Planner (Planning),
TCP Department, 2nd Floor, Dempo Towers,
Patto Plaza, Panaji Goa
By email to:

SUB: ABANDON THE CHANGE IN ZONE PROPOSALS
PUBLISHED UNDER SECTION 39A OF TCP ACT ON 19/06/2025

Reference: Notification published on 19/06/2025 in the Official Gazette, Series II, No. 12

Dear Sir,

This is to suggest that you must completely abandon and revoke -

- (i) All the change in zone proposals published on 19/06/2025 in the Official Gazette, Series II, No. 12,
- (ii) The process being undertaken of considering individual applications for change in zones, and
- (iii) The provision of law (section 39A of the TCP Act) that is allowing these unjust and arbitrary processes that are threatening our State of Goa.

In this regard, we submit as follows:

Flat C-1, Shamiana Co-op Hsg Scty, Comba, Margao, Goa -403601
Tel - 8408960070, 9284363876



Inward No. 6293
Town & Country Planning Dept
Government of Goa
2nd Floor, Dempo Tower,
Patto Plaza, Panaji, Goa
Date: 21/7/25

DTP (R) (e11)
W
PA (Sawson)
PD (Roclyn)
Lsh

A) GENERAL SUGGESTIONS APPLICABLE TO ALL THE PROPOSALS:

1. SEC 39A VIOLATES PARENT ACT –

a. Prior to the illegal and unconstitutional introduction of Section 16B (subsequently withdrawn), Section 17 (2) (read down by the High Court to no longer be in violation), and the subject Section 39A, only 'broad demarcation' of zones were allowed. The powers are restricted in the parent Act to making 'broad demarcations' only, so that private profits, abuse of powers and arbitrariness are prevented. Section 39A is therefore ultra vires the parent Act and amounts to gross misuse of powers.

b. Further, you have admitted before the High Court that the object of TCP Act is "*to stop uncontrolled development of land due to land speculation and profiteering from lands*". All the permissions granted are for individual applications for profiteering from lands, and are therefore against the object of the TCP Act.

2. SEC 39A VIOLATES CONSTITUTION OF INDIA - Articles 14, 19, 21, 38 and 243 of our Constitution are violated by every change in zone granted. The changes are arbitrary and discriminating against the majority of citizens, and therefore violate Article 14. The failure to first hear and consider the opinions of the local residents and the panchayats violates Articles 19 and 243. The failure to carry out necessary socio-economic and environmental studies prior to granting such changes in zones is in violation of Article 21 of the Constitution.

3. AGAINST PUBLIC INTEREST – It is admitted by you before the High Court that all changes must be in Public Interest. However, it is seen that almost all of the changes are against Public Interest. In addition to the issues raised in the following paragraphs, some general observations are raised in this paragraph. Some of the changes proposed are to open large forest or agricultural areas to settlements against all planning norms, which is prima facie for private profit and therefore against Public Interest. Some of the changes proposed are for small areas. However, google earth imagery shows that most of



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these proposals are for illegally sub-divided plots within larger areas already developed illegally by some influential persons, which must be dealt with in the strongest possible manner. The inclusion of such illegal developments of large lands in settlement zone will completely destroy Goa. There may be only a few genuine cases where, without involvement of rich speculative interests who have carried out illegal developments in the past, a genuine requirement for housing is being requested.

4. INADEQUATE AND INCOMPLETE NOTIFICATION – The subject Notification is incomplete and inadequate because –
 - a. The notification and the TCP website fail to provide essential information about the change in zone proposed for each of the proposals. The Notification fails to provide the plan (all proposals are for sub-divided plots which cannot be identified without the sub-division plan). It is impossible to identify the exact extent of the land affected without these details.
 - b. The TCP Department is required to make public the reasoning, deliberations and justification for each of the proposals, since members of the public cannot make informed suggestions without this information.
5. NO DATA AVAILABLE, ARBITRARY – The Task Force Report prepared 15 years ago describes the paucity of useful data. Goa Government does not have the data necessary to plan or grant changes in land use. The TCP Act mandates the availability of such data with the Chief Town Planner before considering changes to the Regional Plan. It was therefore incumbent upon the Government to collect the necessary data on all environmental, economic and social aspects of our State, before making any plans, policies or changes to uses of lands. The changes in zones carried out without necessary data are arbitrary and therefore illegal. There is no excuse for the delays so far, and it is necessary that all Government Departments first collect and collate all necessary data, studies and analyses and submit the same to the TCP Department before any changes in zones are considered.



6. NO MAPPING OF PROTECTED LANDS – The TCP Department has completely failed to map the most essential areas to be protected, which include:

- a. Forests as per Government of Goa criteria of 0.4 canopy density and 5 Hectares area. While the Forest Department admits that at least 200 sq kms of private forests exist in Goa, less than 50 sq kms are identified till date, rest of private forests remain unidentified and unprotected, and must therefore be protected under TCP Act.
- b. Ecologically and Socially Sensitive Coastal Zones such as sand dunes, water bodies, lands used by fishing communities. Goa Government has prepared Coastal Zone Management Plan (CZMP) 2011, but the TCP Department has failed to consider the CZMP 2011.
- c. Mapping and protection of Comunidade/Common lands. The common lands of Goa's indigenous communities must be protected from change in land use, but the TCP Department has neither demarcated all such lands, nor have they protected them. The changes recommended/approved by the TCP Board in Comunidade/Common lands are completely against the interests of the local communities, future generations and the poorest of the poor, who survive off these lands.
- d. Mapping and protection of tribal lands. The tribal communities of Goa have no protection for their lands as envisaged under the Constitution. However, the Regional Plan is the instrument to ensure that injustice is not done to Goa's tribes by demarcating tribal lands across the State of Goa. However, no such demarcation is done and changes of zones have been recommended/approved by the TCP Board in tribal areas.
- e. Mapping and protection of prime agricultural lands. The prime agricultural lands in the State of Goa have not been given protection under the Regional Plan. The Regional Plan should have demarcated all prime



agricultural lands across the State of Goa. However, no such demarcation is done and changes of zones have been recommended/approved by the TCP Board in prime/irrigated agricultural lands.

