



BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN
ZONE BENCH, PUNE

APPEAL NO. 147/2024(WZ)

SHRI UMAKANT TARI

...APPLICANT

VERSUS

GOA COASTAL ZONE
MANAGEMENT AUTHORITY
& ORS

...RESPONDENTS

AFFIDAVIT-IN-REPLY ON BEHALF OF GCZMA
RESPONDENT NO 1

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 as claimed in the Appeal. Nothing in the aforementioned Appeal filed by the Appellant may 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 detailed Affidavit, if found necessary.

3. I say that the present appeal challenges the Order dated 13.05.2024 ("**Impugned Order**") passed by the Answering Respondent disposing of the Complaint/Representation dated 21.12.2022 ("**said Complaint**") filed by the Appellant before the Answering Respondent.

4. I say that the said Complaint pertained to a structure in Survey No 78/1 (part B), of Village Reis Magos, Bardez, Goa which the complainant alleged to have been illegally constructed.

5. I say that pursuant to the said Complaint a site inspection was conducted on 01.03.2023 and the site inspection report stated that there exists one Ground + 2 structure in the property and that the said structure falls in CRZ-III NDZ of River as per CZMP 2011.

6. I say that the Respondent Nos 3 to 7 herein claimed that the said structure existed prior to 1991 and produced the following documents to substantiate their claim:

- a. Deed of sale dated 30.10.1986;
- b. Conversion Sanad dated 17.06.1986;
- c. Approval from Planning and Development Authority, Panaji dated 30.06.1987;
- d. Construction License from Village Panchayat of Reis Magos dated 01.10.1987;
- e. Application for Occupancy Certificate addressed to Village Panchayat of Reis Magos dated 19.10.1991;
- f. House Tax Receipts;
- g. Electricity Bills.

Annexed hereto are the documents produced before the Answering Respondent by Respondent Nos 3 to 7 as "**Annexure A**"





7. I say that having gone through the above listed documents produced by Respondent Nos 3 to 7 the Answering Respondent came to the conclusion that the structure in question existed prior to the year 1991.

8. I say that in view of the above, the present appeal is liable to be dismissed.

9. I say that what has been stated in Paras 1 to 8 are true to my own knowledge and/or are based on documents/records available with the Respondent and the contents of the same are true and correct and nothing material has been concealed herein.

[Handwritten Signature]

DEPONENT

VERIFICATION

I, the abovenamed Deponent, do hereby state on solemn oath and affirmation that the facts stated hereinabove in this Counter Affidavit are true and correct to the best of knowledge, information and belief, and nothing has been concealed.

Verified at Panaji on this 3rd day of April, 2025.

[Handwritten Signature]

DEPONENT



Solemnly affirmed before me

Sachin Desai

Who is identified before me by

_____ At Panjim - Goa

Sr. No. 40/04/2025/P

Date. 03/04/2025

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