



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

Appeal No. 6/2023(WZ)

Sagardeep SirsaikarAppellant

Versus

GCZMA & Ors.

....Respondents

ADDITIONAL AFFIDAVIT ON BEHALF OF

RESPONDENT NO.2

MAY IT PLEASE YOUR LORDSHIPS:

The Respondent no. 2 states and submits as under:

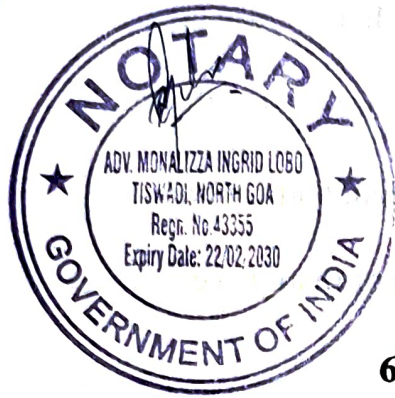
- 1. That this Respondent has already filed Affidavit dated 9/09/2023 and Additional Affidavit dated 26/06/2025.**



The present Affidavit is being filed pursuant to order dated 13/04/2026 passed by this Hon'ble Court, in counter to the Affidavit dated 15/03/2026 filed by the GCZMA.

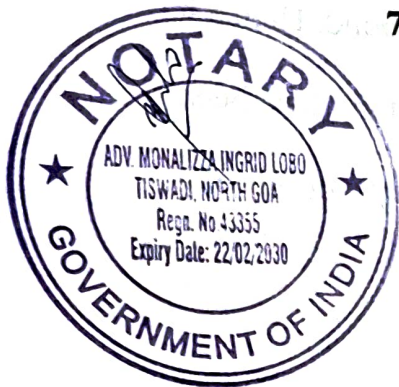
3. Vide said Affidavit dated 15/03/2026, the GCZMA has stated that the disputed structure falls in mangrove buffer zone and therefore, sought remand of matter to the GCZMA for fresh consideration of the matter.
4. Thus, this affidavit is being filed to elucidate the factual position at loco. The Respondent states that there were no mangroves, around and in the property of this Respondent, at the time of construction of house. There were no mangroves existing at that relevant time and the said mangroves has come into existence after the construction was complete. In fact, the Respondent did not interfere with the growth of mangroves as the Respondent deemed it appropriate that the existence of mangroves around the house would also protect his house structure from the flow/current of the river water.

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5. The Respondent has constructed the house on a bund. Hence it is absolutely incorrect to state that the structure has been constructed within the mangrove areas by destroying mangroves.

6. This fact is also evident from the deed of sale of this Respondent wherein it shows that the property is an agricultural property and surrounded by paddy fields belonging to Comunidade of Camurlim. Even the previous owner of the said properties regularly cultivated the Rice fields by engaging local people. This fact is duly recorded in the Form I and XIV of the said properties. After the cultivation in the said property stopped, the protective bund developed cracks and salt water from the river started seeping into the said property, thus making it unsuitable for cultivation. When this Respondent purchased the said property in 2004, there were some small bushes in parts of the said property. These bushes have subsequently multiplied under the Respondent's ownership and while carrying out construction, solely because this Respondent encouraged the growth of bushes, mangroves has come into existence.



7. This Respondent, being an environment friendly, had no intention of cutting or destroying said bushes. It is however, respectfully submitted that the construction, prior to the existence of mangroves, cannot be termed as illegal and cannot be stated to have been situated in the buffer zone of mangroves.

8. In any event, this fact did not arise before the GCZMA as the Appellant has raised the same before this Hon'ble Court for the first time. This aspect has not considered by the GCZMA as this fact was not an issue before the GCZMA and has been raised for the first time before this Hon'ble Court.

9. It is important to mention that on 10/09/2019, the officers of Forest Department had conducted a site inspection, wherein it has been clearly recorded that "during the time of inspection, we have not found any illegal cutting of mangrove trees nor found any stumps of any old, felled mangrove trees".



10. The Respondent states that the construction of farmhouse on the bund is not illegal *per se* for the existence of mangroves around the house structure.

11. It is respectfully submitted that CRZ regulations allows the construction of farmhouse in the agricultural area, in the present case, on a bund, subject to conditions.

12. The Respondent states that the Respondent, vide his Affidavit dated 26/06/2025 has sought for fresh inspection and direction to the GCZMA to produce a proper plan with clear markings and scales.

13. The Affidavit filed by the GCZMA dated 26/11/2024 is not a detailed Affidavit which gives the exact distance of the location of the structure belonging to this Respondent vis-a-vis high tide line. It may be noted that the original complaint filed by the Appellant was on the footing that this Respondent has burnt/destroyed the protected mangroves. The reports prepared

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and placed by the forest authorities, as well as other authorities, shows the position to the contrary.

14. In the light of the above, the Respondent states that the Affidavit filed by GCZMA dated 26/11/2024 and 15/03/2026 are factually incorrect and requires further consideration, which has been candidly admitted by the GCZMA.

15. In the light of above, the present appeal is liable to be dismissed.

Place: Panaji-Goa

Date: 2/06/2025

POA for Respondent No.2

[Handwritten signature]

Adv for the Respondent no.2



AFFIDAVIT

I, Mr Maneck Contractor, Son of Late Captain S J Contractor (Rtd IN) age, 58 years, POA holder of Mr Reyaz Ratan Mama (Respondent no. 2), Resident of Villa 6, Casa De Monte, Alto Porvorim, Bardez, Goa, 403 521, do hereby state that the contents of paras 1 to 9 and 12 to 15 are to my knowledge and whatsoever stated in the remaining paras are based on legal submissions.

Place: Panaji-Goa

Date: 2/6/2026


DEPONENT

identified by:



PREETAM N TALAULIKAR



solemnly affirmed before me by
 Shri / Smt. / Ms. Manick *Copy holder of*
 who is identified before me by Panay, Lander, Jyoti
 Shri / Smt. / Ms. Adv. V. Talaliker
 whom I personally know

Reg. No. 206 Dated 02/06/2022

at I/g. 76

MONALIZA INGRID LOBO

ADVOCATE & NOTARY
 GOVERNMENT OF INDIA

S 4 Bldg. 1 Models Marine Heights
 Caranzalem Nr Dominos Pizza

Caranzalem (Tiswadi) North Goa

at h No. 433 ST/25