- f. Mapping and protection of Laterite Plateaus, Water Recharge Areas and Grazing Lands. The changes in zones have been recommended/approved by the TCP Board without even considering the Laterite Plateaus, Ground Water Resources and Grazing Lands of the State. Many of the changes recommended/approved by the TCP Board are precisely on the ecologically sensitive laterite plateaus, and/or on invaluable and most critical ground water recharge areas, and/or on grazing lands that have been the most protected and revered lands in the State for thousands of years.
7. RP 2021 HORIZON YEAR IS OVER, RP 2031 IS LONG OVERDUE – The amendments to RP 2021 being carried out through the gazetted changes are illegal also because the horizon year for RP 2021 is over long ago, and therefore the RP 2021 must be replaced by an entirely new RP 2031. The process of preparing RP 2031 should have started at least by 2018, but the TCP Department is instead making piecemeal changes through section 39A in order to assist illegal land use changes and speculative profit-making companies and individual interests destroy Goa for short term greed. The need of the hour is to make a new RP 2031 taking into account the planet-threatening climate crisis, rising sea levels, water and food security of Goa and need to make every village self-sufficient and self-governing, as envisaged by our Constitution and which is the only path of sustainable development and the only hope for the survival of our species.
 8. WILL DESTROY GOA'S ENVIRONMENT AND ECONOMY FOR SHORT TERM GREED – All the indicators of exceeding carrying capacity can be seen in the socio-economic fabric of Goa. The extreme stress of uncontrolled mining, industrial estates on plateaus, urbanization, real estate and tourism projects has visibly destroyed Goa's economies, societies and environment. The changes in zones requested are mostly resulting from speculation with ecologically sensitive



and agricultural lands, as can be seen from the paragraphs below. It is obvious that the TCP Board and the Chief Town planner are not able to appreciate or understand the socio-economic and environmental implications due to the arbitrariness of the process and the illegality of section 39A of the TCP Act. It is therefore necessary that the entire process under section 39A be abandoned and all of the proposals published in the above referenced notifications be rejected.

b) OBJECTIONS TO INDIVIDUAL PROPOSALS:

9. Sl No 1 – 1,937 sq meters of land bearing sy no 103/2 (Part), Assagao village, Bardez taluka is recommended to be changed from Natural Cover to settlement zone under serial no 1 of the table. We strongly object to the change in zone and demand that the proposal be rejected outright based on the following facts and arguments:

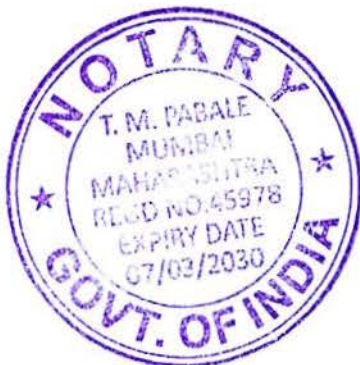
- a. The land bearing sy no 103/2 (Part), Assagao village is a dense forest and a part of a large unidentified forest patch, as inarguably proved by the google earth images and extract of RP 2021 attached as **Exhibit A**.
- b. It is most inappropriate for the Chief Town Planner to consider the change in use of such lands to settlement, as it is a violation of the spirit of the Forest Conservation Act, 1980 and the orders of the Supreme Court dated 12.12.1996 in the Godavarman case, and of the statutory provision under section 11, (2), (a) of TCP Act, 1974. If this p.posal is not rejected, we will take legal action against persons responsible.
- c. We object to the change in zones proposed because the entire land bearing sy no 103/2 (Part), Assagao village is catchment area for its water resources. National water Policy requires all such catchment areas to be protected. Assagao village and the rest of Bardez taluka has serious water problems and all its water resources need to be protected fully, including the catchment areas in sy no 103/2 (Part), Assagao village.
- d. There is absolutely no need for any more settlement areas as there is excess of housing in Goa as per the



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Housing Census 2011. This proposal is driven only by short term greed and real estate speculation through destruction of environment, economy and society, which the TCP Act is meant to prevent.

- e. This land is ecologically sensitive and connected with the surrounding forest lands in a manner such that the change in use of this land will devastate the entire area.
 - f. The RP 2021 has added large lands in Assagao and other villages into settlement zones, completely against the TCP Act and the wishes of the people. The 39A provisions must be used to reduce the settlement zones in RP 2021 which are against the principles of the TCP Act and the wishes of the people, rather than adding more lands into settlement zones, which will destroy the sustainability of Goa's economy for the short-term profit of a few.
 - g. The conservation of forests, sloping lands, biodiversity, ground water resources, etc is the prime objective of the TCP Act and this proposal grossly violates the TCP Act, especially in view of the present environmental and socio-economic crisis caused by such anti-people land use changes.
 - h. The land is sloping steeply and has laterite soil, which is extremely prone to erosion and should be protected as mandated by Section 11, (2), (d) of TCP Act. Such sloping lands cannot be changed in use, especially in the present case where the agricultural lands below will be silted and destroyed by the erosion of this land and by floods and landslides.
10. Sl No 2 – Land bearing sy no 44/1, Sircaim village, Bardez taluka is recommended to be changed to settlement zone under serial no 2 of the table. We strongly suggest that this proposal be rejected outright based on the following facts and arguments:
- a. The applicant, Shivali Financial Advisors Private Limited, purchased this land on 12.02.2025, when the land was already demarcated partly as Playground. The



applicant purchased the land knowing fully well that it was a playground, and thereafter immediately applied for it to be changed to settlement zone. Therefore, the applicant has no excuse that a wrong was done to him under RP 2021, and he cannot ask for the zone to be changed.

- b. Considering the dates mentioned above, it is abundantly clear that the applicant is only interested in speculation with the land for profits. Such an application cannot be entertained or considered to be in public interest.
- c. The applicant's name, Shivali Financial Advisors Private Limited, clearly shows that the applicant is only interested in speculation with the land for profits. Such an application cannot be entertained or considered to be in public interest.
- d. The subject land is marked as a playground in public interest. The present application is purely for private profit and cannot be allowed to overrule public interest.

