



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

EXECUTION APPLICATION NO. 20 OF 2023 (WZ)

IN THE MATTER OF:

CHANDAN SURYAKANT  
KHORJUVEKAR

... APPLICANT

VERSUS

GOA COASTAL ZONE

MANAGEMENT AUTHORITY & ORS. ... RESPONDENTS

AFFIDAVIT-IN-REPLY ON BEHALF OF RESPONDENT  
NO. 3

I, MR JOHNSON BEDY FERNANDES, major of age, Director of Department of Environment and Climate Change, Government of Goa, having office at 4<sup>th</sup> Floor, Dempo Towers, Patto, Panaji, Goa, do hereby on solemn affirmation state and submit on oath as under:

1. I say that I am holding the post of Director of Department of Environment and Climate Change, Government of Goa. 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 3 denies all the averments, allegations and contentions raised by the Petitioner *in toto*, save and what are matter(s) of record. Nothing stated in the

*J. Bedy*

present petition shall be deemed to be admitted by Respondent No. 3 unless specifically admitted hereinafter.

3. I say that the Applicant has filed the captioned Application seeking execution of the judgement and final order dated 26.07.2023 passed by this Hon'ble Tribunal in the Applicant's Original Application No. 70 of 2022 (WZ).
4. I say that the Respondent No 1 was required to prepare and upload 1:4000 scale CZMP maps on its website. I say that this Hon'ble Tribunal had directed as under in its judgement dated 26.07.2023:  

*“The Notification does not state who will approve CZMPs prepared in the scale 1:4000 to be used by local agencies. In absence of clear directions from MoEF&CC, we leave it to the discretion of GCZMA whether to upload 1:4000 scale CZMP maps on the website. We decide this issue accordingly.”*
5. I say that the Respondent No 3 i.e the Department of Environment and Climate Change, Government of Goa had issued a letter dated 05.10.2023 to the National Centre for Sustainable Coastal Management [hereinafter, “NCSCM”]. The said letter stated that overlapping and voids at boundaries at villages cannot be ruled out and, therefore, discrepancies may be recorded on the CZMP maps in the 1:4000 scale. Hence, the NCSCM was requested to update the CZMP maps.



Hereto annexed is a true copy of the Letter dated 05.10.2023 marked as "Annexure A"

6. I say that the NCSCM responded to the aforesaid letter by its letter dated 27.10.2023. I say that NCSCM *vide* its letter dated 27.10.2024 stated, *inter alia*, that no changes can be made to the LTL/HTL, ESA and CRZ in the CZMP without the approval of the Ministry of Environment, Forest and Climate Change, Government of India. [hereinafter, "*MoEF&CC*"].

Hereto annexed is a true copy of the Letter dated 27.10.2023 marked as "Annexure B"

7. I say that a perusal of the aforesaid letters indicates that there may be certain discrepancies in the CZMPs of 1:4000 scale prepared by the NCSCM. I say that the MoEF & CC is the appropriate authority to decide on the implementation of the 1:4000 scale maps.
8. I say that the CZMP-2011 was notified on 06/09/2022, after the approval of MoEF & CC. I say that correction of abovementioned discrepancy in the CZMP maps requires the approval of MoEF & CC for which purpose the NCZMA has referred the draft updated CZMP 2011 to the Technical Scrutiny Committee (TSC).

Hereto annexed as "Annexure C" is the copy of the said letter of NCZMA.




9. I say that the TSC held a meeting on 17/12/2024 via VC & they have raised queries pertaining to the methodology used to correct the CZMP 2011 which is not in consonance with the updated Bhumaksha plans of our state.

Hereto annexed as "Annexure D" is the copy of the e-mail received from NCSCM communicating the meeting of TSC to be held by VC on 17/12/2024.



