

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

O.A No. 86/2022

**IN THE MATTER OF:**

Pundalik Kushali Velip & Anr.

... Applicants

Versus

The Deputy Conservator of Forests & Ors.

... Respondents

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Filed by  
Counsel for the Respondent No.1 & 2



Ruchira Gupta  
(D/1253-C/01)

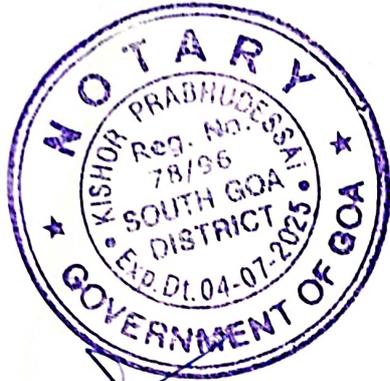
E-31 (Basement), Jungpura Extension

New Delhi-110014

Mobile:9810350333

Place: New Delhi

Date: 26.05.2023



**BEFORE THE NATIONAL GREEN TRIBUNAL**

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**SUPPLEMENTARY AFFIDAVIT ON BEHALF OF RESPONDENT NOS 1-2**

I, Shri. Prem Kumar R, IFS, Dy. Conservator of Forests, South Goa Division, S/o. Shri. Ramesh R, aged about 28 years, r/o E-1 Type Quarter, Forest Colony, Aquem, Margao, Goa, do hereby on solemn affirmation, state as under:

1. That I am holding the post of Dy. Conservator of Forests in South Goa Division, and being duly authorized on behalf of Respondents No.1 & 2 and well conversant with the facts of the present case, am competent to depose by way of the present affidavit.
2. That the Answering Respondent Nos. 1 & 2 have filed an affidavit dated 06.01.2023 before this Hon'ble Tribunal, in reply to the Original Application, the contents whereof be treated as part of the present affidavit

✓ f.

and are not being repeated herein. The present affidavit is being filed in compliance of the order dated 18.04.2023 passed by this Hon'ble Tribunal.

3. That in the subject OA, the Applicant has mentioned Sy. Nos. Sy.23/1 to 23/39, 29/1 to 29/58, 30/1 to 30/88, 31/1 to 31/118, 32/1 to 32/127, 33/1 and 34 of Village Adnem, Balli, Quapem, Goa. It has *inter alia* been alleged in the OA in para 4 that Survey Nos. 23 and 29 have been identified as Forest as per Goa Forest Division Committee Report (Araujo Committee Report). However, in the additional affidavit dated 11.11.2022 filed by the Complainant, in para 3 it has been stated that the subject properties 23 and 29 are identified as "prospective private forest" by the South Goa Forest Division Committee. It has further been alleged in the OA that since April, 2022, Respondent No. 4 has been cutting down trees and forestry species in portions of subject property and Respondent No. 4 has been preparing the land in Survey Nos. 23 and 29 for developmental activities.

4. That the following relief has been sought qua the Answering Respondent in the OA:

*(i) To direct Respondent Nos. 1 & 2 to initiate prosecution against Respondent No. 4 under Section 15 of the Environment Protection Act, 1986 for violation of the Forest Conservation Act, the EIA Notification 2006 and the Environment Protection Act, 1986;*

5. That the Forest Conservation Act would be applicable only with respect to the Forest Land and any violation thereof will entail legal consequences. In the present case, only Sy. No. 23 (P) has been identified as prospective private forest and it doesn't come under the Forest Department until the area is demarcated qualifying the criteria for Private Forest. The proposed identified part Sy. No. 23 (P) will be demarcated after review of the private forest criteria by the Review Committee.

A copy of the map depicting the Sy. No.23/1 and Sy. No.23 (P) therein is annexed and marked as **Annexure-1**.

f.



6. That as stated in para 4 of the reply affidavit of the Answering Respondents, Sy. No. 29 (P) has been removed from the list of the Private Forest as per 2<sup>nd</sup> interim Report of the Review Committee under the Chairmanship of the Chief Conservator of Forests, Panaji. It is further pertinent to note that vide letter dated 22.11.2022 sent by the Dy. Conservator of Forest to the Applicant herein, in reference to the letter dated 06.10.2022, that Sy. Nos. 23 & 29 of Village Adnem are provisionally identified as private forest and that the finding of committee on private forest with respect to the survey number of the applicant is available on 2<sup>nd</sup> interim report of Chief Conservator of Forests on departmental website. It was also stated that the committee headed by the Chief Conservator of Forest is reviewing the survey numbers and that the work is in progress.

A copy of the relevant portion of the 2<sup>nd</sup> interim report of the Review Committee is annexed and marked as **Annexure-2**.

A copy of the letter dated 22.11.2022 is being annexed herewith as **Annexure-3**.

7. That in so far as the complaints of tree felling are concerned, the same come within the jurisdiction of the Answering Respondents and in case of any illegal felling of trees, due action is taken under the Goa, Daman and Diu Preservation of Tress Act, 1984. It has further been stated in para 5 of the affidavit dated 06.01.2023 that no permission/conversion sanads are being issued with respect to the forest land. It is most humbly submitted that the Hon'ble Supreme Court vide order dated 04.02.2015, has issued directions that no NOC for conversion of any plot that has natural vegetation with tree canopy density in excess of 0.1 and an area above one hectare.

The copy of the order dated 04.02.2015 passed by the Hon'ble Supreme Court is being annexed herewith as **Annexure-4**.

f.

