



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (WZB),
AT PUNE.**

Appeal 24 / 2025

White Raj Resorts Pvt Ltd,

... Appellant

Versus

Goa Coastal Zone Management Authority & Ors

... Respondents

ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPELLANT

I, Mr. Vladislav Bogomolov, 42 years of age,
manager of White Raj Resorts, residing at Ruby, Canacona, Goa
The Appellant in the above Appeal do solemnly Affirm and state as under.

1. This Hon'ble Tribunal was pleased to direct the Appellant to file an Additional Affidavit and show the Nexus between Respondent No 2 Mr Suraj Ballikar (Aka Suraj Balekar) and the Respondent No 3 Mr Mansur Shaikh.
2. Through this Additional Affidavit, the Appellant craves to produce the Copy of Miscellaneous Civil Appeal 2753/ 2024. A copy of the said MCA is hereto Annexed and marked as **Annexure A-4.**

FOR WHITE RAJ RESORTS PVT. LTD.

page 1/3

Authorised Signatory



3. In the said MCA filed before the High Court of Bombay at Goa. In Paragraph 3 the Respondent No 2 has mentioned that Respondent No 3 is his authorized representative. *"The Applicant states that on 18 th August 2023, the Applicant applied for permission/ approval to the Goa Coastal Zone Management Authority for erection of temporary structures i.e. 25 cottages and 1 shack in Survey No 80/1 of Nagorcem, Palolem Cancona Goa in terms of the CRZ Notification 2011, as amended from time to time. **The Applicant states that due to his personal difficulty he had authorized one Shri Mansur Shaikh, resident of House No 100, Colomb, Palolem Canacona to prepare and pursue the applications to secure all due permissions as required from the competent authorities in accordance with Law.**" (emphasis supplied).*
4. Thus upon a bare perusal of the above Paragraph in the MCA the nexus between Respondent No 2 and 3 becomes very clear.

FOR WHITE RAJ RESORTS PVT. LTD.


 Authorised Signatory

S. Shankar

Adv for the Appellant:

Solemnly Affirmed at

Goa

On this 20th Day of February 2025

FOR WHITE RAJ RESORTS PVT. LTD.

Bo

Authorised Signatory

VLADISLAV BOGOMOLOV, MANAGER
for the Appellant



Solemnly affirmed before me by
Shri/Smt. Vladislav Bogomolov
who is identified to me by
Shri/Smt. Ad. 954031329158
To whom Ad. 954031329158
this 20th Feb 2025
Reg. No. 425/2025

Anjali
Smt. Anjali Anand Rai Desai alias
Kavyanjali Kishor Nalk Gaunker
NOTARY
CANACONA-GOA

HIGH COURT OF BOMBAY AT GOA

Presentation Form

Stamp Number /Year :
 Registration Number/Year : 2024

#Case Type : MCA Nature : Civil/ Criminal

If Interlocutory Application , Main Matter Details

Case Type : Appeal from Number : 16 Year: 2022
 Order

Petitioner/Plaintiff/Appellant Details

#Name : Susaj Balekar
 (If Organisation/Institution, Provide Code *)

Address : H.No. 262, Deulwada, Quepem,
 Goa 403705

Nationality : #District : South Goa

Occupation : Businessman Tel No./Telex No./Fax No. :

Age : 38 Gender: Male/Female Caste:

Email Id :

#Advocate Code*/Name : Adv. Amira A. Razag

Respondent/Defendent/ Details

#Name : White Ray Resorts Pvt. Ltd
 (If Organisation/Institution, Provide Code *)

Address : Ruby Residency, Chaudi, Caracina, Goa

Nationality : #District : South

Occupation : Tel.No./Telex No./Fax No. :

Age : Gender: Male/Female Caste:

Email Id :

Advocate Code*/Name :

Classification Details

#Act Code1*: Under Section:

Act Code2*: Under Section:

Document Pages : #Bench : Single/Division/Full

Valuation for Jurisdiction:

Valuation for Court Fee : Rs 300/-

#Subject Category Code*(For Main Case) :

In case of Interlocutory Applications
Purpose :

Fee Details

Memo Fee	:	VP Fee	:
Affidavit Fee	:	CC Fee	:
Additional Fee	:		

Lower Court Details , if any

Court Authority :

Case Type/Number /Year :

Date of Impugned Order/Judgement :

Lower Court Judge Name
and Designation :

In case of Criminal Cases

Conviction Date : Year of Sentence :

Police Station : FIR Number/Year :

Whether copy of caveat files by Respondent/Opponent received by the
Petitioner/Appellant : YES / NO
if YES date if receipt of copy and Caveat Number :

Whether any petition on the above subject has been filed by the
Petitioner/Appellant/Aplicant : YES / NO
if YES , please state the numbers :

For Adv. *Amira A. Kazag*
Signature of Advocate

Signature & Name of person
presenting for petitioner

Filing Accepted
Signature of Scrutiny Officer

Signature of data entry clerk

* **For Codes Please see the Code Lists**
Fields are Mandatory

Check List :

HIGH COURT OF JUDICATURE (APPELLATE SIDE), BOMBAY

W.P./F.A./S.A./FCA/C.A.

CRA/FERA/A.O./C.P./

CRI.W.P./CRI.APPL./CRI.APPEAL *MCA*

**SINGLE BENCH/DIVISION BENCH
ACT**

DISTRICT _____

N.A.

LOWER COURT CASE NO. _____

FIRST APPELLATE COURT
CASE NO. _____

ADVOCATE MR./MS *Amir A. Razvi*

Yes

No.

N.A.

