

BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH, PUNE

APPEAL NO. 26/2026 (WZ)

Organise Construction Private Limited ...Applicant

Versus

GCZMA & Ors ...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.

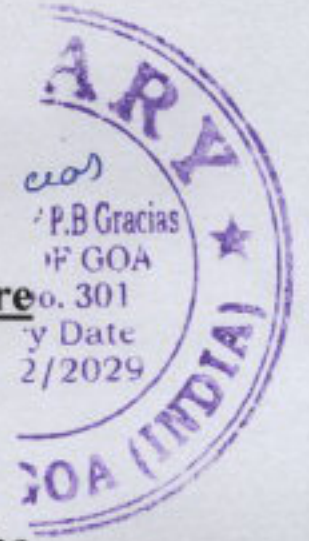


3. I say that the present appeal challenges the Order dated 07.10.2025 (“**Impugned Order**”) passed by the answering Respondent. I say that *vide* the Impugned Order the Appellant herein was directed to demolish the swimming pool and compound wall existing in property bearing Survey No 76/1 (part) of Reis Magos Village 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.

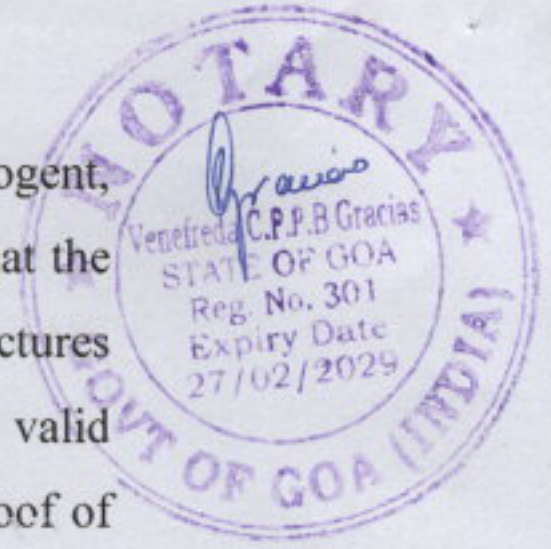
(The Impugned Order dated 07.10.2025 is at page 20 of the Appeal)

4. I say that Survey No. 76/1 (part) of Village Reis Magos, Bardez-Goa (“**said Property; subject Property**”) falls within River NDZ (CRZ-III). 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 dated 07.12.2018 alleging that the Appellant has carried out illegal and unlawful construction of compound wall and swimming pool in the subject property, without obtaining requisite permissions and licenses.

6. I say that a mapping was conducted on 11/02/2020. Annexed hereto is the mapping plan marked as "Annexure A".
7. I say that vide Show Cause Notice dated 31.12.2021, the Appellant was put to notice that a complaint dated 07.12.2018 was received by the Answering Respondent. (*Show Cause Notice dated 07.12.2018 is at page 29 of the Appeal*)
8. The Appellant, in its reply before the GCZMA, has contended that the impugned structures situated in the subject property are pre-1991 constructions and has sought to rely upon the survey plan of 1971 in support thereof. I say that a perusal of the survey plan maintained by the Directorate of Settlement and Land Records (DSLRL) does depict the existence of a structure in the subject property. However, the said survey plan does not indicate the existence of any swimming pool or compound wall. The absence of these features from the survey records clearly demonstrates that the swimming pool and compound wall are subsequent constructions. The Appellant has failed to produce any permission or approval obtained from the Coastal Regulation Zone (CRZ) Authority for the construction of the said structures, which have therefore been undertaken in violation of the applicable CRZ regulations.



9. I say that the Appellant has failed to produce any cogent, reliable and convincing material/documents to show that the swimming pool and compound wall, are pre-1991 structures or that he has constructed the same by obtaining valid permissions. I say that the Appellant is put to strict proof of the same.
10. I say that in view of the above, the present appeal is liable to be dismissed.
11. I say that what has been stated in Paras 1 to 10 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: 10.06.2026

DEPONENT

Solemnly affirmed before me

Sachin Desai
Who is identified before me by

At Calangute - Goa

Sr. No. 256/06/2026
Date. 10/06/2026

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





GOVERNMENT OF GOA
 Directorate of Settlement and Land Records
 PANAJI-GOA



SITE PLAN


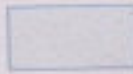



as per the notice of site inspection of Member Secretary, Goa Coastal Zone Management Authority, vide their letter No.GCZMA/N/ILLE-COMPL 19-20/62/2360 dtd.05/02/2020 in respect of S.No./ Sub Div. No.76/1(Part) of Village Reismagos of Bardez Taluka.

