BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH AT PUNE

Execution Application 1/2023(WZ)

In

Original Application 16/2016(WZ)

Salu D'Souza and Anr . . .Applicant

Versus

GCZMA & Ors . . .Respondent

REPLY OF RESPONDENT NO. 8

MAY IT PLEASE YOUR HONOUR

1. The Respondent no. 6 has procured following permissions from the competent statutory authorities, a details whereof is mentioned hereinbelow:

   a) NOC from Captain of Ports, Panaji dated 24/09/1974;

   b) NOC from Captain of Ports, Panaji dated 06/01/2017;

   c) NOC from Village Panchayat dated 26/10/1974;

   d) Forwarding & Undertaking letter from Industry as Applicatsion for Consent to Operate under Air and Water Act dated 10.04.2014;

   e) Renewal of NOC for Dry Dock/Workshop at Cortalim dated 05/10/2020.

NOTARY
Adv. Ms. Harjit Kaur Gurmit Singh
Mormugao, Goa
Reg. No.: 10583
Expiry Date: 27/12/2028
GOVT. OF INDIA

NOTA
Adv. Ms. Na
Gurmit S
Mormugao
Reg. No.:
Expiry D
27/12/2
GOVT. OF

2. It is denied that the undersigned unit has been anchoring vessels and ships and causing pollution or dumping waste in CRZ 1 area in violation of CRZ notification.

3. With regards to execution of Order of this Hon'ble Tribunal in OA 16/2016, it is humbly submitted that unit is in operation only during monsoon season and conducts its operation / business based on permissions referred earlier hereinabove.

4. It is denied that the undersigned unit had anchored any vessel in Cortalim creek as alleged and it is submitted that no vessels are anchored by undersigned in Cortalim creek. It is denied that the undersigned is operating by causing pollution and it is submitted that polluter pay principle is not applicable to undersigned.

5. The undersigned in his objection assailing the invocation of methodology adopted for computing compensation on basis of polluter pay principle by joint committee report has submitted detailed reply, which is enclosed herewith and the undersigned craves leave to refer to and rely upon the same inverbatim.

6. The joint committee report in its report where it had collected samples nowhere indicates that the samples tested were indicating pollution being caused by undersigned unit.

NOTA
Adv. Ms. Harjit
Gurmit Sing
Mormugao, G
Reg. No.: 105
Expiry Date
27/12/2028
GOVT. OF

7. The polluter pay principle is not applicable to undersigned as the undersigned unit has not caused any pollution.

8. The undersigned unit operated only after securing all the aforementioned permission, which prima facie indicate that the undersigned unit did not commit any illegality or irregularity or pollution.

9. This Hon'ble Court in its Order dated 11/05/2022 was pleased to observe that dropping of proceeding against the private respondents by GCZMA on ground of pendency of clearances before SEIAA is not justified. The said finding in the matter was in reference to respondent no. 7 only. The GCZMA in the case of undersigned unit after conducting inquiry and hearing the undersigned unit and officials at length was pleased to discharge the undersigned unit and came to conclusion that the activities of the unit of undersigned is not in contravention of permissions granted.

10. In view of the above, it is prayed that the undersigned unit be discharged.

19-03-2024

Pune

Adv. for Respondent no. 8

NOTA
Adv. Ms. Hari
Gurmit Sin
Mormugao,
Reg. No.: 10
Expiry Date
27/12/202
GOVT. OF

AFFIDAVIT

I, Sudesh Narayan Panicker, representative of M/s Vipul Shipping Engineering Works, Respondent no.8 hereinabove do hereby solemnly affirm and state that the content of the reply are true to my knowledge.

Solemnly affirmed at Vasco Da Gama, Goa, on 20.03.2024.

DEPONENT

NOTARY
Adv. Ms. Harjit Kaur Gurmit Singh
Mormugao, Goa
Reg. No.: 10583
Expiry Date: 27/12/2026
GOVT. OF INDIA

NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL NOTARIAL

Solemnly affirmed before me by Sudesh Narayan Panicker
Who is identified to me by Aadhar Card No:- 572713439900
Who is personally know to me
this 20th day of March 2024
Reg. No. 1415/2024

Adv. Ms. HARJIT KAUR GURMIT SINGH
NOTARY
(Govt. Of India)
Shop No. 26, Ground Floor
Karma Paes Avenue,
Vasco-da-Gama, Goa.

