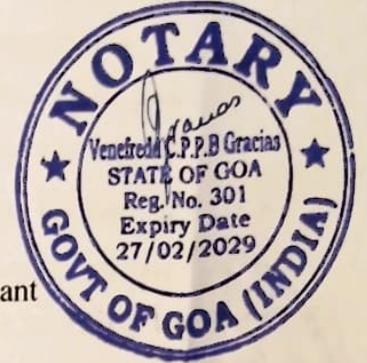


BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH,PUNE

IA No.699/2025

IN

Appeal No.563/2025



Mohan Pandurang Halarnkar

.... Appellant

Versus

GCZMA

..... Respondents

**AFFIDAVIT IN REPLY TO APPLICATION FOR STAY
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 4th 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.

A handwritten signature in black ink, appearing to be "Sachin S Desai", located at the bottom right of the page.

2. I say that I am holding the post of Director, Department of Environment and Climate Change Government of Goa. I
3. 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.
4. I say that I am filing the present Affidavit-in-Reply for the purpose of opposing the relief as claimed in the application for grant of stay filed by the Appellant. Nothing in the aforementioned Application filed by the Appellant may be deemed to have been admitted for mere want of specific denial.
5. At the outset it is stated that the present appeal is filed belatedly and beyond the limitation period prescribed under Section 16 of NGT, ACT. I say that there is unexplained delay of more than 109 days. I say that said delay cannot be attributable this answering respondent. I say the answering respondent has diligently communicated it decision vide order dated 28/02/2025 which communication is duly served upon the Appellants.



6. I say that the answering respondent had initiated inquiry in the matter pursuant a complaint dated 25/04/2022 filed by Mr. Anil Prabhakar. Upon inspecting the site under question, the answering respondent considering the nature of violations at loco had issued a show cause notice 29.10.2024 to the Appellants herein.
7. I say that the Appellants were given sufficient time and opportunity to prove his case in the inquiry before the Authority. I say that the authority after considering the replies, arguments advanced by the appellant deemed fit to retain structure identified with Alphabet "P" being pre-1991 structure however directed the Appellants herein to demolish the structure identified with Alphabet "Q". I say that therein no infirmity in the order passed by this answering respondent.
8. It is denied that the impugned order is bad in law as inspection report is not supported by a plan or preserved for want for ground mapping.
9. It is denied that impugned order is ex facie, perverse and arbitrary and passed in most casual and mechanical manner without application of mind. I say the answering respondent has considered all the documents produced by the appellant before it and passed an reasoned order. I say



that fact that the appellants belong to fisherman community and structure are used for residential purposes cannot be given infinite immunity. I say that it is bounded duty of the Appellants to prove in the inquiry before the answering respondent that the structures were existing and authorized structure prior to 1991.

10.I say that appeal is filed without any merits and only to impede the implementation of demolition order issued by the respondent.

11.It is denied that great prejudice shall be caused to the Appellant if illegal structures are demolished. I say that the Answering Respondent has rightly identified the structure "Q" to be demolished being wholly illegal and unauthorized.

12.I say that contents of paras 1 to 10 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 04th February of 2026.



(Handwritten mark)

Solemnly affirmed before me

Sachin S. Desai

Who is identified before me by

At Calangute - Goa

**Shri Sachin S Desai
Director of Environment and C.C.
DEPONENT**

Sr. No. 038/02/2026

Date. 04/02/2026

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

