



**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO.29 OF 2023**

Mrs. Silviya Cardozo &Ors.

....Applicant

Vs.

State Of Goa & Ors.

....Respondent

**Reply Affidavit of Respondent No.3**

I Shri. Prem Kumar R., IFS, Dy. Conservator of Forests, S/o. Shri. Ramesh R., Age: 29 years, Occupation: Service, having office at: South Goa Division, Government of Goa, Forest Department, Aquem, Margao, Goa-403601, do take oath and state on solemn affirmation as under:

1. The present application pertains to Conversion of land Sy.175/1 Camorlin Village, Salcete taluka.
2. I say and submit that the land in question is not part of any Government Forest, and the same does not fall under any Eco Sensitive Zone as per official records.
3. I say and submit that the Government of Goa had constituted North and South Goa Forest Division Committee also known as (Thomas & Araujo Committee) vide Notification No.7-1-2009/FOR/439 dated 27-11-2012 for identification of Private Forest in the state.

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4. The said Committees were disbanded with immediate effect in view of the fact that the grievances were received from private citizens as well as NGO on the inclusion and exclusion of certain areas as private forest and in order to ensure a uniform approach to the issue, a new Committee was constituted to review identified Private Forest areas by the earlier Sawant and Karapurkar Committee & Thomas and Araujo Committees in pursuance to the Order of Hon'ble National Green Tribunal, (WZ) dated 07-01-2016 in Application No. 18(THC)/2013(WZ).

5. Due to paucity of time, DCF[WPI review committee, reviewed only repeated Survey Numbers identified by Sawant & Karapurkar Committee and its report was accepted by Hon'ble NGT vide its judgment dated 18/08/2020.

6. To Review Survey Number provisionally identified by Thomas & Araujo Committee, a committee was constituted ride Government a Goa Notification No. (WP/Pvt. For/16(THC)/ 2013/WZ)/ 19-20/26 dated 21/01/2020 (with Conservator of Forest as Chairman) and Vide Notification No. DCF (WP)/Pvt. Forest/16 (THC)/ 2013 W2)/ 19-20/119 dated 18/06/2020 (The Chief Conservator of Forest was made the Chairperson).

Criteria followed by the State of Goa for identification of Private Forest arca are:

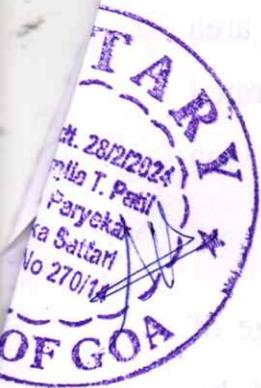
(A) 75% of the tree composition of such lands should be of Forest species;

(B) The area should be either contiguous to the Government Forest lands or if in isolation, the minimum area should be 5 ha; and

(C) Canopy density should not be 0.4.



7. The Review Committee proposed the following methodology for reviewing the identified Private Forest Areas by two Forest Division Committees (North and South Goa) based on the criteria followed by State of Goa using Forest Cover Maps (Canopy density = 40% & Area - 5 ha) from Forest Survey of India, followed by field enumeration cum survey and public hearing, which was approved by the State Government on 09.03.2020.
8. I say and submit that all the Survey numbers included by two Forest Division Committees (North and South Goa) - Thomas & Araujo Committee were digitized using the Regional Plan of Town & Country Planning Department, Government of Goa and records of Directorate of Settlement & Land Records Department.
9. I further say and submit that as a part of approved methodology, the review committee in coordination with National Remote Sensing Centre and Forest Survey of India (FSI), a high quality LISS IV Satellite image was specially analyzed for preparation of Forest Cover Map as per the Private Forest criteria (Canopy density & Area criteria) by Forest Survey of India.
10. I say and submit that the Forest Cover Map (FCM) of 2014-15 prepared by Forest Survey of India (FSI) constitutes polygons with more than 40% canopy and area more than 5Ha and less than 5 Ha, which were later analyzed for proximity to Government Forest. Digitized Survey numbers of North and South Goa Divisions (Thomas and Araujo) committees has been superimposed on PCM maps/polygons of Forest Survey of India for interpretation.



