

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
EXECUTION APPLICATION No. 05/2023/(WZ)
IN
APPEAL No. 16 OF 2022 (WZ)**

IN THE MATTER OF:

Suvarn Rajaram Bhandekar

...Applicant

VERSUS

Goa Coastal Zone Management Authority

& Ors.

...Respondent

INDEX

Sl. No.	Particulars	Pages
1.	Compliance Affidavit on behalf of Respondent No. 1 the Goa Coastal Zone Management Authority.	1 - 4
2.	Annexure 1 (Colly) Field Surveyor Report and letter Dated 22 December 2023 issued by office of the Deputy Collector & SDO, Salcete Margoa Goa	5 - 11
3.	Annexure 2 (Colly) The Photographs of Demolition.	12 - 39
4.	Proof of service.	40

FILED BY:



Surjendu Sankar Das

[D/889/2008]

338

Advocate for the Respondent

N-7, C.R. Park

New Delhi - 110019

Mo: 9810813651

Email: office@ssdas.in

9818479548 (Kailash - Court Clerk)

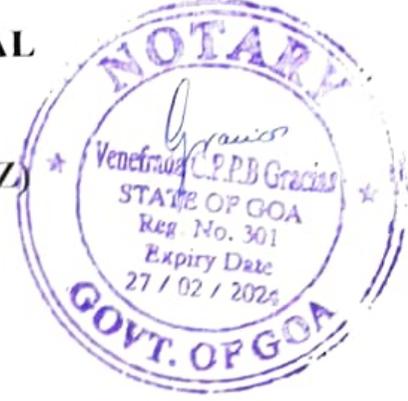
Date: 09 January 2024

Place: New Delhi

339

1

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
EXECUTION APPLICATION No. 05/2023 (WZ)
IN
APPEAL No.16 OF 2022 (WZ)



IN THE MATTER OF:

SuvarnRajaramBhandekar... Applicant

VERSUS

Goa Coastal Zone Management Authority & Ors. ... Respondents

COMPLIANCE AFFIDAVIT ON BEHALF OF RESPONDENT NO.1,
THE GOA COASTAL ZONE MANAGEMENT AUTHORITY

I, Dr. Sneha Gitte (IAS), adult, being the Member Secretary, Goa Coastal Zone Management Authority, having my office at: 4th Floor, Dempo Towers, Patto, Panaji, Goa, do hereby solemnly affirm and state as under:

1. That I am the Member Secretary of Goa Coastal Zone Management Authority. I am conversant with the facts and circumstances of the present case, and I am competent to swear and file the present Affidavit on behalf of Respondent No.1, on the basis of records and information available with the Department.
2. The Respondent No. 1, Goa Coastal Zone Management Authority is filing this affidavit in compliance of the order 4 December 2023 passed by this Hon'ble Tribunal.
3. The Respondent No. 1 issued the order dated 25 March 2022 for demolition of structures in survey No. 16/7, Sernabatm, Salcete. Against the said order, Appeal No. 16 of 2022 (WZ) before the Hon'ble National

Gitte

Green Tribunal was filed by the violator Armand Cardozo challenging the order passed by the Respondent No. 1.

4. The Hon'ble National Green Tribunal vide order dated 21 October 2022 upheld the order of demolition passed by the Respondent No. 1. The violator preferred Civil Appeal No. 8563 of 2022 before the Hon'ble Supreme Court, which was dismissed on 25 November 2022. Thus, the order of demolition passed by the Respondent No. 1 attained finality.
5. The Respondent No. 1 issued directions to the Office of the Deputy Collector & SDO, Salcete, Margao, Goa on 6 December 2022 and 28 November 2023 for carrying out demolition of the aforesaid property.
6. The Office of the Deputy Collector & SDO, Salcete, Margao, Goa issued demolition orders SDO/SAL/OEMO/2023/ 167 dated 12 December 2023 & SDO/SAL/DEM0/2023/169 dated 18 December 2023 to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa.
7. The Mamlatdar of Salcete vide letter No. MAM/ SAL/DEMO- 167 /2023/4714 dated 18 December 2023 has reported that the demolition commenced on 15 December 2023, 16 December 2023 and finally on 18 December 2023 at around 5 PM the entire structures were demolished.
8. The aforesaid was reported to the Respondent No. 1 vide letter dated 22 December 2023 issued by Office of the Deputy Collector & SDO, Salcete, Margao, Goa a copy of which is annexed hereto and marked as **ANNEXURE 1 (Colly.)**.
9. In compliance of the orders, the structure in violation has been demolished and has been verified by a representative of the Respondent No. 1 along with PWD(PHE), PWD (Electricity), PWD (roads), Secretary

