

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

IN THE MATTER OF:

PRAKASH AGRAWAL

...APPLICANT

Versus

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

(FILE-A: VOLUME-I)

INDEX

Sr.	Description	Page No.
1.	Rejoinder on behalf of the Original Applicant to the Reply of R-5: MoEFCC	01 – 15
2.	ANNEXURE-A-1 A true copy of the PP clarification letter to MoEFCC on issue of Parking & energy from Waste vide dated 12.03.2007	16 – 18
3.	ANNEXURE-A-2 A true copy of the PP clarification letter to NGDA for clarification on title vide dated 25.02.2010	19 – 29
4.	ANNEXURE-A-3 A true copy of Google Earth Images (2012, 2013 & 2015)	30 – 32
5.	ANNEXURE-A-4 A true copy of Minutes of Meeting (MoM) of MOPA members and PP held on 01.05.2017	33 – 38
6.	ANNEXURE-A-5 A true copy of Show Cause notice issued by Fire & Safety Department for violation & Non-compliances vide dated 13.03.2025	39 – 46
7.	ANNEXURE-A-6 A true copy of Writ Petition filed by Applicant for Quashing of FIR vide dated 09.06.2025	47 – 187
8.	ANNEXURE-A-7 A true copy of Order passed by Hon'ble High Court issuing notice to Government Authorities on fire & safety violation vide dated 03.07.2025	188 – 189
9.	ANNEXURE-A-8 A true copy of News Article Published in Herald vide dated 06.07.2025	190

Date: 10.07.2025



ADVOCATE FOR APPLICANT

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

IN THE MATTER OF:

PRAKASH AGRAWAL

...APPLICANT

Versus

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

REJOINDER TO REPLY DATED 08.07.2025 OF R-5-MOEECC

I, Prakash Agrawal, Age: Adult, Residing at 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panji-403004 (GA), do hereby solemnly affirm and state on oath as follows:

1. It is most respectfully submitted that, the reply of the reply dated 08.07.2025 of the Ministry of Environment, Forests and Climate Change is vague and incorrect.
2. The concept of Post Facto Environmental Clearance has been held to be illegal by the Hon'ble Supreme Court in the case of "Common Cause Case, Goel Ganga Case, Alembic Pharmaceuticals, Keystone Realtor, and recently Vanshakti Vs. UoI" by quashing and setting aside MoEFCC Notification dated 14.03.2017 and OM dated 07.07.2021.
3. **FACT TO BE DISCLOSED:**
 - 3.1 That the PP himself given clarification vide dated 12.03.2007 (**ANNEXURE-A-1**) in respect of the parking plan change and assuring no interference for traffic on road, as well as generation of energy from waste. However, PP have not complied with such undertakings.
 - 3.2 That the PP vide dated 25.02.2010 (**ANNEXURE-A-2**), gave clarification in respect of the complaint received against project disputing the title of the land and misleded the authorities.
 - 3.3 That the Google Earth Images from year 2012, 2013 & 2015 (**ANNEXURE-A-3**) clearly shows that, the construction was going on and not completed on that dates.

- 3.4 That the Minutes of Meeting recorded vide dated 01.05.2017 (**ANNEXURE-A-4**), between PP and the nominated members of the “MOPA” clearly shows that the association has been formed by himself and now PP-himself cannot challenge the legality and validity of the same.
- 3.5 That the Fire & safety Department have issued show cause notice to the PP vide dated 13.03.2025 (**ANNEXURE-A-5**) on compliant of this Applicant. It can be seen that the callous attitude of the government authorities, as there were number of reminder.
- 3.6 That this Applicant have filed Writ Petition vide dated 09.06.2025 (**ANNEXURE-A-6**) before the Hon’ble Bombay High Court Bench At Goa, for quashing of FIR and proceedings filed against him by PP in collusion with the politicians and police.
- 3.7 That this Applicant have filed Writ Petition Hon’ble Bombay High Court Bench At Goa, for violations of fire and safety norms and Hon’ble High Court have issued notices to the Government Authorities vide dated 03.07.2025 (**ANNEXURE-A-7**). And this order was reported in newspaper vide dated 06.07.2025 (**ANNEXURE-A-8**).

As to Para 7

4. This applicant states that, there are non-compliance of every term and undertaking of the PP wile obtaining the EC dated 16.05.2007 and the modification of EC dated 28.11.2019. This applicant reiterates that every condition of EC dated 16.05.2007 has been violated by the PP.
 - a. As per the Form 1A the water requirement for the operation phase of the project was to be supplied by PWD (**P@75 of OA**). The Respondent No. 5 has not placed before

this Hon'ble Tribunal that the Sector 1 is dependent on adulterated tanker water while the sector 4 of the project is dependent on Borewell water.

- b. The Respondent No. 5 has failed to place that two STP were to be set up for the entire project of capacities 300 KLD and 650 KLD (**P@214-215, P@767**). These were to be set up prior to the commissioning of the project. The same has not been established by the PP.
- c. No Composting Facility Provided. (**P@63**)
- d. 489 Trees not planted. (**P@80**)
- e. Water Consumption Basis and STP capacity not assessed as per submission of PP. (**P@158**)
- f. Water requirement 373 KLD (**P@35**)

As to Para 13 (i)

5. It is vehemently denied that the construction of the project was completed on or before 15.06.2012.
 - a. The Google Earth Image dated 16.05.2012 showing unfinished project are annexed herewith (**ANNEX-A-3**).
 - b. The Google Earth Image dated 01.05.2013 showing unfinished project are annexed herewith (**ANNEX-A-3**).
 - c. The Google Earth Image dated 22.10.2015 showing finished project are annexed herewith (**ANNEX-A-3**).
 - d. On 01.10.2013 Development Permission was granted by NGPDA to the PP where the plans were amended. (**P@776-778**). Para No. 16 of the same states: *“All the conditions laid down in the **Revised** NOC from MOEF Shall be strictly adhered to and if required shall be obtained before commencement of development work of revised plan.”*

- e. The Completion Certificated dated 14.05.2015 (**P@391**) by the North Goa Planning and Development Authority confirms that the construction of the project has been carried out by the Respondent Nos. 1 to 4 after expiry of the Environmental Clearance Dated 16.05.2007 (**P@386-390**) on 15.05.2012.
- f. The Part Occupancy Certificate dated 25.08.2015 (**P@392-408**) by the Village Panchayat of Taleigao confirms that the construction of the project has been carried out by the Respondent Nos. 1 to 4 after expiry of the Environmental Clearance Dated 16.05.2007 (**P@386-390**) on 15.05.2012.
- g. Letter dated of 25.02.2010 of Joe Mathias (R3) to NGPDA reads as (**ANNEXURE-A-2**):

*“After obtaining the Conversion Sanad, PDA NOC, Panchayat Licence, Clearance from the Ministry of Environment & Forest, Delhi, etc. **I started the development and construction work on 22.03.2007** in the above said property.”*

The above clearly establishes that the construction was commenced prior to the grant of EC dated 16.05.2007 and continued beyond 15.05.2012 without any Environmental Clearance.

As to Para 13 (ii)

- 6. Serious violations of EIA Notification 1994 exist in the project.

Inspection Report Dated 10.08.2014, Para-9

- 7. The project cost is incorrect and blatantly false. The operating cost as stated is also blatantly false. No allotment has been made by the PP for environment management plan and the same is not implemented.

Inspection Report Dated 10.08.2014, Specific Conditions of Operations (i)

8. No Report has been submitted by the PP to the MOECC prior to the commissioning of the project.
9. The inspection report dated 07.04.2022 of GSPCB states
 - a. *“As observed during the time of inspection an STP Plant is operated by a worker who does not aware of any technicalities of the plant, he is only trained to start the pump to discharge the raw water from aeration tank to the discharge pipe installed near the STP Plant into the thick vegetation.” (P@628).*
 - b. *“Unit has not provided tertiary treatment for the plant i.e. Sand and Carbon Filters.” (P@628).*
 - c. *“As observed during the time of inspection treated water i.e. after aeration is disposed into the thick vegetation.” (P@628).*
 - d. *“During the time of inspection final treated water sample of STP was collected and analyzed in Boards laboratory, analysis report indicate that pH, Oil & Grease, N Total are well within the prescribed permissible limits laid down by the Board. However Suspended Solids, BOD, COD and Fecal Coliform are exceeding the permissible limits laid down by the Board.” (P@629).*
 - e. *“As per consent condition no. 6(xvii) the unit shall maintain the records of the water consumption, treated water from STP and the STP operation details on daily basis. However unit has not complied with the consent condition.” (P@629).*
 - f. *“As per consent condition no. 6(xix) the unit shall operate an composting facility for the wet waste and maintain daily records of all the waste generated, treated and disposed from the premises and submit a compliance report to the Board within 45 days from the date of issue of this consent.*

However unit disposed wet waste generated from the unit through Village Panchayat Taleigao resulting in EC and Consent conditions violations.” (P@629).

- g. *“During inspection it was observed that STP of unit (Sector 1) was not in operation, it was informed that STP was kept idle for settling of sludge.” (P@639).*
- h. *“While inspecting the existing SIP of 175 KLD it was observed that unit has kept 2nos. open pipe in the aeration tank, as per unit representative they have kept pipe to bypass the overflow in the aeration tank (Fig I).” (P@639).*
- i. *“The STP is not maintained properly, sludge was observed in the final treated water tank, the operator present was also notable to explain the process of STP properly.” (P@640).*
- j. *“As per unit representative the generated sludge is disposed using night soil tankers. “ (P@640).*
- k. *“It is also observed that there are violation of consent condition 3(iv), 3(v), 3(vi), 5(vii), 5(x), 5(xii), 6(ix), 6(xvii), 6(xix), 6(xx) mentioned in consent order dated 15/03/2019.” (P@640).*
- l. *The unit has to provide filtration after disinfection, ozonation for odour / color removal before treated water is used for gardening or dual plumbing for flushing. (P@641)*
- m. The STP is not in accordance with the submission of PP (P@160-161)

10. **Inspection Report Dated 10.08.2014, Specific Conditions of Operations (ii)**

- a. No Provision of RWH has been made in Sector 1 as stated in the application (Pages 192-194)
- b. The six tanks of 150000 liters each totalling 900 KLD are not installed by the PP. (Page 162)

- c. No RWH as per the inspection report 10.09.2024 (**Page 1180**)

11. **Inspection Report Dated 10.08.2014, Specific Conditions of Operations (iii)**

- a. *“As per consent condition no. 6(xix) the unit shall operate an composting facility for the wet waste and maintain daily records of all the waste generated, treated and disposed from the premises and submit a compliance report to the Board within 45 days from the date of issue of this consent. However unit disposed wet waste generated from the unit through Village Panchayat Taleigao resulting in EC and Consent conditions violations.” (P@629)*
- b. *“During inspection it is also observed that solid waste was dumped in open and there is no dedicated shed for the same Fig (6).” (P@640)*
- c. *“Housekeeping of the unit is lacking in maintaining the cleanliness, solid waste was found being stored inside the premises in an improper manner.” (P@640)*
- d. *“It is also observed that there are violation of consent condition 3(iv), 3(v), 3(vi), 5(vii), 5(x), 5(xii), 6(ix), 6(xvii), 6(xix), 6(xx) mentioned in consent order dated 15/03/2019.” (P@640)*
- e. *“The unit shall provide dedicated shed for solid waste management and the solid waste has to be collected in segregated manner.” (P@641)*
- f. *“The unit shall operate and composting facility for the wet waste and maintain daily records of all the waste generated, treated and disposed from the premises.” (P@641)*
- g. *No OWC & Bio-methanation Plant filed has been set up in Sector 1. (P@1180)*

12. **Inspection Report Dated 10.08.2014, Specific Conditions of Operations (iv)**
 - a. *“Presently all E Waste generated is disposed off by the individual owners.” (P@1181)*
 - b. This applicant states that the e-waste and the e waste is not being disposed by individual owners.

13. **Inspection Report Dated 10.08.2014, Specific Conditions of Operations (v)**
 - a. 6-meter plantation is not yet provided in the periphery. (P@1181)
 - b. This has not been provided in the entire project.

14. **Inspection Report Dated 10.08.2014, Specific Conditions of Operations (vi)**
 - a. All compliance reports submitted by the PP are false as can be seen from the actual report annexed on P@632-637.

15. **Inspection Report Dated 10.08.2014, Specific Conditions of Operations (vii)**
 - a. No Solar Lighting is provided in Common Area and Street Lighting. (P@1181)
 - b. Hybrid Solar System is not provided in each apartment.
 - c. Only a few Solar Garden Lights are installed and not all garden lights operate on Solar energy. These are independent lights with independent small solar panel.
 - d. No Solar Heated Water is being provided.
 - e. Pictures of Dismantled Solar Panels (P@348-355)

16. **Inspection Report Dated 10.08.2014, Specific Conditions of Operations (viii)**

- a. Deliberate and intentional statement not made for parking in passages. Pictures of cars parked in passages. **(P@424-426)**
 - b. The R-5-MoEFCC has ignored the letter dated 12.03.2007 of R3 to them giving a plan of parking and an undertaking to set up facilities for converting energy from waste. **(ANNEXURE-A-1)**
 - c. 329 Parking Spaces were to be provided in the basement of the Sector 1 along with 1 RWH tank of 150000 Liters capacity. The same have not been provided hence cars parked in passages.
17. **Inspection Report Dated 10.08.2014, 1. General Conditions**
(i)
- a. No waste is disposed pictures speak. **(P@500-501)**
18. **Inspection Report Dated 10.08.2014, 1. General Conditions**
(ii)
- a. No reference about Sector 1
19. **Inspection Report Dated 10.08.2014, 1. General Conditions**
(iv)
- a. *“The unit has to provide filtration after disinfection, ozonation for odour / color removal before treated water is used for gardening or **dual plumbing for flushing.**”*
(P@641)
 - b. *“Unit has provided separate Storage tanks for utilization of Treated water for toilet flushing. **However treated water is not used for toilet flushing which is violation of the EC and Consent conditions.**”* **(P@629)**
20. **Inspection Report Dated 10.08.2014, 1. General Conditions**
(v)

- a. Pictures of Dismantled Solar Panels (P@348-355)
 - b. No Solar Lighting is provided in Common Area and Street Lighting. (P@1181)
21. **Inspection Report Dated 10.08.2014, 1. General Conditions (vii)**
- a. *“Unit has provided garden area of approx. 1500 sq. mtrs. However treated water is not used for gardening which is violation of the EC and Consent conditions.”* (P@629)
 - b. RG Area Specified is 26% (21503.35 M/2) (P@507)
 - c. RG Area 26.62% (21890.19 m/2) (P@98)
22. **Inspection Report Dated 10.08.2014, 1. General Conditions (xiv & xv)**
- a. 6-meter plantation is not yet provided in the periphery. (P@1181)
 - b. This has not been provided in the entire project.
23. **Inspection Report Dated 10.08.2014, 1. Additional Conditions (i)**
- a. PP has not maintained the STP plant and the same is being maintained by RWA.
 - b. *“As per consent condition no. 6(xvi) STP plant to be operated and maintained by the builder for a minimum period of 5 Years however as observed during the time of inspection STP was operated by the M/s. Mathias Ocean Park Association.”* (P@629)
24. **Inspection Report Dated 10.08.2014, 1. Additional Conditions (ii) & (x)**
- a. *“Unit has provided garden area of approx. 1 500sq.mtrs. However treated water is not used for gardening which is violation of the EC and Consent conditions.”* (P@629)

- b. *“Unit has provided separate Storage tanks for utilization of Treated water for toilet flushing. However treated water is not used for toilet flushing which is violation of the EC and Consent conditions.” (P@629)*
- c. *“The unit has to provide filtration after disinfection, ozonation for odour / color removal before treated water is used for gardening or **dual plumbing for flushing.**” (P@641)*

25. **Inspection Report Dated 10.08.2014, 1. Additional Conditions (xiv)**

- a. *“Housekeeping of the unit is lacking in maintaining the cleanliness, solid waste was found being stored inside the premises in an improper manner.” (P@640)*

26. **Inspection Report Dated 10.08.2014, 1. Additional Conditions (xv)**

- a. *“Unit has provided garden area of approx. 1 500sq.mtrs. However treated water is not used for gardening which is violation of the EC and Consent conditions.” (P@629)*
- b. *“Unit has provided separate Storage tanks for utilization of Treated water for toilet flushing. However treated water is not used for toilet flushing which is violation of the EC and Consent conditions.” (P@629)*
- c. *“The unit has to provide filtration after disinfection, ozonation for odour / color removal before treated water is used for gardening or **dual plumbing for flushing.**” (P@641)*
- d. Pictures of untreated water discharged in nearby sea. (P@645-754)

27. **Inspection Report Dated 10.08.2014, 4. General Conditions (i)**

- a. *Unit has provided garden area of approx. 1500sq.mtrs. However treated water is not used for gardening which is violation of the EC and Consent conditions.” (P@629)*
- b. *“Unit has provided separate Storage tanks for utilization of Treated water for toilet flushing. However treated water is not used for toilet flushing which is violation of the EC and Consent conditions.” (P@629)*
- c. *“The unit has to provide filtration after disinfection, ozonation for odour / color removal before treated water is used for gardening or **dual plumbing for flushing.**” (P@641)*
- d. Water Consumption Basis and STP capacity not assessed as per submission of PP. (P@158)
- e. Water requirement 373 KLD (P@35)

28. **Inspection Report Dated 10.08.2014, 4. General Conditions Post Construction Plan (j)**

- a. No report was submitted to MOECC before construction of STP.
- b. *Unit has provided garden area of approx. 1500sq.mtrs. However treated water is not used for gardening which is violation of the EC and Consent conditions.” (P@629)*
- c. *“Unit has provided separate Storage tanks for utilization of Treated water for toilet flushing. However treated water is not used for toilet flushing which is violation of the EC and Consent conditions.” (P@629)*
- d. *“The unit has to provide filtration after disinfection, ozonation for odour / color removal before treated water is used for gardening or **dual plumbing for flushing.**” (P@641)*
- e. Water Consumption Basis and STP capacity not assessed as per submission of PP. (P@158)

f. Water requirement 373 KLD (**P@35**)

29. **Inspection Report Dated 10.08.2014, 4. General Conditions**

Post Construction Plan (n)

- a. Groundwater is being used in the project.
- b. Minuets of Mathias Ocean Park Association dated 01 May 2017 reads as: *“29. Water – PWD water connection status and will it meet requirement Response from Mr Mathias: Connection will be obtained in 1 month’s time . There are 3 bore-wells, out of which only one is functional. The idea of Rain Water Harvesting is being explored.”* (**ANNEXURE-A-4**). The use of ground water and non-implementation of the RWH has depleted the ground water level substantially.
- c. Sector 4 has no water connection and they are operating on borewell.

30. **Inspection Report Dated 10.08.2014, 4. General Conditions**

Post Construction Plan (o)

- a. Deliberate and intentional statement not made for parking in passages. Pictures of cars parked in passages. (**P@424-426**)
- b. The R-5-MoEFCC has ignored the letter dated 12.03.2007 of R3 to them giving a plan of parking and an undertaking to set up facilities for converting energy from waste. (**ANNEXURE-A-1**)
- c. 329 Parking Spaces were to be provided in the basement of the Sector 1 along with 1 RWH tank of 150000 Liters capacity. The same have not been provided hence cars parked in passages.

31. **Inspection Report Dated 10.08.2014, 4. General Conditions**

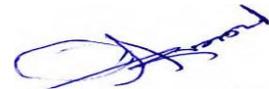
Post Construction Plan (p)

- a. No Solar Lighting is provided in Common Area and Street Lighting. **(P@1181)**
- b. Hybrid Solar System is not provided in each apartment.
- c. Only a few Solar Garden Lights are installed and not all garden lights operate on Solar energy. These are independent lights with independent small solar panel.
- d. No Solar Heated Water is being provided.
- e. Pictures of Dismantled Solar Panels **(P@348-355)**

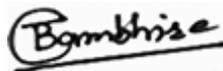
32. That the PP is always creating nuisance in this present proceeding by using his nexus with politician and government official. Despite multiple illegality & violations in project, none of the government authority took cognizance of the same and now, making farce of actions to make show-off and Hence this Rejoinder.

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

Date: 10.07.2025



(Mr. PRAKASH AGRAWAL)



(ADVOCATE FOR APPLICANT)

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH PUNE AT PUNE

ORIGINAL APPLICATION NO. 141 OF 2024

IN THE MATTER OF:

PRAKASH AGRAWAL

...APPLICANT

Versus

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

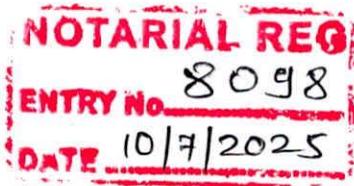
**AFFIDAVIT IN SUPPORT OF REJOINDER TO REPLY OF R-5-
MOEFCC**

I, Prakash Agrawal, Age: Adult years, Residing at 703, La Gomera, Mathias Ocean Park Residency, Dr. E Borges Road, Donna Paula, Panji-403004 (GA). The applicant herein, does hereby verify the contents of **Rejoinder** and confirm that the same are true and correct to the best of my knowledge and I have not suppressed any facts.

Solemnly affirmed and verified at Nagpur

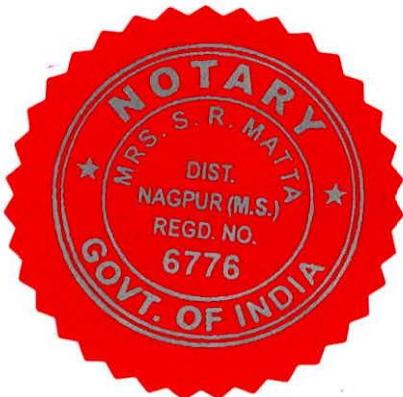
On this day of **09th July, 2025**


DEPONENT



APPEARED AND VERIFIED BEFORE ME ON THIS 10th
DAY OF July 2025 AT NAGPUR BY
SHRI / SMT. / KU. Prakash Agrawal
R/o NAGPUR WHO HAS BEEN IDENTIFIED BY
SHRI / SMT.
ADVOCATE, NAGPUR.


MRS. S.R. MATTA
Advocate & Notary
315-B, Clarke Town, Nagpur



4799

Joe @ Mathias

ANNEXURE-A-1

Dated: 12.3.2007

To,
Mr. Bharat Bhushan,
Director,
Ministry of Environment & Forests,
Government of India,
Paryavaran Bhavan, C.G.O. Complex,
Lodhi Road,
New Delhi - 110003.

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

Dear Sir,

Request reference to your letter no. 21-16/2007-IA-III dated 7.03.2007

We are very pleased that in the recent 36th EAC meeting held & during which our project was considered on 24th February, 2007, the members present appreciated all the points of our presentation & there were no objections from any of the members, to our proposed development, given the environment ~~meets~~ ^{merits} of our project.

We thank you for the aforesaid presentation & look forward to your early & formal approval.

With regards to the 2 points on which you have sought clarification, our comments are as follows:-

1. **PARKING:**

We have changed the entire parking plan of the shopping area so as to ensure that there will be no interference with traffic on the approach road. A Formal Drawing of the corrected new plan is enclosed.

..... 2

Joe C. Mathias

-2-

2. **ENERGY FROM WASTE:**

We have initiated a study of the various technologies available for this process & subject to the cost benefit economics of the same, we will implement this on a phase basis. Dr. Claude Alvares has been nominated by us to study this matter in detail & make his necessary recommendations.

We trust that this provides the necessary clarification sought, and we look forward to receiving your formal consent at the earliest.

Thanking you,

Yours faithfully,



Joe Mathias

Encl.: a.a.



OWNER'S SIGNATURE
ARCHITECT'S SIGNATURE
TITLE: STEEL PARKING LAYOUT
SHEET: AR-04
SCALE: 1:600
DATE: 21-11-08
SUBJECT OF DRAWING SANCTION DRAWING
PROJECT PROPOSED "MATHIAS OCEAN PARK" AT DONA-PAULA, GOA, FOR M/A JOE MATHIAS ON SUBVEY No.249/1-A OF VILLAGE TALEIGAO, GOA.
ARCHITECTS TEAM-2 <small>REGULATED COMPANY ESTD. 1982, 2004 MEMBERSHIP - 10000</small>

TRUE COPY

ANNEXURE-A-2

*Joe Mathias*COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

C/814

PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

February 25, 2010

To,
The Member Secretary
North Goa Planning and Dev. Authority
Archdiocese Bldg.,
1st Floor, Mala Link Road,
Panaji - Goa

Office of the North Goa
Planning & Dev. Authority
Inward No.2938....
Date :25.FEB.2010

257
PAC(A/1)

Dear Sir,

Sub: Development and construction in property bearing Survey No. 249/1-A at Dona Paula, Taleigao, Goa

Ref: Letters dated 23.10.2009, 28.01.2010 and 05.02.2010 from Adv. Arun A.S. Talaulikar on behalf of Mr. Ranjit Satardekar and from Adv. Ranjit Satardekar respectively

This is with regard to the above referred letters that were addressed to your goodself, with copies of the letter dated 28.01.2010 marked to the **Hon'ble Chief Minister of Goa, Chief Secretary** and Heads of Government Depts.

At the outset, I wish to bring to your kind notice about the factual position of the property since Mr. Ranjit Satardekar, an advocate by profession, in his usual method of **exerting pressure** on various Govt. Officials when they don't **succumb to his blackmailing tactics** has been for the last 4 years addressing letters, complaints and sending notices to the **entire Top Civil Administration of Goa, 24 Persons in all, including the Chief Secretary, Revenue Secretary, Law Secretary, District Registrar, Collector, Mamlatdar, Directors of different Govt. Depts., Chief Engineers of Electricity and PWD Departments, Chief Town Planner, etc.** besides also filing 2 cases in the Courts against the **Chief Secretary and the Top Brass of the Police Force** threatening them to initiate civil, criminal and disciplinary proceedings before competent Courts and Authorities, claiming compensation from Government employees and also seeking punishments under the

COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

Joe Mathias

ajg
PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

C/813

- 2 -

criminal law and service regulations as is evident from his following letters:

- 14.07.2006
- 24.07.2006
- 22.08.2006
- 13.09.2007
- 28.09.2007

(Copies of the above letters attached - 1)

The common threat in most of the above letters reads as follows:

“Therefore I hereby give you this notice calling upon you to immediately recall, revoke, cancel and withdraw the said construction license, approval of plans, etc., failing which my client will be constrained to file against you appropriate legal proceedings for cancellation of the same and also for getting directions to the Govt. for initiation of disciplinary proceedings against you and other Officers involved in illegal acts. The Civil and criminal proceedings will also be initiated against you at your cost and responsibilities which please be noted.”

Adv. Satardekar even went to the extent of filing cases against the top brass of the **Goa Police Force**, including the **DGP, SP & Senior Police Officials** as well as, the **Chief Secretary, Govt. of Goa**, a fact that is detailed on **Page No.9** of this letter.

