



BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

MA No. 10/2024

In

Execution Application No. 5/2023

In

Appeal No. 16/2022

SUVARNA RAJARAM

BANDEKAR

... APPLICANT

Vs

GOA COASTAL ZONE MANAGEMENT

AUTHORITY & ORS.

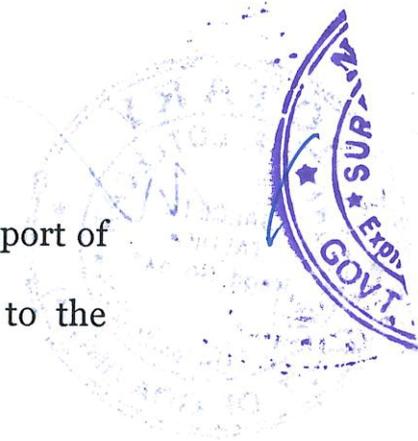
... RESPONDENTS

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 5 &
6 TO THE REPLY AFFIDAVIT FILED BY THE
RESPONDENT NO.1.**

I, Jovek Cardozo, son of Armando Cardozo, Indian Citizen,
aged about 49 years, resident of H.no. 107/a, Sernabatim,
Salcete, Goa, the Respondent no.6 herein above, do hereby

solemnly affirm and state as under:-

1. I say that I have perused the Reply and the Report of the Goa State Bio-Diversity Board annexed to the Reply.
2. I say that the Respondent No.1 on the basis of the Report claims that Respondent Nos.5 to 12 should be directed to deposit Rs. 9,57,000/- (Rupees Nine Lakhs Fifty-Seven Thousand Only) to the Goa State Bio-Diversity Board.
3. I say that there were structures existing in Survey No.16/7 of Sernabatim Village, which were ordered to be demolished by the respondent no.1 *vide* its Order dated 25.03.2022. The Appeal against the same before this Hon'ble Tribunal was dismissed *vide* Order dated 21.10.2022 and the Hon'ble Supreme Court dismissed the Appeal filed by this Respondent *vide* Judgment and Order dated 25.11.2022.





4. I say that it is a matter of record that the delineation plan of Survey no. 16/7 of Seranabatim Village of Salcete, Taluka, issued by the GCZMA which itself clearly shows that there the said property does not have any Sand Dunes.

A copy of the delineation plan issued to the respondent no.4 is hereto annexed and marked as **EXHIBIT-A**.

5. I say that in delineation plan of CRZ, if sand dunes are present the same is indicated. I say that in the adjoining property bearing survey no. 16/2 of Seranabatim Village of Salcete, Taluka, the delineation plan clearly shows existence of sand dunes. A copy of the letter dated 14.08.2024 alongwith the delineation plan is hereto annexed and marked as **EXHIBIT-B**.

6. I say that in the entire report except for stating that the area is sandy in nature, which is bound to be considering that the property is abutting the Sernabatim beach and from time to time, sand gets blown onto the parts of the property with the velocity

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of the wind. This is a regular feature in all the properties, whether building sites or otherwise which are affected by sand deposits on account of their proximity to the beach and on account of the velocity of the winds.



7. I say that the photographs also indicate that in the property, there are no sand dunes and the property is a plain barren muddy land, suitable for construction.
8. I say that the demolition having been carried out, the land already stands restored to its original status i.e. the status of the land before construction was carried out thereon.
9. I say that in properties which abut the coastal area, there is bound to be presence of all kinds of flora, which is also found in the suit property.
10. I say that the report at no stage has indicated the status of the property prior to construction. Therefore,

in the garb of restoration, plantation of trees with local vegetation cannot be done. The other option suggested is that the local vegetation should be allowed to rejuvenate naturally. The report abruptly suggests that plantation should be done of various vegetation by stating that they are promising sand dune species. As a matter of fact, the suit property does not have any sand dunes, which is not only corroborated by the very report of the GCZMA but the same can be seen from the very photographs annexed to the Report as well.

11. I say that in such circumstances, there is no question of resorting to restoration by way of plantation, as suggested by the Goa Bio-Diversity Board. I say that the involvement of Goa Bio-Diversity Board is totally uncalled for.

