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**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, WESTERN ZONE BENCH AT PUNE**

Original Application No.: 142 of 2025

The Colva Civic and Consumer Forum ... APPLICANT

VERSUS

The Goa Coastal Zone Management

Authority & Ors ...

RESPONDENTS

ADDITIONAL AFFIDAVIT OF THE APPLICANT

I, **Judith Almeida**, age 70 years, President of the Colva Civic and Consumer Forum (Appellant), having office at H. No. 257/1, Ward 3, Bagdem, Colva, Salcete, Goa – 403708, do hereby solemnly affirm and state on oath as follows:

1. This Applicant refers to the Order dt 12.12.2025 of this Hon'ble Tribunal in the instant OA 142/2025 to bring on record relevant documents required to adjudicate this case.
2. The Applicant had filed an Appeal 51/2022 before this Hon'ble Tribunal challenging the order of the GCZMA R1dt 12/10/2022 and 19.10.2022. Annexed is a copy of the Order dt 12.10.2022 and 19.10.2022 as **Exhibit A8** directing for demolition of only structures A to F Colly without conducting a physical Site Inspection to verify the violations raised by the Appellant that existed prior to the year 2006 which was listed by this Applicant before the Hon'ble High Court of Bombay at Goa in SMWP 2/2006. The said order dated 21/06/2016

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Annexed as Exhibit A9 in which the Hon'ble High Court of Bombay at Goa has categorically held at para 14 of its order "*Besides the above directions, the Anjuna as well as the Colva Panchayats namely Respondent Nos. 9 and 19 and the Resp No.2 are directed to take necessary action with regard to the structures identified on the report of the Resp No. 2 and proceed to take necessary action in accordance with law within three months from today and file a compliance report with that regard*".



3. This Applicant had filed a list of structures stated to be illegal before the Hon'ble High Court of Bombay at Goa in SMWP 02/2006. The Hon'ble High Court accepted the Application of this Applicant and passed an order wherein this Applicant was made Respondent No.30 (*refer internal page 4 of order dt 21.06.2016*).
4. The Hon'ble High Court directed that all the structures in the NDZ of all the coastal villages be mapped and accordingly the two structures (*refer Exh A11 Colly below*) as seen mapped in Sy. No 24/1 of Colvavillage of which one structure (Restaurant) was demolished during the Appeal 51//2022 proceedings before this Hon'ble Tribunal.
5. This Appellant filed a PIL 10 of 2020 in the Hon'ble High Court of Bombay at Goa and brought it to the notice that several matters (including the present case of Resp 6) pertaining to the SMWP 02/2006 were not taken to their logical end and accordingly the Hon'ble High Court was pleased to issue directions dt. 23.08.2022 to Resp No 1 to decide the matters within two months, which compelled the Resp No. 1 to decide. Annexed as Exhibit A10 is a copy of the order dt.

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23.08.2022.

6. Structures A to F Colly as noted in the order dt. 12.10.2022 and 19.10.2022 are not reflected in the Survey map of 2006 annexed as **Exhibit A11 Colly** which are copies of two separate maps along with another stitched copy of the two maps which highlights the Sy. No 24/1 in which structure 'A' is seen (*refer Exhibit A4 page 60 of OA Memo*) without structures A to F Colly s seen in the Resp 1 order dt 12/19.10.2022. The other Structure marked as 'Z' which was an illegal Restaurant has been demolished during the Appeal proceedings 51/2022.
7. The R1 (GCZMA) issued a Show Cause Notice Dt. 30.03.2012 to the Gr +1 Structure annexed as **Exhibit A12** referred to as **Structure 'A'** in this OA 142/2025.
8. The R1 issued a letter dt 21. 02.2019 Annexed as **Exhibit A13** to the Directorate of Settlement and Land Records "*.....measure the existing structures in sy.nos 24/1 of ColvaSalcete Goa and to carry out and mapping of all the structures in the property and to check whether the construction carried out by M/s shamiraj Hotels also known as Sea coin is as per the approved plan prior to taking any decision in the matter*" Further to superimpose the structures on site with the structures as per the approved plan. This inspection did not take place.
9. This Applicant challenged the order dt 12.10.2022 and 19.10.2022 in Appeal 51/2022 that the R1 without conducting a physical Site Inspection to verify the original complaint and had passed the order merely on the mapping carried out in 2022 which showed the illegal

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structure A to F Colly as illegal structures that came up much after the 2006 mapping in the NDZ of CRZ III. And which were observed in the R3 (ie Panchayat's) appointed Architect Jose Carlos Da Viega Gracias' report dt 27.09.2013. Annexed as Exhibit A14.



10. Annexed and marked hereto as Exhibit A15 is a copy of the Hon'ble High Court at Goa order dt. 10.10.2022 in PIL 10/2020. Para 1 of internal page 2 of order records that the fresh mapping was carried out. These structures as seen in orange colour some of which are demolished now.
11. Annexed as Exhibit A16 is a copy of the Amended Appeal (*Refer para 12 to 19 of the Amended Appeal*) which challenges the Building of Stilt + two upper floors wherein the Stilt meant for parking is now converted to house commercial structures and the open to sky is covered.
12. That the Resp. 6 has not submitted a single valid document before Resp. 1 (GCZMA) such as mandatory permissions, NOCs, licences, authorised Construction plans, valid Deed of sale, Electricity/Water bills, House Tax, Trade licences to prove that so called present structures existed in NDZ prior to the CRZ 1991 Notification.
13. Annexed as Exhibit A17 Colly are list of all permissions/licenses issued after 01.12.1995)
 - i. Panchayat Construction Licence dated 13.12.1995
 - ii. NOC to start Occupy building dt 26-06-1997.
 - iii. Registration Certificate of Establishment for Restaurant dt. 14.01.1999 under Goa Daman & Diu shops & Establishment Rules.

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- iv. NOC dt 05-03-1998 from Panchayat to start business activities.
- v. NOC dt 14.05.1998 from Primary Health Centre.
- vi. Registration Certificate of Department of Commercial Taxes dt. 01-04-2005.
- vii. Consent to operate & Authorisation of Goa State Pollution Control Board is dated 18-06-2012 & pertains to Survey No. 432/2 and not Survey No. 24/1
- viii. Registration Certificate of Department of Commercial Taxes dt 02.04.2005.
- ix. Certificate of Renewal of Goa Tax on Luxuries dt. 01-10-2013.
- x. E-Challan of Excise Department is dt. 17-03-2015, pertains to House No. 430/2.
- xi. Licence of Department of Excise is dt. 29-03-2014.
- xii. Licence of Food & Drugs Administration is dt. 04-04-2014.
- xiii. NOC from Fire & Emergency Services is dt. December 2013.
- xiv. Certificate of Registration of Dept., of Tourism is dt. 22-07-2013.

14. The Resp.6 has not produced a single permissions/license prior to 1995 as evidence that the structures existed.

15. Annexed as **Exhibit A18** is a copy of the Application filed to the Town & Country Planning Department (TCPD), Margao under the RTI Act 2005 dt 17.12.2019 and reply dt 06.01.2020 & 30.01.2020 of the R5 (ie TCPD) (Resp No 5 which reveals that No permission/TCO or Completion Certificate from the TCPD are available in their records. I state that R6 must produce original permissions.

16. Further during the proceedings before this Hon'ble Tribunal, the Respondent No 6 produced a report prepared by its Architect



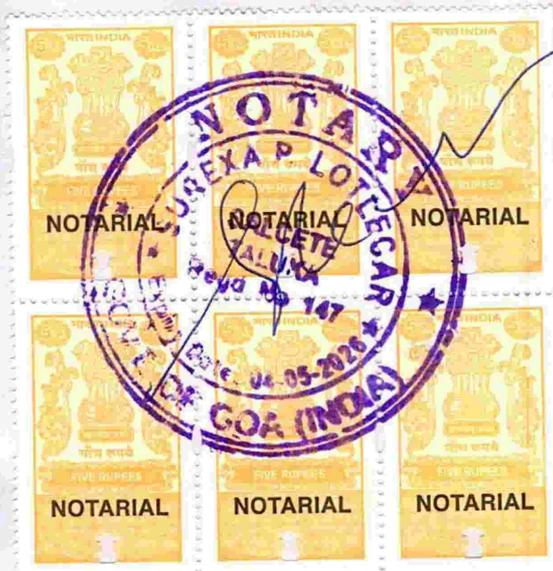
dt.29.05.2023 Annexed as Exhibit 19 in its Affidavit dt 07.06.2023 wherein the Report states that the built-up area on each floor is 428.21 sqm And that the stilt is used for kitchen and restaurant. (Refer Para 18 of OA Memo) This para records the uses till date. The structure 'A' is no more existing as per its so-called permission dt 01,12,10995 which permits an area of 341,80sqm on each floor and this could only prove that the Structure has been illegally reconstructed by extending the structure much after obtaining NOC from R 3 to Occupy the building dt. 26-06-1997 {refer Exh A17 (ii)}.

17. I state that the contents of this affidavit are true and to the best of my knowledge and nothing material has been concealed therein.

Solemnly affirmed at Margao, Goa,

On this 15th day od January 2026. DEPONENT

J. Almeida
DEPONENT
CONSUMER FORUM



Solemnly affirmed before me by

Judith Almeida

who is identified by

EPIC Card no. KNX3050465

to whom I personally know

Reg. No. 471/2026

Date 15/01/2026

SUREXA P. LOTLECAR
NOTARY MARGAO
SALCETE TALUKA
STATE OF GOA (INDIA)

EXHIBIT A8

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GOA COASTAL ZONE MANAGEMENT AUTHORITY
C/o Department of Environment and Climate Change (Govt. of Goa)
4th floor, Dempo Towers, Patto, Panaji-Goa
E-mail: goacoastalzone@gmail.com

Ref no. GCZMA/SWMP/02/06/1459

Dated: 12/10/2022

ORDER

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION)
ACT, 1986, READ WITH RULE OF THE ENVIRONMENT (PROTECTION)
RULES, 1986.**

WHEREAS the present matter is inter alia Suo Moto cognizance of Hon'ble High Court of Bombay at Goa, Panaji about the illegalities/constructions in CRZ area. The Hon'ble High Court of Bombay at Goa vide Order dated 26/09/2007 passed in the matter of Suo Moto Writ Petition no.02/2006 had directed all panchayats/municipalities to submit action taken report with regard to constructions in NDZ/CRZ area as per terms mentioned therein along with an affidavit.

The Hon'ble High Court of Bombay at Goa, Panaji vide its order dated 12/01/2015 passed in the matter of Suo Moto Writ Petition no.02/2006 had inter alia directed the respondent no.19 village of Colva to furnish the material on record to suggest the structures are not illegal before the GCZMA and such authorities shall examine such material after hearing the parties in accordance with law.

The said Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim produced its action taken report along with all material record of relevant copies of the parties etc to the office of GCZMA vide letter dated 19/01/2015. The action taken report was filed by the Village Panchayat of Sernabatim, Vanelim, Colva before the Hon'ble High Court of Bombay at Goa with two additional affidavits annexing all the documents of the structures pointed out by the intervenor (Colva Civic and Consumer Forum) in its intervention application dated 13/07/2012 bearing MCA no.635/2012.

The matter was placed in the 115th GCZMA meeting held on 04/04/2015 wherein the authority after detailed discussion and due deliberations, decided to refer the matter to the Inquiry Committee of GCZMA to examine all the documents on record and hear the parties if required and submit the detailed report to the GCZMA within 30 days.

The concerned file was forwarded to the Inquiry Committee of GCZMA for necessary actions vide letter dated 15/05/2015. In this regard the Inquiry Committee of GCZMA completed its inquiry and submitted its report dated 14/09/2015.

The matter came up of hearing before the Hon'ble High Court of Bombay at Goa on 21/06/2016 and was pleased to dispose off the matter inter alia with direction which can be seen as follows:- "*Besides the above directions, the Anjuna as well as the Colva Panchayats namely respondent no.9 and 19 and the GCZMA are direction to take necessary action with regard to the structures identified in the report of the GCZMA and proceed to take necessary action in accordance with law within three months from today and file a compliance report with that regard.*"

The matter was placed in the 180th GCZMA meeting for hearing on 31/07/2018. The proceedings in the matter can be seen as follows:- "*The complainant Mrs. Judith Almeida remained present in person and submitted that plan which is submitted by*

respondent is not available with TCP department. The report dated 29/09/2013 by village panchayat depicts G+2 structures prepared by architect. The structures are within NDZ and FAR have been extended. Complainant also drew attention of the Authority to a report dated 16/01/2018 submitted by Additional Collector to GCZMA. The respondent remained present through his representative. Complainant as well as respondent sought additional time to file written submission before the Authority." In the said meeting it was decided as follows: "the Authority after hearing all the above parties, took on record submissions made by them. It directed all the parties to file written submissions before 14/8/18. The hearing on all the matters to continue in the next GCZMA meeting on 14/08/2018. Personal hearing notices were waived off."

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The matter was placed in the 192nd GCZMA meeting held on 29/01/2019. In the said meeting it was decided as follows: "The authority heard both the parties and took on record the written and oral submissions made by both the parties. The Authority after detailed discussion and deliberation decided to carry out re survey and mapping of the property by DSLR officials prior to take any decision in the matter."

Pursuant to directions from Hon'ble High Court of Bombay at Goa, the office of DSLR conducted mapping of structures in Colva Village.

The matter was placed in the 320th GCZMA meeting for hearing on 25/08/2022. The Complainant Mrs. Judith Almeida remained present in person. Advocate Mr. A Clovis present along with authorized person of Respondent. The Complainant submitted that the Town and country Planning Department has not granted permission to the Respondent. The Authority decided to not to grant further time in the matter considering directions of the Hon'ble High court of Bombay Goa. The parties exchanged their respective email addresses.

The Authority decided to direct the Respondent to file reply along with all the supporting documents by 15/09/2022 with advance copy to the complainant. The matter is posted for further hearing on 21/09/2022 at 3.30 pm.

WHEREAS matter placed in 323rd meeting of GCZMA on 21/09/2022 in said meeting The Complainant Mrs. Judith Almeida remained present in person. Advocate Mr. A Clovis present along with authorized person of Respondent. The Respondent has furnished all copies of the written arguments as directed by the Authority. The Complainant stated that the approved plan shows structures which have to be demolished, but on site the same are not demolished but are used as a restaurant. The Village Panchayat in its report has stated that the ground floor which was supposed to be open area on stilts is covered. The Respondent states that the building has approvals from the erstwhile GSCCE in the year 1995. The project has valid licence from the Village Panchayat, Completion certificate from the GSCCE and occupancy certificate from the Village Panchayat. The Complainant states that the coverage area is more than permissible to which the Respondent stated that the area is not exceeded 33% on each floor and that the project is legal. The Respondent relied on the Inquiry Committee Report of the year 2015. The Adv for the Respondent stated that the only thing illegal on site is the shed put up for housing generator set and transformer. The Authority heard the



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parties at length and has taken on record the written arguments submitted by both the parties and posted the matter for orders on 30/09/2022.

WHEREAS the Matter been placed before 325th meeting of GCZMA held on 30/09/2022 & 04/10/2022 and it was deliberated and decided as follows:

WHEREAS the Authority perused all the documents produced by Complainant and the Respondents as well as the reply and rejoinder filed by the parties and gave due consideration to the oral submissions advanced by the parties.

WHEREAS The Authority observed and noted that present matter is inter alia *Suo Moto* cognizance of Hon'ble High Court of Bombay at Goa, Panaji about the illegalities/constructions in NDZ of CRZ area. The Hon'ble High Court of Bombay at Goa vide Order dated 26/09/2007 passed in the matter of *Suo Moto* Writ Petition no.02/2006 had directed all panchyats/municipalities to submit action taken report with regard to constructions in NDZ/CRZ area as per terms mentioned therein along with an affidavit.

The Hon'ble High Court of Bombay at Goa, Panaji vide its order dated 12/01/2015 passed in the matter of *Suo Moto* Writ Petition no.02/2006 had inter alia directed the respondent no.19 village of Colva to furnish the material on record to suggest the structures are not illegal before the GCZMA and such Authorities shall examine such material after hearing the parties in accordance with law.

In view of above it prominent to note that Authority has to see/identify what structures comes within NDZ 0-200 mts from High tide line and Authority has to verify whether those structures constructed within NDZ prior to 1991 before the CRZ Act came into force and if any structures constructed after 1991, then whether those structures constructed with valid permission.

High court in its *suo moto* petition 2/2006 crystal clear that this Authority has to take action all the unauthorized/illegal structures which existing within NDZ. Pursuant to direction of High court Authority decided to map all the structures which comes within NDZ of Colva village and accordingly the office of DSLR conducted mapping of all structures in Colva Village which comes within NDZ and submitted the report before this Authority.

WHEREAS the issue involved in present matter is very limited and specific whether Respondent constructed any illegal Structures with NDZ. In order to ascertain aforesaid controversy Authority observed Mapping of DSLR, all the documents relied and produced by the Respondent on record.

WHEREAS Authority perused all the documents on record that vide Deed of Sale dated 15th August 1995 registered in the office of the Sub registrar of Salcete, the Respondent purchased part of property bearing Survey No.24/1 of Colva Village admeasuring an area of 1570 sq.mts along with structures from M/s Etak Corporation Limited. Respondent after purchased the aforesaid property applied for permission with the concerned authorities for construction in property bearing Survey No.24/1 of Colva Village in the name of Deepti Mangesh Dalvi. The Goa State Committee for Coastal Environment the erstwhile committee which was the authority which was empowered to grant necessary permission for development in the CRZ areas prior to the constitution of the GCZMA had in the 9th meeting held on 20.10.1995 approved the reconstruction of

the building in property bearing Survey No.24/1 of Colva Village vide approval dated 1.12.1995 under reference No.SALJ42/TCP-95/4482.

WHEREAS the Respondent thereafter obtained a license for the Construction of the building in property bearing Survey No.24/1 of Colva Village from the Village Panchayat of Colva vide No. VP/SVCG/CONST. 19/95-96/724 dated 13.12.1995. Respondent after completing the work of the reconstruction also obtained the occupancy certificate dated 26.6.1997 under ref. No. VP/SVCG/1490/97-98 to occupy the building. The Respondent stated that the Village Panchayat of Colva vide letter dated 5.3. 1998 under No. VP/SVCG/2645/97-98 granted no objection to the Respondent to start business activities and ever since the respondent has been conducting business in the building.