Gram : VIPUL

Phone Off.: 2512888, 2512547
email: vipulshipyard@gmail.com

Vipul Shipping Engineering Works

P. O. Box No. 124, 2nd Floor,
Souza & Quadros Building, Swatantra Path,
VASCO-DA-GAMA, GOA- 403 802

Ref. No.:_____ Date: _____

VSEW/CRZ/23-24/001B 20.03.2024

To,

The Member Secretary,
Goa Coastal Zone Management Authority,
Patto Panaji, Goa.

O/o Member Secretary
Goa Coastal Zone Management Authority
C/o Department of Environment & Climate Change
Dempo Tower 4th Floor,
Patto Plaza Panjim-Goa. 403001.
20/03/2024

Subject: Objection to the report of the Joint Committee in compliance with order dated 11/5/2022 of the Hon'ble NGT Western Zone Pune in the matter of OA/16/2016 (Mr. Salu D'Souza and 2 ors V/s GCZMA & ors).

Respected Sir/Madam,

The undersigned is in receipt of the cited report which is completely hypothetical and based on no data merely formulated without any iota of evidence as such the same is unsustainable and entirely arbitrary.

The report of the Joint Committee is entirely silent on the merits and the permissions issued by competent authority since long and subsequent renewals thereafter which clearly go to reveal that the report has been prepared without considering and appreciating these facts.

Following are documents required to be appreciated that have found no reference in the report:

a. NOC from Captain of Ports, Panaji dated 24/09/1974;
b. NOC from Captain of Ports, Panaji dated 06/01/2017;
c. NOC from Village Panchayat dated 26/10/1974;

d. Forwarding & Undertaking letter from Industry as Application for Consent to operate under Air and Water Act dated 10.04.2014.

e. Captain of Port Renewal of NOC for Dry Dock/Workshop at Cortalim dated 05/10/2020.

Without prejudice to the right of the undersigned to assail and challenge the correctness of the impugned report the contents of the entire report are denied as the same are cryptic and not confirming with appreciation of various facts, evidences that ought to have been considered before arriving at any finding least the cited report.

Hon'ble National Green Tribunal in its Order dated 11/05/2022 was pleased to observe that dropping of proceeding against the private respondents by GCZMA on ground of pendency of clearances before SEIAA is not justified. The said finding in the matter was in reference to respondent no. 7 only. The GCZMA in the case of undersigned unit after conducting inquiry and hearing the undersigned unit and officials at length was pleased to discharge the undersigned unit and came to conclusion that the activities of the unit of undersigned is not in contravention of permissions granted.

The impugned report is an example of sheer submission of data and recommendation which ought to have been exercised with due care and caution appreciating the documents.

Without prejudice to the above the undersigned craves leave to challenge/assail/dispute the findings of the cited report comprehensively on following grounds vis a vis the observations and notings which the joint committee has arrived without factual verification of the unit of undersigned:

I. Joint Committee Action

A. Inspection conducted by the Joint Committee

a. The Joint committee conducted no inspection at the site on the contrary as a proof hardly entered the premises, captured photographs and moved away, there was no proper inspection.

b. The samples collected for verifying pollutants i.e. the water sample, sediment sample, none of which have indicated pollution as such there is no iota to prima facie indicate that there is any pollution by the unit of undersigned. The calculation arrived at does not consider the fact that the business of the undersigned unit is purely seasonal and is otherwise operational only during monsoons and the penalty imposed is merely on basis of dates of grant of permission which are provided and assuming that the workshop/dry dock of the undersigned is operational throughout the year, the penalty imposed are without prejudice to the rights of the undersigned beyond period of limitation.

B. Inspection dated 10th July 2023

a. The photographs relied by the Committee in their report indicates the visit made to all the seven units on 10th July 2023, the photographs prima facie show that the visits were done during the monsoon while the relevant day was raining.

b. Inspection report given by the committee dated 31/10/2023 does not indicate any extension or addition by the undersigned to any structure.

C. Inspection dated 24th July 2023.

a. With regards to the information sought by the committee for imposing penalty and remedial action for restoration the list of documents that were called upon were submitted as per the availability available with the unit.

b. The data which the committee called for that was not available with the unit was never a part of terms and conditions which the Captain of Ports warranted.

c. The undersigned unit started in the year 1974. The first permission/NOC was obtained in the year 1974 as per records available with the undersigned. There is no violation of any nature whatsoever, there is no notice of any such violation observed and no pollution caused by the undersigned unit.

d. It is submitted that the DSLR re survey indicating the latest status was also superimposed by the Captain of Ports authorized area which clearly

VIPUL SHIPPING ENGINEERING WORKS GOA

revealed that there was no extension or encroachment beyond the permitted area.