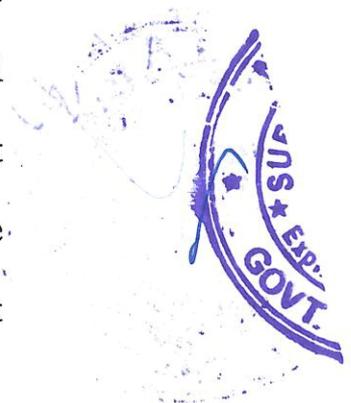
12. I say that the respondent no.1 which itself relies on remote sensing images, had within its possession, remote sensing images, which clearly indicated presence of the structures in the suit property even in

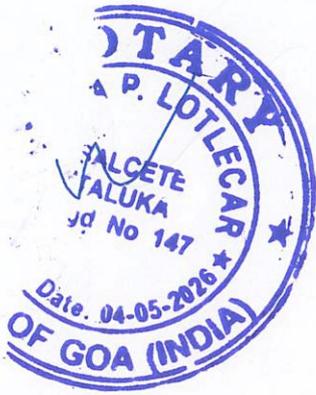


the year 1990. However, by not considering these images, which were within the possession and knowledge of the respondent no.1, the respondent no.1 ordered demolition of the structures on the ground that the same were constructed post 19.02.1991.

A copy of the remote sensing image obtained from the respondent no.1 is hereto annexed and marked as EXHIBIT-C.

13. In the aforesaid circumstances, the respondent no.1 having ordered demolition despite records in its possession indicating presence of the structures in the Said Property even prior to 19.02.1991 has caused untold and undue prejudice to this Respondent and has struck at the livelihood of this Respondent. To make matters worse, the Respondent No.1 is now seeking to change the nature of the property by suggesting that plantation should be done in the Suit Property as if the Suit Property has sand dunes.





14.I say that the demolition of the existing structures itself results in restoring the land to its earlier status. There having been no evidence placed on record about the status of the property prior to construction of the structures, such report cannot be relied upon and no forcible change of nature of the property can be directed based on such report which has got no basis and has not made any attempts to indicate the status of the property prior to the demolition.

15.I say that in view of the above, the Report is liable to be rejected and no order is liable to be passed directing the Respondent nos. 5 to 12 to deposit any further amount, much less Rs.9,57,000/- (Rupees Nine Lakhs Fifty-Seven Thousand Only).

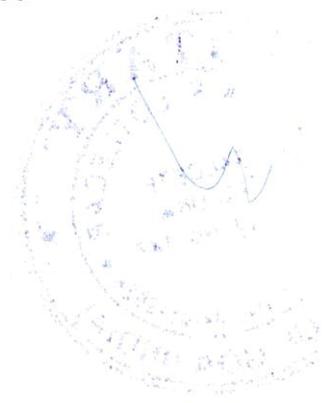
16.I say that the contents of paragraph nos. 1, 2, 4, 5, 6, 7, 8, 9, 10(p), 11(p), 12(p) and 14(p) are true to my knowledge and belief and the contents of paragraph

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nos. 3, 9(p), 10(p), 11(p), 12(p), 14(p) and 15 are based on legal submissions which I believe to be true.

Solemnly Affirmed at Margao, Goa

On 27th June, 2025



[Signature]

DEPONENT

Solemnly affirmed before me by

Jovek Cardozo

who is identified by

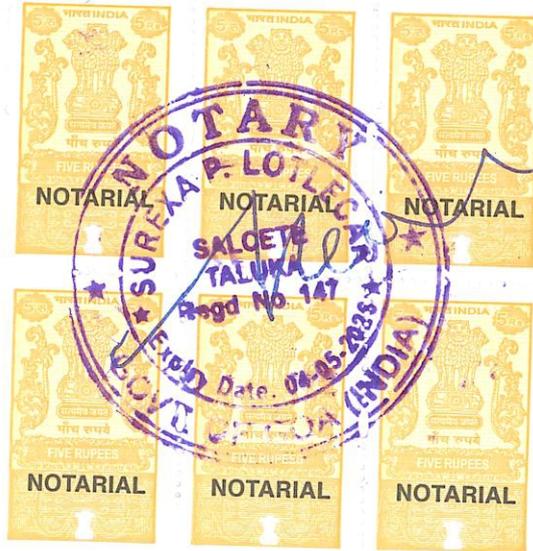
Aadhaar Card no: 4985 5570 8843

to whom I personally know

Reg. No. 6743/2025

Date: 27/06/2025

[Signature]
SUREXA P. LOTLECAR
NOTARY MARGAO
SALCETE TALUKA
STATE OF GOA (INDIA)





Government of Goa
Department of Environment & Climate Change
4th Floor, Dempo Tower, Patto, Panaji-Goa
e-mail: dir-env.goa@gov.in

No: 23-194-2023/ENVT&CC/DIR/Deli/158

Date: 09/02/2024

To,

Jovek Cardoza,
H.No. 107/A, Sernabatim,
Ambeaxir, Salcete Goa.