8. That due actions have been taken by the competent authorities on the basis of the complaints received since April, 2022 the details whereof have already been stated in para 5 of the reply affidavit dated 06.01.2023. The updated details of which are given herein below:

Srl. No	Case	Location	Description of offence	Steps taken in the Case & Status
1.	05/RFO/QPM/2022-23 Dt:03.10.2022	Sy.No.23/1 of Adnem Village of Quepem Taluka	Illegal cutting of 01 no. of Banyan Tree	Inquiry is completed under Goa Preservation of Trees Act, 1984 and matter put up for final order.
2.	06/RFO/QPM/2022-23 Dt:06.10.2022 (Complaint received from Anant B. Gaonkar regarding illegal cutting of trees)	Sy.No.23/1 of Adnem Village of Quepem Taluka	Illegal trimming of 23 nos of cashew Trees.	Inquiry conducted under Goa Preservation of Trees Act, 1984 is under further process. <i>(The investigation is taking time since the accused persons have denied their involvement in tree felling and further interrogations are being conducted of other suspected persons)</i>
3.	Complaint received from Pundalik Kushali Naik, r/o H.no.106, Adnem, Balli, Quepem Goa on 12.10.2022 regarding illegal cutting of trees	Complaint Number 2 & 3 are of the same location and offence already registered on 06.10.2022 as stated hereinabove.		



8.

9. That as stated in para 11 of the reply affidavit of the Answering Respondents, a notice dated 10.10.2022 was issued to the power of attorney holders of Sy. 23, 29 and 30 of Adnem Village namely Sh. Suraj Ballikar and Mansur Shaikh on account of several complaints received against the said survey numbers. However, 4 of such complaints had been compounded with a condition to pay fine and plant 112 trees. The fine has already been paid. On a recent inspection, it was found that no replanting of trees has been done so far. Accordingly, a notice dated 22.05.2023 has been issued to Shri. Suraj Baban Ballikar & Mr. Mansur Shaikh to carry out the replanting failing which necessary action will be taken against them under the Goa Daman and Diu Preservation of Trees Act, 1984.

A true copy of the notice dated 22.05.2023 is being annexed herewith as **Annexure-5.**

10. That the Answering Respondent received a complaint dated 03.02.2023 from villagers of Adnem alleging illegal road construction and massive destruction of hills in Sy. No. 23/1, 25, 26, 27, 28, 30, 31, 32, 33, 34, 28/47, 28/49, 30/19, 29/1. In response thereto, the staff of Range office Quepem inspected the site and found that there was no illegal tree felling at the site. Accordingly, the Round Forester, Quepem submitted an Inspection Report dated 20.03.2023 to the Range Forest Officer. Vide letter dated 25.04.2023, the Range Forest Officer informed the Dy. Conservator of Forests, South Goa Division about the complaint dated 03.02.2023, as per the inspection report there is no illegal felling of trees and no action pertaining to the Forest Department is required to be initiated.

A copy of the Complaint dated 03.02.2023 is being annexed herewith as **Annexure-6.**

f.

A true copy of the Inspection Report dated 20.03.2023 is being annexed herewith as Annexure-7.

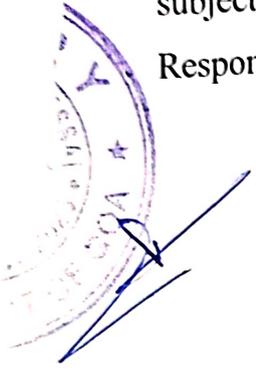
A true copy of the letter dated 25.04.2023 is being annexed herewith as Annexure-8.

11. That the annexures to the present affidavit are true copies of their respective originals.

12. That in light of the submissions made hereinabove as also in the reply affidavit dated 06.01.2023 filed by the Answering Respondents, the subject Application is liable to be dismissed qua the Answering Respondents.

Sworn before me by  
Shri Pramkumar S.  
Who is identified to me by  
Shri Pramkumar S.  
to Whom I Personally know  
this 26<sup>th</sup> Day of May 2023  
Place: Margao Goa  
Reg. No: 1751/M/23

*[Signature]*  
DEPONENT



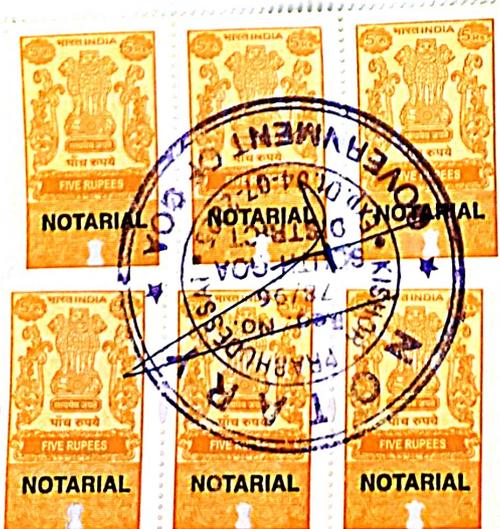
*[Signature]*  
KISHOR P. PRABHUDESSAI  
NOTARY  
SOUTH GOA

**VERIFICATION:**

Verified at Margao, Goa, on this 26 day of May, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and as per the records and no part of it is false and nothing material has been concealed therefrom.