11. Sl No 3 – 20,000 sq meters and bearing sy no 37/1 (Part), Pilerne village, Bardez taluka is recommended to be changed to settlement zone under serial no 3 of the table. We strongly suggest that this proposal be rejected outright based on the following facts and arguments:

- a. The said land is seen to be fully forested in the google earth image dated 07.11.2022 and is therefore an unidentified forest land. Such unidentified forested lands cannot be changes to settlement zone. Google earth images and RP 2021 extract are attached as EXHIBIT B.
- b. The said land is abutting the Pilerne Lake, which is identified as a protected wetland by the Government of Goa. The said land is steeply sloping towards the lake and its use cannot be changed, if the lake is to be protected. Therefore, the zone of the land has to be maintained.
- c. The two google earth images attached reveal that the applicant has felled trees and illegally developed mud



roads in the said land, after 2023. Such illegalities cannot be rewarded by you. The legal maxim "*Nullus Commodum Capere Protect De Injuria Sua Propria*" that states that no man can take advantage of his own wrong is binding on the Chief Town Planner in the present instance.

- d. We object to the change in zones proposed because the entire land bearing sy no 37/1 (Part), Pilerne village is catchment area for its water resources. National water Policy requires all such catchment areas to be protected. Pilerne village has serious water problems and all its water resources need to be protected fully, including the catchment areas in sy no 37/1 (Part), Pilerne village.
- e. There is absolutely no need for any more settlement areas as there is excess of housing in Goa as per the Housing Census 2011. This proposal is driven only by short term greed and real estate speculation through destruction of environment, economy and society, which the TCP Act is meant to prevent.
- f. The RP 2021 has added large lands in Pilerne village and other villages into settlement zones, completely against the TCP Act and the wishes of the people. The 39A provisions must be used to reduce the settlement zones in RP 2021 which are against the principles of the TCP Act and the wishes of the people, rather than adding more lands into settlement zones, which will destroy the sustainability of Goa's economy for the short-term profit of a few.
- g. The conservation of such forested lands is the prime objective of the TCP Act and this proposal grossly violates the TCP Act, especially in view of the present environmental and socio-economic crisis caused by such anti-people land use changes.
- h. The change in use proposed will devastate the economy and environment of the village. The change in use is proposed only for short term gains for a few from unsustainable real estate speculation, which threatens to



destroy Goa. The prevention of such unsustainable real estate speculation is the prime objective of the Chief Town Planner.

12. Sl No 4 – 80 sq mtrs of land bearing sy no 130/2, Colomba village, Sanguem taluka is recommended to be changed to settlement zone under serial no 4 of the table. We strongly suggest that this proposal be rejected outright based on the following facts and arguments:

- a. The applicant has made 3 other applications for change of zone in Sy No 131/1, Colomba village notified in the Official Gazette on 15.5.2025, revealing that the present application is also only for speculation with the land. Preventing such speculation with land is the object of the TCP Act, stated by you before the High Court.
- b. This land is seen to be in the middle of Government forest lands. There exists a tribal settlement towards one side of the land. Such lands cannot be used for settlement purposes, except by the local tribal communities for their own needs. The present application cannot be allowed in such circumstances. Google earth image and extract of RP 2021 are attached as **Exhibit C**.
- c. We object to the change is zones proposed because the entire land bearing Sy No 131/1, Colomba village is catchment area for its water resources. National water Policy requires all such catchment areas to be protected. Colomba village village has serious water problems and all its water resources need to be protected fully including the catchment areas in Sy No 131/1, Colomba village.
- d. There is absolutely no need for any more settlement areas as there is excess of housing in Goa as per the Housing Census 2011. This proposal is driven only by short term greed and real estate speculation through destruction of environment, economy and society, which the TCP Act is meant to prevent.



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- e. The RP 2021 has added large lands in settlement zones, completely against the TCP Act and the wishes of the people. The 39A provisions must be used to reduce the settlement zones in RP 2021 which are against the principles of the TCP Act and the wishes of the people, rather than adding more lands into settlement zones, which will destroy the sustainability of Goa's economy for the short-term profit of a few.
- f. The conservation of such ecologically sensitive lands is the prime objective of the TCP Act and this proposal grossly violates the TCP Act, especially in view of the present environmental and socio-economic crisis caused by such anti-people land use changes.
- g. The change in use proposed will devastate the economy and environment of the village. The change in use is proposed only for short term gains for a few from unsustainable real estate speculation, which threatens to destroy Goa. The prevention of such unsustainable real estate speculation is the prime objective of the Chief Town Planner.

13. Sl No 5 – 5,000 sq m of land bearing sy nos 42/1 and 42/1, Siridao village, Tiswadi taluka is recommended to be changed to settlement zone under serial no 5 of the table. We strongly suggest that this proposal be rejected outright based on the following facts and arguments:

- a. The land bearing sy nos 42/1 and 42/1, Siridao village is a part of an unidentified forest patch on steep slopes, as seen from the google earth images and extract of RP 2021 attached as **Exhibit D**.
- b. The land is completely on steep slopes of and is having slope more than 15% in most parts. The land has laterite soil, which is extremely prone to erosion. In view of the slopes and the mandate of section 11, (2), (d) of TCP Act to prevent erosion, this land cannot be constructed upon.
- c. It is most inappropriate for the Chief Town Planner to consider the change in use of such lands to settlement, as it is a violation of the spirit of the Forest Conservation



Act, 1980 and of the statutory provisions of section 11, (2), (a) and (b) of TCP Act. If this proposal is not rejected, we will take legal action against persons responsible.

