



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

**Original Application No. 97/2019 (WZ)**

In the matter of:

**DATTAPRTASAD PRABHU GOANKAR**

.....Appellant

**V/s**

**Goa Coastal Zone Management**

**Authority & 3 ors**

.....Respondents

**AFFIDAVIT- IN -COMPLIANCE TO ORDER DATED  
14/10/2020 ON BEHALF OF GOA COASTAL ZONE  
MANAGEMENT AUTHORITY (RESPONDENT NO. 1)**

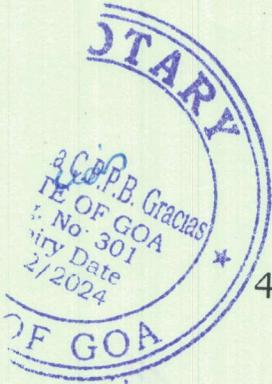
**MAY IT PLEASE YOUR LORDSHIPS:**

I, Mr. Dasharath Redkar, Son of late Mahadeo Redkar, aged about 53 years, Indian National, resident of "Darsh Residency" Hno.816, Chonwaddo, Dhargal, Pernem – North Goa, the Member Secretary, Goa Coastal Zone Management Authority (GCZMA), the Respondent No. 1 herein most respectfully state and submit as under: –

1. I say that I am presently the Member Secretary, Goa Coastal Zone Management Authority (GCZMA), the Respondent No. 1 herein. I say that I am authorized to file the present Affidavit.
2. I say that vide order dated 14/10/2020 this Hon'ble Tribunal had directed as follows: "*The respondents*

are directed to submit current status with compliance of the conditions of EC and as to why the environmental compensation be not imposed for non-compliance of the orders and conditions”.

3. I say that I am filing the present affidavit for the limited purpose of submitting compliance to order dated 14/10/2020 passed by this Hon'ble Tribunal in the present matter.



4. I say that pursuant to direction issued by this Hon'ble Tribunal the Respondent conducted a site inspection through its Expert Member on 19/10/2020. The Expert Member GCZMA submitted an inspection report which interalia has recorded certain observations on the status at site and also some recommendations.

A copy of the said report is annexed hereto and marked as **Annexure R 1- I**.

5. I say that pursuant to said inspection the matter was placed for discussion and deliberation in the 233<sup>rd</sup> meeting GCZMA meeting held on 29/10/2020.

6. I say that in the said 233<sup>rd</sup> meeting GCZMA meeting held on 29/10/2020 the authority took note of the observations/recommendations of Expert Member GCZMA in inspection report. I say that in the said meeting it was decided as follows *“The Authority directed the project proponent to give the compliances duly certified by the Department of Forest in so far as plantation of mangrove saplings as well as to place on record the photographs in respect of realignment of the street lights in North South Directions. The photographs should also be clicked after sunset so*

that the positioning of the brightness of light could be ascertained if it is causing any impact on the turtles which frequent on Galgibag area to lay their hatchlings."

A copy of the minutes of the meeting held on 29/10/2020 is annexed hereto and marked as **Annexure R 1- II.**

7. I say that pursuant to the decision taken in the 233<sup>rd</sup> meeting GCZMA meeting held on 29/10/2020 the project proponent has a vide letter dated 30/10/2020 which has interalia has submitted compliance to recommendations of expert member in the site inspection report and conditions of N.O.C pertaining to re-plantation of Mangrooves.

A copy of the said letter dated 30/10/2020 received from Office of Executive Engineer, Public Works Department (P.W.D) Works Division XIV (NH), Fatorda, Margao is annexed hereto and marked as **Annexure R 1- III colly.**

8. I state that whatever has been stated herein above is true to my own knowledge and based on the documents/records available with the office of this Respondent to which I have access and the contents of the same which I believe to be true and correct.

Solemnly affirmed at Panaji - Goa

This 23<sup>rd</sup> day of November 2020

Solemnly affirmed by  
Dasharath Redkar

Who is identified before me by  
\_\_\_\_\_

\_\_\_\_\_ At Calangute - Goa

Sr. No. 262/11/2020/P

Date. 23/11/2020

Venefreda Gracias

Advocate & Notary

Bardez - Goa

m Redkar  
23/11/2020  
DEPONENT

20<sup>th</sup> October, 2020

**Site inspection report Maxem  
Original Application No.97/2019(WZ)**

Pursuant to the site inspection notice No. GCZMA/NGT Matter/O.Appl. No 97/2019//20-21/06/781 dated 16/10/2020. I visited the site on 19<sup>th</sup> October 2020 and carried out inspection in presence of Mr. Nagraj Adpaikar TA of National High Way PWD. The complainant was not present during the site inspection. I tried to reach him on his mobile number 9823605007 (obtained from Mr. Adpaikar) but his mobile was switched off. The inspection started at 1345 hrs.