WHEREAS Respondent submitted that the Respondent has been conducting the business in the Suit Premises with all requisite permission from concerned departments, including Tourism Department, Goa State Pollution Control Board, Village Panchayat of Colva, etc. Respondent stated that the premise is accessed for the purpose of House Tax by the Village Panchayat of Colva under House no. 432/2.

WHEREAS Authority verified the mapping done by DSLR with respect to subject matter structures in present matter and after perusal of DSLR mapping and approved plan of Respondent Authority observed several additional structures constructed by the Respondent within NDZ.

WHEREAS the Respondent has not produced any documents to established that new structures shown by DSLR in its mapping in Respondent plot are legal/authorized structures and so also failed to show anything to this Authority that additional structures constructed by Respondent other than approved structures constructed prior to 1991 i.e. before CRZ Notification came in force.

WHEREAS in view of above Authority after discussion and deliberation concluded that additional structures which are shown by DSLR in Respondent plot shall be demolished and approved structures as per approved plan of Respondent shall be retain. Authority through its technical team verified the all structures shown on approved plan of Respondent and DSLR mapping. Authority through technical official compared both plan i.e. approved plan of Respondent and mapping plan of DSLR and marked additional structures as alphabet "A" to "F" which not as per approved plan of Respondent. Authority come to conclusion that whatever additional structures which are Marked "A" to "F" shall be demolished as Respondent has not produce any statutory permission for said additional structures constructed by him from any competent authorities.

NOW THEREFORE, the GCZMA in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) read with sub-rule (3) (a) of Rule 4 of the Environment (Protection) Rules 1986, and read with power vested with the GCZMA vide Order S.O. 3975 (E) dated 31/10/2019 issued by the Ministry of Environment & Forests, Government of India, hereby directs M/s Shamiraj

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Hotels at Colva Beach to demolish all new additional structures shown by DSLR on Respondent plot, bearing survey No.24/1 of Colva Village Taluka Salcete which are marked as alphabet "A to F" for identification purpose and said plan is annexed to this order. The Respondent to retain only approved structures as per approved plan produced by the Respondent and restore the land to its original condition, within 30 days from the date of receipt of this order, failing which the concerned Deputy Collector/ S.D.O Margao Goa shall demolish all the structures as mention herein in above to enable restoration of land to its original state within 30 days and recover the expenses incurred on demolition from M/s Sahmiraj Hotels as the arrears of land revenue. Further, Dy. Collector & S.D.O of Salcete is required to submit a compliance report in respect of aforesaid directions to the GCZMA within 10 days upon expiry of the aforementioned 30 days time period. The proceedings are disposed off accordingly.


(Dasharath M. Redkar)
Member Secretary (GCZMA)

Enclosed as above

To,

1.M/s Shamiraj Hotels, through its Managing Director/proprietor, Colva Beach,
Colva Salcete Goa

Copy to:

1. **The Collector & District Magistrate,(South), Office of the Collector (South), Mathany Saldanha, Administrative Complex, Margao-Goa.... for executing the order and ensure compliance of the order.**
2. **The Deputy Collector & S.D.O of Salcete, having office at Margao... to assist the Collector for executing the order and compliance.**
3. **The Secretary of village panchayat Colva -Sernabatim Salcete -Goa..... for information.**
- ✓ 4. **Colva Civic and Consumer Forum, C/o Judith Almeida, H.No.257/1 ward 3, Bagdem, Colva Salcete Goa... for information.**

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P.T. SHEET No. 19



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GOA COASTAL ZONE MANAGEMENT AUTHORITY
C/o Department of Environment and Climate Change (Govt. of Goa)
4th floor, Dempo Towers, Patto, Panaji-Goa
E-mail: goacoastalzone@gmail.com

Refno.GCZMA/SWMP/02/06/1529

Date 19/10/2022

CORRIGENDUM

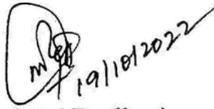
Read order No.Ref No.GCZMA/SWMP/02/06/1459 dated 12/10/2022

In aforesaid direction/order on page No.4 para 5 at line number seven from top to bottom the words appearing alphabets "A" to "F" may be read as "A" to "F colly" as per plan attached herewith. So also at line No.9 of said para 5 words 'marked as alphabets "A" to "F" may be read as "A" to "F colly".

Similarly on page 5 at line No.2 as marked alphabet "A" to "F" may be read as "A" to "F colly" as per plan attached.

Rest contents of said order dated 12/10/2022 remain same

**For and on behalf of the
Goa Coastal Zone Management Authority**


(Dasharath M.Redkar)

Member Secretary (GCZMA)

To,

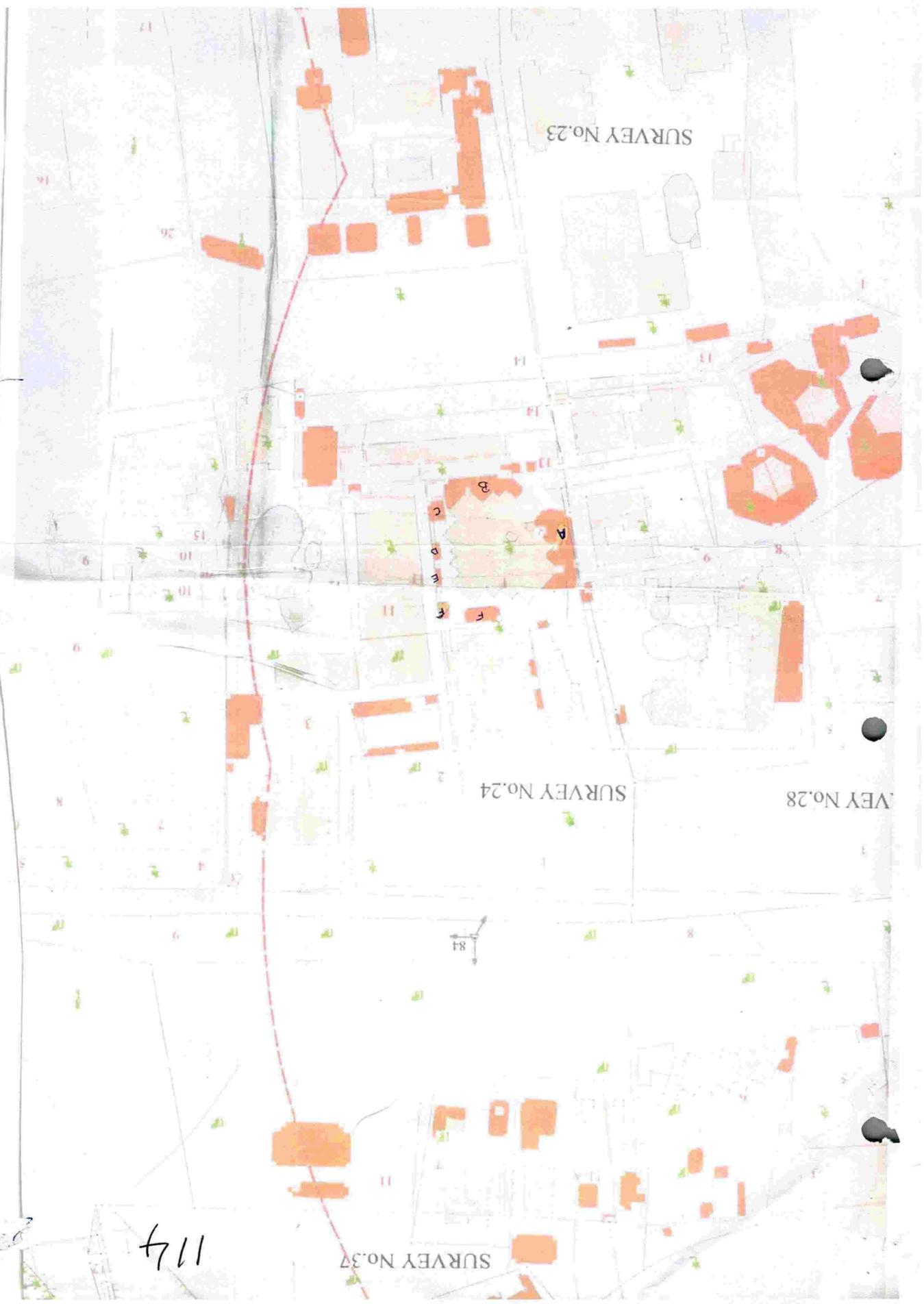
1.M/s Shamiraj Hotels, through its Managing Director/proprietor, Colva Beach,
Colva Salcete Goa

Copy to:

1. The Collector & District Magistrate,(South), Office of the Collector (South), Mathany Saldanha, Administrative Complex, Margao-Goa.... for executing the order and ensure compliance of the order.
2. The Deputy Collector & S.D.O of Salcete, having office at Margao... to assist the Collector for executing the order and compliance.
3. The Secretary of village panchayat Colva -Sernabatim Salcete -Goa..... for information.
4. Colva Civic and Consumer Forum, C/o Judith Almeida, H.No.257/1 ward 3, Bagdem, Colva Salcete Goa... for information.

True copy PA

Five Acres map



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IN THE HIGH COURT OF BOMBAY AT GOA**SUO MOTU WRIT PETITION NO. 2 OF 2006****V e r s u s**

1. Union of India,
through its Secretary,
Ministry of Environment and Forests,
Paryavaran Bhavan, C.G.O. Complex,
Lodhi Road, New Delhi.
2. The Goa Coastal Zone Management Authority,
Represented by its Member Secretary,
Dept. of Science Technology and Environment
Government of Goa,
Panaji Goa.
3. State of Goa
through Chief Secretary,
Secretariat, Porvorim Goa.
4. The Sarpanch
Village Panchayat of Querim – Tiracol
Tiracol
Pernem Taluka Goa.
5. The Sarpanch
Village Panchayat of Paliem,
Paliem
Pernem Taluka Goa.
6. The Sarpanch
Village Panchayat of Arambol
Arambol
Pernem Taluka Goa
7. The Sarpanch
Village Panchayat of Mandrem
Mandrem
Pernem Taluka Goa.

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8. The Sarpanch,
Village Panchayat of Morgim
Morgim
Pernem Taluka Goa.
9. The Sarpanch
Village Panchayat of Anjuna Caisua
Anjuna
Bardez Taluka Goa
10. The Sarpanch
Village Panchayat of Calangute
Calangute
Bardez Taluka Goa
11. The Sarpanch
Village Panchayat of Candolim
Candolim
Bardez Taluka Goa
12. The Sarpanch
Village Panchayat of Chicalim
Chicalim
Mormugao Taluka Goa
13. The Sarpanch
Village Panchayat of Chicolna – Bogmalo
Chicolna
Mormugao Taluka Goa
14. The Sarpanch
Village Panchayat of Pale – Velsao -Issorcim
Issorcim
Mormugao Taluka Goa
15. The Sarpanch
Village Panchayat of Sancoale
Sancoale,
Mormugao Taluka Goa

16. The Sarpanch
Village Panchayat of Cansaulim – Arossim – Cuelim
Cansaulim
Mormugao Taluka Goa
17. The Sarpanch
Village Panchayat Calata-Majorda-Utorda
Majorda
Salcete Taluka Goa
18. The Sarpanch
Village Panchayat of Betalbatim
Betalbatim
Salcete Taluka Goa
19. The Sarpanch
Village Panchayat of Sernabatim-Vanelim-Colva-Gandaulim
Colva,
Salcete Taluka Goa
20. The Sarpanch
Village Panchayat of Cana Benaullim
Benaullim
Salcete Taluka Goa
21. The Sarpanch
Village Panchayat of Varca
Varca
Salcete Taluka Goa
22. The Sarpanch
Village Panchayat of Cavellossim
Cavellossim
Salcete Taluka Goa
23. The Sarpanch
Village Panchayat of Naquerim – Betul
Naquerim
Quepem Taluka Goa

24. The Sarpanch
Village Panchayat of Cola
Cola
Canacona Taluka Goa
25. The Sarpanch
Village Panchayat of Agonda
Agonda
Canacona Taluka Goa
26. The Sarpanch
Village Panchayat of Poinguinim
Poinguinim
Canacona Taluka Goa
27. The Sarpanch
Village Panchayat of Loliem-Polem
Loliem
Canacona Taluka Goa
28. The Chief Officer
Mormugao Municipal Council
Vasco-da-Gama
Mormugao-Taluka Goa
29. The Chief Officer
Canacona Municipal Council
Nagorcem-Palolem
Canacona Taluka Goa
30. The Colva Civic and Consumers Forum
with its office at H.No.257/1, Bagdem,
Ward 3, Colva, Salcete Goa
through its Secretary,
Mrs. Judith A. B. Almeida
major, r/o H.No.257/1, Bagdem,
Colva, Salcete Goa.
31. Shri Aleixo Arnolfo Pereira
major, r/o H.No.150,

Utorda, r/o Majorda,
Salcete Goa.

.... Respondents

Advocate Ms. Norma Alvares, Amicus Curiae.

Mr. P. Faldesai, Addl. Government Advocate for the respondent nos. 2 and 3.

Mr. P. Korgaonkar, Advocate for the respondent no.9.

Mr. K. More holding for Mr. H D. Naik, Advocate for the respondent no.10.

Mr. N. Sardessai, Senior Advocate with Mr. L. Raghunandan, Advocate for the respondent no. 11.

Mr. Amit Palekar, Advocate for the respondent nos. 14, 18, 20, 21 and 22.

Mr. S. Redkar, Advocate for the respondent no. 17, 24, 26 and 27

Mr. Shivan Desai, Advocate for the respondent no.19.

Mr. Nigel Da Costa Frias, Advocate for the intervenor.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 21st June, 2016

ORAL JUDGMENT (Per F. M. Reis, J)

Heard the learned counsel appearing for both the parties.

2. Rule. Heard forthwith with the consent of the learned counsel appearing for the parties.

3. The learned counsel appearing for the respective respondents waive service.

4. A Suo Motu cognizance was taken by this Court based on

the news item in the local news paper by an order dated 31.07.2006 and accordingly notices were issued to the concerned Government Authorities. Thereafter, by order dated 08.08.2006 the learned Amicus Curiae appointed by this Court brought to the notice of this Court the various orders and the guidelines issued in different other petitions in connection with the structures which mushroomed within the NDZ area and subject to the CRZ Regulations, 1991. Accordingly, this Court by order dated 08.08.2006 passed the following directions.

“6. Having heard Mrs. Alvares, it has become necessary to issue following directions to the State Government.

(a) The Chief Secretary State of Goa and the Goa Coastal Zone Management Authority, is directed to indicate on oath as to how many cases of illegal construction were detected in last three years, in how many cases the steps were taken to remove them and how many of them were actually removed.

(b) The State of Goa is directed to disclose on oath as to what facilities are placed at the door of the Goa Coastal Zone Management Authority, so as to enable them to discharge their duties effectively, amongst others leading to removal of illegal construction.

(c) The Goa Coastal Zone Management Authority is directed to disclose on oath with complete details and particulars as to in how many cases as on date, the interim injunctions and/or the stay orders granted by the Civil Courts are operating against them.

(d) The State Government and the Goa Coastal Zone Management Authorities are directed to disclose details with particulars as to how many shacks were put up pursuant to the permission granted by them, how many of them were removed and how many of them are yet to be removed. They are also expected to disclose as to whether or not those shacks, which are still in existence, would interfere with the sand dunes and whether their existence is necessary to prevent erosion of sand dunes.”

5. Subsequently, the matter was examined by this Court on 16.07.2007 wherein it was noted that there were structures existing in the NDZ area, some of which might have come up prior to the coming into force of the CRZ Regulations, 1991 and in order to identify such structures the Village Panchayats along the Coastal Belts were ordered to be impleaded. Accordingly, directions were issued to all such

concerned Panchayats. Thereafter, the matter was taken up on 26.09.2007 wherein the concerned Panchayats also appeared and after perusing the entire records, this Court passed the following directions.

“(1) Each Panchayat/Municipality which has been served with a copy of the survey map prepared by the Directorate of Settlement and Land Records, shall identify from the survey maps given to it, those structures existing as on 19-2-1991 after excluding such structures in respect of which the CRZ Authorities had initiated the action but such action was discharged for any action whatsoever. This may be done by reference to the existing survey plans prepared under the Land Revenue Code or on the basis of permissions/licenses issued by the respective Panchayats/Municipalities. This exercise will be completed by each of the Panchayats/Municipalities by 31st January, 2008.

(2) In respect of other structures shown on the survey maps prepared by the Directorate of Settlement and Land Records i.e. those which are not identified as existing prior to 1991 as contemplated by Direction 1 herein above, the Panchayats/Municipalities shall issue notices to the owners and the occupants of those structures

to show cause as to why the said structure should not be demolished as having been constructed in the NDZ area. Such notices shall be issued latest by 29-2-2008.

(3) On perusal of the reply and after giving opportunity to the owners and occupants of giving them a personal hearing, the Panchayats/Municipalities shall take a decision on the existence of the structure prior to 19-2-1991. This final decision shall be taken by the Panchayats/Municipalities within a period of ninety days from the date on which all the owners/occupants have been served.

(4) The structure in respect of Clause 3 will be demolished in case no stay has been obtained in any statutory appeal/appeals or any other legal remedy and this demolition will be completed within a period of sixty days from the date of the service of the final decision upon the owners and occupants.

(5) We are informed by the learned Advocate General that seven Panchayats and one Municipality has not been served with a copy of survey map as yet and that the same is likely to be served within a period of two weeks from today. In respect of the aforesaid seven Panchayats and one Municipality the schedule

which is given for the issuance of notice in Clauses 1 to 4 herein above as contemplated in Clause 2 will stand extended to 15-3-2008.

(6) If the Panchayats/Municipalities observe any structures in the NDZ area which are not shown in the survey map it will be at liberty to include these structures in the steps described herein above.

(7) It is made clear that these directions only extend to areas which fall within CRZ III.

(8) The Panchayats/Municipalities are directed to regularly monitor the NDZ area to ensure that no additional structures in the 200 meters zone will be permitted to be constructed as indicated in the survey maps. If any new construction is detected the Panchayats/Municipalities shall immediately take action against the same in accordance with law.

