

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (WZB),
AT PUNE.

I.A. No 270/2024

IN

O.A. 170 / 2024

Anand Builders

...Applicant

Vs

Goa Foundation & Ors

... Respondents



Rejoinder on behalf of the Applicant (Original Respondent No 2)

I Mr Anand Bose, aged about 49, years the Proprietor of the Applicant having office at Anand Builders, 801, 8th floor, Anand Square, block 'B', Near Sanjeevani Hospital, Baina, Vasco Da Gama do hereby solemnly affirm and state as under.

1. At the outset the Applicant denies all the contents of the Reply filed by the Respondent No 1 Goa Foundation in IA 270/2024 in OA170/2024. The Applicant has already demonstrated in the above I.A. that he no longer has Right, Title or Interest in the subject Property and that the same was sold over 12 to 15 years ago.
2. The Applicant humbly submits that he had obtained for the permission for felling of 73 trees dated 25.05.2007 from the Tree Officer Cum Deputy Conservator of Forest, Govt of Goa. (The said permission has been annexed by the Respondent No 1 in it's Reply dated 15.11.2024.)
3. Upon a bare perusal of the said permission dated 25.05.2007 it can be seen that the Applicant had paid a sum of Rupees 7,300 which was the License Fee and the Applicant has further deposited Rupees 14,600 as the Security Deposit Vide Pay Order No 716193 dated 25.05.2007. Clause No 8 of the same permission reads as follows "*in the event of failure on the part of the permit holder to replant the trees as indicated in Sr No 5 above, then the tree officer shall himself undertake to replant the trees and recover the cost thereof from the permit holder by way of adjustment against the security deposit made by the permit holder or felling (sic) that by recovery as arrears of Land Revenue*". The Applicant has already paid the Security Deposit to the Tree Officer, and it is the duty of the Forest Department to then carry out the work of afforestation from the amount given as the Security Deposit in case of any failure.
4. The Applicant humbly submits that upon payment and adjustment of the Security Deposit already submitted to the tree officer, nothing

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remains to be considered or adjudicated in the instant matter Qua the Applicant (Original Respondent No 2) and that the onus (if any) vests with the Forest Department. Thus the Applicant (Original Respondent No 2) rightly deserves to be discharged from the above OA.

5. I State and verify that the above Paragraphs 1 to 4 in the instant Rejoinder Affidavit as true to my own knowledge as per the documents and records available and are partly submissions based on legal advice which I believe to be true and correct. No material has been suppressed.

Solemnly Affirmed at Goa
On this 3rd Day of December 2024

Anand Bose
Deponent

Solemnly affirmed before me by
Anand Bose
who is identified to me by

who I personally know



Nand Kishore Dubey
NAND KISHORE DUBEY
ADVOCATE & NOTARY
GOVERNMENT OF INDIA
37, 1st FLOOR, APNA BAZAAR
VASCO-DA-GAMA, GOA - 403802.
DATE : 3/12/2024
REGN. NO. 6436/24