

BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE

APPEAL NO. 634/2025 (WZ)

Samir Chandrakant Shirodkar

...Appellant

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:

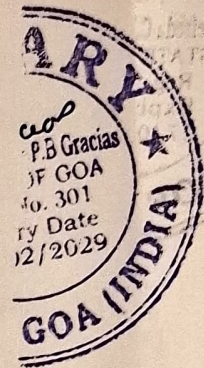
1. I say that I am holding the post of Member Secretary, GCZMA. I say that I am filing the present affidavit based on the records available with my office and that I am competent to depose in this case.
2. I say that I am filing the present Affidavit-in-Reply for the purpose of opposing the relief sought 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.

3. I say that the present appeal challenges the Order dated 05.11.2025 ("**Impugned Order**") passed by the answering Respondent. I say that *vide* the Impugned Order the Appellant herein was directed to demolish the illegal structure erected by the Appellant 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 05.11.2025 is at page 44 of the Appeal)

4. I say that Survey No. 119/1 of Village Siolim, 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. I further say that the said Survey No. 119/1 of Village Siolim, Bardez, Goa is Government land, and the Appellant has neither any right nor any title to



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the same. I say that the Government ownership of the subject property is borne out from the revenue records maintained in respect thereof. I say that the Form I & XIV pertaining to the subject property specifically records the name of the "Government of Goa" in the occupant's column, thereby evidencing its status as Government land.

Annexed hereto is a copy of Form I & XIV of Survey No. 119/1 of Village Siolim, Bardez, Goa marked as "Annexure A".

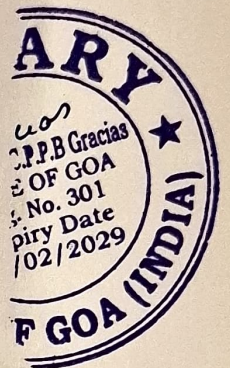
5. I say that a Show Cause Notice dated 07.06.2022 came to be issued to the Appellant, informing him that (i) the unauthorized construction of a ground-floor structure admeasuring approximately 100 square metres with a Mangalore-tiled roof; (ii) the unauthorized construction of a compound wall measuring approximately 80 metres in length; (iii) the unauthorized construction of two storage shelters for generators; and (iv) the unauthorized construction of a water tank was observed to have been carried out by the Appellant in the subject property, in contravention of the provisions of the CRZ Notification, 2011.
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 certificate dated 31.12.1997 and letter dated 15.06.2024, both issued by the Village Panchayat of Siolim stating that the house bearing House No. 254/3 stands in the name of Sitaram Shirodkar i.e., the Appellant's father.

7. I say that the Answering Respondent noticed a material discrepancy in the documents relied upon by the Appellant. While the certificate dated 31.12.1997 records House No. 254/3 as being situated at "Bailo Uddo", the letter dated 15.06.2024 states that the very same House No. 254/3 is situated at "Dando". I say that "Bailo Uddo" and "Dando" are two distinct localities, the former being situated towards the beach side and the latter towards the road side, separated by a distance of approximately one kilometre. The aforesaid inconsistency strikes at the credibility and evidentiary value of the documents relied upon by the Appellant and raises serious doubt as to whether the documents in fact pertain to the structure alleged to exist in the subject property.

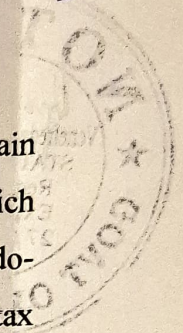
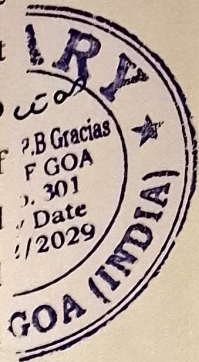
8. I say that the subject property in respect of which the illegal structure has been identified is situated in the area known as "Bailohudo" or "Bailo Uddo", Siolim, Bardez. The location described in the certificate dated 15.06.2024 is therefore



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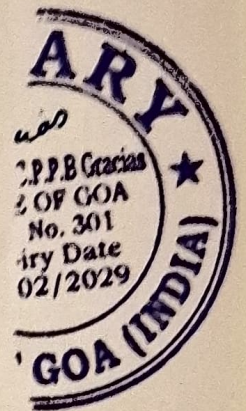
entirely distinct from the subject property where the impugned construction has been found. It is pertinent to note that the certificate relied upon by the Appellant does not mention nor identify the survey number of the property to which the said House No. 254/3 pertains. In the absence of any correlation between the property referred to in the said certificate and the subject property, the certificate dated 15.06.2024 is wholly insufficient to substantiate the claim that the impugned structure is a pre-1991 construction.

