



BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN  
ZONE BENCH, PUNE  
APPEAL NO. 630/2025 (WZ)

CFI Church ...Applicant

*Versus*

State of Goa & 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 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 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 21.07.2025 (“**Impugned Order**”) passed by the answering Respondent. I say that *vide* the Impugned Order the Appellant herein was directed to demolish all the illegal structures existing in property bearing Survey No 50/2, village Colva, Salcete, Goa. I say that *vide* the Impugned Order the Appellant was also directed to stop drawing water from the well and also to seal the well existing in the property bearing Survey No 50/2, village Colva, Salcete, Goa. 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 21.07.2025 is at page 32 of the Appeal)*

4. I say that Survey No 50/2, village Colva, Salcete, 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 the Report dated 08.03.2019 submitted by the Expert Member of the Goa Coastal Zone Management Authority (GCZMA) recorded the existence of several



structures at the site in the subject property. The said structures were mapped with the assistance of surveyors from the office of the Directorate of Settlement and Land Records (DSLRL).



Annexed hereto is the Report dated 08/03/2019 of the Expert Member GCZMA marked as "Annexure A".

Annexed hereto is the DSLR map marked as "Annexure B".

Annexed hereto is the relevant extract of CZMP 2011 marked as "Annexure C".

6. I say that the Appellant, in its reply filed before the Goa Coastal Zone Management Authority (GCZMA), has contended that the impugned structures situated in the subject property are pre-1991 construction. In support of the said contention, the Appellant has relied upon Deed of Sale dated 30.03.2021 from which the Appellant herein purchased the subject property totally admeasuring 1850 sq mts alongwith the structures/dwelling houses bearing village Panchayat House No. 102, 102/2, 294, 294/1 and 295. The Appellant has further relied upon certain additional documents, including a NOC from Village Panchayat Colva dated 29.1.1988 stating that there existed one structure in the said Property having house no 295 having a built up area of 100 sq mts. I say that the Appellant has failed to produce any cogent, reliable and convincing material/documents to show that the Impugned Structures are 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 pertaining to the said impugned structures.

7. I say that a report prepared by Architect Jose Carlos da Viega Gracias, who was engaged by the Village Panchayat of Colva and who inspected the subject property on 15.10.2013, indicates that the total built-up area of the structures existing on the said property was 1056.38 square metres.

Annexed hereto is the Report dated 15.10.2013 of the Architect Jose Carlos da Viega Gracias marked as "Annexure D".

8. I say that the available records clearly demonstrate a substantial increase in the extent and number of structures over a period of time. While in or about the year 1972 there existed only one structure admeasuring approximately 100 square metres, by the year 2013 there were twelve structures having a total built-up area of 1056 square metres, and by the year 2024 there were six structures admeasuring approximately 1320 square metres on the subject property. The said facts clearly indicate that substantial constructions and/or expansions have taken place on the property over time.

9. I say that the structures presently existing at loco cannot be regarded as constructions existing prior to the year 1991. The material on record indicates that the only structure shown to have existed at the time of the first survey



conducted or at the time of issuance of NOC dated 29.1.1988 is not presently existing in its original form or configuration.

10. I say that The Authority observed that although the Village Panchayat had allotted House Nos. 102, 102/2, 294, 294/1 and 295, the only structure which could, at the highest, be treated as having existed is the structure known as "Beach Villa Ventura" bearing House No. 295, in terms of the NOC dated 29.01.1988 issued by the Village Panchayat of Colva. The said structure had a built-up area of 100 square metres, which is also capable of being corroborated from the Form I & XIV records. The Appellant has failed to produce any approved plans or documents to justify the plinth area or extent of the structures presently existing at loco.
11. I say that the Appellant has failed to place on record any permissions, licences or NOCs issued by the competent authorities in respect of the other structures bearing House Nos. 102, 102/2, 294 and 294/1, or in respect of the construction thereof. In the absence of any valid permissions or NOCs from the competent authorities, the said structures can only be treated as unauthorised constructions and violations, being additional constructions carried out without the requisite approvals.
12. I say that in terms of the Sale Deed dated 30.03.2021, the structures bearing House Nos. 102, 102/2, 294, 294/1 and 295 collectively admeasure 963 square metres. However, the



material placed on record demonstrates variations in the plinth area and extent of the structures over a period of time, indicating that in or about the year 1972 there existed one structure admeasuring approximately 100 square metres, thereafter in the year 2013 there were twelve structures admeasuring approximately 1056 square metres, and by the year 2024 there existed six structures admeasuring approximately 1320 square metres on the subject property.