Sub: Delineation of CRZ line in the property bearing Survey No. 16/7, Sernabatim Village Salcete Taluka
Ref : Your letter No.Nil dated 12.01.2024.

Sir,

With reference to your letter dated 12.01.2024 and received in this office on 12.01.2024 on the above mentioned subject, please find enclosed herewith copy of delineation plan showing Survey No. 16/7 of Sernabatim Village, Salcete Taluka which is partly falls within CRZ III area (NDZ, 0-200 mts) and partly falls within CRZ III area (200-500mts) as per CZMP 2011.

No developmental activity can take place within the CRZ area, except with the prior approval of the GCZMA / Ministry of Environment and Forest, Government of India, as the case may be, and subject to compliance of the guidelines / rules/ regulations prescribed in the CRZ Notification 2011 and as per the CZMP 2011.

This is issued as per your request.

Yours Faithfully,

(Shri Sanjeev Joglekar)
OSD (Env. & CC)

Encl: As above.



Government of Goa

Directorate of Settlement and Land records
Plan

Taluka / Village Name : SALCETE / Sernabatim

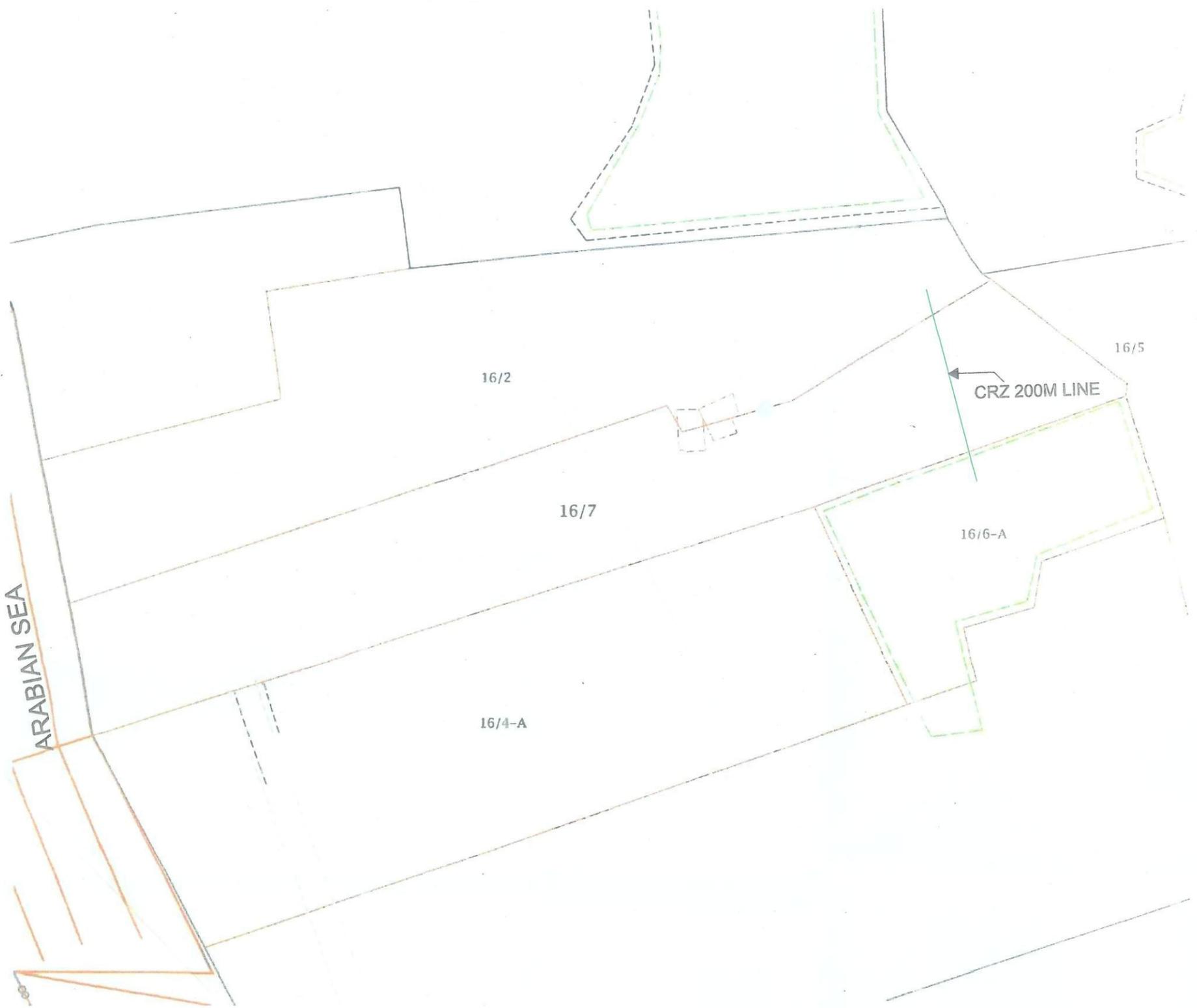
Survey / Subdiv No. : 16/7

Appln Date : 13/12/2023

Ref. No.: 51755



Scale 1:1000



(Signature)
 PREPARED BY : VIGHNESH NAIK
 (F.S. GCZMA)



No. 23-194-2023 / ENT SEC DIR / DELI / 158
 dt. 09/12/2024

LEGENDS	
CRZ LINE	

Report Generated By: RUCHITA MADKAIKAR

Page Size : A3



Government of Goa
Department of Environment & Climate Change