D. Meeting on 31st August 2023

a. The test report of samples collected by GSPCB dated 01/10/2016, Directorate of Fisheries and Joint Committee Report reveal that the samples tested are well within the prescribed parameters and the same is neither causing pollution nor affecting the fishing catch.

E. Meeting dated 06th October 2023 (page no. 7 of report).

a. In connection with the legal framework the undersigned unit never shied away from complying to any compliances called upon from time to time by Captain of Ports.

F. With reference to the DSLR, Government of Goa survey which clearly indicates that there have been no further encroachment but the encroachment mentioned in the riverine area is within the permissible area permitted by the Captain of Ports while granting the permission which is clearly shown by the area Captain of Ports have allotted to the undersigned unit drawn on the DSLR plan to indicate that no activity carried out was beyond the scope of permission granted by Captain of Ports.

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G. Surface water and sediment collection at Cortalim creek by GSPCB and CPCB in its conclusion suggests their values concluding that the overall basic water parameters showed more or less similar water quality with minor variations. In Particular, the low turbidity, substantial D.O. contents and depleted B.O.D values indicate good condition of sea water along the creek. Very low oil and grease residue which is below detectable level so also less faecal coliform counts in surface water also suggest the same thus there is no pollution as such from the water sample tested results.

a. Sediment sample result : the analysis of sediment sample result does not reveal existence of any pollution.

b. Fish production data obtained from department of fisheries clearly reveal that it cannot be concluded that project activity are responsible for reduction in fish catch.

II. COMMITTEE OBSERVATION AND FINDING

A. The committee opines that the private respondent is liable to pay compensation for past violations on polluter pay principle to be assessed by GSPCB as per prevailing law.

B. The undersigned disputes and denies that the undersigned unit has committed any act of pollution that

can bring the undersigned unit or make the polluter pay principle applicable to the undersigned unit.

C. Without prejudice and without admitting the contents of the joint committee report, the calculation of 17641 days to calculate the penalty based on assumption that the pollution is caused from the date of grant of 1st permission and without even considering that the undersigned unit is operational only during monsoons thus the calculation provided and the methodology adopted to calculate the EDC is arbitrary, absurd, unsustainable.

D. As per CPCB committee methodology of assessing environment compensation, it is submitted that "N" from the formula EC=PI x N x R x S x LF is number of days for which violation took place is the period between the day of violation observed and due day of direction of compliance and day of compliance verified by CPCB, SPCB and PCC. Without prejudice this means in the present case "N" will have to be calculated as number of days from when violation was observed which is not so in the case of undersigned as such the entire calculation is misconceived.

E. Even the amended Water Act prescribes maximum ceiling on the penalty.

F. The mode of compensation is entirely absurd, unacceptable and cannot be considered applicable to undersigned unit.

VIPUL SHIPPING ENGINEERING WORKS GOA

G. In the present circumstances the sample collected of water / sediment / fish production data none of the results have concluded in indicating that there is any pollutant discharged or that there is pollution caused by the undersigned unit on the contrary the conclusion of water samples reveal good condition of sea water along the creek.

H. General framework for imposing Environmental Damage Compensation as per CPCB where the result of analysis of soil/GW/SW/Air/Etc does not indicate pollution, no further action is required.

A. In the circumstances at hand in respect of the undersigned unit it is categorically clear in the joint report itself stipulates that:

a) The sample of water drawn is not polluted but within normal limits.

b) No air sample collected by the committee. As such no opinion indicated by the joint committee.

c) The Fish Production Data Report by the fisheries department who issued report also clarified that there is nothing concluded that the undersigned unit is responsible for the reduction in fish catch.

d) All in all the sediment samples not analysed for heavy metals.

e) The findings in the joint committee report does not any where indicate any pollutant and yet has

arbitrarily calculated arbitrary highly escalated enormous compensation figure on no valid grounds at all.

I. The Formula that is sought to be pressed in the report rendering arrival of a hypothetically cryptic value is entirely erroneous and arbitrary:

In order to Apply the formula i.e.

