

BEFORE THE NATIONAL GREEN TRIBUNAL,  
WESTERN ZONE BENCH, PUNE



Appeal No.572/2025 (WZ)

Hanumant Uttam Govekar .... Appellant

Versus

GCZMA ..... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF THE GOA  
COASTAL ZONE MANAGEMENT AUTHORITY  
RESPONDENT NO.1**

I, Mr. Sachin S Desai, major in age, Indian National, presently working as the Director of the Department of Environment and Climate Change, Government of Goa herein having Office at 4<sup>th</sup> Floor, Dempo Tower, Patto Plaza, Panaji-Goa, do hereby on solemn affirmation, state as under:

1. I say that I am authorized to file the present affidavit on behalf of Respondent No.1.

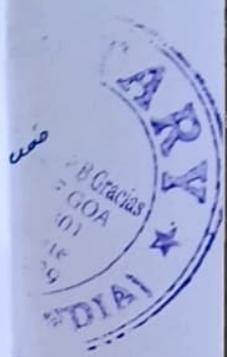
2. I say that I am holding the post of Director, Department of Environment and Climate Change Government of Goa. I say that that the term of GCZMA has expired on 26/12/2025. I say that proposal for reconstitution of GCZMA is already sent to MOEF & CC, New Delhi and process is presently underway. I say that in my official capacity as stated above, I am conversant with the facts of this case based upon official records and hence, competent and authorized to swear the present affidavit on behalf of Respondent no.1 – Goa Coastal Zone Management Authority.
3. 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.
4. I say that the present appeal challenges the Order dated 09.07.2025 (“**Impugned Order**”) passed by the Answering Respondent ordering demolition of structure denoted by Alphabet “Q” in property bearing Survey



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Number 132/13 of village Anjuna, Bardez-Goa disposing of the Show Cause Notice dated 23.05.2023. (The Impugned order dated 09.07.2025 is at Annexure A page 59 of the appeal)

5. I say that present matter is emanating from action taken on illegal and unauthorized construction along Anjuna beach pursuant to directions of the Hon'ble High Court of Bombay at Goa in Suo Moto Writ Petition bearing no. 2148/2022 (f).
6. I say that property bearing Survey no.132/13 village Anjuna, Bardez-Goa falls in within No Development Zone (NDZ) CRZ area as per CZMP 2011. No new construction is permissible in the No Development Zone (NDZ). I say that repair/reconstruction of structure are permissible subject to obtaining prior to permission of this respondent.
7. I say that the answering respondent conducted site inspection and interalia identified structure of the Appellant herein pursuant to directions of the Hon'ble High Court of Bombay at Goa in Suo Moto Writ Petition bearing no. 2148/2022 (f).
8. I say that considering the violations noted in the site inspection report the answering Respondent issued a Show Cause Notice dated 23/05/2023 to structure which is RCC



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Structure located in property bearing Survey Number 132/13 of village Anjuna, Bardez-Goa to the present Appellant. (The said show cause notice dated 23/05/2023 as Annexure B at Page 66 of the appeal)

9. I say that the Appellant in his replies/representations dated 20/06/2023, 08/05/2024, 29/05/2024 and 30/05/2024 claimed that the said structures existed prior to 1991. I say that said replies, documents and arguments were duly considered by the answering respondent.
10. I say that the answering Respondent after carefully considering the replies filed by the present Appellant along with the documents has passed detailed and reasoned order dated 09/07/2025. The answering respondent has appreciated the evidence before it.
11. It is denied that the answering respondent has not considered documents placed on record by appellant in their replies. I say that appellant has not placed on record any valid approval from any authority for the purpose of erecting the permanent structure in the No Development Zone (NDZ) of the subject matter property.
12. I say that the proceedings before the answering respondent were not barred by Principles of Res Judicata being environmental matter and inquiry is necessitated in public



interest pursuant to directions of Hon'ble High Court of Bombay at Goa in Suo Moto Writ Petition bearing no. 2148/2022(f). I say that the answering respondent is empowered under CRZ Notification 2011 to take decision on legality structure within CRZ area on merits.

13.I say that the Appellant has failed to produce any cogent, reliable and convincing material/documents to show that the impugned structure existed prior to 1991. I say that the Appellant be put to strict proof of the same.

14.It is denied that impugned order is passed in mechanical manner wholly without jurisdiction, ex-facie perverse, illegal, arbitrary, perverse, cryptic/unreasoned and in gross violation of principles of Natural justice and bad in law. I say that there does not exist legal or valid grounds for challenging the impugned order.

15.I say that the Appellants are not entitled to raise any other further grounds, and the present appeal is liable to be dismissed.

16.I say that contents of paras 1 to 15 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



advise which are believe to be true.

Solemnly affirmed at Panaji, Goa,  
on this 04<sup>th</sup> February of 2026.

Sachin S Desai

Director of Environment C.C



Solemnly affirmed before me

Sachin S. Desai

Who is identified before me by

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\_\_\_\_\_ At Calangute - Goa

Sr. No. 090/02/2026

Date. 04/02/2026

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