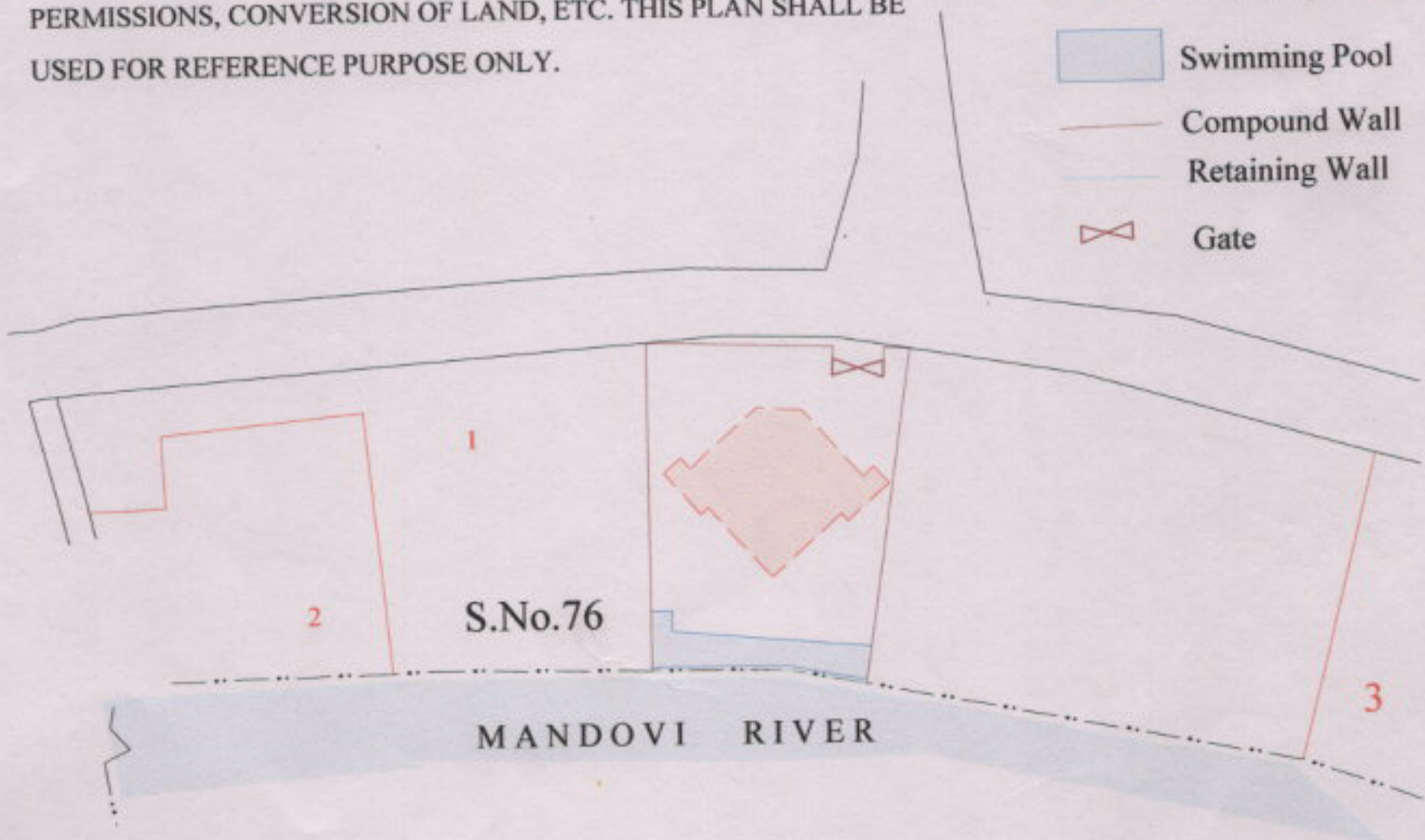
Scale :1:1000

NOTE:-

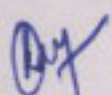
THE LEGALITY / ILLEGALITY OF STRUCTURES SHOWN ON THIS PLAN IS NOT KNOWN AND THEREFORE THIS PLAN SHALL NOT BE USED FOR ANY PURPOSE SUCH AS DEVELOPMENT OF STRUCTURES, REVENUE SURVEY MATTERS, OBTAINING LICENSES, PERMISSIONS, CONVERSION OF LAND, ETC. THIS PLAN SHALL BE USED FOR REFERENCE PURPOSE ONLY.

LEGEND:-

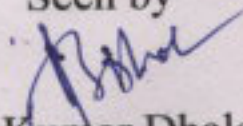
-  Structure as Per Survey Plan
-  Swimming Pool
-  Compound Wall
-  Retaining Wall
-  Gate



Surveyed & Prepared by


 Rajesh Harmalkar (F.S)

Seen by


 Arunkumar Dhale (H.S)

Surveyed on :- 11/02/2020.

FILE NO.19/DSL/Re-Cell/CRZ-Mapping/19/25