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**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN  
ZONE BENCH, PUNE**

Appeal No. 82/2025 (WZB)

**SYLVESTER D'SOUZA .. APPELLANT**

**Versus**

**JOSEPH S. ROSA & ors. .. RESPONDENTS**

**AFFIDAVIT-IN-REJOINER ON BEHALF OF THE  
APPELLANT**

I, **SYLVESTER D'SOUZA**, S/o Mr. Simon D'Souza, Aged 62 years, married, Indian National, R/o H. No. 2225, Sauntawaddo, Calangute, Bardez – Goa, 403 516, the Appellant herein, do hereby on solemn affirmation state and submit as under –

1. I say that I have read and understood the contents of the Reply Affidavits filed by the Respondent Nos. 1, 2 and 4 and I am filing the present Rejoinder for the limited purpose of dealing with the illegality and/or impugny of the Impugned Structures which are sought to be justified in the Replies.

2. I reiterate all that has been stated by me in my Appeal and pleadings filed in this matter and deny all and singular, each and every content and/or claim and/or allegation made by the Respondents in their Replies in so far as the same is/are inconsistent with my case. Any content and/or claim and/or allegation made by the Respondents in their Replies that are not dealt with and/or denied specifically by me hereinafter, ought not to be construed an admission for want of specific denials.

3. I say that the Replies of the Respondent Nos. 1 (Joseph Rosa) and 2 (Nalini) overlap in content in so far as personal allegations and claims against the Appellant are concerned. I say that I do not seek to divert the issues by multiplying pleadings on matters that are not relevant to the impugned structures and I am dealing hereinbelow with only the content in the tabular representations made by Joseph Rosa and Nalini in their Replies as the same encompass their entire defence on the Impugned Structures. I say that the rest of the contents of their Affidavits are denied in so far as the same are inconsistent with my case.

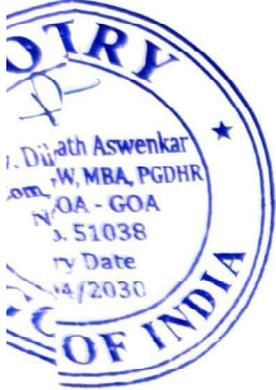
**Reply of GCZMA (Respondent No. 4)**

4. I say that the Reply of the GCZMA is a reproduction of the Impugned Order and does not merit Reply.

**Reply of JOSEPH ROSA on the Impugned Structures A, B, C in Sy. No. 242/1-A.**

5. I say at the outset, that it is important to note that the exact location of the structures A, B & C in Sy. No. 242/1-A is in the





uppermost portion of Sy. No. 242/1 within the NDZ OR within 0-200 mts CRZ zone and seen in the GCZMA Transgression Plan at Pg 791 (r/w the Appellant's Coloured Plan at Pg 793B). I say that in his Reply dt. 08-08-2024 to the second GCZMA Show Cause Notice (pg 367); Joesph Rosa has justified the Impugned Structures A, B, C in Sy. No. 242/1-A which are all Permanent Ground Floor Structures with masonry walls; by stating that these three structures were built by his Uncle Fr. Mario Pires after obtaining **Village Panchayat Construction License No. VPT/CAL/78-79/F-13AC/404 dated ~~26-08~~<sup>26-06</sup>-1978** and **Camara/Municipal permission dt. 18-11-1970**. I say that now in the Reply before this Hon'ble Tribunal, Joseph Rosa has sought to justify these structures by relying upon the following –

- Survey Plan promulgated in the year 1977-78
- Conversion Order dated 26-07-1977
- Construction License No. VPT/CAL/78-79/F-13AC/404 dated 26-08-1978 with Transfer of the Construction License on 20-06-1979
- Registration Certificate of Establishment for Sea View Cottages dated 13-03-1981
- Order dated 10-04-1981 of Additional Collector alongwith penalty receipt
- House Tax Receipts of H. No. 7/2D
- Site Inspection Report of the Expert Member of GCZMA dated 26-02-2020
- Village Panchayat letter dated 09-07-2025

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6. I say that the Survey Plan promulgated in the year 1971-72 does not show the structures A, B, C; and Joesph Rosa has failed to produce this 1971-72 Survey Plan. Be that as it may, the CRZ Notification 1991 envisages only reconstruction within the NDZ/o-200 mts CRZ zone and that too after securing due permissions under the CRZ Notification. I say that I have placed on record officially issued Survey plans by the Directorate of Settlement & Land Records of the Government of Goa, which reveal as under –

6.1. I say that these three structures are completely new structures that have been erected after the year 1991 as there were never any structure/s existing in the location of these three illegal structures. I say that this is evident from the Survey Plan dated 31-01-2007 at page 773 (Annexure XX) which does not show these three structures. Similarly, the Survey Plan dated 26-02-2014 at page 809 (produced by Jospheh Rosa himself before the Water Resources Dept, Govt. of Goa) also does not show these three structures. For the first time, the Sy. No. 242/1-A itself comes into existence in the Survey Plan dated 06-08-2015 (pg 774). Thereafter, in the Survey Plan dated 12-01-2016 (Pg 775) there is a sudden inclusion of these A, B, C structures and it is thus obvious that these three structures have been inserted in the Survey Plan of the year 2016 at the behest of Joseph Rosa after undertaking these new constructions in the year 2015-2016. It is this Survey Plan dated 12-01-2016 that Joseph Rosa is misusing to justify the structures A, B, C in Survey No. 242/1-A.



6.2. Notwithstanding, it is also seen from the RSI plan downloaded from GCZMA website (pg 771 & 772) that these structures A, B, C in Survey No. 242/1-A never existed and how structures have mushroomed in the subject properties as opposed to what was originally there in 1991.

7. I say that the Conversion Order dated 26-07-1977 (Annexure R-13 to Joesph Rosa's Reply) does not justify the construction of the structures A, B, C in Sy. No. 242/1-A in any manner. The Conversion Order issued is under the Land Revenue Code for fiscal purposes and is not a permission for construction.

8. I say in so far as Construction License No. VPT/CAL/78-79/F-13AC/404 dated 28-06-1978 and its subsequent transfer in 1979 to Joseph Rosa (Annexures R-14 & R-15 to Joesph Rosa's Reply) are concerned, it is to be noted that -

- The said License is for construction of a house and septic tank and not three structures.
- The said license does not specify the survey number of the property and this becomes relevant as it is seen from the Family Partition Deed dt. 02-06-1966 at Pg 475 with English Translation at Pg 484, that Fr. Mario Pires was allotted Sy. No. 242/ 2, 6 & 7 and not 242/1. Thus, this construction license given to Fr. Mario Pires was not in respect of 242/1 or 242/1-A and could never have been in respect of 242/1 or 242/1-A as Mario Pires did not even own the property.
- Lastly, this purported Construction License which is purportedly based on a TCP approval bearing No.

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DB/1942/720/78-79 dated 16-05-1978 is not even in existence and this has been affirmed by the TCP Dept under RTI vide it's letter dated 12-03-2025 (Annexure 22 Colly, Pg 812) . Similarly, the Village Panchayat has also stated that the Construction License is not in their records being more than 40 years old. (**Annexure Rej - I Colly**). This Construction License is thus, clearly manufactured by the Respondents to suit their needs.



9. I say that the Registration Certificate of Establishment for Sea View Cottages dated 13-03-1981 and 22-10-2019 (Annexure R-8 to Joseph Rosa's Reply) also does not justify the structures A, B, C. I say that Sea View Cottages are located in Sy. No. 242/1 in the centre as seen on the Plan at page 791 between the illegal structures G1, H1, I1, J1, K1 ,L1, P1. I say that Joseph Rosa is misusing this Registration Certificate of Establishment for Sea View Cottages dated 13-03-1981 and 22-10-2019 by recycling it in respect of all illegal structures to justify his illegal constructions.
10. I say that the Order dated 10-04-1981 of Additional Collector alongwith penalty receipt (Annexure R-16 to Josph Rosa's Reply) is an Order imposing penalty for illegal conversion imposed as a fiscal measure on Luis Sarto Pires and the same does not justify illegal construction in Sy. No. 242/1-A.
11. I say that the House Tax Receipts of H. No. 7/2D and letter of the Village Panchayat dated 09-07-2025 (Annexure R-19 to Joseph Rosa's Reply) do not justify the illegal construction in

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Sy. No. 242/1-A. I say that H. No. 7/2D is not the same as Structures A, B, C in Sy. No. 242/1-A. I say that the falsity and hollowness of the House Tax Receipts of H. No. 7/2D and letter of the Village Panchayat dated 09-07-2025 is also evident from the fact that at page 768 of the Appeal, I have produced letter dated 22-10-2024 also issued by the very same Village Panchayat of Clanlagute that states that H. N. 7/2D was assessed in the name of Mario Pires since 1994 and later transferred to Josph Rosa on 28-08-2014. Now in its letter dated 09-07-2025, the Panchayat has taken a completely different stand to say that H. N. 7/2D is assessed in the name of Josph Rosa since 1983-84. I say that these Panchayat letters issued at the whims of the Respondent make the letter untrustworthy and hoax and in anyway do not justify the illegal constructions in Sy. No. 242/1-A.

**Reply of JOSEPH ROSA on the Impugned Structures A, N1, T1 in Sy. No. 242/1.**

12. I say that in his Reply dt. 01-04-2024 to the first GCZMA Show Cause Notice (pg 172) Joesph Rosa has justified the Impugned Structures A & N1 in Sy. No. 242/1 within the 0-200 meters CRZ zone by stating that these structures were built by his Uncle Fr. Mario Pires after obtaining **Village Panchayat Construction License No. VPT/CAL/78-79/F-13AC/404 dated 28-06-1978** and **Camara/Municipal permission dt. 18-11-1970**. I say that now in the Reply before this Hon'ble Tribunal, Joseph Rosa has sought to justify these structures by relying upon the following –




- Camara/ Municipal permission dt. 18-11-1970 issued to Mario Pires;
- Survey Plan of the Year 1971-72
- Registration Certificate of Establishment for Sea View Cottages dated 13-03-1981 and 22-10-2019
- Site Inspection Report of the Expert Member of GCZMA dated 26-02-2020



13. I say that Structure A in Survey No. 242/1 is Permanent RCC structure consisting of 8 rooms and verandah and N1 is a Toilet Block constructed on permanent base; both within NDZ/0-200 meters CRZ zone and since Joseph Rosa is relying on the same documents to justify both, both these structures are being dealt with together –

13.1. I say that the Municipal Camara de Bardez approval (Annexure R-7 to Joseph Rosa's Reply) is in respect of some property in a ward called Umtavaddo. I say that the subject property is Sy. No. 242/1 is in Sauntawaddo and therefore this Camara permission cannot be used to justify any construction in 242/1. I say that Umatavaddo is a distinct ward in Calangute Village and not to be confused with Sauntavaddo and this is evident from the List of Wards of the Calangute Village annexed at pg 582.

13.2. I say that the Survey Plan of 1971-72 is not produced. Be that as it may, the Transgression Plan clearly shows that the Respondent has not constructed the structures on the original plinth and considering that the area is within the NDZ strict compliance of the CRZ Notification is mandated.

13.3. I say that the Registration Certificate of Establishment for Sea View Cottages dated 13-03-1981 and 22-10-2019 (Annexure R-8 to Joseph Rosa's Reply) is being recycled to justify all structures, whether the ones in 242/1 or the ones in Sy. No. 242/1-A. This itself shows the falsity of the Respondent's case. In any case, I say that Sea View Cottages are located in Sy. No. 242/1 in the centre as seen on the Plan at page 791 between the illegal structures G1, H1, I1, J1, K1, L1, P1. I say that Joseph Rosa is misusing this Certificate.

14. I say that in so far as T1 (WELL) is concerned, the following facts are relevant. While it is correct that the Respondent had sought WRD permission dated dt. 4-4-2019 (Annexure R-10 to Joseph Rosa's Reply or pg 811); it is seen that the same was subject to approval from GCZMA. I say that the Respondent never secured GCZMA permission which fact is evident from the RTI Information dt. 21-05-2025 (Pg 797) and therefore the WRD permission was never enforceable because of which the WRD has issued the Show Cause Notice dt. 25-04-25 for closure of the well (Pg 810).