(9) It is further made clear that these directions will also not apply to structures which have been held to be validly constructed or repaired with permission of the CRZ Authorities and to structures in respect of which action has already been initiated by the CRZ Authorities/Panchayats/Municipalities before the date of the passing of this order.”

6. Based on the directions issued by this Court, the concerned Panchayats carried out the exercise of identifying the structures which were located in the NDZ area and also whether any of such structures were in existence prior to the coming into force of the CRZ Regulations, 1991 and the exercise with that regard was carried out from time to time and as and when there was any default or breach in carrying out such exercise, this Court issued directions to ensure that the exercise would be expeditiously completed.

7. The records however reveal that as far as Village Panchayat of Colva is concerned, there were doubts about the averments in the affidavit about the action already taken and as such by an order dated 15.01.2013 the GCZMA was directed to carry out an inspection and submit a report. Accordingly, a report was submitted inter-alia identifying the number of structures which were existing in the NDZ area and it was pointed out that the issue about such structures was under consideration before the Inquiry Committee constituted by the GCZMA. It appears that the directions issued by this Court to examine the structures identified in the inspection report and under consideration before the Inquiry Committee have not yet been completed as reflected in the affidavit filed by the respondent no.2/GCZMA dated 11.04.2016

that the action is proposed to be taken with regard to such structures as referred to by the local Village Panchayat. There is no compliance report filed with regard to such structures by the Village Panchayat of Colva.

8. The records also reveal that as far as the Village Panchayat of Anjuna is concerned, the action initiated in respect of the structures existing in the NDZ area have not attained finality which can be seen from their compliance report /affidavit dated 20.06.2016 which inter-alia suggest that the exercise is still in progress.

9. Mr. S. Desai, learned counsel appearing for the proposed intervenors contends that there are existing structures in the area which were within the jurisdiction of Colva Panchayat on which count the intervention application has been filed. The learned counsel further points out that though actions are taken as against the existing structures pursuant to the directions issued by GCZMA and the matter is pending before the learned NGT, nevertheless, as the issue with regard to such structures within NDZ area is under consideration in the above petition, it would be appropriate that the legality or otherwise of such structures of the proposed intervenors be also examined by this Court. The learned

counsel as such points out that the application for intervention be allowed and the matter be accordingly examined by this Court.

10. Mr. Nigel Da Costa Frias, learned counsel appearing for the intervenor however submits that as far as such structures of the proposed intervenors are concerned there is already an order of demolition passed by the GCZMA and the appeal has been preferred by the proposed intervenors. The learned counsel further pointed out that a review petition filed by the proposed intervenors is also under consideration before the learned NGT. As the matter is already under consideration before the NGT, the question of considering the legality or otherwise of such structures in the present petition would not at all be justified.

11. The present petition is limited to direct the concerned authorities to generally perform their statutory functions and initiate action against the defaulters in accordance with law. The legality or propriety of such action by the concerned Panchayats and GCZMA is a matter which would have to be independently examined in appropriate cases by the concerned authorities in accordance with law. In the present petition, it would not be possible to consider individual aspect

which would require even evidence to be led and the documents to be examined. In such circumstances, the present petition is limited only to generally direct the concerned authorities to perform the statutory functions to proceed to take the action against any illegal constructions which are existing in the NDZ area as defined under the CRZ Regulations. This is not a petition where a specific default of any particular party has been examined by this Court. The grievance of individual parties affected by such general direction would have to be examined independently in accordance with law.

12. As pointed out herein above, we find that most of the concerned Panchayats had already initiated action against such structures existing in the NDZ area in violation of the CRZ Regulations. But however, as far as Colva and Anjuna Panchayats are concerned, we find that the authorities would have to proceed to take necessary action in connection with the existing structures in violation of the CRZ Regulations in the NDZ area.

13. In such circumstances, it would be appropriate to dispose of the above petition in terms of the interim directions issued by this Court by order dated 08.08.2006 and 26.09.2007.

14. Besides the above directions, the Anjuna as well as the Colva Panchayats namely respondent nos. 9 and 19 and the GCZMA are directed to take necessary action with regard to the structures identified in the report of the GCZMA and proceed to take necessary action in accordance with law within three months from today and file a compliance report with that regard.

15. We record our appreciation to the efforts and services rendered by the learned Amicus Curiae in assisting the Court in taking a view in the above Writ Petition in public interest. We accordingly fix a token amount payable to the learned Amicus Curiae which is quantified at Rs.80,000/-. The Registry is directed to pay the learned Amicus Curiae a sum of Rs.30,000/- deposited in the Registry pursuant to the orders passed in the above petition. The remaining such of Rs.50,000/- shall be paid by the State Government – respondent no. 3 within four weeks from today. Rule is made absolute in the above terms. The petition stands disposed of accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

at*

True Copy JA

Maria S.

**IN THE HIGH COURT OF BOMBAY AT GOA
PUBLIC INTEREST LITIGATION WRIT PETITION NO.10
OF 2020**

Colva Civic And Consumer Forum, thr. its auth. ...**Petitioner**
Rep. Judith A. B. Almeida

Versus

Goa Coastal Zone Management Authority, thr. ...**Respondents**
its Member Secretary And 3 Ors.

Mr. Om D'Costa, Advocate for the Petitioner.

Mr. Devidas J. Pangam, Advocate General with Mr. Prashil Arolkar, Additional Government Advocate for the Respondents No.1, 3 and 4.

Mr. Byron Rodrigues, Advocate for the Village Panchayat-Respondent No.2.

**CORAM: M. S. SONAK &
R. N. LADDHA, JJ.**

Date: 23rd August 2022

P.C.

The learned Advocate General states that the Goa Coastal Zone Management Authority was required to report compliance on the following two issues:-

- a) Preparation of a report about mapping of the structures existing within the NDZ of the CRZ areas of Colva village;
- b) Disposal of 10 show-cause notices issued to alleged violators in Colva.

2. The learned Advocate General states that the report of mapping has already been prepared and the same was even filed in this Court on 15.06.2022. Insofar as disposal of show-cause notices is concerned, the learned Advocate General admits that there has been a delay and even the time granted by this Court has since expired. He further states that Goa Coastal Zone Management Authority will now expeditiously dispose of the 10 show-cause notices within 2 months from today.

3. Accordingly, we accept the above statement made by the learned Advocate General and direct the Goa Coastal Zone Management Authority to dispose of the 10 show-cause notices in accord with law as expeditiously as possible and, in any case, within 2 months from today without fail. The Member Secretary of the Goa Coastal Zone Management Authority will have to file an affidavit of compliance on the next date.

4. Mr. Rodrigues, learned counsel appearing on behalf of the Village Panchayat of Colva states that the Panchayat has already started the process of identifying the illegal structures based upon mapping provided by the Goa Coastal Zone Management Authority. He submits that this work will be completed within maximum period of 2 months from today. After that, the show-cause notices will be issued to the alleged violators and even such show-cause notices will be disposed of expeditiously.

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5. Accordingly, we post this matter for further consideration on 10.10.2022. Before said date, both, the Goa Coastal Zone Management Authority as well as the Secretary, Colva Village Panchayat, should file the compliance report.

6. Mr. Om D'Costa, learned counsel for the petitioners submits that the petitioners have some issues with the mapping. Accordingly, the petitioners are granted leave to file an additional affidavit or otherwise file their objections to the mapping within 4 weeks from today. A copy of such affidavit/objections should be furnished to the learned counsel for the respondents so that the objections can be considered on the next date.

7. Stand over to 10.10.2022.

R. N. LADDHA, J

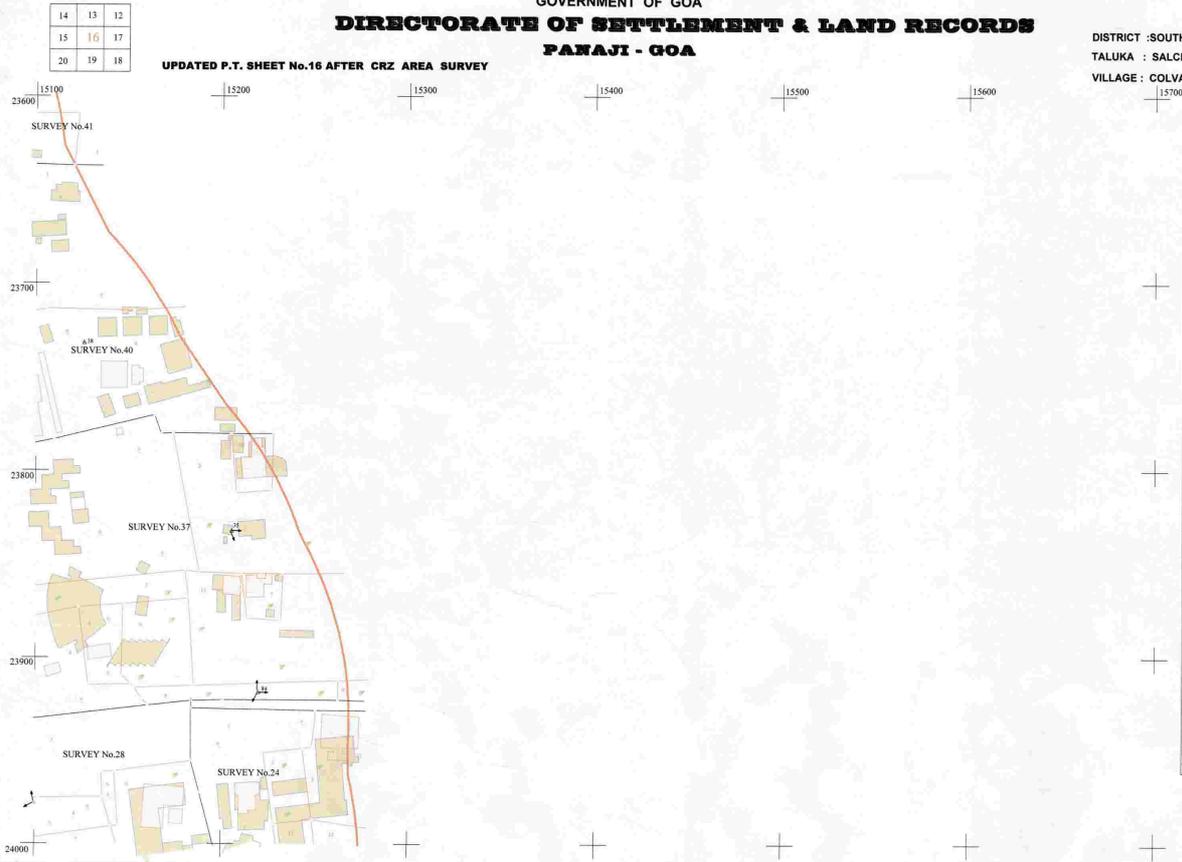
M. S. SONAK, J

133 Exhibit 11

GOVERNMENT OF GOA
DIRECTORATE OF SETTLEMENT & LAND RECORDS
PANAJI - GOA

DISTRICT : SOUTH GOA
 TALUKA : SALCETE
 VILLAGE : COLVA

UPDATED P.T. SHEET No.16 AFTER CRZ AREA SURVEY



Scale 1:1000

BOUNDARIES:

- STATE BOUNDARY
- TALUKA BOUNDARY
- VILLAGE BOUNDARY
- SURVEY NUMBER BOUNDARY
- NEIGHBOUR BOUNDARY

ROADS:

- CART TRACK
- ROAD PATH
- ROAD WITH BRIDGE
- RAILWAY LINE WITH STATION
- RAIL

VEGETATION:

- COCONUT
- CASHEW
- ORCH
- DRY CROP
- FOREST
- ARBANT
- SHAG-CASE

WATER FEATURES:

- WELL
- TANK
- SPRING
- STREAM
- LAKES/POOND
- SALT PAN
- QUAY
- ROCKY LAND
- ELECTRICITY LIGHTS

MASONRY

- BUILDING HOUSE
- CHURCH/CHAPEL/CROSS
- TEMPLE
- MOSQUE
- FOOT
- TRAVELER STATION
- TRIGONOMETRIC STATION
- POST OFFICE, TELEGRAPH OFFICE
- POSTAL TELEGRAPH OFFICE
- RAILWAY STATION/SCHOOL
- POWER HOUSE
- HOSPITAL, DISPENSARY, REST HOUSE
- PANORAMA GALLERY
- MANSIONARY WALL
- RETAINING WALL
- OBELISK
- CEMETERY

LEGEND

FOR NEWLY SURVEYED FEATURES EXISTING ON THE GROUND DURING CRZ SURVEY

- CITY BOUNDARY
- NEW ROAD
- NEW COMPOUND
- NEW DRAIN
- RETAINING WALL
- HEDGES
- LAMP POST
- FLAG POST
- SIGNAL POST
- GATE
- MANHOLE
- TELEPHONE CHAMBER
- SEPTIC TANK
- WATER TANK
- SHED
- NEW BUILDINGS
- PLINTH
- CONTROL POINTS
- OLD TREE
- ELECTRICK POLE
- TELEPHONE POLE
- GARDEN
- NEW FOOTPATH
- BARRED FENCE
- TRAFFIC ISLAND
- ELECT. TRANSFORMER
- WATER VALVE
- WATER TAP
- TOWER
- O.F.C. STONE
- NEW NALA
- RECLAIMED LAND
- STRUCTURES NOT EXISTING DURING CRZ SURVEY
- TWO STOREYED STRUCTURES
- 200MTS. NDZ LINE

14	13	12
15	16	17
20	19	18

14	13	12
15	16	17
20	19	18

STRUCTURES EXISTING BETWEEN HIGH TIDE LINE (HTL) AND 200METS. LINE HAS BEEN SURVEYED BY :-

- 1) PRAKASH B. NAIK F.S.
- 2) BABAH H. PARAB F.S.
- 3) RAJESH HARMALKAR F.S.
- 4) IMRAN MULLA F.S.

DURATION OF SURVEY - 31-11-2006

15	16	17
20	19	18
-	-	-

GOVERNMENT OF GOA
DIRECTORATE OF SETTLEMENT & LAND RECORDS
PANAJI - GOA

UPDATED P.T. SHEET No.19 AFTER CRZ AREA SURVEY

DISTRICT : SOUTH GOA
 TALUKA : SALCETE
 VILLAGE : COLVA

134



N

 Scale 1:1000
MAP NO. 134/P

BOUNDARIES:

- STATE BOUNDARY
- TALUKA BOUNDARY
- VILLAGE BOUNDARY
- SURVEY NUMBER BOUNDARY
- NEIGHBOUR BOUNDARY

ROADS:

- CART TRACK
- FOOT PATH
- ROAD WITH BRIDGE
- RAILWAY LINE WITH STATION
- NALA

VEGETATION:

- COCONUT
- GARDEN
- RICE
- DRY CROP
- FOREST
- ARECANUT
- SUGAR CANE

WATER FEATURES:

- WELL
- TANK
- SPRINGS
- STREAM
- LAKENPOND
- SALT PAN
- SEAWAY
- ROCKY LAND
- ELEVATION LIMITS
- MANSLAND
- BUILDINGHOUSE
- FOR WICKER/PLASTER
- TEMPLE
- MONKIE
- POST
- TRAVELERS STATION
- TRIGONOMETRICAL STATION
- POST OFFICE, TELEGRAPH OFFICE
- POSTAL TELEGRAPH OFFICE
- POSTAL TELEPHONE OFFICE
- POWER HOUSE
- HOSPITAL/AMBULANCE/JEST HOUSE
- PANCHAYAT GRAB
- BOUNDARY WALL
- BOLLER WALL
- CREMATORIUM
- CEMETERY

LEGEND

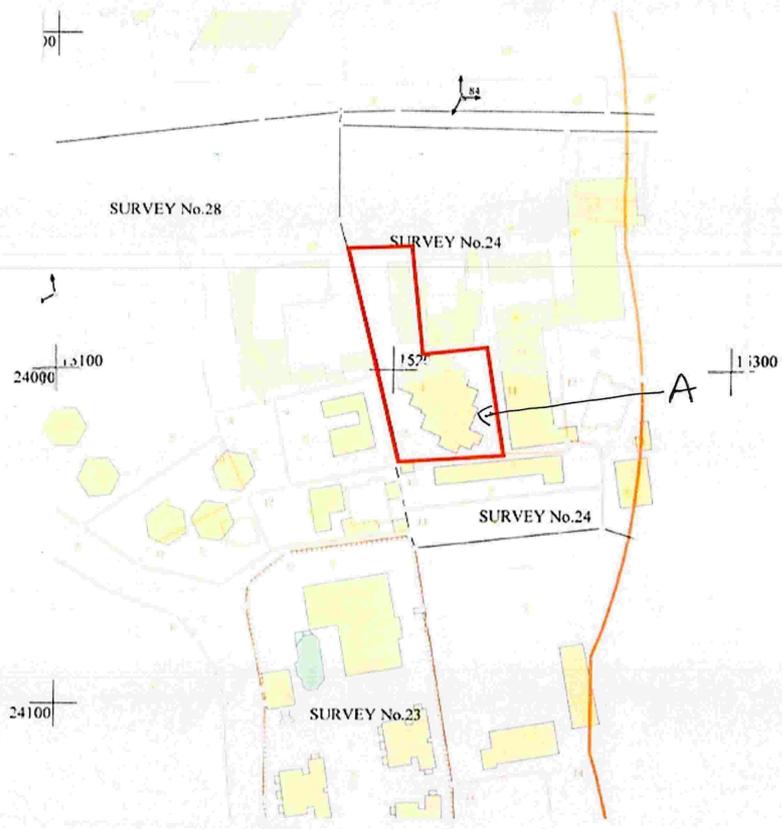
FOR NEWLY SURVEYED FEATURES EXISTING ON THE GROUND DURING CRZ SURVEY

- CITY BOUNDARY
- NEW ROAD
- NEW COMPOUND
- NEW DRAIN
- RETAINING WALL
- HEDGES
- LAMP POST
- FLAG POST
- SIGNAL POST
- GATE
- MANHOLE
- TELEPHONE CHAMBER
- SEPTIC TANK
- WATER TANK
- SHED
- NEW BUILDINGS
- PLINTH
- CONTROL POINTS
- OLD TREE
- ELECTRICK POLE
- TELEPHONE POLE
- GARDEN
- NEW FOOTPATH
- BARBED FENCE
- TRAFFIC ISLAND
- ELECT. TRANSFORMER
- WATER VALVE
- WATER TAP
- TOWER
- O.F.C. STONE
- NEW NALA
- RECLAIMED LAND
- STRUCTURES NOT EXISTING DURING CRZ SURVEY
- TWO STOREYED STRUCTURES G+1
- 200MTS. NDZ LINE