- | | | | | |
|----|--|-------------------------------------|-------------------------------------|--------------------------|
| 1. | Whether the Proceeding is competent ? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. | a) Whether the Vakalatnama is filed & in order | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | b) Whether Note of Appearance is filed. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | c) Whether Party is appearing in Person. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | d) Whether Details of email address & mobile No. are given. : | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. | Whether Certified Copy of impugned Judgement/order is filed | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | a) Trial Court : | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | b) First Appellate Court Judgement/order : | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. | a) Whether Title, Age and address with Original Status of parties is properly described. : | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | b) Whether Senior Citizen : | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. | a) Whether proceeding is filed within Limitation | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | b) If not whether application for condonation of delay is filed. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|-----|---|-------------------------------------|--------------------------|-------------------------------------|
| 6. | a) Whether full Court Fee is paid | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | b) If not whether undertaking is given for payment of deficit Court Fee. | <input type="checkbox"/> | <input type="checkbox"/> | |
| 7. | Whether claim is specifically stated | | | |
| | a) For Jurisdiction : | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | b) For Court Fee | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. | (a) Whether claims stated differ from those stated in Lower Court. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | (b) If yes, difference explained in footnote. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. | Whether Index/Synopsis/Pagination is properly done and Second Set for DB is filed. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. | a) Whether translation of Documents from language other than English into English is filed. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | b) If translation is not furnished Whether usual undertaking is given for filing it subsequently. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. | a) Whether Mandatory Deposit is made | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | b) If not whether undertaking is given to make it subsequently. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. | a) Whether proper & legible copies of annexures certified as true copies are filed | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | b) If not whether undertaking is given to supply typed copies. | <input type="checkbox"/> | <input type="checkbox"/> | |
| 13. | Whether Caveat Statement is made | <input type="checkbox"/> | <input type="checkbox"/> | |

Additional information for :
Cri. Appeal/W.P./Application/Revision :

	Yes	No.	N.A.
14. (a) Whether statement is made that no Appeal/Application has been filed previously in the same matter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If yes, whether a copy of the order is annexed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Whether particulars of Counter Case/ Cross Case are given.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Whether application is duly verified on Oath or Affidavit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Whether original complainant is made party.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. (a) Whether a copy of Application is served on P. P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) If not, whether undertaking is given ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For Adv. ^{FF} Anura A. Razaq
 (Name & Signature)
 Advocate/Party in person



गोवा GOA

018013

Date 25/10/24 Serial No. 91987
 Discp. of Stamps Jud Value 200/-
 Name of Purchaser A. Razak
 Residence:

Vendor: Prasad G. Gad, Panaji Goa.
 LIC No. 108 dtd:- 18/2/2010

IN THE HIGH COURT OF BOMBAY AT GOA
 MCA | | 2024

In

Appeal from Order No. 16/2022

Suraj Balekar
vs

White Raj Resorts Pvt. Ltd


... Applicant

... Respondent

COURT FEE (200/- + 100/- = Rs 300/-)

Place : Porvairim - Goa

Date : 25-10-2024

For: 
 Adv. for the Applicant
 Anura A. Razak



गोवा GOA

089183

Date 25/10/24 Serial No. 91480
 Discp. of Stamps... 100 Value... 100
 Name of Purchaser..... A. Razaq
 Residence:.....

Vendor: Prasad G. Gad, Panaji Goa
 Lic No. 108 dtd:- 18/2/2010

IN THE HIGH COURT OF BOMBAY AT GOA
 MUA | | 2024

IN
 Appeal from Order / 16 / 2022

Suraj Balekar
 vs

... Applicant

White Raj Resorts Pvt. Ltd

... Respondent

COURT FEE (200/- + 100/- = Rs 300/-)

Place : Porvoin - Goa

Date : 25-10-2024

For: - 
 Adv. for the Applicant
 Amira A. Razaq

IN THE HIGH COURT OF BOMBAY AT GOA

M. C. A. No. /2024
In
Appeal from Order no. 16/2022

SURAJ BALEKAR ... Applicant

VERSUS

WHITE RAJ RESORTS PVT. LTD ... Respondent

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24th October 2024

Adv. For the Applicant

AMIRA ABDUL RAZAQ



IN THE HIGH COURT OF BOMBAY AT GOA

M. C. A. No. /2024
In
Appeal from Order no. 16/2022

SURAJ BALEKAR
Major in age, 38 years of age,
Married, business man
Resident of H. No. 262, Deulwada
Quepem, Goa 403705 ... Applicant

VERSUS

WHITE RAJ RESORTS PVT. LTD
A private limited company represented
Herein by its duly authorised officer
Mr. Vladislav Bogomolov
Son of Mr. Jha Arun Kumar
Aged 36 years, services
Ruby residency
Chaudi, Canacona, Goa ... Respondent

IN

AFO No. 16/2022

WHITE RAJ RESORTS PVT. LTD
A private limited company represented
Herein by its duly authorised officer
Mr. Vladislav Bogomolov
Son of Mr. Jha Arun Kumar
Aged 36 years, services
Ruby residency
Chaudi, Canacona, Goa ... Appellant

Versus

Bani

2

1. DR. SHABA RAMA NAIK GAONKAR
Alias Chandrakant Rama Naik Gaonkar
Major in age, aged 60 years, married,
Business, resident of Flat no. H-B-4-D,
5th Floor, Ruby residency Canacona,
Goa 403702

2. MR. VINOD NAIK
Major in age, 53 years, married,
Businessman, resident of House No.
2136, Agalli, Gogol, Margao - 403601

3. MR SURAJ BALEKAR
Major in age, 38 years of age,
Married, business man
Resident of H. No. 262, Deulwada
Quepem, Goa 403705 ... Respondents

(Addresses are registered addresses for service)

**APPLICATION ON BEHALF OF
THE APPLICANT /RESPONDENT NO. 3
IN AFO 16/2022, IN TERMS OF THE
ORDER DATED 9TH NOVEMBER, 2023,
TO UNDERTAKE TOURISM RELATED
ACTIVITIES**

MAY IT PLEASE YOUR LORDSHIP

The Applicant abovenamed/ Respondent no. 3 in the AFO
no. 16/2022, most respectfully states and submits as
follows:

1. The Applicant is filing the present application in terms
of the liberty granted by this Hon'ble Court in its order

Bai



dated 9th November, 2023 in the above Appeal from Order. The relevant portion of the said order is extracted hereunder:

“...