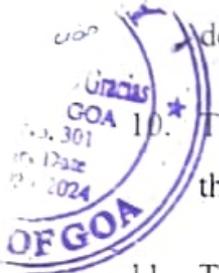
Acte

V.P.ColvaPolice Personnel of Colva Police Station and Joint Mamlatdar-V Salcete who were present at site for the demolition. The photographs of demolition are annexed hereto and marked as **ANNEXURE 2 (Colly)**

That the Deponent is ready and willing to file a further detailed reply if this Hon'ble Tribunal so desires.

11. That therefore, it is submitted that the Respondent No. 1 holds this Hon'ble Tribunal in highest esteem and with utmost respect and regard will remain bound and comply the directions passed by this Hon'ble Court in the present matter.
12. I state whatever I have stated is true to the best of my knowledge and belief and nothing material has been suppressed therefrom.
13. I state that all annexures filed with the reply are true copies of their respective originals.

Butte
DEPONENT



VERIFICATION

I, the above named deponent, do hereby verify the contents stated herein above are true to the best of my knowledge. No part of it is false and nothing has been suppressed therefrom.

Verified at Panaji on this 30th day of December 2023

Alite
DEPONENT



Executed before me
At Panjim Tiswadi - Goa
Reg. No. 360/12/2023
Dated: 30/12/2023

Gracias
Venefrada C.P.P.B. Gracias
Advocate & Notary Goa State

REPORT

As per direction of Member Secretary, GCZMA and Order no.SDO/SAL/DEMO/2023/167 dated 27/11/2023, The undersign along with officials conducted the demolition on 15/12/2023 at 10.30.a.m. however the entire structures could not be demolished on 15/12/2023 and the demolition process has been continued on 16/12/2023 and on subsequent day on 18/12/2023 and completed on 18/12/2023 at 5.00pm.

The Following officials were present at the time of inspection are mentioned below:-

1. The Mamlatdar of Salcete, office of the Mamlatdar of Salcete, Margao-Goa.
2. Joint mamlatdar-V Salcete, office of the Mamlatdar of Salcete, Margao-Goa.
3. Police officials deputed by the Dy.Superintendent of Police, S.D.P.O Margao, Goa,
4. PWD officials from works Division VI (Roads), Fatorda-Margao, Goa.
5. 2no's Electrician along with 1no's of linemen from AE, Sub-Div-I, WD, XVI, Benaulim office, Electricity Dept., Aquem-Margao, Goa.
6. 2no's of Plumbers from Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao-Goa
7. The Secretary of Village panchayat of Senabatim, Vanelim, Colva and Gandaulim, Salcete Goa.

OBSERVATION AT LOCO

1. The land in question is located near Sernabatim beach, Senabatim Village of Salcete taluka property bearing Sy.no.16/7.
2. The GCZMA representatives remain present at loco as the order ref.no.SDO/SAL/DEMO/2023/38 dated 27/11/2023 by office of the Deputy Collector and In-Charge Demolition Squad, Sub-Division, Margao-Goa.
3. The GCZMA representatives identified the offending structure as per the DSLR Site plan Ref.no.19/DSLR/Resurvey-Cell/CRZ-Mapping/28/12.
4. The Offending Structures are denoted with alphabetical letters as mentioned in the Site plan.
5. The Description of the offending structure are mentioned below in tabular column:-

