

COMMISSION OF INQUIRY

REPORT

By

Justice V. K. Jadhav (Retd.)

Chairman

Commission of Inquiry

ANNEXURE I

Affidavit of Evidence along with cross examination of

Witness Advocate Mrs. Cristina C. Dias, Exh. 36

ANNEXURE II

Written Notes of Arguments submitted by

Witness Advocate Mrs. Cristina C. Dias, Exh. 104

ANNEXURE – I**EXH. - 36.****BEFORE THE INQUIRY COMMISSION OF
HONOURABLE JUSTICE V.K. JADHAV****AFFIDAVIT**

I the undersigned, Mrs. Cristina C Dias, daughter of late Florencio Jacinto Dias, age 50 years, married, resident of House No 636, Badem, Assagao, Bardez, Goa do hereby solemnly affirm on oath as under:

1. That I am the resident of the above-mentioned address and I am practicing as a lawyer having my office at Margao, Salcette, Goa.
2. I say that somewhere in the month of February 2022, it was brought to my attention by my fellow villagers, that their properties which was surveyed in their names all of a sudden reflected in the names of Royson Rodrigues, Branca Cassiana Diniz, Paulina Juliana Diniz & Mariano Antonio Teles Gonsalves in the Occupants column of the Form I & XIV in the revenue records of the Property Register, Government of Goa online website instead of the names of the original & rightful owners of the said property. On further review of the same, it was noticed that this change was on account of illegal & fraudulently based mutation proceedings. The original & legal heirs of the said property and myself, then started investigating into the matter of the mutation and we also felt it necessary to alert the villagers to look into their property details based on the current information available on the Property Register of the Government of Goa online website.
3. That to utter shock & disbelief we noticed that a handful of more of properties reflecting the same names of Royson Rodrigues, Branca Cassiana Diniz, Paulina Juliana Diniz & Mariano Antonio Teles Gonsalves, Sandric Fernandes, Antonetta Fernandes, Caetano Fernandes, Meena Ramakant Naik (wife of Caetano Fernandes) in the Occupants column of the Form I & XIV of Badem, Assagao village in the Revenue records of the Property Register of the Government of Goa online website instead of the names of the original & rightful owners of the properties. My Badem village is

relatively a small village with only 45 houses and hence we know each other personally & their properties very well.

4. There was a meeting of all my villagers held in the Our Lady of Miracles Church premises who were very shocked and concerned of their properties on account of this sudden change of names in the Property Register (i.e. Form I &XIV). The villagers agreed to immediately have a team led by myself and Adv. Augustus Monteiro which was formed to look into this sudden change of names in Survey & Title records. The team consisting of another eight members looked into all the online property records of Badem village and at this point of time it was observed that around 25 properties were targeted in Badem village itself by the above accused persons. In the meantime, when this Badem village was targeted, we got to learn that even the family property of Adv Augustus Monteiro in Anjuna, bearing survey number 493/3, of village Anjuna was also targeted and the names of the accused namely Royson Rodrigues, Branca Cassiana Diniz, Paulina Juliana Diniz & Mariano Antonio Teles Gonsalves was fraudulently inserted in the revenue records of the Property Register (Form I &XIV).

5. I say that during this time even my relative's property in Badem co-owned by Mr. Anacleto Vincent Monteiro bearing survey number 39/6 of Badem, Assagao was targeted by the accused persons namely Royson Rodrigues, Branca Cassiana Diniz, Paulina Juliana Diniz & Mariano Antonio Teles Gonsalves which was noticed on the online website of the Directorate of Land & Survey Records with a mutation proceeding under process. An objection was raised for the mutation proceeding and the certified copies of the mutation proceeding were requested & subsequently obtained under the RTI act. We were shocked to see that my relatives Mr. Anacleto Vincent Monteiro, Miguel Arcanjo and other villagers have allegedly executed a Deed of Sale in the favor of the ancestor of the accused on 26th Nov'1951. It was more shocking that my dead relative Miguel Arcanjo came to execute this deed of sale from his grave and the other relative Anacleto Vincent Monteiro executed the deed of sale when he was not even the owner of the property at that time. On verification through the Goa online website, it was also shocking to see that a subsequent 3rd party Sale Deed was registered on the very next day of the mutation objection being raised.

6. It is also noticed that in the said sale deed dated 26th Nov'1951 many other neighboring owners allegedly signed as joint owners

of many properties when they not the owners jointly or not owners at all at that time.

7. By this sale deed alone dated 26th Nov'1951, many other neighboring properties were targeted to which Police complaints have been filed by the neighbors individually of which some of the FIR's have been registered and some are still pending registration.
8. There after we immediately rushed to the Department of Archives & Archaeology, Panjim and inspected the book number 551, volume 328 of the year 1951, Tabelheao Pinto Menezes as relied upon in the illegal mutation proceedings. We were shocked to find on verification of the relevant book that the pages have been inserted and are attempted to be bound to the original book by means of a loose string (i.e. Pages 13 to 19). The pages

13 to 19 of the volume 328 were shorter than the rest of the pages in that book.
9. It was immediately brought to the notice of the Archivist & the then Director of Archives present on duty of the observations of inspection. Certified copies of the relevant deeds of the book 551, volume 328 of the year 1951 from pages 5 to page 22 were subsequently applied. Also certified copies were applied for the Index Book & Mass book of that year which pertains to the said deeds.
10. The inserted deeds under pages 13 to 19 did not tally with the names, dates and type of deeds of the Index book and the Mass book.
11. It is observed that two deeds from the register have been removed and in its place 4 fake deeds are inserted. Wherein a total number of apprx. 45 properties have been targeted of different villages of Bardez, Goa. I have relied in cross examination of witness Mrs. Blossom Madeira the then Director of department of Archives upon the xerox copies of the said deeds of sale & also the Index Book and Mass book of the month of November & December 1951.
12. In one of these deeds dated 4th Dec'1951, it was observed that the deed of sale pertaining to the family of Adv. Augustus Monteiro was also targeted in which his family namely his wife, mother-in-law and sister-in-law were shown as joint owners of about eight properties who sold properties presently surveyed under survey number 493/3 of Anjuna village to Antonia Francisca Pereira. The mother-in-law namely Esperenca Oliveira

was 12 years old in the year 1951 and was shown as the daughter of her father-in-law and his wife Maria Julietta Oliveira was not even born in the year 1951 and the sister-in-law Maria Sonya Oliveira was also not even born in the year 1951. They were also shown as daughters of their grandfather. In the English translation of the above-mentioned fake deed in Portuguese language dated 4th Dec'1951, the date of the deed of sale was wrongly translated to show a date of 4th Nov'1951. The dates of the fake sale inserted are not in chronological order.

13. It has also been observed through the various other mutation proceeding documents obtained thru the RTI act, that the firstly the English translations of the fake Portuguese sale deeds are done by individuals who are not a recognized or registered translators approved by the government and it has also been noticed in the said English translations that additional properties have been added wherein the same does not reflect in the fake Portuguese sale deed.

14. It was also observed that another villager, Mrs. Matilda Coutinho had her ancestral property in the name of her mother- in-law Maria Anton D'Souza and another co-owner Maria Joaquina Carvalho, bearing survey number 47/1 of the village of Badem, Assagao which was also targeted by the accused persons Royson Rodrigues, Branca Cassiana Diniz, Paulina Juliana Diniz & Mariano Antonio Teles Gonsalves vide a fake deed of sale dated 25th Jun'1996 inserted in the Office of the Sub-Registrar of Bardez. It is pertinent to note that Maria Anton D'Souza was a lady however portrayed as a man and husband of Maria Joaquina Carvalho in the fake sale deed. The Sub-Registrar of Bardez, Mapusa by his letter dated 19th Apr'2023 affirmed that the details in the sale deed dated 25th Jun'1996 do not correspond with the Thumb Register of the year 1996. (Ref. Folder No 4, CR. No 75/2022) & in a similar way another property bearing survey number 44/2 in the name of Eliterio Anthony Carvalho (Folder No 4, CR. No 76/2022). There are also complaints filed by the neighboring owners affected by the fake inserted sale deeds of the year 1996 which are still pending registration of FIR's before the SIT. Most of these and other mutation proceedings were completed and confirmed without Rojanama proceedings and most of the proceedings was completed within the period of one day to 1 month time.

15. That on subsequently checking all the new survey/property numbers of my villagers of Badem, Assagao in the Government of Goa online website, we were further shocked to see that week on week the number of new illegal mutations based on these

fake & forged deeds of sale kept reflecting in the Directorate of Settlement & Land Records online website.

16. That my villagers of Badem, Assagao have also been complaining of unknown people entering theirs as well as neighboring properties either occupied / vacant and un-officially surveying the properties. That in some houses the owners are still living and are being threatened to vacate the houses owned by them as in the case of property bearing survey number 43/9 of Badem Assagao belonging to Isabella Fermina Fernandes and property bearing survey number 39/4 of Badem, Assagao belonging to the ancestors Debbie D'Souza. Also in certain instances, unknown people / contractors associated to the accused even engaged workers / laborers to have the properties cleaned and fenced. Like the property bearing survey number 18/11 of Badem, Assagao belonging to Nascimento Fernandes, property bearing survey number 43/2 of Badem, Assagao belonging to Melroy D'Souza. On objection from the villagers / owners there have been serious threats, aggressive behavior and foul language by these unknown people / miscreants / contractors put upon the villagers or owners objecting the same.
17. That periodically, we also checked the Directorate of Settlement & Land Records online website for mutation proceedings status on account of certain properties still reflecting in the names of the original owners however there were very active movements of unknown people & miscreants in those properties creating a very suspicious atmosphere in the eyes of the neighbors & villagers. We were once again very shocked to see so many mutation proceedings initiated by the same accused which were under process at the Office of the Mamlatdar, Bardez-Goa from different villages and not only the village of Badem, Assagao.
18. There has also been a complaint letter to The Sarpanch, The Secretary, Village Panchayat of Assagao & The Talathi, Assagao highlighting all the illegal activities & property sales that have been going on in the Village of Badem, Assagao and why was there permission granted by their bodies to conduct these illegal activities of fencing & clearing properties without the consent & permission of the original owners. To which no response or action has been taken from their department however it is very evident that this was being conducted right under their noses and with their knowledge and consent.
19. That on the onset of the above I have personally investigated & obtained relevant information and evidentiary documentation in

this matter which has unearthed a **Major Land Grab Criminal Conspiracy** in the state of Goa hatched by the above accused in connivance with governmental personnel, office staff majorly from the “The Directorate of Archives & Archaeology”, Panjim, “Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex- officio”, Bardez. and “Office of the Mamlatdar”, Bardez.

20. That the Modus operandi used by the accused persons / offenders / conspirators is mentioned in Point No. 30 which is done with a criminal intent to injure and damage the claim and title of the legal heirs & rightful owners of their properties.

21. That criminal complaints have been raised to the below authorities against the accused and government officials.

- The Inspector in Charge of Crime Branch Crime Branch, Ribandra Goa.
- The Inspector of in charge of Vigilance, Vigilance Department, Altinho, Goa
- Superintendent of Police, North Porvorim, Panaji, Goa
- The Inspector in charge of Police Station at Anjuna, Anjuna, Bardez, Goa.
- The Inspector of Police Economic offences Cell Panjim, Goa.
- The Inspector of Police Mapusa Police Station, Mapusa, Bardez, Goa.
- The Collector, North Goa District Collectorate. Collectorate Building, Panjim, Goa
- The State Registrar Cum Head of Notary Services. Patto, Panjim, Goa
- The Sarpanch Assagao, Bardez, Goa
- The Talathi, Assagao, Bardez Goa.
- The Secretary

Village Panchayat of Assagao

22. That in pursuance, enquiries were made at the The Directorate of Archives & Archaeology, Panjim; Office of the Civil Registrar – cum- Sub-Registrar and Notary Ex-officio, Bardez; Office of the Mamlatdar, Bardez and information obtained under the RTI (Right to Information) Act.

Observations & details listed as per departments below:

➤ The Directorate of Archives & Archaeology, Panjim

a) That illegal mutations were done on the basis of the following fake / forged notorial deeds of sale said to have been obtained from the Department of Archives by the accused. These mutation proceeding documents have been obtained under RTI act and the evident fraudulent acts observed as noted below and which have also been highlighted in various complaints filed and also to the then Director of The Directorate of Archives & Archaeology, Panjim.

i) Deeds of Sale registered under book bearing No

403 serial no 180 of the year 1934. This deed of sale is not in the possession of the Directorate of Archives & Archaeology and the same has been confirmed by letter under Ref No. 3/1/16/2021-22/DAA- 201 dated 22nd April 2022. The properties by which the name of the genuine occupants was deleted from the Form I & XIV and the names of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves, Mr. Royson Rodrigues were inserted instead are survey nos. 78/2 under mutation proceedings no. 79705 wherein review application has been filed and mutation proceedings are freezed for property bearing survey no 80/3 under mutation proceedings no. 81056. The Mamlatdar of Bardez did not check the link document produced by the accused to mutate their names. Such as the alleged fake sale deed of 1934 and the succession deed of 6th Aug'2021. There is no link between the purchaser in the fake deed of sale and the deceased parties to the succession deed.

ii) **Deeds of Sale registered under book bearing No 514, serial no 264 of the year 1951.** This deed of sale is not

in the possession of the Directorate of Archives & Archaeology and the same has been confirmed by letter under Ref No. 3/1/16/2021-22/DAA- 201 dated 22nd April 2022. The properties by which the name of the genuine occupants was deleted from the Form I & XIV and the names of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves, Mr. Royson Rodrigues were inserted instead are survey nos. 18/12 village Badem, Assagao under mutation proceedings no. 80828 which has been

subsequently dismissed. The Mamlatdar of Bardez did not check the link document produced by the accused to mutate their names. Such as the alleged fake sale deed of 1951 and the succession deed of 6th Aug'2021. There is no link between the purchaser in the fake deed of sale and the deceased parties to the succession deed.

iii) Deeds of Sale registered under book bearing No 551, volume no 328 of the year 1951. The deeds of sale mentioned have been fraudulently inserted at pages 13 to 19 of book bearing No 551, volume no 328 of the year 1951 at the Directorate of Archives & Archaeology by which various properties bearing different survey numbers were sold in a single deed of sale by a fictitious Power of Attorney holder to Antonia Francisca Pereira. Some of the properties identified are properties bearing survey no. 493/3 under mutation proceedings no. 80977 & 493/2 under mutation proceedings no. 80976 of village Anjuna, Bardez, subsequently survey nos. 43/4 under mutation proceedings no. 80941, 39/6 under mutation proceedings no.80981, 31/1 under mutation proceedings no. 80967, 31/2 under mutation proceedings no.80980, 18/12 under mutation proceedings no.80828, 200/6A under mutation proceedings no.81283,202/5 under mutation proceedings no.81282, 202/8 under mutation proceedings no.81286,191/2 under mutation proceedings no.81284, 191/3 under mutation proceedings no.80159, 39/4 under mutation proceedings no.81054, 53/4 under mutation proceedings no.80862 as per Deed of Sale Reg. No. 2485, Book No. I, Volume No. 444 dated 12/11/1996 executed before Sub-Registrar Bardez of the village of Assagao, Bardez.

b) Forged & Inserted Notarial Deed of sale dated 26th Nov'1951, has one of the vendor Mr. Miguel Arcanjo as a signing party to the deed however it is pertinent to note that

Mr. Miguel Arcanjo expired on 05th Apr'1951 hence cannot be an executing party to the deed of sale.

c) That the Book No 551 volume 328 of the year 1951 at The Archives Department plus the Mass Book and the Index book of the said year has been inspected / examined and noticed that the book no 551 of year 1951 volume 328 has been tampered and pages 13 to 19 have been inserted.

- On verification of the relevant book of the said deeds of sale in the department of Archives, it can be clearly noticed that the pages have been inserted and are attempted to be bound to the original book by means of a loose string
- Pages are shorter
- It has also been admitted by the Archives Department, Panjim vide letter under reference number 3/1/16/2022-23DAA-987 dated 26th Jul'2022 that the fake & inserted deed dated 4th Dec'1951 does not correspond with the Index Book of the Deeds of notary Pinto Menezes Sr/ No. 17 of the year 1951 and that the deed is fraudulent. It has also been confirmed by the Archives department, Panjim to the Office of the Mamlatdars, Bardez, Mapusa vide letter under reference number 3/1/16/2021/DA/843 dated 12th Jul'2022 pertaining to the review application of mutation 80977/21-2022/3439 dated 8th Jul'2022 that it is not an authentic document but a fraudulent document / deed.

➤ Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez

a) That illegal mutations were done on the basis of the following fake / forged deeds of sale said to have been obtained from the Civil Registrar –cum- Sub Registrar, Mapusa by the accused. These mutation proceeding documents have been obtained under RTI act and the evident fraudulent acts observed as noted below and which have also been highlighted in various complaints and also to the State Registrar Cum Head of Notary Services, Panjim.

- Deed of Sale regd. under no. 2483, Book no. I, Vol. No. 444, dated 13/11/1996 in the office of the Sub- Registrar, Mapusa, Goa

- Deed of Sale regd. under no. 2484, Book no. I, Vol. No. 444, dated 13/11/1996 in the office of the Sub- Registrar, Mapusa, Goa
- Deed of Sale regd. under Reg. No. 2485, Book No. I, Volume No. 444 dated 12/11/1996 in the office of the Sub-Registrar, Mapusa, Goa
- Deed of Sale regd. under no. 2486, Book no. I, Vol. No. 444, dated 12/11/1996 in the office of the Sub- Registrar, Mapusa, Goa
- Deed of Sale regd. under no. 2500, Book no. I, Vol. No. 444, dated 14/11/1996 in the office of the Sub- Registrar, Mapusa, Goa

b) That inspection & examination of book no 444 of the year 1996 was conducted at the office of the Sub-Registrar, Mapusa under the supervision of the official from the Sub-Registrar's Office namely Madhavi Shetye. At the very start of the book, Book No. 444, it was noticed that

- i. The Deeds which start from registration No. 2485 dated 12/11/1996 of Book I is without numbering in pencil and is unbound.
- ii. The deed under Reg. No 2483 dated 13/11/1996 is found after deed no 2485 (no numbering)
- iii. The deed under Reg No. 2484 dated 13/11/1996
- iv. The deed under Reg No 2500 dated 14/11/1996, 1st 2 pages missing (No numbering of this deed)
- v. The deed under Reg No 2486 dated 12/11/1996 is after deed dated 13/11/1996 2483, 2485.
- vi. The actual Deed book starts at page 107I which is a plan of copy of document under serial No. 1223 of book I, followed by page 107A with names of executing parties as
 - Carlos Mauricio Fernandes attorney of Dr. Wilson Marques & Maria Marques
 - M/s ALFRAN Realtors and the signatures followed by page 108, Registered under No 2485, Book No I, Volume 444 dated 12/11/1996. This are the actual pages which are bound with the rest of the book, Volume 444

- vii. The rest of the pages are numbers from 109 to 622
On observation the
- Deed executed between Enas D'Souza, Elizabeth D'Souza, Sipriyas D'Souza, Rosaimari Paris under Serial No. 1223 without numbering in pencil reg under No. 2485 is inserted in this register
 - Serial No. 1221/96 between Maria Anton D'Souza, Maria Joaquina D'Souza & Diago Roberto Rodrigues is inserted in this register
 - Deed Reg No. 2500 between Idaline Rodrigues & Diago Rodrigues is inserted.
 - Deed at Reg No 2486 between Joseph Francis D'Souza and Others & Antonetta D Fernandes is inserted.
- c) That it is also observed that the volume 210 of the year 1993 is not available in this office when asked for and the day book registers of the year 1993 & 1996 are in a totally damaged condition.
- d) That it has also been noticed that there are many other properties which the accused persons have fraudulently grabbed land / properties under the pretext of sale deeds of the year 1951 & 1996 & other years of 90's based on the Deed of Succession dated 13th Jan'2021 & 06th Aug'2021.
- e) Although the parties & the deceased persons are residents of Bardez & Ponda Taluka, the deeds of succession are drawn in the Canacona Taluka. The deeds of succession have to be drawn within the jurisdiction of the demise of the person as stipulated in The Goa Succession, Special Notaries and Inventory Proceeding Act, 2012. The fake burial certificate, fake marriage certificates & the baptism certificates were relied upon along with affidavits of residence falsely sworn and purposefully the original certificates were not produced with a malafide intent to defraud the genuine owners of the properties. In the said succession deeds, some of the legal heirs of the alleged deceased were not shown.
- f) It has been observed that one person namely Ronny Rodrigues appeared for bail of the accused person Royson Rodrigues as his brother. This Ronny Rodrigues was not shown as a legal heir in the fraudulent succession deed dated 06th Aug'2021 wherein the interested party was Royson Rodrigues. The said bail application is relied for the perusal of the commission.
- g) It is very disturbing to say that even now the registers are still missing from the Office of The Sub-Registrar, Bardez, Mapusa wherein there are letters as proof received from their

office by some of the land grab victims that the requested registers of the year are missing.

➤ Office of the Mamlatdar, Bardez

- a) That illegal mutations were done on the basis of the following fake / forged deeds of sale said to have been obtained from the Department of Archives & Archaeology, Panjim and The Civil Registrar –cum- Sub Registrar, Mapusa by the accused. These mutation proceeding documents have been obtained under RTI act and the evident fraudulent acts observed as noted below and which have also been highlighted in various complaints and The Collector, North Goa District Collectorate Panjim.
- b) Based on the above mentioned, Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues, Sandric Fernandes, Antonetta Fernandes, Caetano Fernandes, Meena Ramakant Naik (wife of Caetano Fernandes) embarked on bringing to fruition their illegal acts of defrauding & stealing genuine owners of their properties by hatching a criminal conspiracy to forge public documents with a common intention to illegally and unlawfully use as genuine the forged documents to change the mutation entries in the occupants column of the Forms I & XIV of the properties and subsequently sell the properties to prospective and innocent buyers. In order to substantiate the above, we are attaching copies of the following mutation proceedings obtained by us under the Right To Information Act.

i) Mutation case no 80891, survey no 39/6 of village Assagao

- Application for mutation filed on 7th Mar'2022 by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues for deletion of the names of Klement D' Souza, Novies D' Souza, Francisco D' Souza and Anacleto Vincent Monteiro.
- Form X issued on 8th Mar'2022.
- Public Notices issued on 17th Mar'2022.

- Notices under Form X posted to parties on 19th Mar'2022 to improper addresses.
- Affidavit to waive off service done on 1st Mar'2022 before filing the application.
- Translation of the deed of sale of the year is not in consonance with the original deed of sale.
- It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022.
- A Deed of Sale dated 30th Mar'2022 was executed between Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues fraudulently sold the property bearing survey no. 39/6 of village Assagao to Lenchu K James, Anand Manohar Mandrekar, Rita Fernandes Alias Rita Mascarenhas and Joaquim Anthony Mascarenhas and this deed was registered at the office of the Sub-Registrar of Bardez at Mapusa under document Reg#BRZ-1-1438-2022

on 30th Mar'2022. The fraudulent vendors above named falsely claimed rights by virtue of deed of sale and discharge of price on 26th Nov'1951 to Antonio Diniz and further falsely stated that the said property was inherited by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues by virtue of a deed of Succession dated 06th Aug'2021.

- The mutation proceedings have been objected to and the proceedings have not yet been concluded.

Anomalies in procedures

- The Form X is posted on 19th Mar'2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 17th Mar'2022
- The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.
- There is no copy of the newspaper on file on which the public notice is supposedly to have been posted.

- There is no copy of the order certifying the mutation.
- There is no application for Substitute Service.

ii) Mutation case no 80977, survey no 493/3 of village Anjuna

- Application for mutation filed on 7th Mar'2022 by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues for deletion of the names of Esperanca Oliveira, Maria Jullietta Oliver & Maria Sonya Oliver.
- Form X issued on 9th Mar'2022.
- Public Notice for Substitute Service issued on 11th Mar'2022. Notices published in the Goa Times on 13th Mar'2022
- Notices under Form X posted to parties on 22nd Mar'2022 to improper addresses.
- Affidavit to waive off substitute service done on 11th Mar'2022 along with Affidavit dated 07th Mar'2022 (Partially signed) together with false affidavit dated 03rd Mar'2022 that the present occupants were dead.
- Translation of the deed of sale of the year is not in consonance with the original deed of sale.
- Names of the original occupants namely Esperanca Oliveira, Maria Jullietta Oliver & Maria Sonya Oliver and the names of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues inserted fraudulently.
- It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022.

Anomalies in procedures

- The Form X is posted on 22nd Mar'2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 11th Mar'2022
- The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.
- There is no copy of the order certifying the mutation.
- Application for Substitute Service signed by only one of the four parties. Affidavit accompanying application for Substitute Service signed by only one of the four parties.
- It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupants column on 18th Apr'2022, at 3 months after her death.

iii) Mutation case no 80976, survey no 493/2 of village Anjuna

- Application for mutation filed on 7th Mar'2022 by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues for deletion of the names of Xavier Rozario Pereira.
- Form X issued on 7th Mar'2022.
- Public Notice for Substitute Service issued on 11th Mar'2022. Notices published in the Goa Times on 13th Mar'2022
- Notices under Form X posted to parties on 19th Mar'2022 to improper addresses.
- Affidavit to waive off substitute service done on 07th Mar'2022 along with Affidavit dated 07th Mar'2022 (Partially signed) together with false affidavit dated 03rd Mar'2022 that the present occupants were dead.
- Translation of the deed of sale of the year is not in consonance with the original deed of sale.

- Names of the original occupants namely Esperanca Oliveira, Maria Jullietta Oliver & Maria Sonya Oliver and the names of BrancaCassianaDiniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues inserted fraudulently.
- It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022.

Anomalies in procedures

- The Form X is posted on 19th March '2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 11th Mar'2022
- The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.
- There is no copy of the order certifying the mutation.
- Application for Substitute Service signed by only one of the four parties. Affidavit accompanying application for Substitute Service signed by only one of the four parties.
- It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupants column on 18th Apr'2022, at 3 months after her death.

iv) Mutation case no 80828, survey no 18/12 of village Assagao

- Application for mutation filed on 16th Feb'2022 by Lenchu K James for deletion of the name of Maikal Soja with the Consent & No Objection of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues.
- Form X issued on 16th Feb'2022.
- Public Notice for Substitute Service issued on 21st Feb'2022. Notices published in the Goa Times subsequently.

- Notices under Form X posted to parties on 01st Mar'2022 to improper addresses.
- Affidavit to waive off substitute service done on **some 18th Day of 2022.**
- Affidavit filed by Royson Rodrigues falsely swearing on oath that the rights to the property was acquired from one Maikel Souza by Antonio Diniz and on the death of the said Antonio

Diniz the property came to be owned by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues.

- It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022.
- A Deed of Sale dated 18th Jan'2022 was executed between Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues fraudulently sold the property bearing survey no. 18/12 of village Assagao to one Mr. Lenchu K James and this deed was registered at the office of the Sub-Registrar of Bardez at Mapusa under document Reg#BRZ-1-299-2022 on 21st Jan'2022 wherein it has been falsely stated that the occupant / owner of the property Maikal Soja sold the property by virtue of deed of sale and discharge of price on 02nd Aug'1951 to Antonio Diniz and the said property was inherited by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues by virtue of a deed of Succession dated 06th Aug'2021. Based on the above mentioned fraudulent documents, the above mentioned property was sold to Lenchu K James by the above mentioned deed of sale dated 18th Jan'2022.

Anomalies in procedures

- The Form X is posted on 01st Mar'2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 21st Feb'2022
- The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.

- Objections filed by interested parties & certification kept on hold and an order for a public notice to be issued passed on 18th Feb'2022.
 - It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupant's column on 18th Apr'2022, at 3 months after her death.
23. The declarants in the succession deed dated 13th Jan'2021 declared that the husband of Antoneta Fernandes Alias Antoninta Fernandes Alias Antoneta Domnic Fernandes Alias Antonette Fernandes namely Dominic Fernandes died leaving behind his
- only son Sandric Fernandes however he said Dominic Fernandes died leaving behind 3 children, 2 sons and 1 daughter. The name of the 2nd son is Gregory Fernandes and the daughters name is not known.
24. The declarants in the succession deed dated 06th Aug'2021 declared that Antonio Martinho Diniz and his wife Antonia Francisca Pereira left behind 2 children namely Branca Cassiana Diniz alias Branca Rodrigues and Paulina Juliana Diniz alias Palmira Gonsalves. However they left behind 4 children namely Branca Cassiana Diniz alias Branca Rodrigue, Paulina Juliana Diniz alias Palmira Gonsalves, Joaquim Diniz and the name of the 4th child is not known at the time of filing this complaint.
25. That In the same succession deed they also declared that Diago Roberto Rodrigues husband of Branca Cassiana Diniz left behind one son namely Royson Rodrigues however Royson Rodrigues has 2 more siblings namely Ronnie Rodrigues & the name of the 3rd child is not known at the time of filing this complaint. The above is informed based on actual certificates issued by churches of the Archdioceses of Goa and Daman copies of which are attached
26. That there is a criminal conspiracy of Land grabbing hatched by the accused persons/conspirators as mentioned below in connivance with the staff of "The Directorate of Archives & Archaeology",Panjim, Goa **AND** the staff of "Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio", Bardez, Goa **AND** the staff of "Office of the Mamlatdar", Bardez, Goa, depriving & cheating the rightful legal heirs from enjoying their legal rights of their properties by creating documents such as forged sale deeds and notarial deeds, fake signatures and then conduct legal and monetary transactions of the properties using those fake & forged documents.

- Antoneta Fernandes Alias Antoninta Fernandes Alias Antoneta
Domnic Fernandes Alias Antonette Fernandes
Resident of Tolop, Boril, Ponda, Goa
- Sandric Fernandes
Resident of Tolop, Boril, Ponda, Goa
- Maria Anjela Fernandes alias Maria Angeli Fernandes
alias Maria Angelica Fernandes
Resident of Tolop, Boril, Ponda, Goa
- Branca Cassiana Diniz alias Branca Rodrigues(deceased)
Resident of House No. 975/B, Marna, Siolim, Bardez, Goa.
- Mrs. Paulina Juliana Diniz alias Palmira Gonsalves
wife of Mariano Antonio Teles Gonsalves
Resident of House no. 1458,
Sales Madem, Cuncolim, Salcete, Goa.
- Mr. Mariano Antonio Teles
Gonsalves Resident of House
No. 1458, Salemadem,
Cuncolim, Salcete, Goa.
- Mr. Royson Rodrigues
Resident of house no 975/B, Marna Siolim, Bardez Goa.
- Lenchu. K James
Resident of Neelamperoor Alappuzha, Kerala
- Mrs. Rita Fernandes (Declarant in Deed of Succession dated
13/01/2021)
Wife of Nolasco Mascaranhas
Resident of h. No 370, W no. 3, MassordamRoad,Celus,
Valpoli Goa
- Joaquim Mascaranhas (Declarant in Deed of Succession dated
13/01/2021)
Resident of h. No 370, W no. 3, MassordamRoad,Celus,
Valpoli Goa
- Mr. Oliveira M Silveira (Declarant in Deed of Succession dated
13/01/2021)
Son of Ricardo Silveira

H. No. 692/2 Karai, Shiroda, Ponda, Goa

- Mr. Vilford Simao Patricio Da Costa (Declarant in Deed of Succession dated 06/08/2021)

Resident of H. no 206/4, Peddem, Mapusa, Goa

- Mrs. Disney Dias (Declarant in Deed of Succession dated 06/08/2021)

Resident of H. No. 123/1 Minguel Waddo, Dramapur, South Goa

- Mr. Minino Pereira (Declarant in Deed of Succession dated 06/08/2021)

Resident of H. No. 91/C, Comba, Cuncolim, Goa.

27. That there have been numerous property frauds across the State of Goa, whereby the land grabbers / accused / conspirators have been fraudulently changing mutation entries in the occupant's column of Form I and XIV by relying upon fake, forged and fraudulent deeds/documents and subsequently selling the same properties to various buyers. In view of the above, I state that the accused persons are guilty of forging the documents and therefore, the accused persons are guilty of criminal conspiracy with common intention of forgery of public documents, using of forged documents as genuine, using of forged documents to injure and damage the claim and title of the rightful owners of their property.