10. I say that we are yet to understand as to what is the methodology sought to be known by the TSC & we are in the process of seeking clarifications from the NCSCM on this aspect.
11. I say that it may be noted that this Hon'ble Tribunal has left the decision to upload 1:4000 scale maps to Respondent No. 1's discretion.
12. I say that Respondent No 3 is currently in the process of creating an online portal for accepting and processing the approvals and permissions. I say that the same is pending approval of the Government of Goa. I say that Respondent No 3 has submitted a proposal dated 30.06.2023 in this regard. I say that the creation of an online portal involves issuance of a tender and that it is for the Government to process and finalize the proposal. I say that the same is under consideration and

Respondent No. 3 is pursuing the matter. I say that this Department is not in a position to commit on the process of the Government.

Hereto annexed is a copy of the Proposal dated 30.06.2023 marked as "Annexure E".

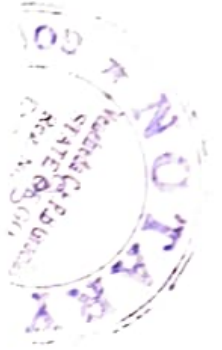
13. I say that Respondent No. 3 undertakes to comply with the remaining directions of this Hon'ble Tribunal in letter and in spirit. Hence, in view of the aforesaid, it is submitted that the captioned matter may kindly be disposed off.



  
DEPONENT

VERIFICATION

I, MR JOHNSON BEDY FERNANDES, major of age, Director of Department of Environment and Climate Change, Government of Goa, having office at 4th Floor, Dempo Towers, Patto, Panaji, Goa, do hereby state on solemn oath and affirmation that the facts stated hereinabove in this Affidavit-in-Reply are true and correct to the best of knowledge, information and belief, and nothing has been concealed.



Verified at Panaji on this 17<sup>th</sup> day of December, 2024.



*[Handwritten Signature]*  
DEPONENT



Executed before me  
At Panjim Tiswadi - Goa  
Reg. No. 192/12/2024  
Dated: 17/12/2024

*[Handwritten Signature]*  
Venefrada C.P.P.B Gracias  
Advocate & Notary Goa State



**Government of Goa**  
**Department of Environment & Climate Change**  
**4<sup>th</sup> Floor, De npe Tower, Patto, Panaji-Goa**  
 Phone Nos.: 0832-2951089 e-mail: dir-env.goa@gov.in

No. 15-5-2022/DIR/ENVT & CC/905

Date: 5/10/2023

To.

**The Director,**

National Centre for Sustainable Coastal Management,  
 Anna University Campus,  
 Chennai 600025.

**Sub: Shape file of CZMP 2011 of State of Goa in 1:4000 Scale.**


**Ref : No.NCSCM/CZMA/Goa/23-395/EDC dated 04/09/2023.**

Sir,

Enclosed herewith is the communication received from the Department of Settlement & Land Records, Panaji-Goa. As stated in said letter overlapping and voids at boundaries of villages cannot be ruled out therefore a discrepancies may be recorded on the CZMP maps in 1:4000 Scale as follows "CZMP 2011 map is subject to variation if there are alteration carried out of village boundaries by the State of Goa, which updation shall be further done in CZMP 2011 by NCSCM".

The CZMP maps in 1:4000 scale may be updated by your Institution with latest village wise shape file prepared by State of Goa and shared with you on 7/7/2023. Accordingly the delineation on LTL/HTL should also be appropriately updated in the CZMP map in 1:4000 scale as per shape files provided on 7/7/2023. The letter from DSLR dated 3/10/2023 is enclosed for your reference.

Yours faithfully

  
 (Dr. Levinson J. Martins)  
**Director (Environment & CC)**

Encl: As above.

Copy to:

1. The O.S.D to Hon'ble Minister for Environment & Climate Change, Secretariat, Porvorim-Goa.
2. P.A. to Secretary (Environment & Climate Change), Secretariat, Porvorim-Goa.

206/c

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Annexure B



NATIONAL CENTRE FOR SUSTAINABLE COASTAL MANAGEMENT  
Ministry of Environment, Forest & Climate Change, Government of India

No. NCSCM/CZMA/Goa/23- 476 /EDC

dated 27/10/2023

TO

The Director, Environment & Climate Change,  
Department of Environment & Climate Change,  
Government of Goa,  
4<sup>th</sup> Floor, Dempo Towers, Patto, Panaji, Goa – 403 001.