3. The Trial Court has held that the plaintiffs, that is the respondents herein, are prima facie in possession of the suit property. The appellant has been enjoined from interfering with the respondents enjoying the suit property. Accordingly, at least at this interim state, no case is made out by the appellants to secure any stay on this part of the impugned orders.

4. Mr Bhohe, however, submitted that the respondents are undertaking some tourism related activities in the suit property without obtaining permission from the statutory authorities. Mr Diniz states that in the past permissions were obtained from the authorities for carrying out such tourism related activities. He states that even now applications have been made or in any case will be made to the authorities for obtaining permission to carry out such activities. He states that such applications will be made to the Goa Coastal Zone Management Authority (GCZMA) and the Canacona Municipal Council. He says that if permissions from any other authorities are required, the same will be



Diniz

applied for. Mr Diniz states that it is only after permissions are obtained that the activities will be carried out in the suit property.

5. Mr Diniz submits that the authorities sometimes decline to entertain application seeking permission on the grounds of pendency of the suit or any litigation. Accordingly, it is clarified that the authorities ~~are~~ ~~considering~~ (correction carried out per order 9.5.24) shall consider the applications seeking permissions on their own merits and in accordance with law without being unduly influenced by the pendency of the proceedings. However, if the appellants have any legitimate grounds to oppose for such permissions it is open to them to file their objections which should also be considered by the Authorities.

6. If the permissions are obtained, liberty is granted to the respondents to apply to this Court to undertake tourism related activities in the suit property based upon such permissions. To such an application, the permissions so obtained from the authorities must be annexed"

2. That without prejudice to his rights and contentions on merits and otherwise, the Applicant states that as in the past, the Applicant has applied for and obtained due

Diniz

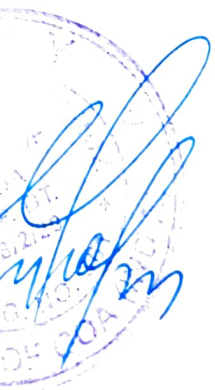


permissions to conduct tourism related activities in the suit property, as already set out in detail in the plaint.

3. The Applicant states that on 18th August, 2023, the Applicant applied for permission /approval to the Goa Coastal Zone Management authority, for erection of temporary structures ie 25 cottages and 1 shack in Survey no. 80/1 of Nagorcem, Palolem, Canacona- Goa in terms of the CRZ Notification 2011 as amended from time to time. The Applicant states that due to his personal difficulty, he had authorised one Shri Mansur Shaikh, resident of House no. 100, Colomb, Palolem, Canacona to prepare and pursue the applications to secure all due permissions as required from the competent authorities in accordance with law.

4. The Applicant states that by Order no. GCZMA/S/Shack-Hut-Cott-Tent/22-23/25/65 dated 08/04/2024, the Goa Coastal Zone Management Authority (GCZMA) has, after due process, granted permission/approval for erection of temporary structures ie 25 cottages and 1 beach shack in Survey no. 80/1 of Nagorcem, Palolem, Canacona -Goa, in terms of the CRZ Notification 2011, as amended from time to time. The Applicant annexes hereto a copy of the said permission

Sai



dated 08/04/2024 granted by the GCZMA as R3/EXHIBIT A.

5. The Applicant states that thereafter, due permissions were applied for from the Canacona Municipal Council vide by application dated 21/08/2024.

6. The Applicant states that "SEASONAL PERMISSION" has been duly granted by the Canacona Municipal Council under Number CMC/Tech.Sec/Permission/2024-25/1821 dated 08/10/2024 for erection of 1 shack and 25 seasonal temporary structures in the suit property bearing survey no. 80/1 situated at Colomb, Canacona, Goa.

7. The Applicant states that the permission granted by the Canacona Municipal Council is valid upto 31st May, 2025. A copy of the said Seasonal Permission dated 08/10/2024 granted by the Canacona Municipal Council is annexed hereto as R3/EXHIBIT B.

8. The Applicant states that the tourism season has begun in the State of Goa and the Applicant has the relevant permissions to carry on tourism related activities in the suit property as duly granted by the competent authorities.

9. The Applicant respectfully submits that the present application is being filed in accordance with and towards

Sani



compliance with the Order dated 9th November 2023 for conducting tourism related activities in the suit property.

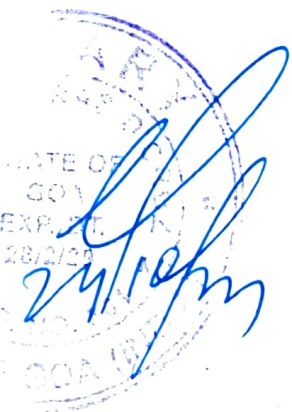
10. The Applicant states that the Applicant is legally compliant and entitled in accordance with the applicable laws to conduct his tourism related activity /hospitality business.

11. The Applicant respectfully states that the above orders and permissions of the competent authorities are duly granted and are valid and subsisting as on date.

12. The Applicant states that grave and irreparable prejudice will occasion to the Applicant above named in case the Applicant is not permitted to carry on his business activity as permitted by the competent authorities and after having succeeded in the proceedings for temporary injunction at the interim stage of the suit.