13. I say that the Answering Respondent observed that the variations in the plinth area, as well as the changes in the shape and size of the structures, have neither been explained nor justified by the Appellant by producing any valid permissions, licences or approved plans from the competent authorities. The Authority therefore came to the conclusion that the structures appear to have been repaired, renovated and/or reconstructed over a period of time by the predecessor-in-interest of the present Appellant without obtaining the requisite permissions or No Objection Certificates from the competent authorities.

14. I say that the mapping of the structures also revealed the existence of a well on the said property. It was noted that the said well is presently being utilised for commercial purposes within the No Development Zone (NDZ). The said well does not find reflection in the survey plan, and the Appellant has also failed to place on record any documentary material to establish its existence prior to the year 1991.



15. I say that the drawal of groundwater within the No Development Zone is prohibited, as such activity is detrimental to the coastal ecosystem and may lead to the ingress of saline water into the groundwater aquifers. I say that in view thereof, the Authority decided to direct the Appellant to immediately stop drawing water from the said well and to seal the same.
16. I say that upon due consideration of the material on record, the Answering Respondent was of the view that almost all the structures presently existing at the site in Survey No. 50/2 of Village Colva have been illegally constructed, inasmuch as only a plinth area of 100 square metres could at the most be regarded as lawful under the applicable CRZ Notification.
17. I say that the it was not possible to identify or locate the said 100 square metre structure at loco, since the said area appears to have been merged and subsumed within the subsequently raised illegal constructions, thereby losing its separate and identifiable character. I say that in view of the aforesaid circumstances, the Goa Coastal Zone Management Authority (GCZMA) deemed it appropriate to issue directions to the Appellant/Violator to demolish all the structures presently existing in Survey No. 50/2 of Village Colva.



18. I say that in view of the aforesaid facts and findings, the Answering Respondent was fully justified in exercising its statutory powers under the applicable CRZ Notifications and the relevant provisions of law to direct demolition of the illegal structures. The material placed on record clearly demonstrates that the Appellant has failed to establish that the structures presently existing at the site are authorised or that they existed prior to the year 1991. In the absence of any valid permissions, approved plans, or documentary evidence substantiating the legality of the constructions, the said structures are liable to be treated as unauthorised developments within the CRZ area. I say that the impugned directions issued by the Authority are therefore lawful, reasonable and necessary to ensure compliance with the environmental regulatory framework and to protect the fragile coastal ecosystem, and consequently do not warrant any interference.
19. I say that in view of the above, the present appeal is liable to be dismissed.
20. I say that what has been stated in Paras 1 to 19 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.



A handwritten signature in blue ink.

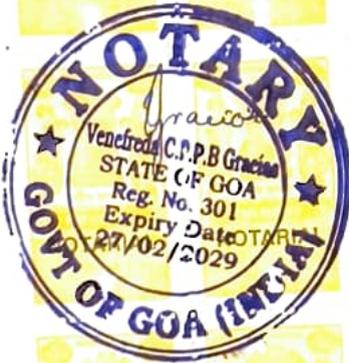
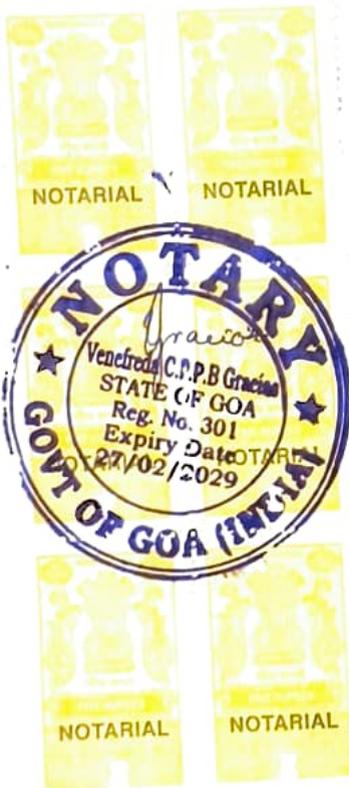
Solemnly Affirm on Oath

Place: Panaji, Goa.

