

OFFICE OF THE COLLECTOR, SOUTH GOA DISTRICT

Room No: 449, Fourth Floor,

Matanhy Saldanha Administrative Complex, Margao - Goa.

Phone No: 0832-2794431

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No: AC-I/SAL/SG/CONV/71/2018/77

Date: 31 / 05 / 2023

READ: Application U/s 32 of Land Revenue Code, 1968



**S A N A D
S C H E D U L E - II**

[Sec Rule 7 of the Goa, Daman & Diu Land Revenue
(Conversion of Use of Land non-agricultural Assessment Rules, 1969)]

Whereas, an Application has been made to the Collector of South Goa (hereinafter referred to as "the Collector" which expression shall include any Officer whom the Collector shall appoint to exercise and perform his duties and powers under this grant) under Section 32 of the Goa, Daman & Diu Land Revenue Code, 1968 (hereinafter referred to as "the said Code" which expression shall, where the context so admits include the Rules and Orders there under) **Susheela Agarwal, Nitin Kumar Agarwal & Nikhil Kumar Agarwal, r/o Land Scape Martins Mansion, Flat No. D-3, Caranzalem, Miramar- Goa,** being the occupant of the plot registered land under Survey No. 49/5-A of Nagoa Village of Salcete Taluka, admeasuring an area of **4725.00 Sq. mts** (hereinafter referred to as the "applicant" which expression shall, where the context so admits include his heirs, executors, administrators and assigns) for the permission to use the plots of Land (hereinafter referred to as the "said plot") described in the Appendix I hereto, forming under **Survey No. 49/5-A of Nagoa Village of Salcete Taluka,** admeasuring area **4725.00 Sq.mts,** be the same a little more or less for the purpose of **Residential** use only.

And whereas, the Dy. Conservator of Forest, South Goa Division, Margao vide letter no: 5/SGF/CONV/331/2018-19/1519 dated 06/09/2018, informed that the Survey No: 49/5-A, Nagoa Village of Salcete Taluka admeasuring area of 3975.00sq.mts is not a Government Forest, and does not form of any compartments of South Goa Division Working Plan. The said area also does not figure in the list of Survey Numbers identified as private forest by State Level Expert Committee and also Forest (Conservation) Act, 1980 is not applicable to the above area.

And whereas, the Mamlatdar of Salcete has submitted report vide no: MAM/SAL/CONV/CI-I/294/2018/394 dated 06/09/2018, wherein the use of the land would not affect public health, safety and convenience, the market value of the land is about Rs. 5000/- per sq. mts., proposed land accessible. There is Katcha road to proposed site for conversion, there is no tenants/Mundkars on the proposed land as no tenant/Mundkars name found recorded on form I&XIV of Sy. No. 49/5 of village Nagoa, there is no tenancy on proposed land for conversion, the land proposed for conversion is not low lying, there is no structure on the proposed land for conversion, the land proposed for conversion is surveyed under survey no. 49/5-A of Village Nagoa of Salcete taluka, that the proposed for conversion is not coming under 200 mts. or 500 mts. HTL, the land does not belong to Government/Communidade as per survey Records, Manual form I&XIV copy of Survey No. 49/5 of Village Nagoa issued by talathi of Nagoa is enclosed, hence application for conversion may be decided at your good end.

And whereas, the Dy. Town Planner, Margao, reported that the land under Survey No. 49/5-A, Nagoa Village of Salcete Taluka, as per the Regional Plan of Goa 2021, the plot in question is located in the Settlement Zone (S3), having permissible F.A.R. 60% and VP-II Status admeasuring an area 4725.00 Sqmts vide report no: TPM/1519/Zon-Inf/Nagoa/49/5-A/2023/1320 dated 10/03/2023.

And whereas, the Inspector of Survey & Land Records, Margao, has submitted the 6 copies plan and details in appendix to schedule-II of Survey No. 49/5-A; Nagoa Village of Salcete Taluka vide letter NO.2/ISLR/123/2018/3013 dated 21/12/2018.

And Whereas, after obtaining NOC/report for proposed conversion of land from the above mentioned authorities, the conversion of land under Survey No. 49/5-A, Nagoa Village of Salcete Taluka, is approved & applicant has deposited conversion fees of Rs. 4,72,500/- (Rupees Four Lakhs Seventy Two Thousand Five Hundred only) vide e-Challan No.AC-I/71/2018-19 dated 25/01/2019 & and applicant has submitted Affidavit cum Indemnity Bond, Notary before, Sunil S. Naik Reg. No.223/2019 dated .07/02/2019.

And whereas, the Conversion Sanad was granted bearing No. AC-I/SAL/SG/CONV/71/2018/1460 dated 08/02/2019 for Commercial use.