Secretary (Env)  
Inward No.: 461/c  
Date: 3/11/23

Director/Jt. Secretary (ENV)  
Inward No.: 25/5  
Date: 06/11/2023

SUB: SUBMISSION OF 1:4000 SCALE DRAFT CZM MAPS BASED ON SHAPEFILES OF CADASTRAL DATA PROVIDED BY DSLR TO NCSCM ON 7/07/2023 - REG.

- Ref: 1. NCSCM email dated 18/08/2023 regarding errors observed in the modified downloaded cadastral data of Goa.
- 2. Your letter No. 15-5-2022/DIR/ENVT & CC/905 dated 5/10/2023.

With reference to your letter dated 5/10/2023 cited above, the pdf copies of the draft CZM maps (2011) of Goa on 1:4000 scale prepared by replacing the Cadastral data layer with the georeferenced shapefiles of cadastral data provided by DSLR, Goa to NCSCM on 7/07/2023, with discrepancies in the Shapefiles of overlapping and voids at village boundaries on the approved CZMP data, are enclosed herewith. Kindly confirm for submitting the hard copy prints.

For any such discrepancy or other discrepancies in the maps which may arise due to the discrepancies in the Shapefiles of DSLR of overlapping and voids at village boundaries, the office of DSLR, Goa will alone be responsible and all questions in this regard should be addressed to DSLR, Goa.

With reference to your request at para 2 of your letter No. 15-5-2022/DIR/ENVT & CC/905 dated 5/10/2023, that the delineation on LTL/HTL should also be appropriately updated in the CZMP map in 1:4000 scale as per shapefiles provided on 7/7/2023, it is stated that the LTL/HTL, ESA and CRZ have already been approved by the MoEF&CC as part of the CZMP of Goa and no changes can be made to LTL/HTL, ESA and CRZ, without the approval of MoEF&CC, New Delhi. In this regard, you are requested to kindly approach MoEF&CC, New Delhi, to update/change the HTL/LTL etc.

Re  
3/11/23  
Dr. 1/23

LS

Sarvesh/Sachin  
Verify and discuss


2051e

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**NATIONAL CENTRE FOR SUSTAINABLE COASTAL MANAGEMENT**  
*Ministry of Environment, Forest & Climate Change, Government of India*

This completes the contract for preparation of CZM maps of Goa (2011) on 1:4000 scale. Kindly note that the CZM maps of Goa (2011) on 1:4000 scale approved by the GCZMA were submitted by the GCZMA to MoEF&CC on 23/08/2022 and the Shapefiles of the same CZM maps of Goa (2011) on 1:4000 scale were submitted by NCSCM in a CD vide NCSCM letter No. NCSCM/CZMA/Goa/23-395/EDC dated 4/09/2023.

  
23/10/23  
Dr. Badarees K O  
For Director, NCSCM.

Encl: pdf copies of the draft CZM maps (2011) of Goa on 1:4000 scale.

✓ Copy to: The Secretary (Environment & Climate Change), Secretariat, Porvorim, Goa.

**18TH MEETING OF THE CZMP TECHNICAL SCRUTINY COMMITTEE ON TUESDAY, 17/12/2024, TO CARRY OUT TECHNICAL SCRUTINY OF THE DRAFT CZMPs/ICRZ PLANS/IIMPs**

4 messages

M DHARMA Raj &lt;kdrajin@gmail.com&gt;

