

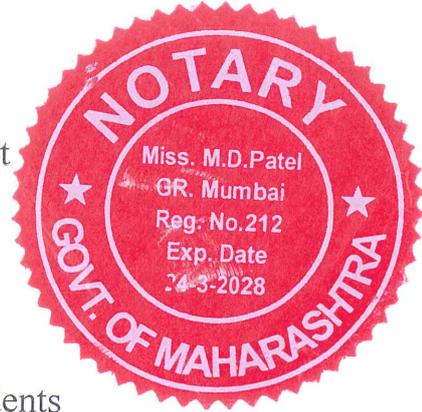
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE, PUNE

Appeal No 20/2025

Sadanand Gangaram Kadam Appellant

Vs

Union of India, Ministry of Environment,
Forest & Climate Change & Ors. Respondents



**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO.
2 MAHARASHTRA COASTAL ZONE MANAGEMENT
AUTHORITY (MCZMA)**

I, Abhay Madhukar Pimparkar, aged about 51 years, am working as Director of the Environment and Climate Change Department, Government of Maharashtra having my office address at 15th Floor, New Administrative Building, Mantralaya, Mumbai- 400 032, do hereby beg to state on solemn affirmation as under:

1. I say that I have examined the relevant records available in my office in respect of the above matter and am affirming the present Reply Affidavit based on the same. Nothing in the present Reply Affidavit may be deemed to be an admission of any of the contents of the above-captioned Appeal. Nothing in the above-captioned Appeal may be deemed to have been admitted for mere want of specific denial.
2. I say that the present Appeal has been filed calling for the Records and Proceedings to the impugned Show Cause Notice dated 17/12/2021, impugned OM dated 31/01/2022 and impugned letter dated 22/08/2022, all issued by Respondent No.1 MOEF & CC.
3. I say that there are no prayers sought against the present Respondent i.e. Respondent No.2. I say that the Respondent No.1 MOEF & CC, vide order dated 30/06/2022, constituted a joint committee comprising representatives from MPCB, National Centre For Sustainable Coastal

M. D. Patel

2

Management (NCSCM), Chennai , Integrated Regional Office (IRO) of the Respondent No.1 Ministry, Nagpur and the present Respondent i.e. MCZMA. I say that the committee was entrusted with the responsibility-

- I. to assess the monetary value of the damage caused to Environment due to violation of CRZ Notification 2011 by M/s Sai Resorts owned by the Appellant, Tahsil Dapoli, Ratnagiri, Maharashtra &
- II. to provide specific recommendations for mitigation of the damage caused.

I say that in view of the Respondent No.1's letter dated 22/08/2022 which is annexed at page No. 56 of the Appeal, the present Respondent addressed a letter to the DCZMC Ratnagiri, chaired by the District Collector, Ratnagiri directing them to take action against the subject structure, and accordingly requested DCZMC to submit the action taken report, if any. I say that the present Respondent has through email dated 22/05/2025, requested Respondent No.3 MPCB to submit the present status with respect to compliance of action taken against the unauthorised construction of M/s Sai Resort. I say that Respondent No.3 has responded on 10/06/2025 stating that the building of Sai Resort with Ground plus first floor was found standing at the site. As per field observation by Respondent No.3, structure above first floor was found demolished. Hereto annexed and marked as Annexure A colly are the MCZMA email dated 22/05/2025 and Respondent No.3's response dated 10/06/2025.

4 . I say that all prayers are sought against Respondent No.1, MOEF & CC. In view of the above, the Appeal may be dealt with accordingly.