13. In the above facts and circumstances and in accordance with the liberty granted by this Hon'ble Court vide order dated 9th November, 2023, the Applicant therefore most respectfully applies to this Hon'ble Court to undertake tourism related activities in the suit property based upon the aforesaid permissions duly granted by the competent authorities.

Devi



PRAYER

The Applicant therefore respectfully prays that in the facts and circumstances, this Hon'ble Court be pleased to:

A) Pass appropriate orders permitting the Applicant above named to undertake tourism related activities in the suit property;

B) Such other and further orders as this Hon'ble Court may deem fit and proper.

Porvorim- Goa
24th October, 2024

Bali
APPLICANT

AFFIDAVIT

I, Suraj Balekar also known as Suraj Ballikar, son of Shri Baban Ballikar, major, business, residing at House no. 262, Deulwada Bali, Balli, Quepem, South Goa, Goa do hereby on solemn affirmation state and submit as follows:

Bali



1. I say that I am the Applicant above named and the Respondent no. 3 in the Appeal from Order no. 16/2022 filed by the Respondent/Appellant in the Appeal from Order no. 16/2022.

2. I say that the competent authorities have granted due permissions and approvals to erect temporary structures on the suit property for conducting tourism related activities and the copies of the said permissions as annexed by me to the foregoing application are true copies of the permissions & approvals granted by the competent authorities.

3. I say that the contents of paras 1 to 11 and 13 of the foregoing application are true to my knowledge and the records and the contents of para 12 are my submissions on legal advice.

Solemnly affirmed at

On this 24th day of October, 2024

Baru
DEPONENT

Identified by:

Baru
Solemnly affirmed before me by the deponent is who is/are identified to me by Election Card no MX0174128 Who I personally know on this 24 day of 10, 2024. Reg. No. 8443/2024

Baru
NOEL PARRAS D'CARVALHO
NOTARY
Salcete Taluka (Reg. No. 361)
STATE OF GOA (INDIA)
Mob:9325063757/9422098357



Baru

" Ex B R 3 / A "

TRUE COPIES
Bai

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GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Environment & Climate Change, (Govt. of Goa)

4th Floor, Dempo Tower, Patta Plaza, Panjim-Goa.

Website: www.czma.goa.gov.in

Ref. No. GCZMA/S/Shack-Hut-Cott-Tent/22-23/25/65

Dated: 08/04/2024

To,
Mansur Shaikh,
H.No. 100, Colomb, Palolem,
Canacona - Goa.

Sub: Permission / Approval for erection of Temporary Structures i.e. 25 nos of Cottages and 01 Shack in Sy. No. 80/1 of Nagorcem Palolem, Canacona - Goa in terms of CRZ Notification, 2011 as amended.

Ref: 1. Your application no. nil dated 18/08/2023.
2. CRZ Notification, 2011 as amended from time to time.

Sir / Madam,

With reference to your application on the above mentioned subject, it is hereby conveyed that the Goa Coastal Zone Management Authority (herein after referred to as 'the GCZMA', in short) has examined your proposal in its 390th GCZMA Meeting held on 12/03/2024 in accordance with the provisions of the clause 8 (v) (3) (iii) of CRZ Notification, 2011 as amended from time to time for CRZ of Goa issued by the Ministry of Environment, Forests & Climate Change, Government of India. Accordingly, after detailed deliberation and discussion, the Authority decided to grant approval for erection of Temporary Structures i.e. 25 nos of Cottages of area 395.25sq.mtrs and 01 Shack of area 37.00sqmtrs made of wood and /or natural/biodegradable material only in the property bearing Sy.No. 80/1 of Nagorcem Palolem, Canacona - Goa subject to the conditions as specified in the Beach Carrying Capacity Report and further compliance of following conditions.

1. The provisions of the CRZ Notification 2011, (as amended), should be strictly adhered to by you. No activity in contravention to the provisions of the CRZ Notifications shall be carried out.
2. The applicant shall take all requisite environmental safeguard to ensure that there would not be any environmental degradation in this area.
3. The traditional access, right of way, easement shall not be blocked by the applicant.
4. Shacks ,huts, tents, cottages and huts/ tents/ cottages in private areas shall be erected using eco-friendly materials such as bamboos/wooden poles with thatched palm leaves/ thatched bamboo mat roofing as far as possible and for structural support wherever required GI-pipes / mild steel framed structures could be permitted. However, in case of paucity of wood the same may be erected out of the other modern materials such as synthetic, steel, nylon fabric etc. for the purpose of frame work due to unpredictable weather conditions. However the same shall not exceed 30% of the total material required. Use of concrete is banned. Grouting, plastering laying of PCC/ RCC on the floor/ structure/ digging of soak pits/ digging and laying of pipes/ metal staircases grouted in cement etc. shall not be permitted as per the guidelines issued by the GCZMA.