SR.NO.	NAME OF THE STRUCTURE	DESCRIPTION OF THE STRUCTURE	REMARKS /FINDINGS
1	A(Restaurant)	Ground floor structure with laterite stone masonry wall partly	Structure demolished

Sakti

19/12/23

		covered with Mangalore tile sloping roof and partly covered with G.I. Sheet roofing constructed on permanent plinth.	Debris and residue of the structure still exist at loco.
2	B	Ground floor structure with laterite stone masonry wall covered with mangalore tile roofing constructed on permanent base.	Structure demolished Debris and residue of the structure still exist at loco.
3	C	RCC column frame structure constructed on permanent base.	Structure demolished Debris and residue of the structure still exist at loco.
4	D	Ground floor structure covered with laterite stone masonry wall covered with sloping Mangalore tile roofing constructed on permanent base. Structure extended with metal fab. Skeleton structure	Structure demolished Debris and residue of the structure still exist at loco.
5	E	G+1 RCC structure with laterite stone masonry walls with RCC flat slab constructed on permanent base. Ground floor consist of pump house attached with well Top floor consist of rooms with over-head tank.	Structure demolished Debris and residue of the structure still exist at loco.
6	F	Ground floor structure with laterite stone masonry wall with G.I. sheet roofing constructed on permanent base.	Structure demolished Debris and residue of the structure still exist at loco.
7	G	Metal fab. Structure covered with G.I.sheet roofing constructed on permanent base.	Structure dismantled

Sakhi

NRH

8	H	G+1 RCC Structure covered with laterite stone masonry walls with top floor covered with Mangalore tile roofing constructed on permanent base.	Structure demolished Debris and residue of the structure still exist at loco.
9	I	Ground floor structure with laterite stone masonry wall covered with Mangalore tile roofing constructed on permanent base.	Structure demolished Debris and residue of the structure still exist at loco.
10	J	RCC overhead tank constructed on permanent base.	Structure demolished Debris and residue of the structure still exist at loco.

6. As per the demolition order issued Ref.no.GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 directing all the respondents/legal heirs of Mr.Armando Cardozo to demolish all the structures located in Sy.no.16/7 ,Senabatim,Salcete Goa with compound wall on all three sides of the said property along 2 gates, Bar and restaurant ,rooms/Cottages, internal compound wall/partitions, storage tank, toilet W.C., store rooms, pump house and restore the land to original state within 30 days failing which the concerned Dy.collector & SDO Salcete to demolish the said structures and recover the cost as arrears of land revenue and submit a compliance report. Accordingly as above mention order was compiled by demolishing all existing structures including 3 sides compound wall.
7. As per the order the direction may be given to the Executive Engineer, works Division VI (Roads) PWD Fatorda, Margao shall identify the debris site along the highway roads and transport debris of the demolition to the identified dumping sites and restore the land to its original state and report compliance.
8. Site photos are enclosed. (Annexure-I).

Sakli

MRS

9. The Site inspection report is enclosed with Compliance submitted by the Office of the Deputy Collector & SDO,Salcete,Margao-Goa ref.no.SDO/SAL/CRZ/Demo/2023/6157-I dated22/12/2023 is forming part of this report and Orders of the office of the Mamlatdar of Salcete,Margao-Goa ref.no.MAM/SAL/DEMO-167/2023/4714DATED18/12/2023.

Place:Sernabatim,Salcete-Goa

Date: 15/12/2023



Mr.Sakhil Naik
Field Surveyor o/o GCZMA



Mr. Balkrishna Surlakar
Field Surveyor o/o GCZMA

MOST URGENT
NGT / SUPREME COURT MATTER



OFFICE OF THE DEPUTY COLLECTOR & SDO, SALCETE, MARGAO - GOA

Room No.105, 1st Floor,

Matanhy Saldhana Administrative Complex,

Near KTC Bus Stand, Margao - Goa.

Phone: 0832-2794145.