Thu, Dec 5, 2024 at 10:25 AM

To: secfed@gujarat.gov.in, direnv@gujarat.gov.in, ms@gecgujarat.org, mail-gec@gujarat.gov.in, secyenv.goa@gov.in, Ravi Jha <dir-env.goa@gov.in>, gczma gczma <goacoastalzone@gmail.com>, psecy.env-wb@gov.in, Chief Environment Officer <environmentwb@gmail.com>, wbsczma@gmail.com, pccfani@gmail.com, APCCF CRZFC <apccf.crzfc@gmail.com>, contact.ieswm@gmail.com, crzcell.ieswm@gmail.com, Purvaja Ramachandran <purvaja@ncscm.res.in>, Dr Shailesh Nayak <shailesh@nias.res.in>, SUBRAMANIAN BR <brsche2012@gmail.com>, Thomas Kv <thomas.cess@gmail.com>, Anjali Bahuguna <anjaliabahuguna30@gmail.com>  
Cc: Badarees Ko <badarees@gmail.com>, Manik Mahapatra <mahapatra.sac@gmail.com>, PS2 Director <ps2director@ncscm.org>

To

1. The Principal Secretary, Forest and Environment Department, Government of Gujarat, Secretariat, GandhiNagar- 382010 (email: secfed@gujarat.gov.in; direnv@gujarat.gov.in; ms@gecgujarat.org; mail-gec@gujarat.gov.in).
2. The Secretary for Environment and Climate Change, Government of Goa, (email: secyenv.goa@gov.in; dir-env.goa@gov.in; goacoastalzone@gmail.com).
3. The Principal Secretary, Department of Environment, Government of West Bengal (email: psecy.env-wb@gov.in; environmentwb@gmail.com; wbsczma@gmail.com).
4. The Principal Chief Conservator of Forests [ANI] & Principal Secretary, Environment & Forests/Science & Technology, Andaman & Nicobar Administration, Vansadhan, Haddo, Sri Vijayapuram - 744102 (email: pccfani@gmail.com; apccf.crzfc@gmail.com).
5. The Director, IESWM, Department of Environment, Govt. Of West Bengal, DD-24, Sector-I, Salt Lake, Kolkata- 700 064 (email: contact.ieswm@gmail.com; crzcell.ieswm@gmail.com).
6. The Director, NCSCM, Chennai.

Sir/Madam,

The 18<sup>th</sup> meeting of the CZMP Technical Scrutiny Committee will be held on Tuesday, 17<sup>th</sup> of December, 2024 at 11:00 am, under the Chairmanship of Dr. Shailesh Nayak R, Former Secretary, Ministry of Earth Sciences (MoES), Govt. of India & Director, National Institute of Advanced Studies (NIAS), IISC campus, Bangalore, to carry out technical scrutiny of the revised draft of the approved CZMP-2011 of Goa, the draft CZMP-2019 of 6 districts of Gujarat, the draft CZMP-2019 of West Bengal, the final modified draft ICRZ Plans/IIMPs (2019) of 10 Andaman & Nicobar Islands and the draft IIMPs (2019) of Netaji Subhash Chandra Bose Island and Shaheed Dweep (Neil Island), Andaman & Nicobar Islands.

The Principal Secretary, Forest and Environment Department, Government of Gujarat, the Secretary for Environment and Climate Change, Government of Goa, the Principal Secretary, Department of Environment, Government of West Bengal, the PCCF & Principal Secretary, Environment & Forests/Science & Technology, Andaman & Nicobar Administration, Director IESWM and Director, NCSCM are requested to kindly make presentations on the draft CZMPs/ICRZ Plans/IIMPs of the respective States/UTs/Islands, as applicable, including the public hearing issues, as per the attached agenda and also to kindly provide copies of the presentations, maps, reports and public hearing issues (replies to suggestions/objections received from the Public) in advance, to Director, NCSCM and by way of a reply to this email (preferably by File Transfer / File share link), latest by 10/12/2024, for scrutiny.


The meeting will be held in the "Atoll" Conference room, A Block, 3<sup>rd</sup> Floor, NCSCM, Chennai. The link for the Online/VC meeting will be shared with the participants who wish to attend the meeting online.

All are requested to kindly attend.

The agenda for the meeting is attached herewith.

Kindly acknowledge receipt.