*[Signature]*  
DEPONENT



EXECUTED BEFORE ME  
WHICH I ATTEST

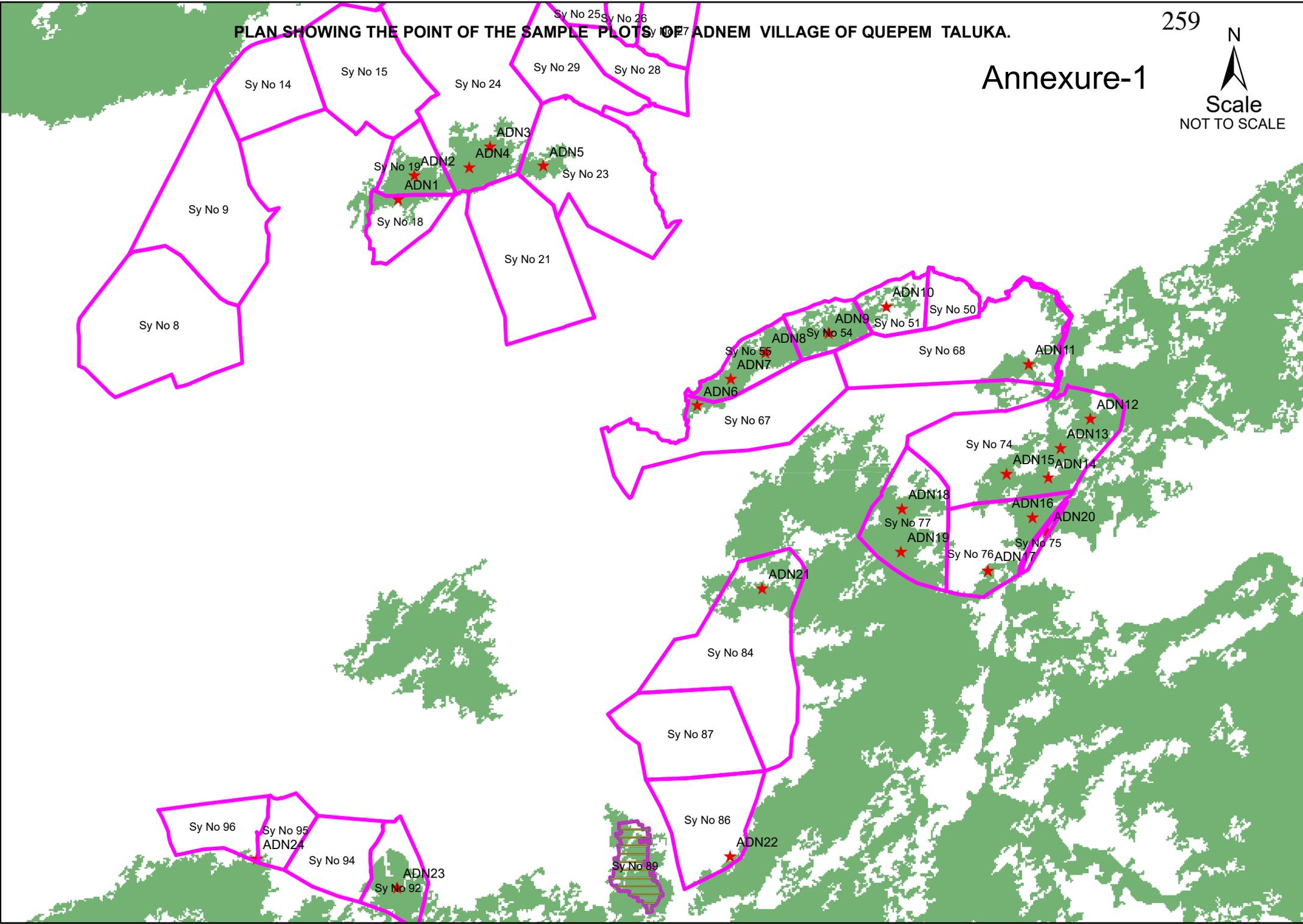
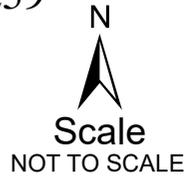
*[Signature]*  
KISHOR P. PRABHUDESSAI  
NOTARY  
SOUTH GOA  
Reg. No: 1751/M/23  
Date: 26/05/2023

KISHOR P. PRABHUDESSAI  
Advocate & Notary (S. G.)  
B-201 2nd Floor,  
Pereira Plaza Bldg.,  
Opp. Hospicio Hospital,  
MARGAO GOA 403 601

PLAN SHOWING THE POINT OF THE SAMPLE PLOTS OF ADNEM VILLAGE OF QUEPEM TALUKA.

259

Annexure-1





**GOVERNMENT OF GOA**

**2<sup>ND</sup> INTERIM REPORT OF REVIEW COMMITTEE  
ON  
REVIEW OF PRIVATE FOREST AREAS  
IDENTIFIED BY NORTH GOA & SOUTH GOA DISTRICT COMMITTEE  
(V. T. THOMAS & F. X. ARAUJO)**

**JUNE 2021**

**2<sup>nd</sup> Interim report of the Review Committee on review of Private Forest provisionally identified by North and South Goa Forest Division Committees (V.T. Thomas & F.X. Araujo Committee)**

A committee (hereinafter referred as Review Committee”), to review Provisionally identified Private Forest areas by North and South Goa Forest Division Committees (also known as Thomas & Araujo Committee) was constituted vide Government of Goa Notification No. (WP)/Pvt. For/16(THC)/ 2013(WZ)/19-20/26 dated 21/01/2020 ( with Conservator of Forests as Chairman) and Vide Notification No. DCF (WP)/Pvt. Forest/16(THC)/ 2013(WZ)/19-20/119 dated 18/06/2020 (The Chief Conservator of Forests was made the Chairperson). First Interim Report of the Review Committee disposing 858 Survey Nos was submitted to the Govt. approval vide DCF (Working Plan) office note dated 26.04.2021 which may be seen at **Annexure I**. For criteria and methodology 1st interim report may kindly be referred. Following the same criteria and methodology the Committee has undertaken further review work.

An extensive ground verification, enumeration and survey exercise on survey numbers qualifying on area & canopy density criteria has been done in the field for evaluating tree composition criteria. Rains, first due to cyclone Taukte (14-19 May, 2021) and the sporadic pre- Monsoon rains till start of Monsoon rains from 5th June affected the field work and enumeration teams were unable to take up survey and enumeration field works during the period of rainy days. Even on rain free days, due to the Second wave Covid pandemic which started around 3rd week of April, 2021 in Goa and then due to curfew imposed, most of the objectors were not attending the field survey. In a few places public opposition has been seen against conducting field survey, e.g. Naquerim-Quepem, Canacona, Mollem-Dharbandora etc. Further, the shortage of

  
ACF (N)

  
ACF (S)

  
AC (N)

  
AC (S)

  
DIR (BSLR)

  
DIR (AGRI)

  
DCF (WP)

  
CCF

surveyors also affected the progress of survey and enumeration work.

However, despite all the above constraints substantial progress has been made. The status of progress achieved in enumeration of private forest areas as on date is shown as under:

Division	Status of review after completion of filed enumeration		
	Total area enumerated	Approx. Area qualified in field survey	Plan of area qualifying completed
North	1127 ha	503.35 ha*	129.59 ha*
South	3300 ha	570.00 ha*	117.00 ha*
Total	4427 ha	1072.35 ha*	246.59 ha*

\*Final status to be determined after hearing of the objectors/representations and total enumeration, if decided

Thus it can be seen that roughly 50% of the total area to be enumerated (9183 Ha) has been enumerated. Accordingly, in the 11th review committee meeting held on 10/6/2021, it was decided to submit the 2nd Interim Report in continuation to the First Interim Report, with the progress made in the review of additional Survey Numbers provisionally identified as private forest.