Fax:0832-2794402

Email:sdm-salcete.goa@nic.in

No.SDO/SAL/CRZ/Demo/2023/6157-T

Dated: 22/12/2023

To,
The Member Secretary,
Goa Coastal Zone Management Authority,
C/o Department of Environment and Climate change
(Govt. of Goa), 4th floor, Dempo Towers,
Patto, Panaji Goa.

Sub: Execution of directions to demolish structures in survey No. 16/7,
Sernabatim, Salcete

- Ref: 1) Demolition order bearing No.GCZMA/SAL/SRNA/12-13/01/2349 dated 25/03/2022
2) Letter No. GCZMA/SAL/SERNA/12-12/01/2027 dated 06/12/0022
3) Demolition order No. SDO/SAL/DEMO/2023/06 dated 06/2/2023
4) Demolition Order No. SDO/SAL/DEMO/2023/19 dated 29/03/2023
5) Demolition Order No. SDO/SAL/DEMO/2023/38 dated 25/04/2023
6) Demolition Order No.SDO/SAL/DEMO/2023/116 dated 29/08/2023

Madam,

With reference to the letter No.GCZMA/SAL/SERNA/12-13/01/2509 dated 28/11/2023 & No.GCZMA/NGT Matter/Exec-Appl.no.05/23 in Appeal No.16/22/23-24/42/2709 dated 11/12/2023, this is to kindly inform you that this office had issued demolition orders SDO/SAL/DEMO/2023/167 dated 12/12/2023 & SDO/SAL/DEMO/2023/169 dated 18/12/2023 to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa.

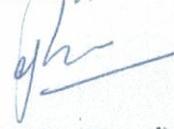
The Mamlatdar of Salcete vide letter No. MAM/SAL/DEMO-167/2023/4714 dated 18/12/2023 has reported that the structures existing in the survey No. 16/7 of village Sernabatim were demolished. (copy enclosed)

Cont...2/-

The Photocopies of the structures that are demolished are enclosed.

This is submitted for information and necessary action.

Yours faithfully,



(Uday R. Prabhu Dessai)
Dy. Collector & SDO
Salcete, Margao Goa.

Encl: as above

Copy: 1. The Collector, South Goa District, Margao Goa.

OFFICE OF THE DY COLLECTOR
 SDO/SDM-I, Salcete, Margao, Goa
 Invoice No. 10529/M
 Date 18/12/2023

No. MAM/SAL/DEMO-167/2023/ 4714
 Office of the Mamlatdar of Salcete
 Margao-Goa
 Date:- 18/12/2023

To
 The Dy. Collector & SDO/
 Incharge of Demolition Squad,
 Salcete, Margao-Goa.

Sub:- Order

Ref:- SDO/SAL/DEMO/2023/167, dated 12/12/2023

Sir,

With reference to the above referred Demolition Order the demolition drive which was ditter on 16/12/2023 was continued today i.e. on 18/12/2023 in presence of representative of GCZMA, PWD (PHE), PWD (Electricity), PWD (roads), Secretary V.P Colva Police Personals of Colva Police Station and Joint Mamlatdar-V Salcete who were present at site for the demolition today i.e. 18/12/2023. The said Demolition is carried out with the help of two JCB's and one Earthmovers and labourers.

Further this is to submit that the structures existing in the survey No. 16/7 of village Semabatim which were identified by the representative of GCZMA were demolished. The said demolition was commenced on 15/12/2023, 16/12/2023 and 18/12/2023 and concluded at around 5.00 pm on 18/12/2023.

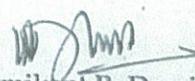
Further as per the above mentioned order the direction may be given to the Executive Engineer, Work Division VI (Roads) PWD Fatorda Margao to lift the debris lying on the site.

The signatures of the representatives of GCZMA are taken below as a confirmation of the demolition of all the structures which were identified by the representative of GCZMA.

This is for information and necessary action.

