

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



Interim Application No.694/2025 (WZ)

In

Interim Application No.189/2025 (WZ)

In

Appeal No.:151/2025 (WZ)

Mr. Francisco Fernandes

.... Appellant

V/S

Goa Coastal Zone Management

Authority and others.,

... Respondents

AFFIDAVIT IN REPLY OF THE RESPONDENT NO.3 TO
THE APPLICATION FOR PRODUCTION OF
DOCUMENTS DATED 13/09/2025 FILED BY THE
APPELLANT.

MAY IT PLEASE THE TRIBUNAL: -

I, Sylvester D'Souza, S/o. Mr. Simon D'Souza, aged 61 years, married, Indian National, R/o. H. No. 2225, Sauntawado, Calangute, Bardez-Goa, 403516, do hereby on solemn affirmation state and submit as under:-

1. I say that I am the Respondent No. 3 in the present Appeal and the original Complainant in the Complaint before the GCZMA (Respondent No. 1).
2. The Respondent No.3 in response to the application for production of documents dated 13/09/2025 filed by the Appellant herein (hereinafter referred to as the "application under reply" for the sake of brevity) files the present Affidavit in Reply.
3. The application under reply has been filed by the Appellant seeking to produce on record the approved plan approved by the Member Secretary, North Goa Planning and Development Authority, Panaji, Goa vide the approval dated 28/10/1986 reflecting the structure approved which is subject matter of demolition in the present appeal.
4. The Respondent No.3 states that although the said Approved Plan dated 28/10/1986 has been issued by the Member Secretary, North Goa Planning and Development Authority, Panaji, Goa, the same was not produced before the Respondent No.1 / Goa Coastal Zone Management Authority. The Respondent



No.3 states that the Appellant vide the present application under reply has sought to produce on record additional material which was not produced by the Appellant before the Respondent No.1 / Goa Coastal Zone Management Authority.

The application under reply has also been filed seeking to produce on record the P.T. Sheet Plan No.18 of the property bearing Survey No.238 sub-division 1 of village Calangute, Bardez, Goa dated 03/02/1994 and the P.T. Sheet Plan No.18 of the property bearing Survey No.238 sub-division 1 of village Calangute, Bardez, Goa issued by the Directorate of Settlement and Land Records dated 14/07/2003 both of which plans show the structure which is subject matter of demolition in the present appeal. The Respondent No.3 submits that although the said plans reflect of the subject structure being shown therein, the same were also not produced before the Respondent No.1.

6. The Respondent No.3 submits that the application under reply has also been filed to produce on record the Order bearing Ref. No. DEMO-SQUAD / 114 / 2025 / 3588 dated 02/09/2025 passed by the Office of the Deputy Collector & Sub-Divisional Magistrate, Panaji, Goa which is a subsequent development.

Para wise rebuttal



5. With reference to the contents of paras 1 and 2 of the application under reply, the same are denied.
6. With reference to the contents of para 3 of the application under reply, although the documents are admitted by the Respondent herein the rest of the contents of the para are denied. It is submitted that the said documents were not produced before the Respondent No.1 / Goa Coastal Zone Management Authority.
7. With reference to the contents of para 4 of the application under reply, the same are denied. It is submitted that the Approved Plan dated 28/10/1986 although issued by the Member Secretary, North Goa Planning and Development Authority, Panaji, Goa for construction of the subject structure, the same was not produced before the Respondent No.1.
8. With reference to the contents of para 5 of the application under reply, the same are denied.
9. With reference to the contents of paras 6 and 7 of the application under reply, the same are denied. It is reiterated that although the subject structure is shown reflected in the P.T. Sheet Plan dated 03/02/1994 and the P.T. Sheet Plan dated 14/07/2003, the same were not produced before the Respondent No.1.



10. With reference to the contents of para 8 of the application under reply, the same comprises to be a factual position.

11. With reference to the contents of paras 9, 10 and 11 of the application under reply, the same are denied.

12. With reference to the contents of paras 12 and 13 of the application under reply, the same are denied.

It is therefore prayed that the application under reply be dismissed.

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Mapuna Uoa
Pune, Maharashtra

01/11/2025

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Respondent No.3
(Aadhar No 7511 4743 3114)

**Solemnly affirmed
Before me**

[Handwritten signature]

Adv. Mohammed Ibrahim
Notary Bardez (Taluka).
State of Goa, India.
Regn. No. 4493 Date 1 NOV 2025