4th Floor, Dempo Tower, Patto, Panaji-Goa
e-mail: dir-env.goa@gov.in

No: 23-176-2023/ENVT&CC/DIR/Deli/ 83

Date: 14 / 08 / 2024

To,
Jovek Cardozo,
H.No. 107/A, Sernabatim,
Ambeaxir, Salcete – Goa.

Sub: Delineation of CRZ line in the property bearing Survey No. 16/2, of Sernabatim Village Salcete Taluka

Ref : 1) Your letter No.Nil dated 12.12.2023.

2) No. 23-176-2023/ENVT&CC/DIR/Deli/147 dated 19/01/2024

Sir,

In supersession of the letter issued vide to above this is to clarify that with reference to your letter dated 12.12.2023 and received in this office on 12.12.2023 on the above mentioned subject, please find enclosed herewith copy of delineation plan showing Survey No. 16/2 of Sernabatim Village, Salcete Taluka partly covered with CRZ IA (Sand Dune), partly part of the plot falls with in CRZ III (NDZ, 0-200 mts) and partly falls with in CRZ III (200-500 mts).

No flattening of sand dunes shall be carried out and it should be protected. No developmental activity can take place within the CRZ area, except with the prior approval of the GCZMA / Ministry of Environment and Forest, Government of India, as the case may be, and subject to compliance of the guidelines / rules/ regulations prescribed in the CRZ Notification 2011 and as per the CZMP 2011.

This letter cited (2) above stands withdrawn and should not be used on legal or other purpose.

Yours Faithfully,

(Shri Sanjeev Joglekar)
OSD (Env. & CC)

Encl: As above.