This sort of unruly and unethical behavior on the part of a Senior Advocate by profession who claims to have 35 years of legal service and is supposed to uphold the dignity of the Office of any Govt. Authority, has been abusing his position and Govt. Officials seem to be helpless and for this very reason, I am bringing to the notice of the Bar Councils, by sending copies of the above letters threatening Government servants to the **BAR COUNCIL OF INDIA AND THE BAR COUNCIL OF MAHARASHTRA AND GOA WITH A REQUEST**

Joe Mathias

c/812

- 3 -

TO INITIATE APPROPRIATE ACTION TO STOP HIM FROM DOING SO.

For your kind information, Mr. André Andrade and his wife, Mrs. Anna Maria Estrocio were the Owners of the above mentioned property and upon the death of Mrs. Estrocio, the Inventory Proceedings commenced in the year 1940 and after the death of Mr. André Andrade in 1959, the Inventory Proceedings continued thereafter and was pending for more than 60 years.

Andre Andrade left behind the following children:

1. Sebastiao Andrade (Son) --- 20%
2. Santana Andrade (daughter) --- 20%
3. Conceicao Andrade (daughter) --- 20%
4. Rosaline Andrade (daughter) --- 20%
5. Vijaya Andrade (daughter) --- 20%

During the pendency of the Inventory, the 3 daughters of the deceased André Andrade namely Rosalina, Conceicao and Santana sold their shares on 22.08.1959 in the estate to the only son of André Andrade and their brother Sebastiao Andrade and consequently, Sebastiao and his wife Clotildes Fernandes became the holder of 80% share in the property and the fourth daughter Vijaya Andrade together with her husband Raghunath Narvekar held 20% share in the property. Upon the death of Sebastiao Andrade on 18.08.1962 the share of the parties to the property was as follows:

Mrs. Clotildes Fernandes --- 80%

Mrs. Vijaya Andrade/Raghunath Narvekar --- 20%

During the pendency of the Inventory, Vijaya Andrade and Raghunath Narvekar obtained a divorce in 1973 and as a consequence, their 20% share in the property got divided and each of them held 10% share separately in the property.

COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

Joe Mathias

e/810

- 5 -

cancelled and set aside. (Copies of the first page and the last 2 pages of the Order dated 30.12.2006 are enclosed herewith-6), since the Order has 132 pages. Infact, a copy of this Order was earlier sent to your Office.

Adv. Ranjit Satardekar appealed against the Order in the High Court where it is admitted and pending for final hearing.

Mrs. Rucmini Narvekar & the family of late Raghunath Narvekar who died on 29.03.2001 also filed a complaint before the Bar Council of Maharashtra & Goa and in a Preliminary Inquiry Report dated 08.11.2002, it was established that there is a "**Prima facie**" case against Adv. Ranjit Satardekar and the matter was referred to the Disciplinary Committee of the Bar Council. **(Copy of the Preliminary Enquiry Report dated 08.11.2002 enclosed - 7)**

Adv. Ranjit Satardekar filed a Writ Petition before the Hon'ble High Court of Bombay at Goa against the above Order dated 08.11.2002 and the same came to be dismissed vide Judgement dated 10.09.2003 with the following observations: "**In the present case, the allegation made by Respondent No. 1 is of a grave nature i.e. betrayal of her confidence. There is no dispute before us and Shri. Kamat has fairly admitted that the property of the Respondent No. 1 was the subject matter of the Sale Deed where under the property stood transferred to the Petitioner's wife. Prima Facie, this is totally an illegal act on the part of the Petitioner. He ought not to have fallen prey to such temptations. He ought to have kept himself away and aloof from such events**". (A copy of the High Court Judgement dated 10.09.2003 is enclosed - 8)

As a result of various objections raised by Adv. Satardekar, the proceedings before the Bar Council of Maharashtra & Goa could not be completed within one year and accordingly the same was transferred on 21.10.2004 to the DISCIPLINARY COMMITTEE OF THE BAR COUNCIL OF INDIA and is now pending hearing. The

**COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005**


**PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY**

Joe Mathias

C/809

- 6 -

last hearing of the case was posted for 2nd and 3rd of January 2010. **(A copy of the above Notice dated 08.12.2009 is enclosed - 9)**

In another Criminal complaint filed by Mrs. Rucmini Narvekar before the Police Authorities at Panaji against Adv. Satardekar & Ors., and finally after due process, it reached the **Supreme Court and the Supreme Court passed an Order dated 03.10.2008** that the complaint made against him DOES MAKE OUT A PRIMA FACIE CASE AGAINST ACCUSED RANJIT SATARDEKAR AND THE COGNIZANCE TAKEN BY THE LD. MAGISTRATE CANNOT BE FAULTED AND THE APPEAL AS FAR AS HE IS CONCERNED, MUST BE ALLOWED AND **AN INQUIRY SHOULD BE CONDUCTED AGAINST HIM.** (A copy of the Supreme Court Order dated 03.10.2008 is enclosed - 10)

Meanwhile, in the Inventory Proceedings No. 993/40/A before the Civil Judge Senior Division at Panaji, the Hon'ble Civil Judge was pleased to pass an Order for auction dated 02.05.2000 **(Copy of Order enclosed - 11)** but Adv. Satardekar as usual indulged in filing more than 60 frivolous applications to delay the Inventory Proceedings one way or the other. He also made an **application for transfer of the matter accusing the Judge of acting in a biased manner** and got the matter transferred to the CJSD at Mapusa just to delay the proceedings. Some of the applications were carried to the Hon'ble High Court by way of appeal or petition and ultimately some of them reached **the Hon'ble Supreme Court** by way of Special Leave Petition. **The High Court passed more than 6 orders directing the Trial Courts that the matter should be expedited since the same was pending for more than 60 years and the parties involved were very old.** Despite such orders, Adv. Ranjit Satardekar continued to make frivolous applications with mala fide intentions to delay the Inventory Proceedings. **The Hon'ble Supreme Court** by its Order dated 28.11.2005 **dismissed** the Special Leave Petition filed by Adv. Satardekar against the Judgement and Order dated 22.08.2005 of the High Court. **(A copy of the Order dated 28.11.2005 is enclosed - 12)**

COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

23
PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

Joe Mathias

c/808

- 7 -

Besides, the Hon'ble High Court has passed several Orders against Adv. Ranit Satardekar's appeal directing the CJSD to dispose off the Special Civil Suits in matters relating to the Inventory Proceedings No. 993/40/A (New 310/04/B. **(Copies of some of the Orders are enclosed - 13)**)

Finally, after several applications, appeals, petitions, objections, etc. before the **Trial Court** and the **High Court**, the **Supreme Court** by its Order dated **11.08.2006** was pleased to order the **auction Proceedings to continue and to be concluded in accordance with law. (Copy of the Supreme Court Order dated 11.08.2006 enclosed - 14)**

Accordingly, the Inventory Proceedings were completed and the Minutes of Auction, Chart of Allotment & Final Order dated 18.08.2006 was **passed confirming the same and allotting the property to me.** In the above order, it is clearly mentioned that the stamp duties has also been paid by me **(Copy of Final Order enclosed - 15).** However, as usual, Satardekar has till date, made several applications that are pending before the Hon'ble Court of Civil Judge Senior Division at Mapusa to prevent the Court from engrossing the same on stamp paper, although the High Court has passed an Order directing the CJSD to complete the proceedings within one month.

During the pendency of the Inventory Proceedings, I had also filed a suit for pre-emption which was decreed in my favour by the Civil Judge Senior Division at Mapusa by its Order dated 24.11.2006. **(Copies of the first page and the last 2 pages of the Order are enclosed herewith-16)**

I had made applications to obtain the NOC's for sale deed from NGPDA on 06.07.1998 upon instructions from the Owners, namely, Mrs. Vijaya Andrade & Mrs. Clotildes Fernandes for 10% share of Mrs. Vijaya Andrade.

COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

*Joe Mathias*COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

 PUBLIC INFORMATION OFFICER
 NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

C1807

- 8 -

Mrs. Kshamata Dessai, the grand daughter of Mrs. Clotildes Fernandes was misguided and instigated by Adv. Satardekar to **falsely accuse me** and filed a Criminal Case No. 17/2003/A against me, my staff and others for applying and obtaining the NOC's from the North Goa Planning & Development Authority for registration of sale deed. Infact, he drafted the case, filed the same before the Court and appeared for her with a promise that she would not have to pay his legal charges, as he would appear free of cost for her. However, when Clotildes Fernandes came to know about the case, she immediately asked her grand daughter to withdraw the case and infact wanted to file a Criminal Case against Adv. Satardekar and her grand daughter but was advised by me not to do so. **(Copy of withdrawal application-enclosed - 17)**

In frustration, **HE ALSO FILED 2 CASES ON THE SAME DAY I.E. 30.09.2008 WITH THE SAME FACTS AND SAME MATTER IN 2 DIFFERENT COURTS**, NAMELY, CIVIL SUIT NO. 78/08 IN THE COURT OF ADHOC DISTRICT JUDGE-1 AT PANAJI (FAST TRACK COURT, JUNTA HOUSE) AND CIVIL SUIT NO. 77/08 IN THE COURT OF DISTRICT JUDGE AT PANJIM against the **Chief Secretary, State of Goa, Director General of Police, Superintendent of Police (North) Police Inspectors and Mrs. Rucmini Narvekar. (Copies enclosed - 18)**

Considering his rights in the property is limited to 6.66% share and to the appeals and applications that he continues to file in various Courts, we offered to keep his share in the property reserved for him which was appreciated by the Supreme Court in its Order dated 25.04.2008 as mentioned in their Order, **I QUOTE** - - "THAT Ld. SR. COUNSEL MR. K.K. VENUGOPAL AND Ld. SR. COUNSEL MR. MUKUL ROHATGI MADE A FAIR SUGGESTION THAT ADV. SATARDEKAR AT BEST COULD CLAIM OVER AN AREA MEASURING 6.66% WHICH COMES TO 5544 M² CAN BE KEPT RESERVED SUBJECT TO THE RESULT OF LITIGATION" --- **UNQUOTE**, but the Counsel appearing on his behalf submitted that he will seek instructions from his client but almost 2 years have passed, Adv. Satardekar has not replied to the fair suggestion

Joe Mathias

C/2006

- 9 -

of the **Hon'ble Supreme Court. (A copy of the same is attached - 19).**

I had also tried on several occasions by having discussions through various prominent citizens and lawyers for a compromise, since the matter was pending for more than 60 years and also considering the fact that 3 of the Owners already died and some of the Owners were old and ailing and on one such occasion, he agreed for a compromise with his demand for his share of 6.66% in the property being Rs. 1.35 crores and the matter was to be settled at the Court in Mapusa through consent terms that were drawn up and on the next day, we were to file the compromise terms for Rs.1.35 crores and **I produced a demand draft for Rs.1.35 crores to be handed over to him** but for reasons best known to him, the next day he changed his mind and disagreed. **(Draft copy of the consent terms and a copy of the demand draft for Rs. 1.35 crores are attached - 20).** Unfortunately, he continued to blackmail all other parties in the Inventory Proceedings including myself as this was precisely his modus operandi to amass wealth on a fast track.

That Adv. Satardekar was in the habit of grabbing the property of his clients is evident from the fact that he got the property of his client, one Mr. Thomas Veriato to be mortgaged by Deed of Mortgage dated 06.11.1987 to him on lieu of his professional fees of Rs. 20,000/- only by way of alleged security which was repayable at 25% interest per annum and the said rate of interest was INCREASED TO 36% PER ANNUM TO BE CAPITALIZED EACH MONTH. Unable to withstand his pressure tactics, Mr. Thomas Veriato sold his property to Adv. Satardekar's client by an Agreement of Assignment dated 23.07.1995 at a throwaway price and paid him the loan which INCLUDED INTEREST CALCULATED @ 36% PER ANNUM CAPITALIZED EVERY MONTH. **(Copies of documents confirming the above are enclosed - 21)**

**COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005**

**PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY**

COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

Joe Mathias


PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

c/1805

- 10 -

As far as Conversion Sanad is concerned, the entire property was earlier converted on 29.08.1990. As per the prevailing law, once the Conversion Sanad is issued for any property there is no need for renewal. However, prior to such a law, since the old Sanad had lapsed, I made a fresh application to the Collector for Conversion Sanad and obtained the same on 01.10.2007. Adv. Satardekar again objected to the same and applied for stay and revocation of the Conversion Sanad issued to me in respect of my property bearing Survey No. 249/1-A. However, the Addtl. Collector-1, Collectorate of North Goa passed a Judgement dated 22.10.2007 **dismissing his applications** and declaring that the Conversion Sanad issued by **their Office stands valid**. He thereafter made an application for stay of the Judgement of the Addtl. Collector-1 before the **Administrative Tribunal who also dismissed the application for stay by Order dated 26.11.2007**. Thereafter he appealed before the High Court against the above Order and the matter is pending in the High Court. **(Copies of the above Sanads, Judgement and Order are enclosed - 22)**

After obtaining the Conversion Sanad, PDA NOC, Panchayat Licence, Clearance from the Ministry of Environment & Forest, Delhi, etc. I started the development and construction work on 22.03.2007 in the above said property.

Sometime on 12.11.2007, Adv. Satardekar trespassed upon the project site accompanied by a number of persons verbally abusing and threatening the workforce and even parked his vehicle bearing No. GA-01-N-1141 in the property to obstruct the progress of work. I complained to the Police Authorities who came to the site and towed away his above mentioned vehicle. **(Photograph of his car that was parked in the property is enclosed - 23)**

When all his efforts to stall the development work failed, it is pertinent to note that he colluded with one of his friend Mr. Nelson Cabral who filed a complaint dated 24.08.2007 to the Chief Secretary and Chief Vigilance Officer of the Govt. of Goa that I had grabbed land belonging to the Govt. and requested for an

COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005

Joe Mathias


PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY

C1804

- 11 -

expeditious high level inquiry pertaining to the same property at Dona Paula, Goa. The Chief Secretary ordered an inquiry and on 13.08.2008 and on completion of the same, it was established that the Government had originally acquired only 89045.43 m² out of the total land area of 197140 m² in 1969 for the purpose of constructing Police Staff quarters. The acquired land was however handed over to the National Institute of Oceanography on 07.10.1971 which, the NIO staff quarters were built. The same is located on the **left side of the road leading from the Dona Paula NIO Circle to the Goa University** and the property that I am developing is located on the **right side of the same road opposite NIO staff quarters**. Mr. Nelson Cabral was asked by the Dy. Collector to produce the documents to verify and substantiate his claims that the land belonged to the Govt. but till date he failed to produce any documents and the matter is still pending in the Dy. Collector's Office in Panjim.

For your kind information, the inquiry that was conducted by the Collector has been completed, wherein it has been stated that the property bearing Survey No. 249/1-A does not belong to the Government based on the documents in possession of the Government and the same is confirmed by the Vigilance Dept. who carried out the investigation under directions from the Chief Secretary/Chief Vigilance Officer (**copy of the letter dt. 24.06.08 with plan of acquired land, letter dt. 17.09.08 from the Dy. Collector to the Collector and letter dt. 24.09.08 from Collector to the Addtl. Director of Vigilance enclosed - 24**).

Thereafter, Mr. Nelson Cabral also filed a Police complaint on the basis of which the Police filed a FIR against me, Mrs. Clotildes Fernandes and some Govt. Officials. A thorough inquiry is being conducted by the Police Authority and very soon, I am certain that the inquiry will come to a logical conclusion.

After relentlessly pursuing the matter in the Trial Court, Hon'ble High Court & the Hon'ble Supreme Court, he was unsuccessful in

Joe Mathias

C1803

- 12 -

getting any relief through any favourable orders. He then fruitlessly tried to negotiate his way through political means to change the situation in his favour by stating that he was a:

1. A former Professor, Salgaoncar Law College, Panaji, Goa
2. Ex-President, North Goa Advocates Association
3. Ex-Election Observer, the Press Council of India
4. Ex-Vice President, All Goa Municipal Worker union
5. Convener, Peoples Union for Human Rights
6. Ex-Vice President, Maharashtrawadi Gomantak Party

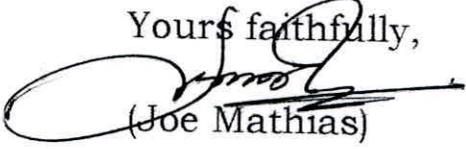
but failed in his attempts to find favour with anybody, since the persons he had approached were of high integrity and morally upright and they saw through the gameplan of Adv. Satardekar and found no reason whatsoever to interfere in the matter.

Now that he has failed in all his attempts to stop me from legally developing the property, I have been given to understand that he constantly visits your Office, harassing, abusing and blackmailing the staff by threatening to file Civil and Criminal cases against them which may please be ignored, as the law will take it own course.

In view of the above, I request you to kindly refer to my application for renewal dated 25.01.2010 in respect of the development permission of my Group Housing Scheme in Survey No. 249/1-A at Dona Paula, Taleigao, Tiswadi, Goa that was earlier approved vide permission Order No. NGPDA/342/3276/07 dated 02.02.2007 and grant me renewal for the same at the earliest.

Thanking you.

Yours faithfully,


(Joe Mathias)

Encl: Annexures

- C.C.:
1. Hon'ble Chief Minister
 2. Chief Secretary
 3. Bar Council of India
 4. Bar Council of Maharashtra & Goa

**COPY ISSUED UNDER
RIGHT TO INFORMATION ACT 2005**

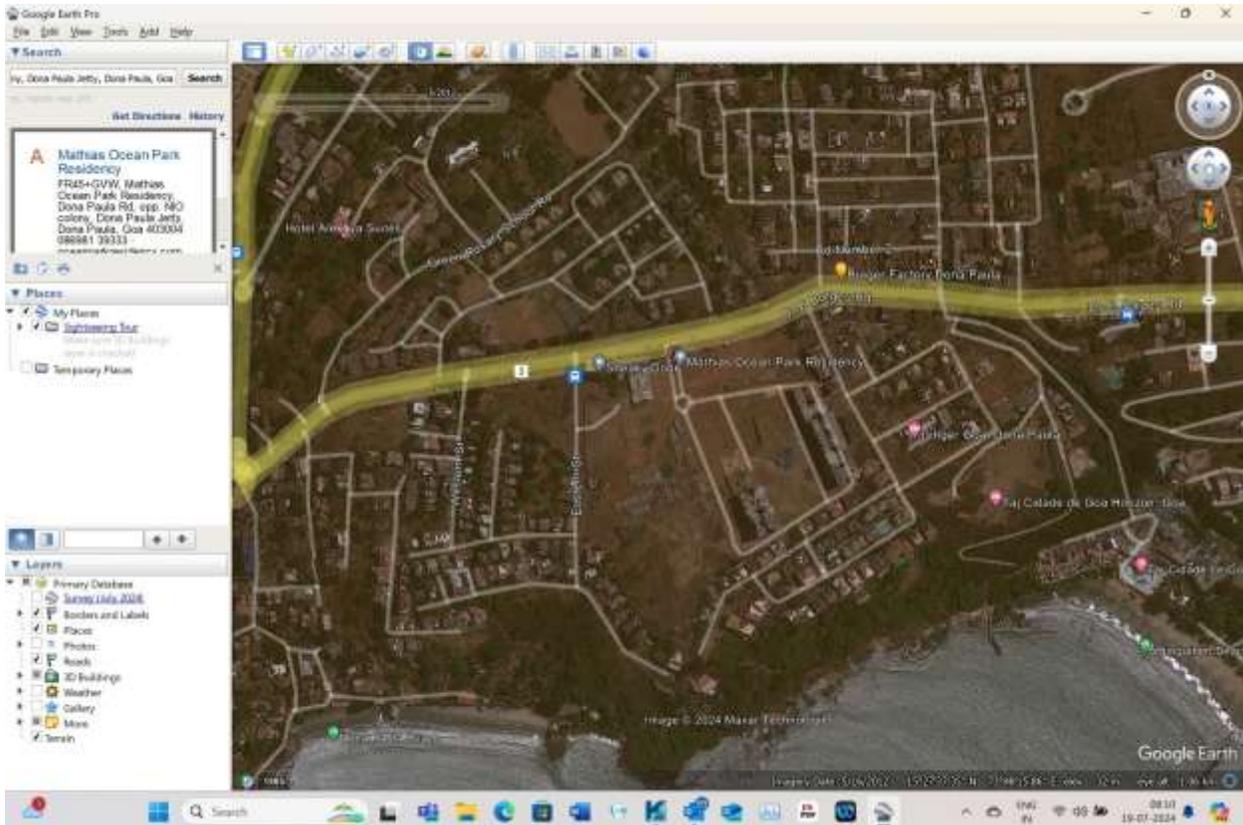

**PUBLIC INFORMATION OFFICER
NORTH GOA PLANNING & DEVELOPMENT AUTHORITY**

TRUE COPY

4813

Google Earth Image of May 2012 of Ocean Park Project

ANNEXURE-A-3

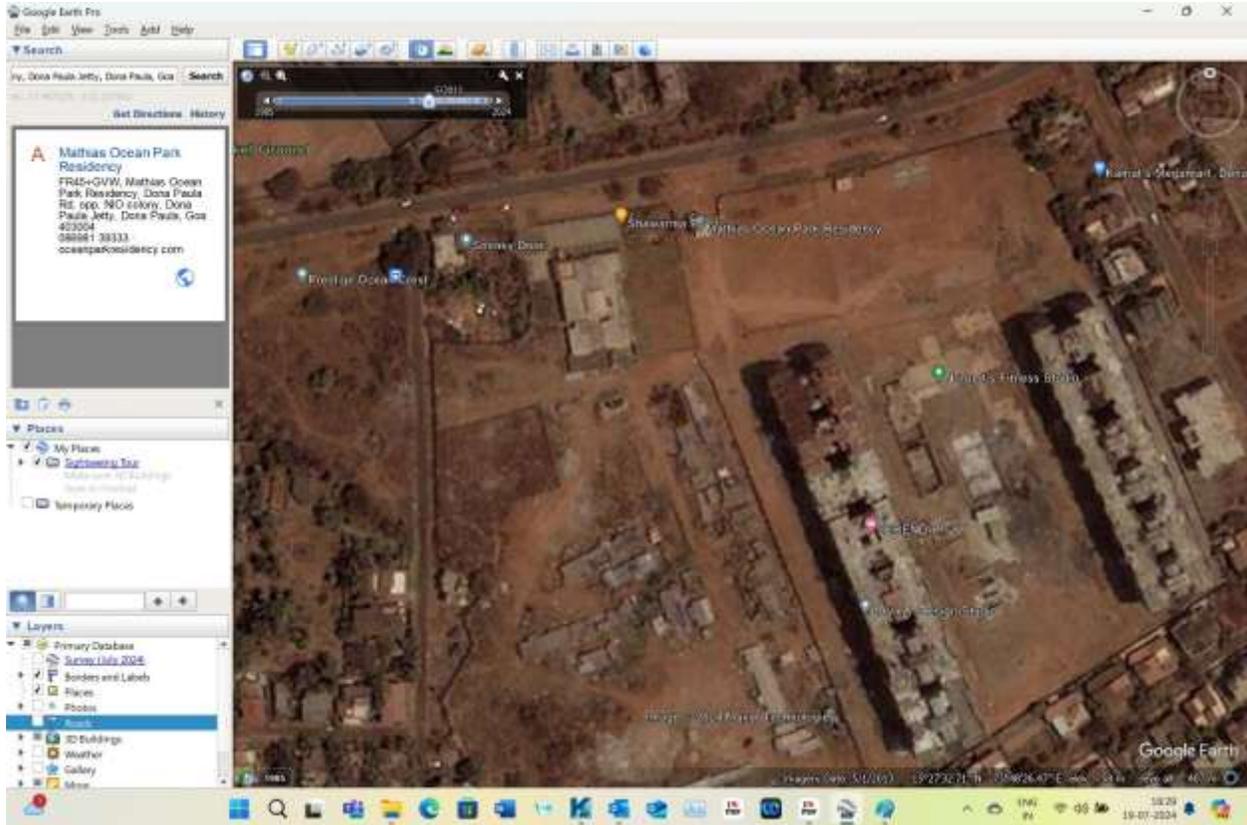


TRUE COPY

30 

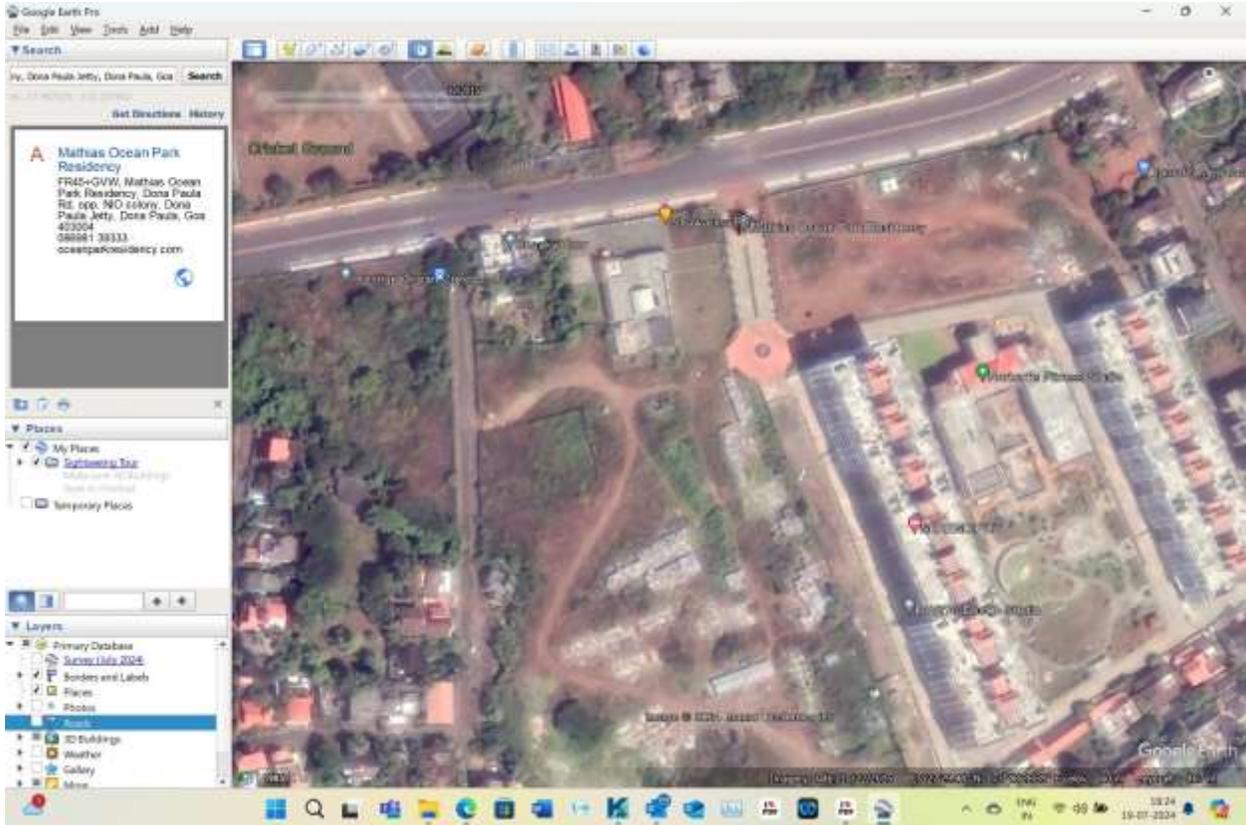
4814

Google Earth Image of May 2013 of Ocean Park Project



4815

Google Earth Picture of Ocean Park Project in October 2015



TRUE COPY

ANNEXURE-A-4

Minutes of the Meeting

Between the Nominated members of Mathias Owners Ocean Park Residency & Mr Joe Mathias

Date : 01 May 2017

This document details the minutes of meeting between Mr Mathias and nominated members of "Mathias Ocean Park apartment owners" which took place at Mathias House , Campal , Goa on 01 May 2017 at 10:30AM

Following were present for the meeting

1. Mr Joe Mathias
2. Mr Sheikh M Sadique
3. Mr Gopakumar
4. Mr Jayant Bhatia
5. Mr Maxie Lewis
6. Mr Darryl Pais

Other nominated Adhoc committee members Mr Sundeep Sinagpuri, Satish Gupta and Mr Ashwin George were unable to attend the meeting due to personal reasons.