And whereas, Mr. Yatin Ramesh Parekh Power of Attorney holder for Susheela Agarwal, Nitin Kumar Agarwal and Nikhil Kumar Agarwal vide letter dated 16/11/2022 informed that they intended to develop and raise a commercial building space in the property surveyed under Survey No. 49/5-A of Nagoa village of Salcete Taluka and accordingly granted the Conversion Sanad vide No. AC-I/SAL/SG/CONV/71/2018/1960 dated 08/02/2019 for Commercial purpose for the said property for admeasuring an area of 4725.00 Sq. mtrs for which the applicant had paid the

conversion fees of Rs. 28,35,000/- (Rupees Twenty Eight Lakhs Thirty Five Thousand only) vide echallan No. 201900127916.

And whereas, the applicant now states that the plans of construction had to be stalled due to the outbreak of COVID-19 as the world went into a global pandemic and due to loss caused by the pandemic and other difficulties, the applicant dropped the plan of building a "Commercial Complex". Further, the applicant revised the site plan and decided to build a "Residential Villa Project" consisting of many residential structures/buildings instead of Commercial Project proposed earlier.

And whereas, the applicant also stated that as per revised plan, the total FAR consumed is 58.36% which is below the permissible limit of 60%. Since the revised plan for construction is for the Residential Villas, the applicant seeks to convert the Commercial Sanad to Residential purpose only and sought to refund the excess conversion fees paid by him. The said request of the applicant is considered and approved accordingly.

And whereas, the application was considered accordingly vide Order bearing No. AC-I/SAL/SG/CONV/71/2018/15 dated 21/04/2023 wherein the refund of conversion fees of Rs. 23,62,500/- is refunded and the conversion sanad dated 08/02/2019 is revoked and ordered to issue fresh conversion sanad for Residential purpose.

Now, this is to certify that the permission to use for the said plot is hereby granted subject to the provisions of the said Code and Rules there under and on the following conditions namely:

1. Leveling and clearing of the Land: The Applicant shall be bound to level and clear the Land sufficiently to render suitable for the particular non-agricultural purpose for which the permission is granted and to prevent non-sanitary conditions.
2. Assessment: The Applicant has paid the non-agricultural assessment when fixed by the Collector under the said Code and Rules there under with effect from the date of this Sanad.
3. Use: The Applicant shall not use the said land and building erected or to be erected thereon for any purpose other than granted purpose, without the previous sanction of the Collector.
4. Liability for rates: The applicant shall pay all taxes, rates and cesses leviable on the said land.
5. Penalty Clause: (a) If the applicant contravenes any of the foregoing conditions the Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code continue the said

plot in the occupation of the applicant on payment of such fine and assessment as he may direct.

(b) Notwithstanding anything contained in Sub-Clause (a) it shall be Lawful for the Collector to direct the removal or alteration of any building or structure erected or use contrary to the provisions of this grant within such time as specified in that behalf by the Collector and on such removal or alteration not being carried out and recover the cost of carrying out the same from the Application as an arrears of land revenue.

6. Code provisions applicable: Save as herein provided the grant shall be subject to the provisions of the said Code and Rules there under.
7. The Applicant shall comply with the provisions of Town and Country Planning Act in force in Goa. Any violations of these provisions shall be solely at the cost of the Applicant at his own peril.
8. If any person claims ownership right and succeeds in it, the conversion shall stand automatically revoked.
9. Sanad shall not take away Mundcarial/Tenancy rights of any individual, if any, existing in the said property.
10. Any further development in the plot shall be strictly as per the rules in force.
11. No hill cutting or filling of low-lying area shall be undertaken without prior permission from the Chief Town Planner under section 17A of TCP Act.
12. This Sanad is issued only for change of use of land and shall not be used for any other purpose like proof of ownership of land etc. the applicant shall not use the Sanad for pursuing any illegal or antinational activities on this converted land.
13. The right way of road is 6.00 mts hence front setback of minimum 3.00mts shall be kept from centre line of road, for secondary development.
14. Traditional access, passing through the plot, if any shall be maintained..
15. The further development/construction in the plot shall be governed as per prevailing rules & regulations in force.
16. The Applicant should obtain prior permission for cutting of trees in the said plot from the Forest Department.
17. If Sanad is obtained by suppression of any vital information, it shall be revoked any time after knowledge of such fact from date of issue.
18. N.O.C from the concerned authority shall be obtained before the commencement of any secondary development work in the said land.
19. Adequate arrangement shall be made so as not to affect any drainage portion in the area and flow of natural water.
20. Low lying land, water bodies be protected and should not be harmed due to any activity

