

**BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN  
ZONE BENCH, PUNE**

**ORIGINAL APPLICATION NO. 46 OF 2025 (WZ)**

**Dikshay Dattu Phadte & Anr**

**...Appellants**

*Versus*

**GCZMA & Ors**

**...Respondents**

**AFFIDAVIT-IN-REPLY ON BEHALF OF GCZMA I.E.,**

**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. At the very outset, Respondent No 1 (“**Answering Respondent**”) denies all the averments, allegations and contentions raised by the Appellant *in toto*, save and what are matter(s) of record. Nothing stated in the present application shall be deemed to be admitted by the Answering Respondent unless specifically admitted hereinafter. I say that I am filing the present

Affidavit-in-Reply for the purpose bringing certain facts on record before this Hon'ble Tribunal. Nothing may be deemed to have been admitted for want of *traverse seriatim*.



3. I say that the present application has been instituted seeking a declaration and consequential direction to the effect that the nine jetties (Respondent Nos. 8 to 16) established along the Mandovi River between Britona and Ecoxim have been constructed in contravention of the provisions of the Coastal Regulation Zone (CRZ) Notification, 2011, and are therefore liable to be removed and demolished in accordance with law.

4. It is respectfully submitted that, on the contrary, the Coastal Regulation Zone (CRZ) Notification, 2011, expressly permits the establishment of foreshore facilities, which include jetties, as permissible activities within the designated CRZ areas. Clause 3(i)(a) of the said Notification stipulates that the setting up of new industries and expansion of existing industries are prohibited activities within the CRZ; however, an express exception is carved out for those industries or activities which are directly related to the waterfront or directly requiring foreshore facilities.

5. The Explanation appended to Clause 3(i)(a) further elucidates the term foreshore facilities to mean such activities which are permissible under the Notification and which necessarily require direct access to the waterfront for their operational purposes. Illustratively, the said Explanation enumerates facilities such as ports, harbours, jetties, quays, wharves, erosion control



measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, and similar activities of like nature.

6. In view of the above, it is submitted that jetties have been explicitly recognized under the CRZ Notification, 2011 as permissible foreshore facilities, being activities that are inherently dependent upon direct interaction with tidal waters for their very functionality. The language of the Notification leaves no ambiguity that jetties, by their nature, fall squarely within the ambit of permissible activities under the CRZ regime, provided that such facilities conform to the other regulatory stipulations, including prior clearance from the competent authority and adherence to the applicable conditions prescribed under the said Notification.

7. I say that Clause 8 of the Coastal Regulation Zone (CRZ) Notification, 2011, serves to regulate the activities specified therein. I say that Paragraph 8, by its very nature, is not prohibitory in character; it does not impose an absolute ban on activities but rather delineates the regulatory framework and permissible parameters for the activities mentioned therein.

8. It is submitted that Clause 8 of the CRZ Notification, 2011, which lays down the Norms for Regulation of Activities in CRZ Areas, also reinforces this position. Under Clause 8(I) pertaining to CRZ-I and Clause 8(II) pertaining to CRZ-II areas, activities directly related to waterfront or foreshore facilities are specifically permitted, subject to clearance by the Ministry of Environment and



Forests (now MoEF & CC) or the concerned Coastal Zone Management Authority. This statutory framework thus recognizes that the construction and operation of jetties, when undertaken in compliance with prescribed environmental safeguards and after obtaining due clearances, are lawful and permissible activities within the CRZ area. Further, foreshore facilities are permissible in CRZ-III NDZ. The CRZ Notification 2011 defines “foreshore facilities” as under:

*“Explanation: The expression “foreshore facilities” means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like”*

9. Accordingly, it is humbly submitted that the CRZ Notification, 2011 itself contemplates and permits the establishment of jetties as part of legitimate foreshore facility and waterfront-related development.

10. I say that this Hon’ble Tribunal vide Order dated 07.07.2025 directed the Answering Respondent to file a report giving details of the 9 jetties mentioned in the present application. I say that the Respondent carried out inspection of the said 9 jetties on 25.08.2025 and 06.10.2025.

Annexed hereto is a copy of the said Report marked as “Annexure A”



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: 11.11.2025

  
DEPONENT



Deponent affirmed before me  
*Sachin S. Desai*

Deponent identified before me by  
Shri/Smt .....

.....At Panjim - Goa

Gr. No, 197/11/2025

Dated, 11/11/2025

*Gracias*  
Venefrda C.P.P.B Gracias  
Advocate & Notary Goa State

## Site Inspection Report

### Background:

The office of GCZMA is in receipt of representation from Mr.Dikshay D.Phadte,R/o Ecoxim, Bhatan, Bardez, Goa and Mr.Ajit C.Colvalkar r/o H.no 1170, Maina Waddo, Socorro, Bardez, Goa with regards to illegal operation of jetties. The complainant in his representation listed 9 nos of jetties from Ecoxim, Pomburpha, Ribandar area.