The meeting was based on a mutually agreed agenda which had 32 points. The responses/ agreements are detailed below each agenda point

Working Model of Association, Builders Intent

1. Know the Intentions, Plans, Needs , Expectation of Mr Joe Mathias and his expectations from existing apartment owners

Response of Mr Mathias : The Project has 364 apartments , of which 160 sale agreements were made , subsequently 70 were cancelled following economic slow down & Mining ban . Currently 23 sales deeds have been executed to date and keys handed over. On account of poor sales there is no active participation from M/S Paramount end. Hence Mr Mathias has taken the whole ownership and completing the project themselves . Paramount have been allocated 37 flats . Total expenditure on the project has been Rs 169 Crores and Sales revenue from flats has only been Rs 90 crores. Mr Mathias assured that this is his dream project and he will continue to be actively involved in the project and has no plans to exit in the near future.

2. Formation of an Ad-hoc committee to support Builder interface with other owners and be involved in the day to day running of the Apartment complex and Club house Work out Modalities of functioning of Adhoc committee

Agreement : It was agreed that the nominated members form Adhoc committee will support the builder in interfacing with other owners and carrying out some administrative, knowledge sharing based on previous experiences and operational support in managing the complex.

TRUE COPY



3. Realistic Time- Frame to form Association-. Recommend that Mr Mathias manage for next 2-3 years with the support of Adhoc committee till majority flats are sold

Agreement: *It was agreed that the owners needed more time to form the association. Mr Darryl Pais said that we look at 2020 as realistic timeframe after majority flats are sold. Mr Mathias said that it may take 4-5 years to sell all the flats, so it was not practical to wait for all flats to be sold and then form the association . Mr Mathias suggested we potentially look at a shorter time frame of 18 -24 Months and that we have a re-look at the decision in Dec 2017*

4. Divergent clauses in Sale agreement / Sale deed on usage of Club house , membership , One time maintenance fee , Corpus, Sinking fund - needs to be ratified before a bye laws are adopted to avoid conflict

Response from Mr Mathias: *It has been clarified by Mr Mathias that there are not many deviations except on*

(i) Maintenance charges being collected from new sales will be at the rate of Rs 2000/Sqm as against Rs 1000 / sqm that was paid by existing owners

(ii) Full Club membership shall be for 4 Adults in a family as against some agreements which has a mention of 2 adults and two minor children .

(iii) Corpus fund and maintenance fund contributions given by the owners has been parked in a separate account and untouched except for Rs 34,000/- that was paid as refundable security deposit for gas agency.

Agreement: *It was agreed by the Adhoc committee to pay maintenance starting 01 May 2017 . Mr Mathias gave a figure Rs 8.33 per sqm per month based on calculation his office had made. There were some corrections in the numbers which needed to be done . Mr Mathias agreed to get the same corrected and share the exact figure per sqm. It was agreed to put this point across to the all owners meeting at 4:30 PM in the clubhouse on 01 May and get it ratified . The Builder agreed to pay monthly maintenance for all unsold/ cancelled apartments at the same agreed rates . This would include day to day expenses , such as AMCs for lifts and machineries , Housekeeping, water , Electricity, Genset, garbage collection, Gardener, Security , Sweepers etc... the accounts for which shall be made available to the Adhoc committee on a monthly basis in terms of income , expenses , receipts etc...*

5. How does the handing over work after we decide on a date
- CA for Fund audit and transfer
 - Law firm for legal documents and give Adhoc Committee a final report
 - Audit report of machinery (Lift, motors , Fire equipment , STP ,. Status of Warranty, AMC, fault history & rectification)
 - Audit of common area finish such as floors , roads , walls , ceiling , lights, garden etc
 - Handing over process with 100% running of all items

Response of Mr Mathias: *All the above points will be adhered to at the time of handing over*

6. Commencement of work on Constitution and Construction of EC and formation of society
Agreement: *A draft copy of bye – law has been provided. The work on the same to begin notwithstanding the official handing over*
7. Request Mr Mathias to remain Honorary Chairman and Patron
Agreement : *Mr Mathias agreed to be the honorary Chairman and Patron of the Adhoc Committee and the Association when it get formed*
8. Fix a date to start the clock for usage of maintenance amount collected from owners – Normal practice is on 100% completion of all work and all apartments sold , builder maintains for a year for warranty and then transition.
Agreement : *It was agreed to pay maintenance at the rate (Approx Rs 8.33 per sqm per month (to be revised lower based on exact figure) starting 01 May 2017. It was proposed by Mr Mathias that the maintenance amount be deducted from the advance collected . However it was later agreed that this point be referred to the larger group of all owners and secure unanimous approval.*
9. Reveal date of completion of Project in all aspects - a 100% complete project for phase-1 . Plans to sell the balance apartments and in what time frame?
Response from Mr Mathias: *Phase -1 is almost complete . individual flat work will be completed soon as per requirement / owners needs . Mr Mathias assumes full responsibility to complete each and every apartment and handover the apartment to the complete satisfaction of owners*

Club House & Norbert

10. Free Usage of Club house and all its facilities for owners and their family + visiting house guests with no restrictions except on Spa , Zumba etc ..or other paid service until such transfer to Association
Response from Mr Mathias: *Mr Mathias made it very clear that the usage of club house shall remain FREE for owners and their family (4 Adults per family). The FREE facilities include Swimming Pool, Gym, Badminton, Cards, Snooker, Carom etc... However services like Spa , Zumba , Nutritionist, personalized Gym trainer etc will be on a chargeable basis (at subsidized 50% rates for apartment owners and families) . For House guests , a sum of Rs 50 per day shall be paid to avail these except for paid services like Zumba , Nutritionist etc
If the apartment is let out , tenants get right to use the facilities similar to owners but in that case the owner loses his entitlement till such time the flat is on rent.*
11. Builder to create a new document in conjunction with Apartment owners that supersedes the Sales Deed clauses on Club house which are in question.
Response from Mr Mathias : *Mr Mathias shared the agreement copy between him and Norbert (Gym operator) . The agreement between Mr. Mathias and Norbert was shared to the owners group in the meeting. The owners group shall go through the Agreement document provided and get back on the next steps*

12. Builder to share the current Agreement with Norbert and Exit clauses, usage of Club house rental income proceeds etc

Agreement *Current Agreement with Norbert was Provided . Mr Mathias shared that Norbert has invested about Rs 3 Crores by taking a bank loan and the Agreement between him and Norbert showing revenues were prepared specifically to AVAIL THE LOAN . The committee agreed to study the same and get back with recommendations based on next action can be taken .*

13. Club House board to have Club house name - To remove Norbert Gym Board and replace it with “ **Matthias Ocean Park Club House** “

Agreement *This was agreed by Mathias*

14. Club house to be managed by a Proper Club house operator with Service industry experience

Response from Mr Mathias *Mr Mathias gave us an overview of the process he took to identify the best operator based on experience , service, ease to deal with etc and zeroed in on Norbert who is a known brand in Goa*

15. Any new agreements with Club house operator to have Association / Committee Reps sign off and agreed to in a general body meeting . This clause to be inserted in sales deeds of apartments sold in future.

Agreement *This was agreed by Mr Mathias*

16. Gym’s need for permanent Equipment supplied by builder when Norbert Leaves.

Agreement *This was agreed by Mr Mathias , however it was made clear that it not be at a large scale as is provided by Norbert today*

17. Relocate the snack Vendors from the entrance of the club house to lift the ambience of the club House

Response from Mr Mathias *Mr Mathias would look into the matter and find a suitable location at the earliest*

18. Written Directive from Mr Mathias to security staff / to avoid confrontation with Norbert .

- a. Dos & Donts for outsiders to be framed by Mr Mathias and Adhoc committee
- b. Rules for Norbert Staff - Dos & Donts
- c. Outsiders car parks outside the building and walk in
- d. Outside members in Club house - sanctity of the club house and owners in periphery today.
- e. Restrict movement of outsiders to living areas & gardens

Same to be put up on the notice board

Agreement : *This was agreed by Mathias . These guidelines to be drafted jointly by the Adhoc Committee and Mr Mathias AT THE EARLIEST and to be strictly adhered to by all concerned*

Security & House-keeping , Waste etc..

19. Beef up security with a good agency . Security to take directions from Mr Joe Matthias's Office and Adhoc committee and not from Norbert .
Agreement Agreed by Mr Mathias . He also asked members to actively give suggestions
20. Car Stickers & Gate Passes to be issued
Agreement Agreed by Mr Mathias. Time frame to be given by Mr Mathias
21. CCTV cameras for spruce up security
Agreement Agreed by Mr Mathias. Time frame to be given by Mr Mathias
22. Housekeeping agency with a clear cut cleaning pattern daily
Agreement Agreed by Mr Mathias. Adhoc committee members will actively support
23. Waste segregation/ Waste removal mechanism
Agreement Agreed by Mr Mathias. Adhoc committee members will actively support
24. Solar panel heating only on top 2 floors - a concern
Agreement The maintenance for Solar panel will fall exclusively on 6th & 7th Floor owners as this facility is not present in the lower level apartments
25. Parking of vehicles in car-park only - no parking on common area roads.
Response from Mr Mathias Stilt parking has been allocated to some owners and allotment letters issued. Specific DEMARCATED Open parking is available on a first cum first serve basis for Free parking . No parking will be allowed on common area roads.
Agreement : Mr Mathias will allow the open space located between the club house and the property boundary wall as parking for Norbert gym users. This means no external vehicles of gym members will be parked in front of the gym road or residential complex. Mr Mathias agreed that after the boundary wall a suitable place will be allocated after taking into consideration, the inputs from the executive members for the parking with regards to the gym parking

General

26. Doors in car park – cars getting damaged
Response from Mr Mathias Will be investigated
27. Share contact info of all owners
Agreement Will be done
28. Labor tent to be shifted out – Need a clear date
Response from Mr Mathias This is expensive and may continue for some more time

29. Water – PWD water connection status and will it meet requirement

Response from Mr Mathias : *Connection will be obtained in 1 month's time . There are 3 bore-wells, out of which only one is functional. The idea of Rain Water Harvesting is being explored .*

30. Lobby Lighting to be spruced up .

Agreement *Agreed by Mr Mathias*

31. Builder to Hand Over all land record copies , court judgements concerning the property to all the owners .

Agreement *Agreed by Mr Mathias. All documents will be scanned and put on put on a portal to be downloaded by all owners*

32. Apartment Adda software for apartment management

Agreement *Agreed by Mr Mathias as it is a simple way to manage and keep everyone informed at a minimum subscription cost*

TRUE COPY



4822



ANNEXURE-A-5
Government of Goa
Directorate of Fire & Emergency Services
(ISO 9001:2015 & 45001:2018 Certified)

St. Inez, Panaji,
Goa – 403 001 – India



File No.: DFES/FP/HB/134/24-25/ 300/8648

Date : 13.03.2025.

17

Sub:- Fire Prevention Inspection of Residential Building Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2), for Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa.

- Ref:-**
1. Your Letter Dated 06.02.2024
 2. Your Letter Dated 25.11.2024
 3. Your Letter Dated 26.11.2024
 4. Your Letter Dated 06.12.2024
 5. Your Letter Dated 10.11.2024
 6. This office letter No. DFES/FP/HB/134/24-25/228/7106, dated 20.12.2024
 7. Letter dated 24.12.2024 received from General Manager, M/s Mathias Construction Pvt. Ltd.
 8. Letter Dated 20.12.2024
 9. Your email Dated 24.12.2024
 10. Your Letter Dated 18.12.2024
 11. Your Letter Dated 27.12.2024
 12. Your Letter Dated 24.12.2024
 13. Your Letter Dated 30.12.2024
 14. Your Email Dated 01.01.2025
 15. Your Letter Dated 03.01.2025
 16. Your Letter Dated 27.12.2024
 17. This Office No. DFES/HB/134/24-25/250/7581, dated 21.12.2024
 18. Your Email Dated 02.01.2025
 19. Your Letter Dated 03.01.2025
 20. Your Letter Dated 01.01.2025
 21. Your Letter Dated 02.01.2025
 22. Your Email Dated 10.01.2025
 23. Letter Dated 28.10.2025 received from Managing Director M/s Mathias Construction Pvt. Ltd.
 24. Your Letter Dated 17.01.2025
 25. Your Letter Dated 16.01.2025
 26. Your Letter Dated 24.01.2025
 27. Your Email Dated 30.01.2025
 28. Your Letter Dated 19.01.2025
 29. Your Letter Dated 26.01.2025
 30. Your Letter Dated 24.01.2025
 31. Your Letter Dated 31.01.2025
 32. Your Letter Dated 30.01.2025
 32. Your Letter Dated 31.01.2025
 33. Your Email Dated 27.01.2025

TRUE COPY

34. Your Email Dated 26.01.2025
35. Your Letter Dated 24.01.2025
36. Your Letter Dated 27.01.2025
37. Your Letter Dated 28.01.2025
38. Your Letter Dated 09.02.2025
39. Your Letter Dated 16.02.2025
40. Your Email Dated 15.02.2025
41. Your Letter Dated 14.02.2025
42. Your Letter Dated 10.02.2025
43. Your Letter Dated 07.02.2025
44. Your Letter Dated 10.02.2025
45. Your Letter Dated 10.02.2025

With reference to the above, I am directed to inform that, the Fire Prevention Inspection of Residential Building **Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2)**, for M/s. Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa was conducted on 24.01.2025 in the presence of Shri Christopher Parekh, General Manager & Other Staff of M/s. Mathias Construction Pvt., Ltd. and Executive Committee of Mathias Ocean Park Association and the complainant remained absent, the Residential Building were inspected with respect to the Fire Safety Requirement as stipulated in the Initial No Objection Certificate No. DFES/FP/C-1/3/07-08/173, dated: 30.05.2007 & DFES/FP/C-1/3/2012-13/281, dated 18.08.2013 and the Fire Protection Measures indicated at Annexure in the Final No Objection Certificate issued vide this Office letter No. DFES/FP/HB/18-19/729, dated 26.03.2019 and the point wise observations are enclosed herewith which are self explanatory.

This issues with the approval of Director, Fire & Emergency Services.


(**SHAILESH H.GAWADE**)
STATION FIRE OFFICER(FP)

To:

Shri. Prakash Agarwal,
703 La Gomera, Mathias Ocean Park Residency,
Dr. E Borges Road, Dona Paula, Panaji, Goa.

Copy to:

1. The Under Secretary (Home I),
Home Department (General),
Secretariat, Porvorim Goa,..... For Information please.
2. Mr. Joe Mathias,
Managing Director
M/s. Mathias Construction Pvt. Ltd.
“Mathias House” Campal Panaji, Goa..... For necessary Compliance.

Sr. No.	Fire Safety requirement stipulated in the Initial No Objection Certificate No. DFS/FP/C-1/3/07-08/173, dated 30.05.2007 & DFES/FP/C-1/3/2012-13/281, dated 18.01.2013	Observations Noted during the Fire Prevention Inspection conducted on 24.01.2025
1.	<p><u>Approach To Fire Appliances.</u></p> <ol style="list-style-type: none"> 1. The Open Space around or inside shall confirm to the requirement of Party III development & General Building requirement of NBC 1983. 2. Adequate passage way clearance required for the Fire Fighting vehicles to enter the premises shall be provided at the main entrance, the width of such entrance shall not be less than 4.5 mtrs, If an arch or covered gate is constructed it shall have a clear head room of not less than 5 mtres. 3. The compulsory open space around the building shall not be used for parking. 	<p>Roundabout and Landscape Garden at the western side of the building shall be removed behind building No. 4(A) for the movement of fire services vehicles to carry out Fire Fighting and rescue operation.</p> <p>The setback all around the Residential Building in the premises Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1) shall be maintained as per the approved Architectural Plan No. NGPDA/342/1653/201 dated 01.10.2023.</p> <p>The sheet metal canopy constructed at the Eastern side of the building No. 1 to 3 shall be removed and maintained as per the approved Architectural Plan No. NGPDA/342/1653/2013 dated 01.10.2023. and ensure that the open spaces all around the building shall be free of any obstruction for movement of Fire Service Vehicle to carry out Fire Fighting and Rescue Operation.</p> <p>Tree plantation made in the way of setback shall be removed from the rear side and front side of the building No.4 to 8.</p>
2.	<p><u>Courtyard :-</u> The Courtyard upto 12 mtrs, distance from the building line on all sides shall be hard surfaced to take the weight of the fire engine weighing upto 24 metric tones. All the courtyard, including the pathway shall be in the same plain without any obstruction.</p>	<p>The main entrance of the building is found of adequate width and height to allow easy access to the Fire Service Vehicles as per the rules in force.</p> <p>The Courtyard of the premises found to be hard surfaced to take weight of the Fire Engine Weighing upto 24 metric tones.</p>

3.	<p><u>Fire Escape / External Stairs:-</u></p> <p>a) All the building in the complex i.e. Block namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 & K3 and Club House shall be provided with Fire Escape Staircase of Dog leg type with adequate landing on every floor in addition to the normal staircase as shown in the approved plan No. NGPDA/342/3276/07 dated 02.02.2007. The fire escape should be of R.C.C construction and shall be of enclosed type directly connected to the ground and the staircase shall be separate an remote from the internal staircase.</p> <p>b) Entrance to the fire escape shall be separate and remote from the internal staircase.</p> <p>c) The Fire Escape shall be constructed of non-combustible material and any doorway leading to the fire escape shall be of 2 hours fire resistance to prevent spread of fire and smoke.</p> <p>d) No Staircase used as fire escape shall be inclined at an angle greater than 45' from the horizontal.</p> <p>e) Fire Escape staircase shall have flight not less than 125 cms. Wide with 25 cms. Treads and Risers not more than 19 cms. And should be limited to 15 per flight.</p> <p>f) The hand rails shall be of height not less than 100 cms. And not exceeding 120 cms.</p>	<p>The Fire Exit staircases are found as per the approved Architectural Plan and it admeasure 125 cm. in width.</p> <p>The Fire Exit Staircase are found remote from each other and are arranged to give direct access in separate Direction, further fire exit staircase are found remote from internal staircase.</p>
4.	<p><u>Flat Entrance:</u> - The flat entrance and kitchen doors shall be of solid core with fire resistance of not less than half hour (solid wood of 35 mm shutter) finished thickness and the same shall be of self closing type.</p>	<p>The flat entrance and kitchen door are found solid core type having resistance not less than half hour.</p>

<p>5. <u>Fire Lifts and Other Lifts:-</u></p> <p>a) Fire Lift shall be provided with a minimum capacity for Eight Passengers full automated with emergency Switch on ground level and shall be equipped with inter communication equipments.</p> <p>b) Wall enclosing lift shall have fire resistance of not less than 2 Hours.</p> <p>c) Shaft shall have permanent vents of not less than 0.2 sq. mtrs. In clear area immediately under machine room.</p> <p>d) Landing doors and lift car doors of the lift shall be of steel shutters of fire resistance of one hour. No collapsible shutters shall be permitted.</p>	<p>The lifts are found provided for every block having capacity of 08 passengers and it fulfills the requirement as stated in Initial No Objection Certificate.</p> <p>Lift are also found provided with Grounding Switch for grounding of lift in each building.</p>
<p>6. <u>Electrical Cable Shaft and Electrical Meter Room:-</u></p> <p>a) Electrical cables shafts be exclusively used for electrical cables and should not open in the staircase enclosures.</p> <p>b) Inspection doors for the shaft if provided shall have two hours fire resistance.</p> <p>c) Electrical shaft shall be sealed at each floor level with non-combustible material such as venticulated concrete.</p> <p>d) Electrical meter rooms shall be provided at ground floor level and they shall be adequately ventilated.</p> <p>e) The Electrical installation should conform to BIS:1646/1997 Code of Practice for the fire safety of the building.</p>	<p>Electrical shaft found not sealed on every floor with non-combustible material having fire resistance not less than 1 hour. The same shall be carried out on priority basis.</p>
<p>7. <u>Escape Route Lighting:-</u> Escape route lighting (Staircase and Corridor light) shall be on independent circuit as per N.B.C 2005 part IV Clause 4.17 illumination of Means of Exit. The exit arrangements comply with IS:1644/1989 Code of practice for safety of building (General).</p>	<p>Adequate escape route lightening are found provided in premises.</p>

<p>8. <u>Fire Fighting Requirement:-</u></p> <p>a) <u>Overhead (Terrace Water Storage Tank):-</u> A tank of 25,000 liters capacity each shall be provided on top of the terrace level of every Blocks namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 & K3 and Club House. The tank shall be connected to the Down Comer all through by a booster pump through a non-return valve and a gate valve.</p> <p>b) <u>Down Comer:-</u> Down Comer of Internal diameter of 15 cms of GI"C" class pipe shall be provided in the duct in every Block with landing valve and Hose Reel Hose conforming to type "A" 884-1985 on each floor in such a way as not to reduce the width of the corridor and no part of the floor is more than 6 mtrs. Away from the nozzle when fully extended. Two way Fire Service Inlet Connection of 63 mm diameter standard coupling shall be provided at ground floor to connect the mobile pump of the fire service to the Down Comer.</p> <p>c) <u>Fire Pumps:</u></p> <p>i) Electric Fire Pump of 900 liters/Min. giving a pressure of not less than 2 kg/cm² at the top most hydrant outlet of the Down Comer shall be provided at terrace level for every Block.</p> <p>ii) Electric supply to this pump shall be on independent circuit.</p>	<p>The building has not been provided with Down Comers coupled with Booster Pump connected to overhead Tank. However Fire Fighting arrangement are provided for all the buildings by the means of Wet Riser System, where the Fire Hydrant ring main found connected with Main pump and Jockey pump coupled with underground static water storage tank of adequate capacity of 1,00,000 liters.</p> <p>The Internal Hydrant and Hose Reel Hose found provided in every building on every floor the observations / shortcomings noted during inspection are as under;</p> <ol style="list-style-type: none"> 1. The Fire Fighting Pump consisting of Main pump and Jockey pump found non-functional in Auto mode and Manual Mode as such Courtyard Hydrant, Landing Valve, Hose Reel Hose installed in the premises could not be tested. The Fire Fighting pump shall be made functional in Auto and Manual Mode. 2. The Internal Hydrant Courtyard Hydrant, Hose reel Hose installed in the premises shall be serviced; the Rubber Washers, Spring Loaded hollow Lugs and Nozzle of the Hose Reel Hose shall be checked and shall be replaced with new one if necessary. 3. The Dilapidated delivery hoses provided in the Hose Box near Courtyard Hydrant and Landing Valve shall be replaced with new one. <p>The entire Fire Hydrant ring main and Wet Riser shall be painted with post Fire Red Colour conforming to the requirement of IS; 5 Shade No. 536 and same shall be subjected to Hydro Static pressure Test.</p>
---	---

<p>d) <u>Alternate Source of Power Supply:-</u> An alternate source of L.V./ H.V. supply from a separate Sub-Station with appropriate change over switch shall be provided for the corridor lighting circuits and manual fire alarm system. It shall be housed in a separate circuit.</p> <p>e) <u>Manual Operated Electric Fire Alarm System:-</u> All the Blocks namely 'A1, A2, A3, A4, A5, A6, B1, B2, B3, B4, B5, B6, B7, B8, C1 C2, C3, C4, C5, C6, C7, C8, D1, D2, D3, E1, E2, E3, E4, F1, F2, F3, F4, G1, H1, H2, I1, I2, J1, K1, K2 & K3 and Club House shall be provided with the above system conforming to BIS:2189/1999 with the main control panel at Ground Floor and Pill Boxes, Hooters at each side of the upper floors. The Layout shall be on in accordance with Indian Standard Specification.</p> <p>f) <u>Sprinkler System:-</u> Automatic Sprinkler System should be installed in the basement of the Blocks A1 A2 & A3 as per Indian Standard Specification.</p> <p>g) <u>Portable Fire Extinguishers: -</u> The type/distribution of Fire Extinguishers shall be in accordance with BIS:2190/1992.</p> <p>h) <u>Fire Exit:-</u> "Fire Exit" signs boards (illuminated) showing the line of escape shall be provided on all floors in every Block.</p>	<p>The Alternate Source of power supply found provided for corridor lighting, Fire Alarm Panel, Fire Pump and Lift having 125 KVA 02 Nos.</p> <p>The Fire Alarm Control Panel provided on Ground floor of every building and same were found to be non functional.</p> <p>The Manual Call Points provided in all buildings at a every floor, the testing of the same could not be carried out as such the Fire Alarm Panel found non functional.</p> <p>The Stilt Floor of the Building is found naturally ventilated as such the Installation of Automatic Sprinkler System is not required.</p> <p>The Portable Fire extinguishers are randomly checked and the pressure gauge reading of Extinguishers shows they are not in referable range. All Fire Extinguishers Installed in the premises shall be checked for it functional efficiency and same shall be refilled if necessary.</p> <p>Fire Safety Signage's, emergency exit Signage's showing line of escape, Assembly Point, Signage's shall be provided at as appropriate places.</p>
--	---

		<p><u>The Observation made at the L.P.G Gas Bank in the premises is as Under</u></p> <p>The LPG Gas Bank provided at southern side of the building shall be provided with commercial grade LPG Gas leak Detector and same shall be coupled with Gas Leak Detection Panel. The LPG manifold/pipeline provided on every floor on every building shall be tested as per standard.</p>
--	--	---

Shortcoming noted at the Club House.