EC=PI x N x R x S x LF

N connotes the number of days the violation took place which is the period between the day violation observed / due date of direction compliance and the day the compliance is verified by CPCB /SPCB/PCC.

Consent to operate under Air and Water Act dated 14/08/2015 valid upto 12/01/2015, Renewal of NOC for Dry Dock/Workshop at Cortalim dated 05/10/2020 was granted upon conducting site inspection, however, no violation was observed at the time of inspection and as such consent to operate and renewal was granted to the unit, thus indicating that invocation of the formula by Joint Committee in its report for calculating EDC in the present case more particularly for calculation of number of days i.e. "N" is erroneous, absurd, arbitrary.

a) The CPCB / GSPCB nor any authority ever issued any notice or indication on the date of such observance of violation. The reports submitted are also silent on the exact date from which the violation was first observed.

b) There is no direction compliance notice issued.

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c) Clear interpretation of the number of days would indicate that the day on which the violation took is the day from which violation is observed by the authority.

d) In the present case there is at the out set no iota of pollution seen from the report of the collected samples.

e) A fact cannot be lost site of that no particular notice was available to procure permission from a particular authority and there was no reason to flout such condition had it been incorporated in permissions issued by the Captain of Ports when the undersigned unit was taking necessary permissions from statutory authorities. On the contrary the authorities failed to indicate the permission that was required, (GCZMA) (Pollution) which was subsequently obtained, yet way before the OA 16/2016 was filed.

f) It is further submitted that the application of formula is ill founded and the same is disputed.

g) Without prejudice to the above it is submitted that the Joint Committee Report is erroneous and cannot invoke polluter pay principle retrospectively defeating laws of limitation.

In view of the above the undersigned ought to be discharged from the alleged compensation as there is no element of pollution made out in the report and more particularly in accordance with the CPCB Report.

The undersigned is thus not governed under the formula the joint committee has sought to arbitrarily impress as there is no pollution as revealed from the sample analysis data.

THE SHIPPING ENGINEERING WORKS GOA

Thus it is urged to discharge the undersigned from the alleged claim of environment compensation indicating of a highly uncomprehensive figure.

Thanking You

Yours sincerely

FOR VIPUL SHIPPING ENGINEERING WORKS

Sudesh N Panicker
Authorised SIgnatory

VIPUL SHIPPING ENGINEERING WORKS GOA

GOVERNMENT OF GOA, DAMAN & DIU,
OFFICE OF THE CAPTAIN OF PORTS,
PANAJI/GOA.

No: I 11017/3405

Dated:- 26th September, 1974.

To
The Collector of Goa,
Office of the Collector,
PANAJI - GOA.

Sir,

M/s. Vipul Shipping Engineering Works, Vasco-da-Gama, have applied for permission for constructing a dry dock in their property at Cortalim.

This Office sees no objection in permitting M/s. Vipul Shipping Engineering Works, to build a dry dock in their property at Cortalim subject to the following conditions:-

1) No obstruction should be created in the river.

2) No oils and other materials should be discharged in the river to pollute or silt the area.

3) M/s. Vipul should ensure that they do not encroach upon Government maritime land and the Dry Dock should be built within their own property.

4) The Captain of Ports and his staff will have access to the river front at all times.

5) The Captain of Ports reserves the right to withdraw this No Objection Certificate if and when required by the Government and M/s. Vipul will not claim for any compensation thereof.

6) M/s. Vipul should obtain the necessary permission from other Government Departments concerned for constructing the Dry Dock.

Papers and plans in respect of the above are hereby forwarded for necessary further action.

(CAPT. L. B. P. LOBO)
CAPTAIN OF PORTS PANAJI/GOA.

Copy to:-

M/s. Vipul Shipping Engineering Works,
Vasco-da-Gama.

VIPUL SHIPPING ENGINEERING WORKS GOA

Captain of Ports Department
Government of Goa
Dayanand Bandodkar Road,
Panaji – Goa – 403001, India.
Phone Nos: +91(0832) 2225070/2426109 Fax: +91(0832) 2421483
Website: www.ports.goa.gov.in E-mail: cpt-port.goa@nic.in
Shipping - Phone Nos.: +91(0832) 2420579/2420580 Fax: +91(0832) 2420582 E-mail: captainofports@eth.net

No.I-11017/Vipul/ 109 Dated: - 06/01/2017

To,
M/s. Vipul Shipping Engineering Works,
P.O. Box 124,
2nd Floor, Souza & Quadros Building,
Sawatantra Path,
Vasco –da- Gama,
Goa -403802.