Yours Faithfully,

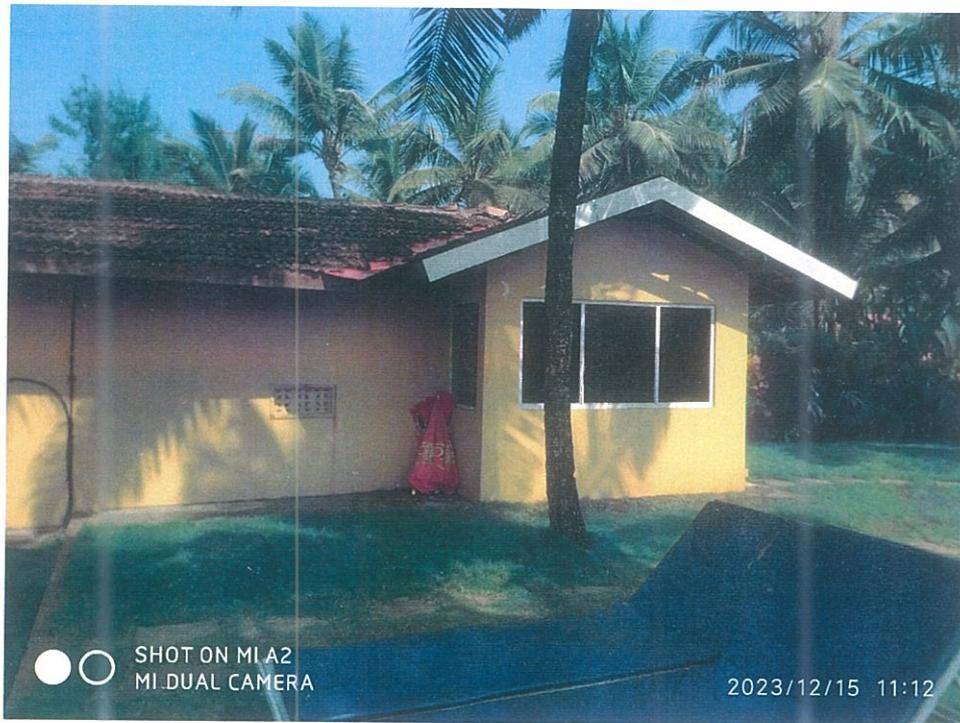
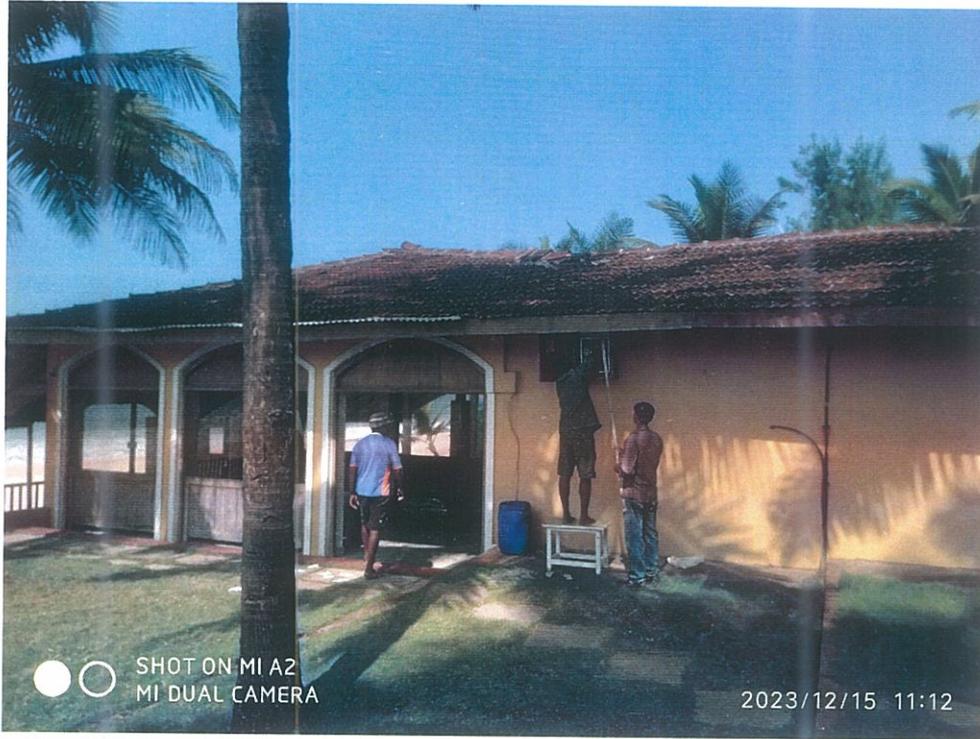
- 1) Mr. Bakrisha Sawalekar (G.S., GCZMA) 18/12/23
- 2) Mr. Sakil Naik (F.S., GCZMA) 18/12/2023.
- 3) Mr. Gajanan Hatwariker, Jt. Mamlatdar-V, Salcete 18/12/2023
- 4) Yash B. Patilkar V.P. Semvly 18/12/2023
- 5) Nestle J. Silva PWD VI, Asst. Engineer 18/12/2023