9. The Appellant has further relied upon certain additional documents, including an Electricity Bill, which pertains to a house bearing No. 254/3 situated at Dandawado-Gudem, Siolim. The Appellant has also produced house tax receipts for House No. 254/3 at Dando, Siolim, Bardez, which is a different area. I say that the subject property where the impugned illegal structure has been erected is located in the locality known as "Bailohudo" or "Bialo Uddo", Siolim, Bardez, and not in "Dandawado", "Gudem" or "Danda" as described in the aforesaid documents. There is therefore a clear and material mismatch in the description and location of the property reflected in the documents relied upon by the Appellant. It is further pertinent that none of the aforesaid documents disclose or refer to the survey number of the property to which they pertain, thereby rendering it impossible to correlate the said

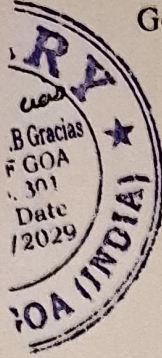


documents with the subject property. As such, they do not in any manner establish that the impugned structure existing in the subject property is a structure constructed prior to the year 1991. Consequently, the reliance placed by the Appellant on the said documents is misplaced and devoid of evidentiary value in establishing the claim of a pre-1991 construction.

10. 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 pertaining to the said impugned structure.
11. I say that in view of the above, the present appeal is liable to be dismissed.
12. I say that what has been stated in Paras 1 to 11 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 on this 08th day of June 2026 at Panaji
Goa.



Shri Sachin S Desai
Member Secretary GCZMA
DEPONENT

Identified by:



Solemnly affirmed before me
Sachin S. Desai

Who is identified before me by

_____ At Calangute - Goa

Sr. No. 245/06/2026
Date. 08/06/2026

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

ANNEXURE - A

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FORM I & XIV

1111

Date : 07/06/2026

नमुना नं १ व १४

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Taluka BARDEZ
तालुका
Village Siolim
गांव
Name of the Field Nave Khazan
शेताचें नांव

Survey No. 119
सर्वे नंबर
Sub Div. No. 1
हिस्सा नंबर
Tenure
सत्ता प्रकार

Cultivable Area (Ha.Ars.Sq.Mtrs) लागण क्षेत्र (हे. आर. चौ. मी.)

Dry Crop जिरायत	Garden बागायत	Rice तरी	Khajan खाजन	Ker केर	Morad मोरड	Total Cultivable Area एकूण लागण क्षेत्र
0000.00.00	0004.89.50	0000.00.00	0000.00.00	0000.00.00	0000.00.00	0004.89.50

Un-cultivable Area (Ha.Ars.Sq.Mtrs) नापिक क्षेत्र (हे. आर. चौ. मी.)

Pot-Kharab पोट खराब

Remarks शेरा

Class (a) वर्ग (अ)	Class (b) वर्ग (ब)	Total Un-Cultivable Area एकूण नापिक जमीन	Grand Total एकूण
0000.00.00	0000.00.00	0000.00.00	0004.89.50

Assessment : आकार	Rs. 0.00	Foro फोर	Rs. 0.00	Predial प्रेदियाल	Rs. 0.00	Rent रेंट	Rs. 0.00
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S.No.	Name of the Occupant कब्जेदाराचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	Govt. Of Goa		663	

S.No.	Name of the Tenant कुळाचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	-----Nil-----			

Other Rights इतर हक्क Name of Person holding rights and nature of rights: इतर हक्क धारण करणा-याचे नांव व हक्क प्रकार	Mutation No. फेरफार नं	Remarks शेरा
-----Nil-----		

Details of Cropped Area पिकाखालील क्षेत्राचा तापशील

Year वर्ष	Name of the Cultivator लागण करणा-याचे नांव	Mode रित	Season मौसम	Name of Crop पिकाचे नांव	Irrigated	Unirrigated	Land not Available for Cultivation नापिक जमीन		Source of irrigation सिंचनाचा प्रारि	Remarks शेरा
					बागायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	जिरायत Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Nature प्रकार	Area क्षेत्र Ha.Ars.Sq.Mts हे. आर. चौ. मी.		
	-----Nil-----									

End of Report

For any further inquires, please contact the Mamlatdar of the concerned Taluka.