



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

Appeal No. 143/2024

Vernon Rodrigues **Appellant**

Versus

**Goa Coastal Zone Management
Authority and 2 others** **Respondents**

**ADDITIONAL AFFIDAVIT ON BEHALF OF THE
RESPONDENT NO. 3**

I, Mrs. **Judith Rodrigues**, D/o late Joseph D'Souza, 48 years of age, Indian National, resident of H.No. D-6, TRT Holiday Enclave, Near Hotel Golden Tulip, Muddo Waddo, Candolim, Bardez, Goa, do hereby on solemn affirmation state as under –



1. I say that I am filing this Additional Affidavit to bring on record subsequent event and position of the impugned structures from the year 2003 upto date/the year 2022 sourced from “Google Earth Images” super imposed on the Official Survey plans of the State of Goa.
2. At the outset I maintain and reiterate all that I have stated in my Replies dt. 03-07-2024 in the present Appeal and the IA No. 213/2024.
3. I say that that by IA No. 213/2024 filed in this Appeal the Appellant is seeking to rely on “Additional Documents”. I say that these “Additional Documents” were filed before the GCZMA by the Appellant’s sister, Viola, who sought Review of the Impugned Order based on these documents and after considering these “Additional Documents” the Review was dismissed two days ago vide Order dated 25-07-2024. The Order dated 25-07-2024 in Ref No. GCZMA/N/ILLE-COMPL/21-22/89/1345 is annexed herewith as **Annexure R3-5**. I say that I have

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alluded to these Review Proceedings in para 3 of my Reply dated 03-07-2024.

4. I say that I am also submitting before this Hon'ble Tribunal the E-copy of "Google Earth Images" super imposed on the Official Survey plans of the State of Goa of the Survey No. 135/7 of Village Candolim (**Annexure R3-6 Colly**). It is seen that –

- in the year 2003 there was a small structure and the same is seen within the thick blue boundary line;
- in the year 2010 the position is the same as in the year 2003;
- in the year 2022, additional structures have mushroomed, some of which are conspicuous by their ochre coloured large roofs.

5. I say that whatever I have stated above is true to my own knowledge and belief, the annexures are true copies of their originals and or e-copies.



6. I say that whatever I have stated above is true to my own knowledge and belief.

Solemnly affirmed this 27th day of July 2024 at Panaji

- Goa.

Rodrigues

Deponent

Mandrukar

identified by me
(Adv Atul P. Mandrukar)

Solemnly affirmed and verified before me by Ms. Juliette Rodrigues Reg. No. 1757/24 Dated 27/07/2024

[Signature]

ROSHAN S. PALKAR
NOTARY
Tiswadi Taluka
Panaji - Goa
Reg. No. 258



GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology & Environment, (Govt. of Goa)

4th Floor, Dempo Towers Patto, Panaji Goa.

www.czma.goa.gov.in

Ref. No. GCZMA/N/ILLE-COMPL/21-22/89/1345

Date: 25/07/2024

ORDER.**SUB: (i) Show Cause Notice: GCZMA/N/ILLE-COMPL/21-22/89/168**

dated 25/04/2022

(ii) Review Application of Viola Rodrigues

WHEREAS, the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) 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 violation of the Coastal Regulation Zone (CRZ) Notification 2011 and implementation of the CRZ Notification.

AND WHEREAS, the Office of the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) had received a complaint letter dated 28/01/2022 from Mrs. Judith Rodrigues, r/o H.No.D-6; TRT Holiday Enclave, Near Hotel Golden Tulip, Muddowaddo, Candolim Bardez Goa; with respect to illegal construction of multiple structures of Ground +2 nos. 13/14 shops structures; in the property bearing survey no 135/7, at Vaddy, Candolim, Bardez Goa within CRZ III area carried out by Mr. Vernon Rodrigues, house no 483, Vaddy, Candolim, Bardez Goa; within the CRZ Limits.