28. That the victims have been dupped of their ancestral properties by the above-named accused persons by creating and inserting, fake, forged & fraudulent sale deeds of the years 1934 and 1951 thereafter allegedly acquired certified copies from The Directorate of Archives & Archaeology, Panjim, Goa and one commonly used succession deed dated 06th Aug'2021.

29. That the victims have been dupped of their ancestral properties by the above-named accused persons by creating and inserting fake, forged & fraudulent sale deeds of the years 1993 and 1996 thereafter allegedly acquired certified copies from The Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex- officio, Bardez, Goa and one commonly used succession deed dated 13th Jan'2021.

30. MODUS OPERANDI: -

1. That the accused persons/offenders/conspirators initially identified properties that are vacant properties **or** dilapidated

ancestral properties ~~or~~ properties occupied by elderly/senior citizens ~~or~~ property owners having common Goan names e.g. Fernandes, Rodrigues, D'Souza etc. ~~or~~ huge properties of interest with immense monetary sale values.

2. That the accused persons/offenders / conspirators obtained ownership / title information of the identified properties from various sources i.e. locals & governmental offices, hardcopies & electronic copies however not limited to.
 - a. Websites of Government Departments
 - b. Manual / Computerized Form I&XIV
 - c. Form IX
 - d. Form III
 - e. Registo de Agrimensor
 - f. Birth Certificates
 - g. Death & Burial Certificates

3. That the accused persons/offenders / conspirators thereafter prepared Portuguese language calligraphy written fake & forged notorial deeds of sale with blood relatives or ancestors of the accused, registered during the Portuguese era and thereon in connivance with the staff of The Directorate of Archives & Archaeology, inserted the forged deeds of sale in the records of The Directorate of Archives & Archaeology, Panjim.

4. That the accused persons/offenders / conspirators thereafter prepared fake & forged deeds of sale with blood relatives or ancestors of the accused, registered post the Portuguese era and thereon in connivance with the staff of The Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez, Goa inserted the forged deeds of sale in the records of The Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez, Goa.

5. That the accused persons / offenders / conspirators subsequently obtained certified copies of the inserted fake & forged Portuguese notorial deeds of sale from The Directorate of Archives & Archaeology in order to subsequently rely on the same as an authenticated document.

6. That the accused persons / offenders / conspirators subsequently obtained certified copies of the inserted fake & forged deeds of sale from The Office of the Civil Registrar – cum- Sub-Registrar and Notary Ex-officio, Bardez, in order to subsequently rely on the same as an authenticated document.
7. That the accused persons / offenders / conspirators subsequently obtained English translations of the certified copies of the inserted fake & forged Portuguese notarial deeds of sale that were obtained from The Directorate of Archives & Archaeology in order to subsequently rely on the same.
8. That the accused persons / offenders / conspirators prepared Deed of Succession dated 06th Aug'2021 drawn at pages 46 to 48, reverse of the notarial book no. 70 executed before office of the Civil Registrar cum Sub-Registrar and Special Notary Ex-officio, Canacona, Goa. This deed of succession is apparently drawn on the deaths of the blood relatives / ancestors of the accused affecting the properties based on the fake & forged notarial deeds of sale, registered during the Portuguese era and inserted in the records of The Directorate of Archives & Archaeology.
9. That the accused persons / offenders / conspirators prepared Deed of Succession dated 13th Jan'2021 drawn at pages 71 to 73, reverse of the notarial book no. 67 executed before office of the Civil Registrar cum Sub-Registrar and Special Notary Ex-officio, Canacona, Goa. This deed of succession is apparently drawn on the deaths of the blood relatives / ancestors of the accused affecting the properties based on the fake & forged deeds of sale, registered post the Portuguese era and inserted in the records of The Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio”, Bardez, Goa.
10. That the accused persons / offenders / conspirators also created these fraudulent Deeds of Succession based of forged Birth / Death Certificates executed before office of the Civil Registrar cum Sub-Registrar impersonating to be legal heirs of the actual owners. Further on basis of the Deed of Succession the accused person fraudulently succeeded the property rights in their names and subsequently transferred / sold the property to genuine prospective buyers.
11. That the accused persons / offenders / conspirators subsequently filed applications for Mutation before the Office of the Mamlatdar, Bardez-Goa for mutation process by relying on the fake & forged Portuguese notarial deeds of sale along with the

English translated copy as well as the copy of the Succession Deed for inclusion of their names in the Form I&XIV and through the same mutation proceedings, applied for deletion of the names of the original owners from the revenue records.

12. That the accused persons / offenders / conspirators subsequently filed applications for Mutation before the Office of the Mamlatdar, Bardez-Goa for mutation process by relying on the fake & forged deeds of sale as well as the copy of the Succession Deed for inclusion of their names in the Form I&XIV and through the same mutation proceedings, applied for deletion of the names of the original owners from the revenue records.

13. That the accused persons / offenders / conspirators within the mutation process / completion of the mutation process managed to register the first deed of sale to transfer the property in the name of a fictitious buyer (accused). Subsequently a 2nd mutation is initiated after registration of the first deed of sale to enlist the names of the fictitious buyer (accused) for inclusion of their names in the Form I&XIV.

14. That the accused persons / offenders / conspirators thereafter used to lure a genuine prospective buyer for the sale of the said properties.

31. Other Accused & Suspected conspirators:
 1. Rahul Dessai, Mamlatdar of Bardez-Goa

That the orders passed by the Mamlatdar of Bardez (Mr. Rahul Desai) in various mutation applications which are alleged to be relied upon forged & fraudulent documentation together with brazen procedural irregularities & lapses without any regard to procedures as laid down in law

 2. Advocate, Madhumita Nayak Salatry

That advocate Madhumita Salatry has not only acted in gross negligence but has actively colluded with the accused persons by making False Affidavits and other documents which enable the fraudulent transfer of properties.

An Affidavit dated 17/02/2022 was filed in a mutation proceeding wherein Mr. Royson Rodrigues has affixed his signature as duly constituted POA of Mrs. Branca Cassiana Diniz alias Branca Rodrigues. It is shocking to see that Adv. Madhumita Salatry permitted swearing-in of the Affidavit despite the Executant of POA i.e Mrs. Branca Cassiana Diniz alias Branca Rodrigues having already expired on 30th January 2022. The document of Power of Attorney (POA) is null and void and is no longer valid in the eyes of law as the Executant is no longer alive and thus cannot form basis for executing any documents or exercising powers under the said Power of Attorney. Adv MadhumitaSalatry has also registered sale deeds from her userid and also paid stamp duty, mutation fees and registration fees on behalf of the accused persons. The said Adv Madhumita Salatry initiated sales on behalf of her client late Mrs. Branca Cassiana Diniz alias Branca Rodrigues even after her death. Knowing fully well about her death much before the execution of her sale deed.

3. Mr. Sohail Mohammad Khan

Mr. Sohail Mohammad Khan himself admitted under interrogation that he had targeted 93 properties at different locations in the taluka of Bardez which also includes the property of the complainant. Relying of the Memorandum dated 07/07/2022, issued by the Collector of North Goa, requesting to freeze/block, annexed herewith)

4. Mr. Vikrant Shetty

Mr. Vikrant Shetty has himself admitted before this commission of the illegal acts committed by him and the other accused persons that they have prepared fraudulent sale deeds and sold the properties to prospective buyers. He has also annexed letters written to the Vigilance department & The Economic Offence Cell (EOC) dated way bay in the year 2021 stating the facts and the Modus Operandi. It is pertinent to note that despite the official complaint filed by him to the Vigilance department & The

Economic Offence Cell (EOC) there has been no subsequent action taken by these respective authorities till date.

5. Personnel from the Department of Archives & Archaeology, Panjim

The Police authorities / SIT have made arrests of staff and under interrogation it is revealed that they have actively colluded with the accused persons in providing the preserved notarial books to the accused & assisting in inserting fake & forged deeds in the records of the Directorate of Archives & Archaeology.

6. Personnel from the Office of the Mamlatdar, Bardez

The Police authorities / SIT have made arrests of staff and under interrogation it is revealed that they have actively colluded with the accused persons.

7. Personnel from the Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez.

The Police authorities / SIT has not yet commenced investigation pertaining to the fake & fraudulent deeds / activities that have arised from this department of the Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez. However, it is important to note that there have been complaints filed at the Office of the State Civil Registrar which was also filed in May'2022. Also, the then Sub-Registrar of Bardez, Mapusa has complaints filed before the Mapusa Police Station for which action is yet to be taken.

In pursuance with the complaint filed at the State Registrarregarding irregularities of jurisdiction& notary documents and criminal intent of depriving genuine owners of their right to properties based on the fraudulent Deeds of Succession done in Canacona as well as inserted fake deeds at the Sub-Registrar's office, Mapusa. The then Sub-Registrar of Canaconahad accepted burial, marriage, baptism certificates as documents relied in then fake Succession Deeds which are not acceptable as per law. The District Registrar, Mr. Hadkonkar has also affirmed the same in his cross examination before this commission.

A raid was conducted in Canacona by the State Registrar Mr. Ashutosh Apte to which followed the suspension of the then Sub-Registrar of Canacona, Mr. Premanand Desai.

8. All the names of the accused as mentioned by me figure in the various FIR's registered at various Police stations and also by means of interrogation by the SIT.

32. Inventory Proceedings done thru Court

With regards to the inventory proceedings done thru Civil Court of Law around Goa, there are many properties of genuine owners that have been grabbed under the pretext of obtaining court orders based on the false oath given by the head of the family who is also most of the time the applicant in the inventory proceedings. The procedure followed by the court in these proceedings are: -

- Statement on Oath by the appointed head of the Family
- Declaring the assets without taking any Title documents on record but taking only Form I & XIV which is a presumptive document and which does not carry the true / genuine names of the owners in Title.
- Thereafter the said property are auctioned / portioned / the shares are ascertained in the inventory among the legal heirs.
- Taking advantage of common Christian names existing in the state of Goa such as Antonio, Domingos, Xavier, Franciso, Pedro, D'Souza, Dias, Fernandes etc. the mastermind of this major land scam used to track down people whose ancestors had similar names and subsequently made them file inventory proceedings in the name of their dead ancestors and picked up associated properties in order to link the dead ancestors to the properties belonging to genuine owners.
- After getting the judgments from the Court, these impersonated people applied for mutations in the Office of the Mamlatdar of Bardez and succeeded to complete the mutation process fraudulently.
- Some of the impersonating people have been booked by the SIT however the complaints / FIR's are yet to be registered or handed over to the commission.
- Relying upon one similar inventory proceedings, under 17/2018 of Civil Judge, Senior division of Bicholim, Goa.

That I being the whistle blower of this massive land grab crime, produce herewith the required information as furnished by myself before the Commission of Inquiry.

I say that the contents of the statement / information submitted before the Commission of Inquiry are true to my knowledge and belief and I affirm and confirm the same based on information available in the public domain.

Solemnly affirmed at Panjim on this day of 11th May 2023.

Date: 11/ 05 / 2023

Place: Panjim, Goa

Deponent

**BEFORE THE HONOURABLE MR. JUSTICE V. K. JADHAV,
CHAIRMAN,
COMMISSION OF INQUIRY
STATE OF GOA**

**Deposition of Witness No. 1 as an interested person, and also acquainted with
the subject matter of the FIR's**

I do hereby state on solemn affirmation that :

My name is : Mrs. Cristina Candelina Dias

My age is about : 50 years

My occupation : Legal Profession

I am inhabitant of : Badem, Assagao, Bardez – Goa.

1. I am in legal profession since last 21 years, I am practising lawyer in all the courts including the High Court, State of Goa. I have filed my Affidavit of Evidence in connection with all the folders so also in connection with the complaints which are yet to be registered by the SIT. I state that the contents of my Affidavit of Evidence are true and correct to the best of my information, knowledge and belief. The Affidavit of Evidence bears my signature. Its contents are true and correct. It is marked at **Exh. 36**. I have filed the documents as per the list, the same may be exhibited.

- i) Certified copy of the Bail application No. 286/2022/E filed by Mr. Royson Rodrigues through his best friend Mr. Ronny Rodrigues before the Judicial Magistrate first class 'E' court Mapusa and the say filed to the application for and on behalf of respondent State. It is collectively marked at **Exh. 44**.
- ii) The certified copies of the proceedings including the application etc. of Special Inventory proceedings No. 17/2018/A before the Civil Judge, Senior Division at Bicholim. It is collectively marked at **Exh. 45**.
- iii) Certified copies of the Inventory proceedings No. 627/2021/G before the Civil Judge, Junior Division at Mapusa. It is collectively marked at **Exh. 46**.

2. Certain notarised true copies of the original certified copies received from the concerned Department are placed before the Commission. Witness has brought the original certified copies of the documents with her today.

- i) Translated notarised true copy of the original Deed of Sale with Acquittance of Price no 328/551/13. It is marked at **Exh. 47.**
- ii) Translated notarised true copy of the original Deed of sale with Acquittance of Price no. 328/551/14V. It is marked at **Exh. 48.**
- iii) Translated notarised true copy of the original Deed of sale with Acquittance of Price no. 328/551/16. It is marked at **Exh. 49.**
- iv) Translated notarised true copy of the Deed of Sale with Acquittance of Price of 328/551/17. It is marked at **Exh. 50.**
- v) Translated notarised true copy of the Deed of Succession with No. 328/551/19. It is marked at **Exh. 51.**
- vi) Translated notarised true copy of the Index Book of November 1951 and December 1951. It is collectively marked at **Exh. 52.**
- vii) Translated notarised true copy of the Maco Book at folios 1 to 4 of the Book no. 551. It is collectively marked at **Exh. 53.**
- viii) Translated notarised true copy of the Maco Book at folios 4 to 5 of the Book no. 551. It is collectively marked at **Exh. 54.**
- ix) Translated notarised true copy of the Maco Book at folios 24 to 26V of Book no 551. It is collectively marked at **Exh. 55.**
- x) Notarised true copy of the Death and Burial Certificate of Miguel Arcanjo De Souza. It is marked at **Exh. 56.**
- xi) Notarised true copy of the application of Matilda L. Coutinho dated 24/03/2023 filed under the provision of Right to Information Act, 2005 to the Sub-Registrar of Bardez and the reply dated 19/04/2023 received from the Public Information Officer, Joint Civil Registrar–Cum–Sub-Registrar Bardez-II, (Additional Charge), Mapusa Goa. It is collectively marked at **Exh. 57.**

- xii) Notarised true copy of the Act of Demarcation Survey No. (old cadastral Sy. No.) 6346. It is marked at **Exh. 58.**
- xiii) Digitalised copy of Form I & XIV of Sy. No. 493/3 of Anjuna Village. It is marked at **Exh. 59.**
- xiv) Notarised true copy of the cadastral survey plan of village Anjuna, Taluka Bardez, comprising of the old Sy. No. 6346. It is marked at **Exh. 60.**
- xv) Notarised true copy of the letter from the Director of Archives and Archaeology Department dated 26/07/2022 pertaining to the verification of Deed of Sale. It is marked at **Exh. 61.**
- xvi) Notarised true copy of the Criminal complaint by the villagers of Badem, seeking registration of First Information Report, sent to the Chief Secretary, Porvorim and ors. It is marked at **Exh. 62.**
- xvii) Notarised true copy of the criminal complaint by Advocate Cristina Dias, Advocate Augustus Monteiro and another client, seeking registration of First Information Report, sent to the Inspector in Charge of Crime Branch. It is marked at **Exh. 63.**
- xviii) Notarised true copy of the criminal complaint by Advocate Cristina Dias, Advocate Augustus Monteiro and another client, seeking registration of First Information Report, sent to the Inspector in Charge of Crime Branch. It is marked at **Exh. 64.**
- xix) Notarised true copy of the application submitted to the Public Information Officer, Sub-Registrar Office, Mapusa - Goa dated 29/04/2022 by Advocate Cristina C. Dias. It is marked at **Exh. 65.**
- xx) Notarised true copy of the application dated 17/05/2022 submitted by Advocate Cristina Dias to Public Information Officer, office of the Sub-Registrar Mapusa-Goa, under the provisions of Right to Information Act, 2005 and the reply received from the said office dated 01/06/2022. It is collectively marked at **Exh. 66.**
- xxi) Notarised true copy of the application dated 10/05/2022 submitted by Advocate Cristina C. Dias to Public Information Officer, office of the Sub-Registrar Mapusa under the provision of Right to Information Act, 2005 and the reply received from the said office dated 01/06/2022. It is collectively marked at **Exh. 67.**

- xxii) Notarised true copy of the application dated 13/04/2022 submitted by Advocate Cristina C. Dias to the Director of Archives and Archaeology Department, Panaji Goa and the reply received from the said office dated 22/04/2022 and 25/05/2022 respectively. It is collectively marked at **Exh. 68.**
- xxiii) Notarised true copy of the application dated 27/03/2023 submitted by Mrs. Suvina D'Souza for information under Right to Information Act, 2005 to the office of the Sub-Registrar Mapusa, Bardez-Goa and the reply received from the said office dated 24/04/2023. It is collectively marked at **Exh. 69.**
- xxiv) Notarised true copy of the application dated 18/04/2022 submitted by Advocate Cristina C. Dias to the Mamlatdar Bardez Goa. It is marked at **Exh. 70.**
- xxv) Notarised true copy of the application submitted by Francisco Drago dated 15/02/2023 to Sub-Registrar of Mapusa, Bardez-Goa and the copy of the Thumb Book received from the said Department in response to the application. It is collectively marked at **Exh. 71.**
- xxvi) Notarised true copy of the application dated 15/02/2023 filed by Francisco Drago to Sub-Registrar Bardez and the reply received from the said Department in response to the application dated 06/03/2023. It is collectively marked at **Exh. 72.**
- xxvii) Notarised true copy of the appeal preferred by Mrs. Suvina D'Souza dated 03/05/2023 submitted before District Registrar North. It is marked at **Exh. 73.**
- xxviii) Notarised true copy of the reply given by Public Information Officer, Civil Registrar cum Sub-Registrar Bardez Joint II dated 09/05/2023 to the application submitted by Mrs. Suvina D'Souza under the Right to Information Act, 2005 along with certain documents. It is collectively marked at **Exh. 74.**
- xxix) Notarised true copy of the Death and Burial Certificate of Antonio Martinho Diniz issued by Holy Cross Church, Quepem-Goa. It is marked at **Exh. 75.**
- xxx) Notarised true copy of the Death and Burial Certificate of Antonia Francisca Pereira issued by Holy Cross Church, Quepem - Goa. It is marked at **Exh. 76.**
- xxx) Notarised true copy of the Death Certificate of Branca Cassiana Diniz issued by Sub Registrar, Corporation of City of Panaji - Goa. It is marked at **Exh. 77.**

3. Cross examination for and on behalf of 1) Caetano Fernandes, 2) Meena Ramakant Naik (wife of Caetano Fernandes) and 3) Mrs. Luiza Fernandes, in connection with Crime No. 54 of 2022 (F. No. 1), Crime No.65 of 2022 (F. No. 2), Crime No. 131 of 2022 (F. No. 9), all registered with Crime Branch, by learned Counsel Mr. O. Fernandes.

With reference to the question pertaining to Para No. 3 of Affidavit of Evidence, I state that as far as my knowledge is concerned, the names of the said Caetano Fernandes and Meena Ramakant Naik (w/o Caetano Fernandes) are appearing in the occupants column of Form I & XIV of land Sy. No. 33/1, land sy no, 33/3 of Village Assagao and land Sy. No. 236/6, 426/15, 426/20, 426/14 of Village Anjuna and land Sy. No. 26/4 of Village Calangute.

4. My property is not targeted in the entire scam. Some of the clients have approached me to file the complaints before the concerned Authorities. Public Prosecutor Mr. Roy D'Souza has approached to me in respect of property bearing Sy. No. 33/3 for his property being targeted in scam and another by name Stanley D'Souza presently residing in Australia has also approached to me in respect of land Sy. No. 33/1 of village Assagao. The witness volunteers that, I told them to approach to the respective lawyers representing them in the earlier proceedings. However, I have not filed any complaint to any other authority in terms of their instructions. I have checked the title documents to verify as to whether the said properties are belonging to them. I have verified the cadastral survey records pertaining to the properties owned by them. The witness volunteers that the said persons are her neighbours to whom she knows personally. Cadastral old Sy. No. 493 corresponds to Sy. No. 33/1 of village Assagao and old cadastral Sy. No. 490 corresponds to Sy. No. 33/3 of village Assagao.

Question: Do you have any document to indicate the corresponding old Survey numbers as stated above ?

Answer: The witness has referred the Folder No. 2 of Cr. No. 65/2022 and pointed out the corresponding certificate issued by the Superintendent of Survey and Land Records, Panaji Goa. It is marked at **Exh. 78** (since referred in cross examination).

5. I have not challenged the entry about the names of Caetano Fernandes and Meena Ramakant Naik (w/o Caetano Fernandes) in the occupants column of Form I & XIV. The witness volunteers that the original owners however, have challenged the same. I am not aware about the status of the appeal preferred against the said mutation. According to me Neville D'Souza and Stanley D'Souza (original co-owner of the property 33/1, 33/3 respectively) have lodged the complaint before the SIT.

6. It is not correct to say that my statement i.e. "according to me Stanley D'Souza has also lodged the complaint against Caetano Fernandes and Meena Ramakant Naik before the SIT", is false. I cannot produce the copy of the complaint. It is not true to suggest that the contents of my Affidavit of Evidence are false and also the answers given in Cross Examination.

(CROSS EXAMINATION RESUMED ON OATH)

7. **Cross examination for and on behalf of Accused Rahul Chandrakant Desai, in connection with Crime No. 146 of 2022 (Folder No. 32), Crime No. 130 of 2022 (Folder No. 10) registered with Mapusa Police Station and Crime No. 58 of 2022 (Folder No. 31), Crime No. 76 of 2022 (Folder No. 5), Crime No. 75 of 2022 (Folder No. 4), Crime No. 139 of 2022 (Folder No. 8) registered with Crime Branch, by learned Counsel Mr. A. D. Bhohe.**

The learned Counsel A. D. Bhohe has raised the formal objection for exhibiting the documents (the objection will be considered at the time of final arguments).

I am deposing today before the Commission in my individual capacity and not as an advocate. I am not aware as to whether any prior approval of any officer was required in the present cases for carrying out the mutation, or the Mamlatdar can independently do it. Witness on referring third bullet mark on Page No. 9 of Affidavit of Evidence states that the review application is still pending. I am not aware as to whether the said review application is disposed off. The letter as referred in the third bullet mark on Page no. 9 of my Affidavit of Evidence was called by accused Rahul Chandrakant Desai (then Mamlatdar) from Archives Department. I am not aware as to whether after the receipt of said letter

accused Rahul Chandrakant Desai in the capacity as a Mamlatdar, has recalled the order of mutation.

8. Mutation case no. 80891 pertaining to Sy. No. 39/6 of village Assagao came to be dismissed. Witness volunteers that it was dismissed on the basis of the objection raised by Anacleto Vincent Monteiro. It is true that mutation case No. 80828 pertaining to Sy. No. 18/12 of village Assagao also came to be rejected. Witness volunteers that it was rejected on the objection raised by Maria D'Souza. It is correct that both the aforesaid mutation cases i.e Mutation case No. 80891 and mutation case No. 80828 were rejected by accused Rahul Desai in the capacity of then Mamlatdar.

9. I am not aware as to whether any court of law has declared the documents as false, fabricated documents which I have alleged in my Affidavit of Evidence as fraud and fabricated document. The witness volunteers that the department itself has communicated in writing that the said documents are false and fabricated. The witness voluntarily clarify further that the Department has sometimes conveyed to her as "suspicious documents" and sometimes as the document is "Not available" in their record and "Reprography report" is not tallying and sometimes the department has conveyed that the documents doesn't "corresponds to the original". These communications as referred above are sometimes pre-mutation and sometimes post-mutation

Question: Have you placed the aforesaid communications before the Mamlatdar during the course of hearing of the mutation proceedings ?

Answer: Parties have produced the said communications before the Mamlatdar during the hearing of review applications.

Question: Can you name any of the parties ?

Answer: Esperanca Oliverira, Anacleto Vincent Monteiro, Matilda Coutinho are the few names which I remember.

As far as my knowledge is concerned those review applications are still pending after the approval given by the Collector.

10. It is true that all the communication referred above received from the Department post-mutation. The witness volunteers that in some cases the communication was received pre-mutation.

11. The concerned parties have challenged the mutation case No. 80977 and 80976. The parties have filed the review applications and also challenged mutation before the court. I again say that the parties have not challenged the mutation in the court. I am not aware as to whether Form X in respect of mutation case No. 80977 and 80976 are available on the website. Though I have checked the website but I do not remember specifically about Form X in respect of the aforesaid mutation. I appeared for the parties in mutation case no 80891 and mutation case No. 80828. It is true that neither I am a party in mutation case No. 80977 and mutation case No. 80976 nor appeared on behalf of any of parties as an advocate.

So far as the contents of Para No. 32 of my Affidavit of Evidence is concerned it is in the form of my opinion.

12. It is not true to suggest that I have falsely stated that the accused Rahul Chandrakant Desai has acted illegally and / or is the part of the conspiracy as claimed by me. It is not true to suggest that I have falsely stated that the accused Rahul Chandrakant Desai has bypassed and / or not complied with the procedures while acting as a Mamlatdar disposing off the mutation proceedings. It is not true to suggest that I have falsely alleged the accused Rahul Chandrakant Desai to be a part of the person who had conspired in identifying properties and thereafter creating fake, forged and fraudulent documents and thereafter claiming rights to such properties. It is not true to suggest that I have falsely stated that order passed by Mamlatdar Rahul Chandrakant Desai are by knowing that the documents placed before him were forged and therefore he acted in a irregular manner. It is not true to suggest that the accused Rahul Chandrakant Desai while performing his duties as Mamlatdar has acted in good faith and by following the procedure of law. It is not true to suggest that as and when any documents which were pointed out to be not in accordance with law the Mamlatdar has reviewed its

orders. It is not true to suggest that as any objections were raised before the Mamlatdar, the same were considered and decided. It is not true to suggest that I have made false allegations against accused Rahul Chandrakant Desai the then Mamlatdar of Bardez.

Time over. Adjourned for evidence on 29.05.2023.

R. O. and A C.

Sd/-

Justice V. K. Jadhav

Chairman

Commission of Inquiry.

Date : 26.05.2023

Place : Panaji.

(CROSS EXAMINATION RESUMED ON OATH)

ON 30.05.2023

13. Cross examination for and on behalf of accused 1. Mariano Antonio Teles Gonsalves, 2. Paulina Juliana Diniz in connection with Crime No. 74 of 2022 (F. No. 3), Crime No. 146 of 2022 (F. No. 32), Crime No. 147 of 2022 (F. No. 33), Crime No. 58 of 2022 (F. No.31), Crime No. 76 of 2022 (F. No. 5), Crime No. 130 of 2022 (F. No.10), and Crime No. 77/2022 (F. No. 6), 3. Royson Rodrigues in connection with Crime No. 74 of 2022 (F. No. 3), Crime No. 146 of 2022 (F. No. 32), Crime No. 77/2022 (F. No. 6), Crime No. 147 of 2022 (F. No. 33), Crime No. 58 of 2022 (F. No. 31), Crime No. 76 of 2022 (F. No. 5), Crime No. 130 of 2022 (F. No. 10), Crime No. 75 of 2022 (Folder No. 4) and Crime No. 78 of 2022 (F. No. 27) 4. Rajkumar Maithi in connection with Crime No. 54 of 2022 (Folder No. 1), Crime No. 66 of 2022 (F. No. 14), Crime No. 99 of 2022 (F. No. 7), Crime No. 77/2022 (F. No. 6), Crime No. 58 of 2022 (F. No.31), Crime No. 139 of 2022 (F. No. 22), Crime No. 75 of 2022 (F. No. 4), Crime No. 76 of 2022 (F. No.5) and Crime No. 139 of 2022 (F. No. 8) 5. Rita Fernandes @ Mascarenhas and 6. Joaquim Mascarenhas in connection with Crime No. 146 of 2022 (Folder No. 32) and Crime No. 74 of 2022 (Folder No. 3), by learned Counsel Mr. R.Noronha.

I am deposing before the Commission in the capacity of whistle blower and not as an Advocate. At present I am not deposing on behalf of the complainants. I am residing on the given address since my marriage in the year 2008.

14. In the month of February 2022, my fellow villagers came to know that their properties surveyed in their name all of a sudden reflected in the name of Royson Rodrigues, Branca Cassiana Diniz, Paulina Juliana Diniz and Mariano Antonio Teles Gonsalves.

I am not associated with Advocate Augustus Monteiro. But I know him Parishioner. According to me we both are concerned with all these matters particularly referred in my affidavit in evidence. I have referred as “the fellow villagers” in Para No. 2 of my affidavit of evidence. It does mean that all the villagers of Ward Badem in village Assagao. After one month of February 2022, I came to know thorough Advocate Augustus Monteiro that his property was also targeted. I have referred the term ‘further review’ in Para No. 2 of my affidavit of evidence. It does mean that after obtaining the records of Form No. I and XIV of the properties of my fellow villagers, I and my villagers applied for the documents and did the investigation thereafter.

Question : After reviewing the documents, have you checked the title documents ?

Answer : I have seen the title documents of the other properties, specially the land Survey No. 39/6 which belong to my relative.

15. I have checked the properties online i.e. Land Survey Nos. 37/4, 18/12, 44/2, 47/1, 43/4, 31/1, 31/2, 39/6, 39/4, 80/3, 26/1-A, all these are from village Badem. Thereafter, we have started checking the properties of neighbouring village Assagao. I have checked the land Survey Nos. 202/3, 201/3, 191/3, 202/5, 200/6-A, 191/2, 202/8. I have checked the properties targeted by accused Branca Cassiana Diniz and the family.

16. It is true that so far as property land Survey No. 37/4 is concerned the said is still standing in the name of Jose Marie (F/o Anju Felicia). The witness volunteers that the said Anju Felicia has filed objection for mutation and therefore, the same name is continued.

17. The said Anju Felicia has approached to me and also attended the village meeting. I do not know the family of Anju Felicia. The witness

volunteers that they do not have any house in that property any more. I have not checked the title documents of Anju Felicia in respect of Land Survey No. 37/4.

Question : On what basis you have made a statement in Para No. 2 of the affidavit of evidence that it was noticed that the change was on account of illegal and fraudulent based mutation proceedings ?

Answer : Those mutation proceedings came to be initiated on the basis of fake inserted documents.

18. Aggrieved by the said mutation proceedings, the parties particularly from village Badem have filed the objections, or/and police complaints and the review. In addition to that some of the parties have also initiated civil proceedings. According to me the books are sealed, however, I am not aware whether the fake inserted sale deeds came to be impounded. I am not aware as to whether those review petitions are still pending or disposed off. I am not aware as to whether any of the parties on approaching the civil court, obtained the temporary injunction preventing the other side to create third party interest in the property/s.

19. I am not aware as to whether the property land Survey No. 37/4 of village Assagao belongs to the father of Anju Felicia. The witness volunteers that the said Anju Felicia approached and informed to her that she is the daughter of Jose Marie D'Souza. The said Anju Felicia did not inform me that she acquired the said property Land Survey No. 37/4 by way of gift from her father.

Question : Have you scrutinized the title documents in respect of Survey No.493/3 of village Anjuna belonging to the family of Advocate Augustus Monteiro.

Answer : There was no need to scrutinize the documents at the particular moment. Because he told me that the property was targeted by accused Branca Cassiana Diniz and her family by virtue of Deed of Sale of the year 1951.

However, afterwards I have scrutinized some of the documents in respect of the said property, but not all the documents. I have scrutinized earlier Form I and XIV, Survey Plan and the fake mutation proceedings initiated by

accused Branca Cassiana Diniz and her family. I am aware that the family of Advocate Augustus Monteiro has instituted civil suit in respect of the said property, however, I am not aware as to whether they have obtained any order of injunction from the Civil Court.

Question : Are you aware the property land Survey No. 493/3 of village Anjuna belongs to one Mr. Tome Gregorio d'Oliveira and Bernard Antonio Guilherme d'Oliveira ?

Answer : I do not know since I have not gone through the title documents of said property.

It is true that Advocate Mr. Augustus Monteiro, has informed me that the said property belongs to his family. However, I have not personally seen the title documents. On going through the translation of Index Exh. 52, vis-a-vis, the documents at Sr. No. 1 of my list of documents and the statement made in Para No. 10 of my affidavit of evidence, I state that the Volume No. 328 is nowhere mentioned. It is not correct to suggest that the documents at Sr. No. 1 of the list of document does not co-relate with the translated documents at Exh. 52.