- d. We object to the change in zones proposed because the entire land bearing sy nos 42/1 and 42/1, Siridao village is catchment area for its water resources. National water Policy requires all such catchment areas to be protected. Siridao village has serious water problems and all its water resources need to be protected fully, including the catchment areas in sy nos 42/1 and 42/1, Siridao village.
- e. There is absolutely no need for any more settlement areas as there is excess of housing in Goa as per the Housing Census 2011. This proposal is driven only by short term greed and real estate speculation through destruction of environment, economy and society, which the TCP Act is meant to prevent.
- f. This land is ecologically sensitive and connected with the surrounding forest lands in a manner such that the change in use of this land will devastate the entire area.
- g. The RP 2021 has added large lands in Siridao and other villages into settlement zones, completely against the TCP Act and the wishes of the people. The 39A provisions must be used to reduce the settlement zones in RP 2021 which are against the principles of the TCP Act and the wishes of the people, rather than adding more lands into settlement zones, which will destroy the sustainability of Goa's economy for the short term profit of a few.
- h. The conservation of prime agricultural lands, forests, sloping lands, biodiversity and ground water rich plateaus, etc is the prime objective of the TCP Act and this proposal grossly violates the TCP Act, especially in view of the present environmental and socio-economic crisis caused by such anti-people land use changes.
- i. Such sloping lands cannot be changed in use in view of section 11, (2), (g) of the TCP Act, since the lands and



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water bodies below will be silted and threatened by floods and landslides.

- j. The applicant's name reveals that this application is not for housing, but is purely for speculating with land use change, which the TCP Act is mandated to prevent, as you have stated before the High Court. The applicant has also made another application for a large land to be changes to settlement zone in sy no 44/1, Curca village, Tiswadi taluka, which is listed at SI No 6 in this same notification, confirming that both the applications are for land speculation. Both the applications must therefore be rejected.

14. SI No 6 – Land bearing sy no 44/1, Curca village, Tiswadi taluka is recommended to be changed to settlement zone under serial no 6 of the table. We strongly suggest that this proposal be rejected outright based on the following facts and arguments:

- a. The land bearing sy no 44/1, Curca village is a highly eco-sensitive sloping, forested land on the side of a plateau, as seen from the google earth images and extract of RP 2021 attached as **Exhibit E**.
- b. It is most inappropriate for the Chief Town Planner to consider the change in use of such lands to settlement, as it is a violation of the statutory provisions under section 11, (2), (a), (b), (c), (d) and (g) of TCP Act, 1974. If this proposal is not rejected, we will take legal action against persons responsible.
- c. It is seen from the land records that the applicant has illegally sub-divided the subject land and created and sold 16 sub-divided tiny plots suitable only for residential use, without any permission for sub-division. Further, these 16 plots are all on steep undevelopable slopes, revealing that the applicant has fooled and cheated the purchasers, and also put the entire environment and slopes at high risk, only for profits.
- d. The legal maxim "*Nallus Commodum Capere Protect De Injuria Sua Propria*" that states that no man can take



advantage of his own wrong is binding on the Chief Town Planner in the present instance, since the applicant has illegally sub-divided the plot.

- e. The Chief Town Planner must lodge an enquiry into the blatant cheating of the purchasers of the illegal plots in the subject land, and you must reject the present application, as it is a part of a criminal cheating attempt.
- f. We object to the change in zones proposed because the entire land bearing sy no 44/1, Curca village is catchment area for its water resources. National water Policy requires all such catchment areas to be protected. Curca village has serious water problems and all its water resources need to be protected fully, including the catchment areas in sy no 44/1, Curca village.
- g. There is absolutely no need for any more settlement areas as there is excess of housing in Goa as per the Housing Census 2011. This proposal is driven only by short term greed and real estate speculation through destruction of environment, economy and society, which the TCP Act is meant to prevent.
- h. This land is ecologically sensitive and connected with the surrounding slopes in a manner such that the change in use of this land will devastate the entire area.
- i. The RP 2021 has added large lands in Curca and other villages into settlement zones, completely against the TCP Act and the wishes of the people. The 39A provisions must be used to reduce the settlement zones in RP 2021 which are against the principles of the TCP Act and the wishes of the people, rather than adding more lands into settlement zones, which will destroy the sustainability of Goa's economy for the short-term profit of a few.
- j. The conservation of prime agricultural lands, forests, sloping lands, biodiversity and ground water rich plateaus, etc is the prime objective of the TCP Act and this proposal grossly violates the TCP Act, especially in



view of the present environmental and socio-economic crisis caused by such anti-people land use changes.

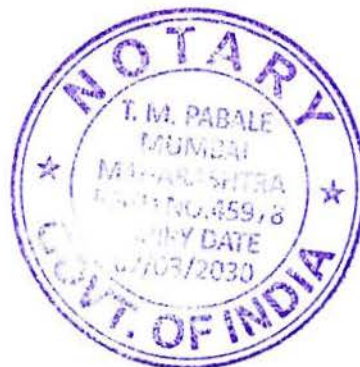
- k. The land is sloping steeply and has laterite soil, which is extremely prone to erosion. Such sloping lands cannot be changed in use, especially in the present case where the adjoining agricultural lands will be silted and destroyed by the erosion of this land and by floods and landslides.
- l. The applicant's name reveals that this application is not for housing, but is purely for speculating with land use change, which the TCP Act is mandated to prevent, as you have stated before the High Court. The applicant has also made another application for a large land to be changes to settlement zone in sy nos 42/1 and 42/1, Siridao village, Tiswadi taluka, which is listed at SI No 5 in this same notification, confirming that both the applications are for land speculation. Both the applications must therefore be rejected.

In view of the contentions raised above, we earnestly request you to drop all the proposals made under the above referenced Notification published on 19/06/2025 in the Official Gazette, Series II, No. 12 and to also recommend to the Government to amend the TCP Act to delete section 39A, failing which the survival of Goa and Goans will itself be threatened.

Thanking you,

Abhijit Prabhudesai
General Secretary

Enclosed: Exhibits A to E





OFFICE OF THE CHIEF TOWN PLANNER
TOWN AND COUNTRY PLANNING DEPARTMENT
Dempo Tower, 2nd floor, Patto Plaza, Panaji - Goa
Ph: 0832-2437352, E-mail: ctp-tcp.goa@nic.in
Website: https://tcp.goa.gov.in

Ref No.: 36/18/GEN/39(A)/TCP/2025 / 288

Dated: 02/06/2025

To,
The Dy. Conservator of Forest,
Office of the Dy. Conservator of Forests,
North Goa Division,
Ponda - Goa.

Sub: - Application received for change of zone under section 39A of the Goa Daman & Diu Town & Country Planning Act 1974

Sir,

The Department is in receipt of applications under Section 39 A of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975) for change of zone in the Regional Plan for Goa - 2021.