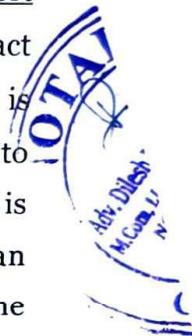
15. I say that the Structures A, N1 and T1 in Sy. No. 242/1 are therefore liable to be demolished.

**Reply of NALINI on structures F, G1, J1(Part), Z(Part), F1 in Sy. No. 242/1**

16. I say that F is a massive **Ground+1 structure** within the NDZ/0-200 mtr CRZ zone. I say that in her Reply dated 04-07-



2024 to the First SCN (Annexure IX, pg 127), Nalini states that F is the same as the Structure G on the Expert Member's Report dated 26-02-2020. I say that this claim is belied from the fact that if one sees F on the Transgression Plan at Pg 791, F is located clearly on the upper portion of Survey No. 242/1 or to the upper left side of Sy. No. 242/1-C. However, G which is discussed in the Expert Member's Report and seen on the Plan (page 1211 of Nalini's Reply) pertains to G on the same Transgression Plan at pg 791 which is in 242/1-C. Thus the GCZMA lost sight that structure F is not at all the same as Structure G of the Expert Members Report dt. 26- 02-2020.



17. I say that, now before this Hon'ble Tribunal, Nalini has sought to justify F with the following –

- Conversion Order dated 26-07-1977
- Construction License dated 27-06-1978 under Ref. No. VPT/CAL/78/79/F-13AC/401/78 with Transfer of the Construction License on 20-06-1979
- Letter dated 16-12-1988 from the Goa State Committee on Environment
- Letter dated 02-02-1990 from the DB/4820/TCP-90/202 dated 02-02-1990 from the Chief Town Planner for proposed repairs and renovation of existing roof of second floor of buildings "A" & "B" in Survey No. 242/1
- Panchayat Resolution dt. 3-11-2018
- Site Inspection Report of the Expert Member of GCZMA dated 26-02-2020
- RSI Image of the year 1991

18. I say that in so far as the Conversion Order dated 26-07-1977 is concerned; interestingly, Jospheh Rosa has used the same Order to justify his structures A, T1 & N1 in Sy. No. 242/1 (see paras 5 and 7 above). I reiterate that the Conversion Order dated 26-07-1977 does not justify the construction of the structure F in Sy. No. 242/1 in any manner. The Conversion Order issued is under the Land Revenue Code for fiscal purposes and is not a permission for construction.

19. I say that in so far as the Construction License dated 27-06-1978 under Ref. No. VPT/CAL/78/79/F-13AC/401/78 (Annexure R-8 to Nalini's Reply, pg 1168) is concerned, the following considerations are relevant –

19.1. The said purported License is for construction of a house and septic tank. The said license does not specify the survey number of the property and this becomes relevant as it is seen from the Family Partition Deed dt. 02-06-1966 at Pg 475 with English Translation at Pg 484, that Fr. Mario Pires was allotted Sy. No. 242/ 2, 6 & 7 and not 242/1. Thus, this construction license even if correct and given to Fr. Mario Pires was not in respect of 242/1 or 242/1-A and could never have been in respect of 242/1 or 242/1-A as Mario Pires did not even own the property

19.2. It is seen that this purported Construction License is purportedly based on a TCP approval bearing No. DB/1940/720/78-79 dated 16-05-1978 is not even in existence as is stated by the TCP Dept under RTI vide it's letter dated 22-05-2025 (**Annexure Rej -II Colly**) . Similarly, the Village Panchayat has also stated that the



Construction License is not in their records being more than 40 years old. (Annexure Rej -II Colly, supra). This Construction License is clearly manufactured by the Respondents to suit their needs.

19.3. It is seen that this purported Construction License was obtained by Herman Fernandes from TCP Dept on 23-07-2019 under RTI, but however, when the Appellant applied for the same from the TCP Dept, the TCP has stated that no information is available.

20. I say that in so far as the Letter dated 16-12-1988 from the Goa State Committee on Environment is concerned, this alleged 1988 approval from TCP for proposed reconstruction of existing Structure (pg 679) was produced at the last minute before GCZMA with Reply dt 26-11-2024. I say that, as seen, this 1988 approval is purportedly issued in 2019 under RTI to Herman, but however, when I sought information about this alleged 1988 approval, the offices of GCZMA & TCP have stated that no such approval is available in their office. (Annexure 23 Colly - para 8 of my Additional Affidavit). In any case, I say that this alleged approval pertains to reconstruction of structures A + B + swimming pool and have no connection with structure F.

21. I say that in so far as the Letter dated 02-02-1990 from the DB/4820/TCP-90/202 dated 02-02-1990 from the Chief Town Planner for proposed repairs and renovation of existing roof of second floor of buildings "A" & "B" in Survey No. 242/1 is concerned, interestingly, Nalini has used the same alleged document to justify her structures A, C, D, E in Sy. No. 242/1-C (see para 27 below). It is reiterated that it is not only a matter



of grave concern but an abuse of process of the Law and Court the manner in which the Respondent's are browbeating the Tribunal. In any case, I repeat the contents of paragraphs 27 (infra) for all purposes of dealing with the same set of alleged document of 1990 and repeat that this alleged document was even rejected by the Hon'ble Supreme Court.

22. I say that the Panchayat Resolution dt. 3-11-2018 (Annexure R-11 to Nalini's Reply) infact countenances my case that Nalini has carried out an illegal construction and the Panchayat has asked her to approach the Higher Courts. I say that even the RSI Image does not show the Structure F.

23. I say that, now before this Hon'ble Tribunal, Nalini has sought to justify Structure **G1** (a circular restaurant); **J1(Part)** (ground floor of RCC kitchen); **Z(Part)** (Ground floor of concrete structure); **F1 (Pump House)**; with the following –

- Village Panchayat Approval No. DB/2132/1659/82 dt. 20-04-1982.
- Construction License dated 30-06-1982 of the Village Panchayat

I say that, Nalini has used the same alleged 1982 document to justify her structures A,C, D, E in Sy. No. 242/1-C (see para 33 below). It is reiterated that it is not only a matter of grave concern but an abuse of process of the Law and Court the manner in which the Respondent's are browbeating the Tribunal. In any case, I repeat the contents of paragraph 33 (infra) for all purposes of dealing with the same set of alleged documents of 1982.



**Reply of NALINI on structures A, C, D, E in Sy. No. 242/1-C**

24. I submit that the GCZMA has discharged A, C, D, E in Sy. No. 242/1-C with NO reasoning whatsoever; and thus the Impugned Order stands vitiated on this ground alone.

25. Notwithstanding, I say that, the Reply of Nalini, is a maze of uncorroborated and ambiguous content, where she has recycled the alleged permissions to justify all structures and because of this, it is absolutely necessary to make a thorough inquiry and place on record a brief account of the previous rounds of litigation involving Nalini and the Sy No. 242/1-C (which was brought out before the GCZMA , but however the same has been ignored by the GCZMA).

26. I say that, as seen from the records, the Village Panchayat of Calangute had passed a Demolition Order dt. 28-01-2010 for demolition of the 2<sup>nd</sup> floor of a G+2 Building in Sy. No. 242/1.

26.1. This 2010 Order was challenged and finally in WP 764/2015, the Hon'ble High Court of Bombay at Goa upheld the Demolition of the second floor of the Structure (HC Order is dated 26-02-2016 and is at pg 296).

26.2. **One of the grounds taken by Nalini who was the R-4 before the HC in WP 764/2015 is that an Application for Regularization of this Structure is pending before GCZMA since 2003 (para 12 of HC Order, pg 302) and therefore the 2010 Demolition Order ought not to be executed;** the



HC was however pleased to uphold the 2010 Demolition Order.

27. Thereafter, the Village Panchayat passed another Demolition Order No. 2535 dated 15-10-2012 (pg 288) to demolish a G+2 Building and swimming pool in Survey No. 242/1.

27.1. This 2012 Demolition Order was challenged in the High Court of Bombay at Goa in WP 749/2014. The HC found the Structures being in violation of the CRZ laws and upheld the 2012 demolition by Order dated 26-02-2018 (pg 278). It is pertinent to note the observations of the Hon'ble HC at pgs 289-290, and 293 to show how the Respondents are habitually into constructing illegal structures.

27.2. I say that one of the grounds taken by Nalini before the High Court was that her Application for Regularization of a structure is pending before GCZMA since 2003 (para 22 of HC Order, pg 292).

27.3. The 2012 Demolition Order was also upheld by the Hon'ble Supreme Court in SLP No. 12032-35/2018 vide Order dt. 10-08-2018 (pg 309); against which Nalini sought review before the Supreme Court stating that she SUDDENLY FOUND - Letter dated 07-05-1990 from the Chief Minister under Ref No. CM/pet/8/90 (pg 152) & Approval No. DB/4820/TCP-90/202 dated 02-02-1990 from the Chief Town Planner for proposed repairs and renovation of existing roof of second floor of buildings "A" & "B" in Survey No. 242/1- C (pg 149 & 153) which are



the same structures ordered to be demolished by the Village Panchayat.

27.4. SC rejected these alleged 1990 approvals and dismissed the Review by Order dated 19-01-2019 (pg 311).

28. I say that in the meanwhile, the GCZMA and the MoEF were pleased to reject the Regularization Applications (made for regularization of Structures A + B + swimming pool admeasuring **1932.75 sq mts** square meters in Survey No. 242/1-C at pg 534) vide Orders dated 29-06-2018 (pg 553) and 05-09-2018 (pg 740) respectively. I say that the MoEF has particularly rejected the regularization with scathing remarks.

29. I say that the Commissioner's (appointed by the Hon'ble High Court) Report dt. 12-07-2019 at Page 557 states that second floor of Structure A, entire of Structure B and swimming pool are demolished.

30. I say that from the narrations at paras 25 to 29 above, all that should have been existing in Sy. No. 242/1-C is a G+1 Structure and nothing else.

31. Additionally, I say that it is undisputed that Nalini was gifted the Sy. No. 242/1-C which admeasures 4158 square meters by Mr. Luis Sarto Pires vide Gift Deed dated 10-07-2006 and if one peruses the Government Survey Plan attached to this Gift Deed, the same shows that no structure is existing. Even if one ignores the Government Survey Plan, and assumes arguendo that the Gift Deed depicts the correct picture, in the Gift Deed it is mentioned that there is a Hotel consisting of 23 rooms with



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plinth 482 square meters consisting of Ground Plus One Floor in Sy. No. 242/1-C. Annexed hereto and marked as **Annexure Rej-III** is a copy of the Gift Deed dated 10-07-2006 alongwith Partition Proceedings in respect of Sy. No. 242/1-C secured by the Appellant under RTI. Thus even as on 2006, assuming arguendo that what is stated in Nalini's Gift Deed is correct, what was existing in Sy. No. 242/1-C as on 2016, was only a G+1 Structure with 23 rooms of plinth 482 square meters and nothing else.

32. I say that **NOW**, Nalini has, in her Affidavit at pages 1075 to 1081, attempted to justify the Impugned Structures in Sy. No. 241/1-C viz., Structure A (G+2), Structure C (Toilet Block), Structure D (Sump Tank with OHT permanent walls), Structure E (permanent RCC) by stating that these are approved vide –

- Village Panchayat Approval No. DB/2132/1659/82 dt. 20-04-1982.
- Construction License dated 30-06-1982 of the Village Panchayat
- Letter dated 02-02-1990 of the GSCCE
- Site Inspection Report dated 26-02-2020 of the Expert Member of the GCZMA.