 (Laxmikant R. Desai)
 Mamlatdar of Salcete
 Margao-Goa

Annexure-I

Demolition Photos on 15/12/2023 at Sernabatim village of Salcete taluka

Structure 'A' BEFORE DEMOLITION



Sanku
[Signature]

AFTER DEMOLITION ON 15/12/2023



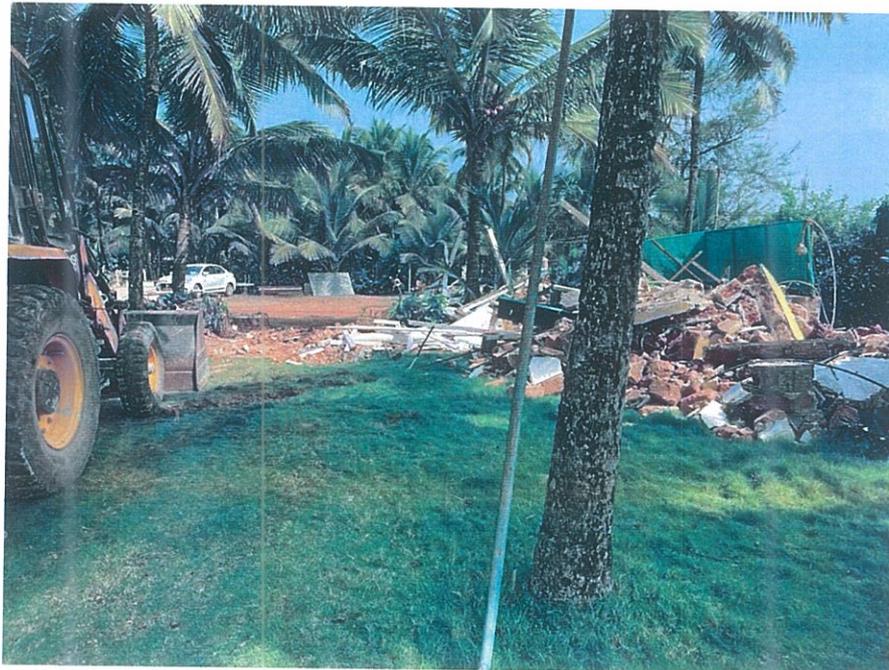
Sakib

NSM

BEFORE DEMOLITION ON 15/12/2023



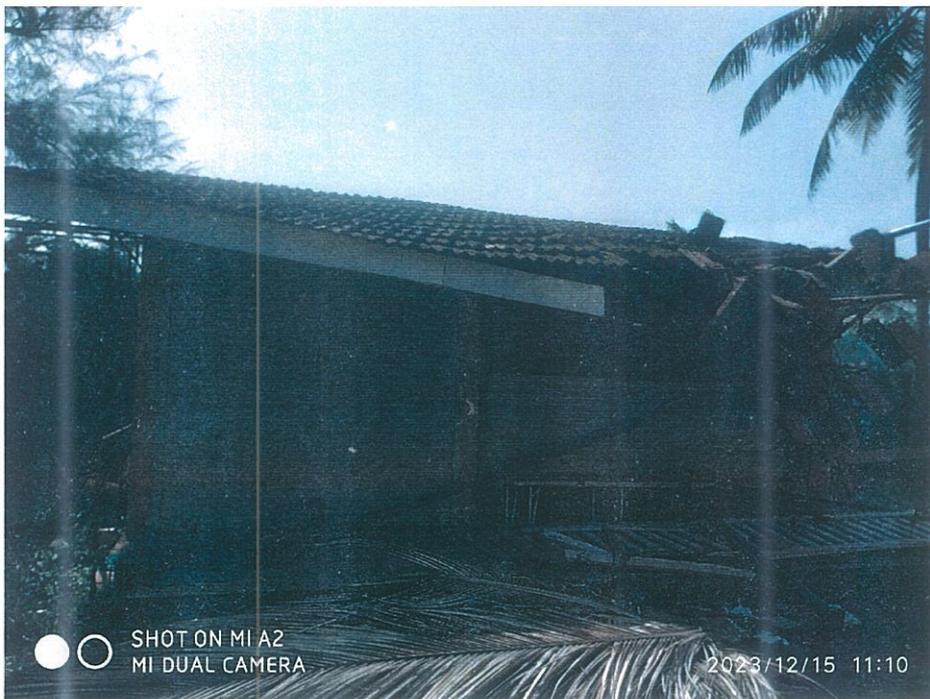
AFTER DEMOLITION



Sakli
RBM



STRUCTURE 'D'



Sakliya
12/15/23



Sakshi NBM

STRUCTURE 'E'