21. In respect to the averments of Para No.13 of my affidavit of evidence, I state that the Government has notified the recognized and registered translators approved by the Government. I do not remember the date of said notification. In my professional knowledge, the people are doing the translation work even they are not registered translators approved by the Government.

23. It is not correct to suggest that the entire contents of Para No. 2, 3, 4, 5, 6, 7, 8, 9, 10 are false. It is not correct to suggest that as I have not read, relied and verified the title documents of all the persons whose properties are referred in my affidavit of evidence, I am not conversant with the facts of the case as averred by me in my affidavit of evidence. In reference Para Nos. 10 and 11 of my affidavit of evidence I state that on inspection of Volume 328 of Book No. 551, I noticed the insertion of forged deeds under Pages 13 to 19. It is not correct to say that statement made in Para Nos. 10 and 11 of my affidavit of evidence are false. It is not correct to suggest that Para Nos. 12 and 13 of my affidavit of evidence are false. It is not true to suggest that the averments with respect to the property under Survey No. 47/1 of village Badem Assagao, has been averred by me only to put the family of Branca Cassiana Diniz and her sister

Paulina Juliana Diniz in bad light before this Commission. On the basis of online information, I have made the averments of Para No. 15 of my affidavit of evidence and I am not aware about the exact number of mutations conducted on the basis of the alleged fake and forged deeds. It is not correct to suggest that Para No. 15 to 18 of my affidavit of evidence are not correct. I have not personally affected by the illegality done as referred in my affidavit in evidence. It is not correct to suggest that I have no locus to file the affidavit of evidence in this inquiry and to depose as a witness. It is not correct to say that the contents of Para Nos. 19, 20, 21, 22 of my affidavit of evidence are false.

24. With reference to the Para No. 32 of my affidavit of evidence, I say that a person can acquire the property through civil suit, deeds and inventory proceedings. It is not correct to say that as on today, the inventory proceeding does not confer any title. It is not correct to say the entire contents of Para No. 32 of my affidavit of evidence are false. It is not correct to suggest that I am personally interested in the matter at the instance of Adv. Mr. Augustus Monteiro. It is true that since beginning I myself along with Adv. Augustus Monteiro, Anacleto Vincent Monteiro have worked in tandem with the authorisation of my villagers. I undertake to produce on record the authorisation, if so required. The witness produced the copy of the authority given to her by the villagers of Badem. The same is taken on record and marked at **Exh. 82**. (The witness has shown the original and the copy found to be correct as per original), It is not correct to suggest that I am deposing falsely.

(In view of the order passed on 30.05.2023, Stand over on 06.06.2023 for Cross Examination for and on behalf of Advocate Madhumita Nayak Salatry by Advocate Sowmya Drago).

R. O. and A C.

Sd/

Justice V. K. Jadhav

Chairman

Commission of Inquiry.

Date : 30.05.2023

Place : **Panaji.**

(CROSS EXAMINATION RESUMED ON OATH)

ON 06.06.2023

25. Cross examination for and on behalf of Advocate Madhumita Nayak Salatry by Advocate Parag Rao.

I don't know Madhumita Nayak Salatry personally. It is true that even if I see her, I won't be able to identify her. I was not personally present in Advocate Madhumita Nayak Salatry's office when this Affidavit dated 17/02/2022 referred in Para 31(II) was affirmed by Advocate Madhumita Nayak Salatry. The witness volunteers that I got the copy of her affidavit in mutation proceedings.

26. I do not remember as to when I came to know about the death of Mrs. Branca Cassiana Diniz, however I came to know about her death during the pendency of some of the mutation proceedings and conclusion of some of the mutation proceedings. I was not personally involved as an advocate in mutation proceeding no. 80913 pertaining to land survey No. 47/1 situated at village Assagao. After the said mutation proceedings came to be concluded, the owner had an occasion to visit the property and at that time they noticed that somebody has trespassed the said property and also cleared the properties (clean the property). The witness volunteers that the owner came to know about the said trespassing since informed by the neighbours. Matilda Coutinho is the name of the owner and Natividade D'souza is the said neighbour who informed to her about the trespass. I have checked the title document of Matilda Coutinho in respect of the said property. I have inspected the Cadastral Record, Gift Deed from her mother-in-law to the husband of the said Matilda Coutinho, Deed of Common Division and Sale probably of the year 1909 or 1929. I have not given the search report to the said Matilda in respect of the property. I have not produced those documents along with my Affidavit of Evidence, however I can produce those documents.

27. The said Matilda Coutinho has filed the application for review against the said mutation and I have drafted the said review application. I have appeared in the said review application as a Counsel for and on behalf of said

Matilda Coutinho. I again say that I do not remember as to whether I have appeared on her behalf or not in the said review application. The witness volunteers that the review application is still pending. Somewhere in May 2022, I came to know about the death of Mrs. Branca Cassiana Diniz and till this time I was not knowing that Branca Cassiana Diniz had died. I came to know about Branca's death in the meeting of the villager's arranged in the Church. I do not remember who has actually informed me about the death of Branca Cassiana Diniz. I personally did not apply for the death certificate **Exh. 77**, however Advocate Augustus Monteiro has applied for the death certificate **Exh. 77** and given it to me. The said Matilda Coutinho was present in the villager's meeting in the church at that time and she also came to know about the death of Branca Cassiana Diniz in the said meeting. The said meeting was held in the church situated at village Badem, Assagao. The death of Branca Cassiana Diniz occurred in Mother Care Hospital at Margao. I do not know as to who has informed about the death of Branca Cassiana Diniz to the concern authority.

28. It is not correct to say that Advocate Madhumita Nayak Salatry had no knowledge about the death of Branca Cassiana Diniz when affidavit dated 17/02/2022 was affirmed by her in her office. It is not correct to say that since I was not personally present in the office of Advocate Madhumita Nayak Salatry on 17/02/2022 when the affidavit was affirmed, that I can't say as to whether Advocate Madhumita Nayak Salatry was aware about the death of Branca Cassiana Diniz. The witness volunteers that in the Inventory proceedings **Exh. 46** collectively on 25/02/2022 Advocate Madhumita Nayak Salatry came to know about the death of Mrs. Branca Cassiana Diniz and the same is mentioned in Para No. 4 of the application dated 25/02/2022 and Advocate Madhumita Nayak Salatry has filed her Vakalatnama **Exh. 46** collectively in the said proceeding before the Civil Judge Junior Division on behalf of Mr. Mariano Antonio Teles Gonsalves and also filed her Vakalatnama **Exh. 46** collectively on behalf of Mrs. Palmira Gonsalves. It is true that application dated 25/02/2022 **Exh. 46** collectively was not filed by Advocate Madhumita Nayak Salatry and it was filed by Advocate A. V. N. Salatry. The witness volunteers that Mr. A. V. N. Salatry is the father of Advocate Madhumita Nayak Salatry. So far as the aforesaid Vakalatnama is concerned I am not in a position to say that it bears the signatures of Advocate Madhumita Nayak Salatry or not. I am not aware that the said Wakalatnama bears the signatures of Advocate A. V. N. Salatry. It is true that

Advocate Madhumita Nayak Salatry has never appeared in the said Inventory Proceeding No. 627/2021/G before the Civil Judge, Junior Division at Mapusa. It is not correct to say that since Advocate Madhumita Nayak Salatry has not signed the Wakalatnamas nor participated as an Advocate of Inventory proceeding nor signed any application filed in the said proceedings. She has no knowledge about the death of Branca Cassiana Diniz even as on 25/02/2022. It is correct to say that the said application dated 25/02/2022 **Exh. 46** collectively is the only document on the basis of which I attribute the knowledge to Advocate Madhumita Nayak Salatry about the death of Branca Cassiana Diniz.

29. Advocate Madhumita Nayak Salatry has registered the Sale Deeds from her user ID and also paid stamp duty, mutation fees and registration fees on behalf of the accused persons. The witness volunteers that Advocate Madhumita Nayak Salatry initiated sales on behalf of her client late Mrs. Branca Cassiana Diniz even after her death. I do not know whether the contents of the Sale Deed were drafted by Advocate Madhumita Nayak Salatry. I am not aware as to who has drafted the Sale Deeds. Advocate Madhumita Nayak Salatry initiated the sales means, she has registered the said sale deeds. On the basis of the Inventory proceedings I say that late Branca Cassiana Diniz was the client of Advocate Madhumita Nayak Salatry. It is true that those Inventory Proceedings bearing No. 627/2021/G were initiated by the sister of Branca and not by Branca Cassiana Diniz. It is not correct to say that I am deposing falsely that late Branca Cassiana Diniz was the client of Advocate Madhumita Nayak Salatry.

Question : How do you say that Advocate Madhumita Nayak Salatry has paid the registration charges and mutation charges ?

Answer : On the basis of the e-receipt page No. 160,161,162,163,164 and 165, I say that Advocate Madhumita Nayak Salatry has paid the registration and mutation charges. The said e-receipts are marked as **Exh. 83** collectively since referred in the cross examination.

30. I have my own user ID for registration of the Sale Deeds on NGDRS platform. I have done the registration of more than 10 sale deed on this

platform. It is true that Advocate uploads the draft Sale deed by using his/her user ID and once it is approved by the Sub-Registrar the Advocate gets the intimation on the same user ID about the approval. It is true that as soon as the Advocate concerned gets the approval to the draft Sale Deed, the parties physically execute the Sale Deed and thereafter the lawyer uploads the executed Sale Deeds. It is true that each of the challans i.e for Registration, Stamp Duty and Mutation sent on the user ID of Advocate concerned. It is true that the said e-challan is forwarded to the purchaser who is supposed to pay online all the aforesaid charges and accordingly e-receipt sent to the user ID of the Advocate concerned. I have never paid the aforesaid charges as an Advocate on behalf of the parties and subsequently recovered it from the purchaser. It is true that I have received the identical e-receipts **Exh. 83** collectively. The witness volunteers that the name of the purchaser is shown on the said e-receipt if the amount paid by him. In all the cases dealt by me for the purpose of registration of the Sale Deeds, the purchaser has paid the charges and the e-receipt also referred the name of the purchasers. It is not correct to say that the Advocate Madhumita Nayak Salatry has not paid personally the charges in terms of the e-receipts **Exh. 83** collectively and the said charges paid by the purchasers and only the e-challan was created in her name to facilitate the transactions and registrations process. There is no bar as such that the Advocate to pay the charges and recover it from the client subsequently.

31. I have a standing practice as a lawyer for 22 years at present and I am practising in all the courts, in the State of Goa. I was not knowing Advocate Madhumita Nayak Salatry personally, since mostly I am practising in the court at Margao and my office is also based in Margao. I have never seen Advocate Madhumita Nayak Salatry practising in Margao courts. I am practising in High Court on rare occasions, however I have never seen Advocate Madhumita Nayak salatry practising in High Court.

32. The witness is now referred the Xerox copy of the document general Power of Attorney dated 18/10/2021 and executed on 22/10/2021 which is produced at Page No. 179 to 190. It is marked at **Exh. 84** (since referred in cross examination and admitted by the witness as a true and genuine document). The witness is also referred the Xerox copy of the Affidavit at Page No. 253. It is

marked at **Exh. 85** (since referred in cross examination and admitted by the witness as true and genuine document)

Time over. Adjourned for cross examination by Special Public Prosecutor Mrs. Tema Narvekar on 19.06.2023

R. O. and A C.

Sd/-

Justice V. K. Jadhav
Chairman
Commission of Inquiry.

Date : 06.06.2023
Place : Panaji.

(CROSS EXAMINATION RESUMED ON OATH)
ON 19.06.2023

33. Cross Examination by Mrs. Tema Narvekar, Special Public Prosecutor for the State.

I am appearing for the complainants in connection with Folder no. 10 Cr. No. 130 of 2022, Folder No. 32 Cr no. 146 of 2022 and Folder No. 4 Cr. No. 75 of 2022. It is true that the documents submitted by me along with my Affidavit of Evidence are mostly obtained by my respective clients under the provisions of Right to Information Act, 2005. The copies of the said documents are already provided to the respective Investigation Officer. The witness as now referred the bullet part No. 3 in Page No. 9 of the Affidavit of Evidence and asked

Question : As to what steps were taken after the mutation was granted?

Answer : Firstly, Mrs. Oliveira (Advocate Augustus Monteiro's Mother-in-law) filed an application for obtaining the certified copies and after receipt of the same approached to the Archives Department. Thereafter filed the complaint to the Collector for the procedural lapses and also seeking action against the then Mamlatdar Rahul Desai. Thereafter under the oral directions of the Collector North Goa, all the aggrieved persons have filed the review applications before the Mamlatdar.

I can produce the copy of the complaint filed before the Collector, if so required.

34. The witness as now referred Exh 70, there is a communication dated 18/04/2022 to the Mamlatdar of Bardez Goa by her and asked

Question: Is it so that the annexures referred in the said communication are not filed on records ?

Answer: Yes, I can file the annexure i.e. the list of mutation proceedings and other annexures, if so required.

The witness has produced the true copy of the said annexures as requested by Mrs. Tema Narvekar, Special Public Prosecutor. It is marked at **Exh-86** (since referred in cross examination).

35. Similarly the witness has also produced the true copy of the complaint as referred in the foregoing para filed before the Collector, as requested by Mrs. Tema Narvekar, Special Public Prosecutor. The witness has also shown the office copy of the said complaint dated 31/05/2022. The true copy of the same is marked at **Exh-87** (since referred in cross examination).

(In view of the order passed on 19.06.2023 for **Exh 88** and **Exh 89** Stand over on 20.06.2023 for further Evidence).

R. O. and A C.

Sd/-

Justice V. K. Jadhav

Chairman

Commission of Inquiry.

Date : 19.06.2023

Place : Panaji.

(CROSS EXAMINATION RESUMED ON OATH)

ON 20.06.2023

36. Cross examination for and on behalf of accused Sandric s/o Domnic Fernandes 2). Mrs. Antoneta Fernandes and 3) Maria Angela Fernandes, in connection with Crime No. 99 of 2022 (F. No. 7), Crime No. 24

of 2022 (F. No. 25) Crime No. 78 of 2022 (F. No. 27) and Crime No. 139 of 2022 (F. No. 8) by Learned Counsel Mr. Liel B. L. Monteiro.

Accused and his counsel are not present when called out.

Cross examination Nil.

37. Cross examination for and on behalf of accused Mohammad Suhail in connection Crime No. 54 of 2022 (Folder No. 1), Crime No. 64 of 2022 (Folder No. 17), Crime No. 65 of 2022 (Folder No. 2), Crime No. 66 of 2022 (Folder No. 14), Crime No. 77 of 2022 (F.No. 6), Crime No. 99 of 2022 (Folder No. 7), Crime No. 75 of 2022 (Folder No. 4), Crime No. 76 of 2022 (Folder No. 5), Crime No. 139 of 2022 (Folder No. 8), Crime No. 61 of 2022 (F. No.21), Crime No. 78 of 2022 (F. No. 27), Crime No. 58 of 2022 (Folder No. 31), all registered with Crime Branch and Crime No.146 of 2022 (Folder No. 32) of Mapusa Police Station, with by learned Counsel Mr. Ritesh Rawal :

Accused and his counsel are not present when called out.

Cross examination Nil.

38. Cross examination for and on behalf of Accused Dhiresh Gangaram Naik, in connection with Crime No. 54 of 2022 (Folder No. 1) and Crime No. 99 of 2022 (F. No. 7) by learned Counsel Mr. `M. Naik, h/f Advocate Anoop Kudtarkar.

Accused and his counsel are not present when called out.

Cross examination Nil.

39. Cross examination for and on behalf of Accused Amrut Govekar, in connection with Crime No. 66 of 2022 (F. No. 14) and Crime No. 139 of 2022 (F. No. 22), by learned Counsel Mr. Atmaram Desai.

Accused and his counsel are not present when called out.

Cross examination Nil.

40. Cross examination at the request of learned Counsel Mr. Vibert Noronha, for and on behalf of Accused 1) Vikrant Shetty in connection with Crime No. 54 of 2022 (Folder No. 1), Crime No. 131 of 2022 (F. No. 9) and accused Yogesh Gangaram Vazarkar, in connection with Crime No. 54 of 2022 (F. No. 1) and Crime No. 58 of 2022 (F. No. 31).

Accused and his counsel are not present when called out.

Cross examination Nil.

41. Cross examination for and on behalf of accused Noor Faizal Bhatkar in connection with Crime No. 64 of 2022 (Folder No. 17) of Crime Branch and Crime No. 266 of 2020 (F. No.29) of Mapusa Police station, by learned Counsel Mr. V. Sardesai.

Accused and his counsel are not present when called out.

Cross examination Nil.

42. Cross examination for and on behalf of Accused Steven D'Souza and Smt. Rosa Maria D'Souza, in connection with Crime No. 61 of 2022 registered with Crime Branch, (F. No. 21) and crime No. 292 of 2020 (F. No. 36) Mapusa Police Station, by learned Counsel Mr. Sahil Sardesai.

Accused and his counsel are not present when called out.

Cross examination Nil.

43. Cross examination for and on behalf of Accused Damodar Cacodcar and Smt. Gulab Cacodcar, in connection with Crime No. 66 of 2022 registered with Crime Branch, (F. No. 14) and crime No. 139 of 2022 (F. No. 22) Mapusa Police Station, by learned Counsel Mr. Sarvesh Kharangate.

Accused and his counsel are not present when called out.

Cross examination Nil.

44. Cross examination for and on behalf of the accused Sandeep Arjun Vazarkar, in connection with Crime No. 67 of 2021 (Folder No. 34) Valpoi Police Station, Crime No. 266 of 2020 (Folder No. 29), registered with

Mapusa Police Station, Crime No. 66 of 2022 (Folder No. 24) registered with Porvorim Police Station, by learned Counsel Smt. Divya Shirgam.

Accused and his counsel are not present when called out.

Cross examination Nil.

45. Cross examination for and on behalf of all the accused in connection with Crime No. 69 of 2022 (F. No. 13), registered with Crime Branch by learned Counsel Mr. Ryan Menezes.

Accused and his counsel are not present when called out.

Cross examination Nil.

46. Cross examination for and on behalf of accused Altaf Rahiman and Shivanand Madkaikar, in connection with Crime No.54 of 2022 (Folder No. 1) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

47. Cross examination for and on behalf of accused Sunil Kumar, Bismi Sunil Kumar, Sanjay Patil and Ujwala Patil, in connection with Crime No.65 of 2022 (Folder No. 2) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

48. Cross examination for and on behalf of accused Branca Cassiana Diniz, Vishnu Kale, Heema Kale, Gurudas Gaonkar, Jerome Sebastian Veena Goswami, Rama Mathonkar, Leandra Torescor, Rupesh Patte, Brain Alvares, in connection with Crime No.74 of 2022 (Folder No. 3) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused persons are absent, when called out. None appears for them.

Cross examination Nil.

49. Cross examination for and on behalf of accused Branca Cassiana Diniz and Danver D'Souza, in connection with Crime No.75 of 2022 (Folder No. 4) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

Cross examination Nil.

50. Cross examination for and on behalf of accused Branca Cassiana Diniz and Danver D'Souza, in connection with Crime No.76 of 2022 (Folder No. 5) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

Cross examination Nil.

51. Cross examination for and on behalf of accused Branca Cassiana Diniz and Danver D'Souza, in connection with Crime No.77 of 2022 (Folder No. 6) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

Cross examination Nil.

52. Cross examination for and on behalf of accused Rayaji Patil, Suneel Goyal, Danver D'Souza and Mahesh Naik, in connection with Crime No.99 of 2022 (Folder No. 7) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

53. Cross examination for and on behalf of accused Danver D'Souza, in connection with Crime No.139 of 2022 (Folder No. 8) registered with Crime Branch.

Accused absent, when called out. None appears for him.

Cross examination Nil.

54. Cross examination for and on behalf of accused Branca Cassiana Diniz, in connection with Crime No.130 of 2022 (Folder No. 10) registered with Mapusa Police Station.

Accused Mrs. Branca Cassiana Diniz is reported to be dead.

Cross examination Nil.

55. Cross examination for and on behalf of accused Alacio D'Souza, Mrs. Anarita Mario D'Souza and Mr. Rohan Harmalkar, in connection with Crime No. 149 of 2022 (Folder No. 11) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

56. Cross examination for and on behalf of accused Siddique @ Suleman Khan in connection with Crime No. 250 of 2020 (Folder No. 12) registered with Mapusa Police Station.

Accused is absconding. None appears for accused.

Cross examination Nil.

57. Cross examination for and on behalf of accused Damodar Cacodcar and Gulab Cacodcar, in connection with Crime No. 66 of 2022 (Folder No. 14) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

58. Cross examination for and on behalf of accused Antonio De Sequeira, Clement D'Silva, Tommy Savio Fernandes Diana Fernandes Jonetta Fernandes and Peter D'Silva in connection with Crime No. 294 of 2020 (Folder No. 15) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

59. Cross examination for and on behalf of accused Malwin Lobo and Anjum Shaikh, in connection with Crime No. 64 of 2022 (Folder No. 17) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

60. Cross examination for and on behalf of accused Bhavesh Sirsat, Vinay Kumar, Sudin Navelkar, Laxmi Navelkar, Sushant Navelkar, Shubra Navelkar, Sameer Navelkar, Adv Matlock D'Souza and Adv Sushant Dhauskar, in connection with Crime No. 124 of 2022 (Folder No. 18) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

61. Cross examination for and on behalf of accused Arlino De Mello, Victor Rodrigues and Prabhakar Hawaldar in connection with Crime No. 23 of 2010 (Folder No. 19) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

62. Cross examination for and on behalf of accused Rupesh Pednekar, Kashinath Mandrekar and Deepak Naik in connection with Crime No. 61 of 2022 (Folder No. 21) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

63. Cross examination for and on behalf of accused Damodar Cacodcar and Gulab Cacodcar, in connection with Crime No. 139 of 2022 (Folder No. 22) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

64. Cross examination for and on behalf of accused Agnelo Bedi Coutinho, in connection with Crime No. 57 of 2021 (Folder No. 23) registered with Fatorda Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

65. Cross examination for and on behalf of accused John Paul Valles, Sandra De Sa, Keith De Sa and Maureen Saldanha, in connection with Crime No. 66 of 2022 (Folder No. 24) registered with Porvorim Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

66. Cross examination for and on behalf of accused Afra Leonilda Monteiro, in connection with Crime No. 144 of 2022 (Folder No. 26) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

67. Cross examination for and on behalf of accused Jit Vinayak Arolkar, in connection with Crime No. 177 of 2022 (Folder No. 28) registered with Pernem Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

68. Cross examination for and on behalf of accused Cosma D'Mello, Ashfak Shaikh and Umesh Pilgaonkar, in connection with Crime No. 266 of 2020 (Folder No. 29) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

69. Cross examination for and on behalf of accused Francisco Colaco, Ruby Fernandes, Alex Faleiro, Regino Faleiro, Paulina Faleiro, Mario Joao Faleiro, Angela Monteiro, Joana Faleiro, Martires Florina Coutinho, Diogo Simon Fernandes, Piedade De Souza, Joao Alex Rosario Luis, Valerian Thomas Vas and Mahadev P. Chavan in connection with Crime No. 40 of 2021 (Folder No. 30) registered with Fatorda Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

70. Cross examination for and on behalf of accused Branca Cassiana Diniz and Ronni Rodrigues, in connection with Crime No.58 of 2022 (Folder No. 31) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

71. Cross examination for and on behalf of accused Branca Cassiana Diniz, in connection with Crime No.146 of 2022 (Folder No. 32) registered with Mapusa Police Station.

Accused Mrs. Branca Cassiana Diniz is reported to be dead.

Cross examination Nil.

72. Cross examination for and on behalf of accused Branca Cassiana Diniz, in connection with Crime No.147 of 2022 (Folder No. 33) registered with Mapusa Police Station.

Accused Mrs. Branca Cassiana Diniz is reported to be dead.

Cross examination Nil.

73. Cross examination for and on behalf of accused Gopal Salgaonkar, Kalpana Salgaonkar, Pooja Chodankar and Siddique Suleman Khan, in connection with Crime No. 67 of 2021 (Folder No. 34) registered with Valpoi Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

74. Cross examination for and on behalf of accused Vithu Nagvekar, Ranjeet Salgaonkar, Rohan Kaskar and Agnelo Lobo, in connection with Crime No. 148 of 2020 (Folder No. 35) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

75. Cross examination for and on behalf of accused Antonio Gomes, in connection with Crime No. 292 of 2020 (Folder No. 36) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

76. Cross examination for and on behalf of accused Abelio Noronha, Judith Lopes Noronha and Christopher D'sa in connection with Crime No. 187 of 2021 (Folder No. 41) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

77. Re-examination :

In terms of the Order for **Exh. 88** and **89** respectively on 19/06/2023, I am producing the certified copies of the following mutation proceedings, so also the certified copies of Sale Deed dated 30/03/2022.

1. Certified copies of entire mutation proceedings No. 80981 of the property bearing Sy. No. 39/6. It is collectively marked at **Exh. 91.**
2. Certified copies of entire mutation proceedings No. 81054 of the property bearing Sy. No. 39/4. It is collectively marked at **Exh. 92.**
3. Certified copies of entire mutation proceedings No. 80913 of the property bearing Sy. No. 47/1 It is collectively marked at **Exh. 93.**
4. Certified copies of entire mutation proceedings No. 80860 of the property bearing Sy. No. 43/2 It is collectively marked at **Exh. 94.**

5. Certified copies of entire mutation proceedings No. 81071 of the property bearing Sy. No. 43/9 It is collectively marked at **Exh. 95.**
6. Certified copies of entire mutation proceedings No. 80828 of the property bearing Sy. No. 18/12, all situated at Village Assagao. It is collectively marked at **Exh. 96.**
7. Certified copies Entire mutation proceedings No. 80976 of the property bearing Sy. No. 493/2 of Village Anjuna. It is collectively marked at **Exh. 97.**
8. Certified copies of Sale Deed dated 30/03/2022. It is marked at **Exh. 98.**

At present I don't have the certified copies of the entire mutation proceeding No. 80977 of the property bearing Sy. No. 493/3 of Village Anjuna, as the same is in possession of Advocate Augustus Monteiro, who is abroad at present, however, the Xerox copy of the said mutation proceeding is already on record.

78. I say that presently the concerned office is reluctant to issue the certified copies under the pretext that the said proceedings are based upon the fake documents and therefore the certified copies cannot be issued, so also the Sale Deed. I thus pray that the certified copies as exhibited above before this commission may be returned to me or my client by substituting it with the Xerox copies after the purpose is over. I am having an apprehension that the certified copies even produced in this office may be tampered with or misplaced. (In view of the above apprehension expressed by the witness who is an advocate by profession, this commission directs the office to keep the aforesaid exhibited documents in one sealed envelope and the same will be kept in the personnel custody of the Commissioner till its purpose is over).

79. Cross examination for and on behalf of Accused Rahul Chandrakant Desai, in connection with Crime No. 146 of 2022 (Folder No. 32), Crime No. 130 of 2022 (Folder No. 10) registered with Mapusa Police Station and Crime No. 58 of 2022 (Folder No. 31), Crime No. 76 of 2022 (Folder No. 5), Crime No. 75 of 2022 (Folder No. 4), Crime No. 139 of 2022 (Folder No. 8) registered with Crime Branch, by learned Counsel Mr. A. D. Bhoje. (Cross examination to the extent of the production of the document in re-examination).

In terms of the order passed below **Exh. 99.** Cross examination is deferred till tomorrow.

80. Cross examination for and on behalf of Advocate Madhumita Nayak Salatry by Advocate Parag Rao.(Cross examination to the extent of the production of the document in re-examination).

In terms of the order passed below **Exh. 100**. Cross examination is referred till tomorrow

Stand over on 21.06.2023

R. O. and A C.

Sd/-

Date : 20.06.2023
Place : Panaji.

Justice V. K. Jadhav
Chairman
Commission of Inquiry.

(RE-CROSS EXAMINATION RESUMED ON OATH)

ON 21.06.2023

81. Re-Cross examination for and on behalf of Accused Rahul Chandrakant Desai, in connection with Crime No. 146 of 2022 (Folder No. 32), Crime No. 130 of 2022 (Folder No. 10) registered with Mapusa Police Station and Crime No. 58 of 2022 (Folder No. 31), Crime No. 76 of 2022 (Folder No. 5), Crime No. 75 of 2022 (Folder No. 4), Crime No. 139 of 2022 (Folder No. 8) registered with Crime Branch, by learned Counsel Mr. A. D. Bhohe.

The witness is now referred **Exh 92**.

Question: Would it be correct to say that the mutation no. 81054 came to be rejected ?

Answer: Yes, the witness volunteers that the mutation came to be rejected on the basis of objection raised by letter dated 25/03/2022.

The witness is now referred **Exh. 95**

Question: Would it be correct to say that the mutation no. 81071 came, to be rejected ?

Answer: No, it is still pending, it has not come up for hearing since the objector has not received any notice of hearing.

The witness is now referred **Exh. 93** and **Exh. 94**

In respect of mutation proceedings no. 80913 and 80860, since it is certified, the aggrieved party has filed the review application after taking due permission from the Collector. In both the matters the review applications are still pending.

Question: When the mutation no. 80913 and mutation no. 80860 were certified, was there any material on record before the Mamlatdar to indicate that the documents on record were false and fabricated documents ?

Answer: As far the mutation no. 80860 is concerned the applicant therein has filed the application on 18/02/2022, along with an affidavit dated 17/02/2022, Deed of Sale dated 19/06/1996, and Succession Deed dated 13/01/2021. So far as Deed of Sale 19/06/1996 is concerned it was apparently a false document since the computerised map was shown on the Deed of Sale, when the computerised map started appearing on the Sale Deed after the year 2010 and so also the page numbers were not mentioned on the Sale Deed. So far as the mutation no. 80913 is concerned the Sale Deed dated 25/06/1996 is apparently a false and fabricated document since the computerised map started appearing on the Sale Deed after the year 2010 and so also the page numbers were not mentioned on the Sale Deed.

Question: Was there any declaration of the court pertaining to the documents produced on record before the Mamlatdar in respect of mutation proceedings no. 80860 as false and fabricated ?

Answer: No, nobody knew about the said false and fabricated document before certification of the mutation.

Question: Was there any declaration of the court pertaining to the documents produced on record before the Mamlatdar in respect of mutation proceedings no. 80913 as false and fabricated ?

Answer: No, nobody knew about the said false and fabricated document before certification of the mutation.

It is true that my allegations against accused Rahul Chandrakant Desai in connection with aforesaid crime are not in his personal capacity but in his official capacity.

82. Re-Cross examination for and on behalf of Advocate Madhumita Nayak Salatry by Advocate Parag Rao.

It is true that when the Sale Deed Exh. 98 dated 30/03/2022 came to be executed, I was also not knowing that Mrs. Branca Cassiana Diniz was no more. I don't have any material to show that Madhumita Nayak Salatry knew as on the date of the execution of Sale Deed **Exh. 98** that Mrs. Branca Cassiana Diniz is no more. It is true that most of the people present in the chapel came to know in the month of May 2022 about the death of Mrs. Branca Cassiana Diniz, including Advocate Augustus Monteiro. It is true that Advocate Augustus Monteiro thereafter applied for the certified copy of the death certificate **Exh. 77** of Mrs. Branca Cassiana Diniz.

The witness volunteers that the joint affidavit filed by Mrs. Branca Cassiana Diniz and Mr. Royson Rodrigues dated 01/03/2022 is the part and parcel of **Exh. 93** collectively and the said affidavit shown to have been signed by Mrs. Branca Cassiana Diniz, who was no more till that time, before the Notary i.e. accused Madhumita Nayak Salatry (the said Branca Cassiana Diniz died on 30/01/2022).

I was not present when the said affidavit was sworn before Notary Advocate Madhumita Nayak Salatry. I have not seen as to whether those two persons have put their signatures in the Notarial Book maintained by Advocate Madhumita Nayak Salatry at the time of swearing in the affidavit. Witness volunteers that we have complained to the Special Investigation Team (SIT) and to the State Registrar of Notary about the same and the enquiry proceedings are pending before the said authority.