1. The Smoke Detector and Manual Call Point installed in the Club House were found non-Functional.
2. Fire Extinguishers installed in the Club House were found in non-operable range, same shall be serviced and refilled if necessary.
3. The LPG Cylinder used in the pantry shall be shifted outside and shall be Housed in the LPG Gas Bank, the Construction of LPG Gas Bank shall confirm to requirement of IS 6044 Part (1), the LPG Gas Bank shall be provided with LPG Gas Leak Detector.
4. The Fire Exit Signage's, Emergency Exit Signage's shall be provided on every floor of Club House Building.
5. The Restaurant M/s. Zoe's Café by Noebert's located on Ground floor at the entrance of the Club House shall be removed.

Further it is to informed that, the No Objection Certificate were issued to Residential Building Ocean Park – Type 1 (A), Type 1(1), Type 1(2), Type 1(3), Type 1(4), Type 2, Type 3(1), and Type 3(2), for Mathias Construction Pvt. Ltd., situated on Plot bearing Survey No. 249/1-A of Village Taleigao – Goa was due for renewal on 26.08.2023 and same has not been renewed till date. The No Objection Certificate shall be renewed after due compliance to the Observations noted above.

With regard to M/s. Pizza Hut, M/s. Costa Coffee and M/s. KFC located on Ground floor of the Building 'Prestige Ocean Crest' Taleigao, Tiswadi, Goa, it is to informed that the adequate Fire Protection measures found provided in the said units and the No Objection Certificate from Fire Safety point of view has been issued to all the individual Units and which is valid till 24.10.2025,

(SHAILESH H. GAWADE)
STATION FIRE OFFICER(FP)

ANNEXURE-A-6

**IN THE HIGH COURT OF BOMBAY AT
PORVORIM GOA**

WPCR No. /2025

Prakash Agrawal ...Petitioner

Vs

State thr

Public Prosecutor and 2 ors... Respondents

INDEX

Sr.No	Particulars	Exh. No.	Pg No.
1	Synopsis		A-E
2	Memo of the Petition		1-34
3	Affidavit		34-35
4	Various Complaints filed by the Petitioner herein	A-colly	36-126

TRUE COPY

	against the Complainant Mr. Joe Mathias before various Authorities/forums		
5	FIR no. 36/2022 lodged at Panaji Police station along with the Complaint of Mr. Joe Mathias	B	127-133
6	Wakalatnama		134

09.06.25

Porvorim Goa

K. D. Souza

Advocate for Petitioner

SYNOPSIS

	<p>The Petitioner most respectfully states and submits that he was induced into making full payment within an unusually short timeframe for his residence in Goa, (address more clearly mentioned the cause title) after being misled by the Builder's son, Mr. Julian Mathias, who falsely claimed the project was nearly sold out when in fact numerous flats remain unsold to date, The Builder / Complainant Mr. Joe Mathias and his son Julian Mathias made false representations from the very beginning that all statutory requirements were complied with, that requisite permissions and licenses were obtained and the land constructed upon had a</p>
--	--

	<p>proper title. The Petitioner most respectfully further states and submits that upon taking possession of the apartment, the Petitioner discovered multiple serious deficiencies, including defects in title, absence of compliance with statutory permissions, and undelivered contractual obligations.</p>
2021-2022	<p>The Petitioner filed a series of complaints with various authorities including the Goa State Pollution Control Board (GSPCB), the Ministry of Environment, Forests and Climate Change (MOEFCC), and the Panjim Police. These complaints addressed grave violations such as supply of unpotable drinking water, failure to implement mandated solar energy</p>

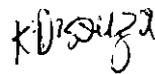
	systems, illegal operations without Consent to Operate, non-compliance with sewage treatment norms, and unauthorized groundwater extraction
7.04.22	The Petitioner most respectfully states and submits that on April 7, 2022, a team from GSPCB conducted an inspection of the project premises at approximately 8:30 AM and documented various violations based on the Petitioner's complaints. Prior to this inspection, Mr. Joe Mathias had approached the Petitioner seeking assistance to rectify the violations in a professional capacity by engaging consultants from Mumbai. This approach by the Builder clearly

	acknowledged the existence of violations in the project.
	The Builder subsequently misrepresented this professional consultation as alleged extortion by the Petitioner. In a clear act of retaliation and within less than four hours of the GSPCB inspection, at 12:39 AM on the same day, Mr. Joe Mathias registered an FIR against the Petitioner. This action was evidently a counterblast to the Petitioner's legitimate complaints about the project's violations.
07.04.2022	A patently false, fabricated, malicious complaint of extortion comes to be lodged at the Panaji Station at Panaji, Goa, which is registered as FIR no. 36/2022 for offences

	punishable under Sections 384 of the Indian Penal Code against the Petitioner.
09.06.25	Being aggrieved by FIR No. 36/2022 registered at Panaji Police station at Panaji and the Chargesheet being filed in the said FIR for offences punishable under Section 384 of the Indian Penal Code, 1880, hereby invokes the jurisdiction of this Hon'ble Court under Section 525 of the Bharatiya Nagarik Suraksha Sanhita, 2023

09.06.25

Porvorim Goa



Advocate for Petitioner

**IN THE HIGH COURT OF BOMBAY AT
PORVORIM GOA**

WPCR No. /2025

IN THE MATTER OF
SECTION 525 BHARATIYA
NAGARIK SURAKSHA
SANHITA, 2023 AKIN TO
SECTION 482 OF THE
CODE OF CRIMINAL
PROCEDURE.

AND

IN THE MATTER OF
COMPLAINT DATED
07.04.22 BY THE
COMPLAINANT MR. JOE
MATHIAS TO THE EFFECT
THAT THE PETITIONER
HEREIN APPROACHED



THE COMPLAINANT AND
THREATENED TO FILE
COMPLAINTS TO VARIOUS
FORUM/AUTHORITIES
AND INDUCED FEAR THAT
THE ACCUSED AND
HIS FRIEND WILL NOT LET
THE COMPLAINANT
COMPLETE REMAINING
PART OF THE PROJECT IN
SURVEY NO.249/1-A OF
VILLAGE TALEIGAO AND
DEMANDED A SUM OF
RS.20 CRORES TO SETTLE
THE ISSUE THEREBY
COMMITTING OFFENSES
PUNISHABLE UNDER
SECTION 384 OF THE
INDIAN PENAL CODE,
1860.

AND

IN THE MATTER OF FIR
NO. 36/²⁰²²~~2024~~ REGISTERED ^{KD}
AT PANAJI POLICE
STATION, PANAJI GOA ON
THE ALLEGATION THAT
THE PETITIONER HEREIN
COMMITTED OFFENSES
PUNISHABLE UNDER
SECTION 384 OF THE
INDIAN PENAL CODE,
1860.

AND

IN THE MATTER OF THE
FINAL REPORT FORM
FILED UNDER SECTION
173 OF THE CODE OF
CRIMINAL PROCEDURE
AGAINST THE PETITIONER
HEREIN ON THE
ALLEGATION THAT HE

HAS COMMITTED
OFFENCES PUNISHABLE
UNDER SECTION 384 OF
THE INDIAN PENAL CODE .

AND

IN THE MATTER OF
UNCONTROVERTED
ALLEGATIONS MADE IN
THE FIR AND/OR
COMPLAINT AND/OR THE
EVIDENCE COLLECTED IN
SUPPORT OF THE SAME,
DOES NOT DISCLOSE THE
INGREDIENTS OF
OFFENCES PUNISHABLE
UNDER SECTION 384 OF
THE INDIAN PENAL CODE.

AND

IN THE MATTER OF
ALLEGATIONS MADE IN

THE FIRST INFORMATION REPORT AND/OR THE CHARGESHEET, TAKEN AT THEIR FACE VALUE AND ACCEPTED IN THEIR ENTIRETY, DO NOT PRIMA FACIE CONSTITUTE ANY OFFENCE OR MAKE OUT A CASE AGAINST THE PETITIONER HEREIN.

AND

IN THE MATTER OF THE UNCONTROVERTED ALLEGATIONS MADE IN THE FIR AND COMPLAINT THAT ARE SO ABSURD AND INHERENTLY IMPROBABLE ON THE BASIS OF WHICH NO PRUDENT PERSON CAN EVER REACH A JUST

CONCLUSION THAT
THERE IS SUFFICIENT
GROUND FOR
PROCEEDING AGAINST
THE PETITIONER HEREIN.

AND

IN THE MATTER OF A
CRIMINAL PROCEEDING
THAT IS MANIFESTLY
ATTENDED WITH
MALAFIDE AND/OR
WHERE THE PROCEEDING
IS MALICIOUSLY
INSTITUTED WITH AN
ULTERIOR MOTIVE FOR
WRECKING VENGEANCE
ON THE ACCUSED AND
WITH A VIEW TO SPITE
HIM DUE TO PRIVATE AND
PERSONAL GRUDGE.

Mr.Prakash Agrawal,

Aged about 65 years

Currently residing at Flat No. 703

La Gomera, Mathais Ocean

Park Sector 1, Donapaula,

Tiswadi Goa. ...PETITIONER

v/s

1. State thr

Public Prosecutor

High Court of Bombay at Goa

2. The Police Inspector

Panaji Police Station

Panaji Goa.

3. Mr Joe Mathias

Aged about 75 years.

Complainant In FIR No. 36/2022

Registered at Respondent No.2

Police Station

Service through Investigative Officer,

Panaji Police Station

Panaji Goa

(All Registered Addresses)

To,
The Hon'ble Chief Justice,
And other Company Judges,
Of the Hon'ble High Court of Bombay,
At Porvorim- Goa.

THE HUMBLE PETITION OF THE
PETITIONER ABOVENAMED

1. The Petitioner, an Indian National aged 65 years, is a retired professional and Green Activist residing at the address specified in the cause title hereinabove. The Petitioner had purchased an apartment in the project "MATHIAS OCEAN PARK" developed by Mr. Joe Mathias in Donapaula, Goa.
2. The Petitioner most respectfully states and submits that he was induced into making full payment within an unusually short timeframe after being

misled by the Builder's son, Mr. Julian Mathias, who falsely claimed the project was nearly sold out when in fact numerous flats remain unsold to date, The Petitioner most respectfully highlights that the Builder / Complainant Mr. Joe Mathias and his son Julian Mathias made false representations from the very beginning that all statutory requirements were complied with, that requisite permissions and licenses were obtained and the land constructed upon had a proper title. The Petitioner most respectfully further states and submits that upon taking possession of the apartment, the Petitioner discovered multiple serious deficiencies, including defects in title, absence of compliance of statutory permissions, and undelivered contractual obligations.

3. The Petitioner most respectfully states and submits that the Occupancy Certificate for Sector One of the project, obtained from the Village Panchayat in 2015, was granted despite several violations of the sanctioned plan which continue to persist even today. The Petitioner subsequently uncovered numerous breaches of environmental and regulatory norms in the project's operations and also defects in the title of the land where the Project is situated.

4. The Petitioner most respectfully states and submits that between March 1 and March 28, 2022, the Petitioner filed a series of complaints with various authorities including the Goa State Pollution Control Board (GSPCB), the Ministry of Environment, Forests and Climate Change (MOEFCC), and the

Panjim Police. These complaints addressed grave violations such as supply of unpotable drinking water, failure to implement mandated solar energy systems, illegal operations without Consent to Operate, non-compliance with sewage treatment norms, and unauthorized groundwater extraction. *The complaints filed by the Petitioner herein, being relevant to the case at hand, are annexed hereto and marked 'Exhibit A-colly'*

5. The Petitioner most respectfully states and submits that on April 7, 2022, a team from GSPCB conducted an inspection of the project premises at approximately 8:30 AM and documented various violations based on the Petitioner's complaints. Prior to this inspection, Mr. Joe Mathias had

approached the Petitioner seeking assistance to rectify the violations in a professional capacity by engaging consultants from Mumbai. This approach by the Builder clearly acknowledged the existence of violations in the project.

6. The Petitioner most respectfully states and submits that the Builder subsequently misrepresented this professional consultation as alleged extortion by the Petitioner. In a clear act of retaliation and within less than four hours of the GSPCB inspection, at 12:39 AM on the same day, Mr. Joe Mathias registered an FIR against the Petitioner. This action was evidently a counterblast to the Petitioner's legitimate complaints about the project's violations.

7. The Petitioner most respectfully states and submits that he subsequent Inspection Reports dated April 7, 2022 and April 26, 2024 from the Goa State Pollution Control Board have categorically confirmed major violations at the project site, including unauthorized groundwater extraction, non-compliance with Solid Waste Management Rules, operation of sewage treatment plants without proper consent, and misrepresentation of environmental safeguards.



8. The Petitioner most respectfully states and submits that on 07.04.2022 a patently false, fabricated, malicious complaint of extortion comes to be lodged at the Panaji Station at Panaji Goa.

9. The Petitioner most respectfully states that FIR no. 36/2022 comes to be lodged at Panaji Police station on 07.04.22 for offences punishable under Sections 384 and Indian Penal Code against the Petitioner.

The FIR along with the complaint of Mr Joe Mathias being pertinent is annexed hereto and marked as 'Exhibit B'

The complaint of Mr Joe Mathias being relevant to the present Petition is transcribed herein below verbatim and reads as under

"07th April, 2022

To

The Superintendent of Police,

Crime Branch,

Ribandar - Goa.

"MATHIAS HOUSE"

*Campal, Panaji - Goa. 403 001. Tel.: +9 1
0832 2425454 / 2422800*

*W : 'A-xAv.inathiasgoa com E mathias'ft
m ithiasgoa.com*

Sub: Extortion by Mr. Prakash Agrawal.

Sir,

*The undersigned is the Managing Director
of M/s. Mathias Construction Pvt. Ltd.,
with its registered office at House No. C-
13/156, Mathias House, Campal, Panaji
- Goa, engaged in the business of real
estate. One of the projects undertaken by
us is Mathias Ocean Park - Sector I at
Dona Paula Goa which is constructed in
part of property bearing Survey No.
249/1-A of Village Taleigao, which is
completed and more than 150 families
are residing in the complex.*

Sometime in October 2021 a gentleman named Mr. Prakash Agrawal approached my office at Campal to purchase a flat at the Mathias Ocean Park and met my son Mr. Julian Mathias as he handles sales. Upon discussions between Mr. Agrawal & Mr. Julian Mathias, the former agreed and finalized to purchase Flat No. 703, 3 BHK flat in building La Gomera, subsequent to which upon payment of the entire consideration the possession of the flat was handed over to Mr. Agrawal in October 2021 and the Sale Deed was executed on 01/02/2022 and the same was registered on 04/02/2022.

Subsequent to the execution and registration of the sale deed, Mr. Agrawal started requesting for information regarding the permissions of the project,

accounts of Mathias Ocean Paik Association, etc, the details of which were handed over to him. On 30th March 2022 Mr. Agrawal visited my office stating that there are shortcomings and problems in the project, no clarity in the ownership of the property, etc. Mr. Agrawal also handed over to me a bunch of papers wherein he had made complaints to various departments in Delhi and Goa regarding the project Mathias Ocean Park. At his request, Mr. Agarwal again visited my office on 05th April, 2022 and he informed me that there is someone who has obtained all the documents pertaining to the project and will file complaints to various forums, harass me, etc., and in order to sort out this entire issue that person wants Rs. 20 Crores and he (Mr. Agrawal) wants monies separately from me for assisting me to

sort out these issues and stop them from taking any further action.

I have also been informed by Mr. Agrawal that if I do not pay him and his friend the amounts quoted/demanded they will complain to various authorities/Courts and not let me complete the remaining part of the project which is yet to be developed. The project has been constructed by obtaining the required permissions and licenses from the concerned departments. Despite having shown Mr. Agrawal all the permissions and licenses, he repeatedly states that there are shortcoming, etc., in the project and time and again induces fear in me by stating that I will be jailed, legal proceedings will be initiated against me, etc., which has caused me tremendous stress and tension. I am a law abiding

senior citizen, 73 years of age and suffering from various serious illnesses for the last 5 years.

Considering the facts stated and the demands made by Mr. Prakash Agrawal, he (Mr. Agrawal) and his friend want to extort huge sums of monies from me for no reason and also cause me stress and harassment. Mr. Agrawal has confirmed that he will be coming to my office at Mathias House, Campal today (07/04/2022) at 4.00 p.m. to collect some part of the monies which I do not wish to pay, as I am being extorted by him & his friend.

It will be highly appreciated if you could kindly look into the matter and take appropriate steps in restraining the wrong doers from such kind of exploitation and extortion.

Thanking you.

Yours sincerely

SD/-

Joe Mathias ”

REMARKS

A. No Notice under 41A of the code of Criminal Procedure was ever issued to the Petitioner herein.

B. The Grounds of arrest were not intimated to the Peitioner Herein, which is a gross vilotations of law more so as the Petitioner is a senior citizen who is not accused of committing a heinous offence.

C. Not an iota of evidence is produced to demonstrate that the Petitioner has visited the office of Mr. Joe Mathias, the Complainant, to collect part of the cash; mere bold allegations have been made against the Petitioner herein.

D. The Complainant Joe Mathias himself uses the words "I am being extorted by him & his friend." The investigative Officer has failed to establish who is the friend referred to in the complaint.

E. It is pertinent to note that the Petitioner herein is a green activist, who does not possess any legal rights to stop Mr. Joe Mathias from completing his project. This right purely vests with the authorities and the courts, and the petitioner possesses constitutional rights to complain and seek lawful remedy against the violation of his fundamental and statutory rights.

F. The complainant defies prudent logic and reason as the amount stated was in a cross cheque and not cash for his professional services, which cannot be construed as extortion or bribe.

G. This Petitioner was arrested on 20.04.2022 from the office of Joe Mathias where he had visited on an invitation from Joe Mathias.

H. Despite recording that there is no recovery that is to be made from the Petitioner herein the Goa Police proceeded at the instance of Joe Mathias and froze two bank accounts of the Petitioner

10. The Petitioner being aggrieved by FIR No. 36/2022 registered at Panaji Police station at Panaji and the Chargesheet being filed in the said FIR for offences punishable under Section 384 of the Indian Penal Code, 1880, hereby invokes the jurisdiction of this Hon'ble Court under Section 525 of the Bharatiya Nagarik Suraksha Sanhita, 2023 on the following amongst other grounds

which are urged in the alternate and without prejudice to one another.

GROUNDS

I. The Petitioner most respectfully states and submits that the FIR taken at its face value and accepted in its entirety does not prima facie spell out the ingredients of the offence punishable under Section 384 of the Indian Penal Code and consequently in the interest of justice and/or to prevent abuse of the process of Court, FIR No. 36/2022 and the chargesheet filed in the aforestated matter ought to be quashed and set aside.

II. The Petitioner most respectfully states and submits that the

complaint filed by Respondent No.3 is to exact vengeance after the Petitioner had confronted the complainant regarding discrepancies in the title of the land & blatant violations of Environmental & other statues, and the averments made in the said complaint are malafide, mischievous and rounded and founded on assumption, presumptions, surmises and conjectures.

III.The Petitioner most respectfully states and submits that on a mere reading of the complaint and the various statements recorded in the chargesheet, it is evident that there is no extortion on the part of the Petitioner. The Petitioner most respectfully

states and submits that the case of the Complainant defies prudent logic and reason in so much as a green activist/consultant could not be engaged to fix irregularities regarding the title of the land.

IV. The Petitioner most respectfully states and submits that the Respondent No.3 willingly agreed to consult and engage the services of the Petitioner regarding existing environmental issues at Mathias Ocean Park located at Dona Paul, Goa and the Petitioner agreed to accept only lawful consideration via cheque for his Professional services.

V. The Petitioner most respectfully states and submits that the case of the complainant defies prudent logic and reason as the amount stated was in a cross cheque and not cash for his professional services, which cannot be construed as extortion or bribe.

VI. The Petitioner states that Respondent No. 3 has mischievously, maliciously and with ulterior motives suppressed the true genesis of events that would exonerate the Petitioner from the bold, malafide and mischievous allegations made by the Complainant.

VII. The Petitioner respectfully states and submits that the allegations

made in the first information report or the Chargesheet, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the Petitioner herein.

VIII. The Petitioner most respectfully states and submits that the uncontroverted allegations made in the FIR and complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the Petitioner herein.

IX. The Petitioner respectfully states and submits that the uncontroverted allegations made in the FIR and complaint are so absurd and inherently

improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the Petitioner herein.

X. The Petitioner respectfully states and submits that a criminal proceeding is manifestly attended with malafide and/or where the proceeding is maliciously instituted with an ulterior motive for wrecking vengeance on the accused and with a view to spite him due to private and personal grudge.

XI. The Petitioner most respectfully states and submits that a court proceeding ought not to be permitted to degenerate into a weapon of harassment or

persecution as is evident from a mere reading of the Chargesheet.

XII. The Petitioner respectfully states and submits that Respondent No. 3 has enmeshed the Petitioner in a frivolous criminal prosecution which prima facie appears to be an abuse of the process of law.

XIII. The Petitioners respectfully state and submit that the Hon'ble Apex Court in the matter of Madhavrao Jiwajirao Scindia and Others V. Sambhajirao Chandrojirao Angre and Others reported in (1988) 1 SCC 692 observed in para 7 as under:

"7. The legal position is well settled that when a prosecution at the initial stage is asked to be quashed, the test to be applied by the court is as to whether the uncontroverted

allegations as made prima facie establish the offence. It is also for the court to take into consideration any special features which appear in a particular case to consider whether it is expedient and in the interest of justice to permit a prosecution to continue. This is so on the basis that the court cannot be utilized for any oblique purpose and where in the opinion of the court chances of an ultimate conviction is bleak and, therefore, no useful purpose is likely to be served by allowing a criminal prosecution to continue, the court may while take into consideration the special facts of a case also quash the proceeding even though it may be at a preliminary state."

XIV. The Petitioner most respectfully states and submits that the Complaint of Joe Mathias states that the accused asked him for documents related to the title of land and copies of complaints for violations made to authorities, which cannot be a ground for registration of an FIR.

XV. Such other and further grounds that may be urged at the time of hearing

11. The Petitioner most respectfully states and submits that he craves leave of this Hon'ble Court to rely on and refer to pertinent documents such as but not limited to the chargesheet and/or complaints filed by the Petitioner against the Respondent No.3 at

various forums with permission of this Hon'ble Court.

12. The Petitioner most respectfully states that no previous Petition under Section 525 Bharatiya Nagarik Suraksha Sanhita, 2023 akin to Section 482 of the Code of Criminal Procedure has been filed before this Hon'ble Court as regards the subject matter of the present proceedings.
13. The Petitioner has paid the requisite fee in accordance with law.
14. The cause of action has arisen in Goa, therefore, this Hon'ble Court has jurisdiction to entertain and dispose the petition in accordance with law.

PRAYER

In view of the aforesaid facts and circumstances explained more clearly hereinabove and in the interest of justice it is humbly prayed that this Hon'ble Court may graciously be pleased to;

- a) Exercise of its inherent jurisdiction under Section 525 Bharatiya Nagarik Suraksha Sanhita, 2023 akin to Section 482 of the Code of Criminal Procedure be pleased to quash and set aside FIR No. 36/2024, and the Final Report Form filed in terms of Section 173 of the Code of Criminal Procedure, ought to be quashed and set aside.
- b) Pending the hearing and final disposal of the present Petition, IPC 61/ 2024 on the file of the Ld. JMFC at Panaji , be stayed.
- c) Ad interim ex-parte relief in terms of prayer (b) above.

- d) For such other and further reliefs as this Hon'ble Court deems fit and proper.

K. D. Souza
Porvorim, Goa Advocate for the Petitioner

29.06.25

AFFIDAVIT

I, Prakash Agrawal R/o Flat No. 703, La Gomera, Mathais Ocean Park Sector 1, Donapaula, Tiswadi Goa appoint, do hereby on solemn oath and affirmation state and submit as under:

1. I say that I have today filed a Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023. I say that for brevity sake I shall rely upon the statement of facts, submissions made in the said Petition as if the same has been specifically incorporated herein mutatis mutandis.

2. I say that the contents of paras 1 to 14 of my Petition are true to my own

knowledge, except whatever is based upon legal submissions/information received, which I believe to be true.

3. I say that the contents of paras 1 and 2 hereinabove are true to my own knowledge.

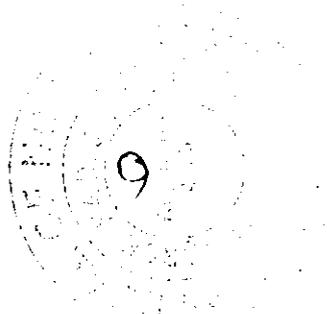
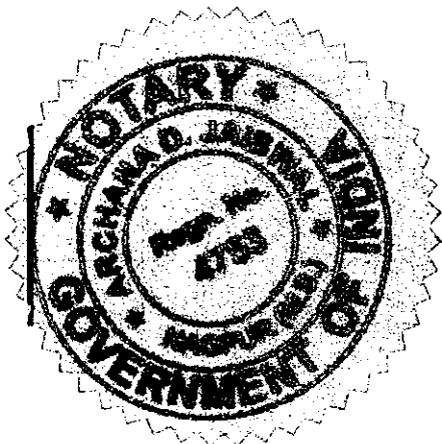
Solemnly affirmed at *Nagpur, Maharashtra.*

On this *7* day of *June*, 2025

[Handwritten Signature]

DEPONENT

8996
07/06/2025



I do Sworn Solemnly affirm that
Pakash Agrawal
before me on the *07th* day
of *June 2025* at *Nagpur*

[Handwritten Signature]
07/06/2025

ADVOCATE FOR THE PETITIONER

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

From: PRAKASH AGRAWAL

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

To,

1. HON'BLE PRINCIPAL SECRETARY

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

2. HON'BLE MEMBER SECRETARY

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

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

Sir,

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

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

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

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

Dear Sir,

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

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

"5. Separate water supply line for kitchen

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

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

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

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

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

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

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

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

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

- 10) I say that there is no question of Kilometers and Kilometers of Pipe Lines. I further say that the 5,0,00,000.00 (5 Crores estimate is more than 25 times the actual expenditure that is required to be made for this purpose.
- 11) The Mathias Ocean Park Association has not approached the builders for the same seeking their assistance in resolving this important issue as their agenda was to deprive the members and extort money from the owners of the apartments in the society.
- 12) Thus, substantial damage to the air, Water Environment & the groundwater level has been carried out by the accused. The Ground Water purchased by the accused is without proper permission of the competent authority and Tanker Supplier have not obtained any permission from the CGWA as mandated under Notification dated 24.09.2020. That is a separate offence that has been carried out by the accused.
- 13) Needless to say that, from the 65,000.00 Litres of Water Supply the needs for kitchen could be easily met and for rest of the purposes the groundwater could be used. That

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

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

45

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

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

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

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

Date: 1 March 2021

Place: Panjim



PRAKASH AGRAWAL
COMPLAINANT

INDEX
ANNEXURES

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

Date: 1 March 2021

Place: Panjim



PRAKASH AGRAWAL
COMPLAINANT

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

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

Dated: 16th May, 2007

To

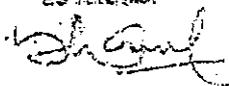
Mr. Joe Mathias,
M/s. Mathias Constructions Pvt Ltd
Mathias Plaza, 18th June Road,
Panaji, Goa 403 001.