Upon the instruction from Member Secretary, GCZMA through site inspection notice no GCZMA/NGT MATTER/O.APPL.NO 46/2025/25-26/29/1760 dated 31/07/2025 the site inspection was carried on 25/08/2025 by Dr. Sushant S. Naik, Expert Member, GCZMA along with Ms. Bhargavi Kelkar, Environmental Assistant, and Mr.Sakhil Naik, Field Surveyor, GCZMA.

The inspection of 7 nos jetties was carried out on 25/08/2025 and inspection of 2 nos of jetties was carried out on 06/10/2025 due to access issue.

### Site Observation:

1. The the listed 09 nos of jetties falls in CRZ III (river/creek NDZ) and in inter tidal zone CRZ I B as per CZMP 2011.The details of jetties are as follows.
2. Site photographs of all the jetties is attached in Annexure A.

Sr.No	Name of Jetty	Type	Details	GCZMA NOC
1	Oceannaire Jetty	Temporary floating pontoon jetty	'I' shaped jetty and were operational during the time of inspection. Vessels were parked.	GCZMA/N/19-20/37/1652 dt.25/09/2019 Applicant has applied for renewal of NOC
2	Funcruise Jetty	Temporary floating pontoon jetty	'T' shaped jetty of floating pontoons, with MS tube entrance. Jetty was operational during the time of inspection. Vessels were parked.	





3	Salis Fernandes Jetty	Temporary jetty	'L' shaped temporary floating pontoon jetty.	
4	Jubert Jetty		The jetty was operational during the time of inspection. As informed by the complainant, owner of both the jetties (Salis and Jubert) is the same. Vessels were parked.	
5	Dharma Jetty	Temporary floating pontoon jetty	'T' shaped jetty of floating pontoons, with MS tube entrance. Vessels were parked.	
6	Panveli Floating Jetty	Temporary floating pontoon jetty	'T' shaped floating jetty, with wooden and metal fabricated gangway. Jetty was operational during the time of inspection. Vessels were parked.	GCZMA/N/20-21/55/487 dt.05/07/2021
7	Captains Club Jetty	Temporary floating pontoon jetty	'T' shaped floating pontoon jetty. Metal walkway. Was operational during the time of inspection. Vessels were parked.	GCZMA/N/23-24/53/4641 dt.21/03/2024
8	Anubhav Sharma	Temporary	Vessels were parked	GCZMA/N/21-22/03/580




		wooden jetty	during the time of inspection. Vessel was parked.	dt.23/07/2021
9	Champions Yacht Club	Temporary floating pontoon jetty	Jetty was not operational during the time of inspection.	

*\*photographs of each jetty are annexed.*

**Conclusion and Recommendation:** As noted during the site inspection many jetties have bloomed along the Mandovi River as detailed in the table above (as pointed out in the complaint). The jetties having approvals from the GCZMA are noted. While travelling through the Mandovi River and its backwaters one can note a lot of garbage floating around, which may be part of the increased boating activity. The jetty operators should be strictly advised against littering in the rivers and creeks. There are also permanent and temporary structures surrounding each of the jetties, which may need to be verified for necessary permissions.



Dr. Sushant S. Naik  
Expert Member GCZMA



Ms. Bhargavi Kelkar  
Environmental Assistant



Mr. Sakhil Naik  
Field Surveyor GCZMA

## Annexure 'A'

### Sr. No. 1 ( Oceannaire Jetty )





12:03 4G

My location

Latitude  
**15.507364**  
15.507364

Longitude  
**73.842809**  
73.842809

Altitude 14 m  
Pressure (meters) 4 m  
Countdown 00:00:00

A screenshot of a mobile application interface. At the top, it shows the time '12:03' and '4G' signal strength. Below that is a header 'My location' with a location pin icon and a menu icon. The main content area has a blue background and displays 'Latitude' followed by the value '15.507364' in large bold text, with the same value in smaller text below it. Similarly, it displays 'Longitude' followed by '73.842809' in large bold text, with the same value in smaller text below it. At the bottom, there are three rows of data: 'Altitude 14 m', 'Pressure (meters) 4 m', and 'Countdown 00:00:00'. There is a red camera icon in the bottom right corner of the blue area.

Sr. No. 2 ( Funcruise Jetty )







11:33 4G

My location

Latitude  
**15.514245**  
15.514245

Longitude  
**73.844678**  
73.844678

Altitude 3 m  
Coordinates accuracy 5 m  
Location age 00:00:00

A screenshot of an iPhone's location sharing interface. The screen is blue and displays the following information: Latitude 15.514245, Longitude 73.844678, Altitude 3 m, Coordinates accuracy 5 m, and Location age 00:00:00. The interface includes a compass icon, a location pin icon, and a camera icon.