Place: Mumbai

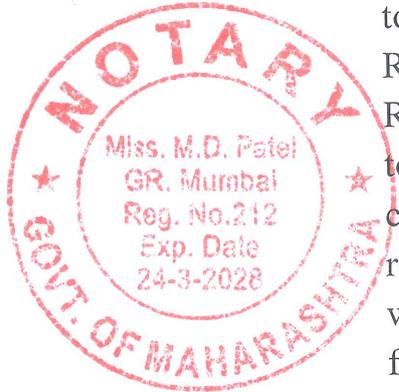

(Abhay Madhukar Pimparkar)

Deponent

Director, Env&CC Department and
Member Secretary, MCZMA

Date: 4/7/25





VERIFICATION

I, Abhay Madhukar Pimparkar, Age 51 years, Director, Environment and Member Secretary of the Maharashtra Coastal Zone Management Authority, having my office address at 15th Floor, New Administrative Building, Mantralaya Mumbai, do hereby verify & declare that statements made in the aforesaid Paras are true and correct to the best of my knowledge and information and I believe the same to be true and that nothing material has been concealed therefrom.

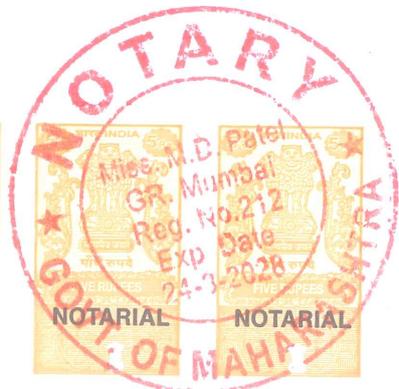
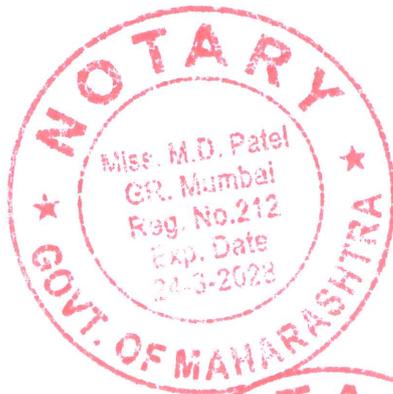
Verified at Mumbai on this 4th day of July, 2025
M. D. Patel

(Vishal Madave)
Under Secretary
Identified by

(Signature)
(Abhay Madhukar Pimparkar)
Director, Environment & CC
and MS, MCZMA
Deponent

BEFORE ME
M. D. Patel
4-7-2025
Sr. No. 320
Bk. No. 2

MISS M. D. PATEL
ADVOCATE & NOTARY
Kohiar House,
4, Dhuswadi, Dhobitalao,
MUMBAI - 400 002.





Regarding Present Status with respect to compliance of an action taken against the unauthorized construction of Sai Resort and Sea Conch Resort at village Murud, Tal. Dapoli, Dist. Ratnagiri.

Exhibit A

Abhay Madhukar Pimparkar <dir1.mev-mh@nic.in >

Thu, 22 May 2025 3:46:10 PM +0530

To "Collector Ratnagiri"<collector.ratnagiri@maharashtra.gov.in>,"ms"
<ms@mpcb.gov.in>

Cc "H. Kharkwal"<h.kharkwal@nic.in>

Dear Sir,

It is to inform you that Sadanand G. Kadam as filed an appeal no. 20 / 2025 Vs Union of India Vs MoEF&CC & Ors regarding Sai Resort and Sea Conch Resort at village Murud, Tal. Dapoli, Dist. Ratnagiri. In this regard this office is in receipt of communication dated 22.05.2025 from MoEF&CC, New Delhi, requesting to send the present status with respect to compliance an action taken against the unauthorized construction. The copy of the said letter is attached herewith. It is kindly requested to provide the present status of the unauthorized construction at the site. Your kind response is solicited at the earliest by 23/05/2025 so that it could be communicated to MoEF&CC, New Delhi.

**Director,
Environment & CC Dept.,
15th Floor, New Administrative Building,
Opp. Mantralaya, Mumbai - 32**

1 Attachment(s)

WhatsApp Image 2025-05-22 ...
113.8 KB

Fw: Present status with respect to compliance of action taken against the unauthorized construction of Ms. Sai resort & Ms. Sea conch resort at Murud, Tal. Dapoli, Dist. Ratnagiri.

