

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

APPEAL NO. 154/2025 (WZ)

Mr. Ganpat Tanu Govekar

...Applicant

Versus

GCZMA & Anr

...Respondents

**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.



A handwritten signature in blue ink, appearing to be 'Sachin Desai', located at the bottom center of the page.

3. I say that the present appeal challenges the Orders dated 22.01.2025 (“**Impugned Orders**”) passed by the answering Respondent. I say that *vide* the Impugned Orders the Appellant herein was directed to demolish the illegal structures erected by the Appellant herein. I say that the Impugned Orders 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 22.01.2025 is at page 17-28 of the Appeal as Annexure A 1 colly)

4. I say that Survey No. 222/3 of Village Anjuna Bardez, Goa (“**said Property; subject Property**”) falls within NDZ (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 say that answering respondent issued a Show Cause Notice whereby the Appellant was intimated that pursuant to the joint site inspection the following alleged illegal structures resulting in violation of CRZ Notification 2011 were noticed in the subject property.



6. I say that the Appellant, in its reply filed before the Goa Coastal Zone Management Authority (GCZMA), has contended that the impugned structure situated in the subject property is a pre-1991 construction. In support of the said contention, the Appellant has relied upon a various documents contending that the structures existed prior to year 1991.
7. I say that prior to passing the Impugned Order, the Answering Respondent afforded due opportunity of hearing to the present Appellant. I say that the Impugned Order has been passed after considering the material placed on record, the replies and documents produced by the parties and the submissions advanced during the hearing. I say that the Impugned Order is a well-reasoned and speaking order passed strictly in compliance with the principles of natural justice and fair play.
8. I say that the subject matter of the all the impugned orders are as follows: a) permanent structure having name a) Sai Gan Geeta (Residential house b) Temporary Hawker Street Tent (temporary in nature) c).Tanu Communications (Permanent structure) all located in NO Development Zone of village Anjuna.
9. I say that the answering respondent has clearly observed in the impugned orders that the documents placed by him in support of another case before the authority which pertains



to structure known as "*Chill Out Bar and restaurant*" were used in the present matters in order to confuse the authority and hence there was no substantial proof of existence prior to year 1991 for the said offending structures. I say that therefore the authority deemed fit to issued demolition orders to the appellant.

10. I say that the documents in no manner establish that the impugned structure existing in the subject property is a structure constructed prior to the year 1991. Consequently, the reliance placed by the Appellant on the said documents is misplaced and devoid of evidentiary value in establishing the claim of a pre-1991 construction.

11. I say that the Appellant has failed to produce any cogent, reliable and convincing material/documents to show that the Impugned Structure is pre-1991 structures. I say that the Appellant is put to strict proof of the same. I say that the Appellant herein has failed to produce any permission from this authority and any competent authority pertaining to the said impugned structure.

12. I say that the grounds raised in the Appeal are devoid of merit, misconceived and contrary to the factual and legal position on record. I say that the Answering Respondent has acted strictly within the framework of the CRZ Notification, 2011 and has taken appropriate action against unauthorized structures. I say that the present Appeal does not disclose any



legal infirmity in the Impugned Orders warranting interference by this Hon'ble Tribunal. I therefore say that the present Appeal is liable to be dismissed with costs.

13.I say that contents of paras 1 to 12 of this Affidavit are true to my knowledge and belief and the same is based on the records maintained by the Goa Coastal Zone Management Authority. I say that legal submissions are based on legal advice, which I believe to be true.

Solemnly Affirm on Oath

Place: Panaji, Goa.

Date: 18.03.2026

DEPONENT

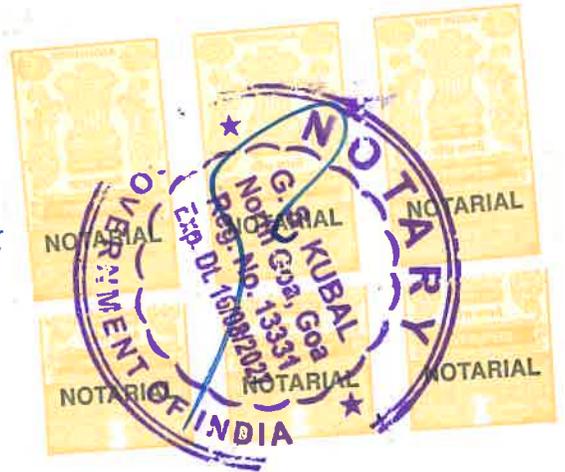
Solemnly affirmed before me by

Sudhin S. Desai

Reg. No: 08/1199 Date: 18.3.2026

known / Identified to me by.

G. S. KUBAL
Notary (Govt. of India)
Panaji-Goa, India



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