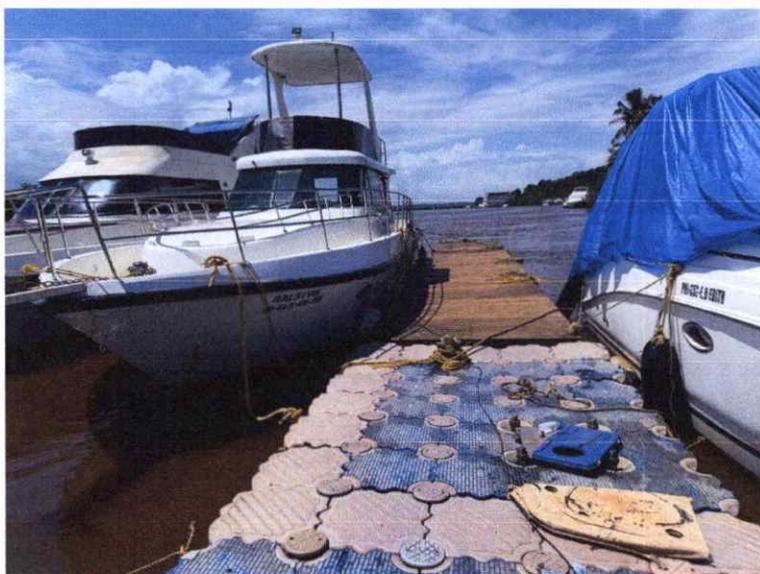
Sr. No. 3 and 4 ( Salis Fernandes and Jubert Jetty )





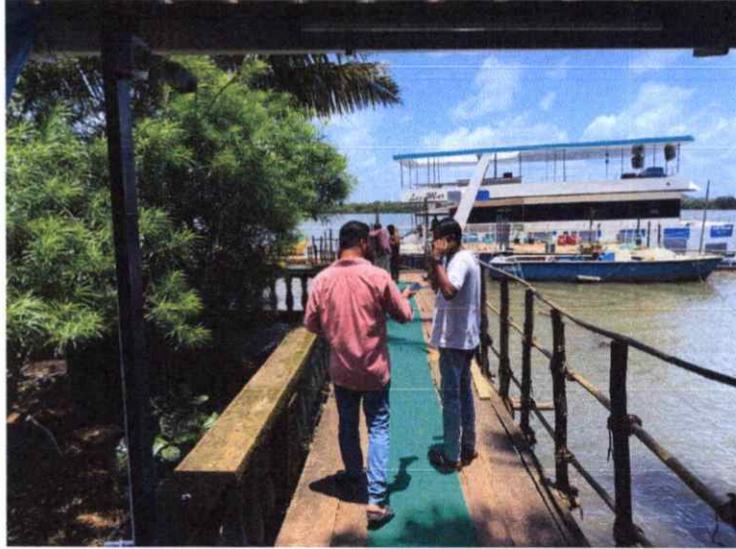
Sr. No. 5 ( Dharma Jetty )

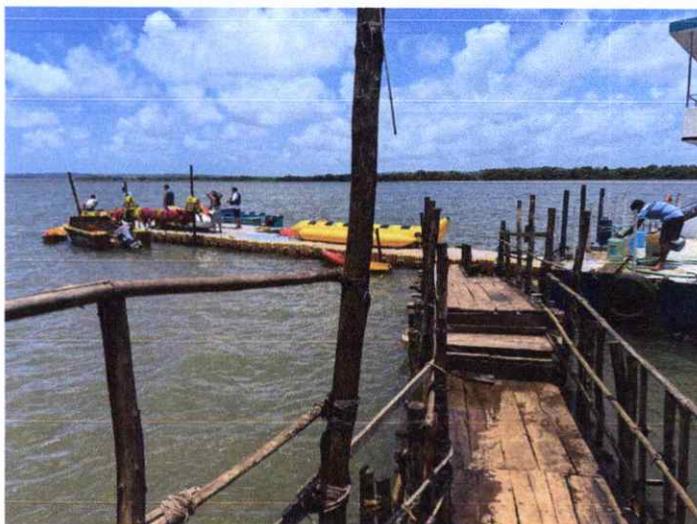




Altitude 6 m  
Compass accuracy 5 m  
Location age 00:00:01

Sr. No. 6 ( Panveli Floating Jetty )





12:31 4G

My location

Latitude  
**15.500400**  
15.500400

Longitude  
**73.892699**  
73.892699

Altitude 8 m  
Coordinates accuracy 4 m  
Location age 00:00:00

Sr. No. 7 ( Captain's Club Jetty )





12:56 4G

My location

Latitude  
**15.499991**  
15.499991

Longitude  
**73.883602**  
73.883602

Altitude **11 m**

Coordinates accuracy **5 m**

Location age **00:00:00**

Sr. No. 8 (Anubhav Sharma )





11:28

**My location**

Latitude  
**15.537060**  
15.537060

Longitude  
**73.874947**  
73.874947

Altitude 6 m  
Coordinates accuracy 4 m  
Location age 00:00:06

Sr. No. 9 (Champions Yatch Club )





10:57 4G

My location

Latitude  
**15.509415**  
15.509415

Longitude  
**73.876922**  
73.876922

Altitude 4 m  
Coordinates accuracy 4 m  
Location age 00:00:00

A screenshot of a mobile location application. The interface is blue and white. At the top, it shows the time 10:57 and 4G connectivity. Below that, it says "My location". The main display area shows the latitude as 15.509415 and the longitude as 73.876922. At the bottom, it displays additional location data: Altitude 4 m, Coordinates accuracy 4 m, and Location age 00:00:00. There are also icons for a compass, a location pin, and a camera.