

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

APPEAL NO. 13/2025 (WZ)

Dolphin Adventure Sports Ltd

Through its Director & ors

...Appellant

Versus

GCZMA & Anr

...Respondent

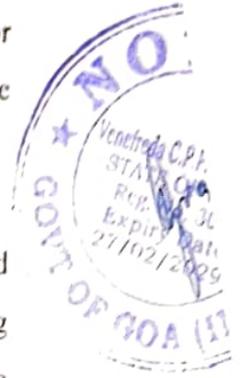
AFFIDAVIT-IN-REPLY ON BEHALF OF RESPONDENT

NO. 1 (GCZMA)

I, Shri Sachin Desai, major of age, holding the post of Member Secretary, Goa Coastal Zone Management Authority (“GCZMA”) i.e., Respondent No 1 herein, having office at 4th Floor Dempo Towers, Patto, Panaji, Goa, do hereby make solemn affirmation and state as under:

1. I say that I am holding the post of Member Secretary, GCZMA. I say that I am filing the present affidavit based on the records available with my office and that I am competent to depose in this case.
2. I say that I am filing the present Affidavit-in-Reply for the purpose of opposing the relief sought in the present appeal. Nothing in the aforementioned Appeal filed by the Appellant be deemed to have been admitted for mere want of specific

denial. Nothing may be deemed to have been admitted for want of *traverse seriatim*. I crave leave of this Hon'ble Tribunal to file an additional Affidavit, if found necessary.



3. I say that the present appeal challenges the Order dated 30.09.2024 ("**Impugned Order**") passed by the answering Respondent. I say that *vide* the Impugned Order the Appellant herein was directed to demolish the all structures on the properties bearing Survey Nos 251/25, 250/12 and 250/12-A village Taleigao, Tiswadi Goa belonging to the Appellants herein. I say that the Impugned order was passed upon giving the Appellant an opportunity of being heard after following the principles of natural justice. I say that the Impugned order is a reasoned and a speaking order.

(The Impugned Order dated 30.09.2024 is marked as Annexure A-1 at page 4 7 of the Appeal)

4. I say that 251/25, 250/12 and 250/12-A village Taleigao, Tiswadi Goa ("**said Property; subject Property**") falls within River NDZ (CRZ-III) and partly falls outside the CRZ as per CZMP 2011. I say that according to CRZ regulations, no permanent construction is permitted within NDZ area, except for repair and reconstruction of structures that existed prior to 1991, subject to obtaining prior permission from GCZMA.
5. I state that the Respondent received a Complaint from Respondent no.2 alleging that the Appellant is carrying out



illegal and unlawful construction in the subject property, without obtaining requisite permissions and licenses.

6. I say that a site inspection was carried out on 12.01.2024. I say that the Site Inspection Report dated 12.01.2024 recorded violations of CRZ Notification 2011.
(The said site inspection report dated 12.01.2024 is at page 250 of the appeal).
7. I say that vide Show Cause Notice dated 23.04.2024, the Appellant was put to notice that a complaint was received by the Answering Respondent and that site inspections were conducted pursuant to the said complaint. I say that the Appellant was informed that the perusal of the inspection reports revealed gross illegal construction resulting in violation of the CRZ Notifications.
8. The Appellant, in its replies before the GCZMA, contended that the impugned structures situated in the subject property are pre-1991 constructions. In support of this contention, reliance was placed upon the certain permissions.
9. I say that Appellant have failed to produce on record approved plans on record to justify constructions as identified in the site inspection report dated 12.01.2024.
10. I say that the answering Respondent after carefully considering the replies filed by the present Appellant along