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11. I say and submit that the provisionally identified Survey Numbers which are not meeting the criteria of canopy density and area criteria as per LISS IV FCM of 2014-15 where further corroborated with felling permission, offences & court cases of South Goa Division with timeline analysis.

12. I say and submit that Survey Number 175 of Camurlim village of Salcete Taluka was provisionally identified as private forest by South Goa Forest Division Committee (Araujo Committee).

13. I further say and submit that the present Respondent has booked offence for illegal tree cutting as follows:

- a. FOR No. 42/13-14 dated 10/1/2014, illegal cutting of 120 nos. of trees and clearing of bushes.
- b. FOR No 61/19-20 dated 20/03/2020, illegal girdling of 6 nos. of different forestry species.
- c. FOR No.7/21-22 dated 24/05/21, illegal felling of 05 nos. of trees in Sy No. 175

14. I further say and submit that the No Objection Certificate has been issued by the present respondent only after confirming that Sy No. 175/1 of Camorlin village is not qualifying the criteria for Private Forest as per the fourth Interim Report.

15. I further state that this respondent had relied upon the fourth interim report and had granted NOC for conversion vide letter no.5/SGF/CONV/594/18-19/2479 dated 14/01/2019.

16. I further say and submit that Survey number 175 along with adjoining survey numbers 170, 176, 179, 178, 177, 169, 168 of



Camurlim Village of Salcete Taluka were reviewed by the Committee, and as per approved methodology above said survey numbers were found not qualifying canopy density and the prescribed area criteria of private forest.

17.I say and submit that, although, particularly the Survey Number 175 of Camurlim village of Salcete Taluka qualifies canopy density criteria, by considering 144 trees felled from the Sy.no, but does not qualify the prescribed area criteria, so it is removed from the list of provisional Survey Number identified as private forest by Araujo Committee and reported in 4th Part Final report of Review Committee in Compliance to Hon'ble NGT order dated 07/01 / 2021 in E. A No. 26/2020. O.A.No. 478/2018 (PB) (E. O. A No. 16(THC) 2013(WZ).

18.I further say and submit that after approval of the Goa Government dated on 07.01.2022, Review Committee report was uploaded on departmental website on 23/02/2022(EC)) and filed part final report before Hon'ble National Green Tribunal on 24.01.2022 in compliance to Hon'ble NGT order dated on 27/01/2022 in E.A No. 21/2021 (PB) O.A. No. 478/2018 (PB) (E. O.A. No.16/(THC) 2013(WZ)).

19.I further say that a new committee has been constituted by the government to review the survey numbers prospectively identified by the Araujo Committee as private forest which has been reviewed by the review committee. In view of the same Sy. No 175/1 as not qualifying as a private forest has been considered in the fourth interim report. The same has been mentioned as not qualifying as private forest.

20.I therefore say and submit that the application under reply may kindly be dismissed as there is no justification to revisit and/or reconsider the findings of the review committee as prayed for by the applicant.

21.Solemnly affirmed on this the \_\_\_th day of November, 2023.

I know the Affiant

*f.*

Affiant

(Advocate)



Solemnly Affirmed and Signed

BEFORE ME

By the above named Emigrant Dependent  
Shri/Smt. Shri. P. M. Kumar  
FS. O. Y. Conservator  
of Forest, Margao Co.

Who is identified before me by  
Shri/Smt. ....

Whom I personally know  
Office of the notary Sattari-Goa

On this 13<sup>th</sup> day of December 2023

Notarial stamp Rs. 30 Reg. No. 4089/2023

*[Signature]*  
13/12/2023

**SHARMILA T. PATIL**  
**alias PARYEKAR**  
B. SC. LLB  
ADVOCATE  
And  
NOTARY PUBLIC  
HONDA SATTARI GOA