Sub: Issue of fresh NOC for Dry Dock/workshop at Cortalim under Survey No.42/3 in River Zuari.

Ref:- i). Your letter No.VSEW/COP/16-17 dated 21/12/2016
ii). Your undertaking dated 21/12/2016
iii). NOC No. I-11017/3405 dated 26/9/1974

Sir,

With reference to your letter No. VSEW/COP/16-17 dated 21/12/2016 on the above cited subject matter, and the joint site inspection conducted on 30/12/2016, this department sees no objection certificate is hereby issued to M/s. Vipul Shipping Engineering Works for use of Government Riverine land for their workshop in the river Zuari adjacent to Survey No.42/3 of Cortalim Village, Mormugao Taluka, subject to the following terms & conditions:-

1. That M/s. Vipul Shipping Engineering Works, shall used total area 2472 Sq.Mtrs. of Government Riverine land as shown in the sketch placed at 316/C for Dry Dock and barge repair workshop adjacent to Survey No.42/3 of Cortalim Village, Mormugao Taluka in River Zuari at Cortalim.

2. That M/s. Vipul Shipping Engineering Works, shall ensure that no siltation is caused in that area or in the vicinity during usage of barge repairing workshop.

3. That M/s. Vipul Shipping Engineering Works shall ensure that no further encroachment of the Government Riverine Land and/or the Government open plot is caused in and around the area or in the vicinity of the proposed construction of the Dry Dock and barge repairing workshop.

4. The M/s. Vipul Shipping Engineering Works, shall ensure that in case the Dry Dock and barge repairing workshop is abandoned the same should be completely removed at the total costs and risks of the company and the Government Riverine Land and/or the Government open plot is brought back to its pristine condition.

VIPUL SHIPPING ENGINEERING WORKS

Count...2/-

5. That the M/s. Vipul Shipping Engineering Works, shall not raise any objection for inspection of the said Dry Dock and barge repairing workshop by the officials of this Department during any time at any stage, in future.

6. That M/s. Vipul Shipping Engineering Works, shall ensure that no any pollution is caused in and around the said area or at the vicinity of the said property or in the River.

7. That M/s. Vipul Shipping Engineering Works, shall ensure that no any pollutant or any other waste material is thrown into the river.

8. That M/s. Vipul Shipping Engineering Works, shall ensure that no navigational hazards is created in and around the river adjacent to his workshop.

9. That this Department reserve its right to withdraw/cancel this NOC/permission, as and when the Government Riverine Land and/or the Government open plot is required by the Government by assigning or without assigning any reasons thereof and that applicant shall not have any right what so ever for claiming any compensations, thereof.

10. That M/s. Vipul Shipping Engineering Works, shall make payment of Port dues in advance towards the rental charges for use of Government Riverine land of area admeasuring 2472.00 Sq.Mtrs. in advance.

11. That M/s. Vipul Shipping Engineering Works, shall obtain all necessary NOC/Licence from all the concerning department & Local body as applicable.

12. That, Incase there is any legal impediment in your title/transfer/sale deed this permission stands null and void. Any consequences arising thereafter will be at your risk and cost and the Captain of Ports Administration should not be held responsible and in such eventually the applicant will have to restore it to its original status.

13. M/s. Vipul Shipping Engineering Works shall not sublet his workshop to any other person/parties without permission of Captain of Ports.

14. That this NOC is valid till 20th of each month, till dues are paid as promised and will be renewed for further period on the written request made in advance by M/s. Vipul Shipping Engineering Works.

15. That the applicant shall give an undertaking within seven days from the receipt of this NOC stating therein clearly that he agree to abide by all the above terms and conditions.