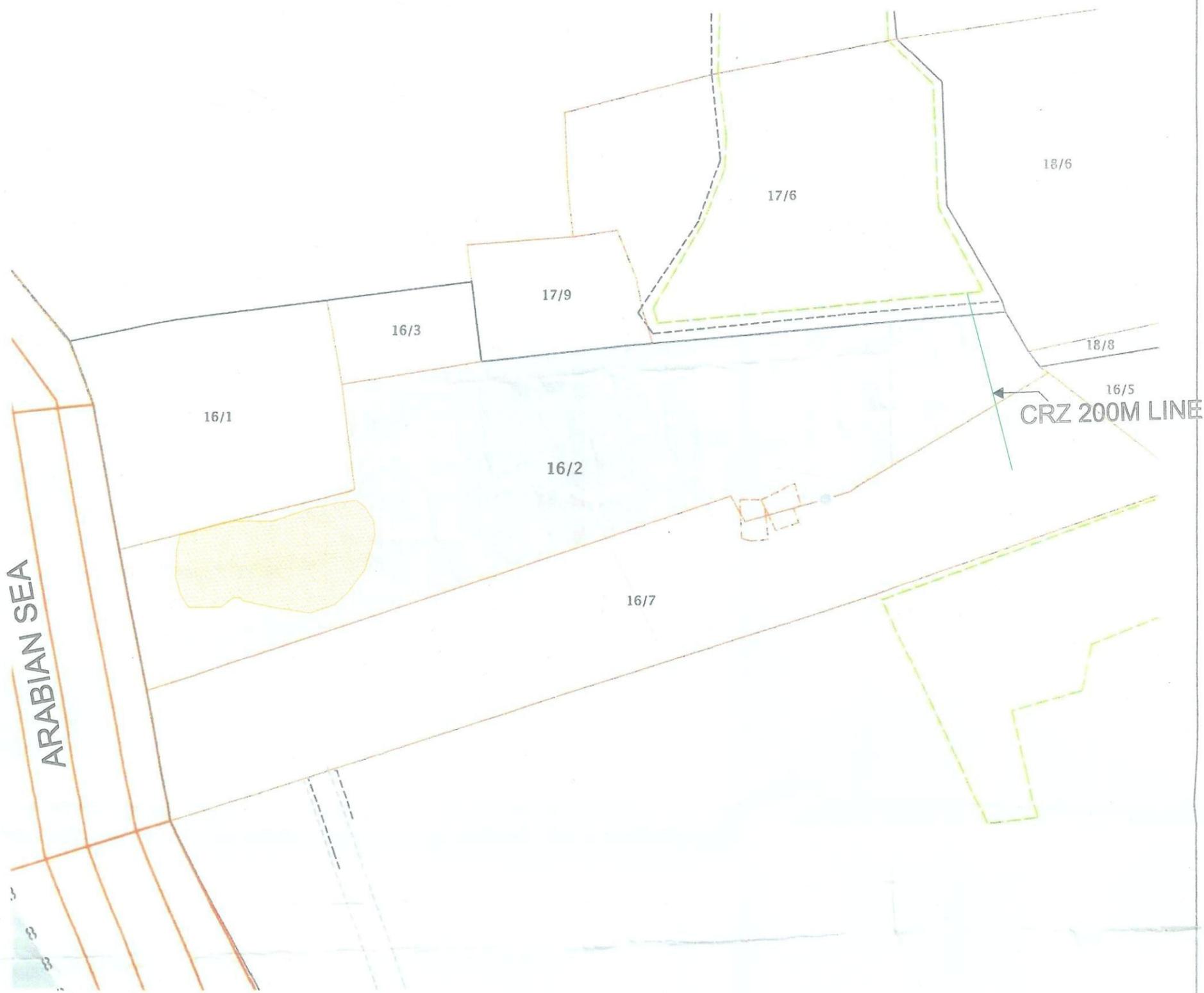
Government of Goa
 Directorate of Settlement and Land records
 Plan
 Taluka / Village Name : SALCETE / Sernabatim
 Survey / Subdiv No. : 16/2

Appln Date :25/09/2023

Ref. No.: 40880



Scale 1:1000



Vighnesh Naik

PREPARED BY : VIGHNESH NAIK
(F.S. GCZMA)



No. 23-176-2023/EMWTACC/D112/Deli/03
dt 14/8/2024

LEGENDS	
CRZ LINE	
SAND DUNE	

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GOA COASTAL AND ENVIRONMENT MANAGEMENT SOCIETY (GC&EMS)
C/o Department of Environment and Climate Change
4th Floor, Dempo Towers, Patto Panaji Goa - 403001.
e-mail: goacoastalandenvtmangscity@gmail.com

No:2-4-2023/GC&EMS/MISC/43

Dated: 09/01/2024

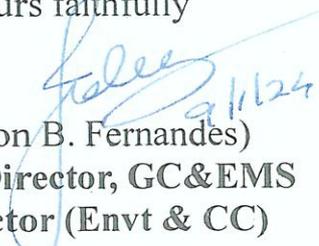
To,
Maria Odry Cardozo
Resident at S-5,
Kurtarkar Vihar Aquem Alto,
Margao South Goa

**Sub: Satellite Imagery Report in Survey No.16/7 of Sernabatim Village Salcete
Goa**

Madam,

With reference to the above subject matter, please find enclosed herewith
Satellite Imagery Report in respect of property bearing Survey No. 16/7 of
Sernabatim Village Salcete Goa for the year 1991 & 1993.

Yours faithfully


(Johnson B. Fernandes)
Project Director, GC&EMS
& Director (Envt & CC)

Encl: As above.