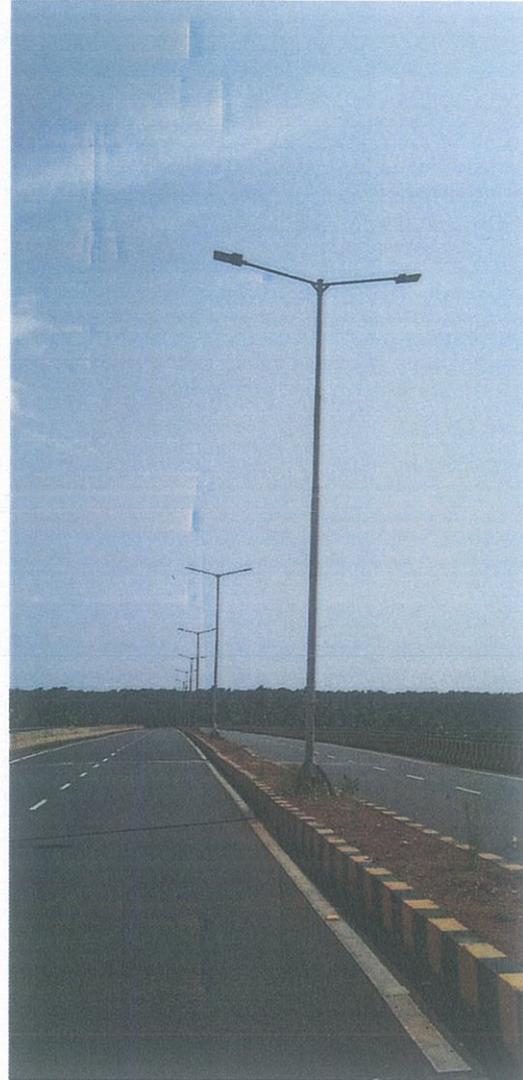
Mr. Mahesh Patil, Expert Member, GCZMA and Mr. Devendra Gaonkar FS, GCZMA were unable to attend the inspection.

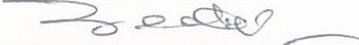
**Observations and recommendations:**

1. Mr. Adpaikar showed me the site below the Galgibaga bridge where mud filling was done between the PR No 10 and 11. It is observed that the mud has been re moved from the site. A Platform and steps have been restored for anchoring traditional fishing boats.
2. Regarding the compensatory plantation of mangroves, Mr. Adpaikar showed me the site of plantation which is below the Galgibaga bridge. Saplings planted were seen at the site. Most of the saplings were seen submerged into the water hence counting of each individual sapling was difficult. As a proof of plantation done, Mr. Adpaikar showed me photos of plantation jointly carried out with the Goa Forest Department. He also showed a receipt of purchase of saplings from Dr. Salim Ali Bird Sanctuary, Chorao, Bardez. Mr. Adpaikar informed that PWD has planted 90 saplings.
3. Excavated mud under the Maxem bridge was remained there. Upon asking, Mr. Adpaikar informed me that there is an intervention application from the villagers in the Hon. High Court of Bombay at Goa and the Hon. Court has asked to keep 10 meters buffer zone. The PWD is waiting for the final result to act in this matter.
4. With respect to signs of 'No horn zone', PWD has placed signs on both bridges ie Galgibaga and Maxem.

*Handwritten signature*

5. With respect of light barriers on the poles, PWD has not complied to this condition. The light poles are in East to West direction. Each pole has two LED fixtures. Mr. Adpaikar informed me that the light distance covered by each of the fixture is not more than 30 meters.
6. I informed Mr. Adpaikar that turtles are highly sensitive to the light. In order to reduce light falling into the waters, it is recommended to change the direction of the fixtures to North-South direction. The same should be complied within a day. After changing the direction of the fixtures, PWD is required to monitor the light at night to ensure that the same is not falling in the estuary/river/creek region and not interfering with the turtle nesting behaviour.
7. I left the site at 14:45 hrs.