16. This fresh NOC supercedes this Department NOC No.I-11017/3405 dated 26/9/1974.

VIPUL SHIPPING ENGINEERING WORKS GOA

Yours faithfully,

(Capt. James Braganza)
Captain of Ports

CF/MP

NO. C. Q. / CONST / 74,75 /378

Office of the Village Panchayat

CORTALIM/QUELOSSIM

Construction Licence No. 3 - 1974-75

~~Shri/Smt/Kum.~~ M/s Vipul Shipping Engineering Works,

from Cortalim, Ward Madd is hereby granted licence for the construction of Dry Dock at Madd, Cortalim, Goa,

in terms of the resolution No. Four taken in the Panchayat meeting dated 26-10-1974, as per the plans in ~~triplicate/duplicate~~ Quadruplicate attached to his/her application under inward No. 241 Plans dated 16/9/1974 One copy of the plans concerned, with the approval note carrying the embossed seal of this Panchayat and duly signed, is returned to the interested party, who shall comply with the following conditions:

1) To limit himself/~~herself~~ to the Plans approved and statemente therein.
2) The construction shall be as per plan approved by this Village Panchayat and condition inposed on it.
3) To inform the Panchayat when the construction has been completed upto Plinth level.
4) To inform the Panchayat as soon as the construction is completed.
5) Not to inhabit the building without the prior permission of this Panchayat
6) To abide by the other related provisions in force.
7) That the building or construction is carried out as per the allignment given and the Plinth level fixed by the Panchayat.
8) The construction licence shall be revoked:
   a) if the construction work is not executed as per the plans approved and statements therein;
   b) wherever there is any false statement or any misrepresentation of any material passed, approved or shown in the application on which the permit was based.
9) To abide by rule 8 of Goa, Daman and Diu, Village Panchayats (Regulation of Buildings) rules, 1971
10) To Strickly abide the conditions imposed by the Captain of Ports Vide letter No. 1 11017/3405 dt. 26-9-1974
11) ~~[illegible]~~
12) Construction work to be solely in ~~their~~ their plot as defined in the drawings and should not come into the premises of someother owner.

The licence shall be valid for a period of ~~ONE/TWO~~/THREE year/s beginning from to-day. ~~He has paid the respective tax/fees to the tune of Rs. 251/- by Receipt No. [illegible] dated 30th October 1974~~

This carries the embossed seal of this Panchayat.

Office of the Village Panchayat of CORTALIM/QUELOSSIM

28th October, 1974

V. Panchayat Secretary

Copy to:

Sarpach

Forwarding & Undertaking Letter from Industry

Application for consent for establishing / operation the industrial plant / plants under Section 21 of the Air (prevention & Control of Pollution) Act, 1981

Important Note : This Document or its copy does "NOT" serve as a Supporting Document Proof of Industry's Submission of an Application for a NOC / Consent. This Letter does "NOT" ensure that the Application FEES has been paid.

Application Purpose : CCA FRESH AIR WATER AND HAZ

Print Date: 30/06/2014

PCB-ID : 14658
INWARD : 54053
Dt:10/04/2014

From : **Vipul Shipping Engineering Works, Category: RED / SMALL**
PLOT NO:Survey No - 42/3,
madd, thana, corlalim, mormugoa goa,
Mormugao - 403701
Contact Person: Sudesh Panicker
Mobile: 9371621997, Phone: 9371621997
DIST: South GOA, TAL: Mormugao, SIDC: Not In SIDC

Scrutinized By: Bhaghyashree B.Naik(326)

To,
The Member Secretary,
GOA State Pollution Control Board
Dempo Towers 1st Floor
EDC Plaza , Patto, Panaji -403001

I / We here by Submitting application for CCA ,Inward No : 54053 ,Date : 10/04/2014 for COF(CCA-Fresh).

Applying For : A,W,H Validity : 3 Years Grant By : CHR

Air Sector :0 Water Consumption : klpd

Haz Sector : 0 No of Plants : 1 Incenerator : 0

Investment	Air	Water	Hazardous
0.12 Crs			+0
12000 Rs	0 Years	0 Years	0 Years

Payable Fees : Air : 0, Water : 0, Haz : 0

Paid Amount : 12000, DD No : Cash E No.8570, Dt: , at OBC , Patto, Panaji

Query / Reply:

1) Kindly upload valid Enterprises Memorandum. 2) Layout of plan. 3) Valid NOC from village Panchayat.[15/04/2014-326]- [06/05/2014-326] *** Reply: unit doesnt have SSI ,other documents uploaded--MENTIONED DOCS ARE UPLOADED

	I / We have Uploaded the following PDFs	Date	# Files	Size(kb)	#Page
1	000 - Any Specific Information Called for [in SCRUTINY]	10/04/14	0	137	6
2	LPD - Land Possession Documents	10/04/14	0	546	12
3	PLL - Plan LayOut + Site Plan	10/04/14	0	136	2

I, the applicant declare that I have submitted full and complete documents and information in conformity to the applicable acts / rules. I am aware that, any delay / rejection in the processing of application on account of incorrect / incomplete information shall be mine responsibility.