15	16	17
20	19	18
-	-	-

STRUCTURES EXISTING BETWEEN HIGH TIDE LINE(HITL) AND 200MTS. LINE HAS BEEN SURVEYED BY :-
 1) PRAKASH B. NAIK F.S.
 2) BABARIL PARAB F.S.
 3) RAJESH HANMALKAR F.S.
 4) IMRAN MULLA F.S.
 DURATION OF SURVEY :- 31-11-2006

135



N

Scale 1:1000

LEGEND

BOUNDARIES:-

- STATE BOUNDARY
- TALUKA BOUNDARY
- VILLAGE BOUNDARY
- SURVEY NUMBER BOUNDARY
- SECTION BOUNDARY

ROADS:-

- RAILWAY LINE WITH STATION
- SALA

VEGETATION:-

- COCONUT
- CASHEW
- RICE
- DRY CROP
- FIGS
- MANGROVE
- SUGARCANE

WATER FEATURES:-

- WELL
- TANK
- SPRINGS
- STREAM
- LAKESHED
- SALT PAN
- QUARRY
- ROCKY LAND
- CULTIVATION LIMBS

MASONRY

- BUILDING HOUSE
- CHURCH/CHAPEL/CROSS
- TEMPLE
- MOSQUE
- TOWER
- TRAVELER STATION
- IRREGULAR METAL STATION
- POST OFFICE, TELEGRAPH OFFICE
- POST/TELEGRAPH OFFICE
- POWER STATION/STATION
- POWER HOUSE
- HOSPITAL/DISPENSARY/JUST HOUSE
- PANCHAYAT/GARH
- MASONARY WALL
- BORDER WALL
- CREMATORIUM
- CEMETERY

LEGEND

FOR NEWLY SURVEYED FEATURES EXISTING ON THE GROUND DURING CRZ SURVEY

- CITY BOUNDARY
- NEW ROAD
- NEW COMPOUND
- NEW DRAIN
- RETAINING WALL
- HEDGES
- LAMP POST
- FLAG POST
- SIGNAL POST
- GATE
- MANHOLE
- TELEPHONE CHAMBER
- SEPTIC TANK
- WATER TANK
- SHED
- NEW BUILDINGS
- PLINTH
- CONTROL POINTS
- OLD TREE
- ELECTRICK POLE
- TELEPHONE POLE
- GARDEN
- NEW FOOTPATH
- BARBED FENCE
- TRAFFIC ISLAND
- ELECT. TRANSFORMER
- WATER VALVE
- WATER TAP
- TOWER
- O.F.C. STONE
- NEW NALA
- RECLAIMED LAND
- STRUCTURES NOT EXISTING DURING CRZ SURVEY
- TWO STOREYED STRUCTURES
- 200MIS. NDZ LINE

Plot-A of Survey No.24/1 of Colva Village, Salcete Taluka, Goa belongs to the Respondent, showing the Restaurant in North and Main Building in South

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INFORMATION ISSUED UNDER RTI ACT, 2005

EXHIBIT A12

GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology & Environment,
Opp. Saligao Seminary, P.O. Saligao, Bardez, Goa - 403 511
Phone: (0832) 2407186, 2407187, 2407189 Fax: (0832) 2407186

Ref.No. GCZMA/SAL/Col/11-12/24/1430

Dated: 30/03/2012

SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 (CENTRAL ACT 29 OF 1986)

Whereas, the Goa Coastal Zone Management Authority (GCZMA) has been constituted by the Ministry of Environment & Forests (MoEF), Government of India pursuant to the directions of the Hon'ble Supreme Court of India to deal, inter alia, with violations of the Coastal Regulation Zone (CRZ) Notification 2011;

Whereas vide Circular No. 16-4-2003/RD dated 26th December, 2003, the Government has designated the Additional Collector and Additional District Magistrate (II) in North Goa and South Goa Collectorates as the officers responsible for executing the directives of the GCZMA for demolition of unauthorized constructions in order to promptly and effectively tackle the serious problem of violations of CRZ Regulations and the Environment (Protection) Act, 1986;

Whereas vide Circular No. 1-20-2004-CS/1898 dated 01/11/2006, the Deputy Collector concerned and Additional Collector of both Districts have been directed to issue Stop Work Order and halt any illegal construction being carried out in CRZ areas and to conduct a summary inquiry in the matter.

Whereas, based on the Public Complaint by Adv Nigel Da Costa Frias, ^{and on reply of the Village Panchayat, Colva} South Goa, regarding the following allegedly blatant and serious violation of CRZ has been noticed in the No Development Zone (NDZ) of CRZ-III area of Colva village;

Sr No	Name of the party	Survey No. /Village	Type of construction	Distance from HTL
1.	The Director, Shamiraj Hotels Pvt. Ltd., (Sea Coin),	24/10 Colva 2411	Illegal construction of ground plus one floor	Within the CRZ Limits

Whereas, as per the CRZ Notification of 2011, the entire belt of 100 mts. from the High Tide Line (HTL) of the river and 200 mts. from the HTL from the sea is designated as the NDZ and hence no constructions whatsoever are permissible in the said belt.

Whereas, all proposed "re-construction/construction/development/repair/ renovation" between 200 mts. to 500 mts. of the HTL from sea and 100 mts. from river, require the prior approval of this office under the CRZ Notification, 2011.

Whereas, all such constructions within 200 mts. to 500 mts. of the HTL from Sea and 100 mts. of the HTL from the river in CRZ-III Zone, are not permitted in view of the common judgement and order passed by the

Hon'ble High Court of Bombay at Panaji, Goa, in Writ Petition No. 422/98 and Writ Petition No. 99/99 dated 13/10/2006 until the survey and inquiry as directed by the Hon'ble High Court is completed and subject to further orders.

Whereas, the alleged illegal construction is highly detrimental to the coastal ecosystem/riverine ecosystem due to destruction of sand dunes, coastal vegetation, as well as pollution of land and water resources.

Whereas, such constructions violating the CRZ Notification 2011 are also in contravention of the directives of the Hon'ble Supreme Court of India.

Now, therefore, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) read with sub-rule (3)(a) of rule 4 of the Environment (Protection) Rules, 1986, delegated to the GCZMA, the GCZMA hereby calls upon you to show cause as to why the directions listed as under should not be issued to the appropriate authorities against the said violation.

- (i) to disconnect the supplies of electricity and water to the above cited construction.
- (ii) to demolish the above cited construction, and restore the land to its original condition.

You are directed to file your reply and produce construction/reconstruction/repair licence if any issued by the concerned Authority alongwith approved plan, as also documents to show the title to the property (Sale Deed etc.), before us on or before 18th April 2012 and remain ready for a personal hearing on a subsequent date which will be shortly conveyed to you. If you fail to submit your reply alongwith the required documents, the GCZMA will come to the conclusion that you have no justification to provide nor produce any documents and the Authority shall proceed to issue final directions without any further notice.

Certified Copy of The Document
Available in Office Records

Braganza

Public Information Officer
(GCZMA)



(Michael M. D'Souza)
Member Secretary, GCZMA

Director/Ex-Officio Jt. Secretary, STE

To,
The Director, Shamiraj Hotels Pvt. Ltd., (Sea Coin), Colva Beach,
Salcete, Margao Goa.

Copy to:

1. The Office of the Principal Secretary Environment /Chairman (GCZMA), Secretariat, Alto Porvorim, Bardez, Goa... for information.
2. The Office of the Collector (South), Collectorate, Salcete - Goa.
3. Adv. Nigel da Costa Frias, 2nd Floor, Navelkar Trade Centre, Opp Azad Maidan, Panaji Goa.



(Michael M. D'Souza)
Member Secretary, GCZMA
Director/Ex-Officio Jt. Secretary, STE

Ok

GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology and Environment (Govt. of Goa)
1st floor, Pt. Deendayal Upadhyay Bhavan, Pundalik Nagar, Alto,
Porvorim, Bardez- Goa-403 521, Phonep: (0832) 2416561
www.czma.goa.gov.in

Ref. No. GCZMA/SMWP/02/06/3083

Date: 21/02/2019

To,
The Supdt. of Survey & Land Records,
Directorate of Settlements & Land Records
Panaji-Goa.

Sub: Request to conduct survey to measure the existing structures in Survey Nos 24/1, of Colva Salcete Goa; carried out by M/S Shamiraj Hotels also known as Sea Coin.

Sir.

This is to inform you that the present matter is regarding the Suo Moto cognizance of Hon'ble High Court of Bombay at Goa, Panaji about the illegalities/constructions in CRZ area. The Hon'ble High Court of Bombay at Goa vide Order dated 26/09/2007 passed in the matter of Suo Moto Writ petition no.02/2006 had directed all Panchayats /Municipalities to submit action taken report with regard to constructions in NDZ/CRZ area as per terms mentioned therein along with an affidavit.

The said matter was discussed and deliberated during 192nd GCZMA meeting held on 29/01/2019 wherein it was decided that, "*The authority heard both the parties and took on record the written and oral submissions made by both the parties. The Authority after detailed discussion and deliberation decided to direct the DSLR to measure the existing structures in survey nos 24/1, of Colva Salcete Goa, and to carry out and mapping of all the structures in the property and to check whether the construction carried out by M/s Shamiraj Hotels also known as Sea Coin is as per the approved plan prior to taking any decision in the matter*". (Copy of extract of the 192nd GCZMA meeting and approved plan is attached).

In view of above, you are hereby directed to measure and map all the existing structures in survey nos 24/1, of Colva Salcete Goa, and to superimpose the structures on site with the structures as per the approved plan and submit to this Authority so as to take further action in the matter.

Yours faithfully,

Encl.: As above


21/2/19
(Ravi Jha, IAS)

Member Secretary (GCZMA)

Copy to-

To,

1. M/s Shamiraj Hotels, Through it manager/ proprietor, Colva beach, Colva, Salcete-Goa.
2. Colva Civic & Consumer Forum, C/o Mrs Judith Almeida, Hno.257/1, ward 3, Bagdem, Colva, Salcete-Goa.
3. SA, GCZMA, for Uploading on website.

Due Copy 

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4(6)
21.05.14

EXHIBIT A'14

Office of
Sernabatim V. Panchayat
Gandaulim
Received on: 28/9/13
Inward No. 1675

ARCH. JOSE CARLOS DA VEIGA GRACIAS

54 Borda Fatorda Goa 403602

Ph.: 2705520/9850471243

Date : 27/09/13

To,

The Sarpanch,

Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim,

Colva – Salcete – Goa.

Sub.: Area calculation of plot and F.A.R. used by Hotel Sea Coin
situated in Colva.

Ref.: Your letter no.VP/SVCG/1177/13-14, dated 01/09/13

With reference to the above-mentioned subject and your letter and further to our site inspection on 21/09/13 along with Panches Cardozo, Menino and Blaizy, and the Panchayat Secretary, please find herewith the area calculation of the plot and F.A.R. used by Hotel Sea Coin situated in Colva:-

1. Net plot area (calculated from the plan) : 1,467.14m².
2. Areas of the buildings :

Buildings	G.F.	F.F.	S.F.
A. Main building	403.27	386.85	386.85
B. Shed 1	9.31	-	-
C. Shed 2	18.13	-	-
D. Metal sheet roofing A	12.66	-	-
E. Metal sheet roofing B	72.42	-	-
F. Metal sheet roofing C	30.1	-	-
G. Metal sheet roofing D	5.94	-	-
H. Restaurant and kitchen	133.88	-	-
I. Entrance passage	109.15	-	-
J. Shop	22.68	(not included in total area as it is outside the property)	

CERTIFIED BY

SECRETARY
Village Panchayat
SERNBATIM, VAN
COLVA & GANDAUIM

Place for St. Lucia's
Inclm JM

SHD
2-10-13
95

140

Total : 794.86 : 386.85 386.85

Grand total : 1,568.56

Total built-up area : 1,568.56m²

F.A.R. used : $1,568.56 \div 1,467.14 \times 100 = 106.91\%$

F.A.R. permissible (CRZ III) : 33%

Enclosed herewith 3 copies of the plan.

Yours sincerely,

Arch. Jose Carlos da Veiga Gracias

Jose Carlos da Veiga Gracias
Architect
H. No.: 54, Borda, Margao - Goa.
MMC 109
PWD / ARCH / 29 / 86
SPDA / RA / 69 / 83-84

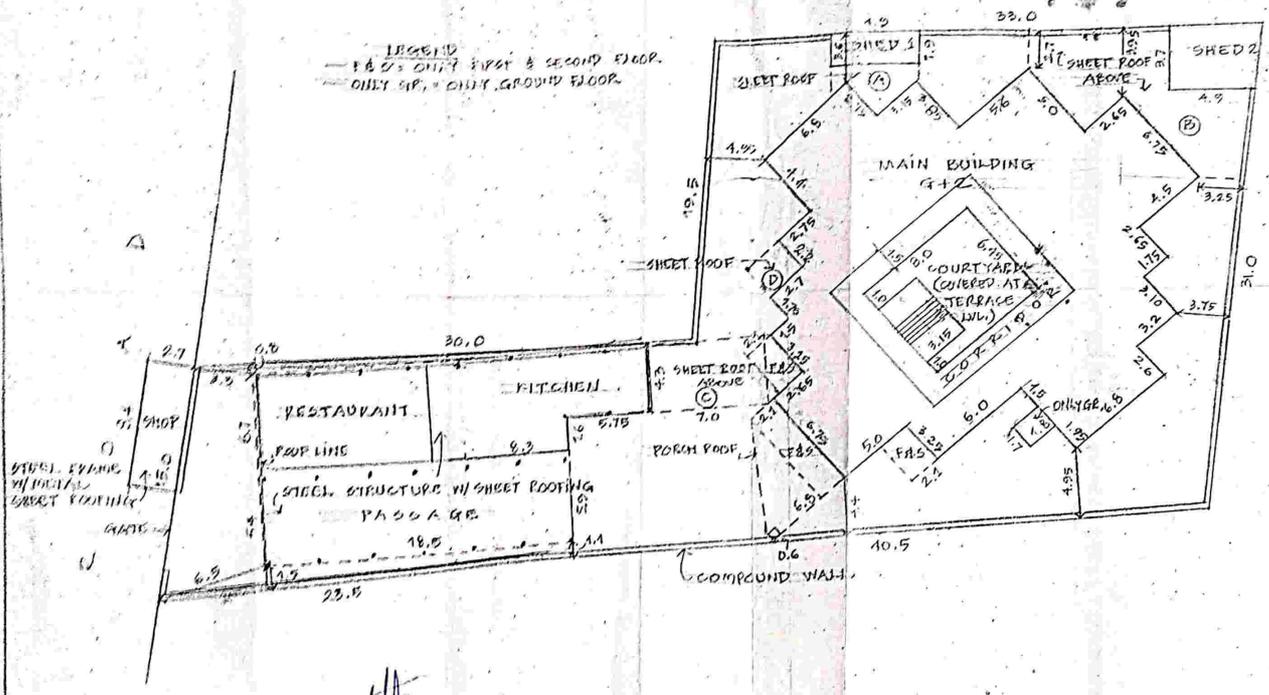
CERTIFIED BY

SECRETARY
Village Pa...
SERNABATIM, V...
COLVA & GANDAOLIM

Lucy Com
JA

141

LEGEND
- F & S = ONLY FIRST & SECOND FLOOR.
- ONLY GF = ONLY GROUND FLOOR.



CERTIFIED BY

[Signature]
 SECRETARY
 Village Panchayat
 SERHABATHI, VANCLIMA,
 COLVA & GANDAVLIM

ARCHT.:
 CARLOS GRACIAS
 54 BORDA MARQUES

PLAN SHOWING EXISTING STRUCTURES IN THE PRO-
 PERTY OF M/S SEA COIN HOTELS, S.NO. 24/1, COLVA
 S.C.: 1:250 DT: 25/09/13

[Signature]
 Jose Carlos da Veiga Gracias
 Architect
 H. No.: 54, Borda, Marques - Goa.
 MMC 109
 FWD / ARCH / 23 / 85
 SPDA / RA / 69 / 63-64

[Signature]
 Lene
 Copy
 JH

Jose

IN THE HIGH COURT OF BOMBAY AT GOA

P.I.L. WRIT PETITION NO.10 OF 2020

COLVA CIVIC AND CONSUMER
FORUM, THR. ITS AUT. REP.,
JUDITH A. B. ALMEIDA

... Petitioner

Versus

GOA COASTAL ZONE MANAGEMENT
AUTHORITY, THR. ITS MEMBER
SECRETARY AND 3 ORS.

... Respondents

Mr. Om D'Costa, Advocate *for the Petitioner.*

Mr. Devidas Pangam, Advocate General with Mr. Prashil Arolkar,
Additional Government Advocate *for Respondent Nos.1, 3 and 4.*

Mr. Byron Rodrigues, Advocate *for Respondent No.2.*

**CORAM: M.S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATED: 10th October, 2022

P.C.:

1. Heard Mr. Om D'Costa for the Petitioner, learned Advocate General who appears along with Mr. Prashil Arolkar, Additional Government Advocate for Respondent Nos.1, 3 and 4 and Mr. Byron Rodrigues, learned Counsel for Respondent No.2.