  
Sujeetkumar Dongre  
Expert Member  
GCZMA

**EXTRACT OF MINUTES OF THE 233<sup>rd</sup> MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 29/10/2020 at 03.30 PM. IN THE CONFERENCE HALL, 2<sup>ND</sup> FLOOR, CONFERENCE HALL, SECRETARIAT, PORVORIM – GOA.**

**Case No.2.2**

**To decide on the Hon'ble NGT in O.A. No. 97/2019 filed by Dattaprasad Gaonkar on Mashem Bridge.**

**Background:** The Hon'ble NGT in O.A. No. 97/2019 filed by Dattaprasad Prabhu Gaonkar has called upon the Authority to verify as to whether the conditions that had been imposed at the time of granting approval for the construction of the Mashem Bridge bridge at Talpona are complied with by the project proponent i.e National Highways Works Division XIV. The conditions that had been laid down by the Authority were as follows:

- (i) Removal of all mud that would be dumped in the water body upon completion of the bridge.
- (ii) The area in and around the bridge should be silence zone.
- (iii) There should be no illumination on the bridge which will affect the turtle nestings.
- (iv) Replantation of Mangroves which were cut at the time of the construction of bridge.

The Authority has already brought to the notice of the Hon'ble NGT that in so far as the removal of mud that was laid to facilitate the construction of bridge is constantly monitored by the Hon'ble High Court in PIL W.P. 12 of 2018. The Hon'ble NGT thereafter has directed the Authority to verify conditions (ii),(iii) and (iv) above for which purpose the expert member has visited the site in question on 19/10/2020. As per the report of the Expert Member, he has observed that the project proponent has displayed necessary sign boards as No Horn Zone. He also has reported that the mangroves have been replanted by the project proponent. In so far as the street lights are concerned prima facie there seem to be positioned in such a manner that the brightness from the lights will affect the turtle nestings. The Expert Member had hence suggested that these street lights which are in East west direction be re-positioned in North South direction.

**PROCEEDINGS:** The Authority also called upon the project proponent to appear and explain as to why the report of the expert Member should not be taken as face value to initiate proceedings under the relevant provisions of the EP Act. The project proponent submitted that he be given time of just 24 hrs to place on record all the compliances along with photographic evidence and of the positioning of the lights in North South Direction as well as the report of the department of forest pertaining to plantation of mangroves.

**DECISION:** The Authority directed the project proponent to give the compliances duly certified by the Department of Forest in so far as plantation of mangrove saplings as well as to place on record the photographs in respect of realignment of the street lights in North South Directions. The photographs should also be clicked after sunset so that the positioning of the brightness of light could be ascertained if it is causing any impact on the turtles which frequent on Galgibag area to lay their hatchlings.

Vinit

Member Secretary

C. C. Z. M. A.

Board No. 1706

Date: 30/10/2020

No.PWD/WD-XIV(NH) /ASW/ 20-21/ 328  
 Government of Goa,  
 Office of the Executive Engineer,  
 Public Works Department,  
 Works Division XIV (NH),  
 Fatorda – Margao.

Date: 30/ 10 /2020.

To,  
 ✓ The Goa Coastal Zone Management Authority,  
 C/O Department of Science, Technology and Environment,  
 1<sup>st</sup> Floor, Pt. Deendayal Upadhyay Bhavan,  
 Pundalik Nagar, Alto Porvorim, Bardez Goa.

Sub: - Original application No. 97/2019 (WZ) filed by Dattaprasad Prabhu Gaonkar V/s Goa Coastal Zone Management Authority & ors. before the Hon'ble National Tribunal, Western Zone Bench, Pune .  
 Ref: - Board Meeting held on 22.10.2020 at Secretariate Panajim.

Sir,

As directed in the board meeting dt: 22.10.2020, the necessary directions have been complied. The orientation of the fixture of street light poles are already turned at right angles, aligning in to North- South directions, paralleled to the carriage way.

The enclosed photos taken in the night reveals controlled dispersion of light within the formation width of bridge. The light dispersion is effectively controlled by above arrangement of orientation of street light fixtures.

