

BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN  
ZONE BENCH, PUNE  
APPEAL NO. 165/2024 (WZ)

Alchemist Asset Reconstruction Co. Ltd ...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 4<sup>th</sup> Floor Dempo Towers, Patto, Panaji, Goa, do hereby make solemn affirmation and state as under:

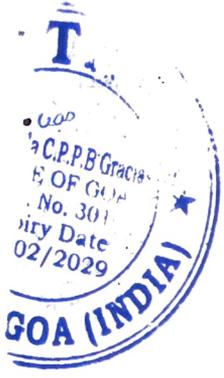
1. I say that I am holding the post of Member Secretary, GCZMA. I say that I am filing the present affidavit based on



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 bringing certain facts on record before this Hon'ble Tribunal. 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 NOC dated 23.09.2024 issued by the Answering Respondent to Respondent No. 2 herein i.e., Mr Prashant Kankonkar.
4. I say that the NOC dated 23.09.2024 grants approval to Respondent No 2 to erect 25 nos of cottages and 1 shack in

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the property bearing Survey No 101/1 and 101/3 of Agonda Village, Canacona, Goa.

5. I say that subsequently, a show cause notice dated 17/01/2025 was issued to the Respondent No. 3 upon a complaint made by the Appellant herein i.e., Alchemist Asset Reconstruction Company Limited.

Annexed hereto is a copy of the Show Cause Notice dated 17/01/2025 marked as "**Annexure A**".

6. I say that the said show cause notice dated 17/01/2025 states that the complaint of the appellant alleges rampant illegal and unlawful construction and ongoing illegal and unlawful commercial activities in the form of resorts / hotels/ shacks/ bar/ restaurant in is CRZ Area of Survey Nos 100/1, 100/3, 100/7, 100/8, 100/10, 100/12, 100/13, **101/1, 101/3**, 101/6, 101/7, 101/8, 101/9, 101/14, 101/15, 101/16, 101/17, 101/18, 101/19, 101/20, 101/21, 101/22, 101/23, 101/24, 102/1,



102/3, 102/6 & 102/7 of village Agonda, Canacona Taluka, which is a designated turtle nesting site.

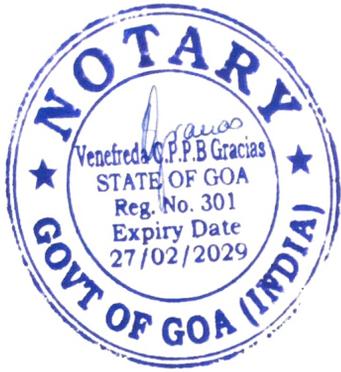
7. I state that Survey Nos. 101/1 and 101/3 of Village Agonda, Canacona, Goa, which are referred to in the Show Cause Notice dated 17/01/2025, are the very same survey numbers covered under the NOC dated 23/09/2024, which is the subject matter of the present appeal.
8. I say that upon receipt of the complaint, the officials of GCZMA conducted a site inspection and found certain violations which are enumerated in the said show cause notice dated 17/01/2025.
9. I say that vide the said show cause notice dated 17/01/2025 the Answering Respondent has called upon the Respondent No 3 to show cause as to why a direction to demolish the



illegal structures and to restore that land to its original condition should not be issued.

10. I say that said show cause notice dated 17/01/2025 directs Respondent No 3 herein to ensure that no civil work of whatsoever kind and nature is carried out at the said site.
11. I say that the said show cause notice dated 17/01/2025 further directs the Respondent No 3 to file his reply, alongwith all the licenses/approvals if any issued by competent authorities' alongwith approved plan and also submit title documents to the said properties.
12. I state that the next date of hearing in the proceedings arising out of the Show Cause Notice dated 17/01/2025 is scheduled for 17<sup>th</sup> June 2025.
13. I say that what has been stated in Paras 1 to 12 are true to my own knowledge and/or are based on documents/records

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available with the Respondent and the contents of the same are true and correct and nothing material has been concealed herein.