It is not correct to say that only Mr. Royson Rodrigues has signed the affidavit **Exh. 93** collectively and not by Mrs. Branca Cassiana Diniz in the

presence of the Notary. It is not correct to say that only Mr. Royson Rodrigues has signed the Notarial Book after swearing in the affidavit. The witness volunteers that in case of a joint affidavit, if one of the signatories is absent then the notary strikes down his/her name.

Question: Do you have any material to show that at the time of swearing in the affidavit **Exh. 93** collectively Advocate Madhumita Nayak Salatry being a Notary had a knowledge about the death of Branca Cassiana Diniz?

Answer: No.

83. Re-Cross Examination by Mrs. Tema Narvekar, Special Public Prosecutor for the State.

Declined

84. Re-Cross examination for and on behalf of accused Sandric s/o Domnic Fernandes 2). Mrs. Antoneta Fernandes and 3) Maria Angela Fernandes, in connection with Crime No. 99 of 2022 (F. No. 7), Crime No. 24 of 2022 (F. No. 25) Crime No. 78 of 2022 (F. No. 27) and Crime No. 139 of 2022 (F. No. 8) by Learned Counsel Mr. Liel B. L. Monteiro.

Accused and his counsel are not present when called out.

Cross examination Nil.

85. Re-Cross examination for and on behalf of accused Mohammad Suhail in connection Crime No. 54 of 2022 (Folder No. 1), Crime No. 64 of 2022 (Folder No. 17), Crime No. 65 of 2022 (Folder No. 2), Crime No. 66 of 2022 (Folder No. 14), Crime No. 77 of 2022 (F.No. 6), Crime No. 99 of 2022 (Folder No. 7), Crime No. 75 of 2022 (Folder No. 4), Crime No. 76 of 2022 (Folder No. 5), Crime No. 139 of 2022 (Folder No. 8), Crime No. 61 of 2022 (F. No.21), Crime No. 78 of 2022 (F. No. 27), Crime No. 58 of 2022 (Folder No. 31), all registered with Crime Branch and Crime No.146 of 2022 (Folder No. 32) of Mapusa Police Station, with by learned Counsel Mr. Ritesh Rawal :

Accused and his counsel are not present when called out.

Cross examination Nil.

86. Re-Cross examination for and on behalf of Accused Dhiresh Gangaram Naik, in connection with Crime No. 54 of 2022 (Folder No. 1) and Crime No. 99 of 2022 (F. No. 7) by learned Counsel Mr. M. Naik, h/f Advocate Anoop Kudtarkar.

Accused and his counsel are not present when called out.

Cross examination Nil.

87. Re-Cross examination for and on behalf of Accused Amrut Govekar, in connection with Crime No. 66 of 2022 (F. No. 14) and Crime No. 139 of 2022 (F. No. 22), by learned Counsel Mr. Atmaram Desai.

Accused and his counsel are not present when called out.

Cross examination Nil.

88. Re-Cross examination at the request of learned Counsel Mr. Vibert Noronha, for and on behalf of Accused 1) Vikrant Shetty in connection with Crime No. 54 of 2022 (Folder No. 1), Crime No. 131 of 2022 (F. No. 9) and accused Yogesh Gangaram Vazarkar, in connection with Crime No. 54 of 2022 (F. No. 1) and Crime No. 58 of 2022 (F. No. 31).

Accused and his counsel are not present when called out.

Cross examination Nil.

89. Re-Cross examination for and on behalf of accused Noor Faizal Bhatkar in connection with Crime No. 64 of 2022 (Folder No. 17) of Crime Branch and Crime No. 266 of 2020 (F. No.29) of Mapusa Police station, by learned Counsel Mr. V. Sardesai.

Accused and his counsel are not present when called out.

Cross examination Nil.

90. **Re-Cross examination for and on behalf of Accused Steven D'Souza and Smt. Rosa Maria D'Souza, in connection with Crime No. 61 of 2022 registered with Crime Branch, (F. No. 21) and crime No. 292 of 2020 (F. No. 36) Mapusa Police Station, by learned Counsel Mr. Sahil Sardesai.**

Accused and his counsel are not present when called out.

Cross examination Nil.

91. **Re-Cross examination for and on behalf of Accused Damodar Cacodcar and Smt. Gulab Cacodcar, in connection with Crime No. 66 of 2022 registered with Crime Branch, (F. No. 14) and crime No. 139 of 2022 (F. No. 22) Mapusa Police Station, by learned Counsel Mr. Sarvesh Kharangate.**

Accused and his counsel are not present when called out.

Cross examination Nil.

92. **Re-Cross examination for and on behalf of the accused Sandeep Arjun Vazarkar, in connection with Crime No. 67 of 2021 (Folder No. 34) Valpoi Police Station, Crime No. 266 of 2020 (Folder No. 29), registered with Mapusa Police Station, Crime No. 66 of 2022 (Folder No. 24) registered with Porvorim Police Station, by learned Counsel Smt. Divya Shirgam.**

Accused and his counsel are not present when called out.

Cross examination Nil.

93. **Re-Cross examination for and on behalf of all the accused in connection with Crime No. 69 of 2022 (F. No. 13), registered with Crime Branch by learned Counsel Mr. Ryan Menezes.**

Accused and his counsel are not present when called out.

Cross examination Nil.

94. **Re-Cross examination for and on behalf of accused Altaf Rahiman and Shivanand Madkaikar, in connection with Crime No.54 of 2022 (Folder No. 1) registered with Crime Branch.**

Accused absent, when called out. None appears for accused.

Cross examination Nil.

95. Re-Cross examination for and on behalf of accused Sunil Kumar, Bismi Sunil Kumar, Sanjay Patil and Ujwala Patil, in connection with Crime No.65 of 2022 (Folder No. 2) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

96. Re-Cross examination for and on behalf of accused Branca Cassiana Diniz, Vishnu Kale, Heema Kale, Gurudas Gaonkar, Jerome Sebastian Veena Goswami, Rama Mathonkar, Leandra Torescor, Rupesh Patte, Brain Alvares, in connection with Crime No.74 of 2022 (Folder No. 3) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused persons are absent, when called out. None appears for them.

Cross examination Nil.

97. Re-Cross examination for and on behalf of accused Branca Cassiana Diniz and Danver D'Souza, in connection with Crime No.75 of 2022 (Folder No. 4) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

Cross examination Nil.

98. Re-Cross examination for and on behalf of accused Branca Cassiana Diniz and Danver D'Souza, in connection with Crime No.76 of 2022 (Folder No. 5) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

Cross examination Nil.

99. Re-Cross examination for and on behalf of accused Branca Cassiana Diniz and Danver D'Souza, in connection with Crime No.77 of 2022 (Folder No. 6) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

Cross examination Nil.

100. Cross examination for and on behalf of accused Rayaji Patil, Suneel Goyal, Danver D'Souza and Mahesh Naik, in connection with Crime No.99 of 2022 (Folder No. 7) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

101. Cross examination for and on behalf of accused Danver D'Souza, in connection with Crime No.139 of 2022 (Folder No. 8) registered with Crime Branch.

Accused absent, when called out. None appears for him.

Cross examination Nil.

102. Cross examination for and on behalf of accused Branca Cassiana Diniz, in connection with Crime No.130 of 2022 (Folder No. 10) registered with Mapusa Police Station.

Accused Mrs. Branca Cassiana Diniz is reported to be dead.

Cross examination Nil.

103. Cross examination for and on behalf of accused Alacio D'Souza, Mrs. Anarita Mario D'Souza and Mr. Rohan Harmalkar, in connection with Crime No. 149 of 2022 (Folder No. 11) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

104. Cross examination for and on behalf of accused Siddique @ Suleman Khan in connection with Crime No. 250 of 2020 (Folder No. 12) registered with Mapusa Police Station.

Accused is absconding. None appears for accused.

Cross examination Nil.

105. Cross examination for and on behalf of accused Damodar Cacodcar and Gulab Cacodcar, in connection with Crime No. 66 of 2022 (Folder No. 14) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

106. Cross examination for and on behalf of accused Antonio De Sequeira, Clement D'Silva, Tommy Savio Fernandes Diana Fernandes Jonetta Fernandes and Peter D'Silva in connection with Crime No. 294 of 2020 (Folder No. 15) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

107. Cross examination for and on behalf of accused Malwin Lobo and Anjum Shaikh, in connection with Crime No. 64 of 2022 (Folder No. 17) registered with Crime Branch.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

108. Cross examination for and on behalf of accused Bhavesh Sirsat, Vinay Kumar, Sudin Navelkar, Laxmi Navelkar, Sushant Navelkar, Shubra Navelkar, Sameer Navelkar, Adv Matlock D'Souza and Adv Sushant Dhauskar, in connection with Crime No. 124 of 2022 (Folder No. 18) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

109. Cross examination for and on behalf of accused Arlino De Mello, Victor Rodrigues and Prabhakar Hawaldar in connection with Crime No. 23 of 2010 (Folder No. 19) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

110. Cross examination for and on behalf of accused Rupesh Pednekar, Kashinath Mandrekar and Deepak Naik in connection with Crime No. 61 of 2022 (Folder No. 21) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

111. Cross examination for and on behalf of accused Damodar Cacodcar and Gulab Cacodcar, in connection with Crime No. 139 of 2022 (Folder No. 22) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

112. Cross examination for and on behalf of accused Agnelo Bedi Coutinho, in connection with Crime No. 57 of 2021 (Folder No. 23) registered with Fatorda Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

113. Cross examination for and on behalf of accused John Paul Valles, Sandra De Sa, Keith De Sa and Maureen Saldanha, in connection with Crime No. 66 of 2022 (Folder No. 24) registered with Porvorim Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

114. Cross examination for and on behalf of accused Afra Leonilda Monteiro, in connection with Crime No. 144 of 2022 (Folder No. 26) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

115. Cross examination for and on behalf of accused Jit Vinayak Arolkar, in connection with Crime No. 177 of 2022 (Folder No. 28) registered with Pernem Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

116. Cross examination for and on behalf of accused Cosma D'Mello, Ashfak Shaikh and Umesh Pilgaonkar, in connection with Crime No. 266 of 2020 (Folder No. 29) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

117. Cross examination for and on behalf of accused Francisco Colaco, Ruby Fernandes, Alex Faleiro, Regino Faleiro, Paulina Faleiro, Mario Joao Faleiro, Angela Monteiro, Joana Faleiro, Martires Florina Coutinho, Diogo Simon Fernandes, Piedade De Souza, Joao Alex Rosario Luis, Valerian Thomas Vas and Mahadev P. Chavan in connection with Crime No. 40 of 2021 (Folder No. 30) registered with Fatorda Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

118. Cross examination for and on behalf of accused Branca Cassiana Diniz and Ronni Rodrigues, in connection with Crime No.58 of 2022 (Folder No. 31) registered with Crime Branch.

Accused Mrs. Branca Cassiana Diniz is reported to be dead. Hence no cross. Remaining accused is absent, when called out. None appears for him.

119. Cross examination for and on behalf of accused Branca Cassiana Diniz, in connection with Crime No.146 of 2022 (Folder No. 32) registered with Mapusa Police Station.

Accused Mrs. Branca Cassiana Diniz is reported to be dead.

Cross examination Nil.

120. Cross examination for and on behalf of accused Branca Cassiana Diniz, in connection with Crime No.147 of 2022 (Folder No. 33) registered with Mapusa Police Station.

Accused Mrs. Branca Cassiana Diniz is reported to be dead.

Cross examination Nil.

121. Cross examination for and on behalf of accused Gopal Salgaonkar, Kalpana Salgaonkar, Pooja Chodankar and Siddique Suleman Khan, in connection with Crime No. 67 of 2021 (Folder No. 34) registered with Valpoi Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

122. Cross examination for and on behalf of accused Vithu Nagvekar, Ranjeet Salgaonkar, Rohan Kaskar and Agnelo Lobo, in connection with Crime No. 148 of 2020 (Folder No. 35) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

123. Cross examination for and on behalf of accused Antonio Gomes, in connection with Crime No. 292 of 2020 (Folder No. 36) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

124. Cross examination for and on behalf of accused Abelio Noronha, Judith Lopes Noronha and Christopher D'sa in connection with Crime No. 187 of 2021 (Folder No. 41) registered with Mapusa Police Station.

Accused absent, when called out. None appears for accused.

Cross examination Nil.

R. O. and A C.

Sd/-

Justice V. K. Jadhav
Chairman
Commission of Inquiry.

Date : 13.04.2023
Place : Panaji.

**BEFORE THE INQUIRY COMMISSION OF
HONOURABLE JUSTICE V.K. JADHAV
WRITTEN SUBMISSIONS FILED BY ADV. CRISTINA CANDELINA
DIAS**

MAY IT PLEASE YOUR HONOUR.....

The above named submit that she has been permitted by this Honourable Inquiry Commission to submit Written Submissions. Accordingly, the above named humbly submits the following Written Submissions under various headings:

BRIEF HISTORY OF THE CASE

The properties of Goan families are being targeted by some fraudsters pretending to be the genuine owners of various properties falsely claimed to be inherited from their ancestors by means of fake and fraudulent deeds inserted in the Department of Archives and Offices of the Sub Registrars. These vacant properties and house properties are mainly situated in Anjuna, Assagao, Siolim, Calangute, Parra, Nerul and other villages. These properties including house properties are mainly lived in or looked after by senior citizens. Some of these properties are made out to be sold to the ancestors of the fraudsters by virtue of deeds of sale fraudulently represented to be executed in various years between years 1930's to the year 2000. The original genuine owners are still in occupation, possession and ownership of these properties till date.

On the basis of these fake/forged/fraudulent deeds of sale abovementioned, the fraudsters approached the Office of the Mamlatdar of Bardez to delete the names of the original genuine owners from the occupant's column of the forms I&XIV and insert the names of the fraudsters claiming inheritance to these properties by relying upon the succession deeds drawn after the death of their ancestors. These illegal mutations of properties were done mainly in the Office of the Mamlatdar of Bardez at Mapusa during the period 2020 through 2022 taking advantage of the recent COVID -19 pandemic wherein much of the government controlling vigilance mechanism were not in place.

In view of the above, I state that the accused persons are guilty of forging the documents and therefore, the accused persons are guilty of criminal conspiracy with common intention of forgery of public documents, using of forged documents as genuine, using of forged documents to injure and damage the claim and title of the rightful owners of their property.

Broadly one could classify that the victims have been dupped of their ancestral properties by the accused persons in the following manner;

- a. By creating and inserting fake, forged & fraudulent sale deeds of the years 1934 and 1951 thereafter allegedly acquiring certified copies from The Directorate of Archives & Archaeology, Panjim, Goa and by one commonly used succession deed dated 06th Aug'2021 drawn after the death of their ancestors.
- b. By creating and inserting fake, forged & fraudulent sale deeds of the years 1993 and 1996 thereafter allegedly acquiring certified copies from the Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez, Goa and one commonly used succession deed dated 13th Jan'2021 drawn after the death of their ancestors.

At the outset a brief history of fake/forged/fraudulent and inserted documents used in this land grabbing issue which came to the knowledge of Adv. Cristina Dias and Adv. Augustus Monteiro, are categorized below as per their departments:

1. DEPARTMENT OF ARCHIVES:

- a) Forged/fraudulent and fabricated Deeds of Sale executed in the year 1951, whereby huge chunks of properties were reflected to be sold by genuine owners of various neighboring properties through one Power of Attorney holder namely Idalina De Souza to a person named Antonia Francisca Pereira supposedly to be a resident of Assagao. On verification of the relevant Book no. 551, Volume no. 328 of the year 1951 of Notary Tabeliao Pinto de Menezes of the said deeds of sale in the Department of Archives & Archaeology, it can be clearly seen that the pages were inserted and were attempted to be bound to the original book by means of a loose string. Certified copies of these inserted deeds (which were fake/forged) were being issued by the Department of Archives which in turn were used by the fraudsters as certified copies of original genuine documents which in fact were certified copies of fake inserted documents/deeds.

b) These observations were brought to the notice of the then Director, Department of Archives, Mrs. Blossom Madeira, around the months of April-May 2022 and Mrs. Madeira, immediately inspected the book in question and subsequently acknowledged that the book has been tampered. It has also been observed and brought to the notice of the then Director of Archives, Mrs. Blossom Madeira that, *the dates of the deeds are not in chronological order, the pages of some deeds are shorter than the other pages in the said book, marked difference in handwriting, different quality of paper, difference in the shade of the ink, mismatch in signature of the notary, inserted fake deeds seemed to be bound with a loose string, etc.)*

c) The certified copies of the deeds of Book no. 551 were applied by Adv. Cristina C. Dias and Agnelo A. Monteiro from the Department of Archives and Archeology and were subsequently received by them. The copies of the deeds are relied and marked as **Exhibit “22 to 28”** which are in the Portuguese language and the corresponding English translations of these Portuguese deeds are marked at **Exhibit “47 to 51”**.

d) Copies of the *Index Book* of the month of November and December of the year 1951 were also obtained from the Department of Archives and Archeology and the same is relied at **Exhibit “29”** and the corresponding English translation of the *Index Book* (Portuguese language) are marked at **Exhibit “52”**. Copy of the *Maco Book* was also obtained and the corresponding English translation of the same is marked at **Exhibit “53 to 55”**.

e) When the copies of the above referred Deeds of Sale at **Exhibit “24, 25, 26, 27”** were shown to Mrs. Blossom Madeira, currently designated as the Archivist, in the Department of Archives, during her cross examination (reference page 5 para 10) she admitted that *“the deeds of sale at Exhibits 24 to 27 are not reflecting in the Index Book of that year.”* She also deposed at para 11, that *“page no 66 overleaf and 67 are not tallying with the extract of the notarial record produced before the Commission Of Inquiry.”* *The Department of Archives has also* mentioned that in their letter dated 26th May 2023 to this commission in response to notice under Order 12 of CPC, that they have also filed a complaint dated 25/07/2022 with the police station. She also pointed out at para 13 when asked about the Reprography Register of the year 2004 marked at **Exhibit “30”**, that the deeds relied under the receipt numbers by the fraudsters does not correspond with the Reprography Register of the year 2004. This is admitted by the Department of Archives marked at **Exhibit “31”**.

f) Adv. Cristine Dias in the capacity of a whistle blower also brought on record that the fake/fraudulent Deeds of Sale at **Exhibit “24”** has been inserted by one *Omkar Palyekar from Anjuna*, in collusion with the staff of the Department of Archives which also include the properties belonging to the Tourism Department, Government of Goa.

g) The Deed of Sale at **Exhibit “25”** had been alleged to have been inserted by one Branca Cassiana Diniz, Royson Rodrigues and their family members in collusion with the staff of the Department of Archives. This deed of sale was fraudulently inserted to appear as genuine wherein one of the supposed owners of the property namely Miguel Arcanjo de Souza, was already dead as on 26th November 1951, the death certificate is relied and marked at **Exhibit “56”** from which it can be observed that the said Miguel Arcanjo de Souza died in April 1951 and the Deed of Sale is of November 1951. In this Deed of Sale, it is also observed that all the Vendors are shown as joint owners of various properties located at Badem, Assagao and Parra of Bardez Taluka which is factually incorrect. **(Kindly refer to folder no. 32 for the complaint, wherein another owner Anacleto Vincent Monteiro was said to be an executing party of the fake and inserted sale deed of the year 1951, however Anacleto Vincent Monteiro was born in the year 1936 and would have been only 15 years of age. In addition, Anacleto Vincent Monteiro became a co-owner of the property only in the year 2000 by virtue of inventory proceeding no. 87/99 and as such cannot be an executor to the said deed of sale dated 26th November 1951.)**

h) The Deed of Sale at **Exhibit “26”** had been inserted by one Branca Cassiana Diniz, Royson Rodrigues and their family members in collusion with the staff of the Department of Archives. In this Deed of Sale, it is also observed that all the Vendors are shown as joint owners of various properties located at Assagao of Bardez Taluka which is factually incorrect.

i) The Deed of Sale at **Exhibit “27”** had been inserted by one Branca Cassiana Diniz, Royson Rodrigues and their family members in collusion with the staff of the Department of Archives. In this Deed of Sale, it is also observed that all the Vendors are shown as joint owners of various properties located at Assagao and Anjuna of Bardez Taluka which is factually incorrect. It is also observed that in the said Deed of Sale the persons portrayed as Vendors namely Maria Jullietta Oliver and Maria Soniya Oliver were not even born in the year 1951 and their mother Esperanca Oliveira was only of 12 years of age in the year 1951 and

Esperanca Olivera, Maria Jullietta Olivera and Maria Sonya Olivera were all shown as children of Antonio Roserio Olivera. **(Kindly refer to FIR no. 130/2022 in folder no. 10 for complaint)**

j) The **Exhibit “28”** is the correct Deed of Succession dated 21/11/1951. It is pertinent to note that this Deed of Succession 21/11/1951 cannot be registered after the Deed of Sale dated 04/12/1951 and it has to be in chronological order. Similarly, the Deed of Sale dated 13/11/1951 at **Exhibit “26”** cannot be registered after date of Deed of Sale dated 26/11/1951 at **Exhibit “25”** and Deed of Sale dated 16/11/1951 at **Exhibit**

“24”. All though the pages are numbered in chronological order from page no. 13 to 19v the dates of the deeds are not in chronological order. This shows that these four documents at **Exhibit “24 to 27”** have been inserted by tampering the abovementioned book no.551 of the year 1951 maintained by the Department of Archives and these deeds at **Exhibit “24 to 27”** does not reflect in the Index Book and Maco Book of the year 1951.

K) It is also submitted that this Commission may also refer to the responses received from the Department of Archives marked at **Exhibits “61”, “68”, “72” and “79”** regarding the tampering of the said notarial records maintained by Department of Archives.

l) There are no denials by any of the accused persons in respect to the tampering of the documents with respect to the above four deeds of the year 1951 either in the written submission of the accused before this Commission neither they denied the averment made in the affidavit of Adv. Cristine Dias at **paras 6 to 13 and para 22 (a) to (c) and in the cross examination** of the witnesses Adv. Cristine Dias and nor even cross-examined Blossom Madeira, the Archivist.

m) It has also been informed by many victims of land grabs that the books of the year 1927, year 1929, year 1934 Volume no. 180, year 1950 and year 1951 Volume no. 264 of Book no. 514 of the notary Pinto Menezes are also been targeted by the above-named person and other accused persons in this massive land grab.

n) Similarly, it has come to knowledge of Adv. Cristine Dias and Adv. Augustus Monteiro that Book no. 510, of the year 1951 of the Notary Guilherme Lobo has also been targeted by the accused persons. Also deeds of the years 1943 volume 486, year 1951 Volume 264, year 1956 volume 576 are also been targeted by other accused persons. The complaints have already been lodged by the victims and some FIRs have already been registered before the SIT which this Honourable

Commission may call for the proceedings from the SIT or the same may be obtained through the powers conferred on this Commission u/s 4 and 5(b) of the Commissions of Inquiry Act 1952. Since in a response from the Department of Archives dated 26/05/2022 at **Exhibit “79”** the archivist also mentioned about the complaint being filed before the Police Station regarding tampering the records of Department of Archives.

o) Kindly go through letter dated 26/07/2022 marked at **Exhibit “61”** which reads as follows: *“This is with reference to the subject cited above. In this regard, we are to inform that the Notarial Record Bk No.551/Sr. No.328 of the year 1951 of Notary Pinto de Menezes of Bardez has been sealed on 01st July, 2022 and is not available for inspection. Upon verification of the aforesaid Notarial record book, it was observed that the deed dated 04.12.1951 does not correspond with the Index of Deeds of Notary Pinto Menezes Sr.No. 17 of the year 1951 and that the deed is fraudulent. As per the Index of Deeds (Sr.No. 17) no deed was registered on 04.12.1951 at page Numbers 17, 17v, 18 and 18v and there were two deeds registered dated 21/11/1951 at page 16-19 and at pages 19-22 respectively.”*

p) Kindly refer to the Index Register/Book no. 17 of the year 1949 to 1957, at **Exhibit “29”** in Portuguese version and **Exhibit “52”** in English version/translation, wherein the entries of the deed are made showing the date of the deed, persons executing the deed, type of deed and page numbers of the deed of that particular year 1951. For this Inquiry Commission we have produced the Index Book at page 64v showing the entries of November 1951, *wherein the extreme left column of the said register the numbers which are mentioned are the dates of the entries. In the second column are the parties executing the deed, In the third column is the type of deed entered, in the fourth column is the book number of the register and in the fifth column are page numbers of the said register.* At page no. 66, book no. 551 entries are entered which is starting from 13/11/1951, which is the deed of succession which starts from 13v to 15v. The second deed is dated 15/11/1951 which is a deed of sale at pages 4 to 5, on 21/11/1951, the Deed of Usury with Mortgage at pages 16 to 19 and on the same day of 21/11/1951 is the Deed of Succession of 1951 at pages 19 to 22.

q) All this reflects that the deeds which are exhibited at **Exhibit “24 to 28”** in Portuguese language which are translated to English at **Exhibit “47 to 50”** are fake deeds inserted in the book of the year 1951 namely Book no. 551 and the

same are not reflecting in the Index Book at **Exhibit “29”** in Portuguese version (**Exhibit “52”** in English translation).

It is also important to clarify before the Honourable Commission on the significance of “VOLUME NUMBERS” assigned to the Index books maintained at the Department of Archives & Archaeology:.

As we are aware that during the Portuguese Regime and for a short period of time after December 1961, deeds of various kinds were registered with notaries (also known as Tabeliao), under the continental system of registration which was followed by the Portuguese regime. Somewhere in the year 1963 onwards the system for registration of the deeds and wills were changed and the powers for registration of the deeds were given to Sub Registrars and Notary Ex-Officios which were departments of the Government of Goa under the Law Department. These offices of the various Sub Registrars and Notary Ex-Officios collected all the registers of deeds, wills and indexes maintained by the various Notaries (Tabeliao) who registered various deeds under the Portuguese regime in the State of Goa and took over the custody and possession of all such books of deeds, registers, indexes etc. At some point of time all these books of deeds, wills, index books etc., which were in the possession of the various offices of the Sub Registrar’s and Notary Ex-Officio’s were handed over to the Department of Archives & Archaeology who are the current custodians. The Department of Archives subsequently began maintaining these records and allotted volume numbers to these registers as per their requirements of record keeping maintenance and retrieval process. It is for this particular reason that the volume numbers will not be found written on any of original executed registered documents (books of deeds, wills, index books etc.) during the Portuguese regime and only found mentioned once a certified copy is issued in order to mention the reference of the book that the relevant document was retrieved from. The correct copy of the Deed of Succession is marked at **Exhibit “51”** which can be seen reflecting in the Index book in Portuguese at exhibit 29 (at pages 46 to 57) and English translations marked ta exhibit 52 at pages 58 to 63. A clarification can be sought by the Honourable Inquiry Commission from the Department of Archives. The Department of Archives has clarified this to this Honourable Commission vide letter dated 25/7/2022.

r) In a certain case, it has been noticed that the property bearing old cadastral no. 363 & 385, corresponding to new survey no. 78/2 of village Assagao that is being

targeted vide fake & fraudulent inserted Deed of Sale of the year 1934 (folder no. 33) is also included in deed of sale dated 04/12/1951 of Book no. 551 of the year 1951(folder No. 10). The same property has been bought twice, once in the year 1934 by Antonio Martinho Diniz and the second time in the year 1951 by Antonia Francisca Pereira (Kindly refer to folder no. 33 and folder no. 10 before this Commission). This shows the magnitude of this massive land scam. Kindly note that Antonio Martinho Diniz and Antonia Francisca Pereira are married to each other. s) **Similarly, the landed property bearing old cadastral no. 407** corresponding to new survey no. 43/4 of Assagao village, has been included in the sale deed of 13/11/1996 (folder no. 1) before the Office of the Sub-Registrar of Bardez at Mapusa as well as sale deed dated 26/11/1951 (**folder no. 32**) before the Notary Pinto de Menezes preserved in the Department of Archives. The Vendor shown in the Deed of Sale 13/11/1996 and the Vendor shown in Deed of Sale 26/11/1951 is the same Mrs. Idalina Rodrigues. In the deed of sale dated 26/11/1951, the said Idalina is shown to be selling to the mother of the accused Branca Cassiana Diniz and in the Deed of Sale dated 13/11/1996 it is shown that the same Idalina Rodrigues is selling to the husband of Branca Cassiana Diniz in Volume 444 of 1996.

t) Deeds of Sale registered under book bearing No 403 serial no 180 of the year 1934. This deed of sale is not in the possession of the Directorate of Archives & Archaeology and the same has been confirmed by letter under Ref No. 3/1/16/2021-22/DAA-201 dated 22nd April 2022. The properties by which the name of the genuine occupants was deleted from the Form I & XIV and the names of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves, Mr. Royson Rodrigues were inserted instead are survey nos. 78/2 under mutation proceedings no. 79705 wherein review application has been filed and mutation proceedings are frozen for property bearing survey no 80/3 under mutation proceedings no. 81056. The Mamlatdar of Bardez did not check the link document produced by the accused to mutate their names. Such as the alleged fake sale deed of 1934 and the succession deed of 6th Aug'2021. There is no link between the purchaser in the fake deed of sale and the deceased parties to the succession deed.

u) Deeds of Sale registered under book bearing No 514, serial no 264 of the year 1951. This deed of sale is not in the possession of the Directorate of Archives & Archaeology and the same has been confirmed by letter under Ref No. 3/1/16/2021-22/DAA-201 dated 22nd April 2022. The properties by which the

name of the genuine occupants was deleted from the Form I & XIV and the names of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves, Mr. Royson Rodrigues were inserted instead are survey nos. 18/12 village Badem, Assagao under mutation proceedings no. 80828 which has been subsequently dismissed. The Mamlatdar of Bardez did not check the link document produced by the accused to mutate their names. Such as the alleged fake sale deed of 1951 and the succession deed of 6th Aug'2021. There is no link between the purchaser in the fake deed of sale and the deceased parties to the succession deed.

v) Deeds of Sale registered under book bearing No 551, volume no 328 of the year 1951. The deeds of sale mentioned have been fraudulently inserted at pages 13 to 19 of book bearing No 551, volume no 328 of the year 1951 at the Directorate of Archives & Archaeology by which various properties bearing different survey numbers were sold in a single deed of sale by a fictitious Power of Attorney holder to Antonia Francisca Pereira. Some of the properties identified are properties bearing survey no. 493/3 under mutation proceedings no. 80977 & 493/2 under mutation proceedings no. 80976 of village Anjuna, Bardez, subsequently **survey nos. 43/4 under mutation proceedings no. 80941, 39/6 under mutation proceedings no. 80981, 31/1 under mutation proceedings no. 80967, 31/2 under mutation proceedings no. 80980, 18/12 under mutation proceedings no. 80828, 200/6A under mutation proceedings no. 81283, 202/5 under mutation proceedings no. 81282, 202/8 under mutation proceedings no. 81286, 191/2 under mutation proceedings no. 81284, 191/3 under mutation proceedings no. 80159, 39/4 under mutation proceedings no. 81054, 53/4 under mutation proceedings no. 80862 as per Deed of Sale Reg. No. 2485, Book No. I, Volume No. 444 dated 12/11/1996 executed before Sub-Registrar Bardez of the village of Assagao, Bardez.**

w) Forged & Inserted Notarial Deed of sale dated 26th Nov'1951, has one of the vendor Mr. Miguel Arcanjo as a signing party to the deed however it is pertinent to note that Mr. Miguel Arcanjo expired on 05th Apr'1951 hence cannot be an executing party to the deed of sale.

x) That the Book No 551 volume 328 of the year 1951 at The Archives Department plus the Mass Book and the Index book of the said year has been inspected / examined and noticed that the book no 551 of year 1951 volume 328 has been tampered and pages 13 to 19 have been inserted.

y) On verification of the relevant book of the said deeds of sale in the department of Archives, it can be clearly noticed that the pages have been inserted and are attempted to be bound to the original book by means of a loose string and pages are shorter

z) It has also been admitted by the Archives Department, Panjim vide letter under reference number 3/1/16/2022-23DAA-987 dated 26th Jul'2022 that the fake & inserted deed dated 4th Dec'1951 does not correspond with the Index Book of the Deeds of notary Pinto Menezes Sr/ No. 17 of the year 1951 and that the deed is fraudulent. It has also been confirmed by the Archives department, Panjim to the Office of the Mamlatdars, Bardez, Mapusa vide letter under reference number 3/1/16/2021/DA/843 dated 12th Jul'2022 pertaining to the review application of mutation 80977/21-2022/3439 dated 8th Jul'2022 that it is not an authentic document but a fraudulent document / deed.