33. I say that as far as the Alleged Village Panchayat Approved Plan No. DB/2132/1659/82 dt. 20-04-1982 (page 163/1181) and the alleged Construction License dated 30-06-1982 of the Village Panchayat (page 654/1182) it is submitted –

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- 33.1. Upon a close scrutiny of both these 1982 documents, it is seen that there is not even a seal of the Office of the Panchayat.
- 33.2. The gram panchayat alleged permission does not even bear the survey number of the property.
- 33.3. It is also not known how the 1982 documents suddenly appeared in the year 2025 when several rounds of proceedings before High Court & Supreme Court (supra) have concluded and even regularization application in respect of 242/1-C which was pending since the year 2003 was rejected. At no point in time since 2003 were these alleged 1982 documents ever brought on record despite several rounds of litigation.
- 33.4. Thirdly, it is seen that these 1982 documents have been allegedly obtained by Nalini's husband Herman under RTI in the year 2022, but however when the Appellant sought same information under RTI from the Village Panchayat (Pg 753); GCZMA (Pg 758) and other offices, the Offices have stated that the records are not available in their Office.
- 33.5. Thus, there is no doubt that the alleged 1982 approvals are manufactured and the GCZMA ought to have taken appropriate action in the matter

34. I say that in so far as the Letter dated 02-02-1990 of the GSCCE, the same has to be rejected at the threshold as the same was outrightly rejected by the Hon'ble Supreme Court when it dismissed the Review Application by Order dated 19-01-2019 (pg 311).



35. I say that, both the Respondents have strenuously relied upon the Site Inspection Report dated 26-02-2020 of the Expert Member of the GCZMA to justify their unabated illegal constructions.. I say that in this regard, it is necessary to note that –

35.1. The Site Inspection Report drawn by one Expert Member of the GCZMA is not an approval and does not give any legality to any structure. In the conspectus it is necessary to understand how this Site Inspection Report came to be made.

35.2. One person by name Mr. Wenceslau D'Souza had filed a PIL Writ Petition No. 04/2020 before the Hon'ble High Court of Bombay at Goa against the CRZ violations undertaken by the Respondents in Survey No. 242/1. In the said PIL WP 04/2020, the Hon'ble HC had vide Order dated 22-01-2020 directed the GCZMA to inspect the property to ascertain whether demolitions were carried out as per the previous proceedings. The Site Report of two Members of the GCZMA dated 26-02-2020 was submitted to the Hon'ble High Court. It is seen that the Petitioner Mr. Wenceslau D'Souza did not pursue the PIL Writ Petition No. 04/2020 and the Hon'ble High Court was pleased to dispose the PIL Writ Petition No. 04/2020 vide Order dated 24-09-2021.

35.3. The GCZMA Site Inspection Report dt. 26-02-2020 (at pg 136/351) has to be discarded at the outset as –

- The GCZMA has itself not considered the Expert Members Report while conducting the two site inspections dt. 24-11-2023 in Sy. No. 242/1 and dt.



20-05-2024 in Sy. No. 242/1-A & 242/1-C. and rightly so, as the number of illegal structures found in the site inspections are way more than the ones stated in the 26-02-2020 Report.

- The Hon'ble HC had appointed the Committee only to ascertain whether demolitions were carried out in terms of previous proceedings, but instead what the Expert has HIGH HANDEDLY done is, embarked upon an inquiry by assuming powers of the GCZMA to rule on the legality of various structures in Sy. No. 242/1, 242/1-A & 242/1-C, and worse still, this was done without hearing any opposing view/the complainants and/or based solely on the alleged documents provided to it by the Nalini and Joseph Rosa.
- A glaring example is how the Expert has placed heavy reliance on the Camara/Municipal **permission dt. 18-11-1970** to exonerate the illegal structures. It is without doubt that this Camara Permission was issued in respect of a total different land in Umtawaddo and admittedly the subject properties are in SAUNTAWADDO. Thus, the Report dt. 26-02-2020 at pg 136/351 is clearly a one-sided and tailor-made Report to suit the Respondents and has to be discarded in limine,

36. I say that whatever is stated by me hereinabove is true to my own knowledge and/or from records, except the legal submissions which I believe to be true; and the annexures are true copies of their originals.



37. I say that whatever is stated hereinabove is true to my own knowledge and belief.

Solemnly affirmed this 19<sup>th</sup> day of March 2026 at MAPUSA. Goa.



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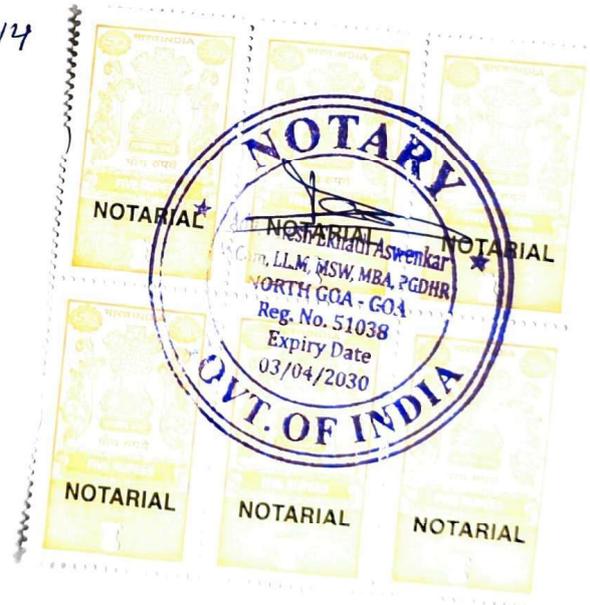
Deponent

Solemnly affirmed before me  
by Shri / Smt. Silviana D'souza  
Who is identified before me  
by Shri / Smt. 7511 4743 3114  
known to me personally  
Reg. No. 318/26 dt. 19/03/26

**CERTIFIED TO BE TRUE COPY**

*[Handwritten signature]*

**ADV. DILESH EKNATH ASWENKAR**  
M.Com, LL.M, MSW, MBA, PGDHR  
ADVOCATE & NOTARY GOVT. OF INDIA  
NORTH GOA - GOA  
Reg. No. 51038  
Expiry Dt. 03/04/2030



## ANNEXURE REJ-I



**From**

**Sylvester D'souza**

Saunta waddo, Calangute Goa

**12.03.2025**

**To**

V. P. CALANGUTE

**Public Information Officer**

INWARD NO. 12102

FILE NO. 1-53

**Village Panchayat Calangute**

DATE 12/03/25

SIGNATURE

Calangute Goa

**Sub: Application Under RTI Act, 2005**

Sir/Ma'am

I need the following information on urgent basis to be produced before a court of law:

1. Kindly provide me the certified copy of the issue of construction license & approved plan, granted by the Village Panchayat Of Calangute to Fr Mario Pires for "proposed construction of a house" bearing endorsement/reference no. "VPT/CAL/78-79/F-13AC/401/78" dated : 27/06/1978.
2. Kindly provide me the certified copy of the issue of construction license & approved plan, granted by the Village Panchayat Of Calangute to Fr Mario Pires for "proposed construction of a house" bearing endorsement/reference no. "VPT/CAL78-79/F-13AC/404/78" dated : 28/06/1978.

The same is required extremely urgently. I shall pay the necessary charges as and when called upon to do so. I am an Indian Citizen.

Thanking you

**Yours faithfully**

A handwritten signature in black ink, appearing to read 'S. D'souza', written in a cursive style.

**Sylvester D'souza**

Ph.:2276016

**OFFICE OF THE VILLAGE PANCHAYAT  
CALANGUTE  
Bardez - Goa 403516**

VP/Cal/F- /24-25/ 5368

Dated: 24/03/25

To,  
**Mr. Sylvester D'Souza,**  
**H.no. 2225, Saunta Wado,**  
**Calangute, Bardez- Goa.**  
**Contact:- 9158720969**

Sub:- RTI

Ref:- RTI application dated 12.03.25 bearing inward no. 12102.

**Sir,**

That, the information you seek under RTI act, 2005 vide aforementioned RTI application, @ point no. 1 & 2 :- That, the information you seek is very old 47 years record and therefore, the said record is not found in the record.

**Yours Faithfully,**

  
\_\_\_\_\_  
**Shri. Arjun Velip,**  
**Secretary/ P/O, V.P. Calangute,**  
**Bardez- Goa.**

**From**

**Sylvester D'souza**

Saunta waddo, Calangute Goa

**25.04.2025**

**To**

**Public Information Officer**

**The Chief Town Planner**

Dempo Towers, Patto

Panaji - Goa

**Sub: Application Under RTI Act, 2005**

**Sir/Ma'am**

I need the following information on urgent basis to be produced before a court of law:

Kindly provide me the certified copy of the permission & approved plan, approved by the Town & Country Planning Department submitted by Fr. Mario Pires for "proposed construction of a house" at Survey No. 242/1 at Calangute village, Bardez Taluka, Goa, bearing reference/endorsement no. "DB/1940/720/78-79" dated : 16/05/1978.

The same is required extremely urgently. I shall pay the necessary charges as and when called upon to do so. I am an Indian Citizen.

Thanking You



*B*  
25/4/25

Town & Country Planning Department  
Government of Goa  
Panaji - Goa

MOST

Yours faithfully



Sylvester D'souza

Town & County Planning Department  
Government of Goa  
Panaji - Goa

Sub. Application Number: 117/2012  
Date: 15/01/2012

The following information is provided for your reference:  
1. The application is for a change in land use from agricultural to residential.  
2. The site is located in the village of [Name], Taluka of [Name], District of [Name].  
3. The area of the site is approximately [Area] square meters.  
4. The proposed development is for [Number] residential units.  
5. The applicant has submitted all the necessary documents and fees.  
6. The application is being processed in accordance with the Town and Country Planning Act, 1961.  
7. The final decision will be issued within [Timeframe].  
8. If you have any queries, please contact the Planning Department at [Phone Number].

Thanking you,  
[Signature]

Ref No: 2/22/23/100/1025/28/25/193  
 Town & Country Planning Department  
 Government of Goa  
 2<sup>nd</sup> Floor, Dempo Tower  
 Puro Plaza, Panaji Goa  
 Date: 02/05/2025

**MOST URGENT**

**UNDER RIGHT TO INFORMATION ACT 2005**

To,  
 The Public Information Officer,  
 North Goa District Office,  
 Town & Country Planning Department,  
 Mapusa, Goa.

Sub: Information under Right to Information Act, 2005.

Ref: RTI application of Mr. Sylvester D'Souza dated 25/04/2025 received under inward No. 187 dated 25/04/2025.

Sir,

With reference to the subject mentioned above, this is to inform you that this office is in receipt of RTI application by Mr. Sylvester D'Souza. The information sought of the application is such that;

- i) It is either held by your Public Authority OR
- ii) The subject matter of which is closely connected with the functions of your Public Authority.

In light of the above, the RTI application with reference is transferred u/s 6(3) of RTI Act 2005, with a request to provide the information to the applicant directly.

Yours faithfully,

*[Handwritten Signature]*

**Public Information Officer/PIO-8  
 Dy. Town Planner**

Encl: As above.

Copy to:

Mr. Sylvester D'Souza,  
 Saunta Waddo,  
 Calangute Goa.....

.....requesting to pursue the matter  
 with aforesaid authorities.

REG. ADMOST URGENT  
RIGHT TO INFORMATION

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

Ref No.: TPBZ/RTI/ 7243 /CAL/TCP-2025 289

Dated: 02/05/2025

To,  
Mr. Sylvester D'souza,  
Sounta waddo, Calangute,  
Bardez Goa

Sub: Information under R.T.I. Act 2005.

Ref: Application dt. 25/04/2025 received under inward no. 286 dt.  
05/05/2025 from PIO-8/ Dy. Town Planner, Panaji vide letter no.  
21/22/23/TCP/PIO-8/228/2025/193 dt. 02/05/2025

Sir/ Madam,

Your request for information has been considered under section 7(1) of the Act and I am to inform you the following:-

- i) The information sought by you in your RTI application, as regards to file no. DB/1940 is not available in this office records, Hence information sought cannot be provided.
- ii) The period within which an appeal against such information made available may be preferred within; 30 days.
- iii) And the particular of the Appellate Authority, the Senior Town Planner is the Appellate Authority with office at 3rd floor, Govt. Complex, 301. Town & Country Planning (North Goa District) Office, Mapusa Bardez – Goa.

Yours faithfully,

(Zaidev R. Aldonkar)

The Public Information Officer,  
Town & Country Planning Department,  
Mapusa, Goa.