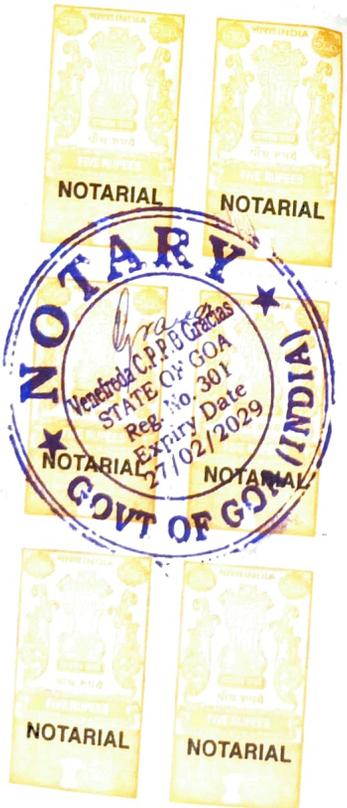
Solemnly Affirm on Oath

Place: Panaji, Goa.

Date: 12.06.2025

*[Signature]*  
DEPONENT

Identified by:



Executed before me  
At Panjim Tiswadi - Goa  
Reg. No. 71/06/2025/P  
Dated: 17/06/2025

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

**GOA COASTAL ZONE MANAGEMENT AUTHORITY**

C/o Department of Environment and Climate Change (Govt. of Goa)

4<sup>th</sup> floor, Dempo Towers, Patto, Panaji-Goa

E-mail: goacoastalzone@gmail.com

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**Ref.No.GCZMA/S/ILLE-Compl/24-25/18 / 3457      Dated: 17/01/2025**

**SHOW CAUSE NOTICE ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, READ WITH RULE 4 OF THE ENVIRONMENT (PROTECTION) RULES, 1986.**

**WHEREAS**, the Goa Coastal Zone Management Authority (hereinafter referred to as 'the GCZMA' in short) has been constituted by the Ministry of Environment & Forests (MoEF), Government of India pursuant to the directions of the Hon'ble Supreme Court of India to deal, inter alia, with violation of the Coastal Regulation Zone (CRZ) Notification 2011 and implementation of the CRZ Notification.

**AND WHEREAS**, the office of the GCZMA is in receipt of complaint dated 07/02/2024 from Alchemist Asset Reconstruction Company Limited, through Akshat Sharma, authorized representative, A-270, 1<sup>st</sup> & 2<sup>nd</sup> floor, Defence Colony- New Delhi 110024, with regards to Complaint against Rampant illegal and unlawful construction and ongoing illegal and unlawful commercial establishments in the form of resorts/hotels/shacks/bar/restaurant in the CRZ area of village Agonda, Canacona Taluka Goa which is designated Turtle nesting site and a no development zone in property bearing Sy. No. 100/1, 100/3, 100/7, 100/8, 100/10, 100/12, 100/13, 101/1, 101/3, 101/6, 101/7, 101/8, 101/9, 101/14, 101/15, 101/16, 101/17, 101/18, 101/19, 101/20, 101/21, 101/22, 101/23, 101/24, 102/1, 102/3, 102/6, 102/7 of village Agonda, Canacona Taluka.

**AND WHEREAS**, on receipt of complaints, the officials attached to the office conducted the site inspection and accordingly placed the report.