(II) OFFICES OF THE SUB REGISTRARS IN GOA.

The fraudsters also targeted the registers of deeds in the offices of the various Sub Registrars situated in Goa.

The advocates, Adv. Cristina Dias and Adv. Augustus Monteiro came across certain mutation proceedings done by the then Mamlatdar of Bardez, Mr. Rahul Chandrakant Dessai in connivance with the fraudsters in spite knowing that he did not have jurisdiction to process and certify mutations in the villages of Assagao, Anjuna, Parra etc., and the jurisdiction for processing the mutations of these villages were assigned to another Joint Mamlatdar of Bardez - *(kindly refer to the The chart displaying the jurisdictional mamlatdar as on April 2022 on their notice board about the jurisdiction of each mamlatdar handling*

mutations.)

m of Bardez	Jt. Mam I	Jt. Mam II	Jt. Mam III	Jt. Mam IV	Jt. Mam V	Jt. Mam VI
Calangute	Bastora	Siolim	Olaulim	Assagao	Nerul	Marra
Colvale	Nachinola	Guirim	Pirna	Marna	Arpora	Camurlim
Tivim	Canca	Sirsaim	Pomburpa	Oxel	Reis Magos	Verla
	Paliem	Parra	Panolim	Anjuna	Calvim	Punola
	Pilerne	Sangolda	SDM		Nagoa	Candolim
	Corjuem	Saligao	Nadora			Uccassaim
	Moirá	Assonora	Revora			PDF
	Socorro		Mapusa			Aldona

In the certified copies of the mutation proceedings obtained under the Right to Information Act (RTI), the undersigned came across certain sale deeds relied and alleged to be executed in the year 1993 and 1996. These deeds of sale are of properties situated in the villages of Assagao, Anjuna etc., wherein the undersigned personally knows the villagers and the people of Badem-Assagao, Anjuna, etc. The villagers, on finding out that their properties have been targeted by fraudsters, approached the undersigned advocate to look into their matters of the land grabbing and sought advice & guidance. On going through the register of deeds of the year 1996 in the Office of the Sub-Registrar of Bardez at Mapusa, certain glaring anomalies were observed in the following documents:

(i) Deed of Sale regd. under no. 2483, Book no. I, Vol. No. 444, dated 13/11/1996 in the Office of the Sub- Registrar, Mapusa, Goa

(ii) Deed of Sale regd. under no. 2484, Book no. I, Vol. No. 444, dated 13/11/1996 in the Office of the Sub- Registrar, Mapusa, Goa

(iii) Deed of Sale regd. under Reg. No. 2485, Book No. I, Volume No. 444 dated 12/11/1996 in the Office of the Sub-Registrar, Mapusa, Goa

(iv) Deed of Sale regd. under no. 2486, Book no. I, Vol. No. 444, dated 12/11/1996 in the Office of the Sub Registrar, Mapusa, Goa (v) Deed of Sale regd. under no. 2500, Book no. I, Vol. No. 444, dated 14/11/1996 in the Office of the Sub- Registrar, Mapusa, Goa

On inspection and examination of Book no 444 of the year 1996 at the Office of the Sub-Registrar, Mapusa under the supervision of the official from the Sub- Registrar's Office namely Madhavi Shetye. At the very start of the book, Book No. 444, it was noticed that:

(i) The deed under Reg. No 2483 dated 13/11/1996 is found after deed no 2485 (no numbering)

(ii) The deed under Reg No. 2484 dated 13/11/1996

(iii) The deeds which start from registration No. 2485 dated 12/11/1996 of Book I are without numbering in pencil and are unbound.

(iv) The deed under Reg No 2486 dated 12/11/1996 is after deed dated 13/11/1996 2483, 2485.

(v) The deed under Reg No 2500 dated 14/11/1996, 1st 2 pages missing (No numbering of this deed)

(vi) The actual Deed book starts at page 107I which is a plan of copy of document under serial No. 1223 of book I, followed by page 107A with names of executing parties as:

- Carlos Mauricio Fernandes attorney of Dr. Wilson Marques & Maria Marques

- M/s ALFRAN Realtors and the signatures followed by page 108, registered under No 2485, Book No I, Volume 444 dated 12/11/1996. This are the actual pages which are bound with the rest of the book, Volume 444

The rest of the pages numbered from 109 to 622, were scrutinized and following was observed:

(a) Deed executed between Enas D'Souza, Elizabeth D'Souza, Sipriyas D'Souza, Rosaimari Paris under Serial No. 1223 are without page numbering and reg under No. 2485 is inserted in this register.

(b) Serial No. 1221/96 between Maria Anton D'Souza, Maria Joaquina D'Souza & Diago Roberto Rodrigues is inserted in this register. Deed of Sale regd. under no. 2484, Book no. I, Vol. No. 444, dated 13/11/1996.

(c) Deed Reg No. 2500 between Idaline Rodrigues & Diago Rodrigues is inserted.

(d) Deed at Reg No 2486 between Joseph Francis D'Souza and Others & Antonetta D Fernandes is inserted.

It is also observed that the volume no. 210 of the year 1993 is not available in the Office of the Sub-Registrar of Bardez at Mapusa and when the undersigned

requested for inspection of the day book registers of the year 1993 & 1996, it was noticed that they were totally in a damaged & mutilated condition.

These observations were recorded in a letter dated 29/04/2022 to the Office of the Sub-Registrar of Bardez at Mapusa, **Exhibit “65”** before this Commission.

The undersigned had noticed that: *“the Register of the year 1996 Volume 444 from deeds registered under no. 2483, 2484, 2485, 2486 and 2500 are unbound and the pages are not numbered.”* *“The registration numbers of the deeds are not in chronological order and for example the deed under registration no. 2483 is dated 13/11/1996, the deed under registration no. 2484 is dated 13/11/1996, whereas the deed registered under no. 2485 is dated 12/11/1996, the deed under registered no. 2486 is dated 12/11/1996 and the deed under registered no. 2500 is dated 14/11/1996. It has also been observed that the plan attached in all these deeds are the plans which are computerised printouts of plans recently made available from the year 2010 onwards. The computerised plans which were made available, were plans with the seal of the Department of Land Survey, Govt. of Goa, signatures of the Land Survey Official and had a court fee affixed on it.”* *“It is strongly emphasized and brought to the notice of this Commission that computerised plans did not exist in the year 1996 and only manual plans were issued by the Department of Land Survey and they were referred to as manual plans”*. The undersigned requests this honourable court to verify this from the Department of Land Survey in respect of the above observations made by the undersigned. Attached is a copy of a plan issued in the years 2014, 2018 and 2020 as evidence at that point of time. The same is at annexure 1.

In the cross examination of Mr. Vasudev Tukaram Hadkonkar, witness no. 4, the District Registrar of North Goa, at para 6 the following was deposed: **“The registration department had adopted Gauri Online System in the year 2010. It is true that from the year 1962 to 2010, the registers like Day Book, Thumb Book, Volume etc were maintained in the Office of the Sub Registrars of each taluka.”** At page 6, para 6, the witness volunteers that **“he joined service in year 1997 and at that time xerox copies as presentation copies were accepted and it was going on till the introduction of the Gauri Online System in the year 2010.”**

The entire deposition of the District Registrar, witness no. 4 from para 7 to para 12 reads as follows:

7. As I know the record maintained by way of register have been bound in the office itself periodically by calling a binder and the said process completed after the instructions and permissions obtained from the head office. There are paging numbers in all the registered deeds. It is correct that the date of presentation of deed and the date of registration is usually different. It is true that the office put the serial number at the time of presentation of deed.

8. It is true that in the thumb book register the serial number of the deed is mentioned and not the registration number' It is true that the executant thumb impression is obtained except in cases if the Sub-Registrar knowing him personally. It is true that after the registration of the deed only registration number on deed is mentioned' It is true that the said registration number should be number wise, date and year wise in a chronological manner.

Question : Is it true that by filing an application dated 29/04/2022 to the PIO, Sub Registrar, Mapusa' and marking the copy of the same to the Sub Registrar' , the applicant has pointed out some discrepancies by ,referring documents of Volume No' 444 of the year 1996 ?

Answer : Yes.

Question : Is it correct that on the basis of the said application State Registrar has directed an inquiry into the matter and you have been appointed as an Inquiry officer?

Answer: Yes, I have been appointed as an Inquiry officer to make an inquiry in terms of discrepancy shown in said application. I have completed the said Inquiry and submitted the report to the State Registrar'

The undersigned requests this commission to obtain & review this departmental inquiry report from the State Registrar in respect of the above deposition made by Mr. Vasudev Tukaram Hadkonkar, the District Registrar of North Goa.

9. It is true that while issuing the certified copy of any registered deed, it is compulsory to mention the registration number,' volume number' book number, date of registration and the page number on the back side of page of the certified copy of the document' It is correct that the certified copies are issued on a stamp paper' It is true that the certified copies are required to be issued mandatorily on stamp Paper' It bears the certifying seal' It is also mandatory to mention the page numbers on the certified copies' It is also mandatory to B mention the name of the person who took out the Xerox

copy. It is also mandatory to mention the date of filing of an application and also the date of delivery of the certified copy.

Question : What is Book number 1

Answer : Book number 1 consisting of documents mainly Sale Deeds.

10. I am aware that in the Sub-Registrar office, Mapusa, the incidents such as insertion of documents have been noted. I have verified the said particular deed where the insertion allegedly taken place and the said deed was not tallying with the day book, thumb print book. It is true that the vendors and purchasers of the deed inserted are different then the parties named in the day book and thumb impression book. It is true that in the said scam of insertion, mostly the Mortgage Deeds and Release Deeds were targeted. It is true that in place of the Mortgage Deed and Release Deed, the fake Sale Deeds have been replaced. I have not seen as to whether the pages in the inserted deeds are also different than the page numbers mentioned as per the regular deeds. It is true that in the said fake deeds handwriting and signature of the Sub-Registrar differs.

11. I have not noticed the computerised survey plan attached to the deed of the year 1996. I am not aware as to whether the said plan available on the website of the survey department in the year 2019,2020 or 2021. It is correct to say that it is the duty of the person who is comparing the deed to find out the said disparity and report it accordingly.

12. I am not aware as to whether most of the registers maintained in the Sub-Registrar office particularly of the year 1996 are in torn condition and the said registers were not repaired nor binded. I have noticed that the inserted document were kept loose in the bound volume. I am not aware that despite the insertion of the same, the department is issuing certified copies from the said volume

The same is corroborated in the evidence of Adv. Cristina Dias. In affidavit in chief at **page 9 to page 11**, on sub title **“OFFICE OF THE CIVIL REGISTRAR cum-Sub-Registrar AND NOTARY EX-OFFICIO OF BARDEZ”** she has also relied on documents such as *mutation proceedings under no. 80913 marked under exhibit “93”, mutation proceedings no. 80860 marked under exhibit “94”, mutation proceedings no. 81071 marked under exhibit “95”,* wherein the fake inserted sale deeds are relied upon. The witness, Adv. Cristina Dias has also relied upon the responses by the Office of the Sub-Registrar of Bardez at Mapusa under *exhibit “57”, exhibit “66”, exhibit “67”, exhibit “68”,*

exhibit “69” and exhibit “71” which are relied before this Commission. All these responses given by the Office of the Sub-Registrar of Bardez say that the above referred Deeds of Sale which the victims had applied for certified copies of the same were either responded with a responses such as: **“that documents are suspicious, the day books or the thumb books are not tallying with the contents of the fake and fraudulent sale deeds, or deeds are not available with the Office of the Sub Registrar”**.

It is very shocking to say that even now the registers are still missing from the Office of The Sub-Registrar, Bardez, Mapusa and there are letters issued from the same office to certain land grab victims which serves as proof that the requested registers of the years are missing till date. Kindly refer to **Exhibit no. “67”**.

Later the undersigned advocate also came across more fake deeds of sale of similar nature wherein the pages are not numbered nor mentioned. Also, the plans relied in such deeds of sale are computerised plans which were not available at the time when these deeds were alleged to be executed and registered.

Recently it has also been observed that many deeds of sale were inserted in the Office of the Sub-Registrar where by the properties were sold to Diogo Roberto Rodrigues at the age of 18 years and Mariano Antonio Teles Gonsalves at the age of 23 years, who became related to each other on the basis of their respective marriages with two sisters, namely Branca Cassiana Diniz born on 12/01/1949 and married to Diogo Roberto Rodrigues in the year 1972 and the other sister Paulina Juliana Diniz born on 19/06/1946 and married to Mariano Antonio Teles Gonsalves and as represented by them, they were married to each other on 03/09/1968, all of whom subsequently were the kingpins and the face of the recent land grabbing scam which defrauded innocent local Goans of more than 100 properties known till date. Deeds of Sale 09/04/1956, drawn up at folio 11 to 13 book 576 volume no. 350 referred in Deed of Sale dated 24/03/2022 under registration no. BRZ-1-1315-2022. Attached as annexures 2 The volume and audacity of the entire fraud hereby exposes itself as it can be seen that two unknown men living in different parts of Goa purchased the same property by the same deed of sale much prior to their individual dates of marriage and subsequently many years later they co incidentally both married two sisters whose families were instrumental in defrauding genuine owners of properties as well as grabbing properties in the villages of Badem Assagao, Anjuna, Parra, Calangute, etc. It is very striking that two people could predict the future and plan to marry

two sisters and all of them together with their descendants would commit fraud and land grabbing properties in different parts of Bardez.

2. DEEDS OF SUCCESSION DRAWN BEFORE THE NOTARY EX-OFFICIO SITUATED IN CANACONA

Instrument of Declaration of Heirship/Deed of Succession

Section 346 under Goa Succession, Special Notaries and Inventory proceeding Act (2012):

Clause (1) After the succession opens, and the law does not require that mandatory inventory proceedings be instituted to partition the inheritance, heirship may be proved by a deed of declaration of heirship drawn by the Special Notary.

Clause (2) Three persons and at least one of the interested parties shall have to declare on oath before the Special Notary that the interested party or parties named by them are the only heir or heirs of the deceased. If such deceased person was married, the name of the spouse shall also be disclosed and whether the spouse is surviving or has expired. The interested party shall also declare in the Act whether the value of the inheritance exceeds Rs. 10 lakhs or not shall disclose the names of the spouses of the heirs, if any.

Clause(3) The declarants shall produce the following documents:—

- (a) death certificate of the deceased;
- (b) will or gift deed mortis causa, when the succession is founded on such document;
- (c) document to prove the relationship of the heir or heirs to the deceased;

Clause (4) Where a party is unable to produce a birth certificate, death certificate or a marriage certificate issued by the authorities, the party may produce an order or decree of the court certifying such birth, death or marriage or a certified copy issued by an institution maintaining such records.

Clause (7) If the declarants or the interested party or parties or their attorneys, are found to have knowingly made a false declaration, with regard to the particulars required under sub-section (2), they shall be liable for penal action under section 191 and 199 of the Indian Penal Code (45 of 1860).

It has also been noticed that there are many other properties which the accused persons have fraudulently grabbed under the pretext of sale deeds of the year 1951 & 1996 & other years of 90's based on the Deeds of Succession dated 13th January 2021 & 06th August 2021.

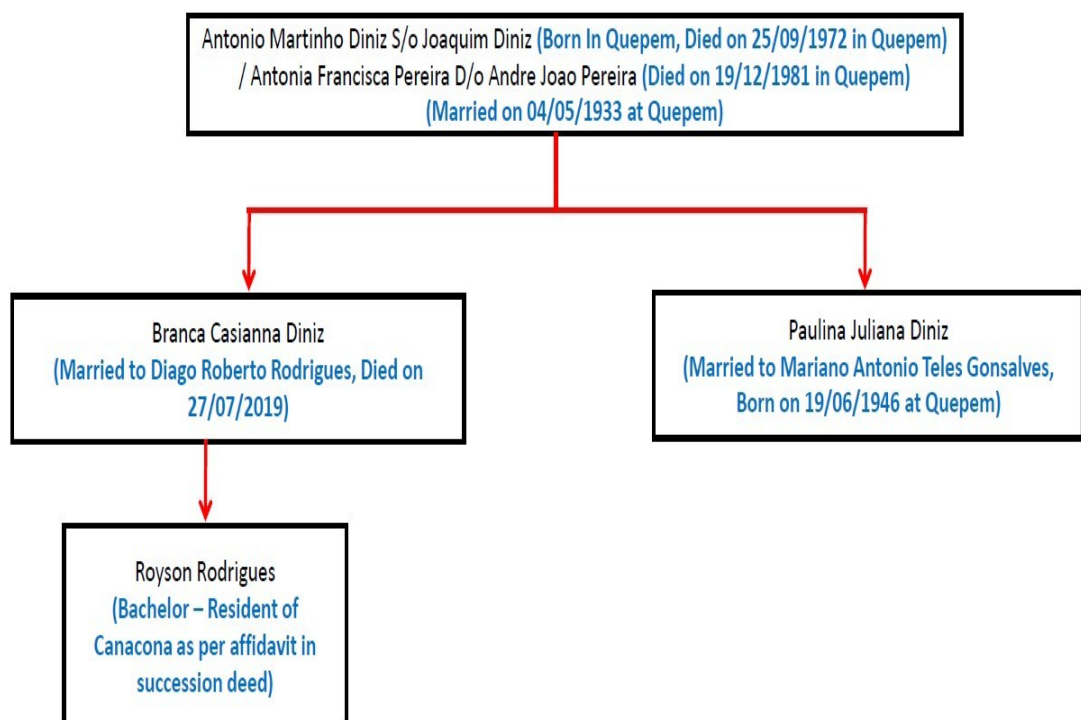
Although the parties & the deceased persons are residents of Bardez & Ponda Taluka, the deeds of succession were drawn in Canacona Taluka. The deeds of succession have to be drawn within the jurisdiction of the demise of the person as stipulated in **The Goa Succession, Special Notaries and Inventory Proceeding Act, 2012.** The fake burial certificate, fake marriage certificates & the fake baptism certificates were relied upon along with affidavits of residence falsely sworn and purposefully the original certificates were not produced with a

malafide intent to defraud the genuine owners of the properties. In the said succession deeds, some of the legal heirs of the alleged deceased were not shown.

It has been observed that one person namely Ronny Rodrigues appeared for bail of the accused person Royson Rodrigues as his brother. This Ronny Rodrigues was not shown as a legal heir in the fraudulent succession deed dated 06th August 2021 wherein the interested party was Royson Rodrigues. The said bail application is relied for the perusal of the Commission at **Exhibit “44”**.

Deed of Succession dated 06th August 2021 drawn at pages 46 to 48, reverse of the notarial book no. 70, executed before Office of the Civil Registrar cum Sub-Registrar and Special Notary Ex-officio Canacona Goa, is apparently drawn on the deaths of Antonio Martinho Diniz and his wife Antonia Francisca Pereira who were supposedly survived by their children Branca Cassiana Diniz who was married Diogo Roberto Rodrigues, Paulina Julianna Diniz married to Mariano Antonio Teles Gonsalves and one grandson namely Royson Rodrigues. **Kindly refer to page no. 809 to 826 of documents relied before this Commission.**

Family Tree under Succession Deed dated 06/08/2021

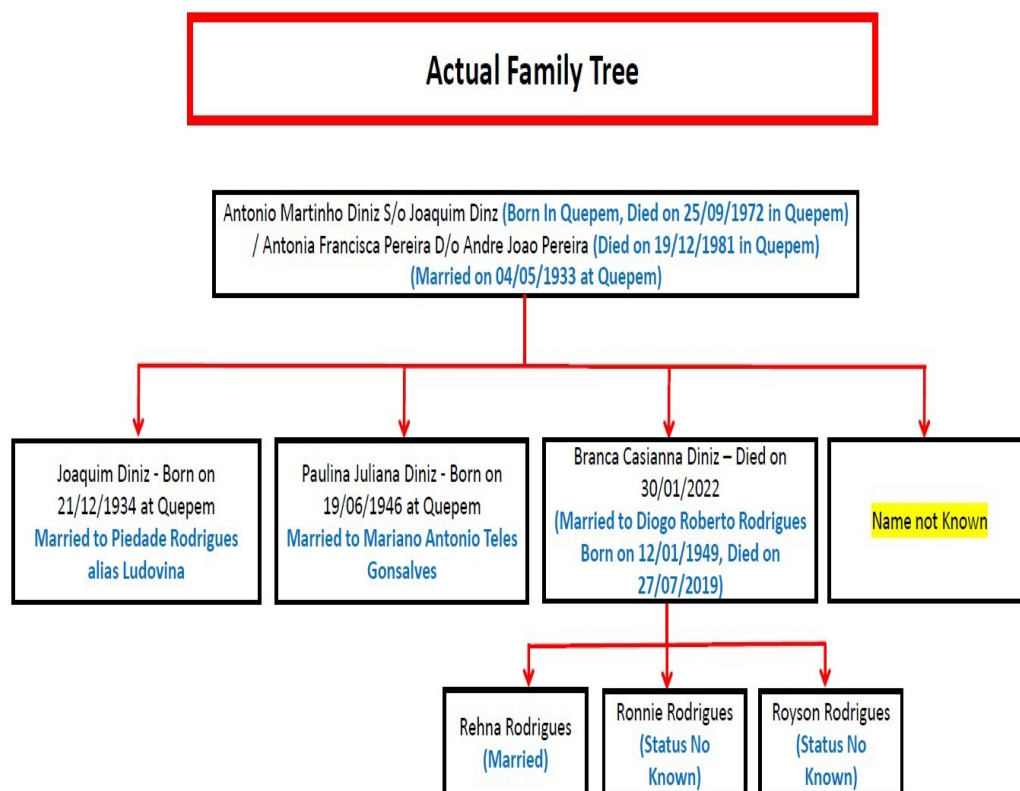


The declarants in the succession deed dated 06th August 2021 declared that Antonio Martinho Diniz and his wife Antonia Francisca Pereira left behind 2 children namely Branca Cassiana Diniz alias Branca Rodrigues and Paulina Juliana Diniz alias Palmira Gonsalves. However they left behind 4 children namely Branca Cassiana Diniz alias Branca Rodrigues, Paulina Juliana Diniz alias Palmira Gonsalves, Joaquim Diniz and the name of the fourth child is not known at the time of filing this complaint.

Declarants in the Succession Deed dated 06th Aug'2021

- 1) Mr. Vilford Simao Patricio Da Costa (S/O Edmundo Severina Da Costa)
Resident of H.No. 206/4,
Peddem,
Mapusa, Goa.
- 2) Mrs. Disney Dias (W/O Lifon DCosta)
Resident of H.No. 123/1, St. Minguel Waddo
Dramapur,
South Goa.
- 3) Mr. Minino Pereira (S/O Manuel Pereira)
Resident of H.No. 91/C
Comba, Cuncolim
Goa.

That in the same succession deed they also declared that Diago Roberto Rodrigues husband of Branca Cassiana Diniz left behind one son namely Royson Rodrigues however Royson Rodrigues has 2 more siblings namely Ronnie Rodrigues. Rehna Rodrigues. The above is informed based on actual certificates issued by churches of the Archdioceses of Goa and Daman copies of which are attached.



Note: Actual Death & Burial Certificate of Antonio Martinho Diniz & Antonia Francisca Pereira state that they are survived by 4 children.

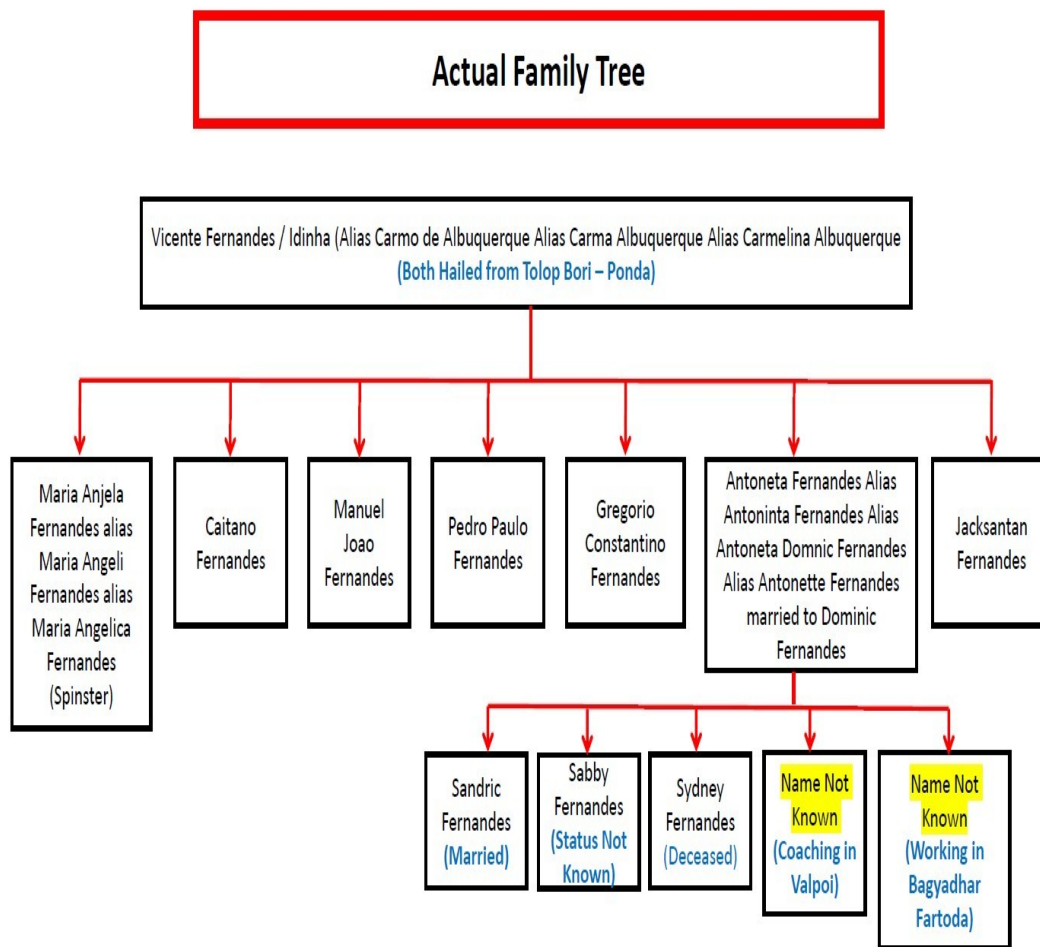
Based on the above mentioned, Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues embarked on bringing to fruition their illegal acts of defrauding & stealing genuine owners of their properties by hatching a criminal conspiracy to forge public documents with a common intention to illegally and unlawfully use as genuine the forged documents to change the mutation entries in the occupants column of the Forms I & XIV of the properties and subsequently sell the properties to prospective and innocent buyers.

On investigating with the Parish Priest of Quepem with regards to the Succession Deed of the ancestors of Branca Cassiana Diniz, it was informed by the Parish Priest of Quepem, that his office has not issued burial and death certificate of Antonio Martinho Diniz and Antonia Francisca Pereira and that these certificates relied in the Succession Deed are fake. The Parish Priest furnished on request the death and burial certificate of Antonio Martinho Diniz and his wife showing that they are survived by four children instead of two children mentioned in the succession deed.

The undersigned also came across the online birth certificate of Joaquim Diniz born in 21/12/1934 son of Antonio Martinho Diniz and Antonia Francisca Pereira at Quepem. Also it is shown in the Succession Deed that Royson Rodrigues is the only son of Branca Cassiana Diniz married to Diogo Roberto Rodrigues.

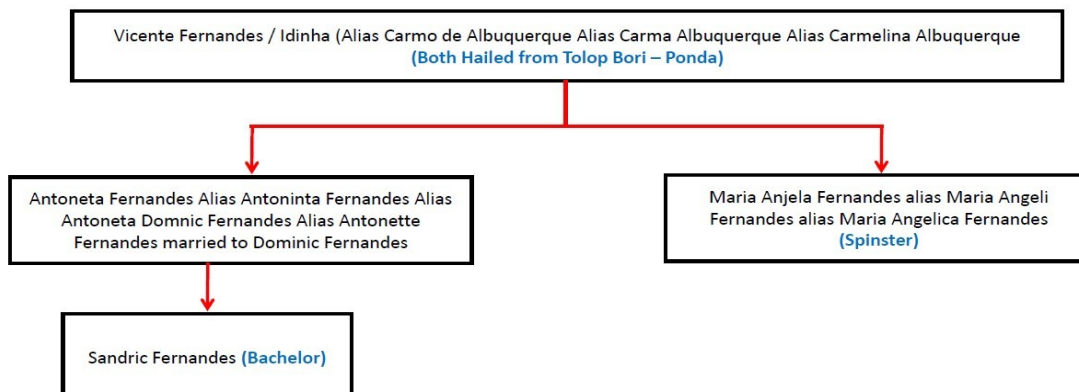
It is also pertinent to note that the jurisdiction of registering the succession deed is at the place where the death occurs. If the death of the person is in Bardez then the succession has to be registered in Bardez. In the case of succession deed dated 06/08/2021, the deceased Antonio Martinho Diniz and Antonia Francisca Pereira died in Taluka of Quepem but the registration of the succession deed is done in Canacona Taluka. None of the deceased person died in Canacona taluka or their successors resided in Canacona taluka and inspite of this the then Sub-Registrar of Canacona in connivance with Royson Rodrigues the fraudster, registered the succession deed in his jurisdiction in Canacona.

With respect to the **Deed of Succession dated 13/01/2021**, the deceased Vincent Fernandes and Carmo de Albuquerque alias Carmelina Albuquerque alias Idinha who expired in Ponda taluka leaving behind seven children namely Maria Anjela Fernandes (fraudster), Caetano Fernandes (fraudster), Manuel Joao Fernandes, Pedro Paulo Fernandes, Gregorio Constancio Fernandes, Antonetta Fernandes (fraudster) and Jack Santan Fernandes but in the abovementioned succession deed only two children namely Maria Anjela Fernandes and Antonetta Fernandes are shown that have been left behind by the said Vincent Fernandes and his spouse Carmo Idinha Fernandes.



In addition the fraudster Antonetta Fernandes’s husband expired in Ponda leaving behind five children but in this deed of succession only one child is shown that is his son Sandric Fernandes who is a fraudster and co accused along with his mother Antonetta Fernandes. This Sandric Fernandes is shown in the succession deed as bachelor wherein he is already married and has a child.

Family Tree under Succession Deed dated 13/01/2021



The succession deed dated 13th January 2021 declared that the husband of Antonetta Fernandes Alias Antoninta Fernandes Alias Antoneta Domnic Fernandes Alias Antonette Fernandes namely Dominic Fernandes died leaving behind his only son Sandric Fernandes however the said Dominic Fernandes died leaving behind 5 children, 3 sons and 2 daughters. The names of the 2 sons are Sabby Fernandes, Sydney Fernandes and the daughter's names are not known. The said Antonetta Fernandes and Sandric Fernandes colluded with the then Sub-Registrar of Canacona and registered a Deed of Succession dated 13/01/2021 within his jurisdiction of Canacona taluka. **Kindly refer to page no. 790 to 808 of**

Declarants in the Succession Deed dated 13th Jan'2021

- 1) Mr. Joaquim Mascaranhas (S/O Anthony Mascaranhas)
Resident of H.No. 370, W No. 30,
Massordam Road, Velus,
Valpoi, North Goa.

- 2) Mrs. Rita Fernandes (W/O Nolasco Mascaranhas, D/O Pedro Fernandes)
Resident of H.No. 370,
Sattari,
Valpoi, North Goa

- 3) Mr. Oliveira M Silveira (S/O Ricardo Silveira)
H. O. 609/2, Karai,
Shiroda, Taluka Ponda,
Goa

(Kindly refer to the deposition of witness no. 4, District Registrar Mr. Hadkonkar at Page 3, line 12 of cross examination, he deposed that **“It is true that the Special Notary Ex-Officio has certain jurisdiction over certain areas and estate leaver dies within that area special notary gets that jurisdiction.”**

Page no. 5 of the deposition of witness no.4, in his cross examination, deposed that:

“ It is true that the succession Deed is drawn after the death of estate leaver and the persons and at least one of the interested party have to declare on oath before the Special Notary that the interested party named by them is the only heir of the deceased. It is true that drawing of the Succession Deed shall be in presence of another two witnesses, who shall put their signature at the end of the writing. witness volunteers that the said two witnesses shall also know that the interested person is the heir of the deceased. The said three persons called as declarants and they are required to declare that the interested party of the parties named by them are the only heirs of the deceased. Those three

declarants are only required to declare before the Special Notary that the interested person/s is/are the legal heir/s of the deceased since all other details such as date, time and place of death are mentioned in the deed. There is no age bar for the said declarant. The witness again say that the said declarant should be a major person.

