

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE BENCH
PUNE

ORIGINAL APPLICATION 8/2023

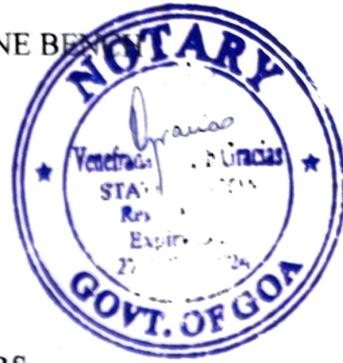
THOMAS FERNANDES AND ORS.

...APPELLANT

VS.

THE GOA COASTAL ZONE MANAGEMENT AUTHORITY AND ORS.

...RESPONDENTS

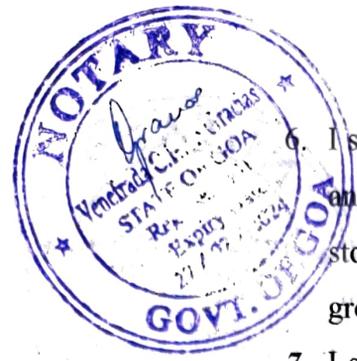


AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 1

I, Dr. Sneha Gitte IAS, Major of age, Occupation: Service, Working as the Member Secretary of the Respondent No. 1 having my office at: Dempo Tower, Panaji Goa, do hereby beg to state on solemn affirmation as under:

1. I say and submit that I have gone through the records of the present matter and after going through the relevant office records I am filing the present Affidavit. However, I should not be deemed to admit anything which is contrary to or inconsistent with what is stated hereinafter in the absence of specific denial.
2. I say and submit that the contents in para 1 to 4 of the Appeal Memo are a matter of record and do not require any comment by the present Respondent.
3. I say and submit that the present Appeal is challenging the order of demolition with respect to illegal construction in Survey Nos. 129/32,34,35, Anjuna, Bardez Goa.
4. I say and submit that the present Respondent denies all contention against it with respect to the impugned order passed by the present Respondent being perverse, arbitrary and contrary to law.
5. I say and submit that after perusing the records produced before the present Respondent and following due process of law the impugned Order has been passed.

Gitte



6. I say and submit that the office has received Complaints dated 07.04.2017 and 12.08.2017 pertaining to the alleged illegal structures of ground +1 storey building comprising of 9 rooms and another RCC building of ground floor in NDZ area.
7. I say and submit that pursuant to the complaints; site inspection has been carried out by the present Respondent on 02.06.2017. The notice of the said site inspection had been served upon the Appellant.
8. It is submitted that it is not true to say that the inspection report is incomplete. The Inspection Report is very clear specifying the illegal structures of the Appellant and the Appellant has miserably failed to produce before the present Respondent the relevant documents to prove that the structures existed prior to 1991. And After following due process of law the impugned Order has been passed.
9. I say that no documents have been produced by the Appellant before this Hon'ble Court to prove the existence of structure prior to 1991 thus it is clear that the site inspection report is very much clear stating that the said construction is illegal and without having any documents from any of the statutory Authorities.
10. Hence it is submitted that the impugned Order good in law and directions for demolition has been issued following due process of law.

Hence this Affidavit.

Solemnly affirmed on this the 28th the day of September 2023 at Goa.

Solemnly affirmed before me

Dr Sneha Gitle

Gitle
Affiant

Who is identified before me by

_____ At Panjim - Goa

Sr. No. 200/09/2023

Date. 28/09/2023

Gracias
Venefrada C.P.P.B Gracias
Advocate & Notary Goa State