The Government has notified the Rules for the purpose and the same has been notified vide Official Gazette, Series I No. 10 dated 06/06/2024.

The TCP Board has recommended change of zone under sub rule 1 of Rule 4 of Section 39 A of the TCP Act and as decided by the Board, it is required to obtain comments from Forest Department for further processing of the applications.

You are therefore requested to offer your comments on the cases as mentioned in the list annexed herewith. The comments may please be submitted to this office within one month of receipt of this letter, as the applications shall be processed further thereafter.

OMKAR



Yours faithfully,

(Vertika Dagur)
Chief Town Planner (Planning)

Encl: List of cases

Copy to
M/s Mathias Constructions
Rep by Mr. Julaina Richard Mathias,
Campal Panaji Goa 403001
9850006180

List of Cases

Sr. No	Name of the Applicant	Sy. No.	Village, Taluka	Total Area of Property/ Plot in M2	Zone as per RPG-2021/ ODP	Change of sought for	Area sought for Change of in M2
1	M/s Mathias Constreution rep by Julian Richard Mathias	37/1 (Part)	Pilerne, Bardez	122500	Partly Settlement (49184m2) Partly Orchard (9444m2) Partly Orchard with No Development Slope (63872m2)	Settlement Zone	30000





GOVERNMENT OF GOA
Office of the Deputy Conservator of Forests,
North Goa Division,
Ponda - Goa, 403 401

Ph No: 0832-2312856 Fax No: 2312095 email:- dcfnorth-forest.goa@nic.in
No. 5/ CNV/TCP -04/DCFN/TECH/2025-26/676 Dated:-28/07/2025

To,
The Chief Town Planner (Planning),
Town and Country Planning Department (HQ),
2nd Floor, Dempo Tower,
Patto Plaza,
Panaji- Goa

Sub:- Application received for change of zone under section 39A of the Goa Town and Country Planning Act, 1974 .

Sir,

With reference to the above cited subject & letter No.36/18/GEN/39A/TCP-2025/288 dated 02/07/2025, it is to inform that the area under Survey No. 37/1 Part of Pileme village of Bardez Taluka admeasuring 30000Sq.mts. .(Sl. No. 1) in the enclosed list)


- Is not a Govt. forest and does not form part of any Compartment of North Goa Division Working plan.
- The area also does not figure in the list of Survey numbers identified / confirmed as Private Forest as per the report of the State Level Expert Committees headed by Sawant / Dr. Karapurkar/ V. T. Thomas / Review Committee headed by DCF, Working Plan.

This is for information.

Order No. 4663
Town & Country Planning Dept,
Government of Goa
2nd Floor, Dempo Tower,
Patto Plaza, Panaji, Goa.
Date: 29/7/2025

DTP (RP cell)
W

Yours faithfully,


Dy. Conservator of Forests
North Goa Division
Ponda-Goa

.. "Swachh Bharat Nital Goem"
"Towards Cleaner & Greener Goa"

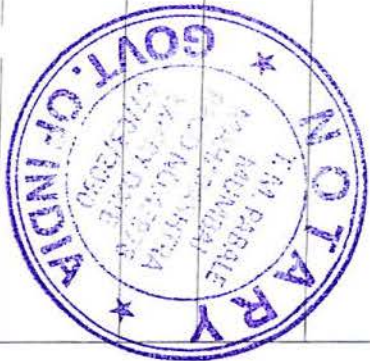
PA (Sawant)
S



TABLE - C

List of cases under section 39A of TCP Act placed before the TCP Board under sub-rule (3) of Rule 4 of the Goa Town and Country Planning (Change of land in the Regional Plan or the Outline Development plan) Rules, 2024 in its 217th Meeting held on 29-07-2025 (FINAL)

Sr. No	Name of the Applicant	Sy. No.	Village, Taluka	Total Area of Property / Plot in M2	Zone as per RPG-2021/ODP	Change of Zone sought for	Area sought for Change of zone in M2	Decision of the Board	Notified area for change of zone (Provisional)	Meeting No./ Board meeting	Gazette Notification No.	Detail of the case	Decision of the TCP Board (F)
8	M/s Mathias Constructions rep by Mathias Richard Mathias	37/1 (Part)	Pilerne, Bardez	122500	Partly Settlement (49184m2) Partly Orchard (9444m2) Partly Orchard with No Development Slope (63872m2)	Settlement Zone	30000	Recommended for change of zone for an area of 20000m2 from Orchard with No Development Slope to Settlement being found within permissible gradient as per contour plan submitted and also directed to obtain report from Forest Department.	20000	214th Meeting held on 24-04-2025	Series II No. 12 dated 19-06-2025	<p>1. Status of Land (Eco sensitive) a) Low lying land status: Not low lying b) Water body status: Not a water body c) Khazan land status: Not a Khazan Land d) Flood prone status: Not known e) Gradient of land: Part of the property has a gradual slope and part of property above 25%. f) Government/Private Forest land status: NA g) Wild Life Buffer Zone status: Not a wildlife buffer zone</p> <p>2. If, project approved by GIPB: No as per applicant's submission.</p> <p>3. If, change of zone request is for Tourism related project: No</p> <p>4. If, change of zone is requested for public utility project: No</p> <p>5. Infrastructure status: Existing houses towards the northern side of the property under reference.</p> <p>6. Characteristics of surrounding area: There are existing houses in the near vicinity of the plot. Jungle tress/ barren land.</p> <p>7. Zone of property as per RP-2001:</p> <p>8. Unauthorized layout status:</p> <p>9. Site Inspection Report: Property is accessible by existing tar road. Property is compounded along one side. There are existing houses in the near vicinity of the plot. Jungle tress/ barren land. Part of the property has a gradual slope and part of property above 25%. Existing houses towards the northern side of the property under reference.</p> <p>10. Any other observations relevant to the application: Area requested for change of zone beyond buffer zone of wet land. Ref: Survey Plan.</p>	Suggestions received from public/ NGO's etc were placed before the Town and Country Planning Board as per sub-rule (3) of Rule 4 for its recommendations. The Town and Country Planning Board after going through the proposal and the suggestions received, noted, that the application and the request made therein meets the guidelines, as specified under Rule 5 of Section 39A and that the suggestions received does not contain any specific data or specific details to substantiate their claim so as to consider them further. The TCP Board noted that the Property is accessible by existing tar road. Property is compounded along one side. There are existing houses in the near vicinity of the plot. Jungle tress/ barren land. Part of the property has a gradual slope and part of property above 25%. Existing houses towards the northern side of the property under reference. The Board deliberated the matter in detail and unanimously decided to recommend the proposal of Change of Zone for an area of 20000m2 from Orchard with No Development Slope to Settlement zone being within permissible gradient as per the contour plan submitted by applicant Registered Engineer and directed Chief town Planner (Planning) to take further action as per sub-rule (4) of Rule 4 of the Goa Town and Country Planning (Change of of land in the Regional Plan or the Outline Development plan) Rules, 2024.