Yours Sincerely,  
M Dharma Raj,  
Member Secretary,  
CZMP Technical Scrutiny Committee.

 **Agenda for the 18th TSC meeting on 17.12.2024.pdf**  
120K

Thomas K V <thomas.cess@gmail.com>  
To: M DHARMA Raj <kdrajin@gmail.com>

Thu, Dec 5, 2024 at 2:07 PM

Cc: secfed@gujarat.gov.in, direnv@gujarat.gov.in, ms@gecgujarat.org, mail-gec@gujarat.gov.in, secyenv.goa@gov.in, Ravi Jha <dir-env.goa@gov.in>, gcзма gcзма <goacoastalzone@gmail.com>, psecy.env-wb@gov.in, Chief Environment Officer <environmentwb@gmail.com>, wbsczma@gmail.com, pccfani@gmail.com, APCCF CRZFC <apccf.crzfc@gmail.com>, contact.ieswm@gmail.com, crzcell.ieswm@gmail.com, Purvaja Ramachandran <purvaja@ncscm.res.in>, Dr Shailesh Nayak <shailesh@nias.res.in>, SUBRAMANIAN BR <brsche2012@gmail.com>, Anjali Bahuguna <anjaliabahuguna30@gmail.com>, Badarees Ko <badarees@gmail.com>, Manik Mahapatra <mahapatra.sac@gmail.com>, PS2 Director <ps2director@ncscm.org>

Thank you Dharmaraj.  
I will be attending.

regards  
thomas

Dr. K.V. Thomas  
former Scientist G & Group Head, NCESS, Thiruvananthapuram  
former Dean, Kerala University of Fisheries and Ocean Studies, Kochi

[Quoted text hidden]

M DHARMA Raj <kdrajin@gmail.com>

Mon, Dec 9, 2024 at 10:41 AM

To: secfed@gujarat.gov.in, direnv@gujarat.gov.in, mail-gec@gujarat.gov.in, secyenv.goa@gov.in, Ravi Jha <dir-env.goa@gov.in>, gcзма gcзма <goacoastalzone@gmail.com>, psecy.env-wb@gov.in, Chief Environment Officer <environmentwb@gmail.com>, wbsczma@gmail.com, pccfani@gmail.com, APCCF CRZFC <apccf.crzfc@gmail.com>, contact.ieswm@gmail.com, crzcell.ieswm@gmail.com, Purvaja Ramachandran <purvaja@ncscm.res.in>, Dr Shailesh Nayak <shailesh@nias.res.in>, SUBRAMANIAN BR <brsche2012@gmail.com>, Thomas Kv <thomas.cess@gmail.com>, Anjali Bahuguna <anjaliabahuguna30@gmail.com>, ms-gec@gujarat.gov.in  
Cc: Badarees Ko <badarees@gmail.com>, Manik Mahapatra <mahapatra.sac@gmail.com>, PS2 Director <ps2director@ncscm.org>, EDCPROJECTS NCSCM <edcprojects@ncscm.org>

Sir/Madam,

Your kind attention is invited to the trailing mail regarding the time of commencement of the 18<sup>th</sup> meeting of the CZMP Technical Scrutiny Committee.

This is to inform that due to certain administrative reasons, the meeting will now commence at 9:30 am (instead of 11:00 am) on the same day i.e. Tuesday, 17/12/2024.

Accordingly, the revised Agenda with the revised commencement time/schedule is attached herewith for your kind information.

Yours Sincerely,  
M Dharma Raj,  
Member Secretary,  
CZMP Technical Scrutiny Committee.