Copy to :-  
The PIO-8/ Dy. Town Planner(HQ)  
Town & Country Planning Dept.,  
Dempo Tower, Patto Plaza, Panaji Goa ... for information.



From : Sylvester D'souza  
 R/o Saunta Vaddo, Calangute  
 Bardez - Goa  
 Pincode : 403516

Date : 07/07/2025

To,  
 The Deputy Collector / PIO  
 Mapusa, Bardez - Goa

**SUB : To issue me certified copies of all the documents in land Partition Case No. 15/274/2011/Part/Land/DC-II, Dated 02/01/2012 of Village Calangute having Survey No. 242/1, 242/1-A & 242/1-C of Village Calangute under RTI Act 2005**

Sir,

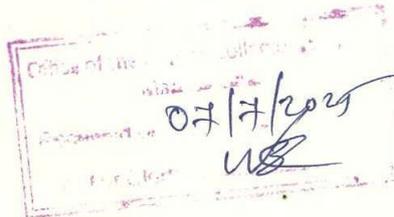
I would kindly request you to furnish me the certified copies of all the documents in Land Partition Case No. 15/274/2011/Part/Land/DC-II, dated 02/01/2012, bearing Mutation No. 46630 & 46629 of Nalini da Rosa e Fernandes in Survey No. bearing 242/1 of Calangute Village. Further, kindly also furnish me all relevant documents pertaining to Mutation No. 46292 of Nalini da Rosa e Fernandes in Survey No. 242/1-C & Mutation No. 2242 of Survey No. 242/1-A of Mr. Jose Silvester Da Rosa.

Further, I declare that I am an Indian Citizen. I shall pay all necessary charges when called upon to do so. Kindly issue me the said Information at the earliest to be produced in the court of law.

Thanking You

Yours Truly

Sylvester D'souza

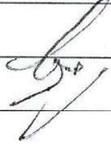
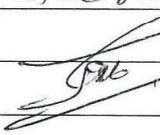
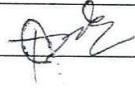


PROCEEDINGS SHEET

C. P. C.

The Court of the Office of the Dy Collector for S. D. C. Mysore

Date	No. of Exhibit	Case No. <u>15/274/2011/Pat/D.C.H.</u> <small>of 200</small>	Date to which the case is adjourned
		<p><u>Nalini Rose Fernandes</u> <u>s/o Luis Francisco Conceicao de Rose</u> <u>Santa Uvaldo Calangute</u> <u>Bundes</u> <u>v/s</u> Complainant/Applicant/Appellant/Plaintiff</p>	<p>Applicant</p>
		<p><u>Luis Antonio Jose Serto</u> <u>Pires</u> <u>s/o late Mr Antonio Jose Francisco Caetano Pires</u> <u>Santa Uvaldo Calangute</u> <u>Bundes</u> <small>Accused/Opponent/Respondent/Defendant</small></p>	<p>Respondent</p>
		<p><u>2. John J. Pires</u> <u>R/o. Calangute, Bundes Goa</u></p>	
		<p>Received on application of 61 of CRC 1968 for Partition Issued notices to concern parties fixed for hearing on</p>	<p>17/10/2011 3:00 P.m. Ⓟ</p>
<p>17/10/11</p>		<p>Adv for Applicant present Respondent Absent next date fixed on</p>	<p>24/10/11 3:00 P.m. Ⓟ</p>

Date	No. of Exhibit	Case No. of 200	Date to which the case is adjourned
24/10/11		Adv for Applicant Present Respondent Absent Permission application is allowed The case is fixed for report of DSLR posted on 	22/12/11 3:00 pm
12/12/11		Adv for Applicant Present Respondent Absent next date fixed on 	21/12 10:30 am 
21/12/12		Adv for Applicant Present Respondent Absent Report of DSLR dated 30/11/11 received same is taken on record The report of DSLR dated 30/11/11 stands confirmed order accordingly. 	



1275

IN THE COURT OF THE DEPUTY COLLECTOR AT

MAPUSA

Partition Case No. \_\_\_\_\_/11.

Mrs. Nalini Rosa Fernandes,  
d/o. Mr. Luis Francisco Conceicao da Rosa,  
aged about 43 years, married,  
business, Indian National,  
residing at Bairo,  
Sauta Waddo, Calangute,  
Bardez – Goa. ... Applicant

V/s

Mr. Luis Antonio Jose Sarto Pires,  
s/o. late Mr. Antonio Jose Francisco  
Caetano Pires, aged about 85 years,  
unmarried, farmer, Indian National,  
r/o. H. No. 7/1, Sautavaddo,  
Calangute, Bardez – Goa. ... Respondent

Application for Partition.

MAY IT PLEASE YOUR HONOUR:

- Rashm*
1. By Deed of Gift dated 10/7/2006 registered under No. 3776 at pages 284 to 301 of Book No. I, Volume No. 1735 dated 31/7/2006, the Respondent has gifted the part of the property admeasuring an area of 2158 sq. mts., of larger property known as

... 2/-

- 2 -

“NAGUICACHEM BHATA” bearing survey no. 242/1, situated at Sauntavaddo Calangute, Bardez – Goa, to the Applicant. The said part of the property was identified as Plot ‘A’ in the plan annexed to the said Sale Deed.

2. After gift of the said Plot ‘A’ the name of Applicant has been recorded in I & XIV Form of the said property. The said Plot to be partition is shown in the red boundary line produced alongwith this application.

It is therefore prayed that the Plot ‘A’ may be partitioned and separate ~~sub-div.~~ number may be given to the said Plot ‘A’.

Place: Mapusa

Dated: 14/9/11

Nernandes  
(Applicant)

~~Chopackal~~

~~Director Applicant~~



## FORM I &amp; XIV

नमुना नं १ व १४

Page : 1 of 1

Date : 18/07/2011

Taluka BARDEZ  
तालुका  
Village Calangute  
गांव  
Name of the Field Sawta Wado  
शेताचें नांव

Survey No. 242  
सर्वे नंबर  
Sub Div. No. 1  
हिस्सा नंबर  
Tenure  
सत्ता प्रकार

Cultivable Area (Ha.Ars.Sq.Mtrs) लागण क्षेत्र (हे. आर. चौ. मी.)

Dry Crop जिरायत	Garden बागायत	Rice तरी	Khajan खाजन	Ker केर	Morad मोरड	Total Cultivable Area एकूण लागण क्षेत्र
0000.00.00	0003.53.25	0000.00.00	0000.00.00	0000.00.00	0000.00.00	0003.53.25

Un-cultivable Area (Ha.Ars.Sq.Mtrs) नापिक क्षेत्र (हे. आर. चौ. मी.)

Class (a) वर्ग (अ)	Class (b) वर्ग (ब)	Total Un-Cultivable Area एकूण नापिक जामीन	Grand Total एकूण
0000.11.00	0000.00.00	0000.11.00	0003.64.25

Remarks शेरा

Assessment : आकार	Rs. 0.00	Foro फोर	Rs. 0.00	Predial प्रेदियाल	Rs. 0.00	Rent रेंट	Rs. 0.00
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S.No.	Name of the Occupant कब्जेदाराचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	Luis Antonio Jose Sarto Pires		13811	
2	Mr. John Joseph Pires		25762	
3	Nalini Rosa Fernandes ( Area 2158 sq. mts. )			

S.No.	Name of the Tenant कुळाचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	-----Nil-----			

Other Rights इतर हक्क Name of Person holding rights and nature of rights: इतर हक्क धारण करणा-याचे नांव व हक्क प्रकार	Mutation No. फेरफार नं	Remarks शेरा
H.no. E/7 16 Ladru Fernandes H.no. E/7 15 Isabela Fernandes		

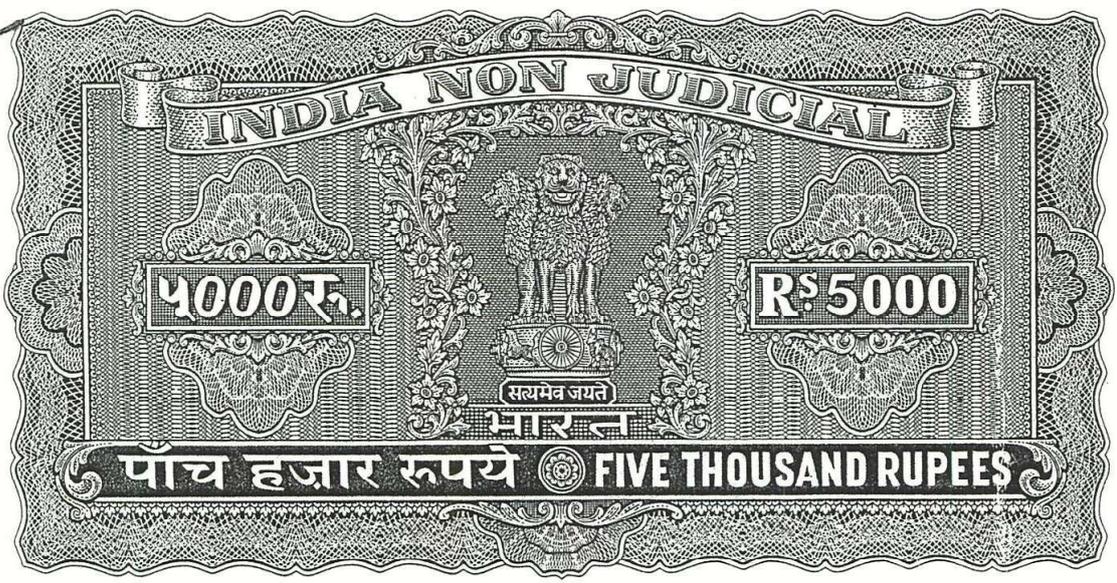
## Details of Cropped Area पिकाखालील क्षेत्राचा तापशील

Year वर्ष	Name of the Cultivator लागण करणा-याचे	Mode रीत	Season मौसम	Name of Crop पिकाचे नांव	Irrigated	Unirrigated	Land not Available for cultivation नापिक जमीन		Source of irrigation सिंचनाचा प्रारि	Remarks शेरा
					बागायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	जिरायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Nature प्रकार	Area क्षेत्र Ha.Ars.Sq.Mts हे. आर. चौ. मी.		
	-----Nil-----									

End of Report

For any further inquires, please contact the Mamlatdar of the concerned Taluka.

OFFICER IN CHARGE  
LAND RECORDS  
VIDE GOVERNMENT ORDER  
26/11/2001 - RD (7076)  
dated 22/10/2001. 18/7/11  
ethinX Infocom Private Limited  
Place : Mapusa - Goa



sr. No. 119 Place of Vend Madasa Date of  
 Issue 07/07/06 Value of Stamp Paper  
 Rs. 5000 Rupees Five thousand Only  
 Name of the purchaser Mrs. Nalini Rosa Fernandes  
 residing at Calangute son of.....  
 As there is no one single stamp paper for the  
 value of Rs. 2600/- stamp papers  
 for the completion of the value is attached  
 alongwith.