_Question: Is it necessary for the declarant to personally know the details about the date, time and place of death of the deceased ?

Answer : There is no requirement of personal knowledge about date, time and place of death and the declarants have to declare on oath before the Special Notary, that the interested person name by them is the only legal heir of the deceased.

Question : Whether the burial certificate issued by the church can be accepted in lieu of the death certificate ?

Answer: No.

Question : Whether the marriage certificate issued by the Churches in Goa can be accepted in Deed of Succession?

Answer : No.

Question : What documents are required to prove the relationship of the heirs to the deceased ?

Answer :

Question : In the event of the death of mother and father their marriage certificate, children's birth certificate and their marriage certificates are required. Whether the Baptism certificate issued by the Churches in Goa can be considered as the proof of birth certificate ?

Answer: No.

5 In order to prove the identity of the said witnesses by means of official document, special notary may accept I) voters identity card II) pan card III) multi-purpose national identity card.

Question : Whether the identity certificate and divergence certificate issued by the concerned village panchayat can be accepted in such a proceeding by the special notary ?

Answer : No, however the special notary sometimes in his own discretion accept the same.

Question : Whether the certificate regarding Baptism, marriages and burial issued by the Churches outside the State of Goa can be accepted while drawing the succession deed by the special notary ?

Answer : It can be accepted if endorsed by the bishop and by the public notary.

Question : Whether, irrespective of the residence mentioned in the identity card, interested person's affidavit disclosing some other residence can be accepted ?

Answer : No, however it is again the discretion of Special Notary to accept it.

ESTEVEN DSOUZA SUCCESSION DEED-----Folder no. 21

The Deed of Succession dated 12th January 2012 executed in the Office of the Sub-Registrar of Bardez at Mapusa registered in the Notarial Book of deeds bearing no. 837 at pages 89 to 90. He produced fake marriage certificate the marriage shown to have taken place on 14/06/1945 from St. Lawrence Church, Aggacaim and 22/11/1954 from St. Michael Church, Anjuna. He also produced fake burial certificate showing the date of death as on 28/01/1974. The Church of St. Lawrence Aggacaim issued a letter on 11/06/2022 that both the certificates abovementioned are fake and not issued by the church (kindly refer to page 14 of folder no. 21). The St. Michael's Church also issued letter dated 14/06/2022 kindly refer page no. 13 of folder no. 21.

It is obvious from the facts stated above and evidence shown that the fraudsters had made use of some of their family members namely ascendants both dead and alive in order to create fake succession documents to facilitate the further fake sale deeds and mutations which would bring into fruition the entire fraud of the land scam to create evidence that they are the actual owners of the property.

In addition they have made further false & forged documents to show that they are the only living successors of their ancestors by leaving out other heirs and ascendants and clearly ignoring their existence thereby rendering the entire deeds of succession null and void in the eyes of the law. The declarants in the Succession Deed dated 06/08/2021 are also the declarants in the Succession Deed dated 13/01/2021 have falsely declared that the legal heirs mentioned in the succession deeds are the only legal heirs hiding the fact that there are other legal heirs thereby committing an Act of Perjury u/s 193 of Indian Penal Code 1860 and section 346 of Goa Succession and Notaries Act, Clause (7) states that if the declarants or the interested party or parties or their attorneys, are found to have knowingly made a false declaration, with regard to the particulars required under sub-section (2), they shall be liable for penal action under section 191 and 199 of the Indian Penal Code (45 of 1860).

The Deed of Succession dated 19/01/2010 (in folder no. 17), The Deed of Succession dated 12/01/2012 (in folder no. 21), The Deed of Succession dated 06/08/2021 (in folder no.3, 4, 5, 6, 10, 31 and 33) and The Deed of Succession dated 13/01/2021 (in folder no. 7, 8, 25 and 27). This goes a long way to prove that all transactions and documentation made by the fraudsters at every stage are fake, false, forged, fraudulent, punishable under law and with no legal standing whatsoever.

(IV) OFFICE OF THE MAMLATDAR OF BARDEZ---MUTATION PROCEEDINGS;

The illegal mutations were done on the basis of the following fake, fraudulent & forged deeds of sale said to have been obtained from the Civil Registrar –cum- Sub Registrar, Mapusa and from the Department of Archives by the accused persons. These mutation proceeding documents have been obtained under RTI act and the evident fraudulent acts observed as noted below and which have also been highlighted in various complaints and also The State Registrar Cum Head of Notary Services, Panjim.

(I) Mutation case no 80891, survey no 39/6 of village Assagao-----Folder no. 32 (also exhibited in examination of chief of Adv. Cristina Dias and marked at exhibit “91”)

(a) Application for mutation filed on 7th March 2022 by Branca Cassiana Diniz alias Branca Rodrigues,

Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues for deletion of the names of Klement D’ Souza, Novies D’ Souza, Francisco D’ Souza and Anacleto Vincent Monteiro.

(b) Form X issued on 8th Mar’2022.

(c) Public Notices issued on 17th Mar’2022.

(d) Notices under Form X posted to parties on 19th Mar’2022 to improper addresses.

(e) Affidavit to waive off service done on 1st Mar’2022 before filing the application.

(f) Translation of the deed of sale of the year is not in consonance with the original deed of sale. Kindly see the translation of the deed dated 26/11/1951 exhibited at “48”, which is correct translation of the fake deed of sale at exhibit “25” dated 26/11/1951. There is vast difference in the translation done for the mutation proceedings for the said deed dated 26/11/1951 in Exhibit “91” and “92”. It is noticed that the same deed of sale dated 26/11/1951 has been translated by two different translators and both the translators have added more properties in their translation which are not in the fake Portuguese Deed of Sale dated 26/11/1951 relied in the two different mutations.

(g) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan’2022.

(h) A Deed of Sale dated 30th Mar'2022 was executed between Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues fraudulently sold the property bearing survey no. 39/6 of village Assagao to Lenchu K James, Anand Manohar Mandrekar, Rita Fernandes Alias Rita Mascarenhas and Joaquim Anthony Mascarenhas and this deed was registered at the office of the Sub-Registrar of Bardez at Mapusa under document Reg#BRZ-1-1438-2022 on 30th Mar'2022. The fraudulent vendors above named falsely claimed rights by virtue of deed of sale and discharge of price on 26th Nov'1951 to Antonio Diniz and further falsely stated that the said property was inherited by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues by virtue of a deed of Succession dated 06th Aug'2021.

(i) The mutation proceedings have been objected to and the proceedings have been subsequently dismissed vide order dated 08/006/2022. It is pertinent to note that the action of dismissal from the Office of the Mamlatdar came only after a formal complaint had been filed before The Office of the District Collector, North Goa regarding the connivance to the scam. Letter Exhibit "87"

Anomalies in procedures

- (i) The Form X is posted on 19th Mar'2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 17th Mar'2022
- (ii) The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.
- (iii) There is no copy of the newspaper on file on which the public notice is supposedly to have been posted.
- (iv) There is no copy of the order certifying the mutation.
- (v) There is no application for Substitute Service

(II) Mutation case no 80977, survey no 493/3 of village Anjuna -----Folder no. 10

(a) Application for mutation filed on 7th Mar'2022 by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues for deletion

of the names of Esperanca Oliveira, Maria Jullietta Oliver & Maria Sonya Oliver.

(b) Form X issued on 9th Mar'2022.

(c) Public Notice for Substitute Service issued on 11th Mar'2022. Notices published in the Goa Times on 13th Mar'2022

(d) Notices under Form X posted to parties on 22ndMar'2022 to improper addresses.

(e) Affidavit to waive off substitute service done on 11thMar'2022 along with Affidavit dated 07th Mar'2022 (Partially signed) together with false affidavit dated 03rd Mar'2022 that the present occupants were dead.

(f) Translation of the deed of sale of the year is not in consonance with the original deed of sale.

(g) Names of the original occupants namely Esperanca Oliveira, Maria Jullietta Oliver & Maria Sonya Oliver and the names of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues inserted fraudulently.

(h) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022.

(i) A Review application had been filed as the mutation proceedings were completed with the names of the accused reflecting on the Form I&XIV. It is pertinent to note that the action of dismissal of the mutation proceedings after review from the Office of the Mamlatdar came only after a formal complaint had been filed before The Office of the District Collector, North Goa regarding the connivance to the scam. Letter Exhibit "87". Only after rigorous follow ups of the Review application & bringing to light the brazen procedural lapses to connive with the fraudsters the then Mamlatdar actioned the dismissal under sheer pressure.

Anomalies in procedures

(i) The Form X is posted on 22ndMar'2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 11th Mar'2022

(ii) The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.

(iii) There is no copy of the order certifying the mutation.

(iv) Application for Substitute Service signed by only one of the four parties. Affidavit accompanying application for Substitute Service signed by only one of the four parties.

(v) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupant's column on 18th Apr'2022, at 3 months after her death.

III. Mutation case no 80976, survey no 493/2 of village Anjuna -----Folder no. 31 (also exhibited in examination of chief of Adv. Cristina Dias and marked at exhibit "97")

(a) Application for mutation filed on 7th Mar'2022 by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues for deletion of the names of Xavier Rozario Pereira.

(b) Form X issued on 7th Mar'2022.

(c) Public Notice for Substitute Service issued on 11th Mar'2022. Notices published in the Goa Times on 13th Mar'2022

(d) Notices under Form X posted to parties on 19th Mar'2022 to improper addresses.

(e) Affidavit to waive off substitute service done on 07th Mar'2022 along with Affidavit dated 07th Mar'2022 (Partially signed) together with false affidavit dated 03rd Mar'2022 that the present occupants were dead.

(f) Translation of the deed of sale of the year is not in consonance with the original deed of sale.

(g) Names of the original occupants namely Xavier Pereira and the names of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues inserted fraudulently.

(h) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022.

Anomalies in procedures

(i) The Form X is posted on 19th Mar'2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 11th Mar'2022

(ii) The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.

(iii) There is no copy of the order certifying the mutation.

(iv) Application for Substitute Service signed by only one of the four parties. Affidavit accompanying application for Substitute Service signed by only one of the four parties.

(v) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupants column on 18th Apr'2022, at 3 months after her death.

**IV. Mutation case no 80828, survey no 18/12 of village Assagao -----
rejected since Objection filed**

(a) Application for mutation filed on 16thFeb'2022 by Lenchu K James for deletion of the name of Maikal Soja with the Consent & No Objection of Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues.

(b) Form X issued on 16th Feb'2022.

(c) Public Notice for Substitute Service issued on 21st Feb'2022. Notices published in the Goa Times subsequently.

(d) Notices under Form X posted to parties on 01stMar'2022 to improper addresses.

(e) Affidavit to waive off substitute service done on some 18th Day of 2022.

(f) Affidavit filed by Royson Rodrigues falsely swearing on oath that the rights to the property was acquired from one Maikel Souza by Antonio Diniz and on the death of the said Antonio Diniz the property came to be owned by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues.

(h) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022.

(i) A Deed of Sale dated 18th Jan'2022 was executed between Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues fraudulently sold the property bearing survey no. 18/12 of village Assagao to one Mr. Lenchu K James and this deed was registered at the office of the Sub-Registrar of Bardez at Mapusa under document Reg#BRZ-1-299-2022 on 21st Jan'2022 wherein it has been falsely stated that the occupant / owner of the property Maikal Soja sold the property by virtue of deed of sale

and discharge of price on 02nd Aug'1951 to Antonio Diniz and the said property was inherited by Branca Cassiana Diniz alias Branca Rodrigues, Mrs. Paulina Juliana Diniz alias Palmira Gonsalves, Mr. Mariano Antonio Teles Gonsalves and Mr. Royson Rodrigues by virtue of a deed of Succession dated 06th Aug'2021. Based on the above mentioned fraudulent documents, the above mentioned property was sold to Lenchu K James by the above mentioned deed of sale dated 18th January 2022.

Anomalies in procedures

- (i) The Form X is posted on 01st Mar'2022 to the occupants of the Form I&XIV which has been done after the issuance of the public notice on 21st Feb'2022
- (ii) The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file.
- (iii) Objections filed by interested parties & certification kept on hold and an order for a public notice to be issued passed on 18th Feb'2022.
- (iv) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupant's column on 18th Apr'2022, at 3 months after her death.

V. Mutation case no. 80862, survey no. 53/4 of Assagao village -----Review filed and complaint filed in SIT pending

- a) Application for mutation filed on 18th February 2022 by Antoneta Dominic Fernandes for deletion of the names of Inas D'Souza and Cipriyas D'Souza.
- b) Form X issued on 18/02/2022 itself.
- c) Application for substitute service for Publication made by Antoneta Dominic Fernandes on 21/02/2022 accompanied by an Affidavit dated 19/02/2022 stated that the notices in form X which were served by Registered A/D post were returned unserved by postal remark "Party expired/party left/addresses not known /address out of station."
- d) Public Notice dated 21/02/2022 issued in local newspaper Goan
- e) Notices under Form X posted to parties by registered post A/D on unknown date by the applicant namely Antoneta Dominic Fernandes to herself.
- f) There is nothing on record to show that the registered letters were sent to the persons whose names figured on the form I&XIV nor there is any record

to show that the notices were posted from the Office of the Mamlatdar of Bardez neither there are any details of the postal receipts.

g) The mutation proceedings have been concluded.

Anomalies in procedures

- i. The Form X posted to parties by registered post A/D was posted by the applicant Antoneta Dominic Fernandes to herself.
- ii. There are no records of postal receipts to prove as to when they were posted and there are no returned envelopes or A/D slips on file.
- iii. There is no copy of the order certifying the mutation.
- iv. Application for substituted service made on the next day after application for mutation was filed.

VI. Mutation case no. 80861, survey no. 51/1 of village Assagao -----objected and complaint filed in SIT pending

a) Application for mutation filed on 18th February 2022 by Antoneta Dominic Fernandes for deletion of the names of Inas D'Souza and Cipriyas D'Souza.

b) Form X issued on 18/02/2022.

c) Application for substitute service for Publication made by Antoneta Dominic Fernandes on 21/02/2022 accompanied by an Affidavit dated 17/02/2022 stated that the notices in form X which were served by Registered A/D post were returned unserved by postal remark "Party expired/party left/addresses not known /address out of station."

d) Public Notice dated 21/02/2022 issued in local newspaper Times of India published on 23/02/2022.

e) Notices under Form X posted to parties by registered post A/D on unknown date by the applicant namely Antoneta Dominic Fernandes to herself.

f. There is nothing on record to show that the registered letters were sent to the persons whose names figured on the form I&XIV nor there is any record to show that the notices were posted from the Office of the Mamlatdar of Bardez neither there are any details of the postal receipts.

g. Objection filed by Anthony Cardozo on 03/03/2022 and as such the mutation proceedings have not been completed.

Anomalies in procedures

- i. The Form X posted to parties by registered post A/D was posted by the applicant Antoneta Dominic Fernandes to herself.

ii. There are no records of postal receipts to prove as to when they were posted and there are no returned envelopes or A/D slips on file.

iii. Application for substituted service made on 17/02/2022 before the application for mutation was filed.

**VII. Mutation case no 80860, survey no. 43/2_of Assagao Village -----
Review filed and complaint filed in SIT pending (also exhibited in
examination of chief of Adv. Cristina Dias and marked at exhibit “94”)**

a) Application for mutation filed on 18/02/2022 by Antoneta Dominic Fernandes for deletion of the names of Aliza Beth D’Souza.

b) Form X issued on 18/02/2022.

c) Public Notice for Substitute Service issued on 21/02/2022. No record on which the said notice was published in a local newspaper.

d) Notices under Form X posted to parties on 01/03/2022 to improper addresses.

e) Application for substitute service for Publication made by Antoneta Dominic Fernandes on an unknown date accompanied by an Affidavit dated 19/02/2022 stated that the notices in form X which were served by Registered A/D post were returned unserved by postal remark “Party expired/party left/addresses not known /address out of station.”

f) Public Notice dated 21/02/2022. Nothing on record to show that it was actually published in a local newspaper.

g) Notices under Form X posted to parties by registered post A/D on unknown date by the applicant namely Antoneta Dominic Fernandes to herself.

h) There is nothing on record to show that the registered letters were sent to the persons whose names figured on the form I&XIV nor there is any record to show that the notices were posted from the Office of the Mamlatdar of Bardez neither there are any details of the postal receipts.

i) Mutation proceedings were completed.

Anomalies in procedures

i) The Form X posted to parties by registered post A/D was posted by the applicant Antoneta Domnic Fernandes to herself.

ii) There are no records of postal receipts to prove as to when they were posted and there are no returned envelopes or A/D slips on file.

iii) Application for substituted service made on 17/02/2022 before the application for mutation was filed.

VIII) Mutation case no 80941, survey no. 43/4 of village Assagao -----Review filed and complaint filed in SIT pending

- a) Application for mutation filed on 03/03/2022 by Branca Cassiana Diniz alias Branca Rodrigues and Mr. Royson Rodrigues for deletion of the names of Edalina D'Souza Rodrigues.
- b) Form X issued on 03/03/2022.
- c) Application for substitute service for Publication made by Branca Cassiana Diniz alias Branca Rodrigues and Royson Rordrigues on 07/03/2022 accompanied by an Affidavit dated 03/03/2022 and the public notice was issued dated 07/03/2022. Copy of newspaper provided but no details of the date of publication.
- d) Notices in form X which were served by Registered A/D posted on 16/03/2022 to Antonio N Diniz, Paulina Diniz at Cuncolim and Patriciano V and Antonio Pereira to Mapusa.
- e) Affidavit to waive off substitute service done on 17/02/2022.
- f) Affidavit filed by Royson Rodrigues falsely swearing on oath that the rights to the property was acquired from Edalina Rodrigues, Patricinio Victor D'Souza and Ida Martin e D'Souza.
- g) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 more than a month before the application was filed.

Anomalies in procedures

- i) The Form X is issued on 03/03/2022 and posted on 16/03/2022 and notice for substituted service was done on 07/03/2022.
- ii) The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file and some notices were sent to the parties themselves.
- iii) Affidavit for substituted services was filed much before the application was filed.
- iv) It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupant's column after her death.-

IX. Mutation case no 80912, survey no. 44/2 of village Assagao-----Folder no.

a) Application for mutation filed on 28/02/2022 by Branca Cassiana Diniz alias Branca Rodrigues and Mr. Royson Rodrigues for deletion of the names of Maria Joaqueina Carwalho.

b. Form X issued on 01/03/2022.

c. Application for substitute service for Publication made by Branca Cassiana Diniz alias Branca Rodrigues and Royson Rordigues on 01/03/2022 accompanied by an Affidavit dated 17/02/2022 and the public notice was issued dated 02/03/2022. No copy of newspaper provided.

d. Notices in form X which were served by Registered A/D posted on improper address.

e. Affidavit to waive off substitute service done on 01/03/2022. This affidavit has been signed by Branca Cassiana Diniz alias Branca Rodrigues and Royson Rodrigues and duly notarized on 01/03/2022. It is important to note Branca Cassiana Diniz alias Branca Rodrigues died on 30/01/2022.

f. Affidavit filed by Royson Rodrigues falsely swearing on oath that the rights to the property was acquired from Maria Joaqueina Carwalho.

g. It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 about a month before the application was filed.

Anomalies in procedures

i. The Form X is issued on 01/03/2022 no legible date as to when it was posted.

ii. The Form X has been posted to unknown addresses and there are no returned envelopes or A/D slips on file and some notices were sent to the parties themselves. iii. Affidavit for substituted services signed by dead person and duly notarized.

iv. It is pertinent to note that Branca Cassiana Diniz alias Branca Rodrigues had died on 30th Jan'2022 and her name was included in the occupant's column after her death.

It is also pertinent to note that the mutations have been carried out very recently in the years spanning late 2020 to early 2022 on the basis of deeds of sale pertaining to fake sale deeds falsely represented to be genuine, purported to have been executed during the Portuguese era that is from 1934 to 1961 together with false, fraudulent and invalid deeds of succession executed in the Office of the Notary Ex Officio at Canacona, Ponda and Quepem.

In view of the above one cannot help but ask the following obvious questions:

Qa. Why were the name of the ancestors of the fraudsters not included in the survey cadastral records of the erstwhile Portuguese regime and why do their names not reflect in the various survey records maintained by the Portuguese regime namely Registo de Agrimensor, Auto de Demarcacao and other records. In all cases the names of the original owners or their ancestor's till date reflect in these records.

Qb. A new survey was conducted by the Government of Goa as per the provisions of the Land Revenue Code 1962 and the survey continued for many years until final promulgation of the survey records which were finalised between the years 1975 to 1985. The glaring question that can be asked is as to why the names of the fraudsters or their ancestors did not appear or were not included in the survey records and why were the fraudsters who are claiming ownership of the properties from the year 1930 onwards slept over their rights and allowed the properties to be in possession, ownership of original owners.

Qc. How come the fraudsters and their ancestors were known to be coming from simple background being agricultural labourers, fisherman, potters, toddy tappers etc and other simple occupation be in a position to travel from extreme South of Goa and extreme North of Goa walking across mountains and swimming crossing across rivers, in the years 1930 to 1950's at a time roads and public transport was non existing at that time and buy huge chunks of lands, residential houses, coconut plantations, properties and immediately abandon the same to be only discovered by their grand-children and great grand-children with absolutely no evidence of original documents.

Qd. It is a very known fact among all Legal Practitioner's that deed of sale, gifts and any other transactions of immovable property executed in the Portuguese era (before 1961) showed the name of the property and description of the property and subsequently the notary (Tabeliao) would refer this deed to the Land Registration Office who would in turn inscribe the property in their record under specific corresponding inscription number and additionally would describe the property namely the boundaries such as North, South, East and West and allot a specific number known as description number to the property hereby transacted. The system never included the area of the property and cadastral numbers were never included and mentioned in Portuguese deeds. A clarification of the same can be obtained from the Department of Archives or any other senior lawyer practicing in Goa. It is pertinent to note that the deeds of sale prepared and

inserted by the fraudsters included cadastral numbers to identify the properties, which is evidence of the same that the deeds are fake.

Qe. The Portuguese regime had commenced preparing a survey for Goa and conducted and finalised plans in certain villages and the same was abruptly discontinued in December 1961. The Land Survey Department was in no way connected with the notary offices nor the land registration offices and have no barring on transactions of properties. It was only in the years 1970's onwards that legal practitioners started including new survey numbers allotted by the Government of Goa into deeds of sale as a system of drafting and registration of deeds of sale had changed from the system used in the erstwhile Portuguese regime to a new system as followed in other parts of India. The fraudsters have tried to make a confusion between these two systems and have ended up exposing themselves and the fraud, forgery and criminal acts committed by them.

Qf. In two deeds of sale namely deed dated 26th November 1951 and 04th December 1951, it is seen that various properties from different villages belonging to owners unrelated and unconnected to each other were conveyed by a single deed of sale by a single power of attorney holder. The fraudsters have not placed on record a copy of the power of attorney or powers of attorney given by different persons to this person. In addition, it was never the case that various owners sold properties to different people in one single deed of sale.

Qg. The fraudsters have also neither shown nor placed on record copies of the inscription and description allotted to each property during the transaction and as such have once again exposed themselves and confirmed that the inserted deeds are fake and fraudulent.

Qh. The ancestors of the accused namely Antonia Francisca Pereira who was shown in the fake and fraudulent deeds to have purchased the properties is somewhere shown as resident of Assagao and in some places resident of Anjuna with no proper house number, address, location been given. In the Deed of Sale dated 26/11/1951 at page 30 at **Exhibit "48"**, the ancestor of the accused BrancaCassiana Diniz (mother namely Antonia Francisca Pereira) is shown to be resident of Assagao whereas in the Deed of Sale dated 02/08/1951 at page 408 at **Exhibit "96"** collectively, her father Antonio Martinho Diniz is shown to be resident of Siolim, which are two different villages.

Qi. Why mutations of sale deeds purported to be executed between the years 1961 to 1990's is been mutated by the fraudsters as on today in the years late 2021 to the middle of year 2022. The Mamlatdar of Bardez Rahul

Chandrakant Dessai who otherwise did not look after the mutations of the villages involved with the land scam subsequently was instrumental in processing and certifying most of the mutation cases at breakneck speed by flaunting all the rules, procedures and norms in place and it appears that he deliberately did not apply his mind and proactively ask the following eminent questions, As to how a large number of mutations were being done in the name of Royson Rodrigues, Branca Cassiana Diniz, Paulina Juliana Diniz, Mariano Martinho Teles Gonsalves, Sandric Fernandes, Antonetta Fernandes and Maria Anjelica Fernandes, especially when the applicants relied on very old notarial Portuguese Era sale deeds in the year 1930's thru 1960's and deeds of sale registered in the year 1992 thru 1996.

Qj. It is very strange that Mamlatdar of Bardez did not ask the questions during the course of his discharge of his quasi-judicial powers as to why the applicants whose ancestors who allegedly purchased huge amounts of properties in year 1930's onwards did not mutate the properties in the survey records maintained by the Portuguese regime nor did they mutate their names after the Land Revenue Code came into force nor did they object to any of the mutations done by the original land owners of the survey of Portuguese Regime and the new survey under the Land Revenue Code in the year 1974 to 1975.

Qk. How did the mamlatdar did not realise that so many mutation proceedings have been filed by the same fraudsters namely the above during the period of August 2021 and March 2022.

Qm. Why did serious issue not raise suspicions of the mamlatdar Rahul Dessai to certify the mutation proceedings within a period of two months. This shows that the mamlatdar Rahul Dessai was in collusion to ignore the set of documentations filed by the fraudsters and proceed the mutation in hasty manner for a vested interest or for reasons best known to him.

That there is a criminal conspiracy of Land grabbing hatched by the accused persons/conspirators as mentioned below in connivance with the staff of **“The Directorate of Archives & Archaeology”, Panjim, Goa AND the staff of “Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio”, Bardez, Goa AND the staff of “Office of the Mamlatdar”, Bardez, Goa,** depriving & cheating the rightful legal heirs from enjoying their legal rights of their properties by creating documents such as forged sale deeds and notarial deeds, fake signatures and then conduct legal and monetary transactions of the properties using those fake & forged documents.

Mutation Expedited Days - Land Grab Properties							
Village	Survey No	Mutation No	Mutation Days	FIR / Crime No.	3rd Party Sale Deed Registration Number	Area in Sq Mtr	3rd Party Sale Deed Amount under Consideration (Rs.)
Anjuna	103/1	77781 77674 78244	26	05/2022 - Mapusa		3,325	-
	14/11	79686	1		BRZ-1-1406-2022	2,025	8,201,300
	209/2	65143	1			1,550	-
	215/6	77241	21		BRZ-1-3127-2021	6,775	44,037,500
	225/3	78254	31		BRZ-1-2667-2021	1,150	7,475,000
	246/2	65577	1			2,025	-
	281/1	57536	1			475	-
	289/1	73868	1	61/2022 - Crime Br.	BRZ-1-2195-2020	6,525	45,675,000
	295/1	49313	28			3,950	-
	346/2	69512	1		BRZ-1-1183-2019 BRZ-1-2743-2019	1,050	5,500,000
	356/5	78547	41		BRZ-1-3255-2021	2,925	19,012,500
	403/1	45697	55			1,125	-
	423/1	80645	43	292/2020 - Mapusa	BRZ-1-4241-2021	2,850	23,000,000
	426/14	73699	30			775	-
	426/15	79556	11		BRZ-1-2171-2020	875	7,200,000
	426/17	79174	48		BRZ-1-3699-2021	1,050	14,100,000
	426/19	74012 72507	1		BRZ-1-2149-2020	425	3,400,000
	426/20	74011	1		BRZ-1-2165-2020	450	3,600,000
	426/5	71939	1	149/2022 - Mapusa	BRZ-1-188-2020	3,550	17,750,000
	428/18	73079	1		BRZ-1-1571-2020	1,975	11,000,000
	444/8	68473	1		BRZ-1-183-2019	2,450	-
	486/4	80979	36			1,175	-
	493/2	80976	36	58/2022 - Crime Br.		950	-
	494/4	80973	22			2,450	-
	508/1	80563	3		BRZ-1-1768-2019 BRZ-1-4648-2021	16,300	230,000,000
	540/13	64704 82344	2		BRZ-1-2216-2022	2,375	110,000,000
	Anjuna Total						70,550
Assagao	124/1	80879	49		BRZ-1-2128-2022	2,125	14,875,000
	160/2	81642 82078	1		BRZ-1-1323-2022	1,925	13,475,000
	163/18	68147	1			1,750	-
	194/1	79685	37			1,450	-
	201/3	80867	22		BRZ-1-300-2022	1,075	7,525,000
	202/3	80829	27		BRZ-1-301-2022	800	5,600,000
	206/13	79739	5	124/2022 - Mapusa	BRZ-1-3434-2019 BRZ-1-954-2021 BRZ-1-2011-2021	925	4,600,000
	223/8	75200	1	139/2022 - Mapusa	BRZ-1-32-2021 BRZ-1-29-2021	625	3,875,000
	33/1	80886	1	65/2022 - Crime Br.	BRZ-1-59-2022 BRZ-1-529-2021	1,450	15,000,000

Continued chart

Mutation Expedited Days - Land Grab Properties							
Village	Survey No	Mutation No	Mutation Days	FIR / Crime No.	3rd Party Sale Deed Registration Number	Area in Sq Mtr	3rd Party Sale Deed Amount under Consideration (Rs.)
Assagao	33/3	78593	1	54/2022 - Crime Br.	BRZ-1-2429-2021 BRZ-1-272-2021	1,425	11,200,000
Assagao Total						13,550	76,150,000
Badem	19/7	43845	42			600	-
	40/2	78748	27		BRZ-1-1797-2022	2,550	17,850,000
	43/2	80860	26			900	-
	43/4	80941	26			3,050	-
	44/1	65690	2			5,150	-
	44/2	80912	29	76/2022 - Crime Br.		2,450	-
	47/1	80913	24	75/2022 - Crime Br.		5,900	-
	53/4	80862	22			850	-
	78/2	79705	44	147/2022 - Mapusa		18,500	-
Badem Total						39,950	17,850,000
Calangute	25/3	80964	25			1,325	-
	26/4	74762	1		BRZ-1-1726-2020 BRZ-1-2288-2020 BRZ-1-3308-2020	2,325	16,500,000
	26/9	77736	8			2,775	19,524,000
	476/11	80963	25			6,625	-
Calangute Total						13,050	36,024,000
Nerul	63/6	78353	30	42/2022 - Mapusa	BRZ-1-1285-2021	2,750	17,900,000
Nerul Total						2,750	17,900,000
Parra	17/8	81236	1		BRZ-1-1303-2021	1,550	6,200,000
	28/8	80802	2		BRZ-1-4701-2021	1,450	7,400,000
	37/3	80914	24			3,125	-
	37/6	80942	26			1,850	-
	43/2	24747	27			900	-
	43/3	58703	26		BRZ-BK1- 02194-2016	325	-
Parra Total						9,200	13,600,000
Arpora	30/5	69154	1	294/2020 - Mapusa		1,200	-
	30/6	69153	1	294/2020 - Mapusa		100	-
	30/7	68284	20	294/2020 - Mapusa		3,700	-
Arpora Total						5,000	-
Grand Total						154,050	711,475,300

MODUS OPERANDI: -

That the accused persons/offenders/conspirators initially identified properties that are vacant properties or dilapidated ancestral properties or properties occupied by elderly/senior citizens or property owners having common Goan names e.g. Fernandes, Rodrigues, D'Souza etc. or huge properties of interest with immense monetary sale values.

*That the accused persons/offenders/conspirators obtained ownership/title information of the identified properties from various sources i.e. locals & governmental offices, hardcopies & electronic copies however not limited to Websites of Government Departments
Manual / Computerized Form I&XIV
Form IX
Form III
Registo de Agrimensor
Birth Certificates
Death & Burial Certificates*

That the accused persons/offenders/conspirators thereafter prepared Portuguese language calligraphy written fake & forged notarial deeds of sale showing the ancestors of the accused and the accused as having purchased properties supposedly drawn/registered in the office of the notaries (Tabeliao) who practiced during the Portuguese era and thereafter in connivance with the staff of The Directorate of Archives & Archaeology, Panaji, Goa inserted these forged deeds of sale in the records/books of The Directorate of Archives & Archaeology, Panaji, Goa. .