That upon close perusal of the said report the following alleged gross illegal construction resulting violation of CRZ Notification 2011 is noticed:

Sr. No.	Name of the Party/alleged violator	Survey No./ Village	Type of Construction	Details As Per CZMP 2011
18.	Agonda shell (old name) Simrose(new name) c/o Prashant Kankonkar H.no.:275/2, Columb, Canacona- Goa. Contact no.: 8080300344	Survey No. 101/1(P), 101/2(P), 101/3(P), 102/6(P), 102/7(P) of Village Agonda, Canacona Taluka	<ul style="list-style-type: none"> <li>-Masonry Compound wall on 3 sides.</li> <li>-1 no. temporary structure (Reception)</li> <li>-1 no. permanent structure with mangalore tile roof</li> <li>- Attached to permanent structure 1 no. under construction M.S frame work structure.</li> <li>-1 no. permanent structure</li> <li>-Above the permanent structure (first floor), there is under construction MS framework.</li> <li>-22 nos. temporary huts on partly permanent base.</li> <li>-1 no. temporary restaurant on permanent base</li> <li>-Above the restaurant on first floor, 10 nos temporary huts under construction noted.</li> <li>-2 nos. temporary huts on part permanent base &amp; roof of huts used as yoga space covered with G.I sheet.</li> <li>-1 no. under construction structure with foundation depth of 1.5m deep.</li> <li>-1 no. OHT on metal framework</li> <li>- 1 no. temporary under-construction structure on permanent base.</li> <li>-1 no. DG set on permanent base</li> <li>-1 no. concrete platform for water tank</li> <li>-Kadappa pavers to access.</li> </ul>	CRZ III (0m - 200m)

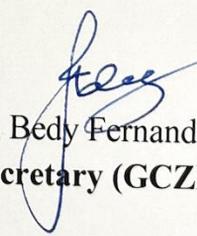
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**AND WHEREAS**, all proposed construction / re-construction / development / repair' and other permissible activities between 100 mts. from the River, and 500 mts of the Sea require the prior approval of the GCZMA under the CRZ Notification, 2011.

**AND WHEREAS**, the alleged construction/ activity appears to be without any prior approval of GCZMA as required under CRZ Notification, 2011.

**NOW THEREFORE**, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 read with sub-rule (3) (a) of rule 4 of the Environment (Protection) Rules, 1986, read with power vested with the GCZMA vide Order .O. 6071(E) dated 27/12/2022 issued by the Ministry of Environment & Forests, Government of India, the GCZMA, hereby directs you to **SHOW CAUSE** as to why a direction to demolish the structures and to restore the land to its original condition should not be issued to you. Further, you are directed to ensure that no civil work of whatsoever kind and nature is carried out at said site.

**FURTHER TAKE NOTE THAT**, you are required to file your reply alongwith compliance report and construction/reconstruction/repair licence/approvals, if any, issued by the concerned Authorities including GCZMA along with approved plan, as also documents to show the title to the Office of the GCZMA, having its Office at 4<sup>th</sup> Floor, Dempo Towers Patto, Panaji- Goa on or before **20/02/2025**. Further you are also directed to remain present in person or through authorized person for personal hearing on **20/02/2025 at 3.30 pm** in the Office of the GCZMA. Please take note that if you fail to submit your reply/appear along with the required documents, the GCZMA will come to the conclusion that you have no justification to substantiate and the Authority shall proceed to issue final directions to you in this regard without any further notice which inter alia includes order of demolition of structures, disconnection of water / power supply etc.

  
(Johnson Bedy Fernandes)  
**Member Secretary (GCZMA)**  
o/c

To,

Agonda shell (old name), Simrose (new name)

C/o Prashant Kankonkar H.no.:275/2, Columb, Canacona-Goa.

**Copy to:**

- 1. The Collector & District Magistrate (South), Office of the Collector (South), Mathany Saldana Complex, Margao, Salcete-Goa... for information and necessary action.**
- 2. The Dy. Collector & S.D.O Canacona having office at Canacona - Goa.... for information and necessary action.**
- 3. The Secretary, Village Panchayat Agonda, Canacona-Goa.....for information and necessary action.**
- 4. Mr. Akshat Sharma, Alchemist Asset Reconstruction Company Limited A-270, 1<sup>st</sup> & 2<sup>nd</sup> floor, Defence Colony- New Delhi 110024....for information.**