-2-

5. In the event of any change in the project profile, a fresh reference shall be made to the GCZMA.
6. The GCZMA may stipulate any additional conditions subsequently if deemed necessary, for environmental protection which shall be complied with.
7. The office of the GCZMA reserves the right to revoke this recommendation / clearance without prior intimation of non compliance of any one or more of the aforesaid conditions.
8. You are required to obtain all the requisite permissions / licences / NOC etc from the competent Authorities before actual operation of the said temporary structure/ enabling activities. This NOC is issued without prejudice to any other permission as required under the law including that of ownership of the property, property dispute, easement rights, court case etc. As such, prior to the erection and operation of the aforementioned 'temporary seasonal structures, it will be incumbent upon the applicant to obtain all the requisite permission / NOC / licences etc from the Authorities / Departments for any other authority as required under the law including from the local authority, Goa State Pollution Control Board, Revenue Authority, Department of Tourism, etc.
9. Regular site inspections shall be carried by the team comprises of the Expert Members of the GCZMA and or other Authorities / Departments to ensure compliance of aforesaid condition. In case of any non compliance of the terms and conditions stipulated above, the action as deemed fit including that of demolition of structure, disconnection of Power / Water supply will be taken.
10. The said structures should be one meter above the ground on stilts of wooden poles wherever possible. However the ground clearance should not be more than 1.5 m.
11. The applicant will not transfer by any mode his premises to any other person.
12. This permission stands automatically revoked in case of any illegal/unlawful/immoral acts done by the applicant/proponent and or agent, lawful power of attorney holder , authorized person, any person acting for on behalf of the applicant/proponent in the said structures.
13. Further this approval also shall stand automatically revoked in case of any standing order of court of law/tribunal, arbitrator, quasi-Judicial authority etc. in force and suppressed by the applicant/proponent or otherwise.
14. All temporary structures shall maintain a standard buffer of a minimum of 3 m from adjacent huts/tents/cottages.
15. Appropriate use of renewable energy such as solar and wind energy to be used wherever possible.
16. Potable water requirement for domestic and tourist population has to be made available. The quality of water to be supplied should meet the national standard. Measures like rain water harvesting should also be encouraged to have access to clean and potable water.

-3-

17. Separate bins for different types of solid wastes (source segregation of solid wastes biodegradable and non bio-degradable) shall be provided by the operator. It will be the responsibility of the plot owner to dispose the waste generated from their plots to the respective bins. The Municipality/Village Panchayat or the contractor appointed by the Department of Tourism, as the case may be, shall collect waste from time to time and hand over the non- biodegradable waste to the Goa Waste Management Corporation. Solid waste to be transported to the solid Waste Management Facility at Calangute by the Village Panchayats in North Goa whereas in South Goa it will be responsibility of the owner/authorized representative to dispose the same by composting/biogas plant or to transport to the piggeries for the biodegradable waste.
18. In case the property on which these structures are permitted to be erected has several title holders any dispute/objection to this permission by any such title holder/holders, this permission shall stand revoked. This permission would be withdrawn in case an objection from owners regarding lease is filed before GCZMA. No hearing in the matter shall be allowed.
19. The validity of this permission is for 07 years from the date of issue or period of lease whichever is earlier. This permission should abide by the Notification dated 3rd May 2017 S.O 1393(E) issued by Ministry of Environment, Forests and Climate Change.
20. The fee may be revised by GCZMA.
21. All the structures shall be of ground floor in nature.
22. For private plots abutting the beach, a minimum set back of 3 mts from the survey boundary shall be kept by the applicant.
23. You should not barricade the proposed site.
24. In case of lease, the permission is conditional on the period of lease only and on the consent of the land owner.
25. All the other conditions as mentioned in Beach Carrying Capacity report w.r.t. FAR, construction material, spacing between huts, consent to establish from SPCB etc. shall have to be followed by the applicant.
26. This permission is liable to be revoked, if it is found, at any stage, that the application contained false information / wrong plans / calculations / documents / misleading or false information, etc. or documents not submitted as called for in this application.
27. Structures shall not be removed and dismantled during the month of June to August: Provided that the facilities available in these structures shall remain non-operational during the month of June to August”.

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28. Any appeal against this provisional permission shall lie with the Hon'ble National Green Tribunal, if preferred within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours faithfully,



(Johnson B. Fernandes)

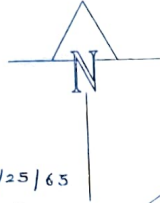
Member Secretary (GCZMA)

Encl: As above

Copy to:

1. **P.A to Secretary (Environment & CC) / Chairman (GCZMA), Secretariat, Porvorim.....for kind information.**
2. **The Chairman, District Level Committee, Collectorate Building, South-Goa for kind information.**
3. **The Director, Department of Tourism, Government of Goa, Patto Panaji Goa.... for information and necessary action.**
4. **The Member Secretary, Goa State Pollution Control Board, Saligao-Goa for information and necessary action.**
5. **The Commissioner of Commercial Taxes, Vikrikar Bldg. M.G. Road, Panaji-Goa.... for information and necessary action.**
6. **The Dy. Collector & SDO, (Canacona), Canacona- Goa.... for information**
7. **The Secretary, Village Panchayat of Nagorcem Palolem, Canacona Taluka for information and necessary action.**