2. On 23.08.2022, we made the following order:-

"The learned Advocate General states that the Goa Coastal Zone Management Authority was required to report compliance on the following two issues:-

- a) *Preparation of a report about mapping of the structures existing within the NDZ of the CRZ areas of Colva village;*
 - b) *Disposal of 10 show-cause notices issued to alleged violators in Colva.*
2. *The learned Advocate General states that the report of mapping has already been prepared and the same was even filed in this Court on 15.06.2022. Insofar as disposal of show-cause notices is concerned, the learned Advocate General admits that there has been a delay and even the time granted by this Court has since expired. He further states that Goa Coastal Zone Management Authority will now expeditiously dispose of the 10 show-cause notices within 2 months from today.*
 3. *Accordingly, we accept the above statement made by the learned Advocate General and direct the Goa Coastal Zone Management Authority to dispose of the 10 show-cause notices in accord with law as expeditiously as possible and, in any case, within 2 months from today without fail. The Member Secretary of the Goa Coastal Zone Management Authority will have to file an affidavit of compliance on the next date.*
 4. *Mr. Rodrigues, learned counsel appearing on behalf of the Village Panchayat of Colva states that the Panchayat has already started the process of identifying the illegal structures based upon mapping provided by the Goa Coastal Zone Management Authority. He submits that this work will be completed within maximum period of 2 months from today. After that, the show-cause notices will be issued to the alleged violators and even such show-cause notices will be disposed of expeditiously.*
 5. *Accordingly, we post this matter for further consideration on 10.10.2022. Before said date, both, the Goa Coastal Zone Management Authority as well as the Secretary, Colva Village Panchayat, should file the compliance report.*
 6. *Mr. Om D'Costa, learned counsel for the petitioners submits that the petitioners have some issues with the mapping. Accordingly, the petitioners are granted leave to file an additional affidavit or otherwise file their objections to the*

mapping within 4 weeks from today. A copy of such affidavit/objections should be furnished to the learned counsel for the respondents so that the objections can be considered on the next date.

7. *Stand over to 10.10.2022."*

3. The learned Advocate General now states that the report about mapping of structures existing within the NDZ of CRZ areas of Colva village is already prepared and filed before this Court. Mr. Om D'Costa states that the Petitioners have certain objections to the mapping exercise carried out. He states that these objections have been set out in the affidavit which he craves leave to file in this petition.

4. Although we grant leave to file such affidavit, we do not propose to go into such objections. This is because we think that such objections can be appropriately raised by the Petitioners before the Directorate of Settlement and Land Records (DSLRL), which is the authority that has prepared the report. The DSLRL and the GCZMA should consider the objections and dispose of the Petitioners' representation in this regard as expeditiously as possible and in any case, within four months from the date of receipt. The decisions should be communicated to the Petitioners.

5. Learned Advocate General states that decisions have already been taken by the GCZMA in 9 out of 10 show-cause notices. He states that the formal orders will be issued within ten days from today. This statement is accepted and the GCZMA is directed to act accordingly.

6. Learned Advocate General states that the show-cause notices which remain to be disposed of will also be appropriately disposed of

within two months from today. Even this statement is accepted and the GCZMA is directed to act accordingly.

7. Mr. Rodrigues, learned Counsel for the Panchayat has also made a statement that the Panchayat has started the process of identifying the illegal structures based on the mapping provided by the DSLR and the GCZMA. He reiterates that this process of identification will be completed within the timeline indicated in our order dated 23.08.2022. He states that after that show-cause notices will be issued to the alleged violators and even such show-cause notices will be disposed of expeditiously.
8. According to us, Panchayat must endeavour to dispose of the show-cause notices within three months from the date of their issue.
9. The petition is disposed of by issuing the above directions and liberties.
10. There shall be no order for costs.

BHARAT P. DESHPANDE, J.

M.S. SONAK, J.

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EXHIBIT A16

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN BENCH AT PUNE**

APPEAL NO. 51 2022

Between

THE COLVA CIVIC AND CONSUMER FORUM

And

The GCZMA & ORS.

SYNOPSIS AND CHRONOLOGY OF DATES AND EVENTS

1. The instant Appeal has been filed challenging the order dt 12.10.2022 and 19.10.2022 passed by the Respondent No 1 thereby issuing demolition to only certain structures A to F colly with regards to the structures in property bearing no 24/1 in Colva village, Salcete, Goa.
2. The Respondent No 1 initiated proceedings based on the directions of the Ho'ble High Court of Bombay at Goa in order dated 21.06.2016 in SMWP 02 /2006 with regards to illegal structures in the NDZ of CRZ areas in the Colva and Sernabatim villages of coastal Goa.
3. The GCZMA directed the Inquiry Committee to inquire, prepare and submit a report during the intervening period of the formation and notifying of a new GCZMA Committee. The Inquiry Committee prepared its report and submitted the same to the GCZMA to take a decision.
4. After much delay the Resp No 1 issued personal hearing notices and commenced hearings on 31.07.2018.

5. As the Resp No 1 was delaying taking action as per Order dated 21.06.2016 of the Hon'ble High Court of Bombay at Goa in SMWP this Appellant filed a PIL 10 of 2020 in the Hon'ble High Court of Bombay at Goa and brought it to the notice that several matters pertaining to the SMWP 02/2006 were not taken to their logical end and accordingly the Hon'ble High Court was pleased to issue directions dt. 23.08.2022 to Resp No 1 to decide the matters within two months

6. The Appellant therefore submits that the Respondent No. 1 has issued impugned order dated 12.10.2022 and 19/10/2022 without conducting any site inspection to physically verify the illegalities and relied on the permissions approvals given on 01.12.1995 ignoring even the violations seen in the 2006 mapping. Resp No 1 issued an order to demolish only those extensions seen in orange as per the legend of the January- February 2022 mapping. Hence the order is liable to be quashed and set aside and demolish all the structures which no longer exists as per plan of the permissions dt 01/12/1995 .

Sr No.	Dates	Chronology of Events or Documents if any	Nos.
1.	15.08.1995	Resp no 4 (Shamiraj Hotels Pvt. Ltd/Sea Coin Hotel) purchased a property bearing Survey No. 24/1 admeasuring 1570 sqm. of Colva village, Salcete – Goa in NDZ of CRZ-III through an unregistered Sale Deed dt 15.08.1995.	45-75
2.	01.12.1995	The GSCCE through Member Secretary Chief Town Planner issued approval for reconstruction of a Traditional Residential Building in Sy. No.24/1 of Colva village for an area $341.80 + 341.80 + 341.80 = 1,025.40$ of all the three floors summing up F.A.R. to 65.39%. Only 33% is permitted	76-77
3.	13.12.1995	Panchayat issued a License to construct the Traditional residential building.	86

4.	26.06.1997	Village Panchayat of Colva issues a NOC to Occupy the building.	87
5.	05.03.1998	Village Panchayat issues a NOC to start business activities without clearance from the GSCCE.	87-A
6.	14.05.1998	Health Officer of Primary Health Centre issues NOC to start business activities in the name of Shamiraj Hotels Pvt. Ltd/Sea Coin Hotel.	89
7.	14.1.1999	Resp 4 obtains a Registration Certificate of Establishment for Restaurant under Goa Daman & Diu Shops & Establishment Rules without any permissions from the GSCCE.	88
8.	01.04.2005	Registration Certificate of Department of Commercial Taxes.	90
9.	18.06.2012	Consent to operate & Authorisation of Goa State Pollution Control Board issued to Survey No. 432/2 and not Survey No. 24/1.	91-96
10.	22.07.2013	Certificate of Registration of Dept., of Tourism	100
11.	27.09.2013	Village Panchayat of Colva engaged the services of Architect Carlos Da Viegas Gracias who inspected the site, the report recorded several new structures/extensions beyond 01.12.1995 approval. Also Recorded a built area of 1568.56m ² whereas the plot area is only 1570 m ² and thus recorded an F.A.R of <u>106.91 %</u> far beyond 33% permitted in CRZ Notification. 1991.	78-80
12.	...12.2013	NOC from Fire & Emergency Services	99
13.	29.03.2014	Licence of Department of Excise	97
14.	07.03.2016	At the request of Respondent 3 (Panchayat) the Block Development Officer issued a Memorandum requisitioning the Demolition Squad to demolish the illegal construction/structure (steel structure w/sheet roofing of the Resp. 4 and the Secretary was	105 to 105A

		directed to execute the panchanamma and submit the compliance report. The parties along with police officials were present except PWD officials who remained absent, hence execution of demolition was aborted.	
15.	12.07.2016	The Hon. Session Court in Civil Revision Application 14/2016 passed an order granting 30 days to regularise the 'Roof Top/Restaurant' after obtaining requisite permission within 30 days, failing which panchayat shall demolish structure & recover the expenditure as revenue arrears	106 to 113
16.	16.11.2016	Resp. 3 issued a letter granting Resp. No. 4 'one year time limit' to regularise the Roof shed of Restaurant, even though there is no provision for 'regularisation of illegal structures in CRZ area.	114
17.	May 2017	During the period when the Panchayat elections were to be held, the Resp. No 4 demolished the illegal restaurant 49ers(roof top restaurant) and started reconstruction.	
18.	07.06.2017	This Appellant filed complaint of illegal reconstruction to the authorities.	115
19	09.07.2017	The Dy. Collector issued a Stop Work Order dt 09.07.2017 with copies to the Police Inspector Colva Police Station. The Mamlatdar, Salcete, The Member Secretary of Resp No. 1.	116
20	21.02.2019	The Resp no 1 issued a Notice for Site Inspection to DSLR to <i>".....measure the existing structures in sy.nos 24/1 of Colva Salcete Goa and to carry out and mapping of all the structures in the property and to check whether the construction carried out by M/s shamiraj Hotels also known as Sea coin is as per the approved plan prior to taking any decision in the matter"</i> Further to superimpose	81-83

		the structures on site with the structures as per the approved plan. Site Inspections did not take place.	
21.	17.12.2019 06.01.2020 30.01.2020	RTI Application filed to TCP Department Replies received.	104 to 105
22.	13.01.2021	Dy. Director of Panchayat, South Goa registered a case no. DDPS/ILLEG-CONST/16/2021/147 and issued a notice. No order has been passed till date but the Resp. No.4 completed the construction and it is in operation to this day.	117
23.	23.08.2022	This Appellant filed a PIL 10 of 2020 in the Hon'ble High Court of Bombay at Goa the Hon'ble High Court was pleased to issue directions dt. 23.08.2022 to Resp No 1 to decide the matters within two months.	42-44
24.	12.10.2022 & 19.10.2022	Impugned Order issued.	16-23 23-A 23-B

Place Margao, Goa
20.11.2022



Appellant

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**WESTERN ZONE BENCH AT PUNE**

APPEAL NO 51 OF 2022 [WZ]

(Under Section 18(1) read with Sections 16 and 17 of the National Green Tribunal Act, 2010)

Between

**THE COLVA CIVIC AND CONSUMER FORUM,**

through its President, Judith Almeida,

Age : 67 years

with address at H. No. 257/1, Ward 3, Bagdem,

Colva, Salcete, Goa – 403708,

Reg. No. – 268/GOA/2009,

Email id: judith.almeida1707@gmail.com

Contact No. – 9823085206.

.....APPELLANT

And

**1. THE GOA COASTAL ZONE MANAGEMENT
AUTHORITY,**

through its Member Secretary,

4th Floor, Dempo Towers Bldg.,

Patto Plaza, Panaji, Goa – 403001,

Email id: goacoastalzone@gmail.com,

Contact No. - 0832-2407186.

2. THE STATE OF GOA,

through its Chief Secretary,

c/o Secretariat,

Porvorim, Goa - 403521,

152

Email id : cs-goas@nic.in

Contact No. - 0832-2419402.

3. The Sarpanch. Secretary
Village Panchayat of Sernabatim, Vanelim, Colva &
Gandaulim,
Colva, Salcete, Goa 403 708
Email address : vpcolva@gmail.com.
Phone 0832 2788 485

4. M/s Shamiraj Hotels Pvt.Ltd/Hotel Sea Coin,
Through its director
H.No. 432/1 4th Ward, Colva Beach Road,
Colva, Salcete, Goa – 403 708
Email Address: seacoin@gmail.com
0832 2788094/96

AMENDED APPEAL

THIS APPEAL MOST RESPECTFULLY SHOWETH:

1. The address of the Appellant is given above for the service of notices of this Appeal.
2. The addresses of the Respondents are given above for the service of notices of this Appeal.
3. The Appellant above-named begs to present this Memorandum of Appeal against the order dated 12.10.2022 and Corrigendum dt 19.10.2022 passed by the respondent no.1 against Resp 4 thereby issuing directions under Section 5 of the Environment (Protection) Act 1986 read with Rule of the Environment (Protection) Rules, 1986 ordering demolitions selectively and without due diligence or any site inspection despite evidence of serious violations raised by this Appellant that have come up between 2006 and 2022 in NDZ of CRZ – III area of survey no. 24/1 of village Colva, Salcete, Goa.



MA

PARTICULARS OF PARTIES

1. The Appellant is a Forum, registered as a society under the Societies Registration Act, 1860 under registration no. No. 268/Goa/2009, comprising of citizens of the villages of Sernabatim, Vanelim, Colva and Gandaulim, that has been at the forefront of the battle against illegal constructions and developments in the State of Goa, especially in relation to violations of the Coastal Regulation Zone Notification, 1991/2011 in the villages of Sernabatim, Vanelim, Colva, and Gandaulim and other coastal areas.
2. The Respondent No. 1 is the Goa State Coastal Zone Management Authority. The Respondent No. 2 is the State of Goa. The Respondent No. 3 is the Village Panchayat of Sernabatim, Vanelim, Colva & Gandaulim. Respondent No. 4 is M/s Shamiraj Hotels Pvt.Ltd/Hotel Sea Coin against whom partial demolition has been issued.

FACTS OF THE CASE:-

3. The Appellant above-named begs to challenge the Order dated 12.10.2022 and Corrigendum dt 19.10.2022 passed by the Respondent No.1 against Respondent No. 4 against whom partial demolition has been issued, without conducting a site Inspection to verify all the violations and ignoring all the issues raised by the Appellant under Section 5 of the Environment (Protection) Act, 1986 in survey no. 24/1 of Colva village in NDZ of CRZ III of alleged illegal unauthorised large structures and extensions without permissions as being arbitrary, and in gross contravention of the Environment (Protection) Act and its subsequent CRZ Notification 1991/2011. Annexed as **Exhibit 'A'** is a copy of the orders dated 12/10/2022 and 19/10/2022.

4. That the Hon'ble High Court of Bombay at Goa had taken Suo Moto cognizance of a news item dated 22/07/2006 that appeared in the daily 'Herald' on the front page titled 'Is Goa sinking because of this?' (CRZ



SK

violation). The Hon'ble High Court of Bombay at Goa directed the same to be registered as Suo Moto Writ Petition bearing No.2/2006.

5. That vide order dated 16/07/2007 the Hon'ble High Court of Bombay at Goa impleaded the various Village Panchayats of the state of Goa in order to identify the structures existing prior to 1991 within the NDZ area, therefore the Village Panchayat of Sernabatim – Vanelim – Colva - Gandaulim, was impleaded as the Respondent No.19 therein and the Appellant Forum intervened in the said matter and thereafter came to be impleaded as the Respondent No.30. Annexed hereto and marked as Exhibit 'B' is a copy of the order dated 16/07/2007.

6. The Appellant states that several orders came to be passed. The Oral Order /Judgement dt 21/06/2016 of the Suo Motu Writ Petition 02/2006 of the Hon'ble High Court of Bombay at Goa discloses that, 'the records however reveal that as far as Village Panchayat of Colva is concerned, there were doubts about the averments in the Affidavit about the action already taken and as such by an order dated 15/01/2013 the Resp No.1 was directed to carry out an inspection and submit a report.' Further there was no compliance report filed with regard to such illegal structures by the Village Panchayat of Colva. In paragraph 12 of the said order dated 21/06/2016 the Hon'ble High Court of Bombay at Goa has categorically held, 'But however, as far as Colva and Anjuna Panchayats are concerned, we find that the authorities could have to proceed to take necessary action in connection with the existing structures in violation of the CRZ Regulations in the NDZ area.' Further in paragraph 14 of the said order it is recorded as follows 'Besides the above directions, the Anjuna as well as the Colva Panchayats namely Respondent Nos. 9 and 19 and the Resp No.2 are directed to take necessary action with regard to the structures identified on the report of the Resp No. 2 and proceed to take necessary action in accordance with law within three months from today and file a compliance report with that regard. Annexed hereto and marked as Exhibit 'C' is a copy of the order dated 21/06/2016.

7. That in light of the SMWP No.2/2006 the structures of the Resp No.4 were brought under the scanner being within the NDZ of CRZ- III area.



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8. That the GCZMA directed the Inquiry Committee to inquire, prepare and submit a report during the intervening period of the formation and notifying of a new GCZMA Committee. The Inquiry Committee prepared its report and submitted the same to the GCZMA to take a decision. Accordingly the GCZMA issued notices and commenced personal hearings.

9. After much delay the Resp. No. 1 issued notice and commenced personal hearing on 31.07.2018.

10. This Appellant filed a PIL 10 of 2020 in the Hon'ble High Court of Bombay at Goa and brought it to the notice that several matters (including the present case of Resp 4) pertaining to the SMWP 02/2006 were not taken to their logical end and accordingly the Hon'ble High Court was pleased to issue directions dt. 23.08.2022 to Resp No 1 to decide the matters within two months, which compelled the Resp No. 1 to decide. Annexed as Exhibit 'D' is a copy of the order dt. 23.08.2022

11. The Appellant states that there exists a property bearing Survey No. 24/1 admeasuring 1570 sqm. of Colva village, Salcete – Goa allegedly owned by Resp.no 4 (Shamiraj Hotels Pvt.Ltd/Hotel Sea Coin) as the sale deed is not registered and hence does not have legal status. Annexed as Exhibit 'E' is a copy of the unregistered Sale Deed with plan dt 15.08.1995.

The Appellant states that GCZMA while passing the Orders dt 12/10/2022 and 19.10.2022 for partial demolition without conducting a site Inspection to verify all the violations and ignoring all the issues raised by the Appellant has not considered that :-

12. The GSCCE approved a Site Plan dt 01.12.1995 Annexed is a copy of Town and Country Planning letter and Site Plan annexed as Exhibit 'F' which shows 'the typical plan of the main building' titled 'Proposed traditional re-construction of the existing residential structure on Sy. No 24/1 of Colva Village wherein the centre of the building which is open to sky is now covered including the Stilt which was shown for parking has been converted into a ground floor and is now a Ground plus 2 floors of the main building in sy. No 24/1 of Colva village.



13. The CRZ Notification 1991 does not permit any residential constructions/complexes within the CRZ except for traditional people. Refer to "Annexure - I 6(2) CRZ – III (i) (iii)" Hence this area being a NDZ and infact no where in CRZ areas are residential buildings permitted except to traditional dwellers it is strange that the GSCCE/Chief Town Planner permitted reconstruction of a residential building of stilt plus two floors which is now converted for commercial use based on a fictitious plan attached to an unregistered Sale Deed. The CTP has not even referred to any previous permission when granting permissions for reconstruction hence raises doubts of the permissions.

