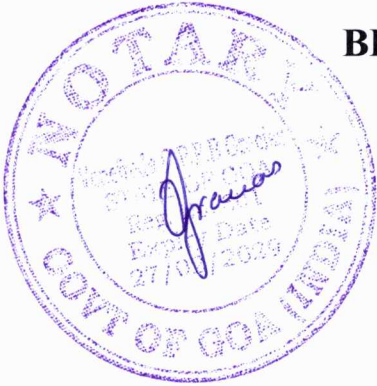


**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**



I.A. NO. 195/2024(WZ)

IN

O.A. NO. 05/2023(WZ)

Sagardeep Sirsaikar

...Appellant

V/s

Goa Coastal Zone Management

Authority & Ors.

... Respondents

**ADDITIONAL REPLY AFFIDAVIT ON BEHALF OF THE
RESPONDENT NO. 1.**

I, Johnson Bedy Fernandes, Indian National, major of age, having office at 4th Floor, Dempo Towers, Patto, Panaji-Goa, the Member Secretary of the Respondent No. 1 above named, do on solemn affirmation state and submit as under:

1. I say that this Hon'ble Court vide order dated 19/03/2024 had directed the Answering Respondent to decide the show cause notice and accordingly show cause notice was decided in the 403rd GCZMA meeting held on 13/06/2024. I say that



4. I say that officials of the Answering Respondent conducted site inspection/verification on 28/10/2024 to verify if the Respondent violator has indeed carried out demolition of offending structures as contained in the order/directions dated 30/07/2024 or not. I say that upon verification, it is observed that Respondent violator has demolished/removed offending structures as contained in order bearing No. GCZMA/HCM/PIL SUO MOTO NO. 02/2022/23-24/01/1405 dated 30/07/2024. I say that the officials of the Answering Respondent whilst undertaking the exercise of ascertaining the compliance to directions had also carried alongwith the approved plan as granted to the Respondent Violator and has verified that whatever is existing on loco is as per the said approval and whatever was ordered to be demolished/removed has been duly complied with by the Respondent Violator. A copy of the Compliance Report is annexed and is marked as ANNEXURE B.

5. I say that officials of the Answering Respondent also verified if the Respondent violator has carried out any illegal constructions/encroachments in the property bearing Survey No. 213/6 and 206/1 of village Anjuna, Bardez-Goa. I say that upon verification, it is observed that there is no illegal constructions/encroachments done by Respondent violator in the property bearing Survey No. 213/6 and 206/1 of village Anjuna, Bardez-Goa and the photographs of the said site in question is at "ANNEXURE B".

A handwritten signature in blue ink, appearing to be 'J. J. J.', located at the bottom right of the page.

6. I say that whatever structures which is temporary in nature and which is existing on loco are as per approvals granted by this Authority.
7. I say that the Authority is conscious to the fact of bringing about transparency in its functioning so that the public is put to notice about any developmental permissions that are granted by this Authority. Howsoever on account of manpower constraints, we have not been able to fulfil these aspirations. I say that the Authority has proposed for creation of additional posts in the Department considering the voluminous work and the same is under consideration of the Government.
8. I say that since the Respondent violator has complied with the directions issued by this Authority, nothing survives in the petition and hence prayed that the same be disposed off accordingly.




DEPONENT

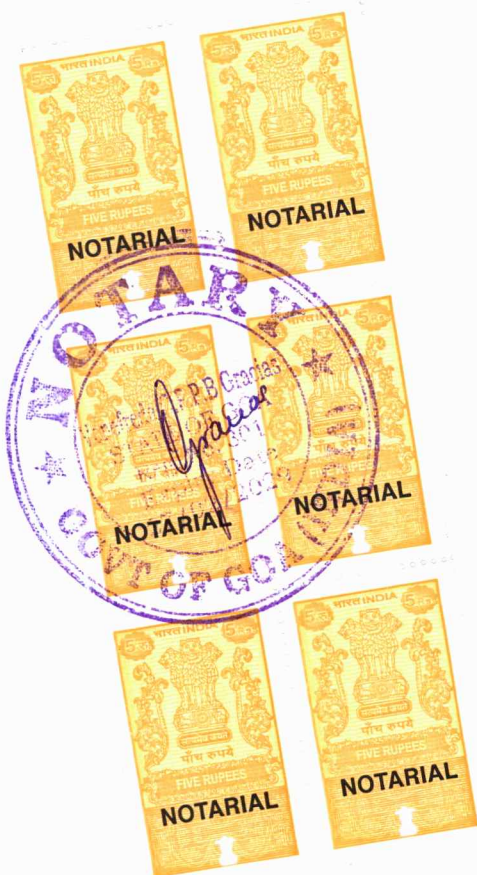


VERIFICATION

I, the abovenamed Deponent, do hereby state on solemn oath and affirmation state that the facts stated hereinabove in this Additional Reply Affidavit are true and correct to the best of my knowledge, information and belief which is based on records maintained by my office and nothing has been concealed.

Verified at Panaji on this 29th day of October, 2024.

[Signature]
DEPONENT



Solemnly affirmed before me
Johnson Bedy Fernandes
Who is identified before me by

At Panjim - Goa

Sr. No. 149/10/2024

Date 29/10/2024

[Signature]
Venefrada C.P.P.B Gracias
Advocate & Notary Goa State

To
The Director | MEMBER SECRETARY
Goa Coastal Zone Management Authority
Patto
Goa

Member Secretary

G. C. Z. M. A.

Inward No. 3434

Date: 14/10/2024

Relax
15/10

Subject – Compliance of Property Bearing No. 213/5 of Anjuna Village, Bardez Taluka.