**A. Survey Numbers identified as Private Forest by Sawant and Karapurkar committees and found partly repeated in Thomas & Araujo Committee:**

There are a total of 130 such survey numbers across 39 villages were analysed partly/fully repeated and out of which 88 have been found fully repeated and accordingly status reported in the first Interim Report. Remaining 42 Survey Nos along with its 56 parts were reviewed by the Review Committee and the present Review Committee, after detailed analysis through Google Timeline change corroborated by LISS III FCM 2012-13, Division offence case, Tree Felling, FCA & Court order etc. found that in **05 Survey Numbers balance area does not qualify the criteria of private forests.**


  
 ACF (N)    ACF (S)    AC (N)    AC (S)    DIR (DSLRI)    DIR (AGRI)    DCF (WP)    CCF

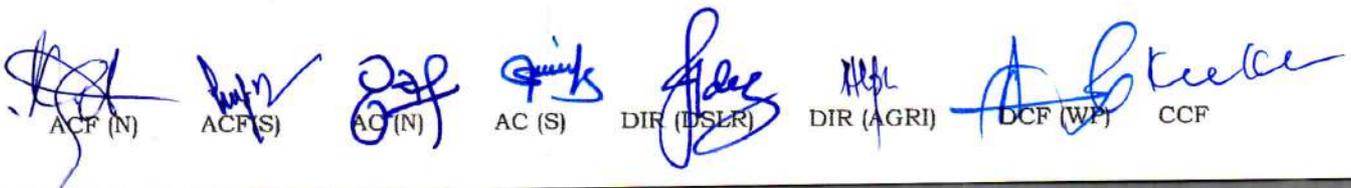
**(Annexure-II).** Balance 37 survey numbers are still to be reviewed in the field.

**B. Survey Numbers identified as Private Forest by earlier demarcation team of the Forest Department (adjoining the Survey Nos. identified as Private Forest by Sawant and Karapurkar Committee) and found partly repeated in Thomas & Araujo Committee :**

In the first interim report, the Review Committee had found that out of total of 39 Survey numbers, adjoining Survey Nos of Sawant and Karapurkar Committee which were demarcated as Private Forests by earlier demarcation team of Forest Department during 2003-2008 were found fully/partly repeated in Survey Numbers identified by Thomas and Araujo Committee. In 1st interim report, two survey numbers were found fully repeated. Therefore, now the committee has reviewed the remaining 37 survey numbers and after detail analysis through Google Timeline change corroborated by LISS III FCM 2012-13, Division offence case, Tree Felling, FCA & Court order etc. found that **in 17 Survey Numbers which are partly repeated, the balance area does not qualify the criteria for Private Forest (Annexure III).** Balance 20 survey numbers are still to be reviewed in the field.

**C. Survey Numbers recorded as Government Forests and found mention as Private Forest by Thomas and Araujo Committee:**

Further, there are a total 26 survey numbers of recorded Forest which have been identified as Private Forest by Thomas & Araujo Committee in its report. In the first interim report, it was decided to exclude survey numbers pertaining to Reserve Forest and to review Proposed Reserve Forest and Unclassified Forest under private ownership (*if any*) in the instant case for further analysis. 8 Survey Numbers were found fully under Government ownership. **In the remaining 18 such survey numbers, no survey number could be excluded solely on area and canopy criteria.**


  
 ACF (N)    ACFS    AC (N)    AC (S)    DIR (DSL)    DIR (AGRI)    DCF (WP)    CCF

**D. Survey numbers not qualifying Area & Canopy Density Criteria:**

In the first Interim Report, the Committee undertook the Review of 747 survey numbers not meeting area & Canopy density criteria as per LISS IV Forest Cover Map 2014-15 (Forest Survey India) and based on the analysis of LISS IV Forest Cover Map 2014-15 (Forest Survey India, Google Timeline changes corroborated by LISS III Forest Cover Map 2012-13, North & South Goa Divisional history for offence cases, illegal felling, Tree Felling permissions, FCA & Court orders (if any) etc. and after detailed discussion and deliberations the committee decided that the 747 survey numbers are not qualifying the criteria to be identified as Private Forests.

Now the Review Committee, undertook review of other 322 survey numbers which are not qualifying Area & Canopy Density Criteria and based on the detailed analysis of North & South Goa Divisional history for offence cases, illegal felling, Tree Felling permissions, FCA & Court orders (if any) etc. and after detailed discussion and deliberations, the committee decided that **additional 322 survey numbers are also not qualifying the criteria to be identified as Private Forests. (Annexure-IV).**

**E. Report based on Enumeration results of Survey numbers fulfilling area and canopy criteria.**

The field reports submitted by Sub-Committees were placed before the Review Committee. The Committee has reviewed the survey numbers qualifying as private Forests and conducted the hearing of objections/representations. In case of non-qualifying survey numbers based on enumeration results submitted by the Divisions/sub-committees, detailed analysis through Google Timeline change corroborated by LISS III FCM 2012-13, Division offence case, Tree Felling, FCA & Court order etc was done. After detailed evaluation, deliberations and discussion on each report, the decision of the committee on these 34 Survey Numbers is enclosed as **Annexure-V.**

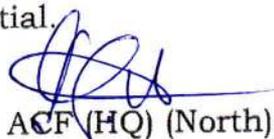

  
 ACF (N)    ACF(S)    AC(N)    AC(S)    DIR (DSLR)    DIR (AGRI)    DCF (WP)    CCF

### Summary of the Report

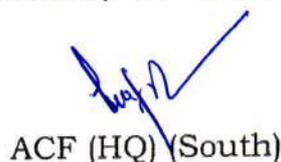
**i) In the second interim report, by disposing of an additional 378 Survey Nos, a total 1236 out of 3195 Survey Nos has been completely disposed off.** Details of such survey numbers are submitted to the Government as indicated in the Annexures, summary of which is reproduced below.