2 emails

Ravindra Andhale <jdair@mpcb.gov.in >

Tue, 10 Jun 2025 3:10:23 PM +0530

To "dir1.mev-mh@nic.in"<dir1.mev-mh@nic.in>

Cc "Jyoti Vedante"<psms@mpcb.gov.in>,"Smita Madhav Khatavkar"
<lo1@mpcb.gov.in>,"RO Kolhapur"<rokolhapur@mpcb.gov.in>,"SRO Chiplun"
<srochiplun@mpcb.gov.in>,"S.A.Sonkamble"<sunil.sonkamble@mpcb.gov.in>

Sir,

Please find attached herewith letter reg present status with respect to compliance of action taken against the unauthorized construction of Ms. Sai resort & Ms. Sea conch resort at Murud, Tal. Dapoli, Dist. Ratnagiri.

Regards,

**Ravindra Andhale,
Joint Director (APC)**

From: Ravindra Andhale

Sent: 10 June 2025 02:51 PM

To: Abhay Madhukar Pimparkar <dir1.mev-mh@nic.in>

Cc: Jyoti Vedante <psms@mpcb.gov.in>; Smita Madhav Khatavkar <lo1@mpcb.gov.in>; RO Kolhapur <rokolhapur@mpcb.gov.in>; SRO Chiplun <srochiplun@mpcb.gov.in>; S.A.Sonkamble <sunil.sonkamble@mpcb.gov.in>

Subject: Present status with respect to compliance of action taken against the unauthorized construction of Ms. Sai resort & Ms. Sea conch resort at Murud, Tal. Dapoli, Dist. Ratnagiri.

Sir,

Please find attached herewith letter reg present status with respect to compliance of action taken against the unauthorized construction of Ms. Sai resort & Ms. Sea conch resort at Murud, Tal. Dapoli, Dist. Ratnagiri.

Regards,

**Ravindra Andhale,
Joint Director (APC)**

3 Attachment(s)

Reg present status with respec...
605.4 KB

Annexure Reg present status ...
3.1 MB

Annexure Appeal no 20 of 202...
853.1 KB

Ravindra Andhale <jdair@mpcb.gov.in >

Tue, 10 Jun 2025 2:51:27 PM +0530

To "Abhay Madhukar Pimparkar"<dir1.mev-mh@nic.in>

Cc "Jyoti Vedante"<psms@mpcb.gov.in>,"Smita Madhav Khatavkar"
<lo1@mpcb.gov.in>,"RO Kolhapur"<rokolhapur@mpcb.gov.in>,"SRO Chiplun"
<srochiplun@mpcb.gov.in>,"S.A.Sonkamble"<sunil.sonkamble@mpcb.gov.in>

Sir,

Please find attached herewith letter reg present status with respect to compliance of action taken against the unauthorized construction of Ms. Sai resort & Ms. Sea conch resort at Murud, Tal. Dapoli, Dist. Ratnagiri.

Regards,

Ravindra Andhale,
Joint Director (APC)

2 Attachment(s)

Reg present status with respec...
605.4 KB

Annexure Reg present status ...
3.1 MB

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701
 Fax: 24023516/24024068/24044531
 Website: <http://mpcb.gov.in>



Kalpataru Point, 2nd - 4th Floor
 Opp. Cine Planet Cinema,
 Near Sion Circle, Sion (E)
 Mumbai- 400 022.

Your Service is our duty.

No :- BO/JD(APC)/B-0008

Date :- 27/05/2025

To,
 The Scientist "F"(CRZ),
 Ministry of Environment, Forest and Climate Change,
 IA III Division (CRZ),
 Indira Paryavaran Bhawan, Jor Bagh Road,
 New Delhi

Sub Appeal No 20 of 2025 titled Sadanand Kadam Vs Union of India,
 Ministry of Environment, Forest and Climate Change and Others-
 regarding....

Ref :- i) MoEF and CC, Govt of India letter dated 22.08.2022, 31.1.2022
 ii) Regional Officer, Kolhapur letter dated 28.9.2022 and 30.11.2022,
 1.12.2022,
 iii) Letter dated 1.12.2022, 16.12.2022 and 27.1.2025 to the District
 Collector, Ratnagiri.