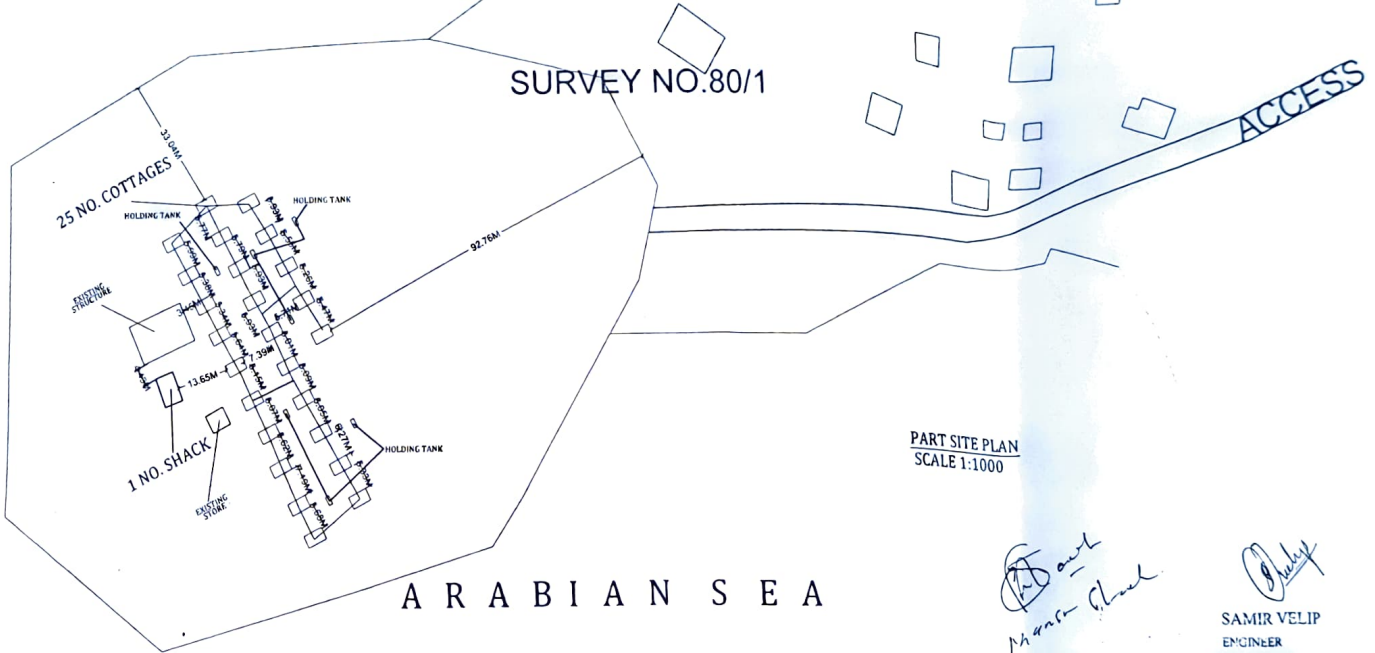
PLAN
 SHOWING PROPOSED TWENTY FIVE TEMPORARY COTTAGES AND ONE SHACK IN LAND
 BEARING SURVEY NO. 80/1 (PART) OF NAGARCEM-PALOLEM VILLAGE, TALUKA
 CANACONA FOR MR. SURAJ BALLIKAR.



No. Grczma/S/Shaak-Hud-(ott-Tent)/22-23/25/63

dt. 08/04/2024

AREA STATEMENT
 AREA OF PLOT = 110650.0 SQMTRS
 AREA OF EXISTING STRUCTURE = 2100.00 SQMTRS
 AREA OF COTTAGES = 25 X 15.81 = 395.25 SQ.MTRS
 AREA OF SHACK = 1 X 37 = 37.00 SQ.MTRS
 TOTAL AREA = 2532.25 SQ.MTRS
 COVERAGE = 2.28 %



PART SITE PLAN
 SCALE 1:1000

Pharash Choudhary

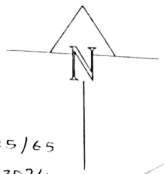
Samir Velip

SAMIR VELIP
 ENGINEER

TCP REG NO : ER/0040/2018

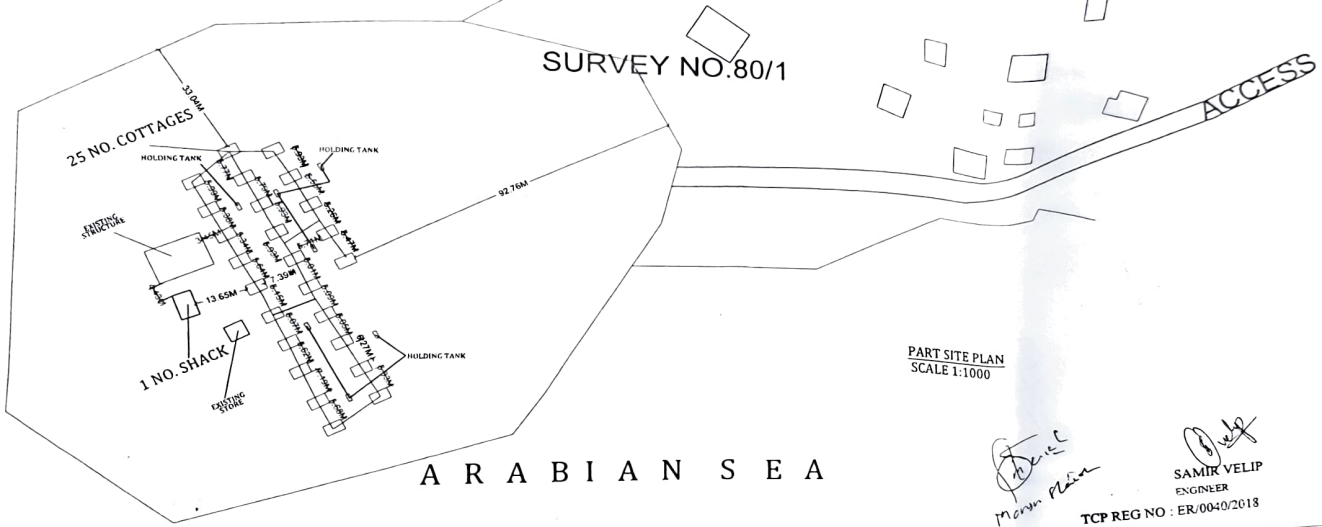
PLAN
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 BEARING SURVEY NO. 80/1 (PART) OF NAGARCEM-PALOLEM VILLAGE, T.
 CANACONA FOR MR. SURAJ BALLIKAR.