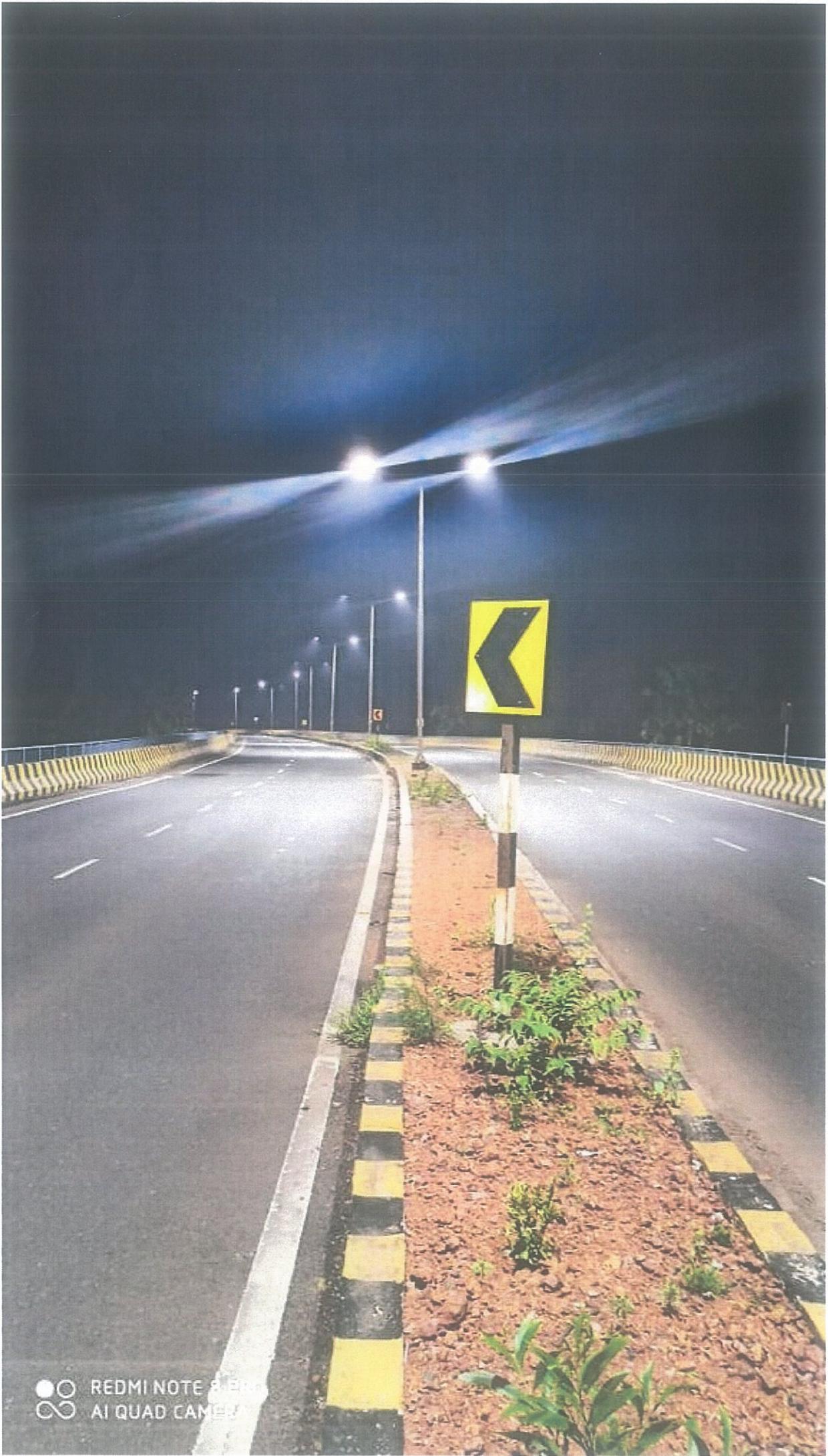
Submitted.

Yours Faithfully

Executive Engineer-XIV (NH)