AND WHEREAS, the Authority issued a Show Cause Notice bearing No. GCZMA/N/ILLE-COMPL/21-22/89/168 dated 25/04/2022; seeking clarification on the violations and also show caused the Respondent as to why environmental compensation and penalty should not be levied for environmental damage caused to the environment. The Respondent was directed to file reply and remain present for a personal hearing on the 05/05/2022. The Respondent failed to file reply to the Show Cause Notice.

AND WHEREAS, the Authority placed this matter in various GCZMA Meeting and after hearing the parties and considering the replies, the Authority in its 399th Meeting issued directions to the Respondent Mr. Vernon Rodrigues.

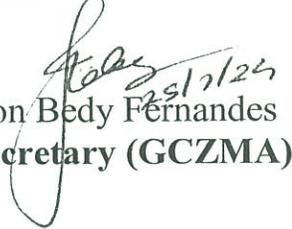
AND WHEREAS, the Order of demolition bearing No GCZMA/N/ILLE-COMPL/21-22/89/4649 dated 21/03/2024 issued to the Mr. Vernon Rodrigues is under challenge before the Hon'ble National Green Tribunal in Appeal No 143/2024 (WZ).

AND WHEREAS, in connection with this matter after the Directions were communicated the Respondent Mr Vernon Rodrigues; the Authority is in receipt of an application for review filed by Viola Rodrigues with regards to illegal construction of multiple structures of Ground +2 nos. 13/14 shops structures; in the property bearing survey no 135/7, at Vaddy, Candolim, Bardez Goa within CRZ III filed by Judith Rodrigues.

AND WHEREAS, this matter was placed in the 399th GCZMA meeting held on 16/05/2024, The Authority in this Meeting decided as under, *"The Applicant in the garb of stating that she has proprietor right in the land and by stating that she was not been served in the matter is seeking review in the decision passed by the Authority. Surprisingly, in the garb of review the whole lot of documents are sought to be annexed as proof to substantiate the said structure which are directed to be demolished was of an era prior to 1991. It is quite surprising to note that the application of review was filed by the person who lives in United Kingdom she had the documents in United Kingdom rather than her own brother who was a Respondent in the proceedings. The said application for review is only an attempt to have a second round of innings before the Authority which cannot be allowed as there has been no procedure relapse while conducting the proceedings and passing final decision . The Review application hence stands rejected."*

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 powers vested with the GCZMA vide Order S.O. 6071 (E) dated 27/12/2022 issued by the Ministry of Environment & Forests, Government of India, and in view of the decision taken in the 399th GCZMA Meeting held on 16/05/2024; the Authority hereby rejects the Review application filed by **Viola Rodrigues** and case is disposed off accordingly.

For and on behalf of the
Goa Coastal Zone Management Authority


Shri Johnson Bedy Fernandes
Member Secretary (GCZMA)



To,

1. **Viola Rodrigues, C/o Adv Amay Phadte, o/o El-Capitan Center, Feira Alto, 1st Floor, Office No. 16&17, Mapusa Bardez Goa**

Copy to:

1. **The Collector & District Magistrate (North), Office of the Collector (North), Panaji -Goa... for information and necessary action.**
2. **The Deputy Collector and SDO of Bardez, Office of the Dy Collector and SDO Mapusa Goa... for information and necessary action**