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 64



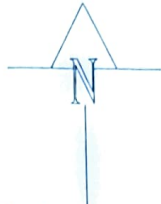
NO GZMA/S/SHACK-HUT-TEMP/22-23/25/65
 dt. 09/04/2024

AREA STATEMENT	
AREA OF PLOT	= 110650.0 SQMTRS
AREA OF EXISTING STRUCTURE	= 2100.00 SQMTRS
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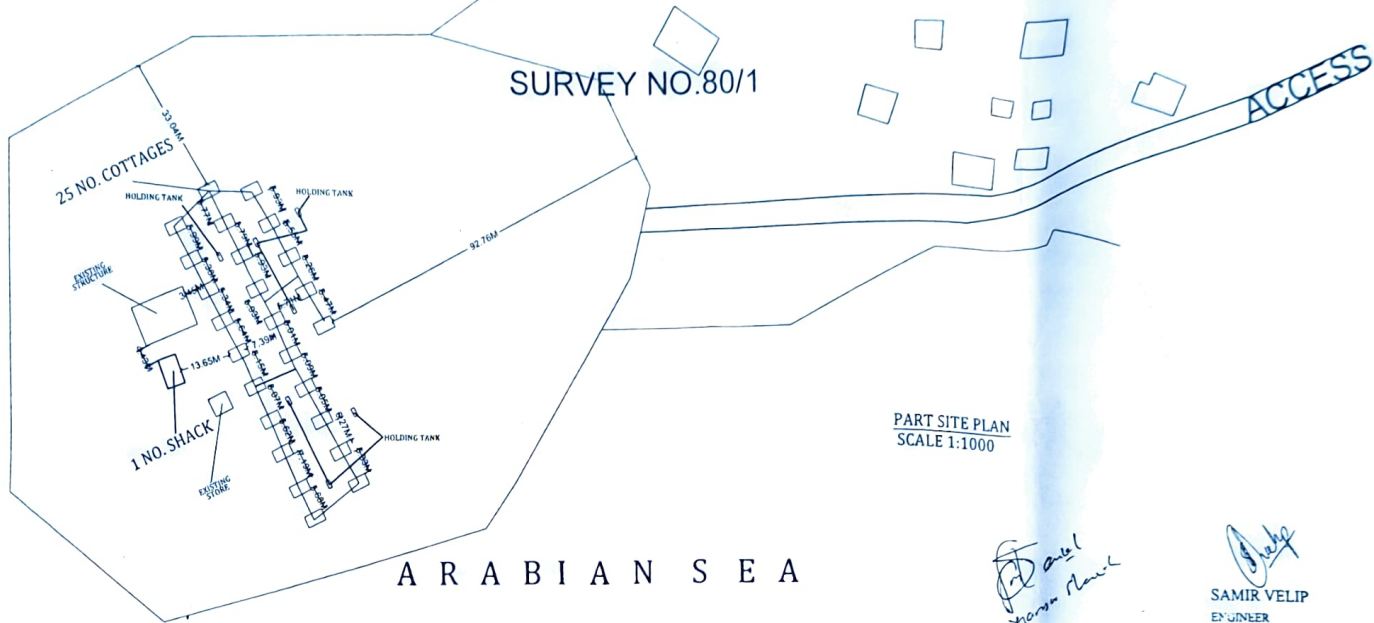
Samir Velip
 Manoj
 SAMIR VELIP
 ENGINEER
 TCP REG NO : ER/0040/2018

PLAN
 SHOWING PROPOSED TWENTY FIVE TEMPORARY COTTAGES AND ONE SHACK IN LAND
 BEARING SURVEY NO. 80/1(PART) OF NAGARCEM-PALOLEM VILLAGE, TALUKA
 CANACONA FOR MR. SURAJ BALLIKAR.



No. GZMA/S/Shack-Hut-cott-7ent/22-23/25/65
 dt. 09/04/2024

AREA STATEMENT
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 AREA OF EXISTING STRUCTURE = 2100.00 SQMTS
 AREA OF COTTAGES = 25 X 15.81 = 395.25 SQ. MTS
 AREA OF SHACK = 1 X 37 = 37.00 SQ. MTS
 TOTAL AREA = 2532.25 SQ.MTS
 COVERAGE = 2.28%



PART SITE PLAN
 SCALE 1:1000

Samir Velip
 Master Plan

Samir Velip
 SAMIR VELIP
 ENGINEER

TCP REG NO : ER/0040/2018

" Exb 03/B "

TRUE COPIES

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CANACONA MUNICIPAL COUNCIL

Canacona-Goa

No.CMC/Tech.Sec/Permission/2024-25/1821

Date: 08/14/2024

1. Application dtd: 21/08/2024 inward under No.3262 dtd: 01/10/2024
2. General Receipt No. 04479, 04480 & 04481 dtd: 08/10/2024
3. GCZMA/S/Shack-Huts-Cott-Tent/22-23/25/65 dated 08/04/2024
4. Under taking filed by applicant in regard to structural stability & compliance of terms and condition of GCZMA NOC.
5. Council Resolution No.6 passed in the Council Special Meeting dated: 05/09/2024

SEASONAL PERMISSION

In pursuance to the NOC issued by GCZMA/S/Shack-Huts-Cott-Tent/22-23/25/65 dated 08/04/2024 Seasonal permission/Licence is hereby granted to Shri Mansur Shaikh r/o Padamol, Sirvoi, Quepem-Goa for erection of 01 Shack and 25 Seasonal Temporary huts in the private property Survey No. 80/1 situated at Colomb, Canacona within the jurisdiction of the Municipal Council for the current tourist season i.e. from 01/10/2024 to 31/05/2025 and subject to the following conditions, in addition to the conditions laid down by Goa Coastal Zone Management Authority and other authorities.