Ref: RSIPL/Goa-CRZ/Case001

Date: 20.11.2023

To,
Mr Sanjeev Joglekar
Addl. Project Director
Goa Coastal & Environment Management Society,
C/o Department of Environment & Climate Change,
4th Floor, Dempo Towers,
Patto Panaji Goa -403001.

Sub:- Satellite Imagery Report of Survey Number 16/7 of Sernabatim Village.

Ref:- 2-4-2023/GC&EMS/Misc/27, dated 10/10/2023.

Dear Sir,

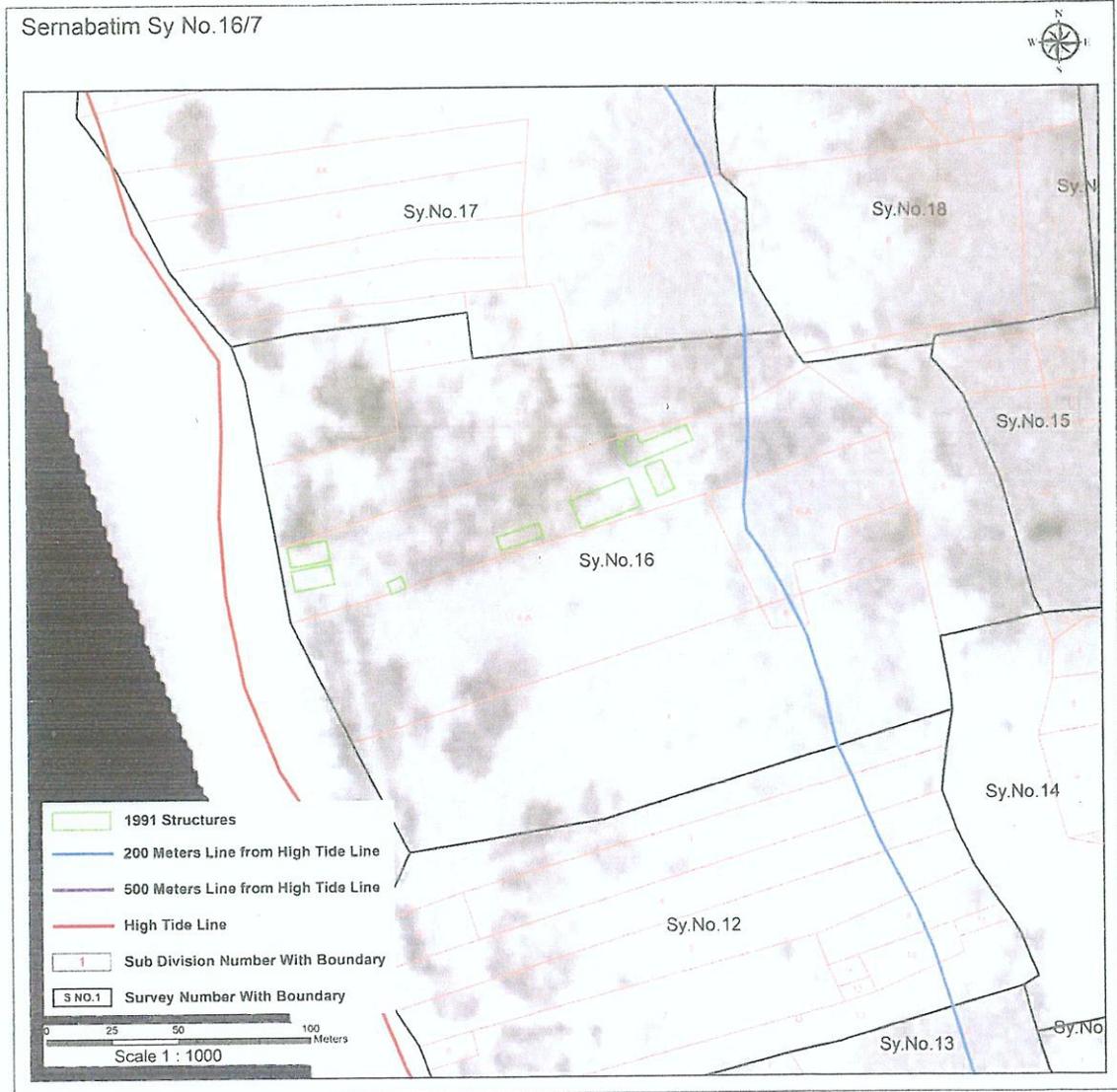
This is with reference to your request to provide the satellite imagery report of the survey number 16/7 of Sernabatim Village. Please find enclosed the same.