14. Further, The Site plan shows all structures to be demolished and in its place permits only one main building of Stilt plus two floors with a proposed garden in the centre of the structure. The site of the structure shown as 'Stalls to be demolished' on which shockingly the Respondent has constructed a Restaurant named as 49ers without any permissions.

15. That the Area Statement on the Site Plan dated 01.12.1995 shows coverage but does not mention the F.A.R. which when the total area of the three floors is calculated sums up to 65.39 % which is beyond 33% and in violation of rules of the CRZ Notification 1991. The Chief Town Planner could never have overlooked such a blatant violation.

16. Annexed as Exhibit 'G' is the report of Architect Jose Carlos Da Viega Gracias engaged by the Village Panchayat of Colva to inspect, survey the property and his report dated 27.09.2013 inwarded in panchayat on 28.09.2013 shows how the Respondent No 4 has blatantly violated the Environment Protection Act 1986 and the CRZ Notification rules with various illegalities as seen below

I. Net Plot area (calculated from the plan : 1,467.14 m²)

II. Areas of the buildings:

Buildings GF FF SF

A. Main Building	403.27	386.85	386.85
B. Shed 1	9.31	....	....
C. Shed 2	18.13	....	....

JA



D. Metal Sheet Roofing A	.....	12.16	.....	.....
E. Metal Sheet Roofing B	.....	72.42	.....	.....
F. Metal Sheet Roofing C	.....	30.1	.....	.....
G. Metal Sheet roofing D	.....	5.9	.....	.....
H. Restaurant and Kitchen	.....	133.88	.....	.....
I. Entrance Passage	.....	109.15	.....	.....
J. Shop	.....	22.689	(not included in total area as it is outside the property)	

Total 794.86 386.85 386.85

Grand Total 1568.56 m2

Total Built-up are : 1568.56m2

F.A.R. used : 1568.56 -divided -1467.14 x100 = 106.91 %

F.A.R. Permissible (CRZ) : 33 %.

17). That the 'stalls' that were to be demolished in the site plan of 01/12/1995 has actually been replaced with an illegally constructed restaurant titled as 49ers.

18). The Resp no 1 on 21.02.2019 Annexed as Exhibit 'H' issued a Notice for Site Inspection to DSLR to ".....measure the existing structures in sy.nos 24/1 of Colva Salcete Goa and to carry out and mapping of all the structures in the property and to check whether the construction carried out by M/s shamiraj Hotels also known as Sea coin is as per the approved plan prior to taking any decision in the matter" Further to superimpose the structures on site with the structures as per the approved plan. This inspection did not take place.

19). That while issuing above Order, the Resp.1 (GCZMA) has not considered to demolish 'all the illegal, unauthorized' structures constructed in NDZ, under the garb of existing structures wherein there is a main building (Gr + 2 floors), the area open to sky as seen on the plan is now covered, Stilt parking now converted and in which the Resp No 4 runs two restaurants named Sea coin and Krishna (Vegetarian) with kitchen. The main building also has an illegal extended porch beyond the construction plan plus 3 permanent sheds and another restaurant called 49ERS restaurant situated outside Main building but within the property. Annexed



as Exhibit 'I' are photographs dt 17.11.2022 which show the Gr + 2 buildings and restauarants

20). That the Resp. 4 has not submitted a single valid document before Resp. 1 (GCZMA) such as mandatory permissions, NOCs, licences, authorised Construction plans, valid Deed of sale, Electricity/Water bills, House Tax, Trade licences to prove that so called present structures existed in NDZ prior to the CRZ 1991 Notification .

21). That the Respondent 4 (Shamiraj Hotel) has produced the documents pertaining to the year 1995 and onwards which is after CRZ Notification 1991 such as :-

i). Deed of Sale (unregistered)with plan pertains to the year

15-08-1995. (annexed as Exhibit E)

ii). Town and Country Planng Department Construction permission Dt 01.12.1995 for Traditional Building. (annexed as Exhibit F)

iii) Panchayat Construction Licence dated 13.12.1995

iv). NOC to start Occupy building dt 26-06-1997.

v). Registration Certificate of Establishment for Restaurant dt

14.1.1999 under Goa Daman & Diu shops & Establishment Rules.

vi). NOC dt 05-03-1998from Panchayat to start business activities

vii). NOC dt 14.05.1998 from Primary Health Centre.

viii). Registration Certificate of Department of Commercial Taxes

dt. 01-04-2005.

ix).Consent to operate & Authorisation of Goa State Pollution Control Board is dated 18-06-2012& pertains to Survey No. 432/2 and not Survey No. 24/1

x). Registration Certificate of Department of Commercial Taxes dt



(Handwritten signature)

02.04.2005.

- xi). Certificate of Renewal of Goa Tax on Luxuries dated 01-10-2013.
- xii). E-Challan of Excise Department is dated 17-03-2015, pertains to House No. 430/2.
- xiii). Licence of Department of Excise is dated 29-03-2014.
- xiv). Licence of Food & Drugs Administration is dated 04-04-2014.
- xv). NOC from Fire & Emergency Services is dated December 2013.
- xvi). Certificate of Registration of Dept., of Tourism is dated 22-07-2013. Annexed as Exhibit 'J' Colly.

22). Based on the above 'un-registered' sale deed dated 15-08-1995, attached is a plan which does not show the area of any of the so called existing structures based on which the relevant authorities/departments granted permissions for re-construction in NDZ of CRZ -III in the year 1995. (Annexed Exhibit E)

23). Respondent 1 has not considered that the approved plans by Chief Town Planner on 01-12-1995 shows re-construction of 'Traditional building' of Stilt +Gr. + 1st floor of area 341.80 sq.ms of each floor. There is no such term as 'Traditional Building' in the Town and Country Planning Act 1974 and its subsequent amendments , the Panchayat Raj Act 1994 & CRZ Notification 1991.

24). Respondent 4 has 'illegally and in an unauthorised manner' converted the Stilt for running two restaurants and kitchen which is now an additional floor ie Gr. + 2 the same is a banned activity as per CRZ Notification 1991/2011 Annexure - I Section 6 of CRZ - III in NDZ without any approvals/permissions from GSCCE, TCP, Panchayat. It appears that the plans dated 01-12-1995 are fictitious, as CTP would not have approved such plans containing series of violations of TCP Act/Rules/Regulations. When appellant requested for copies of such plans under RTI Act, the TCP Department stated that they are not available Annexed as Exhibit ' K



Colly ' RTI application and Reply dt 17.12.2019, 06.01.2020 and 30.01.2020.

25). Vide Order dated 07-03-2016 Annexed as Exhibit 'L' at the request of Respondent 3 (Panchayat) the Block Development Officer issued a Memorandum requisitioning the Demolition squad to demolish the illegal construction/structure (steel structure w/sheet roofing of the Resp. 4 and the Secretary was directed to execute the panchanamma during the demolition operation and submit the compliance report. The parties along with police officials were present except PWD officials, hence execution of demolition was aborted.

26). The Resp. No 4 approached Sessions Court as order was passed with typographical error by the Addl director of Panchayat that instead of 'roof top restaurant', it was mentioned as 'roof of ' the Restaurant. The Hon. Session Court in Civil Revision Application 14/2016 . was pleased to pass an order 12.07.2016 granting 30 days for regularisation of the 'Roof Top/Restaurant' after obtaining requisite permission from the Panchayat within 30 days, failing which panchayat shall demolish structure & recover the expenditure as revenue arrears. Panchayat did not carry out the orders of Hon. Sessions Court, even after 30 days. Annexed is a copy of the order dt 12.07.2016 as Exhibit 'M'.

27). Respondent No 4 filed an application to the Panchayat for regularisation of roof shade of the restaurant. Annexed as Exhibit 'N' is a letter dt 16-11-2016 issued by Resp. 3 in contempt of the Hon'ble Session Court order to Resp. No. 4 granting 'one year time limit' to regularise the Roof shed of Restaurant, eventhough there is no provision of 'regularisation in CRZ area.

28). Respondent 1 has not considered that No Objection to start business activities was granted by Resp. 3 only on 05-03-1998, after CRZ Notification 1991 & without approvals of GCCCE.

29). That in May 2017 during the period when the Panchayat elections were in process, the Resp. No 4 demolished the illegal restaurant 49ers (roof top restaurant) and started reconstruction. This Appellant filed a complaint dt



07.06.2017. The Dy. Collector issued a Stop Work Order dt 09.07.2017 after inspections by the Village Panchayat and other authorities the Dy. Director of Panchayat, South Goa registered a case no. DDPS/ILLEG-CONST/16/2021/147 and issued a notice dt 13.01.2021, no order has been passed till date but the Resp. No.4 completed the construction and it is in operation to this day. Annexed as Exhibit 'O' Colly is a copy of the complaint dt 07.06.2017, StopWork Notice Dt 09.07.2017 and notice dt 13.01.2021.

To be added as paragraph 29- A in this Memo of appeal

29-A. The main grievance of the Appellant in this Appeal is the discharge of the Show Cause Notice (vide Impugned Order) in relation to additional Structures 'X' and 'Y' in the Sketch Plan dt 27.01.2023, structure 'X' is the Restaurant 49Ers and 'Y' is the centre of the building which is open to sky is now covered including the Stilt which was shown for parking has been converted into a ground floor and is now a Ground plus 2 floors of the building Annexed as Exhibit 'R' is a sketch dt 27.01.2023 showing additional structures 'X' & 'Y' constructed without permissions. Annexed as Exhibit 'S' is an approved copy of approved plan of the building dt 01.12.1995 of the Typical Ground plus first Floor showing the central area of the building as open to sky now covered are beyond those identified in the order of Resp. No. 1 dt 12.10.2022 and corrigendum dt 19.10.2022 for demolition.

30). Finally this Appellant finds it strange that the Resp No. 1 has in another case done due diligence when passing order dt 11.02.2022 wherein there were several violations in the case of Agnelo Fernandes & Anr in Calangute, Bardez, Goa but has ignored several violations and did not even conduct a Site Inspection to identify the serious violations in the NDZ of CRZ -III of Colva village, Salcete. annexed is a copy of the order dt 02.09.2022 issued by this Hon'ble Tribunal as Exhibit 'P'.

GROUND:-

The Resp. 1 has not considered:-

AA



i). that all the structures are situated in NDZ of CRZ -III and Respondent 4) has not produced a single document such as mandatory permissions, NOCs, licences, authorised Construction plans, valid Deed of sale, Electricity/Water bills, House Tax, Trade licences to show the existence of structures in NDZ prior to CRZ Notification 1991.

ii). That Resp No 4 has violated several Section 3, Para 2 (ii) (ii) ; Annexure – I CRZ – III (i) & (iii) ; ANNEXURE II Section 7 (1).

iii). that all the permissions produced by the Respondent 1 pertains to the year 1995 & thereafter.

iv) that granting permission for reconstruction of structures were 'wrongly' considered as 'existing' structures before 1991, merely on the basis of an 'unregistered' Sale Deed which was not executed before the Sub Registrar, allegedly executed on 15-08-1995.

(v) that on the basis of the 'un-registered' sale deed dated 15-08-1995, mentioning about existing structures, other departments granted permissions for re-construction in NDZ in the year 1995.

(vi) that as per plans dated 01-12-1995 of re-construction of 'Traditional building' of Gr. + 1 floor of area 341.80 sq.ms of each floor was approved but Respondent 4 (Shamiraj Hotel) has 'illegally' constructed additional floor (Gr. 2) by converting the Stilt and extensions including an illegal restaurant in NDZ without any approvals/permissions from GSCCE, TCP, Panchayat.

vii) that in the area statement of the said plans date 01-12-1995, total area of existing structures is shown as 468.09 sq.mts., but Resp. 4 constructed structures for an area of 1024 sqmts., unauthorisedly.

viii) That the Site Plan Dt 01.12.1995 does not show a Restaurant other than the main building. And, infact a new restaurant is constructed in place of the stalls to be demolished.



MA

ix). that in the said area statement also shows parking on 'stilt' - 341.80 sq.mts & Respondent 4 has constructed new structures 2 Restaurants and a kitchen in area marked as parking on Stilts.

x) that total FAR of all structures in survey no. 24/1 consumed is 106.91 % more than the permissible FAR of 33%.

xi). that site inspection Report dated 27-09-2013 of the Resp. 3 (Panchayat) confirming about new constructions/extended/violations of FAR/Coverage and also construction of additional floor in contravention of plan approved by Chief Town Planner on 01-12-1995 and in violation of the CRZ Notification 1991.

xii) that demolition orders issued by the Resp. 3 were aborted.

xiii) that there is no provision for 'regularization' of the structures constructed in CRZ areas, Resp. 3 granted 'one year time limit' to regularise the Roof shed of Restaurant.

Amended to add

xiv) that the sketch dt 27.01.2023 which shows structures 'X' and 'Y' including the stilt parking converted to ground floor have no approvals.

xv) that No Objection to start business activities was granted by Resp. 3 only on 05-03-1998, after CRZ Notification 1991 & without approvals of GSCCE.

xvi). That the Resp No 1 has done due diligence and issued an order dt 11.02.2022 wherein there were several violations in the case of Agnelo Fernandes & Anr in Calangute, Bardez, Goa but have failed to use the same yard stick in the instant case.

LIMITATION

The present appeal challenges the order dated 12.10.2022 and 19.10.2022 issued by the Respondent no.1, the same was received by the Appellant on

JA



21/10/2022. Hence this appeal is within limitation. Annexed is a copy of the Postal Tracking as Exhibit 'Q'.

PRAYERS

a. The Appellant is therefore approaching this Hon'ble Tribunal for the following reliefs:

(a) For an order to direct demolition all the structures constructed in Sy. No. 24/1 NDZ of Colva village and without any valid permissions.

(b) For an order setting aside the illegal, biased order of not demolishing all illegal structures in NDZ of Sy. No. 24/1 of Colva village, Salcete.

Amended prayer to add.

(bb) For an order modifying the impugned order dt. 12.10.22 [*as corrected by corrigendum dt. 19.10.2022*], such that the additional structures lying in the NDZ of Sy. No. 24/1, village Colva, as identified in the Sketch Plan dt.27.01.2023, are directed to be demolished.

For an order directing the demolition of all the illegal structures/extensions that are in violation of the Environment Protections Act 1986 and it subsequent CRZ Notifications and restore the land to its original condition. and to report compliance;

(d) For costs;

(e) For such and further orders as this Hon'ble Tribunal may deem fit to grant.

INTERIM RELIEFS

(f) Pending the hearing and final disposal of this Appeal, for directions restraining the Resp. No. 4 & from carrying on any Commercial/construction/activities.

DA



(g) For an ex parte ad interim order in terms of prayer clause (e).

Place : Margao- Goa

Date : 30.01.2023

Almeida
APPELLANT
GOVA CIVIC & CONSUMER FORUM
Regd. No. 268/2009/GC

AFFIDAVIT

I, Mrs Judith Almeida, aged 67 years, daughter of late Joseph Henry Baptiste, R/o. H. No. 257/1, Bagdem, Ward 3, Colva, Salcete, Goa as President of the Colva Civic and Consumer Forum , the Petitioner Forum herein and duly authorized to sign and affirm this amended appeal, do hereby on solemn oath and affirmation state that the contents of paragraphs 1-3, 1-30, of this appeal are true and correct to my own knowledge which I believe to be true.

SK
R K R
Reg. No. 262
Exp. Dt.: 27/02/2024
SALCETE TALUKA
GOVT OF GOA (INDIA)

Verified at Margao, Goa on this 30th day of January 2023.

Almeida
Deponent
GOVA CIVIC & CONSUMER FORUM
Regd. No. 268/2009/GC

Solemnly affirmed before me by
Shri/Smt. *Judith Almeida*
Who is identified to me by
Shri/Smt. *Epic No. KNX3050465*
Who is personally known to me
this *30th* day of *Jan* 20*23*
Reg. No. *1786/2023*

ksavita
SAVITA G KURTARKER
NOTARY
MARGAO-GOIA

NOTARY
SAVITA G. KURTARKER
Reg. No. 262
Exp. Dt. 27/02/2024
SALCETE TALUKA
GOVT OF GOA (INDIA)

TRUE COPY 172

GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदुशन नियंत्रण मंडळ

Phone Nos. : 91-832-2438567, 2438528
2438563, 2438550.
Tel / Fax No. : 0832-2438528
Email : goapcb@rediffmail.com



Dempo Towers, 1st Floor,
EDC Patto Plaza,
Panaji, Goa 403 001.

No. 5/1858/00-PCB/ 1809.

Date: 18/06/2012

Renewal of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & Consent to operate under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Renewal of Authorisation under Rule 5 of the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules 2008
[To be referred as Water Act, Air Act and HW (M,H & T) Rules respectively]

RENEWAL OF CONSENT TO OPERATE AND AUTHORIZATION is hereby granted to:

M/s. SHAMIRAJ HOTELS PVT. LTD.
(Hotel Sea Coin)
(Orange Category)

Survey No. 432/2,
4th Ward,
Colva Beach,
Salcete-Goa.



Located in the area declared under the provisions of the Water Act, Air Act and Authorization under the provisions of HW (M,H & T) Rules, subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1. This Renewed Consent and authorization to operate is issued in supersession of the earlier Consent Orders issued vide Order No. 5/1858/00-PCB/1482 dt. 04/06/2009 & No. 10/673/12-PCB/921 dt. 04/05/2012 is valid up to **26/02/2015**.

2. This Renewed Consent and authorization to operate is valid for the operation of:

Sr. No	Description	Capacity
1.	Hotel	32 Rooms
2.	Restaurants	80 Persons (Seating Capacity)

3. **CONDITIONS REQUIRED TO BE COMPLIED UNDER THE WATER ACT:**

(i) The daily quantity of effluent from the hotel (sewage & sullage) shall not exceed **12.84 K.L.D.**

(ii) **Sewage Treatment Plant:**

The Hotel shall treat domestic effluent in existing Sewage treatment plant (17 KLD Capacity) consisting of primary/ secondary and/ or tertiary treatment as is warranted with reference to effluent quality and operate and maintain the same continuously so as to achieve the quality of the treated effluent to the following standards:

Sue Com
SM

pH	Between	5.5 & 9.0
Suspended Solids	Not to exceed	100 mg/l
BOD, 3 days, 27° C	Not to exceed	30 mg/l
COD	Not to exceed	250 mg/l
Oil & Grease	Not to exceed	10mg/l

Other parameters should meet the standards specified in Schedule I Schedule VI [Rule 3(3A)] of the Environment (Protection) Act 1986 for the relevant Industry

Sewage Disposal:

The treated effluent shall be recycled to the maximum extent and remaining shall be used on land for gardening. There shall not be any discharge outside the hotel premises.