1. The Licensee shall strictly maintain hygienic conditions, sanitation and the cleanliness in and around the seasonal huts by making proper arrangement for disposal of waste/garbage materials. He/She should not discharge filthy water or liquid or garbage in the adjoining area of the plot. The Licensee should maintain a dustbin where all the waste matter and garbage shall be dumped and remove the same regularly, so as to maintain surrounding area clean and tidy. The licensee should install bio-digester to dispose off day to day wet garbage generated through trade activities in a scientific manner.
2. The Licensee shall not sublet the temporary huts/shack licence/permission granted to him to any other person.
3. No activities other than for which the licensee has been issued shall be carried on the Shack/huts including any nature of illegal activities.
4. The Licensee shall strictly abide with the relevant provisions of the Goa Municipalities Act, 1968 as amended from time to time and Rules, By-laws framed there under. Besides, he/she shall abide with the directives of Hon'ble High Court at Panaji Bench given in Writ Petition No.150/1998, Rules & Regulations of Town & Country Planning Department/Health Dept., Fire Station and other authorities concerning to design and erection of Shack and timing of business, Sanitation etc.
5. The Licence is valid upto 31st May 2025.
6. After the expiry of licence period the Licensee shall close the above permitted temporary structure/shack immediately within ten days after 31st May 2025 and the place is to be restored back to its natural or original form and file report of the same to the Council as per Tourism policy for erection of temporary seasonal structures/beach shack, huts and others for the year 2024-2025.
7. Failure to comply with any of the other conditions of Fire & Emergency Services and Electricity and Health authorities shall lead to cancellation of licence at once without notice.
8. The Chief Officer reserves the right to withdraw/revoke this licence at any time without any notice and without assigning any reason thereof.
9. The Council has No Objection to give temporary electric supply to the licence as per the requirements of the Department, during the period of the licence only.
10. While putting up the Shack/huts in the respective property, the traditional access/pathways used by the public should not be blocked which may cause obstruction.
11. Licensee is required to produce the NOC issued by the Dept. of Fire Services, and should take appropriate measures in order to avoid any untoward incidents.
12. The Council shall be entitled to recover the expenditure, if any incurred for demolishing the structure if the same is not closed on the site after the licence period.

- 13. The conditions laid down by council, the owner should be strictly followed.
- 14. The applicant shall submit the fire NOC before erection of seasonal shack/huts.
- 15. The licensee shall display the licence issued by this council in front of reception counter.
- 16. All the necessary care shall be taken while erection and after erection of the shack/structures, so that no untoward incidences occurs for the safety of the structure.
- 17. This council shall not be hold responsible of the structure and any property dispute between the owner of the property and applicant.
- 18. All the firefighting equipment shall be installed for fire safety and necessary care shall be taken to avoid untoward incidences occurring due to fire.
- 19. The applicant shall inform this council after erection of the temporary shack/huts.
- 20. Violation of above conditions will lead to forfeit of security deposit.
- 21. This permission stands automatically revoked incase of any illegal/unlawful/immoral acts done by the applicant/proponent and or agent lawful power of attorney holder authorized person any person acting for on behalf of applicant/proponent in the said shack/structure.
- 22. The applicant shall be solely responsible for any loss of life and property in the event of any untoward incidence at the place of business. Further licensee agrees to indemnify the Council/Chief Officer and any of his staff from any liability.

Place : Canacona Goa.
 Date : 05/10/2024

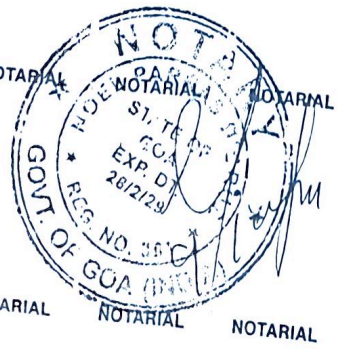
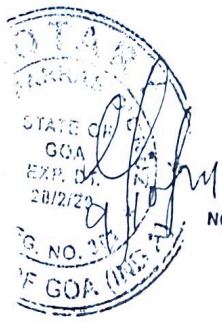


(Signature)
 (Ramesh N. Gaonkar)
 Chief Officer,
 Canacona Municipal Council,
 Canacona-Goa.

To,
 Shri Mansur Shaikh,
 R/o Padamol, Sirvoi, Quepem-Goa

Copy F.w.c.s for information & necessary action to :-

- 1. The Excise Inspector, Excise Dept. Canacona-Goa
- 2. The Health Officer, CHC Canacona-Goa.
- 3. The Asst. Engineer, Electricity Department Canacona



CERTIFIED TRUE COPY
(Signature)
 NCEL PAREAS D'PRUE
 NOTARY
 Salcete Taluka (Reg. No. 3571)
 STATE OF GOA (INDIA)
 #326863757 / 9427666357
 Reg. No. 7189 / 2024
 Date: 9/10/2024



VAKALATNAMA

*I/we are members of the advocates
Welfare fund and hence pay a court fee of Rs.5/-*
IN THE COURT OF BOMBAY AT GOA

MCA NO. /2024

IN

Appeal from Order no. 16/2022

SURAJ BALEKAR
V/s


...Applicant

WHITE RAJ RESORTS PVT LTD

...Opponents

I, Mr. Suraj Balekar, resident of H.No 262, Deulwada, Quepem, Goa,
, the Applicant herein hereby appoints, Adv. Amira A. Razaq
(MAH/2252/1995) to appear, plead and act, appear for me/us in the
above Writ Petition/Appeal/Application and to conduct the same on
my/our behalf to Order/Judgment/Decree/Award.

Presented in the court on 25-10-2024



Signature of the Applicant

Suraj B Ballikar

Accepted by me:
Advocates: _____

Office at: 1st Floor, Next to Boa Casa,
St. Inez Post Office,
St. Inez-Panaji, Goa, 403001
Ph:- 9422330099