Date: 18.03.2026

  
DEPONENT

Identified by:



Solemnly affirmed before me

Sachin Desai

Who is identified before me by

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

Sr. No. 140/03/2026  
Date. 18/03/2026

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

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Annexure A

Member Secretary  
G.C.Z.M.A.  
Inward No. 65211  
Date 28-03-2019

211  
4/10/19



**GOVERNMENT OF GOA**  
**DIRECTORATE OF SETTLEMENT AND LAND RECORDS,**  
**PANAJI - GOA.**

Phone: (0832) - 2422036, 2422453 Fax: 2234360 Email: [dir-land.goa@nic.in](mailto:dir-land.goa@nic.in)

No.19/DSLRL/Resurvey Cell/CRZ-Mapping /18/83 /1078 Dates: 12/03/2019.

To,  
The Member Secretary  
Goa Coastal Zone Management Authority,  
C/o Department of Science, Technology and Environment,  
1 Floor, Pt. Deendayal Upadhyaya Bhavan, Pudalik Nagar,  
Alto Porvorim, Bardez-Goa-403521.

**Sub:** Site inspection pertaining to alledged illegal construction of Ground Plus one structure/hotel, bar and restaurant in S.No. 50/2 of Colva village of Salcete Taluka.

Sir,

With reference to your letter No.GCZMA/SMWP/02/06/4025 dated 27/02/2019, it is to inform that Field Surveyor Shri. Rupesh Shirgaonkar was deputed for the site inspection on 08/03/2019. The Photocopy of proceedings of site inspection is enclosed herewith for further necessary action.

Yours faithfully,

*Domiana Nazareth*

(Domiana Nazareth)  
Suptd. Of Survey & Land Records  
Panaji - Goa.

Please look report  
from enclosure

Dashin

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GOVERNMENT OF GOA  
DIRECTORATE OF SETTLEMENT & LAND RECORDS,  
PANAJI-GOA

PROCEEDINGS OF SITE INSPECTION

FILE NO:- 19/DSL/Resurvey Cell/CRZ- Mapping 118/133  
DATE: 08/03/2019

SUB: 1) CRZ delineation  
2) Survey/Mapping of Structures

REF:- G.C.ZMA/SMWP/02/06/4025-

Village: Colva Taluka: Balcelo Survey: ST Sub. Div. No. 2

Parties /Officers Present:-

- 1) Shri. Anshul J. Blawade E.M. GCZMA 8/3/19
- 2) Shri. Prabhakar Shiradkar E.M. GCZMA 8/3/19
- 3) Shri. Santosh Sakardar F.C.P.
- 4) Shri. Jayant Navalkar F.C.P.
- 5) A. LUDVIG DA COSTA Advocate 8/3/19
- 6) Inelith Almeida Colva CC Forum 8/3/19
- 7) Sukhar Godse, Exp. Member, GCZMA 08/03/2019

Parties Absent:-

Brief description of proceedings:-

Site is inspected today and noted all the details which were shown by the respondents and complainant. Per detailed mapping of GCZMA shall give directions to DSLR.

Signatures:

8/3/19 8/3/19 8/3/19 8/3/19 8/3/19

Annexure B



SURVEY No. 51

SURVEY No. 54

SURVEY No. 50

SURVEY No. 39

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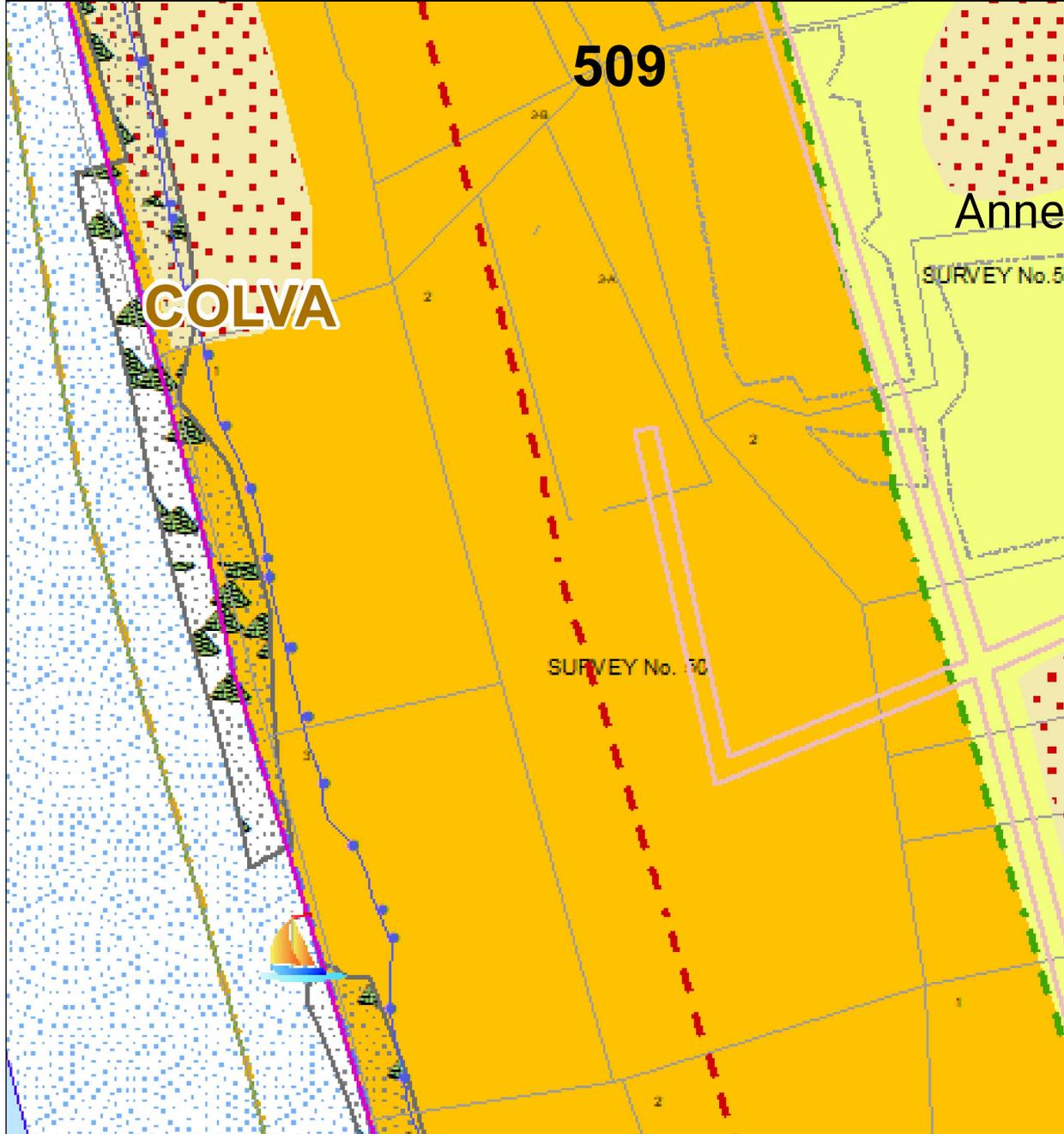
509

Annexure C

COLVA

SURVEY No. 55

SURVEY No. 70



**Legend**

- Lighthouse/Beacon
  - Multi Purpose Cyclone Shelter
  - Fish Landing Centre/ Ramp
  - Water Quality Monitoring Location - SW-II
  - Sluice Gate - Prior to 1991
  - Road
  - Railway Line
  - Seawall
  - Bund - Prior to 1991
  - High Tide Line
  - Low Tide Line
  - Survey Plot
  - Authorized Structure
  - Village Boundary
  - Municipal/Urban Boundary
  - Taluk Boundary
  - Boat Parking /Net Mending Area
  - Jetty/Shipyard/Ramp
  - Fishing Ward Boundary
  - Fishing Zone
  - Fisherman Community Complex
  - Khazan Land
  - Aquaculture/Saltpan
  - Waterbody
- CRZ Lines**
- Hazard Line
  - 100m CRZ line for Bays
  - 100 m Line in CRZ III Area
  - 200 m Line - NDZ
  - 500 m CRZ Line
  - CRZ Line for River or Creek
  - Sand Dune Beyond 500m CRZ Line

**CRZ CATEGORY**

**CRZ - I**

- Mangrove - CRZ IA
- 50m Mangrove buffer zone - CRZ IA
- Sand Dune - CRZ IA
- Reserve Forest - CRZ IA
- Mudflat - CRZ IA
- Salt Marsh - CRZ IA
- Nesting Ground of Bird - CRZ IA
- Turtle Nesting Ground - CRZ IA
- Coral and Coral Reef - CRZ IA
- Archaeological and Heritage Site - CRZ IA
- Intertidal Zone - CRZ IB

**CRZ - II**

- CRZ Landward of HTL - CRZ II

**CRZ - III**

- No Development Zone - CRZ III
- 200 to 500 m from HTL - CRZ III

**CRZ - IV**

- Waterbody - CRZ IVA
- Waterbody - CRZ IVB