BEFORE ON 15/12/2023



SHOT ON MI A2
MI DUAL CAMERA

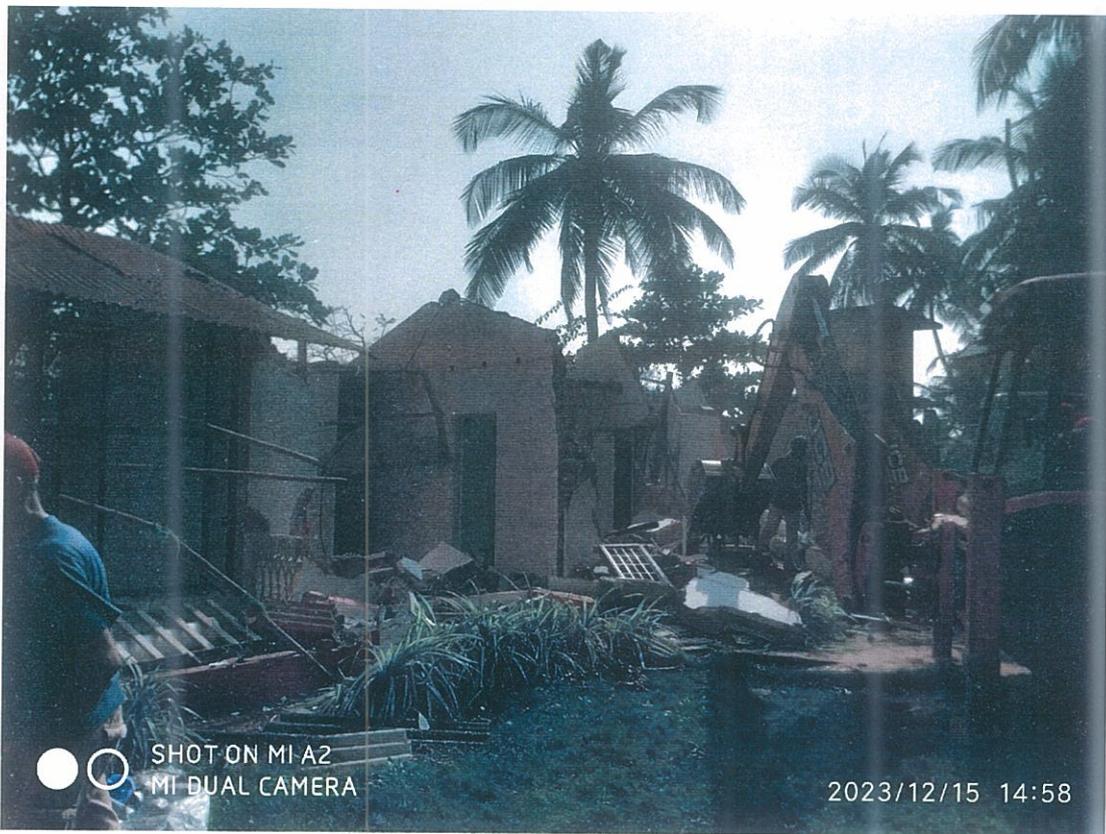
2023/12/15 11:27