Signature By
(Sudesh Panicker)

Note: I am hereby enclosing Form-I(AIR),Form-D(WATER),Form-I(HAZARDOUS) along with my application.

VIPUL SHIPPING ENGINEERING WORKS GOA

VIPUL SHIPPING ENGINEERING WORKS GOA

Captain of Ports Department

Government of Goa
Dayanand Bandodkar Road,
Panaji – Goa – 403001, India.

Phone [illegible]/2426109 Fax: +91(0832) 2421483
Website: [illegible] E-mail: cpt-port.goa@nic.in
Phone Nos. +91(0832) 242[illegible] Fax: +91(0832) 2420582 E-mail: captainofports.ispsgoa@gmail.com

No. I-11017/Vipul / 2357 Dated: - 05/10/2020

To,
M/s. Vipul Shipping Engineering Works,
P.O. Box 124, 2nd floor, Souza & Quadros Bldg.,
Sawatantra Path,
Vasco-Da-Gama, Goa. 403 802.

Sub: N.O.C for Dry Dock/Workshop at Cortalim under Survey No. 42/3 in Zuari River.

Sir,

With reference to your letter No.VSEW/COP/20-21/002 dated 22/09/2020, and subsequent to the site inspection carried out by the officials of this office on 13/03/2020 alongwith your representative this is to inform you that this office sees no objection for operation of Dry Dock/workshop subject to the following terms and conditions:-

1. That M/s. Vipul Shipping Engineering Works shall use total area of 2472 sq. Mtrs. of Government riverine land for Dry Dock and barge repair workshop adjacent to Survey No. 42/3 of Cortalim village, Mormugao Taluka in River Zuari.
2. That M/s. Vipul Shipping Engineering Works shall ensure that no siltation is caused in that area or in the vicinity during barge repairing.
3. That M/s. Vipul Shipping Engineering Works shall ensure that no further encroachment on the Government Riverine land and/or the Government open plot is caused in and around the area or in the vicinity of the dry dock and barge repairing workshop.
4. That M/s. Vipul Shipping Engineering Works shall ensure that in case the dry dock and barge repairing workshop is abandoned the same should be completely removed at the total costs and risks of the company and the Government Riverine land and/or the Government open plot is brought back to its pristine condition.
5. That M/s Vipul Shipping Engineering Works shall not raise any objection for inspection of the said dry dock and barge repairing workshop by the officials of this Department during any time at any stage in future.

VIPUL SHIPPING ENGINEERING WORKS

Count...2/-

6. That M/s. Vipul Shipping Engineering Works shall ensure that no any pollution is caused in and around the said area or the vicinity of the property or in the River.
7. That M/s. Vipul Shipping Engineering Works shall ensure that no navigational hazards is created in and around the river adjacent to his workshop.
8. That this Department reserves its right to withdraw/cancel this NOC/permission, as and when Government Riverine Land and/or the Government open plot is required by the Government by assigning any reasons thereof and that applicant shall not have any right what so ever for claiming any compensations thereof.
9. That M/s. Vipul Shipping Engineering Works shall make payment of Port dues in advance towards the rental charges for usage of Government riverine land of area admeasuring 2472.00 Sq. Mtrs.
10. Any other relevant NOC/Licence from any other Authorities may be obtained as applicable.
11. M/s. Vipul Shipping Engineering Works shall not sublet his workshop/dry dock to any other person/parties without permission of Captain of Ports.
12. That this NOC shall remain valid for a period of one year from the date of issue and application for its renewal be made in advance.
13. No danger/obstruction shall be caused in the vicinity of the area or in the navigational channel.
14. Violation of any or all causes of this NOC will be automatically resulted in cancellation/withdrawal of this NOC without having any right for any compensation irrespective of date of expiry of this NOC.
15. That applicant shall give an undertaking within seven days from the receipt of this NOC stating therein clearly that they are agree to abide by all the above terms & conditions.
16. This fresh NOC supercedes this Departments earlier NOC No. I-11017/Vipul/109 dated 06/01/2017.

Yours faithfully,

(Capt. James Braganza)
Captain of Ports

VIPUL SHIPPING ENGINEERING WORKS

VS/MP