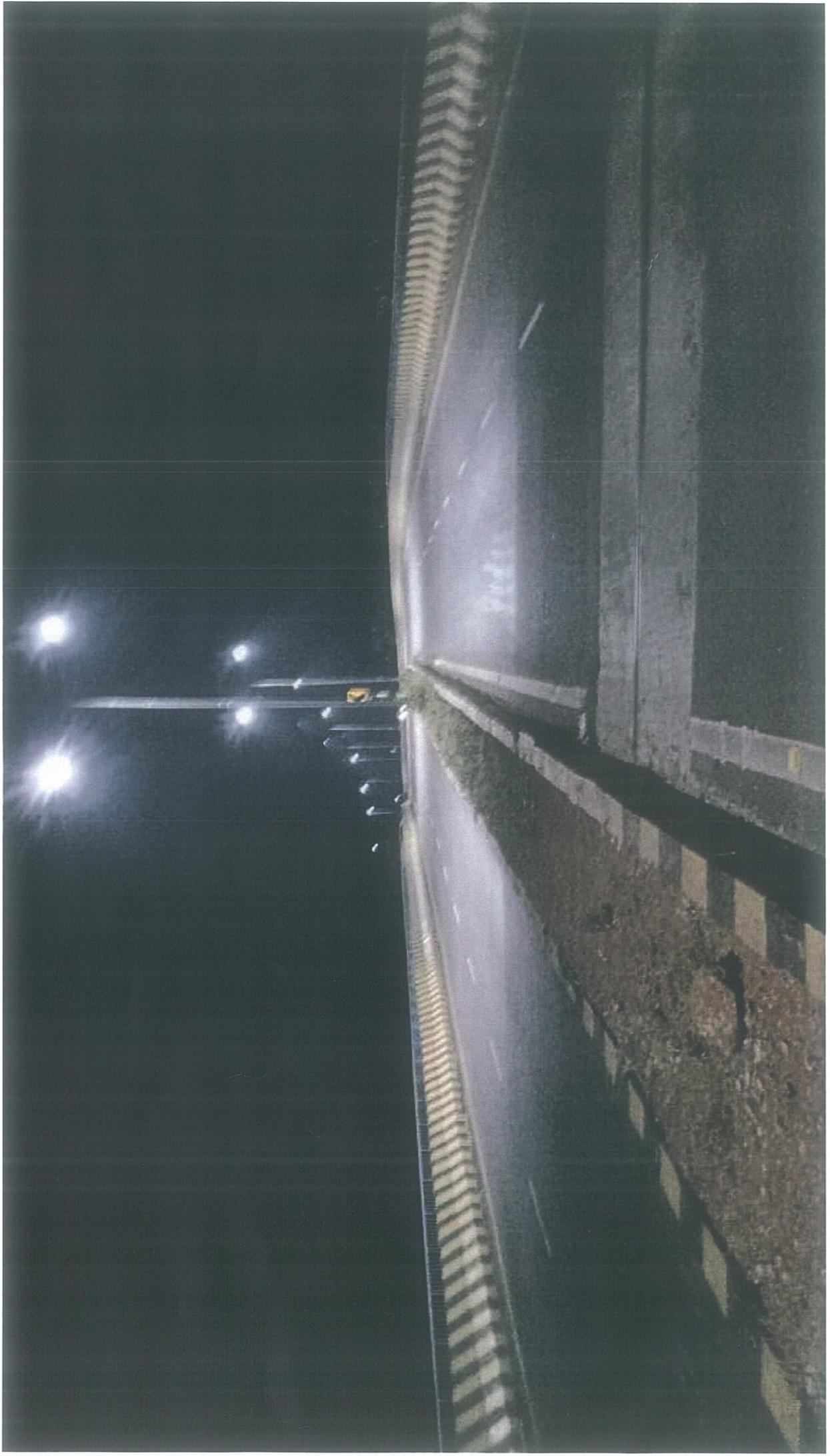
- Copy to:-1) The Chief Engineer , (NH R &B), PWD, Altinho Panaji-Goa.  
 2)The Superintending Engineer, C.O. IX, PWD, Altinho Panaji-Goa.  
 3) The Assistant Engineer, SD IV, WDXIV(NH), PWD, Canacona-Goa.

Photograph taken at night with existing arrangement of street light fixtures East-West direction



REDMI NOTE 8 PRO  
AI QUAD CAMERA

photograph taken at night with existing arrangement of street light fixtures East - West directions



photograph taken at night with Comperision light dispersion of both arrangements



Photograph taken at night with change of Orientation from East West to North South Parallel to Carriage way









**Government of Goa**  
**Office of the Dy. Conservator of Forests,**  
**South Goa Division, Aquem, Margao-Goa, 403 601**  
**Phone/Fax: - 0832-2750246/2751462 . E mail: dcfsouthforest.goa@nic.in**

No. 3/3/NOC//2020-21/SGF/ 1594

Dated : 30/10/2020.  
Kartika, Saka 1942.

To,  
 The Executive Engineer,  
 Works Division XIV(NH),  
 Fatorda, Margao-Goa.

Sub: Replanting of Mangroves as per condition laid in NOC issued- construction  
 of Canacona National Highway Bypass.

Sir,

As requested by the Asst. Engineer XIV vide letter No.PWD/SDIV/WDXIV (NH)/20-21/F-60/177 dated 14/10/2020 the site has been inspected by Range Forest Officer, Canacona. It is found that 90 nos. of Mangrove saplings have been planted in the area reserved for planting. This planting of Mangroves have been done as per the condition laid in the NOC issued by the Government vide No.3/3/NOC/2017-18/SGF/445 dated 21/09/2017.

This is for information.

Yours faithfully

  
30.10.2020

( Anil A. Shetgaonkar )  
 Dy. Conservator of Forests,  
 South Goa Division,  
 Margao Goa.

“स्वच्छ भारत नितळ गोंय”

Towards Cleaner and Greener India

Goa Forest Department 24 X 7 Helpline No: (North Goa) 0832-2228772 (South Goa) 0832-2750246