S. J. Sardesai  
 Signature of the ex-officio Vendor  
N Fernandes  
 Signature of Purchase.



Serial No. 3323/02  
 Registered at the Office of the  
 Registrar of Bardez  
 between the hours of 12/4/5A-7  
 and 11/508-1 on 12/07/06

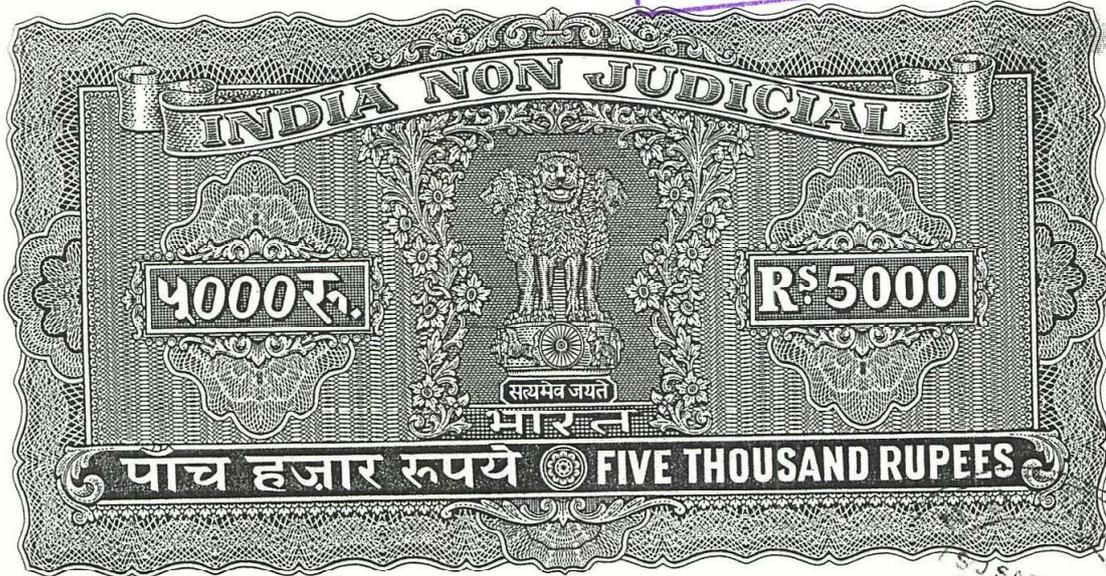


Received fees for Rs.	<u>25900/-</u>
Registration	<u>2500/-</u>
Copying	<u>90/-</u>
Copying Endorsements	<u>10/-</u>
Postage	<u>26000/-</u>
<b>Total Rs.</b>	

Nalini da Rosa e Fernandes  
N Fernandes

**DEED OF GIFT**

S. A. Sardesai  
 ... 2/-  
N Fernandes



Sr. No. 119 Place of Vend Mapusa Date of issue 07/07/06 Value of Stamp Paper Rs. 5000/- (Rupees Five thousand Only)  
 Name of the purchaser Mrs. Nalini Rosa Fernandes  
 residing at Calangute son of .....  
 As there is no one stamp paper for the value of Rs. 20000/- additional stamp papers for the completion of the value is attached alongwith.



*[Signature]*  
 Signature of the ex-officio Vendor

*[Signature]*  
 Signature of Purchaser



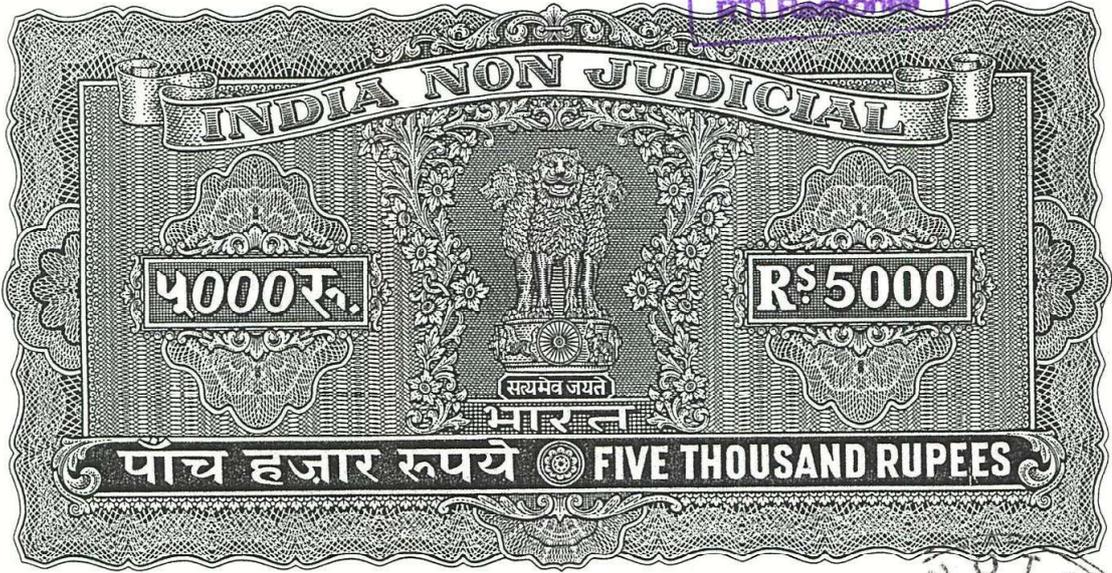
- 2 -

THIS DEED OF GIFT is made at Mapusa on this 10<sup>th</sup> day of July of the year 2006.

.. 3/-

*L. A. Pires*

*Nernandes*



Gr. No. 119... Place of Vend Mapusa Date of  
 Issue 07/04/06... Value of Stamp Paper  
 Rs. 5000/- (Rupees Five thousand only)  
 Name of the purchaser Mrs. Nalini Roca Fernandes  
 residing at Calangute  
 As there is no one single stamp paper for the  
 value of Rs. 26000/- additional stamp papers  
 for the completion of the value is attached  
 alongwith.



Signature of the ex-officio Vendor *[Signature]*  
 Signature of Purchase *N Fernandes*



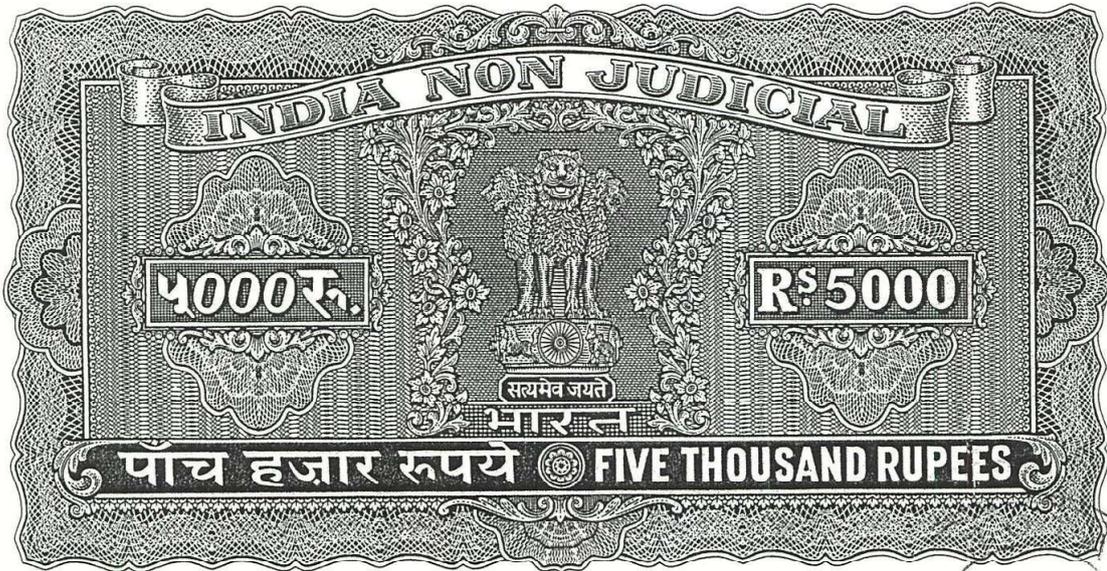
- 3 -

BETWEEN

1) MR. LUIS ANTONIO JOSE SARTO PIRES, s/o.  
 late Mr. Antonio Jose Francisco Caetano Pires, aged

... 4/-

*L. A. Pires Fernandes*



Gr. No. 119 Place of Vend Mapusa Date of  
 Issue 07/07/06 Value of Stamp Paper  
 Rs. 5000/- (Rupees) Five thousand Only  
 Name of the purchaser Mrs. Nalini Rosa Fernandes  
 residing at Calangute son of.....  
 As there is no one single stamp paper for the  
 value of Rs. 20,000/- and the stamp papers  
 for the completion of the value is attached  
 alongwith.

Signature of the  
 ex-officio Vendor

Fernandes  
 Signature of Purchase.



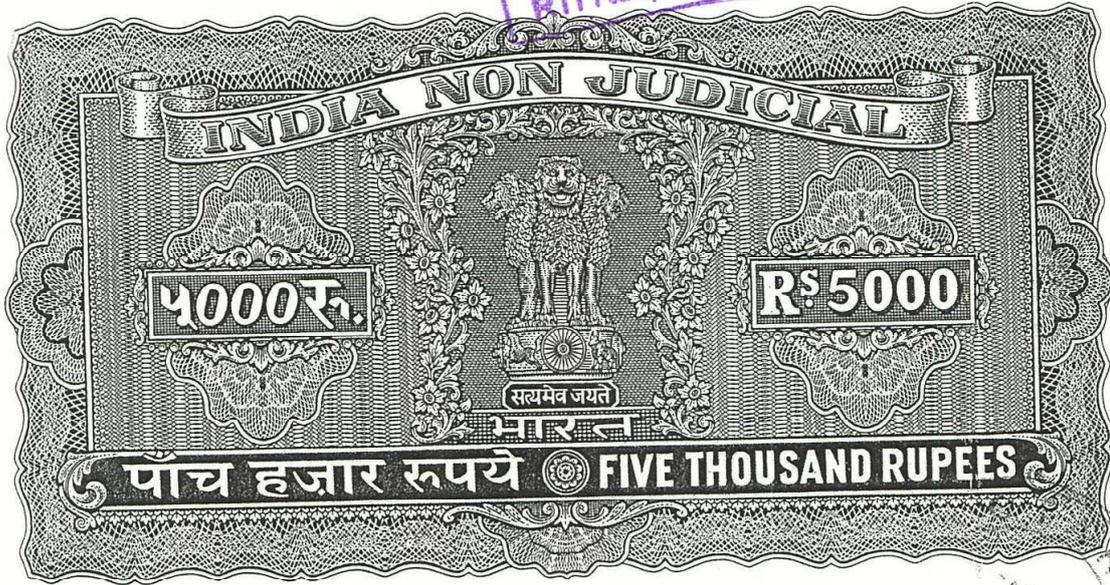
- 4 -

about 82 years, unmarried, farmer, Indian National,  
 resident of H. No. 7/1, Sautavaddo, Calangute,  
 Bardez-Goa hereinafter called the "DONOR" (which

... 5/-

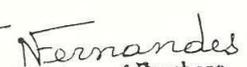
L. H. Pires Fernandes

RTI Response



Sr. No. 119 Place of Vend Mapusa Date of  
 Issue 07/07/06 Value of Stamp Paper  
 Rs. 5000/- (Rupees) Five thousand only  
 Name of the purchaser Mrs Nalini Rosa Fernandes  
 residing at Calangute son of .....  
 As there is no one single stamp paper for the  
 value of Rs. 26000/- stamp papers  
 for the completion of the value is attached  
 alongwith.

  
 Signature of the  
 ex-officio Vendor

  
 Signature of Purchase



expression unless repugnant to the context or meaning thereof shall be deemed to mean and include his

... 6/-

*L. A. Pires*      *Fernandes*



गोवा GOA

Sr. No. 119 Place of Vend Mapusa Date of

Issue 07/07/1966 Value of Stamp Paper

Rs. 1000/- (Rupees One thousand only)

Name of the purchaser Mrs. Nalini Rosa Fernandes

residing at Calangute son of

As there is no one single stamp paper for the

value of Rs. 26000/- additional stamp papers

for the completion of the value is attached

along with

Signature of the ex-officio Vendor

Signature of Purchase. Fernandes

023219



- 6 -

respective heirs, executors, legal representatives, administrators or persons legally, equitably or otherwise claiming through him) of the FIRST PART.

L. A. Pires

Fernandes

... 7/-

RTI Response

- 7 -

A N D

- 2) MRS. NALINI ROSA FERNANDES, daughter of Mr. Luis Francisco Conceicao da Rosa, aged about 39 years, married, business, Indian National, residing at H No. 7/2-F, Sautavaddo, Calangute, Bardez - Goa, hereinafter called the "DONEE" (which expression unless repugnant to the context or meaning thereof shall be deemed to mean and include her respective heirs, executors, legal representatives, administrators or persons legally, equitably or otherwise claiming through her) of the SECOND PART.



WHEREAS the DONOR is the owner of the property known "NAGUICACHEM BHATA" bearing survey no. 242/1 admeasuring about 38,925 sq. mts., situated at Sauntavaddo, within the jurisdictions of Village Panchayat of Calangute, Bardez-Goa, Sub District of Bardez, North District of State of Goa.