Objections/ Suggestions

Pilerne Citizens Forum
Hilario Lobo
Secretary
Pilerne, Bardez Goa

Survey Nos. 37/0 and 37/1 (Part) of Pilerne Village, Bardez Taluka.

1. Property bears significant No Development Slopes (NDS) and poses Landslide Risk:
 - The property includes areas designated as No Development Slopes (NDS) in the Goa Regional Plan – 2021, prepared by the TCP Department. The Survey Report prepared by Engineer K H Kamaladinni states a gradient of 20.93%, which itself is incorrect, and comments that "the property is slightly sloping", which is a complete misrepresentation of facts. While the gazette notification claims the slope is within the permissible gradient for conversion to Settlement, we are in possession of ISRO-based satellite imagery analysis that indicates the slope is greater than 25 degrees, which should classify it as NDS. The Engineer should therefore be held accountable for criminal misrepresentation of facts.
 - This also alludes to the fact that the TCP Department has failed to independently assess the gradient and slope of the said property. Considering that the TCP Department would have access to their own contour maps and that of infrastructures like ISRO, one fails to understand how the TCP Board could recommend such a project.
 - Allowing development activities on such steep hill slopes poses a severe risk of landslides in the future. This danger extends not only to structures within the converted property but also to adjacent properties with existing structures, which could face the brunt of slope erosion and altered water flow, potentially leading to loss of life and property.
 - This constitutes a gross act of criminal negligence by the TCP Department, especially in light of recent tragedies related to hill slope development, such as the Wayanad landslide tragedy.
2. Property comprises Buffer Zone and Zone of Influence to Notified Wetland (Saulem Lake) and Ecological Risk:
 - The property is immediately adjacent to the eco-sensitive Saulem Lake, also known as Pilerne Lake, which was notified as a protected wetland on December 9, 2021.
 - This lake is considered critically significant for its ecosystem services and biodiversity values for local communities and society at large.
 - Property bearing Survey No. 37/0 and 37/1 (Part) falls under the buffer zone as well as the zone of influence of this protected wetland, where development activities are either forbidden or explicitly regulated.
 - Further, the Wetland Notification of 2018 clearly stated that a "zone of influence", which means "that part of the catchment area of the wetland or wetland complex where development activities induce adverse changes in ecosystem structure and ecosystem services." In light of this, one fails to understand how the TCP Board could recommend such a project.
 - The lake functions as a natural funnelled aquifer, replenished by springs, and has been utilized by the village for generations for irrigation and other purposes.
 - The gazette notification makes no mention of any analysis or application of mind regarding the severe risk posed to this protected wetland by allowing development on an abutting NDS area, making the proposed conversion blatantly illegal.
3. Location within Water Catchment Area:
 - The property bearing Survey No. 37/1 (Part) is located within the Catchment Area Department Authority of Goa (CADA) and Water Resources Department (WRD) demarcated water catchment area.
 - The WRD provided detailed data, including 11 taluka-level maps showing water catchment areas and wetlands, to the Chief Town Planner in 2007, with a request to incorporate this data into the Regional Plan for Goa (RPG-2021). However, this crucial data was never incorporated into the official zoning plans. Instead of updating the TCP zoning plans with crucial information such as this, the TCP is permitting such zone changes, which go against the mandate of the department to uphold the public interest.
4. World Wetland Day 2024 celebrated at Saulem Lake:
 - World Wetland Day was celebrated at Saulem Wetland on February 2, 2024 where the Minister for Environment, Mr. Alexio Sequeira, and the local MLA, Mr. Kedar Naik, were present at this event. This event was widely covered in the local press and media, e.g. 'Goan Reporter News: World Wetlands Day celebrated at Pilerne'. It is now ironic that the very same Government is seeking to destroy the lake by permitting the destruction of the lake's catchment area/zone of influence.
5. History of Illegalities and Retrospective Approval for RP-2011 CoZ:
 - This property (Sy. No. 37/1 (Part)) was previously part of an area proposed for conversion under the controversial Regional Plan 2011.
 - In 2006, in anticipation of zone changes, the owner, Mathias Constructions, allegedly cut over 90 trees and mercilessly burnt the hill for two days, leading to a fine from the Forest Department.
 - This proposed zone change is a brazenly clear attempt to retrospectively reward the developer for past illegalities and to also condone the TCP chequered history in the preparation of RP-2011.
6. Destruction of Forested/Orchard Area and Biodiversity:
 - As mentioned in 2006, the owner of the said property cut over 90 trees and mercilessly burnt the hill for two days, leading to a fine from the Forest Department.
 - The forest on the property has, however, rejuvenated and recovered. The TCP's approval for Change of Zone will necessitate a repeat of the same large-scale tree felling, leading to grave danger and degradation of the ecosystem and is essentially rewarding the owners for their actions of gross illegalities and irresponsibility.
7. Lack of Transparency and Essential Information:



- The public notice for this proposed zone change is unlawful due to the omission of essential information necessary for the public to understand and provide informed suggestions. Crucially, it lacks the justification for the zone change, detailed land use maps showing the property and its surrounding areas (including survey numbers), slope analysis, and the minutes of the TCP Board meeting that approved this change. Furthermore, the applications and the TCP's assessment reports, including TCP Board meeting minutes, are not available on the TCP website, making it preposterous to expect citizens to travel to the TCP office in Panaji to view these proposals.
- 8. Disregard for Public Interest and Gram Sabha Resolutions:
 - The Gram Sabha of Pilerne-Marra has passed unanimous resolutions dates 26 January 2007 and 28 February 2024 to protect the Savlem Lake and its surrounding catchment areas and not to permit any zone change or construction licenses for development projects in these areas.
- A. Gram Sabha Resolution (26 January 2007): Following the withdrawal of the controversial Regional Plan – 2011, the Gram Sabha of Pilerne-Marra had previously passed a unanimous resolution on January 26, 2007, to protect the Savlem Lake and its surrounding catchment areas. This resolution was communicated to the TCP Department.
- B. Gram Sabha Resolution (28 February 2024) resolved: Resolution No. 2 (14) explicitly states that it was unanimously resolved by the members of the Gram Sabha of V.P. Pilerne-Marra that no construction/development activities, such as residential housing and commercial projects, be allowed in the eco-sensitive lands. This prohibition specifically covers properties like Survey Nos. 208, 208/3, 208/3-A and 37/1 (part) of Pilerne Village. It was further resolved "That not to allow / grant conversion of the said lands and any kind of change of zone (settlement) zone / or any other development zone" in these properties. The resolution also directed owners/occupants of properties in Sy. No. 208, 208/3, and 208/3-A to plant trees in the said property and specify the costs/penalties for illegally cut trees.
- These resolutions collectively demonstrate a consistent and strong stance from the local community against development in the ecologically sensitive areas surrounding Savlem Lake.
- Despite these clear directives and the ecological significance, the TCP Department continues to "blindly approve conversions, without any application of mind", disregarding the ecological implications and impact on residents.
- The implementation of these zone changes amounts to the erosion of public interest and compromises the village's food security and ecosystem services.
- 9. Strain on Existing Infrastructure:
 - The village of Pilerne-Marra is already experiencing increased traffic, congestion, noise and air pollution and restricted mobility.
 - The existing infrastructure, including water, sewer, electricity, and road capacity, is already overburdened. Candolim, nearby, faces a significant water supply shortfall (0.89 MLD).
 - Approving further settlement zones without augmenting the current supply will only exacerbate the stress on these essential services, adversely affecting the quality of life for existing residents. The Goa Regional Plan – 2021 had already accounted for population increases and Mopa Airport infrastructure needs, rendering arguments for additional settlements specious.
- 10. Pending Legal Challenges:
 - The legality of Section 39A of the TCP Act, under which this zone change is proposed, is currently challenged in the High Court via WP 2317 of 2024 and WP 2344 of 2024.
 - The final notification of zone changes under Section 39A is subject to the outcome of PII. Writ Petition Nos. 53 fo 2024 and 54 of 2024 are pending before the Hon'ble High Court of Bombay at Goa. Approving changes while such legal challenges are ongoing is inappropriate and undermines the judicial process.
 - In view of the serious objections and the clear illegalities involved in the proposed conversion, we strongly implore the TCP Department and the TCP Board:
 1. Not to recommend this change of zone.
 2. To not issue the final notification confirming the Change of Zone.
 3. That the Change of Zoning notification be immediately revoked.
 4. We further recommend that the TCP Department does not entertain any future proposals for zone changes under Section 39A in Pilerne-Marra as these are truly into in the long-term public interest and the ecological integrity of our villages.

Rainbow Warriors
Abhijit Prabhudesai

11. SI No 3 – 20,000 sq meters of land bearing sy no 37/1 (Part), Pilerne village, Bardez taluka is recommended to be changed to settlement zone under serial no 3 of the table. We strongly suggest that the proposal be rejected outright based on the following facts and arguments:
 - a. The said land is seen to be fully forested in the google earth image dated 07.11.2022 and is therefore an unidentified forest land. Such unidentified forested lands cannot be changes to settlement zone. Google earth images and RP 2021 extract are attached as Exhibit B.
 - b. The said land is abutting the Pilerne Lake, which is identified as a protected wetland by the Government of Goa. The said land is steeply sloping towards the lake and its use cannot be changed, if the lake is to be protected. Therefore, the zone of the land has to be maintained.
 - c. The two google earth images attached reveal that the applicant has felled trees and illegally developed mud roads in the said land, after 2023. Such illegalities cannot be rewarded by you. The legal maxim "*Nullus Commodum Capere Procect De Injuria Sua Propria*" that states that no man can take advantage of his own wrong is binding on the Chief Town Planner in the present instance.
 - d. We object to the change is zones proposed because the entire land bearing sy. no. 37/1 (Part), Pilerne village is catchment area for its water resources. National water Policy requires all such catchment areas to be protected. Pilerne village has serious water problems and all its water resources need to be protected fully, including the catchment areas in sy. no. 37/1 (Part), Pilerne village.
 - e. There is absolutely no need for any more settlement areas as there is excess of housing in Goa as per the Housing Census 2011. This proposal is driven only by short term greed and real estate speculation through destruction of environment, economy and society, which the TCP Act is meant to prevent.



- f. The RP 2021 has added large lands in Pilerne village and other villages into settlement zones, completely against the TCP Act and the wishes of the people. The 39A provisions must be used to reduce the settlement zones in RP 2021 which are against the principles of the TCP Act and the wishes of the people, rather than adding more lands into settlement zones, which will destroy the sustainability of Goa's economy for the short-term profit of a few.
- g. The conservation of such forests lands is the prime objective of the TCP Act and this proposal grossly violate the TCP Act, especially in view of the present environmental and socio-economic crisis caused by such anti-people land use changes.
- h. The change in use proposed will devastate the economy and environment of the village. The change in use is proposed only for short term gains for a few from unsustainable real estate speculation, which threatens to destroy Goa. The prevention of such unsustainable real estate speculation is the prime objective of the Chief Town Planner.





August 19, 2025

To,
The Chief Town Planning
Town & Country Planning Department (Planning)
Patto, Panjim
Goa.

