



BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE AT PUNE

Appeal No. 614/2025(WZ)

Francis William Fernandes ...Appellant

v/s

The Goa Coastal Zone  
Management Authority, ...Respondent

**AFFIDAVIT-IN-REJOINDER OF THE  
APPELLANT**

I, Francis William Fernandes, aged about 44 years, Indian National, residence of House No. 248(2), Dando Girkar Wada, Arambol, Pernem, Goa., the Appellant herein do hereby on solemn affirmation state as under:

1) I state that Shri. Sachin Desai, Member Secretary of the Goa Coastal Zone Management Authority the Respondent herein has filed the Affidavit-in-Reply dated 06/03/2026 in the aforesaid Appeal. I state that in the said Affidavit certain contentions have been taken which required to be appropriately dealt with as such I

am filing this short Affidavit only dealing with the said contention.

2) I state that this Hon'ble Tribunal has also granted leave to file Affidavit-in-Rejoinder as such I am filing this Affidavit-in-Rejoinder.

3) I state that I am not admitting any of the contentions of the Respondent taken in the said Affidavit-in-Reply and I repeat and reiterate all that has been stated in the Appeal filed by me.

4) I state that in Para 4 of the Affidavit-in-Reply filed by the Respondents, it has been stated that the Appellant in support of the contention that the structures were in existence as relied upon certain documents as mentioned at I to V.

5) I further state that the Respondent in para 5 of the Affidavit stated that the documents namely lease deed, Judgement dated 25/07/2025 passed by the Director of Panchayat and the Judgement dated 01/01/2024 passed by the Deputy Collector were never produced before the Respondent during the course of the proceedings leading to the passing of the Impugned Order despite the



Appellant having being afforded an opportunity to place all the relevant material on record.

6) I state that consequently the Impugned Order dated 13/10/2025 came to be passed without the benefit of considering the documents which have been produced for the first time in the present Appeal.

7) I state that from the perusal of the Impugned Order dated 13/10/2025, it can be seen that the Appellant indeed produced the Lease Deed, the Judgment and Order dated 01/01/2024 passed by the Deputy Collector & SDO wherein it was clearly held that the structures were in existence prior to 1991 and except for Judgement and Order passed by the Deputy Director of Panchayat 25/07/2025. I state that in the Impugned Order the Respondent considered and observed that the Appellant has produced on record Electricity Bill, Judgement and Order dated 01/01/2024 as well as Lease Agreement and without considering the said document merely observed that the Appellant has failed to produce on record any permission/Noc from the Respondent or any competent authority despite the fact that the Respondent in the Impugned Order observed that the Appellant has relied upon permission issued by



the Village Panchayat of Arambol for constructing temporary huts.

8) I state that the Respondent without considering the said document including the Order passed by the Deputy Collector, Lease Deed and the permissions granted by the Village Panchayat Arambol has merely observed that the Appellant has not produced any documents, permission/approval of the competent authority.

9) I state that the Appellant infact made an attempt to submit the copy of the Judgement and Order dated 25/07/2025 passed by the Additional Director of Panchayat however the then Chairman of the Respondent not allowed the Appellant to submit the copy of the said Order and has mechanically proceeded and passed the Impugned Order without considering any of the documents.

10) I state that in view of above the Impugned Order passed by the Respondent herein is required to be set aside as the Order has been passed by completely ignoring the documents produced by the Appellant before the Respondent. Therefore, the contention raised by the Respondent that there was no benefit of



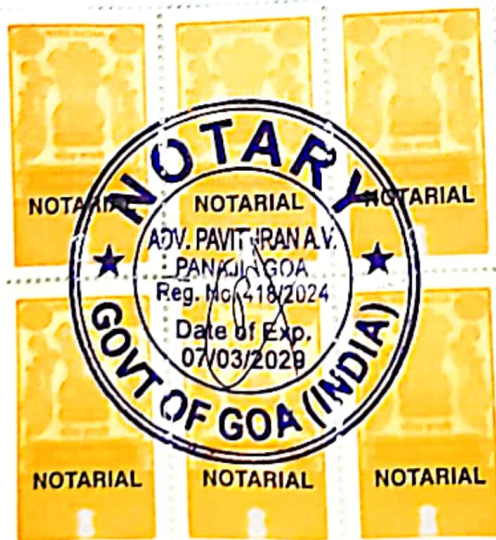
considering the documents produced by the Appellant is absolutely incorrect.

11) I state that once the Appellant has shown the documents that the structures were in existence prior to 1991 i.e., before coming into force CRZ Notification dated 19/02/1991, the Respondents could not have even issued the Show Cause Notice and therefore, the Impugned Order is required to be set aside.

I state that whatever stated hereinabove is true and correct.



Solemnly affirmed at Panaji - Goa.  
On this 1<sup>st</sup> day of April ~~March~~ 2026 **DEPONENT**



Solemnly affirmed before me by  
Shri/Smt. Tranias William Fernandes.  
Who is identified before me by  
Shri/Smt. Aadhar Card No. 46 56 35140 98.  
Who is personally known to me  
on this 01 day of April 2026.  
Reg. No.: 68/2026.

**PAVITHRAN A. V.**  
ADVOCATE & NOTARY  
Govt. of Goa (India)  
Panaji, Tiswadi - Goa 403 001