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

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

2. It is, interalia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 82,222 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,988 sq.m. Stilt + 5 floors. It is proposed to construct 548 apartments in C-1 zone and 340 apartments in C-2 zone. Total car parking spaces proposed are 1469. The total cost of the project is Rs. 130 crores.

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



PART A SPECIFIC CONDITIONSI. Construction Phase

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

Shankar

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

II. Operation Phase

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



- (5)
- vii) Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for a portion of the apartments should be provided.
 - viii) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
 - ix) A Report on the energy conservation measures conforming to energy conservation norms finalized by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.

PART - B. GENERAL CONDITIONS

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



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

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

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



(Bharat Bhushan)
Director (IA)

bbhushan_98@yahoo.com
Tel: 24360795

16.05.2007

Copy to:-

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

(Bharat Bhushan)
Director (IA)

Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

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

Members present were as follows

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

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

1. Lift Annual Maintenance Contract

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

2. Timing of facilities

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

3. Barrier around the swimming pool

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

4. Entry stickers (Four and two wheelers)

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

5. Separate water supply line for kitchen

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

6. CCTV

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

7. Speeding and parking regulations within complex

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

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

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

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

8. Facility Management

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

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

9. Society formation

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

10. Sewage treatment plant related issues

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

11. Security guard review meetings

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

12. Electrical and Plumbing

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

13. Non occupancy charges

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

14. Police verification

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

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

15. Complaint register

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

16. Census collection

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

17. Notice for non compliance

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

18. Protocol for quotations

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

59

4895
7

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

For Mathias Ocean Park Association

Joe Mathias,
Chairman

4:04



97%



Ocean Park Owners

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



Kitchens.

23 December 2021

1:59 pm

Atul Mishra

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

2:49 pm



Dishes

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





environment

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

5:28 am

Nirav

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

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

6:28 am ✓

Nirav

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

7:05 am

Nirav

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

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

Date: 11.03.2022

From: PRAKASH AGRAWAL

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

To,

1. HON'BLE PRINCIPAL SECRETARY

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

2. HON'BLE MEMBER SECRETARY

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

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

Sir,

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

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

- 2) Mrs Nadiya Rayani
Treasurer
Mathias Ocean Park Association
First Floor of Club House
Mathias Ocean Park Residency
Opposite NIO Colony
Donna Paula, Panjim 403004

- 3) Mr. Prashant Chopra
Member
Mathias Ocean Park Association
First Floor of Club House
Mathias Ocean Park Residency
Opposite NIO Colony
Donna Paula, Panjim 403004

- 4) Dr. Peter Rodrigues
Member
Mathias Ocean Park Association
First Floor of Club House
Mathias Ocean Park Residency

Opposite NIO Colony
Donna Paula, Panjim 403004

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

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

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

- 8) Mr. Prince Arora
Member

65

4901

4

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

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

Dear Sir,

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

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

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

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

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

Under Part B of General Conditions reads as follows:

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

- 5) This applicant has informed the members in the WhatsApp Group on 3rd January 2022 that there is an Environment Clearance that has been granted to the project and for which they need to follow the rules.

- 6) The Executive Committee of the Mathias Ocean Park Association has even started to remove the entire solar panel system that was provided by the Developer at the time of handing over the possession of the Apartment. When I took possession of the apartment in October 2021 I had personally gone to the terrace and verified that the solar water system is there and that there was an attempt on the part of the developer to fulfil this part of the requirement of the terms of Environment Clearance granted to the project under No. 21-15/2007-IA, III dated 15th May 2007. I am enclosing herewith the

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

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

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

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

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

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

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

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

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

Date: 14 March 2021

Place: Panjim



PRAKASH AGRAWAL
COMPLAINANT

INDEXANNEXURES

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

Date: 14 March 2021

Place: Panjim



PRAKASH AGRAWAL

COMPLAINANT

No. 21-16/2007-4A-III
Government of India
Ministry of Environment & Forests

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

Dated: 16th May, 2007

To

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

Subject: Construction of 'OCEAN PARK' at Survey No. 24571-A, Village
Taloigao, Tiswadi, Panjim, Goa by M/s. Mathias Constructions Pvt.
Ltd. Goa. - Environmental Clearance - reg.

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

2. It is, inter alia, noted that M/s. Mathias Constructions Pvt Ltd, Goa is proposing the construction of a residential apartment complex on a plot area of 27,232 sq.m. (Zone C-1-27,232 sq.m. Stilt + 8 floors and zone C-2-54,988 sq.m. Stilt + 8 floors. It is proposed to construct 548 apartments in C-1 zone and 840 apartments in C-2 zone. Total car parking spaces proposed are 1488. The total cost of the project is Rs. 180 crores.

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

(Signature)

PARA-SPECIFIC CONDITIONS

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

Shankar

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

II. Operation Phase

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

[Handwritten signature]

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

PART - B. GENERAL CONDITIONS

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

[Handwritten signature]

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

PART - B. GENERAL CONDITIONS

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

[Handwritten signature]

9. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2005.

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

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



(Bharat Bhushan)
Director (IA)

bbhushan_88@yahoo.com

Tel: 24360795

16.05.2007

Copy to:-

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

(Bharat Bhushan)
Director (IA)

Mathias Ocean Park Owner Association

First Floor of the Club House, Mathias Ocean Park

Opp. NIO Colony, Dona Paula – Goa

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

Members present were as follows

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

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

1. Solar Systems.

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

19

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

2. Fencing beyond the ten meter road

80

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

3. Marking of Parking

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

(5)

4917

3

(20)

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

4. Collection of maintenance dues

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

5. Power Supply

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

6. Leakage Issues

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

(21)

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

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

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

7. Sewage treatment plant

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

8. Facility Management

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

9. Society formation

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

10. Breaches in contract rules

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

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

11. Security issues

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

12. Water Supply

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

13. Insurance

(23)

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

14. Shifting of classes to the clubhouse

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

15. CCTV

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

16. Adda gate management

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

17. Additional Estate Manager

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

18. Resignation of the president



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

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

For Mathias Ocean Park Association

Joe Mathias,
Chairman

prakashagrawal@msn.com

From: eugene rent <dr.e.rent@gmail.com>
Sent: 10 March 2022 22:35
To: devidasnaik2018@gmail.com; info rliindia; namankumar50@gmail.com; Vijay Khedekar; 722 Dattarai Kallapa Patil; mahasgub@gmail.com; shubhdmahesh@gmail.com; prsawant@rediffmail.com; Swati Verma; Gaurav Kamlakant Naik; dhermendratiwari@gmail.com; rajesh.ks@pg.com; vishal walavalkar; Nilesh.Thanekar00@gmail.com; alpharaazkhan@icloud.com; jisarandhir2015@gmail.com; Rohan Ramesh Badave; cajetonlondon@yahoo.co.uk; graceferns81@gmail.com; info; y2kanilchoudary@gmail.com; pravitdessai@gmail.com; netravalakar17@gmail.com; 1414 Martina D Costa; pratimakessarkar@gmail.com; amiddahiya9027@gmail.com; dhume.ps@gmail.com; bandodkarsujal@gmail.com; cruzdias1962@gmail.com; sardareef@gmail.com; Kundan Kumar; Daryl Varghese; Keith Daniel Dsouza; joshua87puthran@gmail.com; yrshwant.satardekar@sbi.co.in; malikarjun badami; konnurdattatray@gmail.com; suchitrakonnur@gmail.com; pvarthanatendolkar@gmail.com; deolia_santosh@yahoo.com; saloniyashpal@gmail.com; chandni.davda@gmail.com; John Samson; Sundaram Narayanan; GMC unknown Melanie Roselle Dias; satarinosocorro@gmail.com; ellyalmeida12@gmail.com; edwin_dias@yahoo.com; Tr Dilip Melwani; assiscunha2003@gmail.com; doctrate.gfadadu@gmail.com; sumitramazumdar@hotmail.com; satish339@gmail.com; amavelp@gmail.com; swetap111@gmail.com; nadijivani2@hotmail.com; dhapu@rediffmail.com; Trevor Fernandes; prabhapriya1000@gmail.com; excelengineer@yahoo.com; debvodio@gmail.com; vandey12@rediffmail.com; ravindrannn@yahoo.com; eric fernandes; petriks14@yahoo.com.in; sandeepraul@gmail.com; Mahadeva swamy B C; Vinetha Varghese; Ramsey Braganza; pdewangan@gmail.com; sailor89.deepak@gmail.com; Raja Melvani; Kishan Shirodkar; mariab@nio.org; y2kanilchoudhary@gmail.com; nirmasinha80@gmail.com; Reginald Rufus; milind.deolkar@gmail.com; wiltfer007@gmail.com; bentotorcato21@gmail.com; prabhudeepak32@gmail.com; dr.rita@yahoo.com; 201 Boa Vista B Anshul Singhal; 1122 Maxie Lewis; veena_dprabhu@yahoo.co.in; drpawanrane@gmail.com; ashtinne@yahoo.com; akshay_622@gmail.com; rahul@gmx.net; koshytharakan@yahoo.co.in; jagbirsinha@hotmail.com; Nityanand Haldankar; sushant@nio.org; deenaramos@gmail.com; Chandu-Jhoney-Natasha-Franco; eugene rent; Nachiket Karmarkar; Anil Gudinho; ashyee80@gmail.com; mihir Choudhary; bhupesh64k@yahoo.co.in; chhayasachdev@hotmail.com; Nisha George; royanalmeida@hotmail.com; preethipednekar@yahoo.co.in; 1221 La Gomera Darryl Pais; Valerina Fernandes; ilango@nio.org; smitajp29@gmail.com; fatimacarvalho@gmail.com; yogesharora31@yahoo.com; kuerianjohn@gmail.com; neetu@nio.org; jerrybraganza@gmail.com; Alok Sharma; santoshuskalkar@gmail.com; ashishkumar.chhatterjee@mail.com; saurabhshrivastava@gmail.com; mht.ravinder@yahoo.com; vinay.shetty@canandiansolar.com; CARMO BARRETTO; mavoncolaco@hotmail.com; bhadresh@hotmail.com; sanil@nio.org; augustusgoa@gmail.com; prakashagrawal@msn.com; mahendra.wani29@gmail.com; sat644@gmail.com; lucienegomes@gmail.com; Dr. Sangeeta Dessai; Zeena Avelina & Chrislyn Ann D'lima; Alziraraju25@yahoo.com; mousamisingh@gmail.com; Michael Menezes; amar-go@rediffmail.com; rajeshdesai2017@gmail.com; 1237 Satish Kumar; khemraj.varsha@gmail.com; 1242 Indrajit Singh & Hardeep Kaur; Vivek Karekar; malcomimgomes@gmail.com; ayushisharma687@gmail.com; y2kanilchowdhary@gmail.com; Ceser Menezes La Palma 601 & 701; Dr. Dinesh F Swamy; sundeep@airbornerrecruiting.com; atulmishra@gmail.com; Ravi Dakoju; kripadesai8@yahoo.com; Jaideep Fernandes; rahulgulati@yahoo.co.in; Prashant Chopra; Filipe borges; drborgesmaria0103@gmail.com; yuvrajshirodkar@gmail.com; Pradeep & Anju Khanna; krishanpalsiwach01

57

27

4923

To:

@gmail.com; Bhupinder Khalsa; Kevin Rodrigues; sameer.ghali77@gmail.com; 171 Premnath Iyer; arupbose1@gmail.com; 211 Azores B Tamal Raha; SK Naik; belmira_paul@yahoo.co.in; vibhashk53@gmail.com; ninafaria204@gmail.com; arun.malik72@gmail.com; 231 Azores B Osswin D'Costa; coolali5152@gmail.com; Pillai Prashant Tulsidharan; sunilkhot@hotmail.com; Gopa Kumar OP & Dali; georgethomas79@gmail.com; veena43jain@gmail.com; Louella DSouza; 262 Jeffrey Agnelo Melagrus Gracias; Abhijeet Srinivas Shirsekar; chintamansamant@yahoo.co.in; 311 Flores A Sanjay Kulkarni; Agostinho Rebello; Chiara Da Costa; Udesch Fatarpekar; mesha87@gmail.com; priyapia1993@gmail.com; 331 Flores A Yogesh V Nadkarni; anita.a.fernandes31@gmail.com; Nazareth Sayana & Neil Soares; jamesroy00@yahoo.co.uk; caridadepereiracp@gmail.com; 351 Flores A Mahesh Kumar Yadav; vince.rodrigues@responsivemts.com; kevalmashelkar@gmail.com; 411 Flores B Jayant & Kavita & Beena Bhatia; devarat.samant11@gmail.com; drvijaypatil_1966@rediffmail.com; silvaa@rediffmail.com; ashwink189@gmail.com; Aashish Surendra Kamath; Anu Richa Sondhi; Vijay Jain; stevennovo@rediffmail.com; Nitin Naik Bombi & Sons; ecaencies@rediffmail.com; Prince Arora; Abhay Dalvi; Noel Mendes; vpikale@gmail.com; CA Vinesh Pikale; drleelachavan@yahoo.com; rivatrindade@yahoo.co.in; Srinivasshinkre@gmail.com; sameervolvoicar@gmail.com; guifsands@hotmail.com; abhinav.shah84@yahoo.com; sudhinpednekar94@gmail.com; Gandharv Singh Chauhan; mryashodaanand@gmail.com; neel_pawar@yahoo.com; randeepather@yahoo.com; ashokrane@gmail.com; brad281@rediffmail.com

Subject:

Minutes of the meeting

Attachments:

MINUTES_05COMMITTEE.pdf; MINUTES_04COMMITTEE.pdf

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

SS

25



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

5:28 am

Nirav

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

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

6:28 am

Nirav

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

7:05 am

Nirav

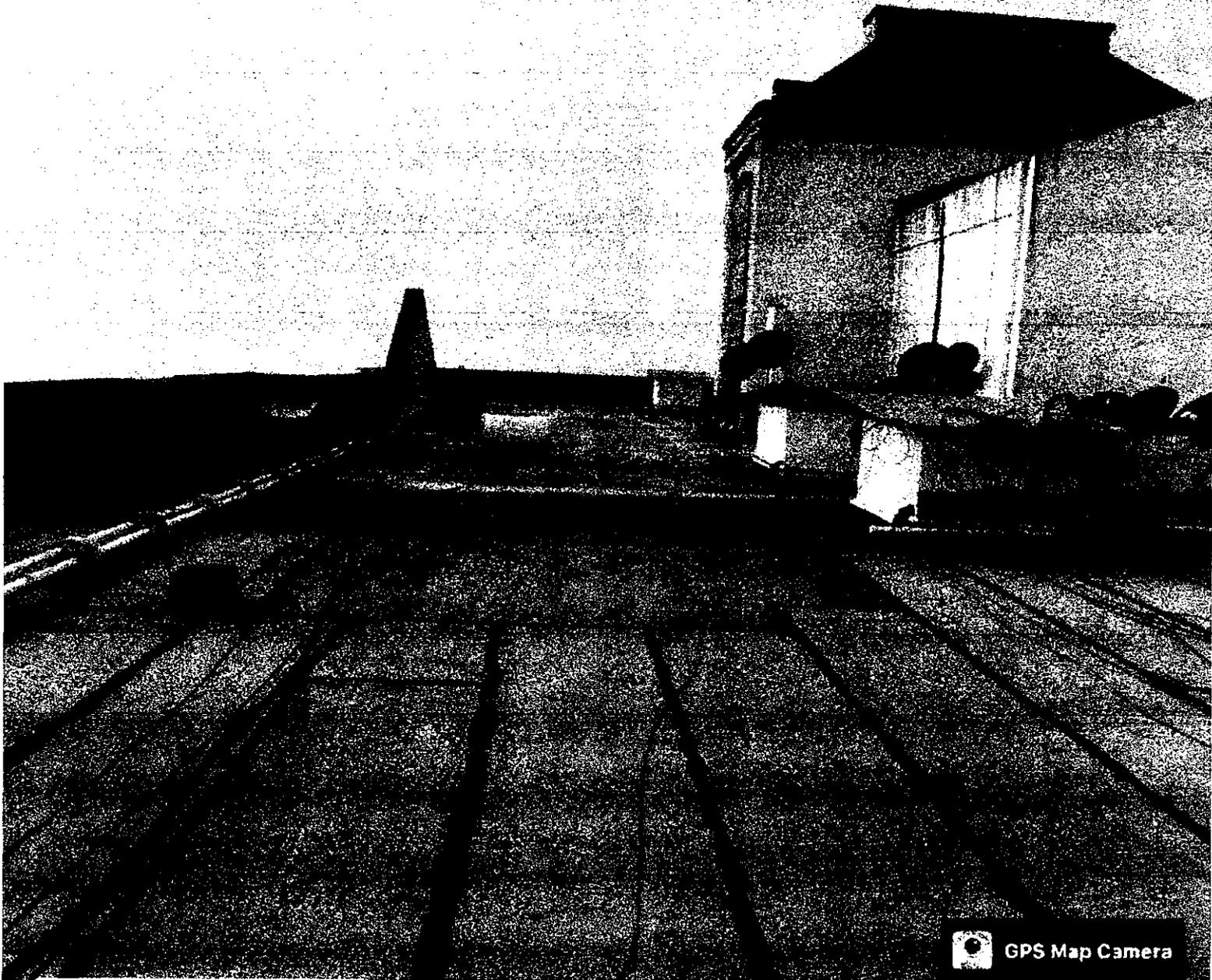
Like i said whether they can stay or not is
not my decision. But whom I employ or

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

59

4925

28



GPS Map Camera

3 Dr. P. Georges Rd



Go gle

Dona Paula, Goa, India

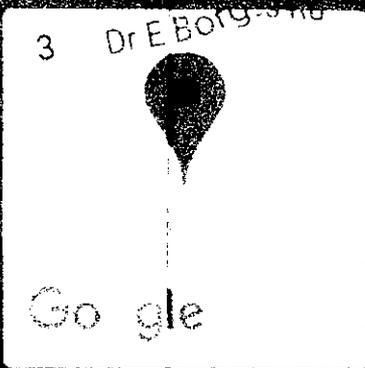
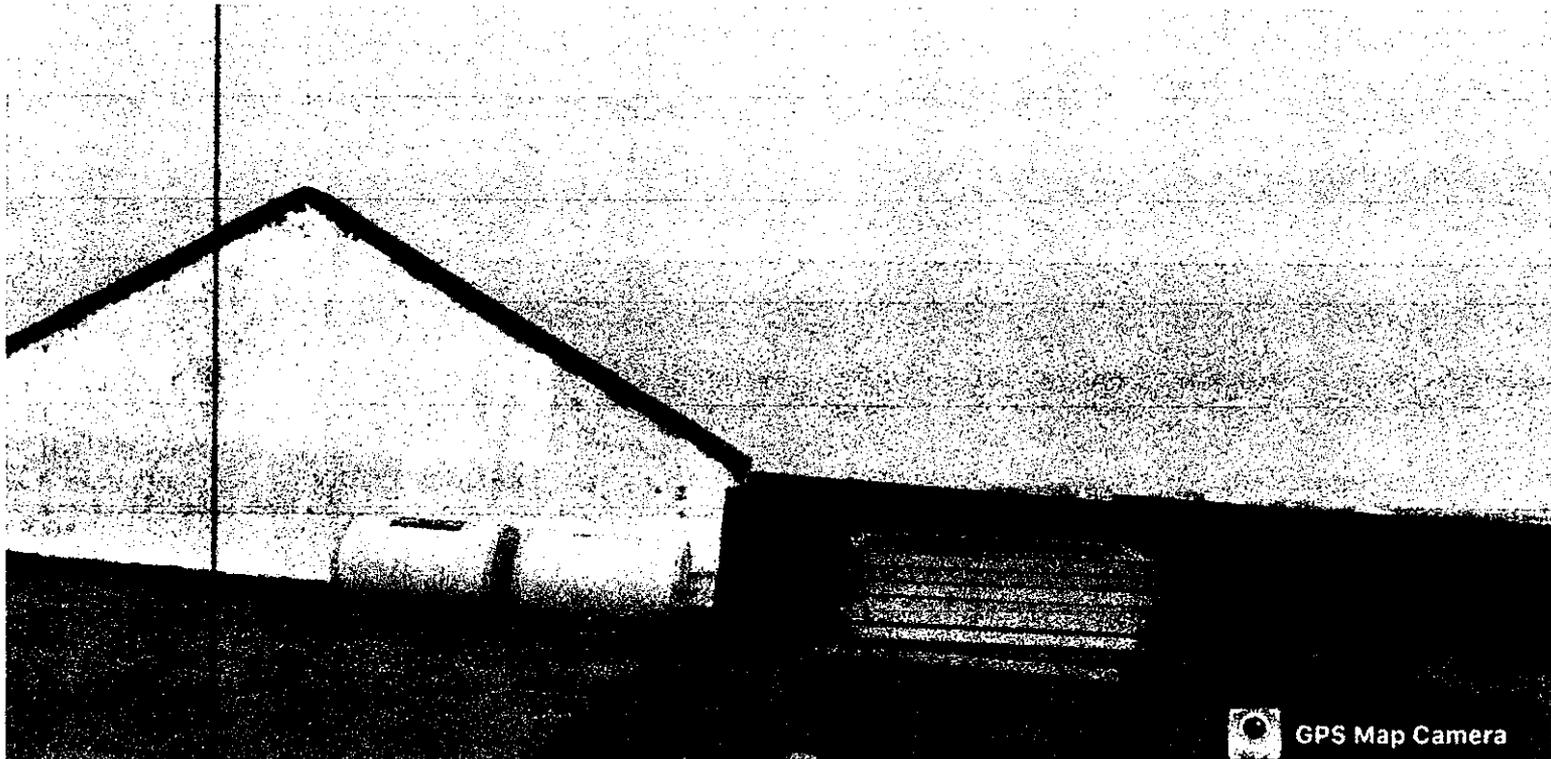
LaGomera, Flatno. 303, Mathias Ocean Park,

Dona Paula, Goa 403004, India

Lat 15.457129°

Long 73.809183°

12/03/22 08:01 AM



Dona Paula, Goa, India

La Palma building (Unit No. 8 Mathias Ocean Park, Dr E Borges Rd, opposite NIO Quarters, Dona Paula, Goa 403004, India