AND WHEREAS the said property has been described in the Land Registration Office at Mapusa under no. 19347 at pages 106 of Book B/50 and is enrolled in Taluka Revenue Office of Bardez under Matriz no. 389 of the first Circumscription of Village Calangute.

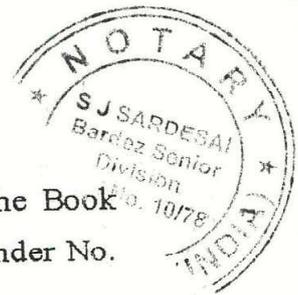
AND WHEREAS the DONOR has acquired rights to the said property by virtue of Deed of Partition dated 14/02/1966 registered in the Sub - Registrar Office of

... 8/-

*L. A. Pires Fernandes*

RTI Response

- 8 -



Mapusa, Bardez under No. 19437, page 106 of the Book B/50. The entire Partition Deed was Registered under No. 141 dated 2<sup>nd</sup> June 1966.

AND WHEREAS the said property is bounded as follows:

- EAST** : By the property of heirs of Mr. Antonio Manuel de Souza and Mr. Caitano Maria de Andrades and also Mr. Antonio Manuel de Andrades. (Survey No. 241/1 to 5).
- WEST** : By the Arabian Sea.
- NORTH** : By property of Mr. Aleixo Clairimundo de Souza Proenca. (Survey No. 243/4 and 13).
- SOUTH** : By property of Mr. Reginaldo dos Santos and Heirs of Mr. Baltazar de Andrades. (Survey No. 243/11 & 2 to 7).

AND WHEREAS 'THE DONEE' who is the niece of 'THE DONOR' with the consent, approval and permission of the 'THE DONOR' has been occupying a portion of the Said Property more particularly shown in the site plan at Annexure A with the boundaries coloured in red.

AND WHEREAS the DONEE with the Consent, approval and permission of the DONOR has reconstructed the Hotel 'Palm Grove Cottages' in the said property.

... 9/-

*L. A. Pires Fernandes*

- 9 -

AND WHEREAS the said Hotel 'Palm Grove Cottages' has been registered in the village Panchayat of Calangute, Bardez - Goa and bears No. 7/14-B

AND WHEREAS the said Hotel consists of 23 rooms having Plinth area of 482 sq. mts., consisting of Ground plus One.

AND WHEREAS the DONEE has been a great source of comfort and help to the DONOR in times of difficulties.

AND WHEREAS in view of the above facts and in consideration of the natural love and affection that the DONOR has towards the DONEE, the DONOR is desirous of gifting an area of 2158 sq. mts. of land to the DONEE from the said property.

AND WHEREAS the said portion admeasuring an area of 2158 sq. mts., which is shown in the plan in red boundary line is a subject matter of the DEED OF GIFT and shall be referred to as "THE PROPERTY" hereinafter.

'THE PROPERTY' is bounded as follows:

- EAST : By road;
- WEST : By the remaining part of the said property  
Surveyed under No. 242/1;
- NORTH : By road &
- SOUTH : By remaining part of the said property  
Surveyed under No. 242/1.

... 10/-

*L. A. Pires Fernandes*

- 10 -

AND WHEREAS "THE PROPERTY" which is the subject matter of the DEED OF GIFT is valued at Rs. 12,94,800/- (Rupees Twelve Lakh Ninety Four Thousand Eight Hundred Only) the market value thereof.

AND WHEREAS 'THE PROPERTY' has been valued by Govt., of India approved valuer, Mr. Paresh Gaitonde and prepared the valuation report in respect of the same.

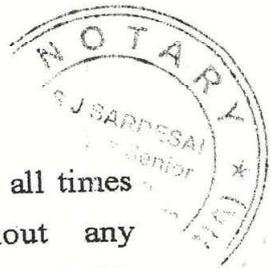
AND WHEREAS "THE PROPERTY" which is shown in the plan annexed to the DEED OF GIFT which has been signed by both the parties herein and shall form a part and parcel of this DEED OF GIFT.

NOW THIS DEED OF GIFT WITNESSES AS FOLLOWS:

1. In pursuance of the said intention and in consideration of the natural love and affection which the DONOR has for the DONEE, the DONOR out of his own free will, without any fraud, coercion or undue influence from anybody whomsoever, and in full possession of his senses, do hereby gift, grant, convey, transfer and confirm unto the DONEE "THE PROPERTY" with all privileges, profits, advantages, pathways, easements, trees, structures and all other appurtenances to 'THE PROPERTY' TO HAVE AND TO HOLD the property hereby gifted UNTO AND TO THE USE OF THE DONEE forever and absolutely.

... 11/-

*L. A. Pires Fernandes*



2. The DONEE shall from time to time and at all times hereafter peacefully and quietly without any interruption whatsoever enter upon, have, hold, occupy and possess 'THE PROPERTY' hereby gifted, receive and take rents, issues and profits thereof and of every part thereof, without any let, hindrance, interference or obstruction whatsoever from or by the DONOR from or by any other person or persons claiming from under or in trust of them.

3. The DONOR hereby gives No. Objection to the DONEE to carry out partition and mutation by including/entering the name of the DONEE in the record of rights/form I & XIV in respect of "THE PROPERTY".

4. The DONEE accepts this gift with gratitude and thanks.



SCHEDULE

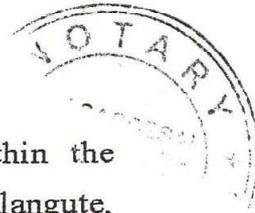
(PROPERTY HEREBY GIFTED)

ALL that 'THE PROPERTY' forming the part of larger property denominated as "NAGUICACHEM BHATA", bearing Survey No. 242/1 shown in the site Plan in red boundary line alongwith Hotel by name 'Palm Grove Cottages' consisting of rooms, situated ... 12/-

*L. A. Pires Fernandes*

RTI Response

- 12 -



at Sauntavaddo, village of Calangute, within the jurisdiction of the village Panchayat of Calangute, Taluka and Sub-District of Bardez, North Goa District, in the State of Goa, admeasuring an area of 2158 sq. mts., as a whole described in the Land Registration Office of Bardez, Mapusa under No. 19437 at page 106 of Book B-50, enrolled in the Taluka Revenue Office of Bardez, Mapusa, under No. 389 of first circumstances of Calangute village, is bounded as follows:-

EAST : By road;

WEST : By the remaining part of the said property  
Surveyed under No. 242/1;

NORTH : By road &

SOUTH : By remaining part of the said property  
Surveyed under No. 242/1.



IN WITNESS WHEREOF, the DONOR, and the DONEE have hereunto set, subscribed and delivered their signatures on this DEED OF GIFT, at Mapusa, on this 10<sup>th</sup> day of July 2006, out of their own free will, in full possession of their senses, after fully understanding the contents thereof and in the presence of two attesting witnesses who have signed hereinbelow.

... 13/-

*L. A. Pires Fernandes*



"DONOR"

*L. A. Pires*

*Luis Antonio Jose Sarto Pires*

(MR. LUIS ANTONIO JOSE SARTO PIRES)

L.H.F. Prints

=====

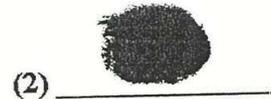


R.H.F. Prints

=====



(1) \_\_\_\_\_



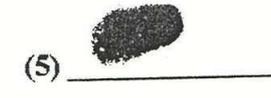
(2) \_\_\_\_\_



(3) \_\_\_\_\_



(4) \_\_\_\_\_



(5) \_\_\_\_\_

... 14/-

*L. A. Pires*

*Nernandes*

RTI Response



"DONEE"

*Fernandes*

(MRS. NALINI ROSA FERNANDES)

*Nalini da Rosa e Fernandes*

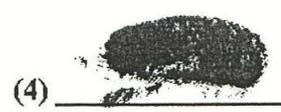


L.H.F. Prints

=====

R.H.F. Prints

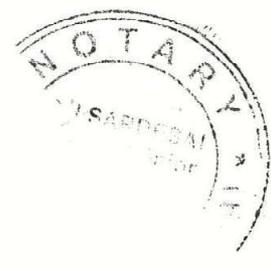
=====



... 15/-

*L. A. Pires*

*Fernandes*



**WITNESSES:**

1. Guendo Proux 
  
2. ~~Proux~~ Sankham Proux

do. A. Pires  
Fernandes



RTI Response

1) Mr. Luis Antonio Jose  
 Carlos Pires s/o Jaleto  
 Mr. Antonio Jose Fran-  
 cisco Caetano Pires, aged  
 82 years, unmarried, former  
 Indian National no Calanguli  
 Bauler, Goa

2) Mrs. Nalini Rosa Fernandes  
 s/o Mr. Luis Francisco  
 Conceicao da Rosa, aged  
 89 years, married, business  
 Indian National no, Calan-  
 guli, Bauler, Goa

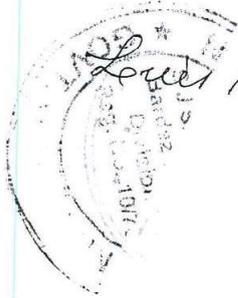


Executing party ..... 182

.....  
 admits execution of the so called

..... deer

RTI Response



Local Antonio Jose Sarto Pires  
de. A. Pires



Nalini da Rosa e Fernandes  
Fernandes



1/ Mr. Sakharan Kojan Moraykar  
aged 36 years, male, born to  
H.no 518, Agri Vada, Green, Goa  
2/ Mr. Ramo Pires, Sp. H.  
Dagun Pires, aged 67 years,  
male, resident of H.no. 1/77,  
Pombard, Colangale, Daul,  
Goa born India resident in the  
country



4/ Fernando Proeng Local

5/ Sakharan Moraykar

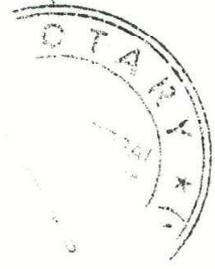
*[Signature]*

*[Signature]*  
12/07/01

SUB-REGISTRAR  
BARDEZ

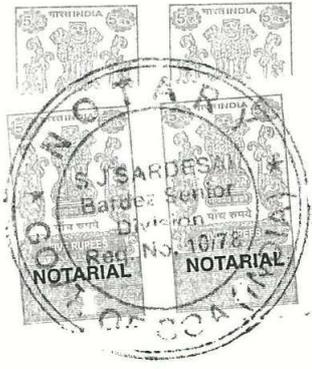
registered No. 3776  
at pag 284 to 301  
Book No. 2 Volume No. 1735  
date 21-07-2006

Sub-Registrar



Certified that this is a true Copy  
Mapusa on 20 JUL 2011

S. J. Sardesai  
B.A. (Hons) LL.B.  
ADVOCATE & NOTARY  
MAPUSA - GOA



Nalini Rosa Fernandes  
R/o. Saunta Vaddo Calangute Bardez Goa

Applicant

V/s

1. Luis Antonio Jose Sarto Pires  
R/o. H. No. 7/1 Saunta Vaddo Calangute  
Bardez Goa  
2. John J. Pires  
R/o. Calangute Bardez Goa

Respondents

In the matter of partition of survey No 242 sub division No. 1  
of village Calangute of Bardez Taluka admeasuring area 2158 sq. mts

ORDER

The partition carried out by the Inspector of Survey & Land Records, City Survey Mapusa vide report No.9/ISLR/MAP/PART/LAND/533/11/11648 dated 30/11/2011 pursuant to order No.15/274/2011/Part/Land/DC-II dated 24/10/2011 is hereby Confirmed.

The New Sub-Division created shall be survey number 242/1-C of village Calangute Bardez Goa. The entries, if any appearing in the tenant column and cultivatory column be maintained in the newly created Sub- Division.

The concerned authorities shall carry out necessary changes in the plan/map records accordingly.

Given under my hand and seal, on this 2<sup>nd</sup> day of January, 2012.