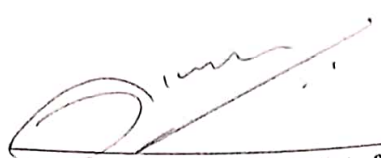
21. If this Sanad is inconsistent with any law in force in the state of Goa or any decision of Hon'ble Supreme Court or Hon'ble High Court of Bombay, this Sanad shall be ineffective to extent of such inconsistency.
22. In case inadvertently if there is any mistake in calculating the fees for conversion payable or there is revision of fees after issuance of Challan then the applicant hereby undertakes to pay the difference along with simple interest of 12% per annum calculated from the date of issuance of original Challan till the date of payment thereof. The failure or refusal on part of the applicant or successor interest thereof in affecting the payment shall give the liberty to the undersigned to revoke the said Sanad and/or recover the balance as arrears of land Revenue from Applicant.
23. In case of violation of any of the conditions or in case any N.O.C. etc. issued by any Department for effecting conversion is withdrawn, revoked or otherwise the conversion Sanad shall also stand cancelled from such date of withdrawal, revocation or otherwise.
24. In future if any dispute arises regarding the ownership, title, etc, than the applicant shall be solely responsible and the Collector or any other authorized officer on his behalf shall be at liberty to revoke the Conversion Sanad granted without giving any notice/reasons.

Appendix-I


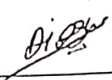
| Length & Breadth | | Total Superficial Area | Forming (part of) Survey no: & Sub Div number | BOUNDARIES |
|---|--------------|------------------------|--|---|
| North to South | East to West | | | |
| 83.50 Mts | 79.50 Mts | 4725.00 Sq.mts | Survey No. 49/5-A, Nagoa Village of Salcete Taluka | North: S.No. 49/6 South : Nallah East: Nallah West: S.No. 49/5 |
| Conversion is Sanctioned for Residential purpose with permissible F.A.R 60% based reports/NOG referred at page no: 1 & 2. | | | | |

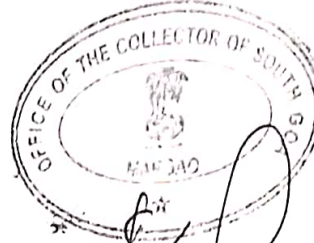
Further, the Conversion Sanad bearing No. AC-I/SAL/SG/CONV/71/2018/1460 dated 08/02/2019 stands cancelled.

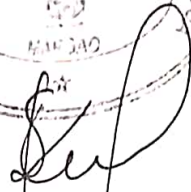
In witness whereof the Collector of South Goa District, Margao, has hereunto set his hand and sent seal of his Office on behalf of the Government of Goa and the Applicant **Susheela Agarwal, Nitin Kumar Agarwal & Nikhil Kumar Agarwal, R/o. Land Scape Martins Mansion, Flat No. D-3, Caranzalem, Miramar- Goa,** hereunto set his hand this 3rd day of May 2023.


Yatin Ramesh Parekh (POA for Susheela Agarwal, Nitin Kumar Agarwal & Nikhil Kumar Agarwal)



Signature and designation of the witnesses:

1. Prasad M. Godkar 
2. Dinesh P. Naik 




(Srinet Kothwale)
Collector,
South Goa District,
Margao- Goa

We declare, Yatin Ramesh Parekh (POA for Susheela Agarwal, Nitin Kumar Agarwal & Nikhil Kumar Agarwal) has signed this sanad is, to our personal knowledge, the person he represents himself to be, and that he has affixed his signature hereto in our presence.

1. Prasad M. Godkar 
2. Dinesh P. Naik 



Copy to:

1. The Mamlatdar of Salcete, Margao Goa.
2. The Inspector of Survey and Land Records, Margao-Goa.



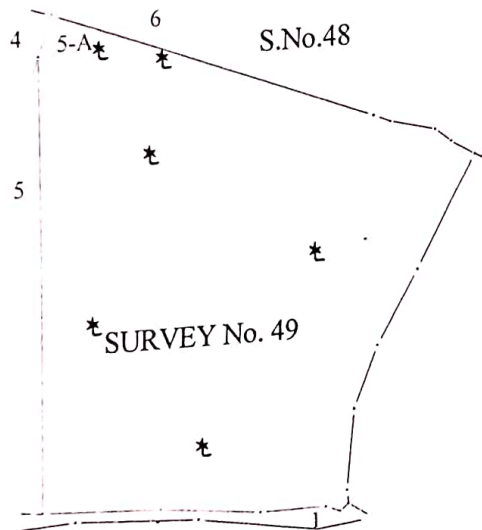
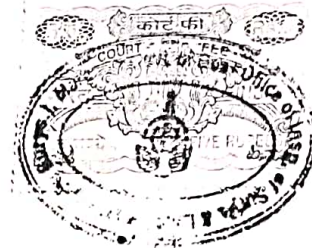
GOVERNMENT OF GOA
Directorate of Settlement and Land Records
Office of Inspector of Survey and Land Records
MARGAO - GOA

Inward No.5030



Plan Showing plots situated at
Village : NAGOA
Taluka : SALCETE
Survey No./Subdivision No. : 49/ 5-A
Scale : 1:1000

(SAVIO C. SILVEIRA)
Inspector of Survey & Land Records
Margao Goa.



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