Lat 15.456906°

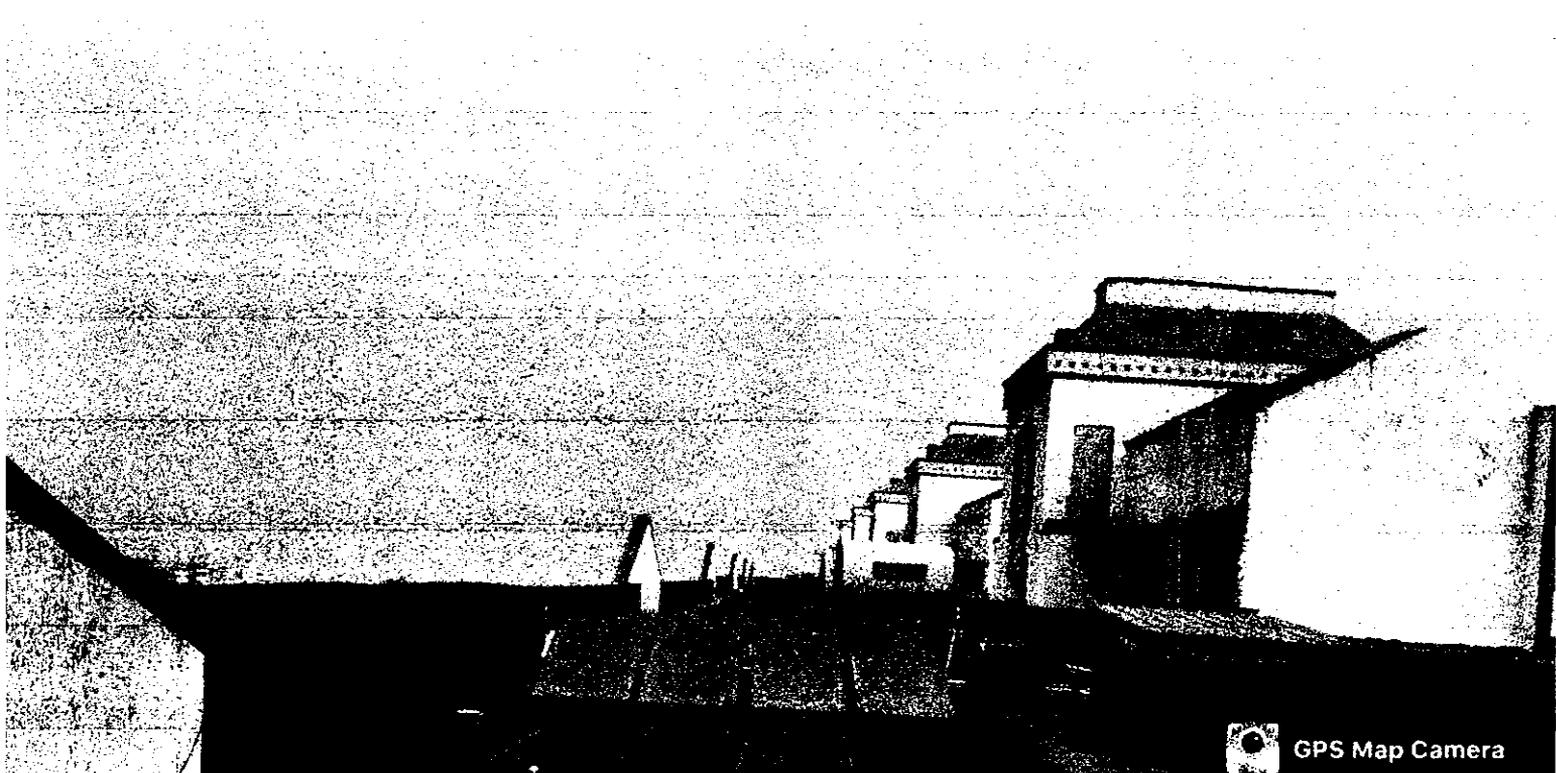
Long 73.809178°

12/03/22 08:03 AM

91

4927

30



 GPS Map Camera

3 Dr F Botg's Rd



Go gle

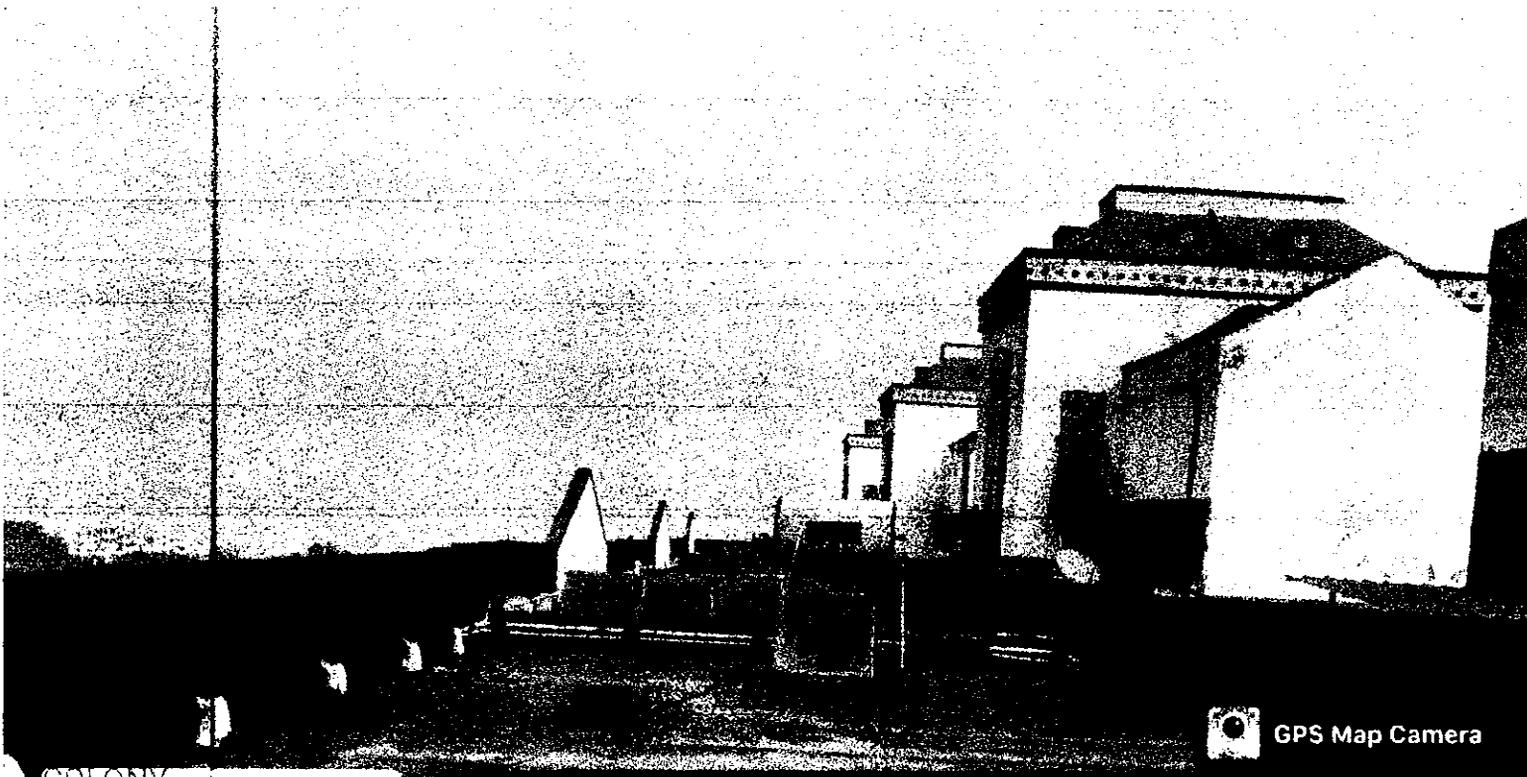
Dona Paula, Goa, India

LaGomera, Flatno. 303, Mathias Ocean Park, Dona Paula, Goa
403004, India

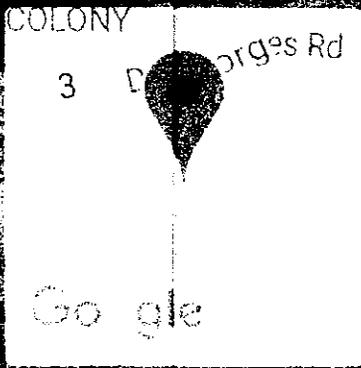
Lat 15.456999°

Long 73.809052°

12/03/22 08:04 AM



GPS Map Camera



Dona Paula, Goa, India

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

Lat 15.457417°

Long 73.80891°

12/03/22 08:05 AM

93

4929

32



 GPS Map Camera

COLONY
3

Google

Panaji, Goa, India

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

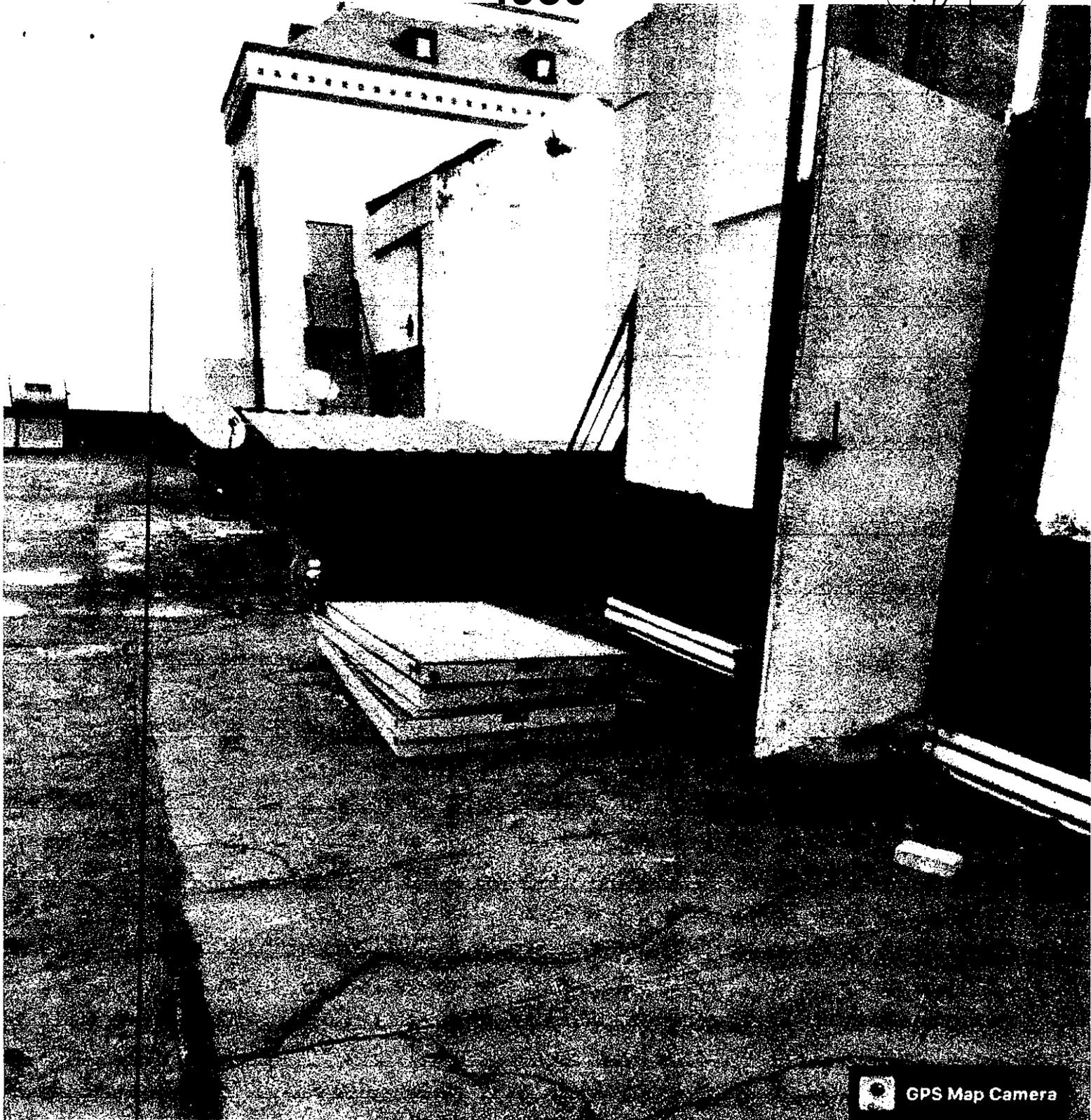
Lat 15.457616°

Long 73.80881°

12/03/22 08:05 AM

4930

94 33



GPS Map Camera

COLONY
3
Lorges Rd



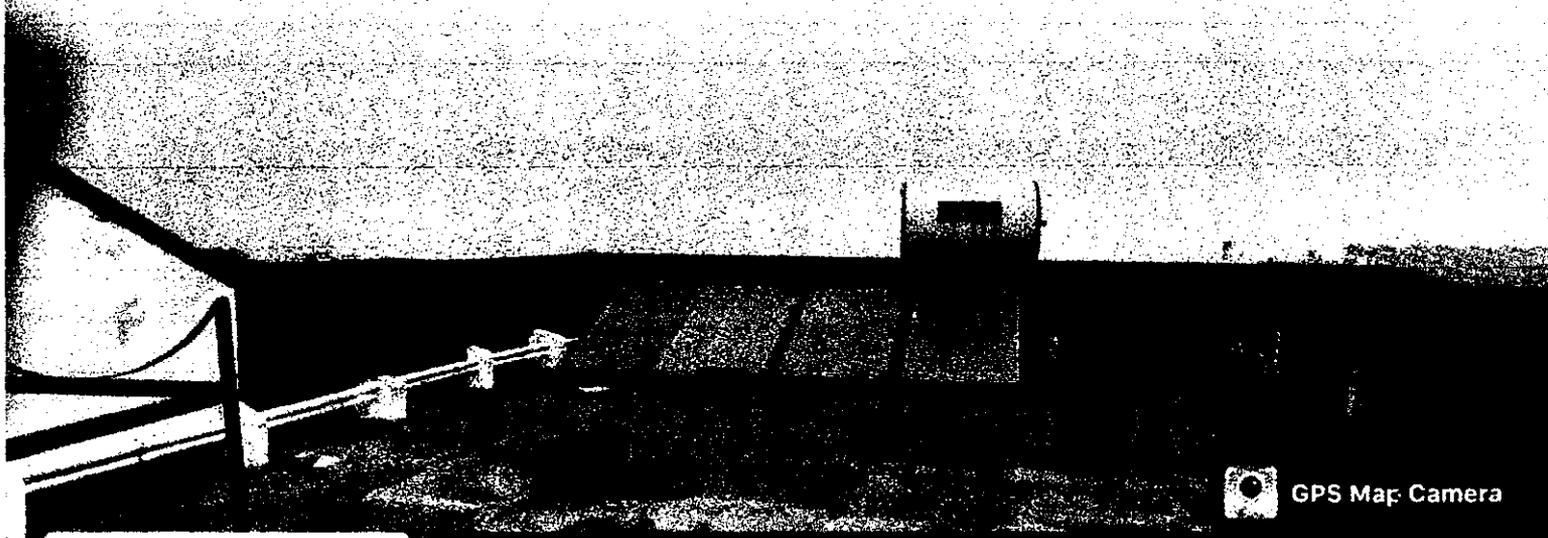
Google

Panaji, Goa, India
 Boa Vista A, flat 202 Ocean Park, Dona Paula,
 Panaji, Goa 403004, India
 Lat 15.457804°
 Long 73.808743°
 12/03/22 08:06 AM