Progress achieved in review of private forests	Total number of Sy. Nos finalized by review committee	Qualifying Sy. Nos (area in Ha)	Non qualifying Sy. Nos	Sy No. with Extent of Private Forests as per previous review committee under DCF (WP)/ Govt Forest
1 <sup>st</sup> Interim Report	858	10 (47.03 Ha)	750	98
2nd interim report	378	05 (22.56 Ha)	351	22
Cumulative progress	1236	15 (69.59 Ha)	1101	120

**ii) Out of around 9183 Ha qualifying canopy and area criteria, ground verification, enumeration & survey of area of approximately 4427 hectares have been completed as on 10.06.2021.** Thus, enumeration of around 50% area is complete. With the onset of monsoon further field survey and demarcation works have been affected slowing down review work. Balance area (around 4500 Ha) is to be verified, surveyed & demarcated on ground after monsoon, for which additional time is essential.

  
ACF (HQ) (North)

Member

  
ACF (HQ) (South)

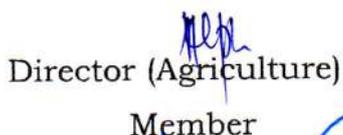
Member

  
Additional Collectors (North)

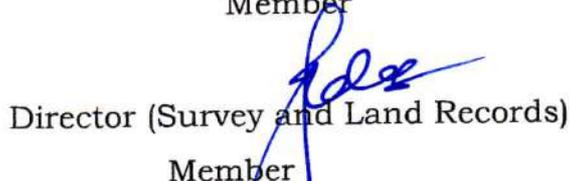
Member

  
Additional Collectors (South)

Member

  
Director (Agriculture)

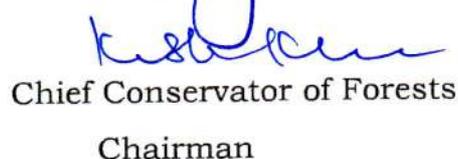
Member

  
Director (Survey and Land Records)

Member

  
DCF (Working Plan)

Member Secretary

  
Chief Conservator of Forests

Chairman

ACF (N)

ACF (S)

AC (N)

AC (S)

DIR (DSLRL)

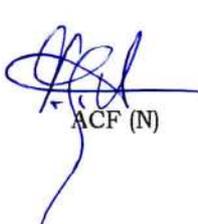
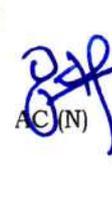
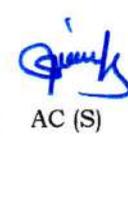
DIR (AGRI)

DCF (WP)

CCF

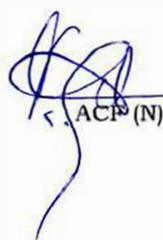
**List of survey numbers not qualifying private forest criteria reviewed by the Review Committee meeting held on 10.06.2021**

Sr No	Taluka	Village	Survey numbers Identified by the North Goa & South Goa SLEC	Survey numbers fulfilling 40% canopy density & 5 Ha area as per forest cover map 2014-15 LISS IV of Forest Survey of India.	Decision Of Review Committee after analysis on LISS IV FCM 2014-15(FSI), Google Timeline Change Corroborated by LISSIIIFCM 2012-13, Division offence case, tree felling, FCA & Court Order, etc, if any.
1	2	3	4	5	6
1	Bardez	Salvador do Mundo	66//1 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
2	Bardez	Salvador do Mundo	66/2	NON QUALIFY	Survey number does not qualify the criteria of private forests
3	Bardez	Salvador do Mundo	66/2-A	NON QUALIFY	Survey number does not qualify the criteria of private forests
4	Bardez	Salvador do Mundo	66/3	NON QUALIFY	Survey number does not qualify the criteria of private forests
5	Bardez	Salvador do Mundo	66/4 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
6	Bardez	Salvador do Mundo	66/5 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
7	Bardez	Salvador do Mundo	66/6	NON QUALIFY	Survey number does not qualify the criteria of private forests
8	Bardez	Salvador do Mundo	66/7	NON QUALIFY	Survey number does not qualify the criteria of private forests
9	Bardez	Salvador do Mundo	66/8	NON QUALIFY	Survey number does not qualify the criteria of private forests
10	Bardez	Salvador do Mundo	66/9	NON QUALIFY	Survey number does not qualify the criteria of private forests
11	Bardez	Salvador do Mundo	66/12 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
12	Bardez	Salvador do Mundo	66/14	NON QUALIFY	Survey number does not qualify the criteria of private forests
13	Bardez	Salvador do Mundo	322/3 (P)	NON QUALIFY	Survey number does not qualify the criteria of private forests
14	Bardez	Salvador do Mundo	322/4 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
15	Bardez	Salvador do Mundo	322/6	NON QUALIFY	Survey number does not qualify the criteria of private forests
16	Bardez	Salvador do Mundo	322/7	NON QUALIFY	Survey number does not qualify the criteria of private forests
17	Bardez	Salvador do Mundo	324/1 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
18	Bardez	Salvador do Mundo	340/1	NON QUALIFY	Survey number does not qualify the criteria of private forests
19	Bardez	Salvador do Mundo	340/2	NON QUALIFY	Survey number does not qualify the criteria of private forests
20	Bardez	Salvador do Mundo	340/3	NON QUALIFY	Survey number does not qualify the criteria of private forests
21	Bardez	Salvador do Mundo	340/4	NON QUALIFY	Survey number does not qualify the criteria of private forests
22	Bardez	Salvador do Mundo	340/5	NON QUALIFY	Survey number does not qualify the criteria of private forests
23	Bardez	Salvador do Mundo	340/6	NON QUALIFY	Survey number does not qualify the criteria of private forests
24	Bardez	Salvador do Mundo	340/7	NON QUALIFY	Survey number does not qualify the criteria of private forests
25	Bardez	Salvador do Mundo	340/8	NON QUALIFY	Survey number does not qualify the criteria of private forests
26	Bardez	Salvador do Mundo	340/10	NON QUALIFY	Survey number does not qualify the criteria of private forests