CERTIFIED COPY

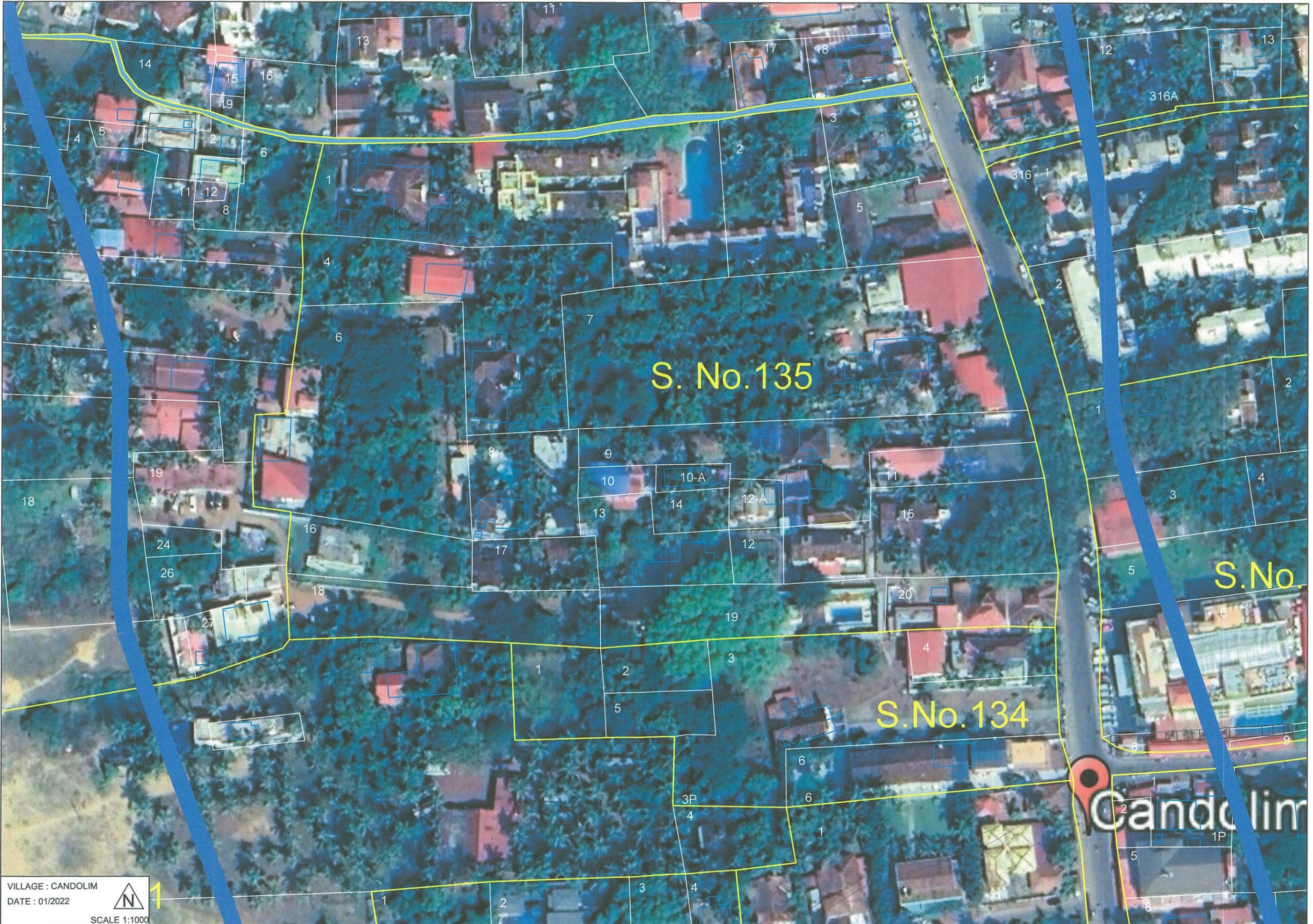
Copy applied on: 05/07/2024
Date of delivery: 25/07/2024
Copy ready on: 25/07/2024
Copying & xeroxing fees: 20/-
Paid under receipt No. 413 Dated: 25/7/2024

[Signature]
MEMBER SECRETARY 25/7/24
GOA COASTAL ZONE MANAGEMENT AUTHORITY
PANAJI - GOA









VILLAGE : CANDOLIM
 DATE : 01/2022



SCALE 1:1000



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S. No. 135





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S. No. 135





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S. No. 135





