



BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE

APPEAL NO. 150/2024 (WZ)

Lyndford D'Souza

...Applicant

Versus

Goa Coastal Zone

Management Authority & Ors

...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 30/04/2024 ("**Impugned Order**") passed by the answering Respondent. I say that the Impugned Order discharged the structures belonging to the Petitioner which is as per the approval and demolish the structures erected beyond the approval dated 24/11/2008.
4. I say that the GCZMA during their hearing perused the documents relied upon by the Appellants. I say that the Authority noted the Form I & XIV of the property bearing Sy No 72/1 of Anjuna village and observed that there was no mention of any structure standing therein, further the



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Appellants relied upon the challan is paid by the Respondent seeking for demarcation of the plot dated 6/5/1977, receipts paid dated 8/3/1991 to show that he has paid fees for running the guest house the Authority was of the opinion that these documents has no consequence to establish the existence of the structure. The Appellants had also produced, the letter to the Director of Tourism to get his guest accommodation registered under Tourist Trade Act dated 23/02/1987. The Respondent has also obtained permission for repair and Renovation of existing house situated in Sy No 72/1 of Anjuna Village dated 24/11/2008 from the GCZMA.



5. I say that the Authority in its 385th GCZMA Meeting decided that the structure standing in Sy No 72/1 of Anjuna Village as approved by the GCZMA via permission dated 24/11/2008 shall be retained and the structures beyond the approval dated 24/11/2008 shall be demolished".

Annexed copy of the permission dated 24/11/2008 is marked as annexure "A".

6. 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 order.
7. I say that the Appellant has failed to produce any cogent, reliable and convincing material/documents to show that the other structures mentioned in the Show Cause Notice are standing with valid approvals. I say that since the Appellants have failed to establish the existence of structures prior to 1991, necessary directions were issued as per decision taken in the 385th GCZMA Meeting.
8. I say that the grounds raised by the Appellants are bad in law and that the parties were heard in details before passing the orders.
9. I say that in view of the above, the present appeal is liable to be dismissed.



10. 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.



Solemnly Affirm on Oath

Place: Panaji, Goa.

Date: 21.07.2025


DEPONENT



Solemnly affirmed before me
Sachin S. Desai

Who is identified before me by

At Panjim - Goa

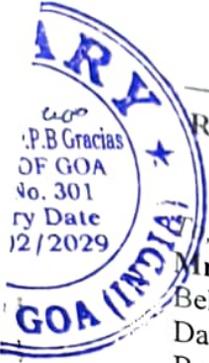
Sr. No. 99/07/2025

Date. 21/07/2025


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

GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology & Environment,
Opp. Saligao Seminary, P.O. Saligao, Bardez, Goa - 403 511
Phone: (0832) 2407186, 2407187, 2407189 Fax: (0832) 2407186



Ref: No. GCZMA/N/08-09/51/872

Dated: 24/11/2008.

Mrs. Blanche D'Souza,
Behind Baggoday Hospital,
Dattawaddi, Mapusa
Bardez-Goa.

Sub: Proposed repairs and renovation of the existing house in Survey No. 72/1 of Anjuna Village, Bardez Taluka.

Sir,

With reference to your application on the above-mentioned subject, it is hereby conveyed that this office has examined your case in 46th GCZMA meeting held on 13/11/2008. In accordance to the provisions of the CRZ Notification of 1991, approval is hereby granted only for repairs and renovation of the existing house in Survey No. 72/1 of Anjuna village, Bardez Taluka not exceeding existing FSI, existing plinth area and existing density, subject with the confirmation with local building bye laws.

This approval is subject to the following conditions:

1. All the provisions of the CRZ Notification should be strictly complied with.
2. Prior to the commencement of the 'repairs/renovation' work, it will be incumbent upon the applicant to obtain the licence from the Village Panchayat
3. This permission is liable to be revoked if it is found, at any stage, that the application contained false information/wrong plans/calculations/documents or any other incorrect/wrong accompaniments.
4. The completion of the repair work should be informed to this office for the purposes of verification.

Yours faithfully,

(Michael M. D'Souza)

**Member Secretary, GCZMA &
Director/Ex-Officio, Jt. Secy. (STE)**

Copy to the Panchayat Secretary, Village Panchayat of Anjuna, Bardez - Goa.