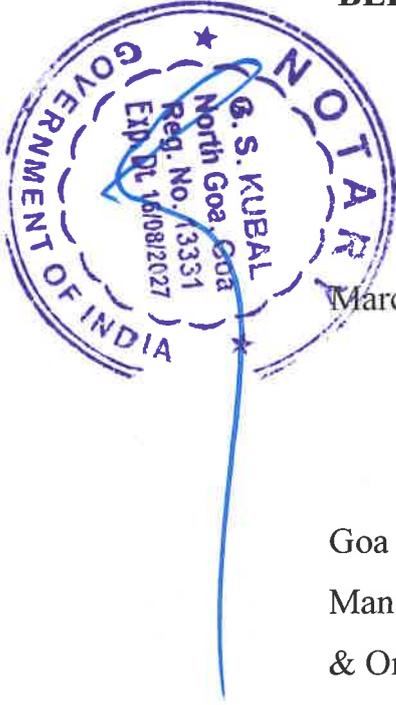


BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN
ZONE BENCH, PUNE

APPEAL NO. 66/2025(WZ)



Marcelino Fernandes

...Appellant

Versus

Goa Coastal Zone
Management Authority
& Ors

...Respondents

AFFIDAVIT-IN-REPLY ON BEHALF OF GCZMA
RESPONDENT NO 1

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 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.

3. I say that the present appeal challenges the Order dated 10.01.2025 (“**Impugned Order**”) passed by the Answering Respondent ordering demolition of structures located in property bearing Survey Number 63/87 of village Arambol, Taluka Pernem disposing of the Show Cause Notice dated 09.02.2024.

4. I say that the Show Cause Notice pertained to structures located in property bearing Survey Number 63/87 of village Arambol, Taluka Pernem.

5. I say that the answering respondent had issued show cause notice dated 09/02/2024 to the present Appellant. The Appellant in his reply claimed that the said structures existed prior to 1991.

6. I say that the answering Respondent after carefully considering the reply filed by the present Appellant along with the documents and has passed detailed and reasoned order. The answering respondent has appreciated the evidence before it. The



A handwritten signature in blue ink, consisting of a stylized cursive mark.

answering respondent has arrived at finding that said document dated 12/12/1989 appears to be fabricated document.

7. I say that the answering respondent has granted fair notice and chance of personal hearing in the matter before passing the impugned order. I deny that the answering respondent has violated principles of Natural justice and fair play.

8. I say that the Appellant was furnished all the documents referred to in the show cause notice and thereafter proceeded in the matter resulting in passing of reasoned impugned order.

9. I say that the Appellant has miserably failed to produce the documents to justify the constructions done at loco at the stage of hearing before the Answering Respondent. The documents placed on record by the Appellant couldn't establish structures beyond reasonable doubt that they existed prior to 1991.

10. I say that the Appellant has challenged the order of demolition issued by the Answering Respondent on the ground that the structures were in existence prior to 1991 i.e. prior to coming into force of the CRZ Notifications. I say that Appellant has failed to prove the existence of the said structures as pre-1991.

11. I say that the Appellants are not entitled to raise any other further grounds, and 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

Place:

Date:

DEPONENT

Solemnly affirmed before me by

Sachin Desai

Reg. No: 07/328 Date: 11-7-2025

known / Identified to me by.

G. S. KUBAL
Notary (Govt. of India)
Panaji-Goa, India