Additionally the accused persons/offenders/conspirators thereafter prepared fake & forged deeds of sale with blood relatives or ancestors of the accused supposedly to have been registered post the Portuguese era (spanning the years 1967 to 1996) and thereafter in connivance with the staff of The Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez, Goa and other offices of the Sub-Registrar inserted these forged deeds of sale in the records of The Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez, Goa.

The accused persons/offenders/conspirators subsequently obtained certified copies of the inserted fake & forged Portuguese notarial deeds of sale from The Directorate of Archives & Archaeology in order to subsequently rely on the same as an authenticated document and from The Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez, in order to subsequently rely on the same as an authenticated document.

That the accused persons / offenders / conspirators subsequently obtained English translations of the certified copies of the inserted fake & forged Portuguese notarial deeds of sale that were obtained from The Directorate of Archives & Archaeology in order to subsequently rely on the same.

That the accused persons /offenders/conspirators prepared a Deed of Succession dated 06th Aug'2021 drawn at pages 46 to 48, reverse of the notarial book no. 70 executed before office of the Civil Registrar cum Sub-Registrar and Special Notary Ex-officio, Canacona, Goa. This deed of succession is apparently drawn on the deaths of the blood relatives / ancestors of the accused affecting the properties based on the fake & forged notarial deeds of sale, registered during the Portuguese era and inserted in the records of The Directorate of Archives & Archaeology.

That the accused persons / offenders / conspirators prepared a Deed of Succession dated 13th Jan'2021 drawn at pages 71 to 73, reverse of the notarial

book no. 67 executed before office of the Civil Registrar cum Sub-Registrar and Special Notary Ex-officio, Canacona, Goa. This deed of succession is apparently drawn on the deaths of the blood relatives / ancestors of the accused affecting the properties based on the fake & forged deeds of sale, registered post the Portuguese era and inserted in the records of The Office of the Civil Registrar – cum- Sub-Registrar and Notary Ex-officio”, Bardez, Goa.

That the accused persons / offenders / conspirators also created these fraudulent Deeds of Succession based of forged Birth / fake burial certificates supposedly issued by the church/ fake marriage certificates supposedly issued by the church/death certificates executed before office of the Civil Registrar cum Sub-Registrar impersonating to be legal heirs of the actual owners. Further on basis of the Deed of Succession the accused persons fraudulently represented that they had inherited all the property rights in their names and subsequently transferred/sold the property to **fictitious/benami purchasers** and genuine buyers.

That the accused persons/offenders/conspirators subsequently filed applications for mutation before the Office of the Mamlatdar, Bardez-Goa for mutating the survey records by relying on the fake & forged Portuguese notorial deeds of sale fraudulently obtained from the Directorate of Archives, copies of fraudulent deeds of sale inserted in the Office of the Sub-Registrar of Bardez at Mapusa along with the English translations, copies of fraudulent Deeds of Succession dated 06/08/2021 and 13/08/2021 for inclusion of their names in the form I&XIV and through the same mutation proceedings, applied for deletion of the names of the original owners from the revenue records.

That the accused persons / offenders / conspirators within the mutation process / completion of the mutation process managed to register the first deed of sale to transfer the property in the name of a **fictitious/benami buyer (accused)**. Subsequently a 2nd mutation is initiated after registration of the first deed of sale to enlist the names of the fictitious buyer (accused) for inclusion of their names in the Form I&XIV.

That the accused persons / offenders / conspirators thereafter used to lure a genuine prospective buyer for the sale of the said properties.

ACCUSED AND SUSPECTED CONSPIRATORS:

(1) **Rahul Dessai, Mamlatdar of Bardez-Goa ---- accused no. 9 before this Commission of Inquiry**

That the illegal mutation proceedings carried out by the then mamlatdar Rahul Dessai are all in collusion with the fraudsters like Royson Rodrigues, Sandric Fernandes, Caetano Fernandes and others. The undersigned have come across various mutation proceedings done by the then mamlatdar Rahul Dessai without any jurisdictional powers in respect of villages like Assagao and Anjuna. During the period of 2020- 2022 the other joint Mamlatdars of Bardez had jurisdiction to decide the mutation proceedings of these above villages as per their internal order relied upon of the submissions. Mutation proceedings were carried out and where proceeded on forged & fraudulent documentation together with brazen procedural irregularities & lapses without any regard to procedures as laid down in law. The deeds of sale relied by the applicants in the mutation proceedings were fake and fraudulent which can be seen through naked eyes that is there were no page numbers mentioned of the deeds and the plan relied in the deeds of sale between the period of the year 1962 to 2010, the plans relied were computerized copies obtained online. It is pertinent to note that the computerized copies came to be in existence and came to be relied in the deeds of sale only after the year 2010.

(a) Property under survey no. 39/6 ----- **Exhibit “91”**: Kindly read **paragraph 2, page no. 45** of this submission.

(b) Property under survey no. 39/4 -----**Exhibit “92”**: In this mutation application which is entered on 17th March 2022 the applicants have stated that they are filing the application for mutation for property under 39/4 of Assagao admeasuring 1800 sq. mts by virtue of Deed of Succession dated 06/08/2021 only. There is no mention in any of the application or affidavit as to how the said applicants have acquired the rights to the property upon the death of the owner Baptista Dsouza and Joaquim Santana Dsouza. The application and the affidavit dated 08/03/2022, at page 221 and 222, no where it mentions about any deed of sale done by owners of the property Baptista Dsouza and Joaquim Santana Dsouza at para 4 of the affidavit at page 222. It mentions that *“upon death of Baptista Dsouza and Joaquim Santana Dsouza a deed of succession dated 06/08/2021 has been executed on 6/8/2021 at page no. 46 to 48 registered in the Office of Notary Ex-Officio Canacona thereby right of the said property has been transferred to the Branca Cassiana Diniz and others. Without verifying the documents, the mamlatdar proceeded with the mutation proceedings and issued notices to the concerned parties. He also issued notice on 17/03/2022 as the same day of the applications inwarded and also published notice on 24/03/2022 without any justification or reasoning as to why the public notice has*

to be issued. There are no records in the said mutation proceedings to justify that registered A/Ds have been sent. There is no record to justify as to why the public notice has been issued. There is no affidavit sworn as mentioned by the mamlatdar that the notices have been served as mentioned on the Public notice that the notices by registered A/Ds which were sent has been returned back unserved with postal remark "party expired". Without any claim to substantiate the evidence. This mamlatdar has gone beyond his powers to rush-up the mutation proceedings. It was only when all the villagers had gathered to tackle the land grab issue, the grandson of the original owners objected by raising objection to the mutation proceedings bearing 39/4 and 39/2 of Assagao dated 25/03/2022. Only then this mamlatdar did not proceed with the mutation proceedings.

(c) Mutation of survey no. 47/1 of Assago dated 28/02/2022-----**Exhibit no. "93"**.

Application filed on 28/02/2022 (page 252) to delete the name of maria Joaquina Carvalho and Maria Anton Dsouza. Documents relied are Deed of sale dated 13/11/1996 and Deed of Succession dated 06/08/2021 with an affidavit (page 253) sworn by Royson Rodrigues on 17/02/2022. On the very next day that is 01/03/2022, notice and the form X was issued giving a notice period of 15 days for objection (page no. 249). But on the very same day the dead party (Branca Cassiana Diniz) appears before Notary Madhumita Nayak Salatry and swears that notice on form X were issued and served by way of registered A/D and the served notices are returned back unserved by postal remark "party expired", "party left", "address not known", "address out of station". (Kindly refer to page 248). The said affidavit along with the application dated 01/03/2022 (page 247) was inwards in the mamlatdar on 02/03/2022. On the very same day of the inward this mamlatdar Rahul Dessai, goes ahead to do publication in the newspaper (page 246) without any justification or reason as to why this publication is required in such a hasty manner. So also the Deed of Sale dated 13/11/1996 is a fake deed which can be seen through naked eye. Kindly see the endorsement stamp giving the registration details at page 280 reverse, the endorsement stamp refers to blank pages, this itself shows that the volume no. 444 does not have page numbers. That itself reflects that something is suspicious about this document which the mamlatdar has ignored. Secondly the plans referred in this sale deed at page 278 and 279 are computerized which was not relied upon in deeds in those days. This shows that the mamlatdar was in

complete collusion with the fraudsters to complete the mutation. The letter dated 19/04/2023 at **exhibit "57"** states that the sale deed is a fake deed and the same does not correspond to the thumb book. It is pertinent to note that Maria Joaquina Dsouza and Maria Anton Carvalho were neighbors and women and in the deed of sale it has been shown that they are married to each other. Kindly check the register of this volume 444 of the year 1996. The actual deed under register no.2485 is of one builder Alfran Builders and the plan (that is one page) is still lying in the register of this volume and the back of the page is endorsed as registered no.2485 of book no. 1, Volume 444 of a particular flat situated in Mapusa. This shows that the property registered under this a deed of Mapusa and not of Assagao.

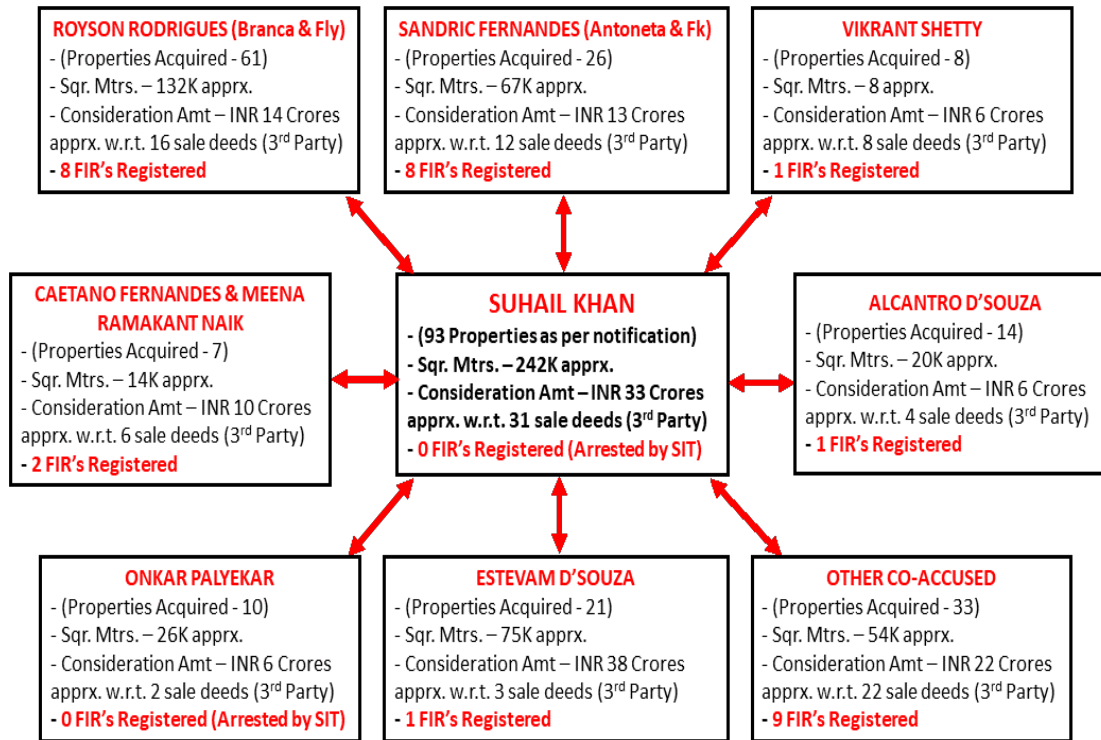
e) No order or rojnamas recorded passed but entries in Form I and XIV deleted and the names of accused persons are entered.**2. Mr. Sohail Mohammad Khan----- Accused no. 2 and his nephew Mr. Danver D'Souza -----accused no. 27, before this Commission of Inquiry**

Mr. Sohail Mohammad Khan himself admitted under interrogation that he had targeted 93 properties at different locations in the taluka of Bardez which also includes the property of the complainant. Relying of the Memorandum dated 07/07/2022, issued by the Collector of North Goa, requesting to freeze/block, annexed herewith). A thorough investigation is done by the team of villagers with regards to the Memorandum dated 07/07/2022 and it was a discovered that all these properties were actually targeted by the very same gang of fraudsters who are accused by the SIT team in their investigation. The gang of fraudsters operating under this mastermind is shown in the chart herein below and the properties Sohail disclosed is listed and annexed to this submission as per the targeted properties by each gang.

As far as Danver D'Souza is concerned is the nephew of the Sohail Khan. Danver D'Souza is the son of Sohail's Sister married to a Christian and is absconding till date. He conspired with Sohail Khan to target the records in Archives and the SIT official can give better inputs regarding this accused Danver D'Souza before this Commission.

MASTERMIND & THE SYNDICATE OF THE MAIN ACCUSED

(Details stated below have been obtained from the Goa Online Website)



Suhail Khan - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	14/11	BRZ-1-1406-2022	3/29/2022		2,025	8,201,300
	215/6	BRZ-1-3127-2021	9/8/2021		6,775	44,037,500
	426/15	BRZ-1-2171-2020	9/11/2020		875	7,200,000
	426/19	BRZ-1-2149-2020	9/9/2020		425	3,400,000
	426/20	BRZ-1-2165-2020	9/11/2020		450	3,600,000
	486/4				1,175	-
	486/6			77/2022 - Crime Br.	1,875	-
	493/2			58/2022 - Crime Br.	950	-
	493/3			130/2022 - Mapusa	15,400	-
	494/4				2,450	-
	492/A				-	-
	426/14				775	-
	295/1				3,950	-
	296/1				1,800	-
	453/2				1,850	-
	428/8				1,700	-
	426/17	BRZ-1-3699-2021	10/14/2021		1,050	14,100,000
	15/11				2,175	-
	225/7				475	-
	Assagao	117/4	BRZ-1-1316-2022	3/24/2022		625
123/6		BRZ-1-1330-2022	3/24/2022		725	5,075,000
152/24		BRZ-1-1315-2022	3/24/2022		425	29,275,000
152/25		BRZ-1-1318-2022	3/24/2022		325	2,275,000
152/26		BRZ-1-1319-2022	3/24/2022		300	2,100,000
160/2		BRZ-1-1323-2022	3/24/2022		1,925	13,475,000
163/20					1,975	-
191/3					1,375	-
194/1					1,450	-
200/4					18,900	-
200/6-A		BRZ-1-858-2022	3/1/2022		1,025	7,175,000
201/3		BRZ-1-300-2022	1/21/2022		1,075	7,525,000
202/3		BRZ-1-301-2022	1/21/2022		800	5,600,000
21/2		BRZ-1-94-2022	1/10/2022		625	4,375,000
		BRZ-1-59-2022	1/6/2022			
33/1		BRZ-1-529-2021	2/8/2021	65/2022 - Crime Br.	1,450	15,000,000
		BRZ-1-2429-2021	7/14/2021			
33/3		BRZ-1-272-2021	1/21/2021	54/2022 - Crime Br.	1,425	11,200,000
18/2					650	-
54/3					1,000	-
43/3					900	-
43/10					1,025	-
200/3					3,350	-
203/5					2,050	-
140/13					-	-
140/11					3,650	-
123/4					1,250	-
123/12					525	-
123/13					800	-
123/14					525	-
54/4				975	-	

Chart Continued

Suhail Khan - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Assagao	223/7	BRZ-1-33-2021	1/6/2021	66/2022 - Crime Br.	800	4,960,000
	223/A				-	-
Badem	18/11	BRZ-1-3810-2021	10/21/2021		525	2,650,000
	19/6				600	-
	26/1-A				1,625	-
	37/4	BRZ-1-1439-2022	3/30/2022		2,250	15,750,000
	39/6	BRZ-1-1438-2022	3/30/2022	146/2022 - Mapusa	1,900	13,300,000
	40/2	BRZ-1-1797-2022	4/22/2022		2,550	17,850,000
	43/2				900	-
	43/4				3,050	-
	43/9				1,000	-
	44/2			76/2022 - Crime Br.	2,450	-
	47/1			75/2022 - Crime Br.	5,900	-
	51/1				4,600	-
	56/3				2,025	-
	78/2			147/2022 - Mapusa	18,500	-
	80/3				2,300	-
Calangute	24/4				425	-
	24/5			78/2022 - Crime Br.	775	-
	24/6				825	-
	25/2	BRZ-1-652-2022	2/16/2022	78/2022 - Crime Br.	2,150	15,050,000
	25/3				1,325	-
		BRZ-1-1726-2020	7/21/2020			
		BRZ-1-2288-2020	9/24/2020			
	26/4	BRZ-1-3308-2020	12/17/2020		2,325	16,500,000
	26/9	BRZ-1-2872-2021	8/16/2021		2,775	19,524,000
	476/11				6,625	-
476/2				1,175	-	
476/6				3,325	-	
Parra	17/8	BRZ-1-1303-2021	3/24/2022		1,550	6,200,000
	31/1	BRZ-1-1066-2022	3/10/2022		900	5,400,000
	31/2	BRZ-1-1064-2022	3/10/2022		900	5,400,000
	32/5				1,650	-
	37/3				3,125	-
	37/4			74/2022 - Crime Br.	1,025	-
	37/6				1,850	-
	43/2				900	-
	44/1				25	-
	44/2				250	-
	43/3	BRZ-BK1-02194-2016	5/5/2016		325	-
	31/8				1,475	-
	45/1				150	-
	45/7				425	-
	28/8	BRZ-1-4701-2021	12/16/2021		1,450	7,400,000
Pilerne	208/3	BRZ-1-2102-2021	6/14/2021		22,331	8,674,000
	208/3-A				33,750	-
	208/5				-	-
Grand Total					242,081	326,646,800

3. Mr. Vikrant Shetty ----- accused no. 1 together with Caetano Fernandes --- accused no. 16 and Meena Ramakant Naik ----accused no., 17-----before this Commission of Inquiry.

Mr. Vikrant Shetty has himself admitted before this Commission of the illegal acts committed by him and the other accused persons that they have prepared fraudulent sale deeds and sold the properties to prospective buyers. Kindly go through the written submission/written statement before this Commission under folder nos. 1 and 9 marked at **Exhibit "15"** in the respective folder. He has also annexed letters written to the Vigilance department & The Economic Offence Cell (EOC) dated way bay in the year 2021 stating the facts and the Modus Operandi. It is pertinent to note that despite the official complaint filed by him to the Vigilance department & The Economic Offence Cell (EOC) there has been no subsequent action taken by these respective authorities till date. If the Police had taken cognizance of the matter on his complaint letters dated 01/04/2022 and 13/04/2022, to the above-mentioned authorities, then this massive land scam would not have reached the level of extent which has reached today. **He also made a shocking revelation that he is being implicated against crimes**

that have been initiated by Caetano Fernandes and his wife Meena Ramakant Naik and also sworn an oath in his affidavit that they are being shielded and protected in high handed manner and the SIT is being biased for reasons best known to them. In this all crimes committed by Caetano Fernandes and his wife Meena Ramakant Naik with Vikrant Shetty only Vikrant Shetty was arrested in the crime. It is evident to note that in spite of all the evidences against Caetano Fernandes and Meena Ramakant Naik the co-accused with Vikrant Shetty have not been arrested till date.

In his letter dated 01/04/2022 Vikrant Shetty has also included in his complaint the names of Sunil Kumar and Lenchu K James who are dummy buyers after targeted properties. The said accused namely Lenchu K James is said to be absconding and hence no arrest been made in the FIR's that he has been named as the accused. Properties illegally acquired by the above-mentioned co-accused / dummy buyers are reflected in the Chart below "Other Co-accused" on page no.119 of this submission.

Vikrant Shetty - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	14/11	BRZ-1-1406-2022	3/29/2022		2,025	8,201,300
	425/5	BRZ-1-2668-2021	8/3/2021		525	3,750,000
	426/15	BRZ-1-2171-2020	9/11/2020		875	7,200,000
	426/19	BRZ-1-2149-2020	9/9/2020		425	3,400,000
	426/20	BRZ-1-2165-2020	9/11/2020		450	3,600,000
Assagao	33/3	BRZ-1-2429-2021	7/14/2021	54/2022 - Crime Br.	1,425	11,200,000
		BRZ-1-272-2021	1/21/2021			
Calangute	232/24	BRZ-1-1764-2021	4/23/2021		50	4,000,000
		BRZ-1-1726-2020	7/21/2020			
		BRZ-1-2288-2020	9/24/2020			
	26/4	BRZ-1-3308-2020	12/17/2020		2,325	16,500,000
Grand Total					8,100	57,851,300

4) In respect of Luisa Fernandes, Caetano Fernandes and Meena Ramakant Naik accused nos. 15,16 and 17 before this Commission of Inquiry.

These accused persons along with mastermind Sohail Khan and Vikrant Shetty targeted the below mentioned properties mentioned in the chart.

Caetano Fernandes & Meena Ramakant Naik - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	215/6	BRZ-1-3127-2021	9/8/2021		6,775	44,037,500
	426/15	BRZ-1-2171-2020	9/11/2020		875	7,200,000
	426/20	BRZ-1-2165-2020			450	3,600,000
	426/14				775	-
Assagao	33/1	BRZ-1-59-2022	1/6/2022			
		BRZ-1-529-2021	2/8/2021	65/2022 - Crime Br.	1,450	15,000,000
	33/3	BRZ-1-2429-2021	7/14/2021			
		BRZ-1-272-2021	1/21/2021	54/2022 - Crime Br.	1,425	11,200,000
Calangute	26/4	BRZ-1-1726-2020	7/21/2020			
		BRZ-1-2288-2020	9/24/2020			
		BRZ-1-3308-2020	12/17/2020		2,325	16,500,000
Grand Total					14,075	97,537,500

These accused persons inserted deeds in the Department of Archives and targeted properties stating that their ancestor Vincent Fernandes purchased properties during the Portuguese era and applied for mutation by virtue of a succession deeds and fake inserted deeds in the Department of Archives. One such scam come across by the undersigned is of the property bearing survey no. 33/3 and 33/1 of Assagao village which has been targeted. The original owners of these properties are the neighbors of the undersigned Adv. Cristina Dias and personally known to her. Kindly refer to folder no. 1 and 2 submitted before the Inquiry Commission. The deed book in the Archives has been tampered and a fake deed has been inserted by the accused persons with the help of the officials from the Archives Department.

5) Dheeresh Gangaram Naik -----Personnel from the Department of Archives & Archaeology, Panjim (accused no. 3 before this Commission of Inquiry)

The Police authorities / SIT have made arrests of staff and under interrogation it is revealed that they have actively colluded with the accused persons in providing the preserved notarial books to the accused & assisting in inserting fake & forged deeds in the records of the Directorate of Archives & Archaeology. The SIT officials and the Department of Archives will be in better position to throw light on the crime committed by this accused.

6) Rajkumar @Raju Santosh Maithi -----Accused no. 4 before this Commission of Inquiry

The accused named in the crime under folder nos. (1 to 9) has been named by the other co-accused persons in the crime. The SIT officials will be in a better position to through light on the crimes committed by the accused persons.

7) Royson Rodrigues S/o. late Diogo Rodrigues together with Antonio Teles Gonsalves and his wife Paulina Juliana Diniz Along with the co accused late Branca Cassiana Diniz

Accused no. 6, 7 and 8 respectively and Branca Cassiana Diniz is the accused no. 18 before this Commission of Inquiry

a) This accused persons forged/fraudulent, fabricated and inserted four (4) fake Deeds of Sale in the book no. 551 volume 328 page 13 to 19v, of the year 1951 of Notary Tabelio Pinto Menezes of the said deeds of sale in the Department of Archives, it can be clearly seen that the pages were inserted and were attempted to be bound to the original book by means of a loose string. Certified copies of these were being issued by the Department of Archives which in turn gave the impression that these false and fraudulent documents are genuine. In these four fake deeds of sale properties or village Assagao Anjuna and Parra of Bardez Taluka were targeted wherein it was shown that the ancestor of the accused person namely Antonia Francisca Pereiara has purchased properties belonging to different owners.

The total number of properties targeted under these four deeds are as follows:

**1951 – Volume 328, Book 551, 14V to 15V dated 26/11/1951
Various Owners TO Antonia Francisca Pereira d/o Joao Pereira r/o
Assagao
Note - Mother of Branca Cassianna Diniz alias Branca Rodrigues
Grandmother of Royson Rodrigues**

Property “Arady” at Parra

<u>CADASTRAL PLAN NOS TARGETED AND MENTIONED ON THE DEED</u>	<u>NEW SURVEY NOS</u>
6	37/3
7	37/4
8	37/5
9	37/6

**Property “Badem” Sorves of 15 Sub-divisions or “Aforamento” OR
“BANCOLEM”**

<u>CADASTRAL PLAN NOS TARGETED AND MENTIONED ON THE DEED</u>	<u>NEW SURVEY NOS</u>
407	43/4 (<i>Also under 13/11/1996 deed</i>)
331	56/3
425	39/6
513	31/1
514	31/2
519	19/6
522	19/7
524	21/2

Property “Arady” at Parra

<u>CADASTRAL PLAN NOS ADDED UNDER FAKE TRANSLATION BY NOTARY A.K. PHADTE</u>	<u>NEW SURVEY NOS</u>
335	31/1
336	31/2
333	32/5
309	82/6

**Property “Badem” Sorves of 15 Sub-divisions or “Aforamento” OR
“BANCOLEM”**

<u>CADASTRAL PLAN NOS TARGETED AND MENTIONED ON THE DEED</u>	<u>NEW SURVEY NOS</u>
339	53/4
501	18/12
419	40/18
423	40/11
424	40/9
515	19/2
434	39/4

**1951 – Volume 328, Book 551, Pages 16 to 17 dated 13/11/1951
Various Owners TO Antonia Francisca Pereira d/o Joao Pereira r/o
Assagao**

**Note - Mother of Branca Cassianna Diniz alias Branca Rodrigues
Grandmother of Royson Rodrigues**

Property “Chamaranchi Vadi” & “Satarvedi” at Assagao

<u>CADASTRAL PLAN NOS TARGETED AND MENTIONED ON THE DEED</u>	<u>NEW SURVEY NOS</u>
3049	Not Available
2050	201/4
2000	206/6, 206/7
2145	235/18-B (Part)
1140	163/17, 18, 19, 20
1044	155/3

**1951 – Volume 328, Book 551, Pages 17 to 18V dated 04/12/1951/
Various Owners TO Antonia Francisca Pereira d/o Joao Pereira POA
04/12/1951**

**Note - Mother of Branca Cassianna Diniz alias Branca Rodrigues
Grandmother of Royson Rodrigues**

Property “Sittarem Grande” of 15 Sub-divisions of Assagao

<u>CADASTRAL PLAN NOS</u>	<u>NEW SURVEY NOS</u>
355	44/1
352	47/1
315	
449	37/4
363	78/2 (<i>Also under 1934 deed</i>)
385	78/2 (<i>Also under 1934 deed</i>)
386	80/3 (<i>Also under 1934 deed</i>)

Property “Doxxoir” at Anjuna

<u>CADASTRAL PLAN NOS TARGETED AND MENTIONED ON THE DEED</u>	<u>NEW SURVEY NOS</u>
6343	492/1

6300	519/3
6344	492/2 (Part)
6346	493/3
6342	493/2
921	494/4
914	495/10

*In this manner the accused persons targeted apprx. 55 properties under the fake deeds of the year 1951 inserted in the Department of Archives as mentioned above and also sold the properties to **fictitious / benami buyers** like Lenchu K James, Jatin K James, Rita Fernandes, Joaquim Mascarenhas and others / third parties who are co accused in this criminal act. It is also necessary to bring to note that the properties targeted are not limited to those that have been mentioned in the fake inserted deeds of sale however the English translation of these fake & inserted Portuguese Deeds is also a medium of adding additional properties to bring to fruition the criminal act of targeting much more properties.*

It is also pertinent to note that, at the time of registering some sale deeds to third parties and to dummy purchasers the accused no. 18—Branca Cassiana Diniz was already dead. The sale deeds are made in her name too as an executing party / vendor.

Royson Rodrigues (Branca & Fly) - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	486/4				1,175	-
	486/6			77/2022 - Crime Br.	1,875	-
	492/1				2,000	-
	492/2				2,175	-
	493/2			58/2022 - Crime Br.	950	-
	493/3			130/2022 - Mapusa	15,400	-
	494/4				2,450	-
	495/10				1,900	-
	519/3				6,875	-
	Assagao	117/4	BRZ-1-1316-2022	3/24/2022		625
123/6		BRZ-1-1330-2022	3/24/2022		725	5,075,000
152/24		BRZ-1-1315-2022	3/24/2022		425	29,275,000
152/25		BRZ-1-1318-2022	3/24/2022		325	2,275,000
152/26		BRZ-1-1319-2022	3/24/2022		300	2,100,000
155/3					3,650	-
160/2		BRZ-1-1323-2022	3/24/2022		1,925	13,475,000
163/17					450	-
163/18					1,750	-
163/19					1,775	-
163/20					1,975	-
191/2					425	-
191/3					1,375	-
200/6-A		BRZ-1-858-2022	3/1/2022		1,025	7,175,000
201/3		BRZ-1-300-2022	1/21/2022		1,075	7,525,000
201/4					625	-
202/3		BRZ-1-301-2022	1/21/2022		800	5,600,000
202/5					250	-
202/8		BRZ-1-1261-2022	3/22/2022		575	1,725,000
206/6					200	-
206/7				75	-	
235/18-B				475	-	
Badem	18/12	BRZ-1-299-2022	1/21/2022		525	3,675,000
	19/2				500	-
	19/6				600	-
	19/7				600	-
	31/1				425	-
	31/2				225	-
	37/4	BRZ-1-1439-2022	3/30/2022		2,250	15,750,000
	39/4				1,800	-
	39/6	BRZ-1-1438-2022	3/30/2022	146/2022 - Mapusa	1,900	13,300,000
	40/11				1,175	-
	40/18				6,275	-
	40/2	BRZ-1-1797-2022	4/22/2022		2,550	17,850,000
	40/9				563	-
	40/9-A				255	-
	40/9-B				307	-
	43/4				3,050	-

Royson Rodrigues (Branca & Fly) - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Badem	44/1				5,150	-
	44/2			76/2022 - Crime Br.	2,450	-
	47/1			75/2022 - Crime Br.	5,900	-
	56/3				2,025	-
	78/2			147/2022 - Mapusa	18,500	-
	80/3				2,300	-
	Parra	31/1	BRZ-1-1066-2022	3/10/2022		900
31/2		BRZ-1-1064-2022	3/10/2022		900	5,400,000
37/3					3,125	-
37/4				74/2022 - Crime Br.	1,025	-
37/5					3,500	-
37/6					1,850	-
82/6					1,875	-
Reis-Magos	25/7				2,300	-
Grand Total					130,425	139,975,000

8) Sandric Fernandes S/o. Dominic Fernandes, Antonetta Fernandes and Maria Anjelica Fernandes -----accused no.10, 20 and 21 respectively.

Sandric Fernandes and family have targeted properties along with co accused Lenchu K James and others. The Applicants state that the Accused Person have produced a false, fraudulent and forged Deed of Sale dated 12/11/1996 by which the properties under survey no.43/2, 51/1,124/1 and 53/4 of village Assagao were targeted.

A false, forged and fraudulent Deed of Succession dated 13.1.2021, was drawn on the death of one Vicente Fernandes and his wife Idinha alias Carma de Albuquerque and Domnic Fernandes all resident of Borim, Ponda Taluka and the said Antoneta Domnic Fernandes claimed to be the moiety sharer and the interested party Sandric fernandes as sole and exclusive heir.