95

4931

34



GPS Map Camera

COLONY
3 L. Morgas Rd



Go gle

Panaji, Goa, India

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

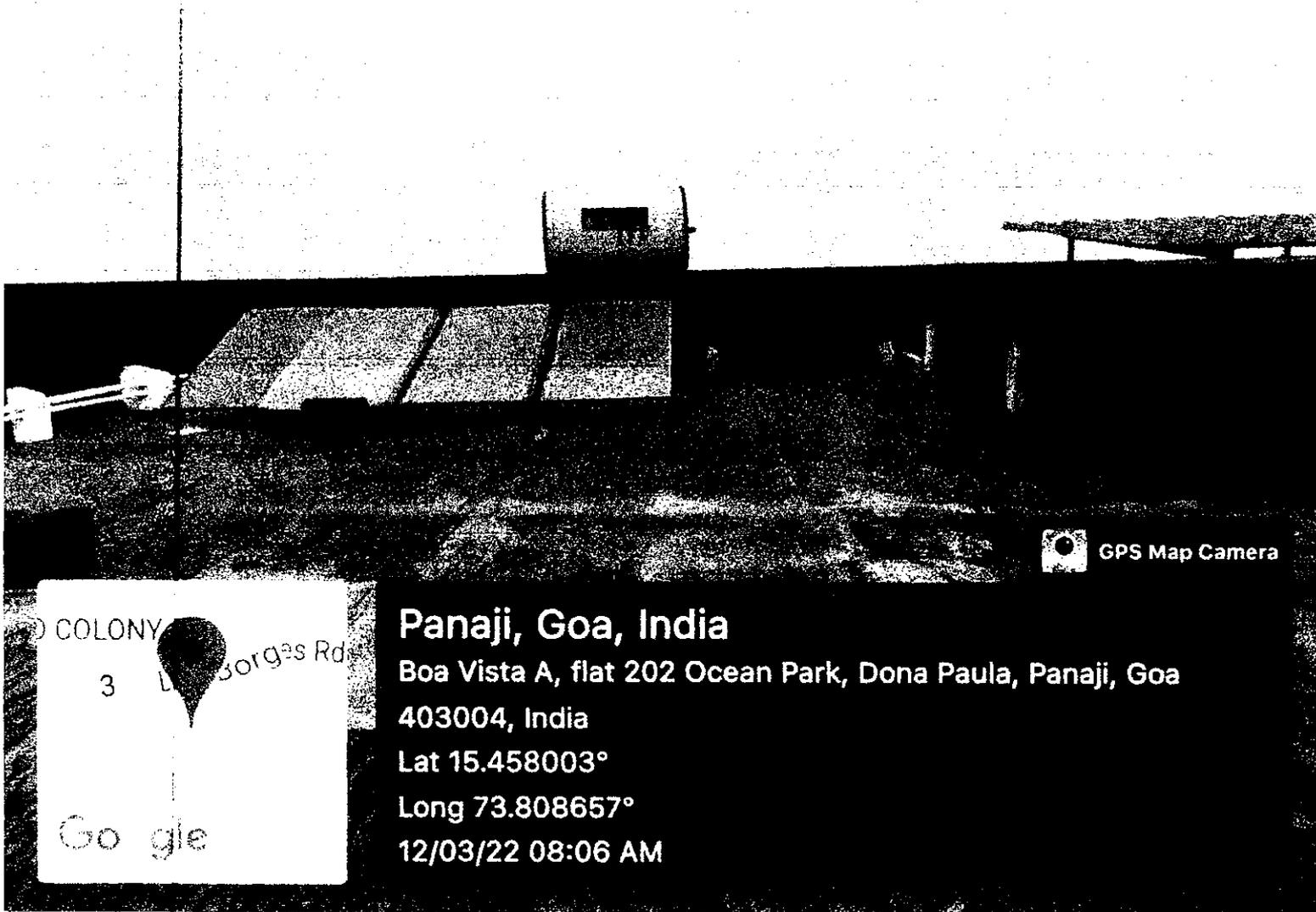
Lat 15.457933°

Long 73.80867°

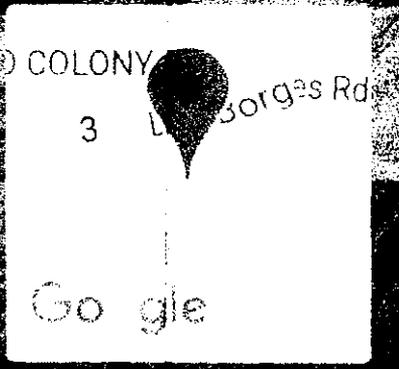
12/03/22 08:06 AM

4932

96 35



GPS Map Camera



Panaji, Goa, India

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

Lat 15.458003°

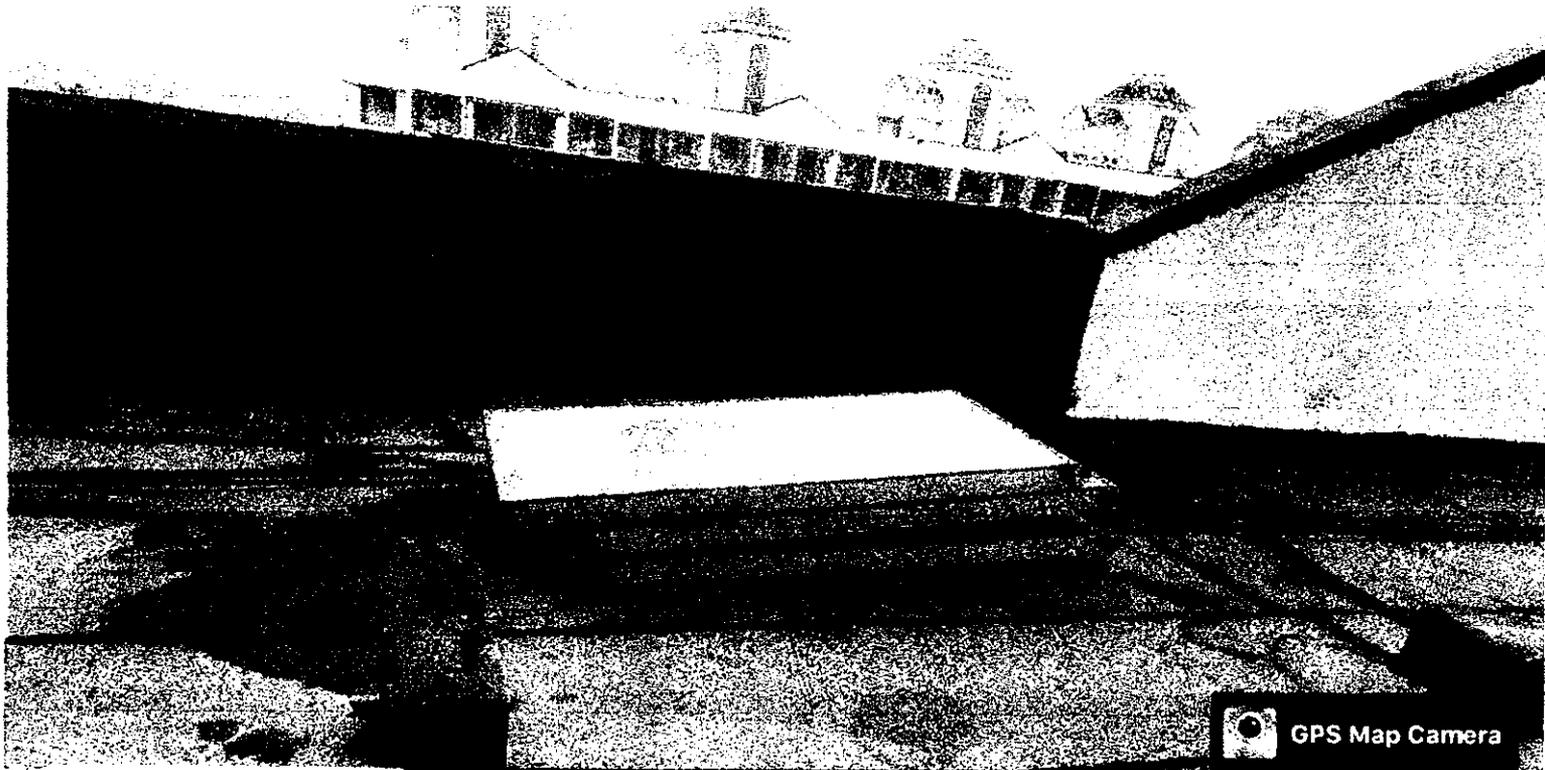
Long 73.808657°

12/03/22 08:06 AM

97

4933

36



GPS Map Camera

COLONY
3 D. Jorge's Rd



Go gle

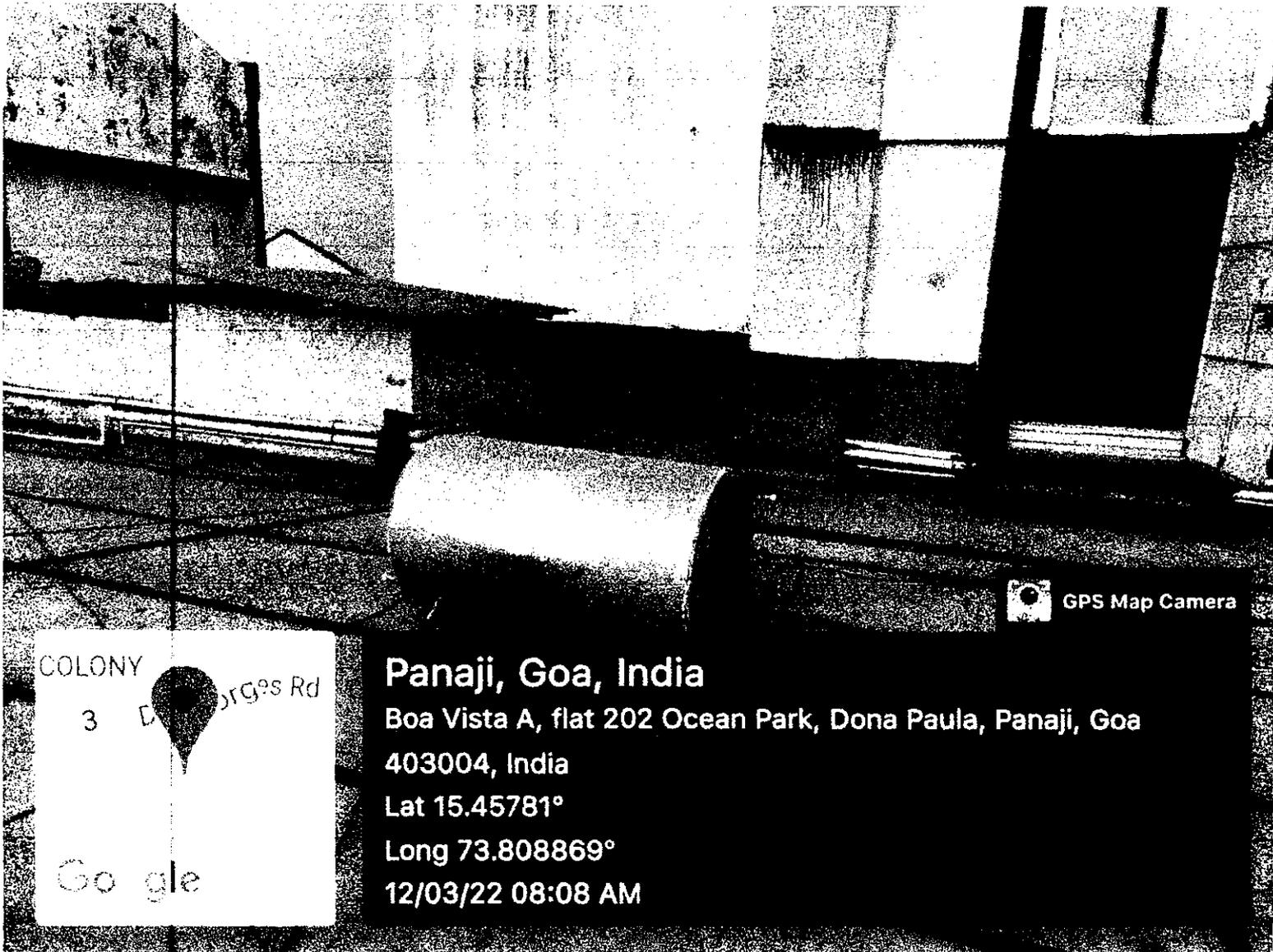
Dona Paula, Goa, India

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

Lat 15.458081°
Long 73.808804°
12/03/22 08:08 AM

4934

95 37



COLONY
3 D Georges Rd
Google

Panaji, Goa, India

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

Lat 15.45781°

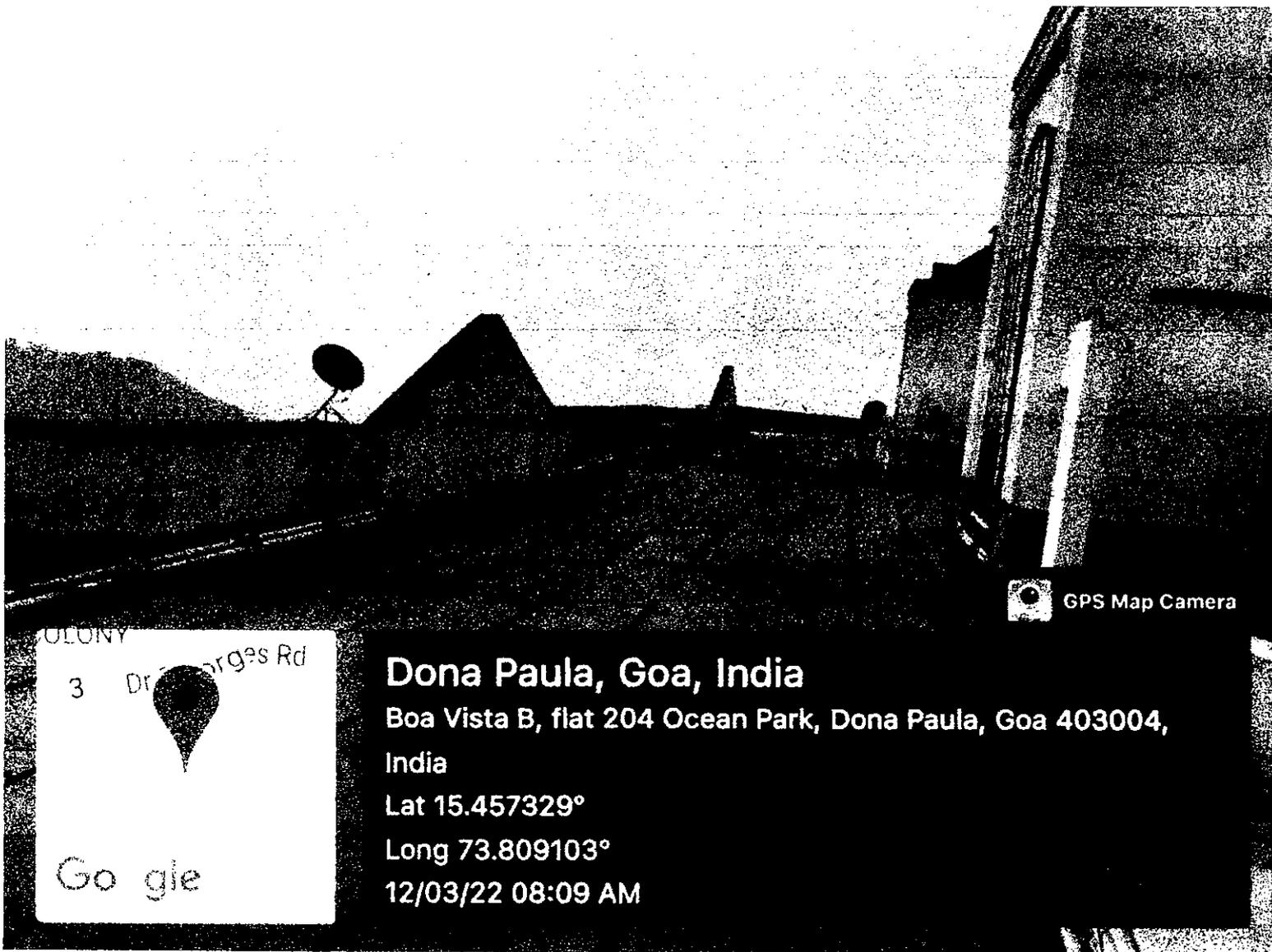
Long 73.808869°

12/03/22 08:08 AM

99

4935

38



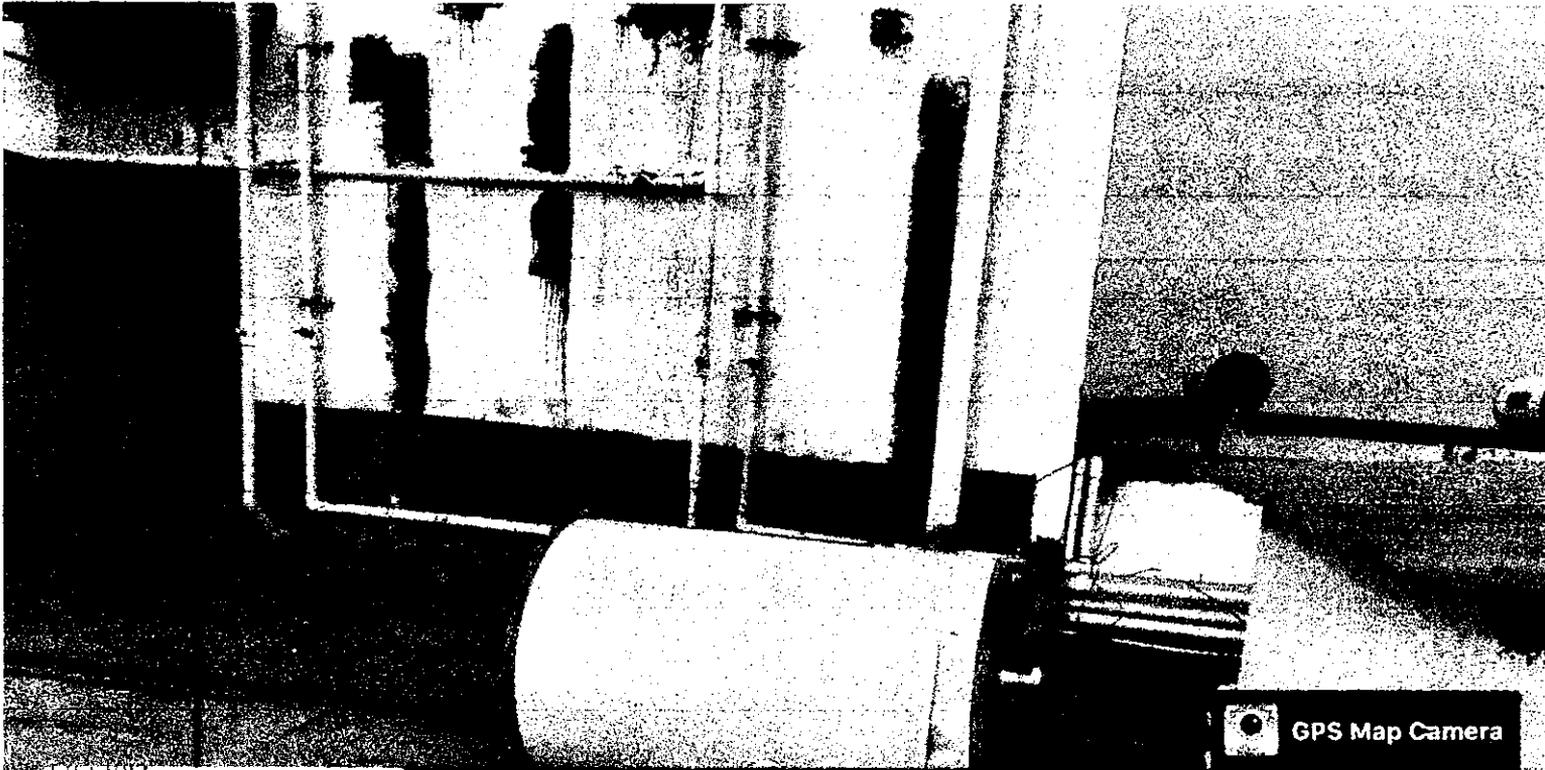
COLONY
3 Dona Paula Rd
Go gle

GPS Map Camera

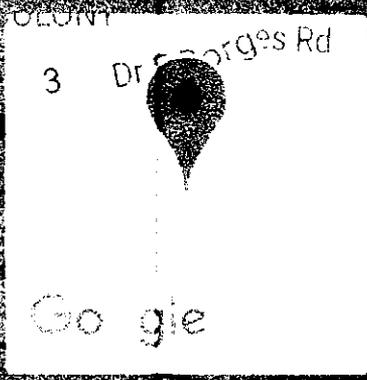
Dona Paula, Goa, India
Boa Vista B, flat 204 Ocean Park, Dona Paula, Goa 403004,
India
Lat 15.457329°
Long 73.809103°
12/03/22 08:09 AM

100

39



GPS Map Camera



Panaji, Goa, India

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

Lat 15.457259°

Long 73.809116°

12/03/22 08:10 AM

Track Consignment



* Indicates a required field.

* Consignment Number

[Track More](#)

Booked At	Booked On	Destination Pincode	Tariff	Article Type	De
Nio Dona Paula S.O	15/03/2022 09:41:10	110003	70.80	Inland Speed Post	Lc

Event Details For : EM563985075IN

Current Status : Item Dispatched

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

4937

Track Consignment

* Indicates a required field.

* Consignment Number

Track More

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

Event Details For : EM563985061IN

Current Status : Item Delivery Confirmed

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

4938

102

153

4939

Vertical text and a small graphic element at the bottom left of the page.

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

Dear Mr. Joe Mathias,

I need some inputs from you on the above subject:

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

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

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

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

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

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

- i) ***Installation of Sewage Treatment Plants shall be mandatory for all residential apartments/ Group Housing Societies where ground water requirement is more than 20 m³ /day. The water from Sewage Treatment Plants shall be utilized for toilet flushing, car washing, gardening etc.***
- ii) *The No Objection Certificate shall be valid for a period of five years from the date of issue or till such time local Government water supply is provided to the project area, whichever is earlier. In case the project proponent receives water supply from the concerned local Government Water Supply Agency during the validity of the No Objection Certificate, intimation regarding availability of public water supply shall be sent by the project proponent to CGWA and No Objection Certificate will be cancelled by the Authority. In other cases, the project proponent will apply for renewal of No Objection Certificate, ninety days before the expiry of No Objection Certificate.*
- iii) *Proponents shall be liable to pay ground water abstraction charges for the quantum of ground water proposed to be extracted, as per rates mentioned in Table 5.1."*

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

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

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

4943

107

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

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

Kind regards

Prakash Agrawal

COMPLAINTS ASSESSMENT REPORT

Sub: Notice Us 19(b) of the Environment (Protection) Act, 1986 and Us. 49 (b) Water (Prevention & Control of Pollution) Act,1974.

Ref: Nil

As directed by Member Secretary the undersigned official of the Board along with Mr. Xawollino Rodrigues (FA) carried out an inspection on ~~30/09/2022~~, with regards to the above mentioned complaint. *Danu 07/04/2022*

Mr. Azra Sheikh (9890169678) Secretary, M/s. Mathias Ocean Park Association and Eugere Rent (9969959433) Resident, M/s. Mathias Ocean Park Association were present during the time of inspection. Mr. Prakash Agrawal, Complainant was present during the time of inspection.

Name, address & contact no. of complainant & date of complaint received:

Prakash Agrawal,
703, La Gomera,
Mathias Ocean Park Residency,
Opposite NIO Colony,
Panaji, Tiswadi, Goa

2. Nature of Complaint :

- i) Noise Pollution:
- ii) Waste Water disposal:
- iii) Air emission
- iv) Solid waste disposal

Any other : Notice Us 19(b) of the Environment (Protection) Act, 1986 and Us. 49 (b) Water (Prevention & Control of Pollution) Act,1974.

3. Whether any previous complaint received, if yes, details: No

4. Whether any show cause notice/directions/letter for corrective if yes, provide details: No

5. Name and address industry/unit against whom complaint is filed:

M/s. Mathias Ocean Park Residency,
Opposite NIO Colony,
Donapaula, Tiswadi, Goa

6. Product manufacturer: N.A.

7. Quantity of production:N.A.

8. Raw Material: NA

159

4945

Goa State Pollution Control Board

QEHS- MME -F(10-03)

9. Machine/equipment installed:
NA

10. Approx production in last 2 months (based on receipts of purchase of Raw Materials, orders and payments received): NA

11. Man power requirement: NA

12. Status of operation of unit: NA

13. Site description and schematic sketch of site: NA

14. Type of area: NA

15. Distance of nearest residence/school/hospital/any prominent structure: NA

16. Distance of water body (Specify which if any): NA

17. Noise Pollution Control measures adopted: NA

18. Water consumption (meter reading of previous water supply bills
Nil

19. Waste water generation:
Nil

20. Disposal method: NA

21. Capacity of septic tank/soak pit/sewage treatment plant/effluent treatment plant: NA

22. Whether capacity sufficient (Yes/No): NA

23. Electrical consumption: NA

24. Solid waste generator: NA

25. Hazardous Waste: N.A.

26. Permission from:

a) Local body: NA

b) Health: NA

c) Directorate of Industries, Trade and Commerce: NA

d) Goa State Pollution control Board: valid till 10/04/2023

27. Noise levels recorded at compound wall of unit: NA

28. DG Set capacity: 62.5 KVA

Page 2 of 4

*Information Right
2005

APIO
Goa State Pollution Control Board, Salgao Goa.

29. Boiler capacity: **NA**
30. Oven capacity: **NA**
31. Furnace capacity: **NA**
32. Rotary Kiln: **NA**
33. Dust suppression Methods: **NA**
34. In case of Induction furnace: **NA**
35. In case of sponge iron units: **NA**
36. Is ambient monitoring carried out (Yes/No): **NA**
37. Are reports submitted as per consent conditions (Yes/No): **NA**
38. Is environmental statement submitted (Yes/No): **NA**
39. Is water cess submitted (Yes/No): **NA**
40. Are all consent conditions complied with (Yes/No): **NA**
41. Is Bank Guarantee submitted (Yes/No): **NA**
42. If Yes, has the unit complied give details: **NA**
43. **Some photographs for reference:**
44. **Additional Observations:**
- There is a complaint against the residential complex M/s. Mathias Ocean Park residency for not being recycled/reused for flushing, which is actually causing the shortage of water.
 - Board has issued consent to the unit for operation of Sewage Treatment Plant for residential complex comprising of 364 flats of capacity 175 KLD issued wide order no. 12/2018-PCB/92647/R000685 dated 15/03/2019 which is valid till 27/12/2023.
 - There are 1BHK 30 Flats, 2BHK 280 Flats and 3 BHK 54 Flats total to be 364 Flats in the residential complex.
 - As per records provided STP Flow meter not in operation since 24/10/2020.
 - As observed during the time of inspection an STP Plant is operated by a worker who does not aware of any technicalities of the plant, he is only trained to start the pump to discharge the raw water from aeration tank to the discharge pipe installed near the STP Plant into the thick vegetation.
 - Unit has not provided sampling porthole to the final outlet of STP Plant.
 - Unit has not provided tertiary treatment for the plant i.e. Sand and Carbon Filters.
 - As observed during the time of inspection treated water i.e. after aeration is disposed into the thick vegetation.



- i) Unit has provided garden area of approx. 1500sq.mtrs. However treated water is not used for gardening which is violation of the EC and Consent conditions.
- j) Unit has provided separate Storage tanks for utilization of Treated water for toilet flushing. However treated water is not used for toilet flushing which is violation of the EC and Consent conditions.
- k) During the time of inspection final treated water sample of STP was collected and analyzed in Boards laboratory, analysis report indicate that pH, Oil & Grease, N-Total are well within the prescribed permissible limits laid down by the Board. However Suspended Solids, BOD, COD and Fecal Coliform are exceeding the permissible limits laid down by the Board.
- l) As per consent condition no. 6(xvi) STP plant to be operated and maintained by the builder for a minimum period of 5 Years however as observed during the time of inspection STP was operated by the M/s. Mathias Ocean Park Association.
- m) As per consent condition no. 6(xvii) the unit shall maintain the records of the water consumption, treated water from STP and the STP operation details on daily basis. However unit has not complied with the consent condition.
- n) As per consent condition no. 6(xix) the unit shall operate an composting facility for the wet waste and maintain daily records of all the waste generated, treated and disposed from the premises and submit a compliance report to the Board within 45 days from the date of issue of this consent. However unit disposed wet waste generated from the unit through Village Panchayat Taleigao resulting in EC and Consent conditions violations.

45. Conclusion:

46. Recommendations:

Name and Designation of the Inspecting Board Official: Mr. Vijay Kansekar (JEE-GSPCB)

Signature:

Verified By: (Name and Designation of the Board Official): Mr. Sanjiv Joglekar (SEE-GSCPBB)

Signature:

2023/GSPCB/Leave/11839

Notes



- 009 Dorothy Fernandes 20.06.2024 10:59:27

CTE was granted to the unit with file No. 12/2023-PCB/1704690/R00012449
Date: 12/01/2024

- 008 Aryada Deshpande 11.10.2023 15:07:47

Noted

- 007 Pravin Faldessai 11.10.2023 13:29:01

once action taken on ocmms intimate the complianant.

- 006 Aryada Deshpande 11.10.2023 13:24:41

Noted. The said OCCMS file has been processed.

- 005 Pravin Faldessai 13.09.2023 10:54:01

Please add the observations with respect to compliant and action required in the ocmms file presently marked to you for processing.

- 004 Aryada Deshpande 25.08.2023 15:25:27

yes unit was inspected by the undersigned on 31/07/2023. application no 1704690 on OCMMS. unit has applied for expansion , shifting of location of the STP and upgradation of STP capacity from 175 KLD to 250 KLD.

- 003 Pravin Faldessai 24.08.2023 14:59:14

Please check if we have inspected the same unit for CTE expansion.

- 002 Manoj Kudalkar 17.08.2023 14:15:30

We may verify the present status of the operation of STP and decide on the action to be initiated

- 001 Vijay Kansekar 11.10.2022 09:57:46As directed inspection was carried out and Inspection Report placed in file for needful action.

Inspection Report

Information made available under
Right to Information Act 2005

113

4949

GSPCB/TECH/TECH/2025/640018

Basic Information

Notes & Documents

Workflow

Attribute History

- 005 Dr. Shamila Monteiro 14.07.2024 11:07:37

may approve comments at 003

- 004 Sanjeev Joglekar 13.07.2024 11:06:48

may put up draft directions

- 003 NANDAN PRABHUDESAI 05.07.2024 11:46:46

May approve comments at 002 and forward to legal for drafting directions

- 002 Amit Shanbag 05.07.2024 10:22:25

Board may issue directions to the residential complex in view of the non compliances observed during the site inspection and also call the complainant, unit representative for a personal hearing before the MS

- 001 Saish Waldankar 02.07.2024 11:13:56

The board is in receipt of numerous complaint from Mr. Prakash Agarwal against M/s. Mathias Ocean Park Residency for the non compliance, all the daaks are attached in file also inspection report conducted on 26/06/2024 is attached in the file.

*Information made available under
Right to Information Act, 2005

Inspection Report



GOA STATE POLLUTION CONTROL BOARD

Near Pileme Industrial Estate, Opp Saligao Seminary,
Saligao, Bardez, Goa - 403 511.
Tel : +91 (0832) 2407700, 2407701, 2407702,
2407703, Fax: (0832) 2407700
e-mail: goapcb@gspcb.in,
website: www.goapcb.gov.in



TC-11139

Accreditation Standards: ISO/IEC 17025:2017

NABL Certificate No. TC-11139

Issued Date: 12.11.2022

Valid Until: 11.11.2024

TEST REPORT

Test Report No.: GSPCB/TR/24/39239

Report Issue Date: 04/07/2024

Name of the Customer : Mathias Ocean Park Residency
Address : Survey No. 249/1 -A , opp. NIO Colony , Dona Paula
Tiswadi Goa
Nature of Sample : Final Treated STP water sample (175 KLD)
Sample collected by : Saish Waldankar (JEE), Aryada Deshpande (JEE) ,
Deepak Naik (JLA)
Quantity of Sample Received : 2L
Code No. of the Sample : GSPCB/24/22238 A
Date & Time of Sample Collection : 26.06.2024 & 01:30 pm
Date of Sample Receipt : 26.06.2024
Seal / Tag details : Sealed
Date of Start of Analysis : 27.06.2024
Date of Completion of Analysis : 02.07.2024
Method of Sample Collection : IS 17614 (Part I)
Colour of Sample : Yellowish
Odour of Sample : Septic
Weather Condition : Rainy
Visible Effluent Discharge : Yes
Any other Specific activity observed : -

Parameters	Test Methods	Units	Test Results	Permissible Limits
pH	4500-H ⁺ B, APHA 23 rd Edition	-	7.48	5.5-9.0
Biochemical Oxygen Demand (BOD), 3 Days at 27°C	IS 3025(Part 44)	mg/l	18.0	10.0
Chemical Oxygen Demand (COD)	5220 B, APHA 23 rd Edition	mg/l	50.0	50.0
Total Suspended Solids dried at 103-105°C	2540 D, APHA 23 rd Edition	mg/l	18.0	20.0
Oil & Grease	5520 B, APHA 23 rd Edition	mg/l	<10.0	10.0

Contd.

Note :

- The results refer only to the tested samples and applicable parameters. Endorsement of products is neither inferred nor implied.
- Samples will be destroyed after 15 days from the date of issue of test report unless otherwise specified.
- This report is not to be reproduced wholly or in part or used in any advertising media without the permission of the Board in writing.
- The Board is not responsible for the authenticity for the samples not collected by the Board's officials.
- Total liability of our laboratory is limited to the invoiced amount. Any dispute arising out of this report is subject to Goa Jurisdiction only.
- Permissible Limits: as per Schedule I & VI of EPA Rules, 1986 as ammended by Second and Third ammendment 1993 for Effluents and as per IS 10500 : 2012 (RA 2018) - Indian Standards for Drinking water Specification (Second Revision) and as per minutes of the 116th, 126th, 145th & 157th meetings of the Board for discharge of treated sewage.
- The method, location of Sampling including any diagram, sketch, photograph, if any may be enclosed.

GSPCB/F/07

Rev.No. 13

Issue Date : 04.04.2024

"Information" made available under
Right to Information Act 2005

115

4951



GOA STATE POLLUTION CONTROL BOARD
 Near Pileme Industrial Estate, Opp Saligao Seminary,
 Saligao, Bardez, Goa - 403 511.
 Tel : +91 (0832) 2407700, 2407701, 2407702,
 2407703, Fax: (0832) 2407700
 e-mail:goapcb@gspcb.in,
 website:www.goaspcb.gov.in



TC-11139

Accreditation Standards: ISO/IEC 17025:2017
 Issued Date: 12.11.2022

NABL Certificate No. TC-11139
 Valid Until: 11.11.2024

TEST REPORT

Test Report No.:GSPCB/TR/24/39239

Report Issue Date:04/07/2024

Remark: Biochemical Oxygen Demand parameter is exceeding the permissible limits .

*** End of Report ***
 for GOA STATE POLLUTION CONTROL BOARD,

Analyst

Jocelyn Coelho
 Senior Laboratory Assistant

Authorised Signatory

Sanjay Kankonkar
 Scientist B

Note :

1. The results refer only to the tested samples and applicable parameters. Endorsement of products is neither inferred nor implied.
2. Samples will be destroyed after 15 days from the date of issue of test report unless otherwise specified.
3. This report is not to be reproduced wholly or in part or used in any advertising media without the permission of the Board in writing.
4. The Board is not responsible for the authenticity for the samples not collected by the Board's officials.
5. Total liability of our laboratory is limited to the invoiced amount. Any dispute arising out of this report is subject to Goa Jurisdiction only.
6. Permissible Limits: as per Schedule I & VI of EPA Rules, 1986 as ammended by Second and Third ammendment 1993 for Effluents and as per IS 10500 : 2012 (RA 2018) – Indian Standards for Drinking water Specification (Second Revision) and as per minutes of the 118th, 126th, 145th & 157th meetings of the Board for discharge of treated sewage.
7. The method, location of Sampling including any diagram, sketch, photograph, if any may be enclosed.

GSPCB/F/07
 Rev.No. 13
 Issue Date : 04.04.2024

[Faint signature and stamp at the bottom right]
 GOA STATE POLLUTION CONTROL BOARD



GOA STATE POLLUTION CONTROL BOARD

Near Pilerne Industrial Estate, Opp Saligao Seminary,
Saligao, Bardez, Goa - 403 511.
Tel : +91 (0832) 2407700, 2407701, 2407702,
2407703, Fax: (0832) 2407700
e-mail: goapcb@gspcb.in,
website: www.goaspcb.gov.in

16

TEST REPORT

Test Report No.: GSPCB/TR/24/39240

Report Issue Date: 04/07/2024

Name of the Customer : Mathias Ocean Park Residency
Address : Survey No. 249/1 -A , opp. NIO Colony , Dona Paula
Tiswadi Goa
Nature of Sample : Final Treated STP water sample (175 KLD)
Sample collected by : Saish Waldankar (JEE), Aryada Deshpande (JEE) ,
Deepak Naik (JLA)
Quantity of Sample Received : 2L
Code No. of the Sample : GSPCB/24/22238 A
Date & Time of Sample Collection : 26.06.2024 & 01:30 pm
Date of Sample Receipt : 26.06.2024
Seal / Tag details : Sealed
Date of Start of Analysis : 26.06.2024
Date of Completion of Analysis : 02.07.2024
Method of Sample Collection : IS 17614 (Part I)
Colour of Sample : Yellowish
Odour of Sample : Septic
Weather Condition : Rainy
Visible Effluent Discharge : Yes
Any other Specific activity observed : -

Parameters	Test Methods	Units	Test Results	Permissible Limits
N-Total	4500 -N _{org} B, APHA 23 rd Edition	mg/l	42.05	10.0

Contd..

Note :

- The results refer only to the tested samples and applicable parameters. Endorsement of products is neither inferred nor implied.
- Samples will be destroyed after 15 days from the date of issue of test report unless otherwise specified.
- This report is not to be reproduced wholly or in part or used in any advertising media without the permission of the Board in writing.
- The Board is not responsible for the authenticity for the samples not collected by the Board's officials.
- Total liability of our laboratory is limited to the invoiced amount. Any dispute arising out of this report is subject to Goa Jurisdiction only.
- Permissible Limits: as per Schedule I & VI of EPA Rules, 1986 as amended by Second and Third amendment 1993 for Effluents and as per IS 10500 : 2012 (RA 2018) - Indian Standards for Drinking water Specification (Second Revision) and as per minutes of the 118th, 126th, 145th & 157th meetings of the Board for discharge of treated sewage.
- The method, location of Sampling including any diagram, sketch, photograph, if any may be enclosed.

GSPCB/F/07

Rev.No. 13

Issue Date : 04.04.2024

Information made available under
Right to Information Act, 2005

117

4953

	<p>GOA STATE POLLUTION CONTROL BOARD Near Pileme Industrial Estate, Opp Saligao Seminary, Saligao, Bardez, Goa - 403 511. Tel : +91 (0832) 2407700, 2407701, 2407702, 2407703, Fax: (0832) 2407700 e-mail: goapcb@gspcb.in, website: www.goapcb.gov.in</p>	
--	---	--

TEST REPORT

Test Report No.: GSPCB/TR/24/39240	Report Issue Date: 04/07/2024
---	--------------------------------------

Remark: N-Total Parameter is exceeding the permissible limits

*** End of Report ***
for GOA STATE POLLUTION CONTROL BOARD.

Analyst

Authorised Signatory

Joelha

[Signature]

**Jocelyn Coelho
Senior Laboratory Assistant**

**Sanjay Kankonkar
Scientist B**

Note :

1. The results refer only to the tested samples and applicable parameters. Endorsement of products is neither inferred nor implied.
2. Samples will be destroyed after 15 days from the date of issue of test report unless otherwise specified.
3. This report is not to be reproduced wholly or in part or used in any advertising media without the permission of the Board in writing.
4. The Board is not responsible for the authenticity for the samples not collected by the Board's officials.
5. Total liability of our laboratory is limited to the invoiced amount. Any dispute arising out of this report is subject to Goa Jurisdiction only.
6. Permissible Limits: as per Schedule I & VI of EPA Rules, 1986 as ammended by Second and Third ammendment 1993 for Effluents and as per IS 10500 : 2012 (RA 2018) – Indian Standards for Drinking water Specification (Second Revision) and as per minutes of the 118th, 126th, 145th & 157th meetings of the Board for discharge of treated sewage.
7. The method, location of Sampling including any diagram, sketch, photograph, if any may be enclosed.

**GSPCB/F/07
Rev.No. 13
Issue Date : 04.04.2024**

4954

118



GOA STATE POLLUTION CONTROL BOARD
 Near Pilerne Industrial Estate, Opp Saligao Seminary,
 Saligao, Bardez, Goa - 403 511.
 Tel : +91 (0832) 2407700, 2407701, 2407702,
 2407703, Fax: (0832) 2407700
 e-mail: goapcb@gspcb.in,
 website: www.goapcb.gov.in

TEST REPORT

Test Report No.: GSPCB/TR/24/39267

Report Issue Date: 05/07/2024

Name of the Customer : Mathias Ocean Park Residency
 Address : Survey No. 249/1 -A , opp. NIO Colony , Dona Paula
 Tiswadi Goa
 Nature of Sample : Final Treated STP water sample (175 KLD)
 Sample collected by : Saish Waldankar (JEE), Aryada Deshpande (JEE) ,
 Deepak Naik (JLA)
 Quantity of Sample Received : 250 ml
 Code No. of the Sample : GSPCB/24/22238 B
 Date & Time of Sample Collection : 26.06.2024 & 01:30 pm
 Date of Sample Receipt : 26.06.2024
 Seal / Tag details : Sealed
 Date of Start of Analysis : 26.06.2024
 Date of Completion of Analysis : 04.07.2024
 Method of Sample Collection : IS 17614 (Part I)
 Colour of Sample : Yellowish
 Odour of Sample : Septic
 Weather Condition : Rainy
 Visible Effluent Discharge : Yes
 Any other Specific activity observed : -

Parameters	Test Methods	Units	Test Results	Permissible Limits
Total Coliform	9221 B, APHA 23 rd Edition	MPN/100ml	350 x 10 ²	-
Fecal Coliform	9221 E, APHA 23 rd Edition	MPN/100ml	170 x 10 ²	≤100
E.Coli	9221 G, APHA 23 rd Edition	-	Present	-

Contd..