Sir,

The Ministry of Environment and Climate Change, Govt of India vide letter dated 22.8.2022 directed the Maharashtra Coastal Zone Management Authority (MCZMA) and MPCB to act upon the recommendation of the Joint Committee Report in respect of illegal construction in CRZ area at Survey No 446, Village, Murud, Tal Dapoli, Dist-Ratnagiri, Maharashtra by M/s.Sai Resorts NX and M/s Sea Conch Resort and directed MPCB to revise the amount of Environment Compensation as recommended by the Committee from M/s Sai Resort NX and from M/s Sea Conch Resort as per monetary value of Environment compensation arrived by the CPCB.

Thereafter CPCB vide email dated 16.7.2022 revised the Environment Compensation amount of Rs.2,52,75,000/- for each of the illegal construction from M/s Sai Resorts and M/s Sea Conch Resort. Accordingly, MPCB vide letters dated 28.9.2022 and 30.11.2022 and 1/12/2022 informed M/s Sea Conch Resort and M/s Sai Resorts respectively to deposit an amount of Rs. 2,52,75,000/- respectively to MPCB. Copies of said communications dated 28.9.2022, 30.11.2022 and 1.12.2022 are enclosed as **Annexure- I collectively.**

Further, the Board has also informed the District Collector, Ratnagiri vide letters dated 1.12.2022, 16.12.2022 & 27.1.2025 to recover the Environment Compensation amount of Rs.2,52,75,000/- each from the project proponents. A copy of said communicated dated 1.12.2022, 16.12.2022 are enclosed as **Annexure II.**

Accordingly, the Revenue Department, Govt. of Maharashtra has been entered on the 7/12 property document of Sadanand Kadam as per District Collector, Ratnagiri D.O.letter No.Revenue/L-4/Recovery/KV-50/2023, has imposed lien of Rs.2,52,75000/- on the property owned by Mr.Sadanand Kadam. A copy of said 7/12 extract is enclosed for ready reference as **Annexure III**.

In respect of M/s Sea Couch Resort, RDC, Ratnagiri has informed to submit Revised Recovery certificate since no reply has been received regarding the property of Mr.Pushkar Muley from Tahsildar, Mandangad. A copy of said communication dated ~~22.10.2024~~ is enclosed as **Annexure IV**. A copy of the reminder letter has been issued to the District Collector; Ratnagiri vide letter dated 27.1.2025.

Being aggrieved by the letter dated 22.8.2022, Mr.Sadanand Kadam of M/s Sai Resort has preferred a Writ Petition bearing No 11125/2022 before the Hon'ble High Court, Bombay. While disposing of the said Writ Petition, the Hon'ble High Court directed M/s Sai Resort to file an Appeal and deposit an amount of Rs.25,27,500/- within a period of four weeks before the Hon'ble NGT vide order dated 21.11.2024. A copy of the order passed by Hon'ble High Court dated 21.11.2024 is enclosed as **Annexure V**.

Accordingly, Mr.Sadanand Kadam has filed OA No 20 of 2025 & challenged the office memorandum dated 31.1.2022 issued by MOEF and CC, Govt of India before the Hon'ble NGT & also deposited Rs.25,27,500/. with the NGT. In the aforesaid matter, the Hon'ble NGT has passed the orders dated 6.2.2025 and 4.4.2025, which are enclosed as **Annexure VI**.

In respect of demolition of construction, as per the constitution of Technical Committee letter dated 20/10/2022, the responsibility is fixed on the Superintending Engineer of Public Works Department, Govt of Maharashtra. A Copy of said letter dated 20.10.2022 is enclosed and marked as an **Annexure VII**.

Yours faithfully


(Dr Avinash Dhakne, IAS)
Member Secretary

Encl- As above.

Copy to:

- i) JD(APC), MPCB, Mumbai- for information.
- ii) Regional Officer-Kolhapur/SRO-Chiplun- for information and further follow up in the matter.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24024068 / 24023515

Website: <http://mpcb.mah.nic.in>

E-mail: jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor
Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E)
Mumbai-400 022.