Dear Sir,

We would like to inform you that we are in receipt of your letter dated 30th July'24 and as per that we were supposed to do the Compliance of your Order Letter dated 30th July'24.

We request your good-self that the order has been complied with and all the necessary changes which were directed by your good office have been executed.

We request you to please get the inspection done on urgent basis and issue us the copy of the compliance at the earliest.

Thanking you,

Warm Regards

Robert F. Coutinho

Mr. Robert Coutinho
M/S Romeo Lane
Survey No. 213/5
Vagator, Anjuna
Bardez, Goa

(98225 80449)

L *Thozel*
Adv. Divya
U. 12/9

Compliance Report

Background:

The Authority vide order bearing ref. no. GCZMA/H.C.M/PILSUOMOTO No.02/2022/23-24/01/1405 dated 30/07/2024 directed the Respondent to remove concrete gutter passing through the left of the entire path, remove the retaining walls on both side of the path, remove the permanent steps leading down to upper deck which continue to the lower deck, remove the tiles and concrete of the lower deck and remove the debris and remnants of RCC footing which still exist on the site in property bearing Sy. No. 213/5 of village Anjuna, Bardez-Goa. The Respondent has given a letter/representation dated 14/10/2024 inter alia stating that he has complied with the order/directions dated 30/07/2024 issued by this Authority.

Hence, as per the instruction of the Member Secretary, site inspection was fixed on 28/10/2024 to check for compliances.

Observations of site inspection:

The property bearing Sy. No. 213/5 of village Anjuna of Bardez taluka, Goa falls within CRZ – III(NDZ) as per CZMP 2011.

At the time of site inspection, we have observed the following on the site.

- On site it was observed that the illegal violations as mentioned in the order bearing ref. No. GCZMA/H.C.M/PILSUOMOTO No.02/2022/23-24/01/1405 dated 30/07/2024 comprising of “concrete gutter passing through the left of the entire path, remove the retaining walls on both side of the path, remove the permanent steps leading down to upper deck which continue to the lower deck, remove the tiles and concrete of the lower deck and remove the debris and remnants of RCC footing which still exist on the site” have been demolished/removed. The photographs are annexed at “**Annexure-I**”.
- The other temporary structures existing in property bearing Sy. No. 213/5 of village Anjuna, Bardez-Goa are in accordance with the approved plans which had been conveyed by this Authority.

- With regards to Sy. No. 213/6 and 206/1 of village Anjuna, Bardez-Goa, it is observed that there is no encroachments/illegal construction carried out by the Respondent. The photographs are annexed at “Annexure- II”.

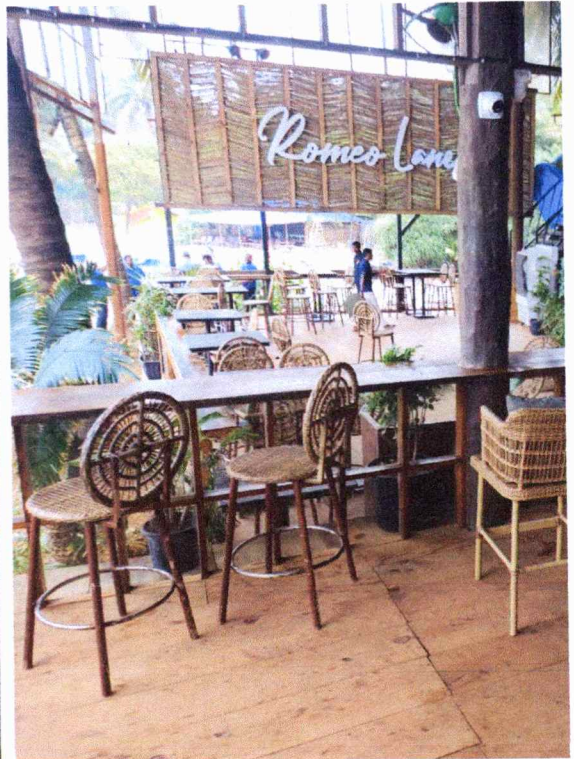


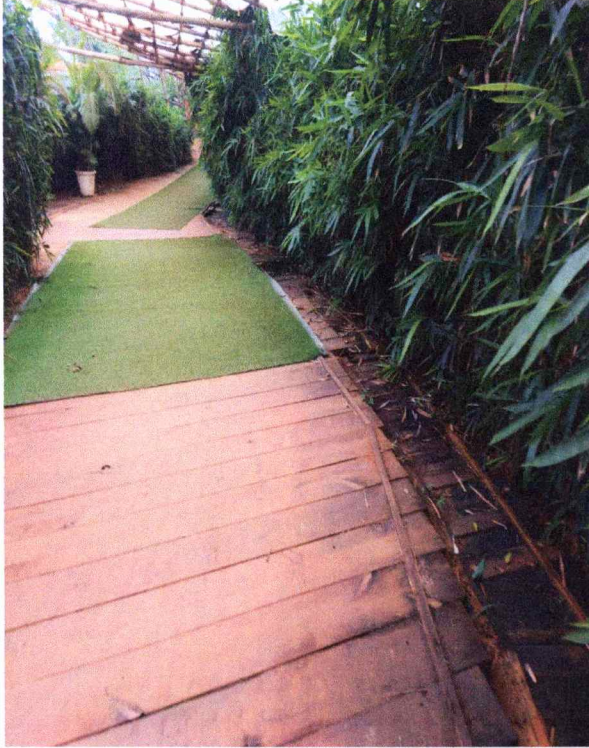
Mr. Raunat Dessai
(Field Surveyor,GCZMA)



Mr. Gorakh Tuenkar
(Field Surveyor,GCZMA)

Annexure – I





Annexure – II