It can be seen from the above that massive misrepresentation and fraud have been committed by the said Antoneta Domnic Fernandes and mutation proceedings have been completed based on false, fake and forged documents. The forged and fraudulent documents used by the said Antoneta Domnic Fernandes to undertake this massive fraud is as follows:

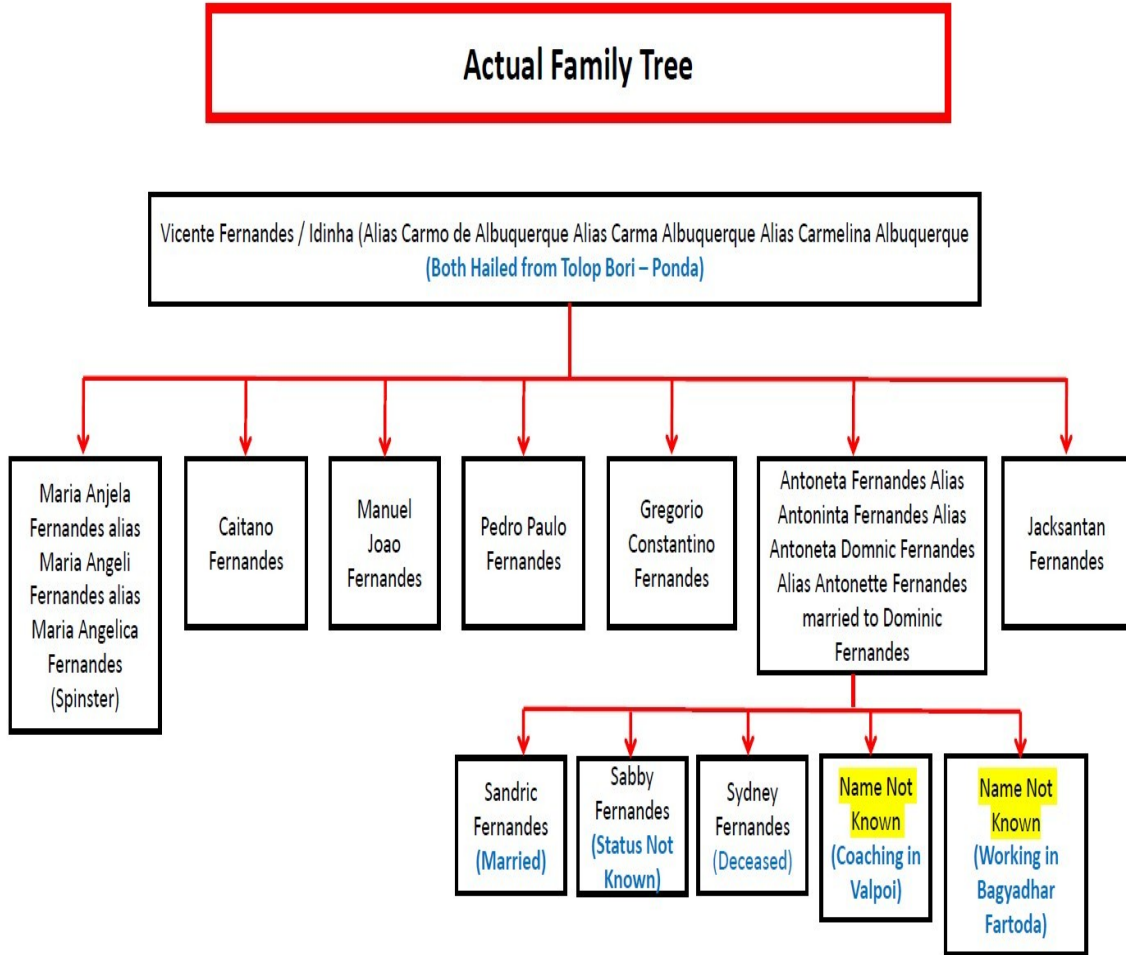
a) Forged Deed of Sale dated 012/11/1996 wherein Aliza Beth D Souza (mother of the Applicant herein) who was also known as Isabel Ramos D'Souza alias Elisabeth Ramos allegedly sold the property bearing survey no. 43/2 of village Assagao along with other parties to the sale deed who are not even owners of the said property.

b) Deed of Succession dated 13.01.2021, drawn on the death of drawn on the death of one Vicente Fernandes resident of Borim and his wife Idinha alias Carma de Albuquerque and Domnic Fernandes resident of Borim fraudulently claimed to be the sole heirs of Vicente Fernandes resident of Borim and his wife Idinha alias Carma de Albuquerque and Domnic Fernandes resident of Borim and the said Antoneta Domnic Fernandes when Sandric has two more siblings.

c) The death and burial certificate of Aliza Beth D Souza who was also known as Isabel Ramos D'Souza alias Elisabeth Ramos, shows that she was survived by three children. In view of the above the declarants of the Succession Deed namely Joaquim Mascarenhas, Rita Fernandes and Mr. Oliveira M. Silveira have sworn falsely.

The succession deed dated 13th Jan'2021 declared that the husband of Antoneta Fernandes Alias Antoninta Fernandes Alias Antoneta Domnic Fernandes Alias Antonette Fernandes namely Dominic Fernandes died leaving behind

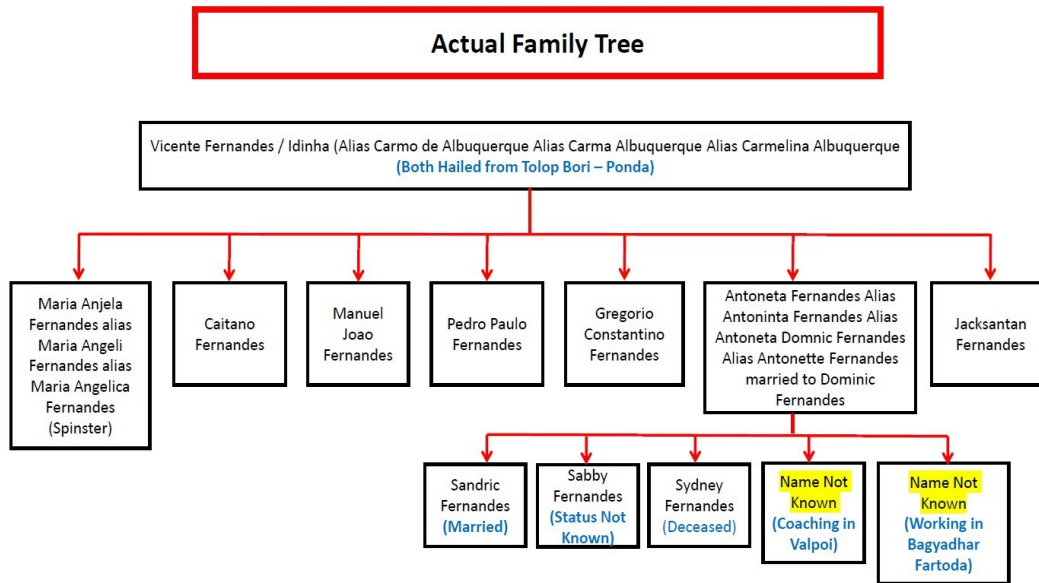
his only son Sandric Fernandes however he said Dominic Fernandes died leaving behind 3 children, 2 sons and 1 daughter. The name of the 2nd son is Gregory Fernandes and the daughters name is not known.



Sandric Fernandes (Antonetta & Fly) - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	213/22	BRZ-1-2936-2021	8/23/2021		1,550	15,500,000
	225/3	BRZ-1-2667-2021	8/3/2021		1,150	7,475,000
	339/2				1,150	-
	356/5	BRZ-1-3255-2021	9/21/2021		2,925	19,012,500
Assagao	124/1	BRZ-1-2128-2022	5/11/2022		2,125	14,875,000
	194/1				1,450	-
	200/4				18,900	-
	21/2	BRZ-1-94-2022	1/10/2022		625	4,375,000
Badem	18/11	BRZ-1-3810-2021	10/21/2021		525	2,650,000
	26/1-A				1,625	-
	43/2				900	-
	51/1				4,600	-
	53/4				850	-
Calangute	24/4				425	-
	24/5			78/2022 - Crime Br.	775	-
	24/6				825	-
	25/2	BRZ-1-652-2022	2/16/2022	78/2022 - Crime Br.	2,150	15,050,000
	25/3				1,325	-
		BRZ-1-653-2022	2/16/2022		1,325	9,275,000
	26/9	BRZ-1-2872-2021	8/16/2021		2,775	19,524,000
	476/11				6,625	-
476/2				1,175	-	
476/6				3,325	-	
Mapusa	102/16	BRZ-1-248-2022	1/18/2022		2,032	-
Nerul	63/6	BRZ-1-1285-2021	3/23/2021	42/2022 - Mapusa	2,750	17,900,000
Parra	17/8	BRZ-1-1303-2021	3/24/2022		1,550	6,200,000
	32/5				1,650	-
Grand Total					67,082	131,836,500

9. Rita Fernandes and Joaquim Mascarenhas -----accused no. 23 and 24 before this Commission.

These two accused people are declarants of the fake deed of succession dated 13/01/2021 of Sandric Fernandes and others. They declared that Sandric Fernandes is the only son of Domnic Fernandes and Antonetta. Antonetta and her sister Maria Anjelica are the only children of the late Vincent Fernandes and late Idina Albuquerque family whereas the actual family tree is as below:



Therefore, these accused need to be dealt and penalized u/s 191 and 199 of Goa Succession Act and Notary Act 2012. These accused have helped conspire with the mastermind Sohail Khan and therefore they have been rewarded by being given lands / properties belonging to original owners targeted by the Royson Rodrigues and family. The properties which are given to them are as under wherein they are made the benami purchasers are in the chart provided below:

Rita Fernandes @ Rita Mascarenhas & Joaquim Mascarenhas- Land Grab Properties						
Village	3rd Party Sale Deed Survey No	3rd Party Sale Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	213/22	BRZ-1-2936-2021	8/23/2021		1,550	15,500,000
	356/5	BRZ-1-3255-2021	9/21/2021		2,925	19,012,500
Assagao	117/4	BRZ-1-1316-2022	3/24/2022		625	4,375,000
	123/6	BRZ-1-1330-2022	3/24/2022		725	5,075,000
	152/25	BRZ-1-1318-2022	3/24/2022		325	2,275,000
	152/26	BRZ-1-1319-2022	3/24/2022		300	2,100,000
Badem	37/4	BRZ-1-1439-2022	3/30/2022		2,250	15,750,000
	39/6	BRZ-1-1438-2022	3/30/2022	146/2022 - Mapusa	1,900	13,300,000
Grand Total					10,600	77,387,500

10. Steven alias Estevem D'Souza and Rosa Maria D'Souza -----accused no. 11 and accused no. 22

The said Rosa Maria De Souza alias Rosa Maria De Souza alias Rosa Maria D'Souza, and Mr. Estevan D'Souza, together with the mastermind Mr.

Mohammed Suhail who in concert have hatched a criminal conspiracy to forge public documents with a common intention to illegally and unlawfully use as genuine the forged documents to change the mutation entries in the occupants columns of Form I & XIV of the said property by using fake and fraudulent documents and subsequently having sold the properties to prospective and innocent buyers, thereby not only cheating them but also causing unjust and illegal enrichment. The Accused Persons have been fraudulently altering the land records and changing and replacing the names of the true owners with the names of the Accused Persons with an intention of causing damage and injury to the claim and title of the true owners.

The said Rosa Maria D'Souza executed the deed of succession before the Office of Ex-Officio of Bardez at Mapusa impersonating that she is the daughter of Joaquim Antonio D'Souza and another person Joaquim Carmo D'Souza. The said deed of succession dated 12/01/2012 in the notarial book of 837 at page 89 to 96 and also executed a power of attorney dated 15/03/2012 before Notary Agnelo Dcosta, Panjim, in favour of Estevem D'Souza to sell the properties belonging to different owners.

Estevem D'Souza and Rosa Maria D'Souza are the oldest partners in crime with Sohail Khan from the year 2012 and a complaint had been registered before the Anjuna Police Station on 18/05/2012 and in the Office of the SP North, complaining about the fraudulent sale of property bearing survey no. 538/5 of Anjuna Goa by Mr. Bartholomeow C D'Souza on instruction from the original owner Augusta Piedade D'Souza. Objections were also raised before the Talathi of Mutation Anjuna village panchayat and also after the SIT was formed a complaint was registered before the SP, SIT with its office at Crime Branch, Ribanader on 15/10/2022 and inwards on 17/10/2022. The FIR has been registered on 14/07/2023 on the said complaint against accused involved in the crime including Sohail Khan. It is pertinent to note that if the Anujna Police and the Porvorim Police had taken cognizance of this complaint way back in the year 2012, wherein Sohail Khan was also arrested in one of the similar cases in which the victim was the most famous national hockey player Otilia Mascarenhas, the magnitude of land scam that occurred in the years 2020 - 2022 would not have taken place. We would like to emphasize that this recent land scam has troubled a lot of senior citizens and common Goan people causing distress, agony and financial difficulties not knowing as to when they would get their right full properties back.

Estevam D'Souza- Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	289/1	BRZ-1-2195-2020	9/15/2020	61/2022 - Crime Br.	6,525	45,675,000
	155/1				1,275	-
	282/6				4,550	-
	207/1				11,050	-
	538/5				4,425	-
	508/1	BRZ-1-1768-2019	06/19/2019		16,300	230,000,000
	519/2	BRZ-1-4648-2021	12/13/2021		3,400	-
	234/2				2,750	-
	229/2				700	-
	540/13	BRZ-1-2216-2022	5/16/2022		2,375	110,000,000
	540/7				2,525	-
	540/8				1,725	-
	540/11				1,663	-
	540/11-A				1,662	-
	417/1				5,725	-
	403/1				1,125	-
	405/3				975	-
	241/3				2,025	-
	246/2				2,025	-
	281/1				475	-
	209/2				1,550	-
Grand Total					74,825	385,675,000

CO -CONSPIRATORS AND OTHER ACCUSED NAMELY:

i) Advocate, Madhumita Nayak Salatry

That advocate Madhumita Salatry has not only acted in gross negligence but has actively colluded with the accused persons by making False Affidavits and other documents which enabled the fraudulent transfer of properties.

In mutation proceedings no. 80913 under exhibit no. 93 collectively at page 248 concerning property bearing survey no. 47/1 od Assagao village, an affidavit has been sworn and attested before Adv. Madhumita Nayak Salatry and the said affidavit bears her seal and signature on the same. In the affidavit dated 01/03/2022 at Page 248 it is observed that the said affidavit is been personally signed by Branca Cassiana Diniz whose signature Adv. Madumita Nayak Salatry has attested. Branca Cassian Diniz on 30/01/2022. The question remains if the ghost of Branca Cassian Diniz appeared before Adv. Madhumita Salatry to sign the said affidavit and since may not be the case Adv. Madhumita Salatry has committed forgery with collusion of the fraudsters in order to effect and conclude the mutation proceedings which led to the cheating and theft of the property of the original owners to which she made herself an accomplice.

It is also seen in folder no. 5 that the said Adv. Madhumita Salatry has sworn affidavit of a dead person Branca Cassiana Diniz on 01/03/2022 when she was already dead on 30/01/2022.

The undersigned have also found various other affidavits attested before Adv. Madhumita Salatry where signatures of parties are non existence and blank spaces purporting to be signatures have been attested by the said notary. In addition it can be seen from various affidavits that the signature of Royson Rodrigues completely differs in all the affidavits giving the impressions that these affidavits were signed by different people representing themselves to be Royson Rodrigues. All signed and attested by Madhumita Salatry which further shows that she is accomplice in the crime. It is also not understood why Marinho Antonio Teles Gonsalves and Paulina Diniz especially travelled from South to North nearly a distance of about 70 kms when they are housebound and unable to walk properly.

Also it is seen that in the affidavit dated 07/03/2022 in mutation case no. 80977 at page 430, it is seen that Adv. Madhumita has left blank the signatures of Branca Cassiana Diniz and others inspite of they being made parties in the affidavit.

Inspite of not being present before her the said notary has delivered the affidavit to one of the swearing party Mr. Royson Rodrigues.

Adv Madhumita Salatry has registered sale deeds using her user id and also paid stamp duty, mutation fees and registration fees on behalf of the accused persons. The said Adv Madhumita Salatry initiated sales on behalf of her client late Mrs. Branca Cassiana Diniz alias Branca Rodrigues even after her death. It has gone in the cross examination wherein the witness Adv. Cristina Dias has been asked a specific question whether an advocate drafting the deed of sale can pay the registration fees / mutation fees. stamp duty fees on behalf of her/his client. Kindly see para 29 and 30 of the cross examination and that the e-receipts at **Exhibit "83"** was put to the witness that the Adv. Madhumita Nayak Salatry has not paid personally the charges in terms of the e receipt at exhibit 83 collectively and the said charges paid by the purchasers and only the e challan were created in her name to facilitate the transaction and registration process and that there is no bar as such the advocate can pay the charges and recover it from the client subsequently.

It is pertinent to note that Adv. M Salatry has paid the fees on behalf of her client then this advocate has to recover it from the client. It is also pertinent to

note that large sum of monies that is lakhs of rupees has been transferred from the account of Madhumita Salatry. This advocate Madhumita Salatry has not adduced her evidence that she has recovered the same from her clients/purchasers. Although grave a serious charges has been made against her by Adv. Cristian Dias that the notary has paid huge amount of registration fees mutation fees, and also committed an act of forgery by notarising affidavits which are said to be affirmed by dead person Branca Cassiana Diniz.

The said Adv. Salatry has also certified as true copies of the original deeds in various mutation folders wherein no original deeds were presented before her but only certified copies. She certified the copies of the certified copies which is not allowed as per law.

This shows that Adv. Madhumita Salatry in connivance with the accused Royson Rodrigues have committed crime under sections of IPC. This Commission can call upon Adv. Madhumita Salatry with her notary book to verify the same and also call upon Madhumita Salatry to submit her bank statement that registration fees, and other fees paid by her on behalf of her client has been reimbursed to her.

(II) Personnel from the Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez. (Still not known)

The Police authorities / SIT has not yet commenced investigation pertaining to the fake & fraudulent deeds / activities that have arised from this department of the Office of the Civil Registrar –cum- Sub-Registrar and Notary Ex-officio, Bardez. However, it is important to note that there have been complaints filed at the Office of the State Civil Registrar which was also filed in May'2022. Also, the then Sub-Registrar of Bardez, Mapusa has complaints filed before the Mapusa Police Station for which action is yet to be taken.

In pursuance with the complaint filed at the State Registrar regarding irregularities of jurisdiction& notary documents and criminal intent of depriving genuine owners of their right to properties based on the fraudulent Deeds of Succession done in Canacona as well as inserted fake deeds at the Sub-Registrar's office, Mapusa. The then Sub-Registrar of Canacona had accepted burial, marriage, baptism certificates as documents relied in then fake Succession Deeds which are not acceptable as per law. The District Registrar, Mr. Hadkonkar has also affirmed the same in his cross examination before this Commission.

A raid was conducted in Canacona by the State Registrar Mr. Ashutosh Apte to which followed the suspension of the then Sub-Registrar of Canacona, Mr. Premanand Desai.

(III) OMKAR PALYEKAR -----

Onkar Palyekar - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	215/6	BRZ-1-3127-2021	9/8/2021		6,775	44,037,500
	339/2				575	-
	340/0				4,675	-
	339/3				525	-
	597/2-A				6,655	-
	339/4				200	-
	339/5				650	-
	339/6				1,350	-
	339/12				1,625	-
Badem	40/2	BRZ-1-1797-2022	4/22/2022		2,550	17,850,000
Grand Total					25,580	61,887,500

All the names of the accused as mentioned by me figure in the various FIR's registered at various Police stations and also by means of interrogation by

the

SIT.

Others Co-Accused - Land Grab Properties							
Other Accused / Co-Accused	Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Cannot Identify	Anjuna	426/3	BRZ-1-1198-2020	3/20/2020		1,521	6,993,000
		426/7				2,200	-
	Assagao	33/2				1,250	-
Cannot Identify Total						4,971	6,993,000
Dsouza Teresa H. Socorro	Badem	43/9				1,000	-
Dsouza Teresa H. Socorro Total						1,000	-
Meena S Sheikh	Assagao	114/7				800	-
		218/12				2,825	-
Meena S Sheikh Total						3,625	-
Rohan Harmalkar	Anjuna	426/5	BRZ-1-188-2020	1/15/2020	149/2022 - Mapusa	3,550	17,750,000
Rohan Harmalkar Total						3,550	17,750,000
Rohan Harmalkar / Vikrant Shetty	Anjuna	426/19	BRZ-1-2149-2020	9/9/2020		425	3,400,000
Rohan Harmalkar / Vikrant Shetty Total						425	3,400,000
Jithin James + Vikrant Shetty + Sunil Kumar	Anjuna	14/11	BRZ-1-1406-2022	3/29/2022		2,025	8,201,300
Jithin James + Vikrant Shetty + Sunil Kumar Total						2,025	8,201,300
Vikrant Shetty + Sunil Kumar	Calangute	232/24	BRZ-1-1764-2021	4/23/2021		50	4,000,000
Vikrant Shetty + Sunil Kumar Total						50	4,000,000
Royson - Branca & Fly + Lenchu K James	Assagao	201/3	BRZ-1-300-2022	1/21/2022		1,075	7,525,000
		202/3	BRZ-1-301-2022	1/21/2022		800	5,600,000
	Badem	18/12	BRZ-1-299-2022	1/21/2022		525	3,675,000
		39/6	BRZ-1-1438-2022	3/30/2022	146/2022 - Mapusa	1,900	13,300,000
	Parra	31/1	BRZ-1-1066-2022	3/10/2022		900	5,400,000
Royson - Branca & Fly + Lenchu K James Total						5,200	35,500,000

Others Co-Accused - Land Grab Properties							
Other Accused / Co-Accused	Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Sandric - Antoneta & Fly + Jithin Jmaes	Assagao	124/1	BRZ-1-2128-2022	5/11/2022		2,125	14,875,000
Sandric - Antoneta & Fly + Jithin Jmaes							
Total						2,125	14,875,000
Alcantro D Souza / Rohan Harmalkar	Anjuna	428/18	BRZ-1-1571-2020	6/25/2020		1,975	11,000,000
Alcantro D Souza / Rohan Harmalkar							
Total						1,975	11,000,000
Caetano Fernandes + Onkar Palyekar + Meena R Naik + Luiza Fernandes	Anjuna	215/6	BRZ-1-3127-2021	9/8/2021		6,775	44,037,500
Caetano Fernandes + Onkar Palyekar + Meena R Naik + Luiza Fernandes Total						6,775	44,037,500
Vikrant Shetty + Caetano Fernandes + Meena R Naik + Luiza Fernandes	Anjuna	426/15	BRZ-1-2171-2020	9/11/2020		875	7,200,000
		426/20	BRZ-1-2165-2020	9/11/2020		450	3,600,000
			BRZ-1-2429-2021	7/14/2021			
	Assagao	33/3	BRZ-1-272-2021	1/21/2021	54/2022 - Crime Br.	1,425	11,200,000
			BRZ-1-1726-2020	7/21/2020			
			BRZ-1-2288-2020	9/24/2020			
	Calangute	26/4	BRZ-1-3308-2020	12/17/2020		2,325	16,500,000
Vikrant Shetty + Caetano Fernandes + Meena R Naik + Luiza Fernandes Total						5,075	38,500,000
Sunil Kumar + Caetano Fernandes + Meena R Naik + Luiza Fernandes	Assagao	33/1	BRZ-1-59-2022 BRZ-1-529-2021	1/6/2022 2/8/2021	65/2022 - Crime Br.	1,450	15,000,000
Sunil Kumar + Caetano Fernandes + Meena R Naik + Luiza Fernandes Total						1,450	15,000,000

IV. ALCANTRO D'SOUZA

Alcantro D'Souza and his gang of family have targeted properties belonging to different owners through a single inventory that the said properties belong to him. The following are the properties targeted under inventory proceedings bearing 17/2018 filed in the court of Bicholim and through this inventory proceedings he has targeted the properties in the below mentioned chart.

Alcantro D'Souza - Land Grab Properties						
Village	Survey No	3rd Party Sale Deed Registration Number	3rd Party Sale Deed Registration Date	FIR / Crime No.	Area in Sq Mtr	Value of Amount under Consideration (Rs.)
Anjuna	289/1	BRZ-1-2195-2020	9/15/2020	61/2022 - Crime Br.	6,525	45,675,000
	428/18	BRZ-1-1571-2020	6/25/2020		1,975	11,000,000
	444/8	BRZ-1-183-2019	1/28/2019		2,450	-
	76/13				450	-
	346/2	BRZ-1-1183-2019 BRZ-1-2743-2019	5/7/2019 8/27/2019		1,050	5,500,000
	76/39				125	-
	16/13				150	-
Parra	210/10			700	-	
Revora	47/7			1,000	-	
	47/8			525	-	
	47/10			175	-	
	47/9			700	-	
	46/26			725	-	
	63/19			3,100	-	
Grand Total					19,650	62,175,000

Inventory Proceedings done thru Court:

With regards to the inventory proceedings done thru Civil Court of Law around Goa, there are many properties of genuine owners that have been grabbed under the pretext of obtaining court orders based on the false oath given by the head of the family who is also most of the time the applicant in the inventory proceedings. The procedure followed by the court in these proceedings are: -

- **Statement on Oath by the appointed head of the Family**
- **Declaring the assets without taking any Title documents on record but taking only Form I & XIV which is a presumptive document and which does not carry the true / genuine names of the owners in Title.**
- **Thereafter the said property are auctioned / portioned / the shares are ascertained in the inventory among the legal heirs.**

Taking advantage of common Christian names existing in the state of Goa such as Antonio, Domingos, Xavier, Franciso, Pedro, D'Souza, Dias, Fernandes etc. the mastermind of this major land scam used to track down people whose ancestors had similar names and subsequently made them file inventory proceedings in the name of their dead ancestors and picked up associated properties in order to link the dead ancestors to the properties belonging to genuine owners.

After getting the judgments from the Court, these impersonated people applied for mutations in the Office of the Mamlatdar of Bardez and succeeded to complete the mutation process fraudulently.

Some of the impersonating people have been booked by the SIT however the complaints / FIR's are yet to be registered or handed over to the Commission.

Relying upon one similar inventory proceedings, under 17/2018 of Civil Judge, Senior division of Bicholim, Goa

OBSERVATIONS

The persons who had initially conducted and indepth the investigation in these land grab matters are the Deputy Superintendent of Police (North) Mr. Braz Menezes, who was the DySP appointed to the Special Investigation Team SIT and subsequently relieved from this duty, Mr. Ashitosh Apte, the then State Registrar and Head of Notary Services, Government of Goa , Mrs. Blossom Madeira, the Archivist and the then Director of Archives and Archaeology.

The undersigned requests and suggest to this honourable commission that the abovementioned three persons may be summoned by the powers vested in your Lordship and their statement be recorded under the Commission of Inquiries Act as accessors.

Mr. Vikrant Shetty, as accused in the land grab may be called before the Commission with regard to his written submissions made before this Commission wherein he in his complaint has clearly requested the Department of Vigilance on 01/04/2022 and EOC on 13/04/2022 to act into matters regarding land grabbing.

I would also like to bring to your attention, the complaint letter dated 10/02/2020, in folder no. 1, regarding land grabbing of properties in Assagao. It is very shocking to note that the police did not take any action in the matter and this served as an encouragement to gangsters and fraudsters who became emboldened and expanded all their land grab activities which snowballed into a massive land grab of catastrophic proportions which has destroyed the peace and happiness of innocent people as well defrauded them of their ancestral properties.

There is also gross negligence on the part of the Goa Police in paying heed to the numerous complaints raised however no investigation moreover not a visit from the Police station that the complaint was registered in. In the case of the Anjuna Police station under whose jurisdiction the affected villages come under, there has not been a single visit to the affected victim's properties leave alone and investigation or intervention of any kind or on account of the action of harassment by the accused and their goons.

The SIT has not progressed in filing even a single chargesheet for the many FIR's that have been registered. The investigation seems to have come to a complete standstill from the time the Commission of Inquiry has commenced. Thereafter no FIR'S have been filed till date for a number of complaints that have been submitted way back in 2022. It's also noticeable through the affidavits & depositions of the investigating officers that no substantial ground has been covered in investigations in certain FIR's and its very evident based on the reports submitted in front of this Commission of Inquiry.

In addition the numerous transfers of Investigating Officers of the SIT has proved very detrimental to this investigation and there seems to be no stability or leadership. If this was given utmost importance on account of the magnitude of this land grab scam, the investigation would nearing its concluding stage, trials would have commenced and the guilty would have been on the way to be punished.

As the Commission of Inquiry is a government initiative to expedite inquiry & recommendation, the representation as Special Investigating Officers from the Department of Archives & Archaeology, District Registrar & District Collector to assist the investigation should be as transparent as ever and not a diplomatic procedural response as seen stated in their various affidavits. These SIT team members should be brought forth to this Commission bench as Accessors and all observations, findings and anomalies investigated must be brought forth on record with no peer pressure and no consequences for their honest actions under oath.

SUGGESTED RECOMMENDATIONS

1. To take cognisance of the volume of fraud / land grab committed, expedite the investigation process, ensure justice and regain ownership of the properties of the rightful owners within a defined time period.
2. There should be no bureaucratic or political pressure which will delay the investigation and deprive the rightful owners a fair, speedy and honest judgement.
3. All Fake / Fraudulent Sale Deeds / documents inserted in the various books of the Department need to be extracted / removed / marked "NULL & VOID" OR "FRAUDULENT" in order to prevent any future misuse of these fraudulent documents.

4. All illegally based mutation proceeding under process / objected by the rightful owner, should be "DISMISSED" and subsequently ensure that the Form I&XIV reflects the names of the original & rightful owners by reversion of entries and removal of the names of the fraudsters.

5. If the mutation proceeding was completed & the Form I&XIV reflects the names of the accused / alleged fraudsters, then the Collector & District Magistrate should provide a Blanket Approval for "Reviews" of such illegal mutation orders passed by the Mamlatdar and revert the orders to have the Form I&XIV reverted back to the original and rightful owners.

6. There should be no bureaucratic process / RTI requests / applications etc. that would prolong the process of obtaining necessary documentation / Orders / Rozanama's which the rightful owners are entitled to and in order to maintain their records.

7. Local jurisdictional police should now act upon and evict these goons & thugs from the affected properties and ensure safety & protection of the original & rightful owners.

8. Reference of the "Maco Book" and the "Reprography Register" during investigation of the fake / fraudulent sale deeds / documents inserted and these two books should be secured to prevent any future misuse or manipulation of these counter check records.

9. Details & whereabouts of the original sale deeds, documents which were removed from the various books of the department to be pursued under investigation and reinstated.

10. Sale deeds registered to subsequent 3rd party vendors based on an Illegal Mutation proceeding / Succession deed / Initial Fake & Fraudulent Sale Deeds needs to be listed and appealed in the Civil / High Court through The State Registrar Cum Head Of Notary Services and powers to be given to the State Registrar and Directorate of Archives to nullify/mark the said deeds as fraudulent deeds.

11. Notices to such 3rd parties should be mandated to instruct the Civil Registrar-cum-Sub Registrar-I, Bardez OR State Registrar Cum Head of Notary Services to formally inform these subsequent 3rd party buyers who may be fraudulent / genuine of their nullified sale deeds. This will ensure that no further inconvenience or threat to the rightful owners in future.

12. To impose criminal and legal proceedings against all accused / involved i.e. accused fraudsters and all partners in this crime, government officials / departments involved and also all independent professionals (i.e. Notaries, advocates etc...)

13. Ensure that complaints are lodged at the BAR counsel and licenses of these independent Professionals are revoked & cancelled and subsequent criminal & legal action taken

14. To eliminate the process of any civil suits or legal proceedings to be initiated by the rightful owners to regain possession of their property once the committee concludes fraudulent sale / fraudulent transfer of title or ownership. Appoint a Tribunal if needed.....

15. Investigate the role of Panchayat / Mamlatdar of the respective Villages in this crime and obtaining records to be produced.

CONCLUSION

Land grabbing is extremely serious as it not only has legal and criminal implications but has lot of effect on the mental and social health of people. In addition parties are forced to run from pillar to post in order to restore on ownership and possession of properties which have been fraudulently snatched from them. The land grab victims have undergone great financial loss for various expenses undergone by them as well as loss of time which has seriously effected their working and professional life.

The land grab victims have pinned their hopes on this commission of inquiry to come to factual conclusions of the fraud taking place with strong recommendation of the government to overhaul the system in a manner that will prevent any kind of fraudulent activity of this nature in future.

The villages in Goa look out and cry for justice from this major attack on their rights to private properties

Place; Panaji Goa

Date: 24/07/2023

ADV. CRISTINA C. DIAS