(Jayant G. Tari)  
Deputy Collector & S.D.O. Mapusa  
Sub Division Mapusa Goa

To,

1. The Mamlatdar of Bardez, Mapusa Goa
2. The Director of Settlement & Land Records Panaji Goa
- 3 The Talathi of village Calangute Bardez Goa
4. The Inspector of Survey & Land Records, City Survey Mapusa Goa

BEFORE THE COURT OF THE DY. COLLECTOR BARDEZ II AT, MAPUSA GOA  
Case No. 15/274/2011/Part/Land/DC-II

Nalini Rosa Fernandes  
R. o. Saunta Vaddo Calangute Bardez Goa Applicant

Vis

1. Luis Antonio Jose Sarto Pires  
R. o. H. No. 7/1 Saunta Vaddo Calangute  
Bardez Goa  
2. John J. Pires  
R. o. Calangute Bardez Goa Respondents

In the matter of partition of survey No 242 sub division No. 1  
of village Calangute of Bardez Taluka admeasuring area 2158 sq. mts

ORDER

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The concerned authorities shall carry out necessary changes in the plan/map records accordingly.

Given under my hand and seal on this 2<sup>nd</sup> day of January, 2012



(Jayant G. Tari)  
Deputy Collector & S.D.O. Mapusa  
Sub Division Mapusa Goa

1. The Mamlatdar of Bardez, Mapusa Goa
2. The Director of Settlement & Land Records Panaji Goa
3. The Tahathi of village Calangute Bardez Goa
4. The Inspector of Survey & Land Records, City Survey Mapusa Goa

18658

RTI Response

1298

NO: 9/ISLR/MAP/PART/LAND/533/11 /11648  
Government of Goa  
Office of the Inspector of Surveys and  
Land Records, City Survey, Mapusa-Goa  
Dated: 30/11/2011

To,  
The Deputy Collector & S.D. O  
Sub-div Mapusa-Goa

Sub: Partition of Survey No 242 Sub div. No. 1  
of Calangute Village of Bardez Taluka.

Sir,

With reference to your Court Order No. 15/274/2011/Part/Land/Dc-II dated 24/10/2011 received in this office on 31/10/2011. It is informed that this office Field Surveyor has been to the site on 22/11/2011 for the purpose of Partition of the plot bearing Survey No. 242 Sub-div. No. 1 situated at Calangute Village of Bardez Taluka and the new sub div No. is 1-C as recorded on the Form IV/ Area Adjustment.

Accordingly the revised plan & IV/Area Adjustment has been prepared by this office showing therein the present position of the property and the same is submitted to your office.

Final order of confirmation may please be issued to this office as well as to the respective Mamlatdar effecting necessary changes/modification on the records.

Yours Faithfully,

*Domiana Nazareth*

(Domiana Nazareth)  
Inspector of Surveys & Land Records  
City Survey, Mapusa-Goa

Encl : As above.

Copy to : - **Nalini Rosa Fernandes**  
**r/o Sauta Vaddo Calangute Bardez-Goa**

*Rashu*

RTI Response

*Luis Franco*  
LUI FRANCISCO  
3/10/05

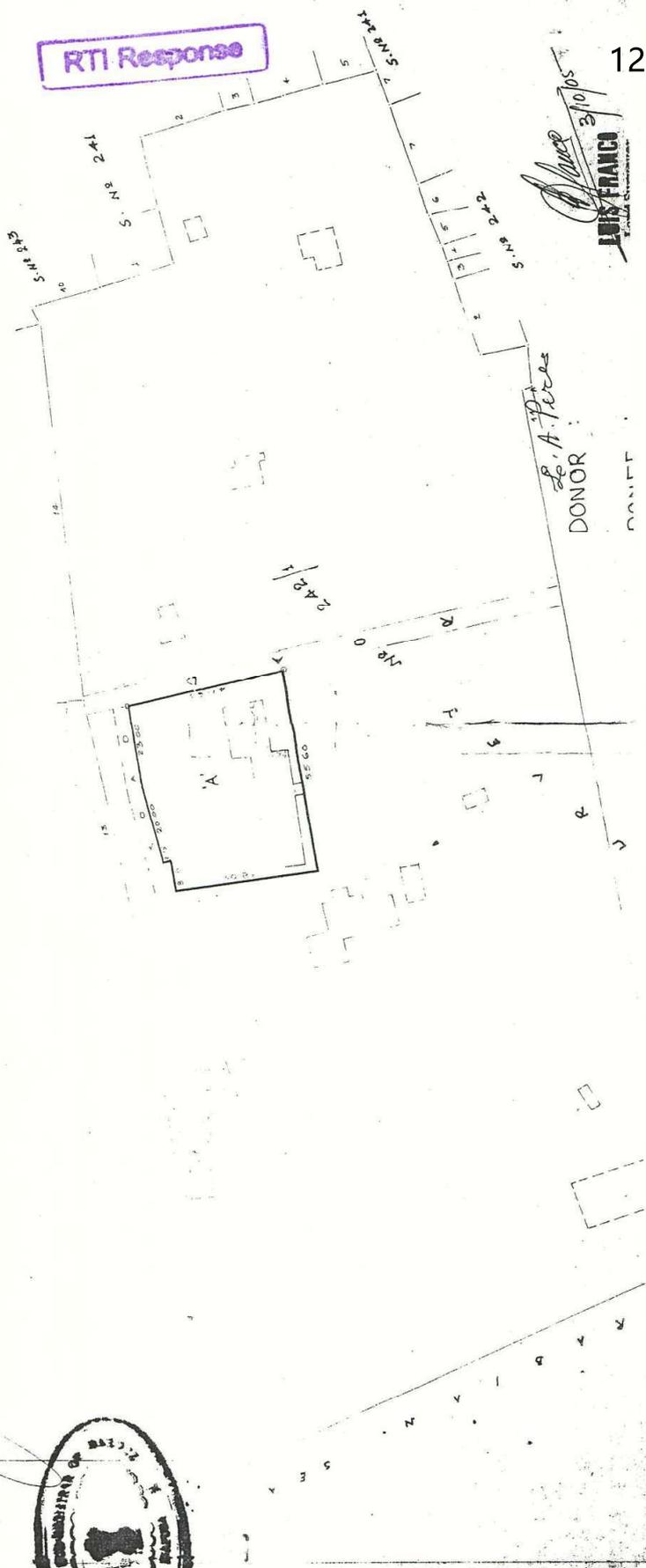
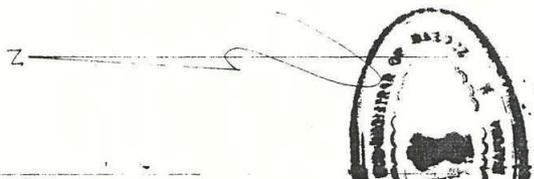
*L. A. Pérez*  
DONOR

PLAN

SHOWING THE AREA MARKED AS 'A'  
WHICH IS PART OF THE PROPERTY  
BEARING S.N. 242/1 OF CALANGUTE  
VILLAGE OF BARDEZ TALUKA.

SCALE 1:1000

AREA OF 'A' 2158 SQ. MTS





RTI Response

GOVERNMENT OF GOA  
Directorate of Settlement and Land Records  
Office of Inspector of Survey and Land Records  
MAPUSA-GOA

PLAN

OF THE LAND BEARING SUB DIV. No. 1 OF SURVEY NO. 242  
SITUATED AT CALANGUTE VILLAGE OF BARDEZ TALUKA SHOWING THEREIN  
THE NEWLY FORMED SUB DIV. NO. 1-C VIDE CASE NO.15/274/2011/Part/Land/DC-II  
DATED 24-10-2011 OFFICE OF THE DY. COLLECTOR & S.D.O, AT MAPUSA SUB DIVISION  
MAPUSA - GOA.

SCALE : 1:1000



AREA OF THE NEWLY FORMED SUB DIV. NO. 1-C ..... 2158 Sq. Mts.

*Domiana Nazareth*  
DOMIANA NAZARETH  
Inspector Of Survey And Land Records,  
City Survey ,Mapusa.



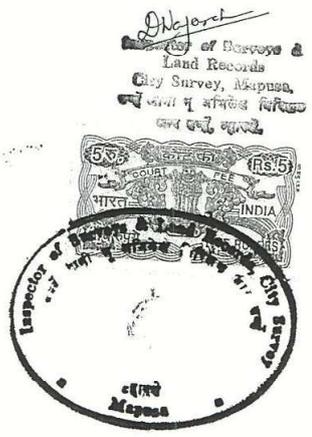
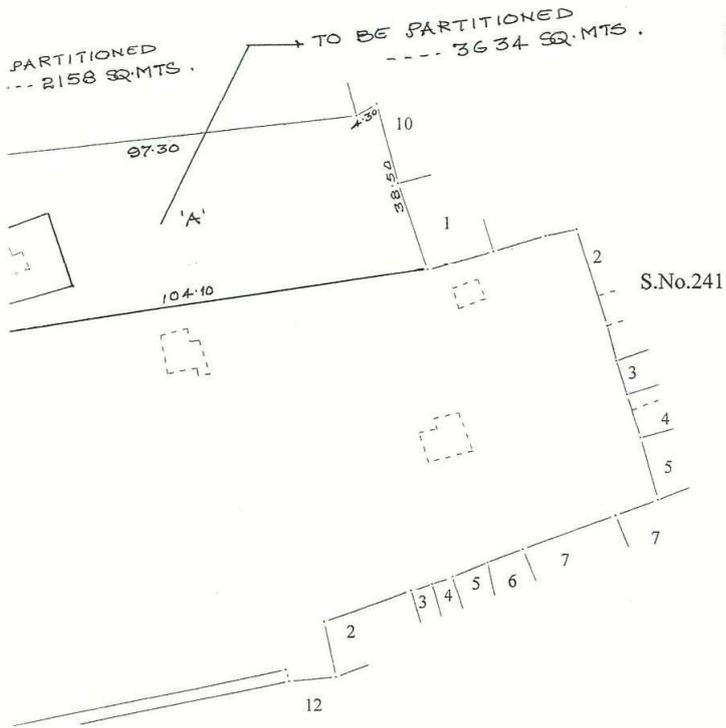
PREPARED BY  
*Paresh Rivankar*  
PARESH RIVANKAR  
Field Surveyor

VERIFIED BY  
*Bharati Shirodkar*  
BHARATI SHIRODKAR  
Head Surveyor

GOA  
Land Records  
and Land Records  
A

lat

S.No. 242/1



Pratiksha  
Compared By:  
(FS)