[Quoted text hidden]

 **Revised Agenda for the 18th TSC meeting (Starts at 9\_30 am).pdf**  
119K

Anjali Bahuguna <anjaliabahuguna30@gmail.com>  
To: M DHARMA Raj <kdrajin@gmail.com>

Mon, Dec 9, 2024 at 6:17 PM

Cc: secfed@gujarat.gov.in, direnv@gujarat.gov.in, mail-gec@gujarat.gov.in, secyenv.goa@gov.in, Ravi Jha <dir-env.goa@gov.in>, gcзма gcзма <goacoastalzone@gmail.com>, psecy.env-wb@gov.in, Chief Environment Officer <environmentwb@gmail.com>, wbsczma@gmail.com, pccfani@gmail.com, APCCF CRZFC <apccf.crzfc@gmail.com>, contact.ieswm@gmail.com, crzcell.ieswm@gmail.com, Purvaja Ramachandran <purvaja@ncscm.res.in>, Dr Shailesh Nayak

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mailesh@nias.res.in>, SUBRAMANIAN BR <brsche2012@gmail.com>, Thomas Kv <thomas.cess@gmail.com>, ms-  
gec@gujarat.gov.in, Badarees Ko <badarees@gmail.com>, Manik Mahapatra <mahapatra.sac@gmail.com>, PS2 Director  
<ps2director@ncscm.org>, EDCPROJECTS NCSCM <edcprojects@ncscm.org>

Ok

[Quoted text hidden]

## Annexure E

N/I

No.6-6-2023/GC&amp;EMS/Proposal/SaaS

Date: 30/01/2023

Department of Environment and Climate Change has notified the noise action plan where in application are required to submit an application to Goa State Pollution Control Board and seek their report in order to hold a public / private functions at present the application are being processed in the office of Dy. Collector to the Goa State Pollution Control Board and the applications are required to submit the form physically to the Goa State Pollution Control Board at Saligoa this cause great difficulties to the applicants and also cause delay in processing.

Now Goa Coastal and Environment Management Society is in receipt of proposal from Ahasolar Technologies Limited for creation of an Online portal to process such applications **Without any cost of the State Government** the details of the proposal are as follows

Model	Description	Fees (In Rs.)
Model: SaaS Model	<p>A fully functional in Goa Unified Single Window Portal to Process Applications for Amplified Sound Licence</p> <ol style="list-style-type: none"> <li>1. Customized Portal for Goa to manage the Applications for Sound Licence in the State of Goa</li> <li>2. Maintainance of Portal</li> <li>3. Cloud Server &amp; Server Charges</li> <li>4. Any update related to the policy and scheme</li> <li>5. Availability on Web and App</li> <li>6. Mobile App development and maintenance</li> </ol>	Rs. 225/- (Plus taxes) per Application received at the portal

The agency has enclosed two such work orders issued by Goa Energy Development Agency to their firm for generating an Online portal for processing application of solar roof top subsidy and Electric Vehicles subsidy said order is placed in file at page 39/C to 40/C

It is now therefore proposed to issue work order to Ahasolar

Technologies Limited to create a Online portal for processing applications related to noise rules wherein they will charge Rs. 225 per application from the applicant. It is proposed to issue work order on behalf of Goa Coastal and Environment Management Society and include additional Rs. 25 per application for the Society.

*LSMC  
30/6/23*

(Sanjeev Joglekar)  
Addl. Project Director (GC&EMS) &  
OSD Environment & CC

*envt  
4366/E  
7/23*

~~Project Director (GC&EMS) :  
Director (Dept of Env&CC)~~

*Bitte  
7/7/23*

~~Secretary (Envt. & CC):  
Chairman (GC&EMS)~~

*A meeting with the PP is scheduled on 12.7.23 at 5.00 PM, under the chairpersonship of Hon. Minister (envt.). The procedural and legal issues may be deliberated upon after presentation to finalise the proposal.*

~~Hon'ble Minister for Environment & CC:~~

~~Hon. Minister (envt)~~

*12  
7-7-23*

*ex labour appeal and after the discuss a deliberation take may to put up again*

*[Signature]*

~~Dir of Env & CC~~

Office of the Minister for PWD  
ENVIRONMENT & CLIMATE CHANGE  
LAW & JUDICIARY, LEGISLATIVE AFFAIRS  
Inward No. 87  
Date: 07.07.2023

Director's Secretary (ENV)  
Inward No.: 1255  
Date: 07/07/2023