 ACF (N)
  ACF (S)
  AC (N)
  AC (S)
  DIR (DSL)
  DIR (AGRI)
  DCF (WP)
  CCF

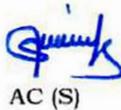
**List of survey numbers not qualifying private forest criteria reviewed by the Review Committee meeting held on 10.06.2021**

306	Salcete	Talvorda	30 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
307	Salcete	Talvorda	159 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
308	Canacona	Nagorcem-Palolem	119 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
309	Canacona	Cola	76 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
310	Canacona	Cola	147 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
311	Canacona	Cola	34 (P)	NON QUALIFY	Survey number does not qualify the criteria of private forests
312	Canacona	Cola	350	NON QUALIFY	Survey number does not qualify the criteria of private forests
313	Quepem	Quitai	47 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
314	Quepem	Naquerim	58 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
315	Quepem	Naquerim	74 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
316	Quepem	Naquerim	27 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
317	Quepem	Naquerim	31 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
318	Quepem	Fatorpa	17 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
319	Quepem	Adnem	29 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
320	Quepem	Xic-xelvona	11 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
321	Quepem	Xeldem	293 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests
322	Sanguem	Curpem	33 (p)	NON QUALIFY	Survey number does not qualify the criteria of private forests

  
ACP (N)

  
ACP (S)

  
AC (N)

  
AC (S)

  
DIR (DSL)

  
DIR (AGRI)

  
DCF (WP)

  
CCF



**Government of Goa  
Office of The Dy. Conservator of Forests  
Working Plan Division  
"Goa Van Bhavan"  
Altinho Panaji Goa - 403 001**

No: -DCF(WP)/TECH/PVT.FOREST/SK&TA/COMM/2022-23/779 Dated: -22/11/2022

To,  
Shri. Pundalik Kushali Velip,  
H.No. 106, Adnem, Balli,  
Quepem, Goa.

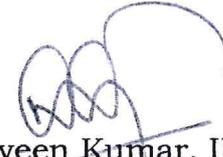
**Sub: -Status of Property Survey No 23 & 29 of Village Adnem  
Village of Quepem Taluka.**

Sir,

With reference to your letter dated 06/10/2022 on subject cited above, the Survey number 29 of Village Adnem of Quepem Taluka is Provisionally identified as private forest by F. X. Araujo Committee, the finding of committee on private forest with respect to your survey number is available in 2<sup>st</sup> interim report of Chief Conservator of Forests level committee on departmental website at <http://forest.goa.gov.in>, which may be downloaded for your reference.

The Survey number 23 of Village Adnem of Quepem Taluka is Provisionally identified as private forest by F. X. Araujo Committee.

Further, committee headed by Chief Conservator of Forest is reviewing the Survey Numbers identified by Thomas & Araujo committees, and work is in progress.

  
(Naveen Kumar, IFS)

Dy. Conservator of Forests,  
Working Plan Division,  
Panaji-Goa.

Copy to: - The Dy. Conservator of Forests, South Goa Division, Margao Goa  
for information.

ITEM NO.4

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal Diary No(s). 37942/2014

GOA FOUNDATION TH. SECY.

Appellant(s)

VERSUS

STATE OF GOA AND ORS.

Respondent(s)

(with appln. (s) for condonation of delay in filing appeal. and office report)

Date : 04/02/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ARUN MISHRAFor Appellant(s) Mr.Sanjay Parikh,Adv.  
Mr.Ritwik Parikh, Adv.  
Ms. Anitha Shenoy,Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Treat this appeal as an Interlocutory Application in Writ Petition (C) No.202 of 1995, *T.N. Godavarman Thirumulkpad Vs. Union of India & Ors.*, and list it before the Green Bench on 27.02.2015.

In the meanwhile, we direct that the respondents herein will not issue any 'No Objection Certificate(s)' for the conversion of any plot that has natural vegetation with tree canopy density in excess of 0.1 and an area above one hectare.

(G.V.Ramana)  
Court Master(Vinod Kulvi)  
Asstt.Registrar



GOVERNMENT OF GOA  
Forest Department  
OFFICE OF THE  
RANGE FOREST OFFICER  
QUEPEM-GOA

No. 46/Comp/QPM/RFO/2022-23/ 77

Dated: - 22/05/20223.

**NOTICE**

Whereas Shri Suraj Baban Ballikar and Mr. Mansur sheikh are the power of Attorney holder of the property bearing Sy. No.23, 29 and 30 of Adnem village of Quepem taluka South Goa were issued notice **vide letter no 46/Comp/QPM/RFO/2022-23/ 375 dated 10/10/2022** to carryout replanting of Total 112 Nos of Trees. However, till date you have not carried out any replanting as per the condition in Compounding order and the above referred Notice issued by this Office.

Hence once again you are hereby directed to carry out the replanting of 112 nos. of trees as per the condition in below mentioned compounding order of respective offence cases and above referred letter and inform this office within 15 days of time upon receipt of this notice. Failing to which further necessary action will be taken against you both as per the provisions of The Goa Daman and Diu Preservation of Trees Act 1984.

The Details of Offence Cases and respective Compounding orders and Nos. of trees to be planted are as under:

Sr. No.	Offence Case No. & Date	Compounding Order	No. of trees required to be replanting
1	No.02/KRO/2013-14 dtd.24/07/2013	No.4/3/2/SGF/13-14/2014- 15/1479 dtd.24/07/2014	00
2	16/RFO/QPM/2016-17 dtd. 17/02/2017	4/3/16/SGF/16-17/18-19/972 dtd.29/06/2018	30 Nos.
3	17/RFO/QPM/2016-17 dtd. 20/02/2017	4/3/17/SGF/2016-17/18- 19/669 dtd.31/05/2018	32 Nos.
4	05/RFO/QPM/2020-21 dtd.17/06/2020	4/3/5/SGF/2020-21/21- 22/1549 dtd.31/08/2021	50 Nos.
<b>Total trees to be replanted</b>			<b>112 Nos.</b>

  
(Prakash Naik)  
Range Forest Officer,  
Quepem-Goa.