- Note :
1. The results refer only to the tested samples and applicable parameters. Endorsement of products is neither inferred nor implied.
 2. Samples will be destroyed after 15 days from the date of issue of test report unless otherwise specified.
 3. This report is not to be reproduced wholly or in part or used in any advertising media without the permission of the Board in writing.
 4. The Board is not responsible for the authenticity for the samples not collected by the Board's officials.
 5. Total liability of our laboratory is limited to the invoiced amount. Any dispute arising out of this report is subject to Goa Jurisdiction only.
 6. Permissible Limits: as per Schedule I & VI of EPA Rules, 1986 as amended by Second and Third amendment 1993 for Effluents and as per IS 10500 : 2012 (RA 2018) - Indian Standards for Drinking water Specification (Second Revision) and as per minutes of the 118th, 126th, 145th & 157th meetings of the Board for discharge of treated sewage.
 7. The method, location of Sampling including any diagram, sketch, photograph, if any may be enclosed.

GSPCB/FN07
 Rev.No. 13
 Issue Date : 04.04.2024

Mathias Ocean Park Residency
 Dona Paula, Saligao
 Bardez, Goa - 403 511

(Signature)
 Saligao Goa

119

4955



GOA STATE POLLUTION CONTROL BOARD

Near Pilerne Industrial Estate, Opp Saligao Seminary,
Saligao, Bardez, Goa - 403 511.

Tel : +91 (0832) 2407700, 2407701, 2407702,
2407703, Fax: (0832) 2407700

e-mail: goapcb@gspcb.in,
website: www.goapcb.gov.in

TEST REPORT

Test Report No.: GSPCB/TR/24/39267

Report Issue Date: 05/07/2024

Remark: Fecal Coliform parameter is exceeding the permissible limits

*** End of Report ***
for GOA STATE POLLUTION CONTROL BOARD,

Analyst

Naik
Vardha Naik
Junior Research Fellow

Authorised Signatory

Sanjay
Sanjay Karikonkar
Scientist B

Note :

1. The results refer only to the tested samples and applicable parameters. Endorsement of products is neither inferred nor implied.
2. Samples will be destroyed after 15 days from the date of issue of test report unless otherwise specified.
3. This report is not to be reproduced wholly or in part or used in any advertising media without the permission of the Board in writing.
4. The Board is not responsible for the authenticity for the samples not collected by the Board's officials.
5. Total liability of our laboratory is limited to the invoiced amount. Any dispute arising out of this report is subject to Goa Jurisdiction only.
6. Permissible Limits: as per Schedule I & VI of EPA Rules, 1986 as ammended by Second and Third ammendment 1993 for Effluents and as per IS 10500 : 2012 (RA 2018) - Indian Standards for Drinking water Specification (Second Revision) and as per minutes of the 118th, 126th, 145th & 157th meetings of the Board for discharge of treated sewage.
7. The method, location of Sampling including any diagram, sketch, photograph, if any may be enclosed.

GSPCB/F/07
Rev.No. 13
Issue Date : 04.04.2024

"Information presented in this under:
Regulation No. 2005

INSPECTION REPORT

Sub: Complaint regarding discharge of sewage waste water by M/s. Mathias Ocean Park.

As directed, the undersigned officials of the Board Mr. Saish S. Waldankar (JEE), Miss. Aryada Deshpande (JEE) and Mr. Deepak Naik (JLA) conducted a site inspection of M/s. Mathias Ocean Park Residency located at Sy. No. 249/1 - A, Opp. NIO Colony, Dona Paula, Tiswadi, Goa on 26/06/2024 with regards to the complaint received from Mr. Prakash Agarwal regarding water pollution caused by unit. Mr. Prakash Agarwal (Complainant), Mr. Badami (Representative of Builder (Mathias) and Sameer Shirodkar (Mathias Association Manager) were present during the course of Inspection.

1. Name, address & contact no .of complainant:

- Mr. Prakash Agarwal
Flat No. 703, Mathias Ocean Park Residency,
Dona Paula, Tiswadi, Goa.
prakashagarwal@msn.com
9403070000

2. Nature of Complaint:

- Noise pollution:- No
- Waste Water disposal : Yes
- Air emission: - No
- Solid waste disposal: - Yes
- Any other: - No

3. Name and address of industry/unit against which complaint is filed:

- M s. Mathias Ocean Park, Sector 1
- located at sy.no.249 1-A,
- Dona Paula, Tiswadi Goa

4. Product manufactured: Residential Complex with 364 flats

5. Quantity of production: NA

6. Raw Material: NA

7. Machine/equipment installed: NA

8. Approximate production in last 2 months (based on receipts of purchase of raw materials orders and payments received): No Data Available

9. Man power requirement: NA

10. Status of operation of unit: In operation.

11. Site description and schematic sketch of site: Attached

12. Type of area: Residential Commercial

13. Distance of nearest residence/school/hospital/any prominent structure:

14. Distance of water body (Specify which if any): 500 MTRS.

15. Noise Pollution Control measures adopted : - NA

16. Water consumption (meter reading of previous water supply bills): 212 KLD

17. Waste water generation: 170 KLD

18. Disposal method: STP (175 KLD)

19. Capacity of septic tank/soak pit/sewage treatment plant/effluent treatment plant: 175 KLD

20. Observations:

- The complaint is regarding illegal sewage waste water discharge from existing STP (175 KLD) of M/s Mathias Ocean Park into surroundings.

Inspector
R...

Goa State Pollution Control Board, Salgoe Goa.

(12)

- The complainant Mr. Prakash Agarwal in its complain has claimed that the Human Excreta is freely flowing from the existing STP of unit M's. Mathias Ocean Park, Sector 1 located at sy.no.249/1-A, Dona Paula, Tiswadi Goa. Further it was stated that the said discharge flows into common storm water drain.
- Accordingly inspection of M's. Mathias Ocean Park was conducted on 26/06/2024 to verify the facts.
- The unit M's. Mathias Ocean Park is a residential complex consisting 364 flats at Sector 1 and 106 flats with 56 shops and 1 restaurant at sector 2.
- It was noted that unit (Sector 1) had a consent vide order no. 12/2018=PCB 92647 R000685 dated 15/03/2019 which is expired on 27/12/2023, accordingly unit had applied for renewal of consent on 04/12/2023 which is granted on 28/06/2024 vide order no. 12/2023-PCB 2011488/R00014062 with a bank guarantee.
- In addition to above unit has 2 more consent for expansion one is CTO for operation of 105 KLD STP for new building (Sector 2) consisting 106 flats, 56 shops and a restaurant (Order No. 12/2023-PCB/1873501/R00013373 dated 25/06/2024 with 6 month validity) and other one is CTE for shifting the existing STP of 175 KLD of building (Sector 1) to a new location (Order no. 12/2023-PCB 1704690/R00012449 dated 12/01/2024).
- The total water consumption of Sector 1 unit as informed is 212 KLD and waste water generation is 170 KLD, which is treated in existing STP of 175 KLD.
- The unit at Sector 1 has 2 nos. of buildings; each building has its own collection tank for collecting sewage waste water which is later pumped into aeration tank for further process.
- The existing STP of 175 KLD consists of collection tank, Aeration tank and treated water tank. As informed treated water is used for gardening and flushing, but during inspection it was noted that STP treated water is used only for gardening, the dual plumbing line was not in operation.
- During inspection it was observed that STP of unit (Sector 1) was not in operation, it was informed that STP was kept idle for settling of sludge.
- The unit doesn't have sufficient garden area to utilize the treated water.
- It was observed that treated water used gardening was overflowing in storm water drains thus polluting the surrounding area. water sample was collected at this point for analysis in board laboratory, reports are awaiting.
- While inspecting the existing STP of 175 KLD it was observed that unit has kept 2 nos. open pipe in the aeration tank, as per unit representative they have kept pipe to bypass the overflow in the aeration tank (Fig 1).

Inform R. _____

 Goa State Pollution Control Board, Panaji, Goa

- As per the claim made by the complainant and photos shown during inspection, human excreta was flowing out from aeration tank through this pipes but at the time of inspection there was no overflow nor accumulation of sludge on land was observed. (Fig 2).
- As per the claim made by the Complaint and the photos showed during inspection regarding discharge of untreated water from STP, the inspection team visited the spot at the rear southern side of the unit. At the time of inspection there was no discharge from the said spot (Fig 3.4).
- The unit officials informed that the natural gradient of the plot is towards the southern side and the said drain is a storm water drain for the monsoon water to flow and it is common for all nearby residents and commercial building.
- The unit has provided flow meter only at the outlet for existing STP of 175 KLD however it was found non functional during inspection.
- The STP is not maintained properly, sludge was observed in the final treated water tank, the operator present was also notable to explain the process of STP properly.
- It was also noted that there is no alternate power supply for STP, also there are no standby pumps.
- As per unit representative the generated sludge is disposed using night soil tankers.
- During inspection construction activity for setting up new STP as informed, was observed (Fig 5).
- During inspection it is also observed that solid waste was dumped in open and there is no dedicated shed for the same Fig (6).
- Housekeeping of the unit is lacking in maintaining the cleanliness, solid waste was found being stored inside the premises in an improper manner.
- It was also observed that commercial activities are being carried out in the said unit at Sector 1, i.e. Nobert Fitness studio and café in the name Zoe's Café was found in operation inside the unit premises at sector 1 during inspection Fig (7).
- It is also observed that there are violation of consent condition 3(iv), 3(v), 3(vi), 5(vii), 5(x), 5(xii), 6(ix), 6(xvii), 6(xix), 6(xx) mentioned in consent order dated 15/03/2019.

21. Conclusion/Recommendations:

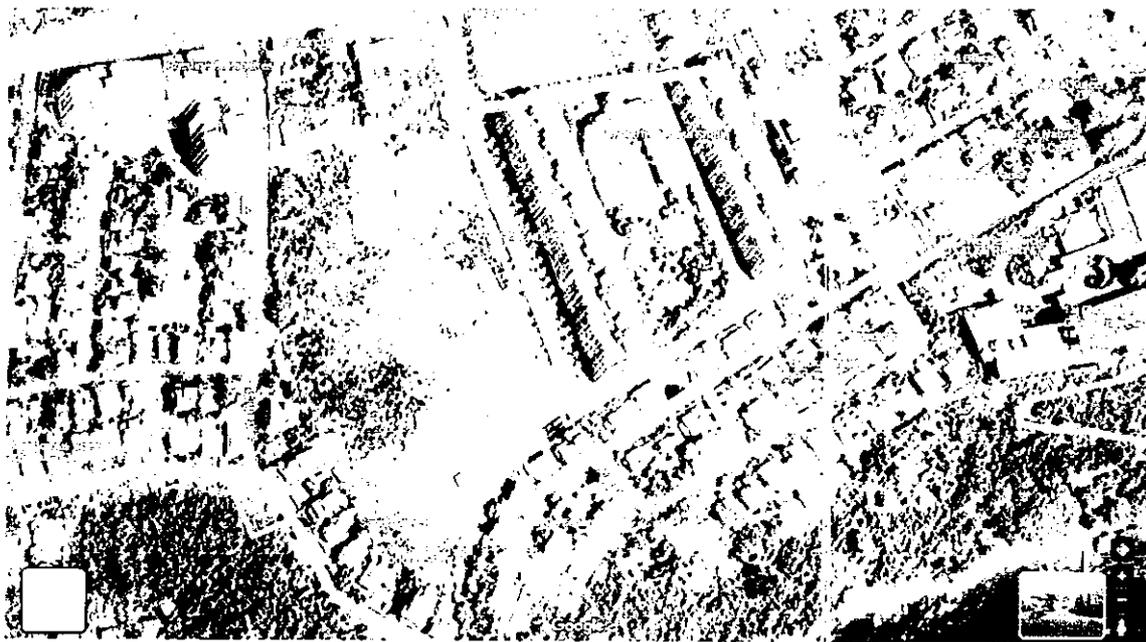
- The unit at Sector 1 has failed to comply with consent conditions mentioned in consent dated 15/03/2019.
- Unit has to install electronic flow meter at the inlet and exit of the Sewage treatment Plant.

Information released under
Right to Information Act 2005

W/PIO
Goa State Pollution Control Board, Salgao Goa

123

- The Unit shall maintain records of the water consumption, treated water from the STP and the STP operation details on daily basis.
- The unit shall provide dedicated shed for solid waste management and the solid waste has to be collected in segregated manner.
- The occupier shall prepare a standard operating Procedure, Logsheets, P&ID drawing, electrical drawing, Flow Process chart and tank layout with dimension, Mechanical equipments specifications, Residential Commercial Complex size calculations and make it available at site of the STP.
- The STP equipment has to be provided with standby power backup from the DG set.
- High water absorbing plant such as banana plantations etc has to be provided to utilize the treated water.
- The unit has to provide filtration after disinfection, ozonation for odour color removal before treated water is used for gardening or dual plumbing for flushing.
- The unit shall operate and composting facility for the wet waste and maintain daily records of all the waste generated, treated and disposed from the premises.



Layout

- Red - Mathias Ocean Park (Sector 1)
- Green - Existing STP of 175 KLD
- Orange - Storm Water Drain Outlet

"Inform
Re:"

Govt State -



Fig 1



Fig 2



Fig 3



Fig 4

311

Inform
Fig

10/1/75

S. J. APIO
San Diego Pollution Control Board, San Diego, Cal.



Fig 5



Fig 6

"Information" made available under
Right to Information Act 2005

ES/7APIO

Goa State Pollution Control Board, Salgao Goa



Fig 7

Saish S. Waldankar

Saish S Waldankar
(Junior Environmental Engineer)

Aryada Deshpande

Aryada Deshpande
(Junior Environmental Engineer)

Deepak Naik

Deepak Naik
(Junior Lab Assistant)

Information made available
Right to Information Act, 2005

[Signature]
[Name]
[Title]
Maharashtra Pollution Control Board, Salganj, [City]

1759
08/04/22

N.C.F

L.I



GOA POLICE

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

1 District North Goa P.S. Crime PS Year 2022
FIR No. 36/2022 Date 07-04-2022 12:39

Act	Sections	r/w Section
Indian Penal Code (IPC)	384	

3 (a) Occurrence of Offence

Exact Date 05-04-2022 Exact Time TNK Day Tuesday

(b) Date of Information Received at P.S. 07-04-2022

Time of Information Received at P.S. 12:39

(c) GD Reference Entry No. 33 Date 07-04-2022 Time 12:39:26

4 Type of Information

5 Place of Occurrence

(a) Direction and distance from P.S. North 10 Km(s)

True copy of the original KOSUZA



11/27, 7:33 PM

4964

FIRST INFORMATION REPORT

Beat No. Panaji City

(b) Address House No.C-13/156.Mathias
House,Campal,Tiswadi.North Goa

(c) In case, outside the limit of this Police Station.then

Name of P.S.

District

Other Places

6 Complainant / Informant

Name	Relation Details	Date/Year of Birth	Nationality	Occupation	Address
Joe Mathias Mathias Alias Name:	Name: Marcelino Relation Type: Father	D.O.B: Age:73	Nationality: Indian Passport No.: Date of Issue: Place of Issue:	Business	Present Address: M.D. of M/S Mathias Construction Pvt. Ltd. of at H. No. C-13/156 ,Mathias House ,Campal ,Tiswadi ,North Goa , Goa Permanent Address: Same As Above.

7 Details of Known / Suspected / Unknown accused with full particulars

Name	Relation Details	Date/Year of Birth	Nationality	Occupation	Address

REPORT MADE AT
PANAJI, GOA

and demanded a sum of Rs.20 Crores to settle the issue. Further the complainant stated that the accused Mr. Agarwal will be coming to the complainant office on 07/04/2022 at 04.00 PM to collect part of the money to be extorted which the complainant is not willing to pay. Hence offence U/s 384 IPC stand registered.

13 Action Taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

- (a) Registered the case and took up the investigation or
(b) Directed (Name of I.O.) THERRON SUNNY D COSTA Rank Inspector No. to take up the Investigation or
(c) Refused investigation due to or
(d) Transferred to P.S. District on point of jurisdiction

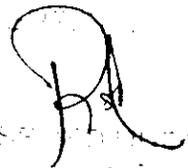
F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost.

R.O.A.C. 
Signature of Officer in charge, Police Station
Name RAHUL TUKARAM PARAB
Rank Inspector
No.

14 Signature / Thumb impression of the complainant /informant



15 Date of dispatch to Court


DOCUMENTS ISSUED
Sr. Q.A. Officer

130

4966

FIRST INFORMATION REPORT

4/7/22, 7:33 PM

D

Accused Type: Known Name: Prakash Agarwal Alias Name:	Name: Relation Type:	D.O. B: Age:	Indian	Business	Present Address: flat No.703, 3 BIHK, La Gomera Building, Mathias Ocean Park Donapaula Tiswadi, North Goa, Goa Permanent Address: Same As Above.
--	---	-----------------------------------	--------	----------	---

8 Reasons for delay in reporting by the complainant / informant

Immediately.

9 Particulars of Properties stolen / involved

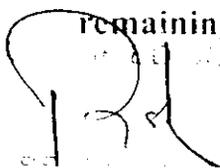
Property Category	Property Type	Property Status	Estimated Value (in Rs.)
No Records Available			

10 Total value of property stolen / involved

11 Inquest Report/U.D. case No., if any

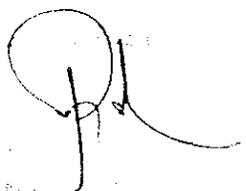
12 First Information contents (Brief Facts)

On 05/04/2022 TNK at office at House No.C-13/156, Mathias House, Campal Panaji-Goa accused namely Prakash Agarwal owner of flat No.703, 3 BIHK flat in building La Gomera, at Mathias Ocean Park, Dona Paula-Goa approached the complainant and threatened to file complaints to various forum/Authorities and induced fear that accused and his friend will not let the complainant complete remaining part of project in survey No.249/1-A of Village Taleigao,



16 Name of Court JUDICIAL MAGISTRATE FIRST CLASS
PANAJI

This is an electronically generated document



132

Go Mathias

Office of the Superd. of Police, Crime
4968
Inward No. 14-17
Dated: 07/04/2022

07th April, 2022

To
 The Superintendent of Police,
 Crime Branch,
 Ribandar -- Goa.

*PI Theron & Rahul
 for n/a
 [Signature]
 7/4*

Sub: Extortion by Mr. Prakash Agrawal.

Sir,

Superintendent of Police, Crime
 Ribandar, Tiswadi-Goa

The undersigned is the Managing Director of M/s. Mathias Construction Pvt. Ltd., with its registered office at House No. C-13/156, Mathias House, Campal, Panaji - Goa, engaged in the business of real estate. One of the projects undertaken by us is Mathias Ocean Park - Sector I at Dona Paula Goa which is constructed in part of property bearing Survey No. 249/1-A of Village Taleigao, which is completed and more than 150 families are residing in the complex.

*YMC
 branch
 S. C. MO.
 16/2022
 15384*

*PC.
 DE No. 33/22
 + 1239 hrs
 [Signature]
 heretofore (with)
 18/11/2022*

Sometime in October 2021 a gentleman named Mr. Prakash Agrawal approached my office at Campal to purchase a flat at the Mathias Ocean Park and met my son Mr. Julian Mathias as he handles sales. Upon discussions between Mr. Agrawal & Mr. Julian Mathias, the former agreed and finalized to purchase Flat No. 703, 3 BHK flat in building La Gomera, subsequent to which upon payment of the entire consideration the possession of the flat was handed over to Mr. Agrawal in October 2021 and the Sale Deed was executed on 01/02/2022 and the same was registered on 04/02/2022.

Subsequent to the execution and registration of the sale deed, Mr. Agrawal started requesting for information regarding the permissions of the project, accounts of Mathias Ocean Park Association, etc, the details of which were handed over to him. On 30th March 2022 Mr. Agrawal visited my office stating that there are shortcomings and problems in the project, no clarity in the ownership of the property, etc. Mr. Agrawal also handed over to me a bunch of papers wherein he had made complaints to various departments in Delhi and Goa regarding the project Mathias Ocean Park. At his request, Mr. Agarwal again visited my office on

[Signature]
"MATHIAS HOUSE"

Campal, Panaji - Goa. 403 001. Tel.: +91 0832 2425454 / 2422800
 W : www.mathiasgoa.com E : mathias@mathiasgoa.com

[Signature]
 DOCUMENTS

133

4969

22

.. 2 ..

05th April, 2022 and he informed me that there is someone who has obtained all the documents pertaining to the project and will file complaints to various forums, harass me, etc., and in order to sort out this entire issue that person wants Rs. 20 Crores and he (Mr. Agrawal) wants monies separately from me for assisting me to sort out these issues and stop them from taking any further action. I have also been informed by Mr. Agrawal that if I do not pay him and his friend the amounts quoted/demanded they will complain to various authorities/Courts and not let me complete the remaining part of the project which is yet to be developed.

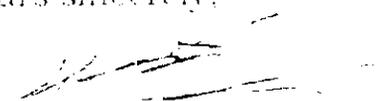
The project has been constructed by obtaining the required permissions and licenses from the concerned departments. Despite having shown Mr. Agrawal all the permissions and licenses, he repeatedly states that there are shortcoming, etc., in the project and time and again induces fear in me by stating that I will be jailed, legal proceedings will be initiated against me, etc., which has caused me tremendous stress and tension. I am a law abiding senior citizen, 73 years of age and suffering from various serious illnesses for the last 5 years.

Considering the facts stated and the demands made by Mr. Prakash Agrawal, he (Mr. Agrawal) and his friend want to extort huge sums of monies from me for no reason and also cause me stress and harassment. Mr. Agrawal has confirmed that he will be coming to my office at Mathias House, Campal today (07/04/2022) at 4.00 p.m. to collect some part of the monies which I do not wish to pay, as I am being extorted by him & his friend.

It will be highly appreciated if you could kindly look into the matter and take appropriate steps in restraining the wrong doers from such kind of exploitation and extortion.

Thanking you.

Yours sincerely,


(Joe Mathias)

WAKALATNAMA

I/WE AM/ARE NOT A MEMBER/MEMBERS
OF THE WELFARE FUND
THEREFORE STAMP OF RS. 2 - IS AFFIXED HEREWITH

IN THE HIGH COURT OF BOMBAY AT GOA

WPCR of 2025

Mr. Prakash Agrawal ...Petitioner

V/s

State of Goa & Ors ...Respondents

I, Prakash Agrawal R/o Flat No. 703, La Gomera, Mathais Ocean Park Sector 1, Donapaula, Tiswadi Goa appoint **Adv Arun Bras De Sa, Adv Coburn Franco, Adv. Kyle Nathan D'souza (MAH/4240/2021)** and **Advocate Mark Valadares** having Chambers at Dias Apartments, Ground floor, Flat Nos. 2 and 4, Behind All India Radio, Altinho, Panaji, Goa, 403001, to appear and act for me as my Advocate in the said matter.

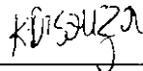
Phone No. 9113099183 , 8805285001**Email:** kyle1612nathan@gmail.com

Witness my hand this 07 day of June, 2025.

Signed



Signature of Advocate: _____



Filed in Court on 09.06.25

TRUE COPY





Amrut

ANNEXURE-A-7**IN THE HIGH COURT OF BOMBAY AT GOA****WRIT PETITION NO.1522 OF 2025 (F)**

PRAKASH AGRAWAL

... PETITIONER

Versus

THE STATE OF GOA, THR. THE CHIEF
SECRETARY AND 8 ORS

... RESPONDENTS

Mr Rohit Bras De Sa and Mr Joel Pinto, Advocates for the petitioner.

Ms Susan Linhares, Additional Government Advocate for respondent Nos.1, 2 and 5.

**CORAM:- BHARATI DANGRE &
NIVEDITA P. MEHTA, JJ.**

DATED :- 3rd July, 2025

P.C.:

The petitioner, an owner of the flat situated in the residential project 'Ocean Park' at Dona Paula Goa, has approached this Court with various lacunas including inadequate water supply for fire safety as well as dedicated fire safety water storage, lack of emergency exit road as well as alleging non compliance with the National Building Code requirements.

On hearing the learned counsel Mr De Sa, at present we deem it appropriate to restrict issuing of notice to respondent Nos.1 and 6.

TRUE COPY

A handwritten signature in blue ink, located at the bottom right of the page.

Notice is made returnable on 06.08.2025. In addition to the Court notice, notice is also permitted to be served through the private mode of service.

Ms Linhares waives notice on behalf of respondent Nos.1, 2 and 5 and we expect her to file an appropriate affidavit on behalf of the Directorate of Fire and Emergency Services about the compliance which looked into before the occupancy certificate was handed over to respondent No.6.

NIVEDITA P. MEHTA, J.

BHARATI DANGRE, J.

TRUE COPY



4973

HC pulls up govt over fire safety lapses in Dona Paula project

Team Herald

PANJIM: The High Court of Bombay at Goa on Thursday issued notices to the State government authorities and developer over several deficiencies, including inadequate water supply for fire safety, lack of dedicated fire safety water storage, absence of an emergency exit road, and non-compliance with National Building Code requirements.

One of the occupants, Prakash Agrawal, filed a writ petition seeking directives to the respondent authorities—particularly the Directorate of Fire and Emergency Services—to take immediate action against the project proponent for fire safety violations and to ensure compliance with all applicable norms and regulations within a specified timeframe.

Agrawal's lawyer, Adv Rohit Bras De Sa, urged the Court to direct the Public Works Department (PWD) to ensure that the project proponent provides an adequate PWD water connection to the housing project, as promised in the Environmental Clearance and related documents.

The petitioner further prayed for full

compliance with fire safety regulations, including the installation of all 56 mandatory water tanks (14 buildings × 4 tanks each with a 25,000-litre capacity), as committed in an undertaking dated 22.05.2007. He also requested the construction of the missing 10-metre-wide second exit road on the west side of Sector 1 and the removal of all illegal sheds obstructing access for fire apparatus.

According to Agrawal, the residents face an annual burden of approximately Rs 1.05 crore due to reliance on water tankers.

The petitioner also sought a comprehensive safety audit of all similar residential projects in Goa operating without adequate PWD water supply and with comparable violations, urging the authorities to take preventive measures against potential disasters.

Apart from the State government, other respondents who have been issued notices by the Court include the Town and Country Planning (TCP) Department, North Goa Planning and Development Authority (NGPDA), Taleigao Village Panchayat, and the Directorate of Fire and Emergency Services.