Sub: Revision in Contour of Survey No 37/1 of Pilerne Village, Bardez

Sir,

We had submitted an application under the Section 39A for an additional settlement area of **30,000 sq. mtrs.** and subsequently the Gazette Notification for a plot area of **20,000 sq. mtrs** was recommended for change of land use from the total plot area of **30,000 sq. mtrs.**

Since the property was covered with bushes and wild growth, we had earlier conducted a drone-based contour survey of the land and submitted the same to your department.

We have now reconducted the survey by using Total Station method, and the contours of the land as per physical survey are now being submitted.

We are submitting section drawing and certificate from the surveyor for your kind consideration.

We therefore request you to kindly issue challan for payment and final notification for an area of 20,000 sq mtrs as per the physical survey conducted by us on site which confirms to the required gradient and is in conformity with the rules and regulations.

Thanking you.

Yours faithfully,
For Mathias Estates Pvt. Ltd.


(Joe Mathias)
Director



MATHIAS ESTATES PRIVATE LIMITED
(formerly known as M/s Mathias Constructions)
"MATHIAS HOUSE"

Campal, Panaji - Goa. 403 001. Tel.: +91 08322425454

W : www.mathiasgoa.com E : mathias@mathiasgoa.com

CIN: U68200GA2025PTC017011

447 (LV)
20/08/2025.

Handwritten notes:
P.A. (Surveyor)
DTF (RD) (e/IT)
H

Handwritten note: C.T.P (Planning)



**SURVEY REPORT FOR SUBMITTING THE PROPOSALS UNDER
SECTION 39 (A) OF TCP ACT.**

The survey of the property bearing survey 37/1 of Pilerne village, Bardez Taluka, was done on the request of M/s Mathias Constructions

Purpose of the Survey:-

To check the feasibility of the land to do the necessary change of Zone, of the property in the RP 2021 as per the 39(A) of the TCP Act. The said Act was notified vide Notification No. 21/1/TCP/GTCCPACT/2024/470 as Section 39A of the Tcp Act vide Official Gazette Series I No 49 dated 7th March 2024

1. If the application is on behalf of/or made by Religious Institutions, Health Department or related project, Educational Institution or tourist related project- Brief detail to be provided:-

The application is an Individual application and not from any Religious Institutions, Health Department or related project or Educational Institution or tourist related project

Status of Land:-

- a) Low Lying Status: -
No it is not a low-lying land. I have inspected the property myself and the photographs are enclosed.
- b) Water Body Status: -
There are no water bodies in the property. The Google earth image and the photographs confirm the same.
- c) Khazan Land Status: -The property is Not Khazan land. The RP plan and the Google Earth image confirms the same.
- d) Flood Prone status: -
This property is at higher elevation. It is at 75 m above sea Level and definitely not prone to floods.
- e) Gradient of the Land Supported by 1.00 m contour plan. The contour plan is attached.
- i) Less than 10% - No.
ii) Between 10% to 25%: -Yes 20.93 %.
iii) Above 25%: -No.
The property is slight sloping .



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- f) Whether Govt. Forest or Private Forest.: -No. It is not shown as Reserve Forest in RP 2021 Plan and it also does not feature in the list of properties identified under Thomas and Araujo Private Forest Committee.
- g) Wild Life buffer zone details, if applicable: -Not Applicable. The Closest Wildlife Sanctuary is 4.2Kms away which is the Salim Ali Bird sanctuary.


Based on the Gazette of India, EXTRAORDINARY PART II – Section 3 - Sub-section (ii), No. 437 Dated 24 Feb 2015 vide notification of the Government of India in the erstwhile Ministry of Environment and Forests for Eco-Sensitive Zone around Salim Ali Bird Sanctuary in Goa.

List of Villages partially within the ESZ Boundary

S. No.	Village Name
1	Chorao

The said property situated in Pilerne village and is not the part of the buffer zone of the Salim Ali Bird Sanctuary.

- h) The Project is not approved under Goa Investment Promotion Board.
- i) The Change of Zone is not requested for any tourism related project.
- j) The change of Zone is not requested for Public utility project.
- k) Availability of infrastructure if any vis. Electricity, Water supply etc.: -Yes. Since it is in the vicinity of the Residential area it has provision for water and electricity.
- l) Characterises of Surrounding area: -There are many residential projects all around the property.
- m) Zoning certificate is enclosed.
- n) Google Earth Image Showing Plots underreference: -Google Earth Image superimposed on Survey plan is enclosed.
- o) RPG-2021 Extracts showing property under reference: -RP Extracts are mentioned with areas and Part RP plan is enclosed.
- p) Zone of the Property as Per RP 2001: -Orchard.


 K. H. KAMALADINNI
 Chartered Engineer
 M.I.E. (M/107036/8)
 Professional Engineer
 ER/0002/2018

- q) If the property is located in part of unauthorised layout provide details of the same such any construction carried out. Details of surrounding development, if applied for regularization of structure, etc.
There are no Unauthorised construction in the property during the time of inspection.


2. **Accessibility to the property**

- i) Whether accessible by National Highway, State Highway, Major District Road/Village Road. = **No.**
- ii) Existing road width. = **10 meters.**
- iii) Proposed right of way as per RPG-2021. = **No.**

3. Whether earmarked as any special use as per RP-2021 i.e., playground/ open space/ garbage management site/ DMS/ crematorium/ growth hubs etc. = **There are no any special use as per RP-2021 i.e., playground/ open space/ garbage management site/ DMS/ crematorium/ growth hubs etc (RP 2021 Plan Attached).**

5. Zone of the property as per RP 2021-Settlement, Orchard & Orchard with Slope.

This property is a fit case to be converted into Settlement Zone.


K. H. KAMALADINNI
Chartered Engineer
M.I.E. (M/107036/6)
Professional Engineer
10/0002/2018

BEFORE THE NATIONAL GREEN
TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO 91 / 2025 WZ
(EARLIER ORIGINAL APPLICATION NO.
372/ 2025 PB)

IN RE: NEWS ITEM TITLED “20K SQM
PILERNE HILL CONVERSION RISKS
LANDSLIDES THREATENS LAKE”
APPEARING IN TIMES OF INDIA DATED
19.07.2025

LIMITED AFFIAVIT IN REPLY ON
BEHALF OF RESPONDENT NO.1
Dated this 11th day of April 2026



Veritas Legal
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