To,

- 1) Shri Suraj Baban Ballikar  
r/o. H. No. 262, Deulwada,  
Balli Quepem-Goa.
- 2) Mr. Mansur Shaikh  
r/o. H. No. 153/2, Padamol,  
Sirvoi Quepem-Goa.

# Annexure-6

Office of the Range Forest Officer 271

Quepem Range

Record No: 1007

Letter

Page No: 75

Date: 08/03/2023

From Villagers of Adnem  
Daunhawado, Balli Goa.  
Dated 03/02/2023

To

1) The Deputy town Planner  
Town and Country Planning Department  
Government Of Goa  
Quepem Goa.

2) The Deputy Collector  
SDO And collector office  
Quepem Goa.

3) The Mamlatdar  
Office of the Mamlatdar  
Quepem Goa.

✓ 4) The Range Forest officer  
Office of forest department  
BorimolQuepem Goa.

5) The Police Inspector  
Quepem Police station  
Quepem Goa.

6) The Block Development officer  
BDO office  
Quepem Goa.

7) The collector  
South Goa District  
MathaniSaldhana complex  
Margao Goa.

8) The Sarpanch  
BalliAdnem Village Panchayate  
Balli Math Quepem Goa.

Sub: Complaint against non-action on our Petitions against Hill  
Cutting and plot developments.

Ref: Letter to Dy Collector, Quepem dated 04/03/2020

Letter to Mamlatdar, Quepem dated 04/03/2020

Letter to Sarpanch, Village panchayat Bali Adnem dated 04/03/2020

Letter no VP/BA/illeg/2020-21/102 dated 16/06/2020 of VP BalliAdnem to Block development officer, Quepem

Letter no VP/BA/illeg/2020-21/94 dated 16/06/2020 of VP BalliAdnem to Dy Town Planner Quepem

Letter no VP/SA/illeg/2020-21/93 dated 16/06/2022 of VP Rail Adnem to Town Planner, Margao

Letter no VP/BA/illeg/2020-21/91 dated 16/06/2020 of VP BalliAdnem to The Collector, South Goa

Letter no VP/BA/illeg/2020-21/92 dated 16/06/2020 of VP BalliAdnem to Dy Collector, Quepem

Letter no VP/BA/illeg/2020-21/95 dated 16/06/2020 of VP BalliAdnem to Range Forest Officer, Quepem

Letter dated 13/06/2020 addressed to Forest Officer, Quepem

Reminder Letter dated 03/07/2020 addressed to Dy Collector Quepem and Mamlatdar, Quepem

Complaint dated 03/09/2021 addressed to various authorities with respect to hill cutting

Reminder Letter dated 03/11/2021 addressed to Sarpanch, VP BalliAdnem

Complaint dated 07/03/2022 addressed to various authorities with respect to hill cutting

Dear Sir,

We the undersigned appeal to your office to kindly refer to our above-mentioned complaints. Last two years we have been petitioning various authorities to stop illegal hill cutting, forest tree cutting illegal plotting, construction of roads etc, which are located in a Non-development Zone, Nature cover and private forest area and most important is schedule tribe zone.

Sir, at present illegal road construction and massive destruction of trees and hill without any permission is being undertaken, thereby destroying the natural habitat. No authority has taken any action at per prevailing law of the land. The Land under Survey Nos. 23/1 25.26,27,28,30,31,32,33,34 28/47,28/49.30/23, 30/19, 29/1 of village Adnem in Quepem Taluka admeasuring 5,50,000 square meters has been

targeted for this illegal plotting Muscle power is being used by the land owner/developer to forcibly stop the tribals who are enjoying cultivation right for generations. The said land is presently occupied by the people from the local ST community and government records testify the same.

Sir Said land is provisionally identified as "PRIVATE FOREST" by F. X. ARAUJO COMMITTEE

A security company in name and style of "Black Tiger" has employed bouncers/muscle mento forcibly block the movement of the occupants. Forcefully thumb impressions/signatures of these poor tribals are obtained under duress. Mr Mansoor Shaikh, Rodney Dsilva and Director of SIR BIOTECH INDIA LTD and CO has unleashed money power and muscle power by bribing certain people in the vicinity of the land to suppress the tribals and individuals who oppose these legal activities. Another person by name Suraj Ballikar with his political connection has been threatening the local tribal occupants of the land at the behest of the developer.

Sir, the issue is not a simple issue of change of land use. It is a problem which will lead to a demographic change of the whole village and will lead to law-and-order issues for the state in the future. It is feared that land occupied by Goan tribal communities is now targeted for systematically settling non Goan communities under a systemic pattern, where in mother nature is destroyed to accommodate such nefarious designs

Sir, the main issue is of Mamlatdar, Dy. Collector, Qupem Police Station, Forest department Town and country planning department and the authorities not taking action till date for reasons not understood by us. Such defaults in administration cannot and should not be condoned and must be dealt severely by your good office.

Sir, BalliAdnem Village Panchayate office issued STOP WORK NOTICE Ref. No. VP/BA/Notice/2022-23/127 dated 28/04/2022 to stop illegal work but the work of Hill cutting, deforestation and construction of road is going on till today.

Sir, BalliAdnem Village Panchayate office issued STOP WORK NOTICE Ref. No. VP/BA/Notice/2022-23/861 dated 03/10/2022 to stop illegal work but the work of Hill cutting, deforestation and construction of road is going on till today. BalliAdnem village panchayate issued copy to Dy collector and flying Squad margao, Dy collector Quepem, Block Development Officer Quepem, The Office of Town And country Planning office Quepem, The Dy Conservator of forest Margao, Range forest officer Quepem and Quepem Police station for necessary action.

Sir, illegal construction of roads, illegal plots, cutting of trees is resulted into runoff of mud into our paddy fields damaged our fields. Our path way to the paddy fields has been blocked. Every day we face threats from goondas of developer

Sir, we are constrained to approach you as a last resort to save our village and Goa from irrecoverable damage to our culture, environment and peaceful way of life.