Yours sincerely
for RSI SOFTECH INDIA PVT LTD.,

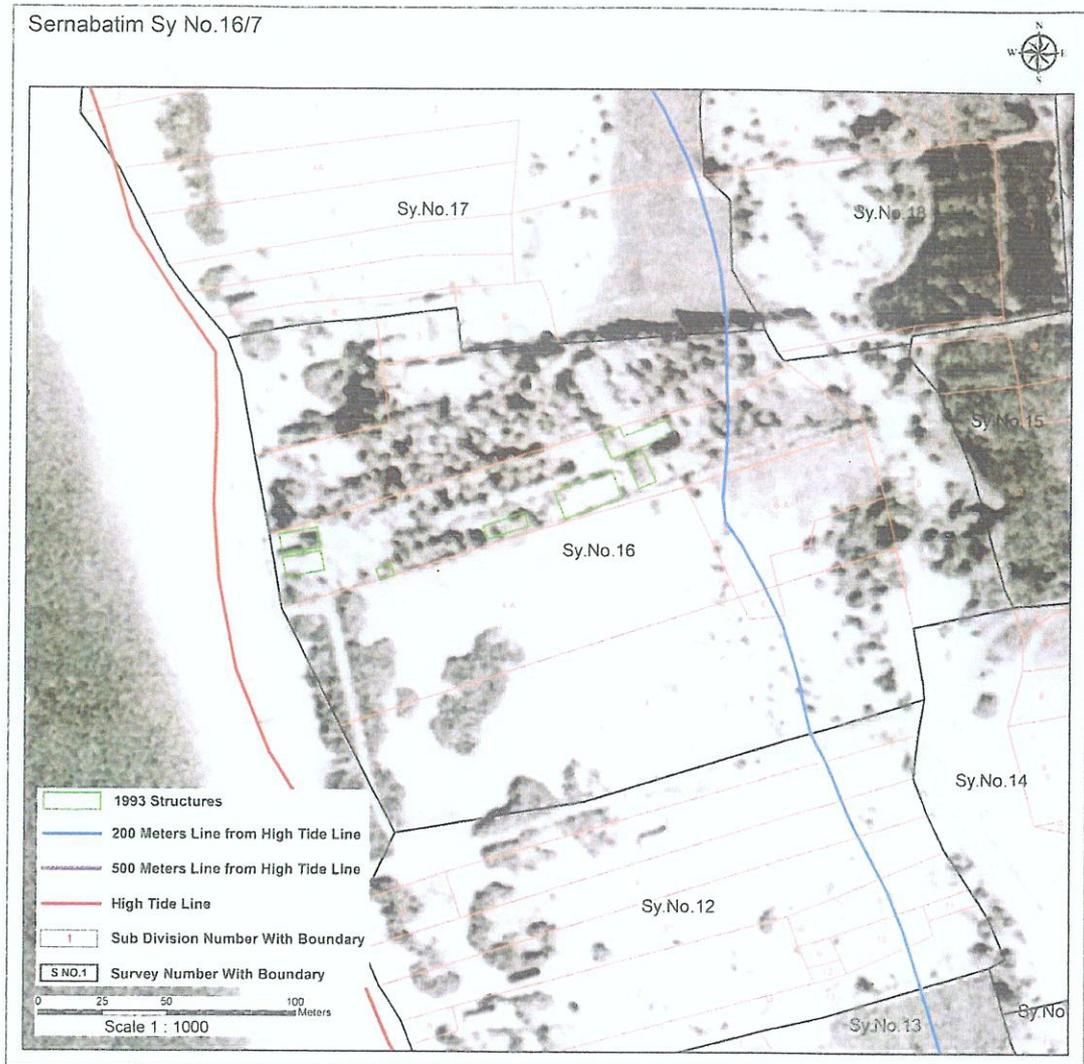

T. GANGADHAR RAO
DIRECTOR



Enclosed: Satellite Imagery Report of Survey Number 16/7 of Sernabatim Village.
Total Number of Pages in this Report: 3 (Including this cover letter).



Source of the Imagery Data : Russian MIR Imagery
 Year of Imagery Capture : 1991



Source of the Imagery Data : Indian Airforce Aerial Data
 Year of Imagery Capture : 1993