- (iv) The hotel shall provide a proper Oil and Grease Trap for effluent arising from its kitchen and laundry and shall have to comply with the 'General Standards for Discharge of Environmental Pollutants Part-A: Effluents' notified under Schedule-VI.
- (v) The Hotel unit shall at his own cost get the effluent samples collected both before and after treatment and analyse, every month the parameters indicated above from a laboratory recognized by Ministry of Environment and Forest under the Environment Protection Act, 1986 and rules there under and results shall be submitted regularly to this Board, by 15th of succeeding month.
- (vi) A good house-keeping shall be maintained within the hotel premises. All pipes, valves and drains shall be maintained in leak-proof condition. Floor washings shall be maintained to the effluent collection system only and shall not be allowed to find way in open areas.
- (vii) The Hotel unit should comply with all the standards prescribed at Sr. no.39 of Schedule I of the Environment (Protection) Rules, 1986.

(viii) Non-Hazardous Solid Waste:

All the Solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:

- Landfill, incase of inert materials, care should be taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
- Controlled incineration wherever possible in case of combustible organic matter.
- Composting in case of bio degradable material
- As per the Authorization issued by this Board in case of non Hazardous waste.

The total quantity shall be segregated and treated as follows:

Sr. no.	Type of segregated solid waste	Quantity	Disposal
1	Wet Garbage	800 kg/month	Given to piggery
2.	Plastic bottles	300 nos./month	Sold to scrap dealers


Member Secretary
Goa State Pollution Control Board

(ix) The Hotel unit shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977, as amended (to be referred as Cess Act) and the Rules there under.

The daily water consumption for the following categories shall not exceed, as under:

Domestic	17.12 KLD
----------	-----------

The Hotel unit shall submit Water Consumption statement annually by 30th April online in the prescribed format and pay the Cess as specified under Section 3 of the Cess Act.

(x) The Hotel unit should have zero discharge policy. ie, the treated waste water may be re-used in process/green belt development /or any other use as deemed fit by the unit with due permission from the Board

4. **CONDITIONS REQUIRED TO BE COMPLIED UNDER THE AIR ACT:**

(i) The Hotel unit shall maintain and operate air pollution control system of adequate capacity for the following equipments

Sr. No.	Name of Equipments/ Installation	No of Installation	Capacity	SO ₂ Kg/Hr	Particulate Matter mg/Nm ³
1.	D. G. Set	1	82.5 KVA	0.36	150

(ii) The Hotel unit shall erect the chimney(s) of the following specifications:

Sr. No	Chimney attached to	Height
1.	D. G. Set	2 meters

(iii) The Hotel unit shall observe the following standards:-

Sr. No	Type of fuel	Quantity /hr
1.	H. S. d(for 82.5KVA D. G. Set)	10 liters/hr

(iv) The Hotel unit should comply with all the standards for D.G. Sets prescribed at Sr. no. 94, 95 and 96 of Schedule I of the Environment (Protection) Rules, 1986.

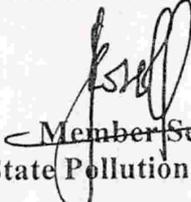
(v) The Hotel unit should carry out emission monitoring from the stacks once in 3 months from a laboratory recognized by Ministry of Environment and Forest under the Environment Protection Act, 1986 and the result shall be submitted to this Board.

(vi) **The Stack Port Hole and Platform is to be designed as per CPCB guidelines Method 1 Part 1 of Stack Monitoring – Material & methodology for isokinetic sampling.**

(vii) The Hotel unit shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise. The limits are as follows

Category of Area/ Zone	Limits in dB (A) Leq	
	Day time	Night time
Industrial Area	75	70
Commercial Area	65	55
Residential Area	55	45
Silence Zone	50	40

Day time is reckoned between 6 a.m. to 10 p.m. and night time is reckoned between 10 p.m. to 6 a.m.


Member Secretary
Goa State Pollution Control Board

(viii) Adequate mitigation measures shall be taken to control emissions of SO₂, NO_x, PM₂₅, RSPM. The Hotel unit shall achieve following Ambient Air Quality standards:

SO ₂	Not to Exceed (Annual Average)	50 µg/ m ³
	Not to Exceed (24 hours)	80 µg/ m ³
NO _x	Not to Exceed (Annual Average)	40 µg/ m ³
	Not to Exceed (24 hours)	80 µg/ m ³
PM ₁₀	Not to Exceed (Annual Average)	60 µg/ m ³
	Not to Exceed (24 hours)	100 µg/ m ³
PM ₂₅	Not to Exceed (Annual Average)	40 µg/ m ³
	Not to Exceed (24 hours)	60 µg/ m ³

All other parameters should meet the standards specified in NAAQS notification dated 18th November 2009 for the relevant industry

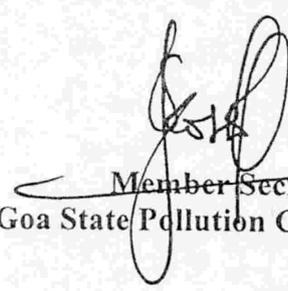


5. CONDITIONS REQUIRED TO BE COMPLIED UNDER THE HAZARDOUS WASTES (MANAGEMENT, HANDLING AND TRANSBOUNDARY MOVEMENT) RULES 2008:

(i) The Hotel unit is hereby granted authorization to operate a facility for collection, storage and disposal of hazardous wastes as specified below:

Sr. No.	Category	Type of waste	Quantity	Mode of disposal
1.	5.1	Used/Spend Oil	20 Liters/Annu m	To recycler registered with CPCB and having valid authorization of SPCB

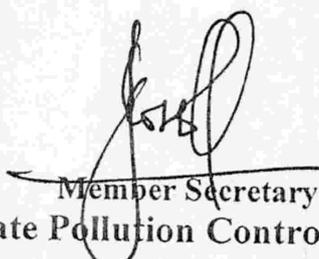
- (ii) The authorization shall comply with the provisions of the Environment (Protection) Act, 1986 and the rule made there under.
- (iii) The person authorized shall not rent, lend, sell or transfer or otherwise transport the hazardous waste without obtaining prior permission of the State pollution Control Board.
- (iv) Any unauthorized change in personnel, equipment or working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.
- (v) It is a duty of the authorized person to take permission of the Goa State Pollution Control Board to close down the facility.
- (vi) The inner bottom surfaces of the tank shall be impervious enough to prevent leakage or seepage of these wastes into the sub surface soil or ground water.
- (vii) The occupier shall maintain a manifest system as per Rule 21 (1) for disposal of hazardous wastes to ensure that these wastes are delivered to the designated facility preventing pilferage and clandestine disposal due to unforeseen events that may occur during transit.


 Member Secretary
 Goa State Pollution Control Board

- (viii) The manifest shall be endorsed by the dispatcher, transporter and receiver of hazardous wastes. The endorsed copy shall be furnished to the Goa State Pollution Control Board.
- (ix) Under any circumstances the hazardous waste shall not be disposed to unauthorized facilities.
- (x) The occupier shall maintain the records for collection, storage and disposal of hazardous waste in Form 3 of as per Hazardous Waste (Management, Handling & Transboundary Movement) Rules 2008.
- (xi) The occupier shall furnish annual returns for collection, storage and disposal of hazardous waste in Form 4 by 30th June of every year for the preceding period April to March.
- (xii) The Hotel unit shall put up an online board (minimum size 6x4 Feet) at prominent location near the main gate providing details as follows in English and Konkani languages:-
- Hazardous Waste category number.
 - Hazardous Waste quantity number.
 - Treatment facility for each category.
 - Mode of disposal for each category.
 - Hazardous Waste Authorization number, date and validity period.
 - Water Consent number, date and validity period.
 - Air Consent number, date and validity period.
 - Quantity and Nature of Hazardous Chemicals being used.
- (xiii) The occupier shall ensure that the Hazardous Wastes are not allowed to be stored for more than 90 days.

6 GENERAL CONDITIONS:

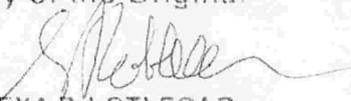
- (i) The Hotel unit shall not change or alter the quantity, quality of discharge, temperature or the mode of the effluent/ emission or hazardous wastes or control equipments provided for without previous permission of the Board.
- (ii) The Hotel unit shall provide facility for collection of samples of effluent, air emissions and hazardous wastes to the Board staff.
- (iii) An application in prescribed form along with the prescribed fees for renewal of Consent shall be submitted at least 60 days before the expiry of validity of this Consent. An application for renewal of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees.


 Member Secretary
 Goa State Pollution Control Board

- (iv) The Board shall be forthwith informed of any accident or unforeseen event involving discharge of any poisonous, noxious or polluting matter into a stream or well or on land or into the atmosphere, as result of such discharge water/ air is being polluted.
- (v) This Consent and authorization is granted **without** any prejudice to any of the permission(s) required under any law, by laws and regulations in force.
- (vi) The Board reserves the right to amend or add any conditions in this consent and the same shall be binding on the applicant.
- (vii) The Hotel unit shall submit to this office, the Environmental Statement Report in Form V for the Financial Year ending April to March by 30th September of the succeeding year as per the provisions of the rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.


 Member Secretary
 Goa State Pollution Control Board

Certified to be a True
 Copy of the Original

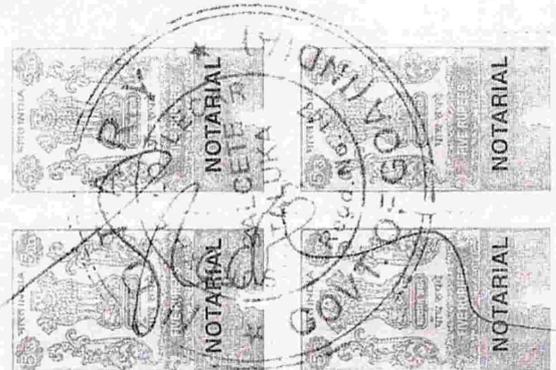

 SUREXA P. LOTLECAR
 NOTARY, MARGAO
 SALCETE TALUKA
 STATE OF GOA (INDIA)

Reg. No. 9866/2012
 Date: 25/06/2012


 To,
 M/s. SHAMIRAJ HOTELS PVT. LTD.
 (Hotel Sea Coin)
 Survey No. 432/2,
 4th Ward,
 Colva Beach,
 Salcete-Goa.

Copy to:-

1. The Member Secretary,
 Goa Coastal Zone Management Authority,
 C/o. Department of Science, Technology & Environment,
 Opposite Saligao Seminary,
 Saligao, Bardez – Goa.
2. The Director,
 Department of Tourism,
 Opposite Nova – Goa,
 A.B. Borkar Road,
 Panaji – Goa.
3. Accounts Section
4. Concerned File
5. Guard File



Received Consent fee of: **The capital Investment of the unit is Rs. 1,03,71,244/-**

Challan no.	Amount	Date
456	Rs.33,000/- (Water consent & late fees)	21/06/2010
4142	Rs. 1,39,334/- (Air Consent & late fees)	15/06/2012

Ine copy


No.MRG/GTL/71/11850
Government of Goa,
Luxury Tax Office,
Margao – Ward,
Margao – Goa.

Dated: 07/10/2013

CERTIFICATE OF RENEWAL

(Section 9A of The Goa Tax on Luxuries Act, 1988 read with rule 6A of the rules made thereunder)

R.C. No : MRG/GTL/71
Period : 01.10.2013 to 30.09.2014

This is to certify that the registration certificate No.MRG/GTL/71 granted to, **Hotel Sea Coin, Shamiraj Hotels Pvt. Ltd, Colva Beach, Colva, Salcete Goa,** is hereby renewed for the further period from **01.10.2013 to 30.09.2014.**



Darshan
(Darshan Dessai)
Luxury Tax Officer,
Margao – Ward.

Place: Margao.
Date: 07/10/2013

NOTE: The said renewal certificate shall form part of the certificate of registration originally issued and shall be displayed conspicuously by the hotelier at the business premises.

To
Hotel Sea Coin,
Shamiraj Hotels Pvt. Ltd,
Colva Beach,
Colva, Salcete Goa.



DISPATCHER
COMMERCIAL TAX OFFICE
MARGAO WARD

179

Timing: For Sale of liquor,
From: 9:00 am to 11:00 pm

Government of Goa
DEPARTMENT OF EXCISE
FORM E 25
(See Rule 90)



Licence for retail sale of ~~foreign liquor~~ Indian made foreign liquor/country liquor for consumption on the premises

Register No. RS/FCL/1690
Name of licence holder Shaminay Hotel Pvt Ltd (Hotel Sea Coim)
Locality 4th ward Colva Salcete Goa

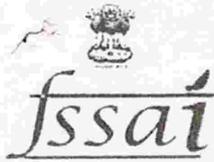
This licence authorizes Shri Sarvashri Shaminay Hotel Pvt Ltd (Hotel Sea Coim) residing at 4th ward Colva Salcete Goa to sell by retail ~~foreign liquor~~ Indian made foreign liquor/country liquor for consumption on the premises H. No. 432/2 situated at 4th ward Colva Salcete Goa subject to the provisions of the Excise Duty Act, 1964 and the Rules made thereunder.

This licence is valid from 1/4/14 20 to 31/3/15 20 provided that the licence fee is paid according to the provisions of the Rules. The non-payment of licence fee in time shall render this licence liable to be cancelled.

The premises shall be closed on every Restaurant
The licence fee paid vide ch. no 116-1817 on dt 29/3/14 for Rs. 10,000/- only

The Excise Inspector

(Sydel Aconsalves)
EXCISE INSPECTOR
Salcete-Taluka



FORM C
License

[See Regulation 2.1.4(6)]

GOVERNMENT OF GOA

FOOD SAFETY & STANDARDS ACT, 2006



VALID UP TO 31-12-2011

License No. 10614002001076

- 1. Name and registered office address of Licensee : mb. Shaminraj Hotels Pvt. Ltd.
Hotel Sea Coin
4th ward, Colva Beach, Salcete Goa
- 2. Address of Authorized Premises : 4th ward, Colva Beach, Salcete Goa
- 3. Kind of Business : Restaurant
- 4. For dairy business, details of location with address and capacity of Milk Chilling Centres (MCC)/Bulk Milk Cooling Centres (BMCs)/Milk Processing Unit/Milk Packaging Unit owned by the holder of license RC.
- 5. Category of License : Restaurant

The License is granted under and is subject to the provisions of Food Safety Standards Act, 2006, all of which must be complied with by the Licensee.

Place: Bambolim - Goa

Date : 04/04/2014

Handwritten signature
JYOTI SARDESAI
Stamp & Sign. of Designated Officer
Food and Drugs Administration, Goa State (North/South Goa)

Designated Officer
South Goa

Validation and Renewal

Renewal date	Period of validity	License Fee paid	Item of food products with capacities authorized to Manufacture/Re-pack/Re-label	Installed/ Handling Capacity	Signature of Designated Officer
12-07-2012	01-01-2012 31-12-2015	₹ 10,000/-	cooked/prepared food	—	<i>Handwritten signature</i>

NOTE: The application for renewal shall be made in Form B not later than 30 days prior to the expiry date indicated in this licence; failing which application should be accompanied by a late fee of Rs. 100 per day for each day of delay.

TO BE DISPLAYED
IN THE PREMISES

181



Directorate of Fire & Emergency Services

Government of Goa

St. Inez, Panaji,

Goa - 403 001 - India



File No.: DFES/FP/HTL/C-1/1/13-14/712

Date: .12.2013.

NO OBJECTION CERTIFICATE

(Rule 26)

Sub:- Uses of places and trades for purpose involving risk from fires. No Objection Certificate issued under Goa State Fire Force Act 1986 to M/s. Hotel Sea Coin, Colva Beach, Colva, Salcete - Goa for Hotels and Boarding Houses.

Ref: - Letter No. Nil, dated: 02.12.2013.

Consequent upon the Fire Safety Inspection of the premises of M/s. Hotel Sea Coin, Colva Beach, Colva, Salcete - Goa. It is certified that the licensee has observed appropriate precautions against the danger of fire in the use of relevant premises. There is no objection from fire service point of view to renew licence of the said premises for the contemplated use.

This Certificate is valid for a period of One year. The next date of inspection for renewal shall be on 29.11.2014.



(ASHOK MENON)
DIRECTOR
FIRE & EMERGENCY SERVICES

To,

The General Manager,
M/s. Hotel Sea Coin,
Colva Beach, Colva,
Salcete - Goa

Copy to:-

The Director of Tourism,
Patto, Panaji - Goa.

TW



DEPARTMENT OF TOURISM
GOVERNMENT OF GOA
PANAJI-GOA



FORM V
(See Rule 3)

S
1910
B

Certificate of Registration

"Hotels"
DUPLICATE

This is to certify that M/S. HOTEL SEA COIN
~~of~~ M/S. SHAMIRAJ HOTELS PVT LTD. resident of COLVA, SALCETE, GOA
has been registered under the Government of Goa, Registration of Tourist Trade
Act, 1982 to carry on the business of Hotels with 32 No. of Rooms.

This certificate is valid upto MARCH 31, 2014

Place: PANAJI - GOA

Date: 22-07-2013

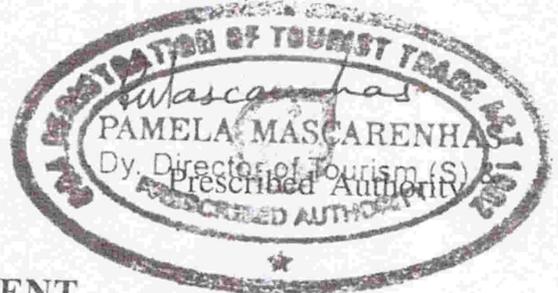


ENDORSEMENT

This registration is hereby renewed upto MARCH 31, 2015

Place: MARGAO - GOA

Date: 14.05.2014



ENDORSEMENT

This registration is hereby renewed upto

Place:

Date:

Prescribed Authority

183

EXHIBIT A18

Judith Almeida
257/1, Bagdem, Ward 3,
Colva, Salcete,
Goa 403 708.
17.12.2019
Mob. No. 9823085206

To,
The Public Information Officer,
O/o the Town and Country Planning Department,
4th Floor, Osia Complex,
Margao, Salcete, Goa.