No: BO/MPCB/JD(APC)/B- 0159

Date: 10/06/2025

To,
Director,
Environment & CC Dept.,
15th Floor, New Administrative Building,
Opp. Mantralaya, Mumbai – 32.

Sub: Regarding Present Status with respect to Compliance of action taken against the unauthorized construction of M/s. Sai Resort and M/s. Sea Conch Resort at Village Murud, Tal. Dapoli, Dist. Ratnagiri.

Ref: 1) Constitution of Committee for demolition of construction vide dated 20/10/2025.
2) Your e-mail dated 22/05/2025.
3) Report Received from Sub- Regional Officer, Chiplun vide dated 24/05/2024.

Sir,

Sadanand G. Kadam as filed an appeal No. 20 / 2025 Vs Union of India Vs MoEF&CC & Ors at Ho. NGT (WZ) regarding M/s. Sai Resort and M/s. Sea Conch Resort at village Murud, Tal. Dapoli, Dist. Ratnagiri.

As per the minutes of District Coastal Management Committee & Task Force dated 17/10/2022, MPC Board has constituted Committee for demolition of construction vide dated 20/10/2025 under the Chairmanship of Sub- Regional Officer, Chiplun. As per the said order responsibility for demolition of construction with Executive Engineer, Public Works Department (PWD), Dapoli in consultation with other members, report from PWD not received.

Sub- Regional Officer, Chiplun has visited to M/s. Sai Resort and M/s. Sea Conch Resort at Village Murud, Tal. Dapoli, Dist. Ratnagiri on 28/05/2025 to verify the present status & reported as per following;

- a) A building of Sai Resort with a ground floor and a first floor was found standing at the site. As per field observations structure above first floor found demolished.
- b) No any civil structure observed at site of Sea Conch Resort except the compound wall.

Copy of visit report and order of the Constitution of Committee are enclosed herewith for ready reference.

This is issued with the approval of Competent authority of the Board.


(Ravindra Andhale)
Joint Director (APC)

Encl: As above

Copy submitted to:

Member Secretary, MPC Board, Mumbai.

Copy to:

- Law Officer-1, MPC Board, Mumbai- for information.
- Regional Officer, MPC Board, Kolhapur/ Sub- Regional Officer, MPC Board, Chiplun.

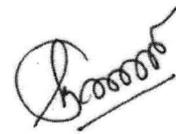
**Present Status of Sai Resort and Sea Conch Resort at village
Murud, Tal. Dapoli, Dist. Ratnagiri.**

Sites of Sai Resort and Sea Conch Resort, Gut No. 446, at village Murud, Tal. Dapoli, Dist. Ratnagiri have been visited on 28.05.2025 to verify the present status of above mentioned resorts. Field observations are as follows-

- A building of Sai Resort with a ground floor and a first floor was found standing at the site. As per field observations structure above first floor found demolished.
- No any civil structure observed at site of Sea Conch Resort except the compound wall.
- Photographs of both sites have been enclosed for the reference.



(U. R. Shinagare)
Field Officer, MPCB, SRO
Chiplun



(S. R. Kulkarni)
Sub Regional Officer,
MPCB Chiplun



Sai Resort (West Side)