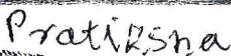
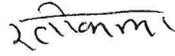
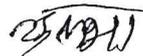
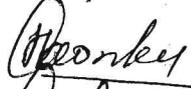
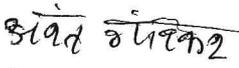
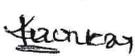
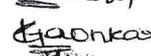
Sir we approached NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, PUNE, Original Application number 86/2022 WZ where order dated 22/12/2022 to maintain "STATUS QUO" but today construction of Road and tar road is going on without any permission from your office or BalliAdnem Village panchayate or any Government Authority.

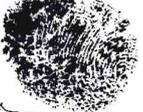
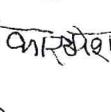
Sir your office is the respondent no 03 in case at NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH, PUNE, Original Application number 86/2022 WZ, Hill cutting and development of road in non-development, natural cover, sloppy area is the contempt of court when order is to maintain "STATUS QUO"

So, we request you to take appropriate action against the developer and stop work immediately.

Thanking you

Citizens of BalliAdnem-Quepem.

- 1) Pratima velp 
- 2) Shakuntala Gaonkar 
- 3) Lalita Gaonkar 
- 4) Pratiksha velp 
- 5) Prabhakar velp 
- 6) Pandarik velp 
- 7) Ratikala Gaonkar 
- 8) Subha. Gaonkar 
- 9) Swati Gaonkar 
- 10) Harshad A. Gaonkar 
- 11) Anil A. Gaonkar 
- 12) Anant B. Gaonkar 
- 13) Kavitha. K. Gaonkar 
- 14) Kavita. K. Gaonkar 
- 15) Laximi. Gaonkar 
- 16) Sakshi Gaonkar 

- 18) Salte Chavankar ~~Chavankar~~
- 19) Shikuntala Chavankar. ~~Shikuntala~~
- 20) Pooja Chavankar ~~Chavankar~~
- 21) Shankardas. haonkar ~~Chavankar~~
- 22) sweta. S. haonkar ~~Chavankar~~
- 23) Prashanta Gaonkar ~~Chavankar~~
- 24) Anandi A. Gaonkar 
- 25) Keshori. S. Velip 
- 26) Jayshree A. Velip 
- 27) Vimala Subriya. Velip 
- 28) Rasika R. Velip. ~~रशिका रशेरावेलीप~~
- 29) Rachana R. Velip ~~Velip~~
- 30) Umavati R. Velip 
- 31) Ratne R. Velip 
- 32) Datta Velip. ~~दत्ता वेलीप~~

# Annexure-7<sup>276</sup>

No. RF/Balli/22-23/36

Office of the Round forester

Balli Round.

Dated-20/03/2023

To,  
The Range Forest officer,  
Quepem

Sub:- Inspection Report

Sir,

With referance above mentioned subject i have inspected the site alongwith beat guard Satish Naik Adnem beat as per R.F.O remark on application of Adnem Villagers Daunthawado, Balli Goa at private property under Sy. no 23/1,25,26,27, 28, 30, 31, 32, 33, 34, 28/47, 28/49, 30/23, 30/19, 29/1 of village Adnem in Quepem Taluka, the said sy.no. No illegal Cutting of trees found on the site and road work started at site at the time of inspection.

This is for your kind information and necessary action

Yours faithfully

(Sandeep Bhandari)

Round forester, Balli,

Quepem.

TRUE TYPED COPY

Chief of the Range Forest Officer  
Quepem. Range  
568  
212  
20/03/2023

277 No R.F/Balli/22-23/36  
Office of the Round forester,  
Balli Round.  
Dated = 20/3/2023

To,  
The Range Forest officers,  
Quepem

### Sub:- Inspection Report

Sir,  
With reference above mentioned subject I have inspected the site alongwith beat guard Satish Naik Adnem beat as per R.F.O remark on the application of Adnem Villagers Daunthawado, Balli Goa at private property under Sy. no. 23/1, 25, 26, 27, 28, 30, 31, 32, 33, 34, 28/47, 28/49, 30/23, 30/19, 29/1 of village Adnem in Quepem Taluka, the said Sy. no. No illegal cutting of trees found on the site and road work started at site at the time of inspection.

This is for your kind information and necessary action.

Yours faithfully,  
~~Sandeep~~  
(Sandeep Bhandari)  
Round forester, Balli  
Quepem.



GOVERNMENT OF GOA  
Forest Department  
OFFICE OF THE  
RANGE FOREST OFFICER  
QUEPEM-GOA

No. 46/Comp/RFO/QPM/2023-24/ 41

Dated: - 25/04/2023.

To,  
The Dy. Conservator of Forests,  
South Goa Division,  
Margao-Goa.

(Through SDFO Quepem)

Sub: -Complaint against non-action on our Petitions against Hill  
Cutting and plot developments.

Sir,

This office had received a complaint letter dated 03/02/2023 (copy enclosed).  
In response, staff of this office inspected the site and reported no, illegal tree felling  
at the same site.

Hence it no action pertaining to Forest Department is required to initiate by this  
office.

Submitted for the favour of further necessary action.

Yours faithfully,

(Prakash P. Naik)  
Range Forest Officer  
Quepem-Goa.

'Swachh Bharat Nital Goem'  
Towards Greener and Cleaner Goa.



279  
Deep Narayan Sarkar <deepnarayansarkar@chambersofrg.com>

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**O.A No.86/2022: Pundalik Kushali Velip & Anr. v/s The Deputy Conservator of Forests & Ors:Advance Service of Supplementary Affidavit on Behalf of Respondent No.1 & 2**

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**Deep Narayan Sarkar** <deepnarayansarkar@chambersofrg.com> 26 May 2023 at 17:18  
To: fawiamesquitalegal@gmail.com  
Cc: Ruchira Gupta <ruchira@chambersofrg.com>, Harshita Sharma <harshitasharma@chambersofrg.com>, Pooja Tripathi <poojatripathi@chambersofrg.com>

Dear Ma'am,

Please find attached the Supplementary Affidavit to be filed in the captioned matter, on behalf of Respondent no. 1 & 2 in the above captioned matter.

Kindly treat this as an advance service upon you.

This is for your record and information.



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