APPLICATION UNDER THE RIGHT TO INFORMATION ACT 2005.

RECEIVED
T.C.P.D., MARGAO
DATE 17/12/19

Sir,

- 1a. Kindly provide information and certified copies of application for construction with annexures, Technical Clearance under ref. No. SAL/42/TCP-95/4482 dated 01.12.1995, Completion certificates issued to Deepti Mangesh Dalvi or any other in property bearing survey number 24/1 of Colva village.
 - b. Provide information and certified copies of Conversion Sanad clearance issued to the office of the Collector by the Town and Country Planning Department for property bearing survey number 24/1 of Colva village.
 - c. Provide information and certified copy if survey number 24/1 falls in Settlement zone.
-
- 2a. Kindly provide information and certified copies of application for construction with annexures, Technical Clearance under ref. No. DJ/5645/SEP/95/536 dated 09.02.1995, Completion certificates issued to Capt. J.P. Dias or any other in property bearing survey number 23/9 of Colva village.
 - b. Provide information and certified copies of Conversion Sanad clearance issued to the office of the Collector by the Town and Country Planning Department for property bearing survey number 23/9 of Colva village.
 - c. Provide information and certified copy if survey number 23/9 falls in Settlement zone.
-
- 3a. Kindly provide information and certified copies of application for construction with annexures, Technical Clearance under ref. No. DJ/34001/TCP-96/04 dated 15.04.1996, Completion certificates issued to Ms Maria M. Costa or any other in property bearing survey numbers 16/3,17/5,7 & 8 24/1 of Sernabatim village village.
 - b. Provide information and certified copies of the minutes of meeting of the GSCCE dated 15.03.1996 including Conversion Sanad clearance issued by the Town and Country Planning Department to the office of the Collector for property bearing survey numbers 16/3,17/5,7 & 8 24/1 of Sernabatim village village.

c. Provide information and certified copy if above survey numbers falls in Settlement zone.

4a. Kindly provide information and certified copies of application for construction with annexures, Technical Clearance under ref. No. GSCCE/DJ/1053/96/324 dated 18.02.1997, Completion certificates issued to Ms Colmar Hotels Pvt. Ltd. or any other in property bearing survey numbers 40/4 (part) of Colva village.

b. Provide information and certified copies of the minutes of meeting of the GSCCE dated 26.11.1996 including Conversion Sanad clearance issued by the Town and Country Planning Department to property bearing survey numbers 40/4 (part) of Colva village.

c. Provide information and certified copy if survey number falls in Settlement zone.

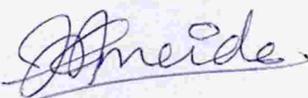
5a. Kindly provide information and certified copies of application for construction with annexures, Technical Clearance under ref. No. DJ/5897/GSCCE/TCP/95/2606 dated 06.07.1995, Completion certificates issued to Ms Colmar Condominium Pvt.Ltd. or any other for a residential complex in property bearing survey numbers 40/4 (part) of Colva village.

b. Provide information and certified copies of the minutes of meeting of the GSCCE dated 01.01.1994 including Conversion Sanad clearance issued by the Town and Country Planning Department to the Collector for property bearing survey numbers 40/A (part) of Colva village

c. Provide information and certified copies of any permissions granted to convert the construction from residential for commercial purposes and state the zoning from planning point of view.

Process fee affixed with this application all other fees towards information will be paid on receipt of the same

Thanking You,
Sincerely,



Judith Almeida

Ref. No. 1PM/2312/RTI/colva/24/1/2020/24
Town & Country Planning Dept.,
Government of Goa
4th Floor, Osia Complex
Margao-Goa
6/1/2020

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To

Judith Almeida,
H.No. 257/1, Bagdem, Ward 3,
Colva, Salcete Goa.

Sub: Application under Right to Information Act.
Ref: Your application dtd. 17/12/2019 under inward no.
7820 dtd. 17/12/2019.

Madam,

Your request for information has been considered under section 7(1) of the Act and it is to inform you as under:

- i) As regards to information sought by you, at sr. no. 1a,1b,2a,2b,3a,3b,4a,4b,5a,5b and 5c, it is to inform you that no information is available in the office record. Hence the information sought cannot be issued.
- ii) As regards to information sought at sr. no. 1c, 2c, 3c, 4c, you are requested to apply for zoning information with necessary payment.
- iii) The period within which appeal against information made available may be preferred within 30 days period.
- iv) The particulars of the Appellant Authority:-The Senior Town Planner is The Appellate Authority having office at 4th floor, Osia Complex, Margao- Goa.

Yours faithfully

R Shirodkar
(Ritesh Shirodkar)
Public Information Officer

R

Ref. No. TPM/2312/RTI/colva/24/1/2020
Town & Country Planning Dept.
Government of Goa
4th Floor, Osia Complex
Margao-Goa
Date

801/2020

186

521

To
Judith Almeida,
H.No. 257/1, Bagdem, Ward 3,
Colva, Salcete Goa.

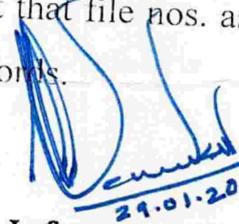
Sub: Application under Right to Information Act.

Ref: Your application dtd. 17/12/2019 under inward no.
7820 dtd. 17/12/2019.

Madam,

With reference to your application as cited above, it is informed that the file register maintained by South Goa District Office has been once again verified and it is found that the file nos. as quoted in your application could not be found. Also old files/records available in the office are also checked and verified. However no such file is available in office records.

In view of the above, information sought by you as per your application dtd 17/12/2019 could not be made available on account that file nos. as quoted by you in your application are not available in office records.


29.01.20

Public Information Officer/
Dy Town Planner,
South Goa District Office,
Margao-Goa.





Office of the Village Panchayat 166

SERNABATIM, VANELIM, COLVA & GANDAOLIM.

Construction Licence No VP/SVCG/Const. 19 /95-96/724

EXHIBIT A17

COLLA

Smt Deepti Mangesh Dalvi, C/o Shri. Girish Kelekar (Architect) from Tilve Mansion, ~~Conda~~ - Goa, is hereby granted licence for the construction of Traditional building on survey No. 24/1 of Village Colva, Salcete - Goa.

in terms of the resolution No. 3 (c) taken in the Panchayat meeting dated 11-12-95 as per the plans in ~~triplicate~~ duplicate to his/her application under inward No. PPO/01/VP/plans 1003 dated 10-12-95. The copy of the plans concerned with the approval note carrying the embossed seal of this Panchayat and duly signed, is returned to the interested Party, who shall comply with the following conditions.

- 1) To limit himself/herself to the plans approved and statements therein.
- 2) The construction shall be as per plans approved by this Panchayat and condition imposed on it.
- 3) To inform the Panchayat after excavation and before laying of plinth foundation
- 4) To inform the Panchayat when the construction has been completed upto plinth level.
- 5) To inform the Panchayat as soon as the construction is completed.
- 6) Not to inhabit the building without the prior permission of this Panchayat
- 7) To abide by the other related provision in force.
- 8) That building or construction is carried out as per the alignment given and the plinth level fixed by the Panchayat.
- 9) The construction licence shall be revoked.
 - a) if the construction work is not executed as per the plans approved and statements there in :
 - b) wherever there is any false statement or any misrepresentation of any material passed, approved or shown in the application on which the permit was passed.
- 10) Applicant will have to observe all the conditions laid down by the Town & Country Planning Department Office from serial.No.1 to 11.
- 12) Applicant will have to obtain valid land conversion sanad in case if additional area is to be converted.
- 13) Not to obstruct any of the existing foot paths or water drainage
- 14) Applicant will have to obtain the necessary R.C.C. designs and calculations before starting of R.C.C. work.
- 15) Applicant shall ensure that the curing water is treated with Anti-Larval treatment, Chemicals.

Lsm

The licence shall be valid for a period of ~~ONE~~ TWO THREE year's beginning from to-day, He had paid the respective tax/fees to the tune of Rs. 12550/- by Receipt No. 78/55 dated 13-12-1995.

This carries the embossed seal of this Panchayat.

Office of the Village Panchayat of Sernabatim, Vanelim, Colva & Gandaolim

Colva, 13-12-1995

V. Panchayat Secretary

Sarpanch
Rajesh A. VAZ

167

Phone : 723495

Office of the Village Panchayat

Sernabatim, Vanelim, Colva & Gandalim
Salcete-Goa, Pin code 403 708



Case Ref. No. VP/SVCG/1490/97-98

Date 26-6-97

TO,
Smt. Deepti Mangesh Dalvi
c/o Girish Kelekar,
Tilve, Mansion, Ponda-Goa.

Madam,

This office have no objection to Deepti Mangesh Dalvi, of c/o Shri. Girish Kelekar, Tilve Mansion, Ponda-Goa, to occupy the building approved under Licence No. VP/SVCG/Const-19/95-96/724 dt. 13/12/95.

This is issued at the request of the Concerned party.

Yours faithfully

(AGNELO FERNANDES)
SARPANCH

VILLAGE PANCHAYAT
SERNABATIM, VANELIM, COLVA & GANDALIM



See copy of



Handwritten signature and date: 8/7/2014

Certified to be true copy of the Original, which is returned this 1st day of July 1997

Caetano do Rosario Rodrigues

TRUE XEROX COPY

169

Phone : 723495



Office of the Village Panchayat

Sernabatim, Vanelim Colva, & Gandaulim
Salcete - Goa. Pin Code 403 708

Ref. No. VP/SVCG/26us797-98

Date 5-3-98

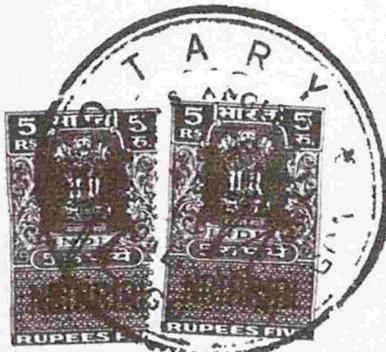
To,
Shri. Vishwar Rao,
For Shamiraj Hotel's Pvt. Ltd.
Hotel Sea-Coin
Colva Beach, Salcete - Goa.

Sir,

With the reference to your letter dated 5th March '98, I state that there is no objection to you to start business activities in the name of Shamiraj Hotel's Pvt. Ltd., Hotel Sea-Coin at 4th ward, Colva, Salcete - Goa.

Yours faithfully,

(AGNELO FERNANDES)
SARPANCH,
VILLAGE PANCHAYAT,
SERNABATIM, VANELIM, COLVA & GANDULIM.



CERTIFIED TO BE A TRUE COPY
OF THE ORIGINAL

K. S. ANGLE

NOTARY MARGAO

STATE OF GOA (INDIA)

Date: 13/11/2008

Reg. No. 16082

Inclosure
[Signature]

170

GOVERNMENT OF GOA

So. PHCC/Cans
Primary Health Centre
Cansaulim-Goa
Date: 14/5/98

1899/69

To,
Shri, Vishwas Rao,
For Shamiraj Hotel, s Pvt, LTD.
Hotel Sea-Coin,
Colva Beach, Salcete Goa.

Sub:-NO OBJECTION CERTIFICATE

Sir,

With reference to your application dated 23rd, April 1998, I m to inform you that the site has been inspected by the Health Authority of Primary Health Centre Cansaulim, and state that there is no objection on sanitary point of view to start business activities in the name of Shamiraj Hotel, s Pvt. Ltd, Hotel Sea-Coin, situated at 4th, Wada Colva, in Salcete Taluka subject to the following conditions:-

1. The Manangement should co-Operate with the Health authority and Pollution control Authority whenever they visit for inspections.
2. All the workers engaged in the Hotel should have sanitair cards.
3. The solid waste and garbage as well as wastage water should be disposed off properly to avoid health hazard.
4. The NOC issued is liable to be withdrawn if the stipulated condition are not complied with.

Yours faithfully

Ry... ..

(Dr. SARITA KAMAT)
HEALTH OFFICER
PRIMARY HEALTH CENTRE CANSULIM
Health Officer,
Primary Health Centre,
Cansaulim

[Handwritten mark]

4/5/98



Luc Long

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DEPARTMENT OF COMMERCIAL TAXES



Form VAT - II
[See Rule 15(1)]

REGISTRATION CERTIFICATE

UNDER SECTION 18 OF THE GOA VALUE ADDED TAX ACT, 2005 (Act 9 of 2005)

1. TIN 30501103920 2. WARD MARGAO

3. NAME AND STYLE OF BUSINESS HOTEL SEA COIN OF SHAMIRAJ HOTELS PVT. LTD.

4. PRINCIPAL PLACE OF BUSINESS COLVA BEACH, COLVA, SALCETE - GOA.

5. NATURE OF BUSINESS Manufacturer

6. ADDRESS OF ADDITIONAL PLACE OF BUSINESS, IF ANY

7. ADDRESS OF WAREHOUSES, IF ANY

8. DATE OF LIABILITY :

DD	MM	YYYY
01	04	2005

9. DATE OF VALIDITY

DD	MM	YYYY
01	04	2005

FROM :

DD	MM	YYYY
31	03	2008

TO :

10. Dealer manufactures for sale the following classes of goods:-

11. The return in Form VAT-III is to be furnished by the dealer quarterly alongwith the receipt of the payment of Tax.

Lucy Lopez
9/11

[Signature]

187

EXHIBIT A19

REENOWNED ARCHITECTS

📍 B208. ROLEX SHOPPING CENTRE, STATION ROAD, GOREGAON-(WEST), MUMBAI- 400 062 ✉ reenownedarchitects@gmail.com
☎ +91-22-28781838 . +91-9820365577 , +91-9820284019 , +91-9820153910.

SC-O/RA0517/A02

29 May 2023

To
Mr. Sanjay Selukar,
Hotel Sea Coin,
Colva, Goa.

Sub.: "Hotel Sea Coin" on property bearing S. No. 24, H. No. 1 of Village –Colva, Taluka –
Salchete, Goa.

Dear Sir,

As per our telephonic discussion today, the Report for the above mentioned subject "Hotel Sea Coin", with respect to the 'Built up Area' and 'Height of the Building', is as below:

A. Area of the Plot:

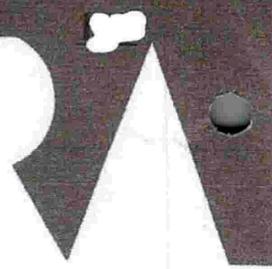
As per survey carried out in April 2023 - 3055.00 square metres.

B. Built up Area:

Based upon the Survey conducted on site in April 2023, the built up area (excluding non F.S.I. areas) works to -

Ground Floor	- Nil (Stilt portion) [Subject to 'removal' of Kitchen & Restaurant]
First Floor	- 428.21 square metres
<u>Second Floor</u>	- 428.21 square metres
Total	- 856.42 square metres

REENOWNED ARCHITECTS



B208, ROLEX SHOPPING CENTRE, STATION ROAD, GOREGAON-(WEST), MUMBAI- 400 062 ✉ reenownedarchitects@gmail.com
☎ +91-22-28781838 +91-9820365577, +91-9820284019, +91-9820153910.

C. Building Height

The Hotel building is Ground and Two upper floors. The Ground floor consists of Stilt portion wherein "Kitchen and Restaurant" shall be *removed* and hence, not considered in computation of the 'building height' and computation of the Built up Area. The height of the useable floors (that is of First Floor & Second Floor) is 5.88 Meters. This height is EXCLUDING the parapet wall, elevational features.

D. Summary

As per the actual survey carried out in April 2023 and from A, B, C above, the STATUS of "Hotel Sea Coin" is as below-

Area of the Plot	-3055.00 square metres
Built up Area (1 st & 2 nd Floors)	- 856.42 square metres
F.S.I. consumed	- 0.28
Useable Floors	- 2 Nos.
Height of useable Floors	- 5.88 metres.

Property falls in C.R.Z. III as per CZMA 2011 Map prepared by "State of Goa", and approved by Central Government. For development in this 'category' following base regulations are applicable:

- a. F.S.I. Permissible — 0.33
- b. Building Height (topmost) permissible — 9.00 metres
- c. Number of Floors permissible — 2 Floors

E. Notes-

1. The Front 'portion' (that is abutting road side) of the said Hotel is not computed herein.
2. Computation of Built up Area and Height of the said building is subject to *removal* of "Kitchen & Restaurant", in Ground floor (Stilt floor).
3. Area of the Plot, need to get endorsed from Government authorities.

AD2
??

REENOWNED ARCHITECTS



📍 B208 ROLEX SHOPPING CENTRE, STATION ROAD, GOREGAON-(WEST), MUMBAI- 400 062 ✉️ reenownedarchitects@gmail.com
☎️ +91-22-28781838 +91-9820365577, +91-9820284019, +91-9820153910

4. Report is based upon the survey carried out in April 2023 by M/s. Purva Surveyors and the drawings generated by them.

Thanking you,

Yours sincerely,

Ar. Sunil Magdum, *G.D.Int., G.D.Arch., B.Arch., M.Arch.(Environmental), F.I.I.A.*

Council Registration No. CA/1984/08793

Principal Architect – M/s.Reenowned Architects (Architecture-Interior-Valuation-Development Manager)

Panel Architect – Grade I category, Housing Panel, M.H.A.D.A., Mumbai Board.

Fellow Member – Indian Institute of Architects.

Life Member – Practising Engineers Architects & Town Planner Association, Mumbai.

Patron Member – Architects Engineer & Surveyors Association, Pune.

Principal – Dr. Baliram Hiray College of Architecture, Bandra East, Mumbai (Architecture & Interior Design –U.G. & P.G.)

Mentor – Nirmaan School of Design & Arts, Andheri West, Mumbai (Interior Design –U.G.)

Editorial Board Member– International Journal of Expressions, Emotions & Dimensions