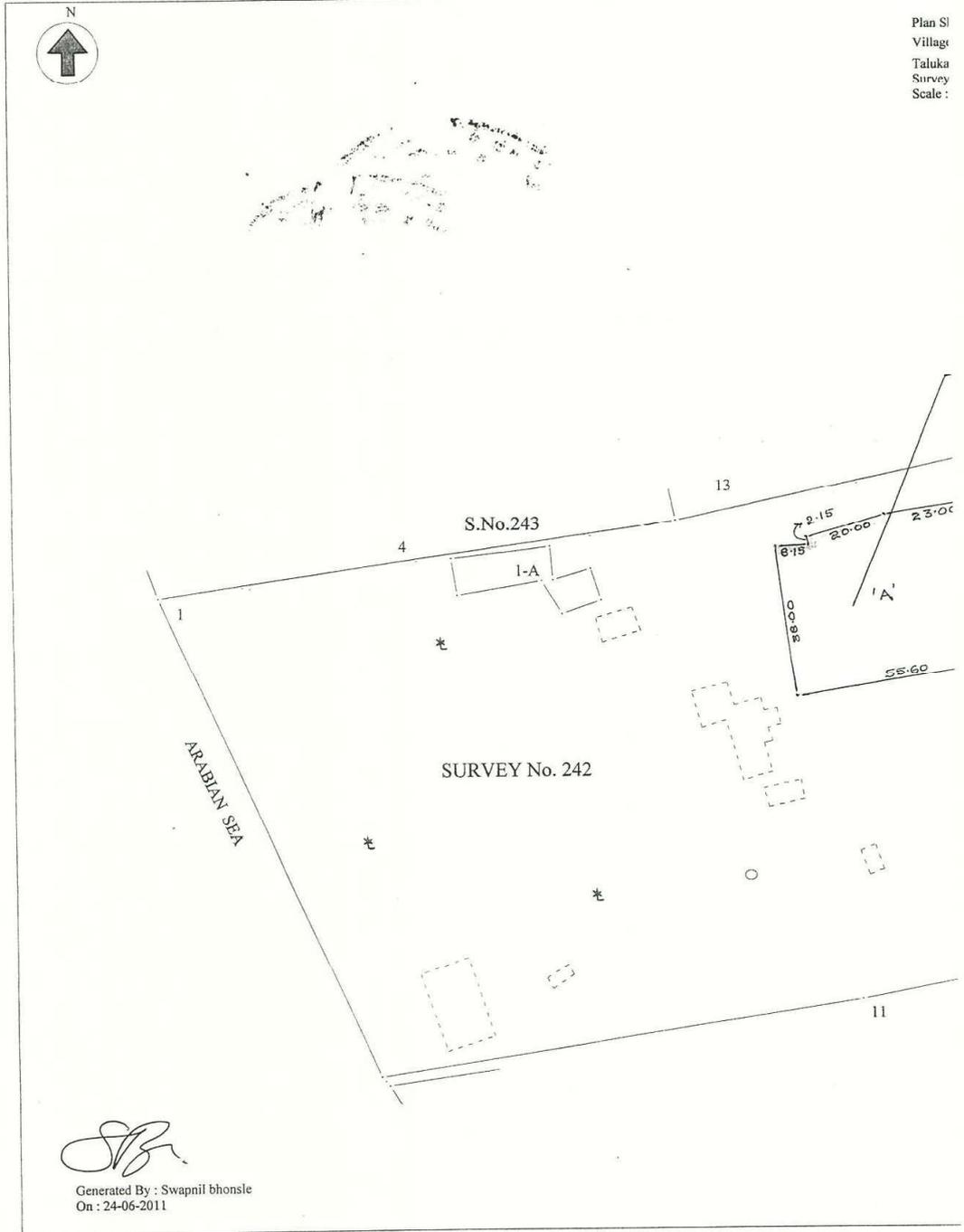
RTI Response

RTI Response



GOVERNMENT OF MAHARASHTRA  
Directorate of Survey  
Office of Inspector  
M

Plan No.  
Village  
Taluka  
Survey  
Scale :



**DIRECTORATE OF SETTLEMENT & LAND RECORDS  
OFFICE OF THE INSPECTOR OF SURVEYS & LAND RECORDS  
MAPUSA-GOA.**

Ref. 15/274/2011/PART/LAND/DC-II DATED: 24-10-2011  
from the office of Deputy Collector & SDO, Mapusa  
File No. 9/ISLR/MAP/PART/LAND/533/11

*J. K. Verkh*  
Inspector of Survey & Land Records  
Mapusa - Goa

**AREA ADJUSTMENT STATEMENT**

Village CALANGUTE Taluka BARDEZ District NORTH-GOA

Survey No.	Sub. Div. No.	Class Of Land			Total Cultivable Area	Uncultivable Pot-Kharab		Total Pot-Kharab (a) & (b)	Grand Total	Area Assessment Rs.	Occupant	Remarks
		Dry Crop	Garden	Rice		(a)	(b)					
1	2	3	4	5	6	7	8	9	10	11	12	13

**(A) ORIGINAL POSITION**

242	1	---	35325	---	35325	1100	---	1100	36425		AS PER FORM I&XIV	
-----	---	-----	-------	-----	-------	------	-----	------	-------	--	-------------------	--

**(B) POSITION AFTER CORRECTION**

242	1-C	---	2158	---	2158	---	---	---	2158		NALINI ROSA FERNANDES	
242	1	NAMES, AREA AND OTHER RIGHT AS PER FORM I&XIV AFTER DELETING AND DEDUCTING NAMES AND AREA OF NEWLY FORMED SUB DIV. NO. 1-C										

*Parsh*  
(Parsh Rivankar)  
Field Surveyor

*[Signature]*  
Verified By

RTI Response

VAKALATNAMA

IN THE COURT OF THE DEPUTY COLLECTOR & S.D.O.  
MAPUSA - GOA.

Nalini Rosa Fernandes  
w/o Savanta Vaddo, Calangute,  
Bardez - Goa.

No. 15/274/ of 2011/Part/Land/  
Plaintiff / Appellant / Petitioner /  
Decree - Holder / Claimant /  
Complainant.

v/s

1) Luis Antonio Jose Sarto Pires  
2) John Joseph Pires, both  
w/o Savanta Vaddo, Calangute, Bardez.

Defendant / Respondent / Judgement  
Debtor / Accused.

I/We Nalini Rosa Fernandes w/o  
Savanta Vaddo, Calangute, Bardez - Goa

above named do, by this present retain

SHRI. A. P. BRAGANZA, No. MAH/383/74  
SHRI. D. S. PETKAR - No. MAH/652/82  
MISS. ANA CLARA EGIPSY - No. MAH/3781/05  
SHRI. NILESH B. NAIK - No. MAH/3016/03  
SHRI SUNNY S. KALANGUTKAR - No. MAH/5125/07

Comunidade Building,  
Near Church,  
Mapusa, Bardez - Goa.

Advocates as my/our Advocates to appear and conduct the above case/suit on my/our behalf to judgement.

Accepted by :

- 1.
- 2.
- 3.
- 4.

Signature of the

Advocate for the

Place : Mapusa, Goa.

Date : 19/9/11

Signature

1. N Fernandes
2. \_\_\_\_\_
3. \_\_\_\_\_

BEFORE THE COURT OF THE DY. COLLECTOR BARDEZ II AT, MAPUSA GOA  
Case No. 15/274/2011/Part/Land/DC-II

Nalini Rosa Fernandes  
R/o. Saunta Vaddo Calangute Bardez Goa Applicant

V/s

1. Luis Antonio Jose Sarto Pires  
R/o. H. No. 7/1 Saunta Vaddo Calangute  
Bardez Goa  
2. John J. Pires  
r/o Calangute, Bardez Goa Respondents

O R D E R

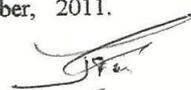
Whereas the applicant above named have made an application to this Court U/s 61 of L.R.C. 1968 and Rules made there under for the partition of holding surveyed under Sy.No. 242/1 of village Calangute Bardez Taluka for separation of his/her share admeasuring an area of 2158 sq mts

And whereas formal enquiry was made in the matter after issuing notices to the concerned parties and also publishing a proclamation as required by Rule 3(1) (2) of the Goa Daman, & Diu Land Revenue Partition of Holding Rules, 1968.

And whereas no any objection were received from the other co- holders or the persons, if any interested therein.

Now therefore, in pursuance of Rule 5 of aforesaid Rules, the Inspector of Survey and Land Records City Survey Mapusa, is hereby directed to carry out the partition of the holding surveyed under Sy.No. 242/1 separating portion shown on Deed of Gift Plan/ Site plan furnished by the applicant and submit the copy of the plan showing therein the partition of the plot made of survey No, Sy.No 242/1 of village Calangute alongwith the Form IV and area adjustment statement to this Court for confirmation of partition.

Given under my hand and seal on this 24<sup>th</sup> day of October, 2011.

  
(Jayant G. Tari)  
Deputy Collector & S.D.O. Mapusa  
Sub Division Mapusa Goa

To,

1. The Inspector of Survey and Land  
Records, City Survey Mapusa  
2. Nalini Rosa Fernandes  
Resident of Sautawaddo,  
Calangute, Bardez Goa

- For necessary action as directed above

- He/She/They Should contact the Inspector of  
Survey & Land Records, City Survey Mapusa  
For payment of necessary fees

15379

13 OCT 2011

Dated: 13/10/2011

RTI Response

To,  
The Dy. Collector & S.D.O  
Mapusa Goa

*[Handwritten Signature]*  
11/10

Sub: Publication of Proclamation ~~Notice Notification~~

Ref. 15/274/2011/Panchayat/DCIT

Sir,

With reference to the above I am to submit that the proclamation:notice:notification in the above referred matter has been polished at this notice board by the Bailiff on 10/10/11 and at the notice board of the Village Panchayat at Calangute on 13/10/11 by the Talathis.

The report of the Talathis is enclosed herewith.

Yours Faithfully,

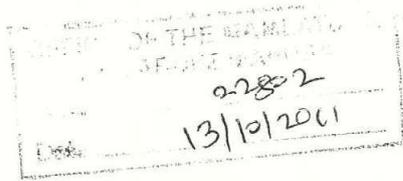
*[Handwritten Signature]*  
Mamlatdar of Bardez

*Rashm*

TAL/BA/CA/PROCLAMATION/REP/2011

Office of The Talathi  
Calangute, Bardez, Goa

Date: 13/10/11



SIR,

The Mamlotdar of Bardez  
Mogusa, Bardez, GoaSub: Publication of Proclamation  
of Form "B"Ref: Case no - 15/274/2011/Pert/Land/DC

Sir,  
with reference to the subject  
cited above, I have ~~been~~ duly published  
Proclamation Form 'B' in case no -  
15/274/2011/Pert/Land/DC-II pertaining to  
Sy. no - 242/1 of village Calangute, Bardez  
on the Village Panchayat notice board  
and also on the site on dated 13/10/11  
This is for your kind information.

Yours Faithful,

13/10/11  
Talathi, Bardez, Goa

RTI Response

BEFORE THE COURT OF THE DY.COLLECTOR BARDEZ II AT, MAPUSA GOA  
Case No. 15/274/2011/Part/Land/DC-II

Nalini Rosa Fernandes  
R/o. Saunta Vaddo Calangute Bardez Goa Applicant

V/s

1. Luis Antonio Jose Sarto Pires  
R/o. H. No. 7/1 Saunta Vaddo Calangute  
Bardez Goa Respondents  
2. John J. Pires  
R/o. Calangute, Goa

NOTICE

Whereas Nalini Rosa Fernandes R/o. Saunta Vaddo Calangute, Bardez Goa Co holder of the holding specified below in village Calangute, Taluka Bardez, District Goa has applied for partition of his/her share in the said holding.

Whereas it is proposed to partition of his/her share in the said holding and the date of hearing the application has been fixed on 17/10/2011 at 3.00 p.m.

All persons who are interested in the said holding are hereby informed that they should appear either personally or through legal practitioner or recognized agent on the date fixed and state their objection, if any.

In the event of failure so to appear and state the objection on the date and the place mentioned above no objection will be considered.

PARTICULARS OF THE HOLDING

Sy. No	Hissa No	Area	Land Revenue	Village
242	1	2158 Sq mts		Calangute

Place Mapusa  
Date: 20/09/2011

(D.M.Redkar)

Deputy Collector & S.D.O. Mapusa  
Sub Division Mapusa Goa

RTI Response

FORM "B"  
PROCLAMATION

Whereas Nalini Rosa Fernandes R/o. Saunta Vaddo Calangute, Bardez Goa Co holder of the holding specified below in village Calangute, Taluka Bardez, District Goa has applied for partition of his/her share in the said holding.

Whereas it is proposed to partition of his/her share in the said holding and the date of hearing the application has been fixed on 17/01/2011 at 3:00 a.m./p.m.

All persons who are interested in the said holding are hereby informed that they should appear either personally or through legal practitioner or recognized agent on the date fixed and state their objection, if any.

In the event of failure so to appear and state the objection on the date and the place mentioned above no objection will be considered.

PARTICULARS OF THE HOLDING

Sy. No	Hissa No	Area	Land Revenue	Village
242	1	2158 Sq mts	Calangute	

Place Mapusa  
Date: 20/09/2011

(D.M. Redkar)  
Deputy Collector & S.D.O. Mapusa  
Sub Division Mapusa Goa

RTI Response

Copy applied for on 07/07/25  
copy ready for delivering on 15/07/25  
Copy delivered on 15/07/25  
Copying Fees Rs. 70/- Rupees Seventy  
four only Paid vide TR 5 Receipt 486961  
Dated 15/07/25

Dv. Collector & S. D. O. Bardez

information issued under  
Right to Information Act, 2005

  
PIO/PIO  
Dy. Collector & SDO  
Mapusa-Goa