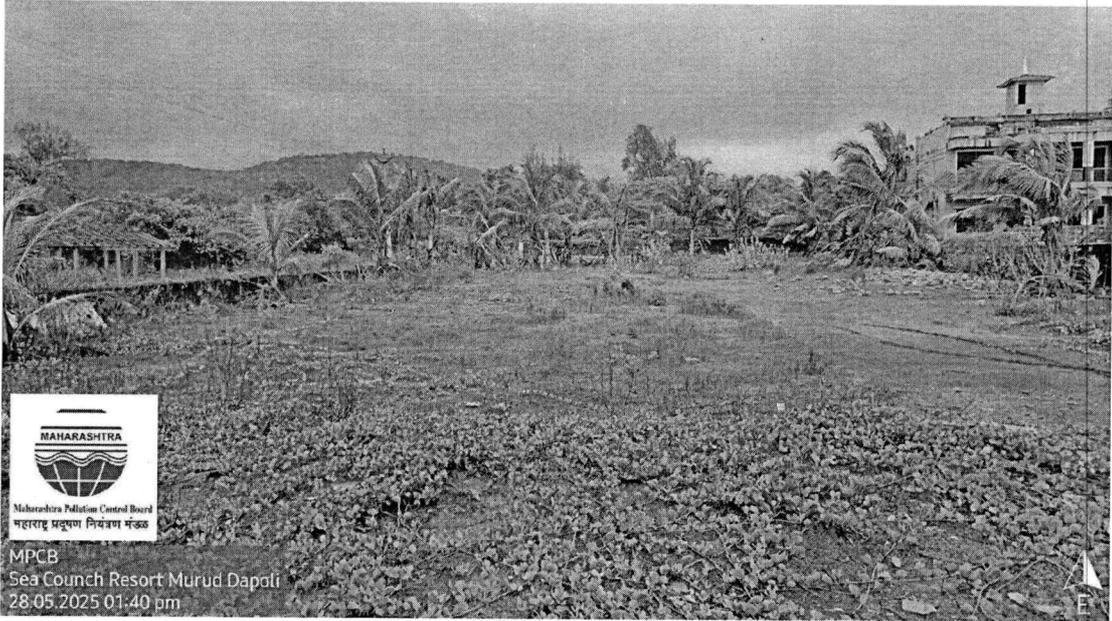
Sai Resort (West Side)



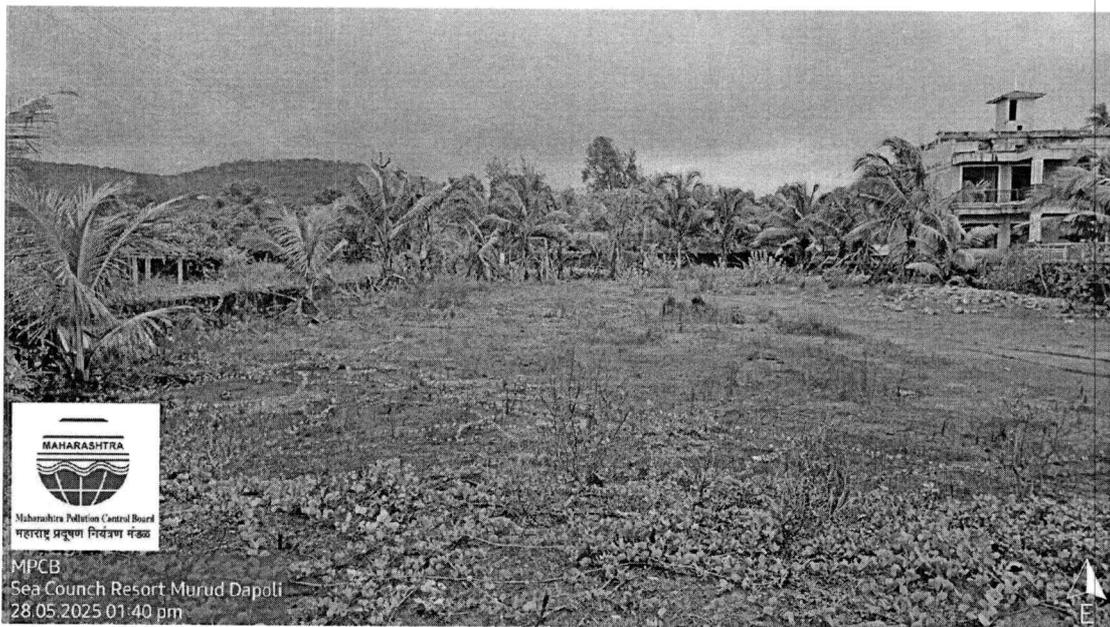
Sai Resort (East Side)



Sai Resort (West Side)



Sea Conch Resort



Sea Conch Resort