Sakhi *SP/15*

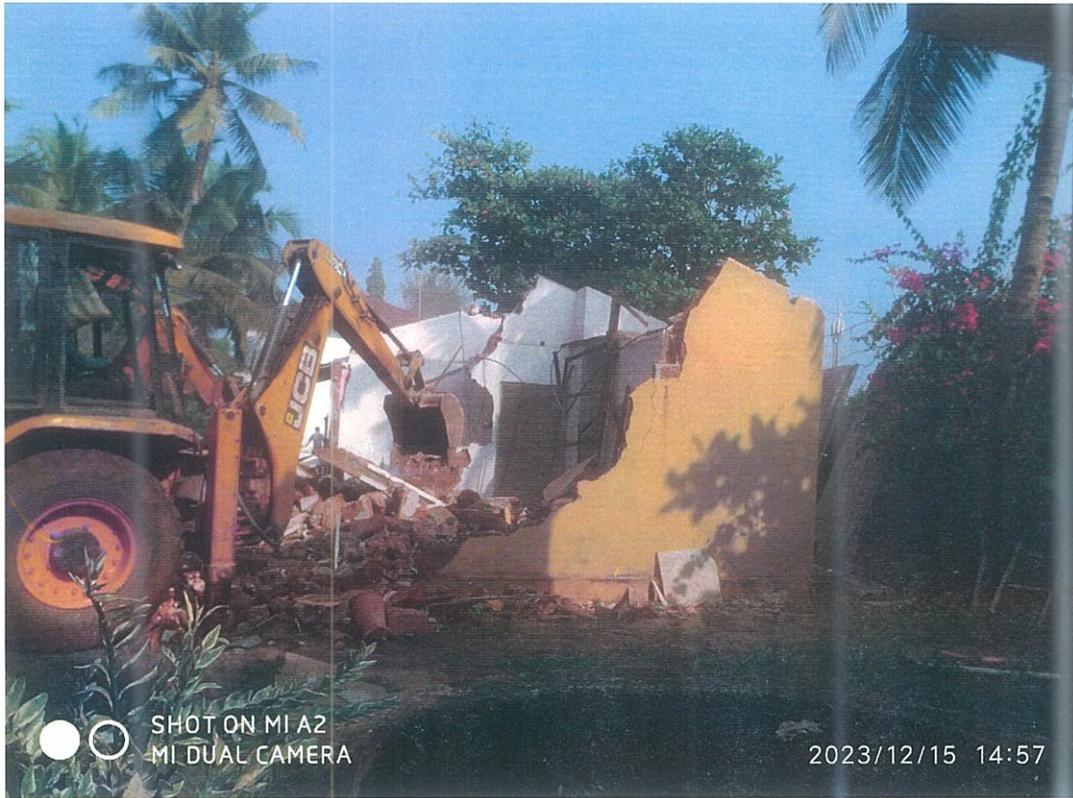
BEFORE DEMOLITION ON 15/12/2023



AFTER DEMOLITION



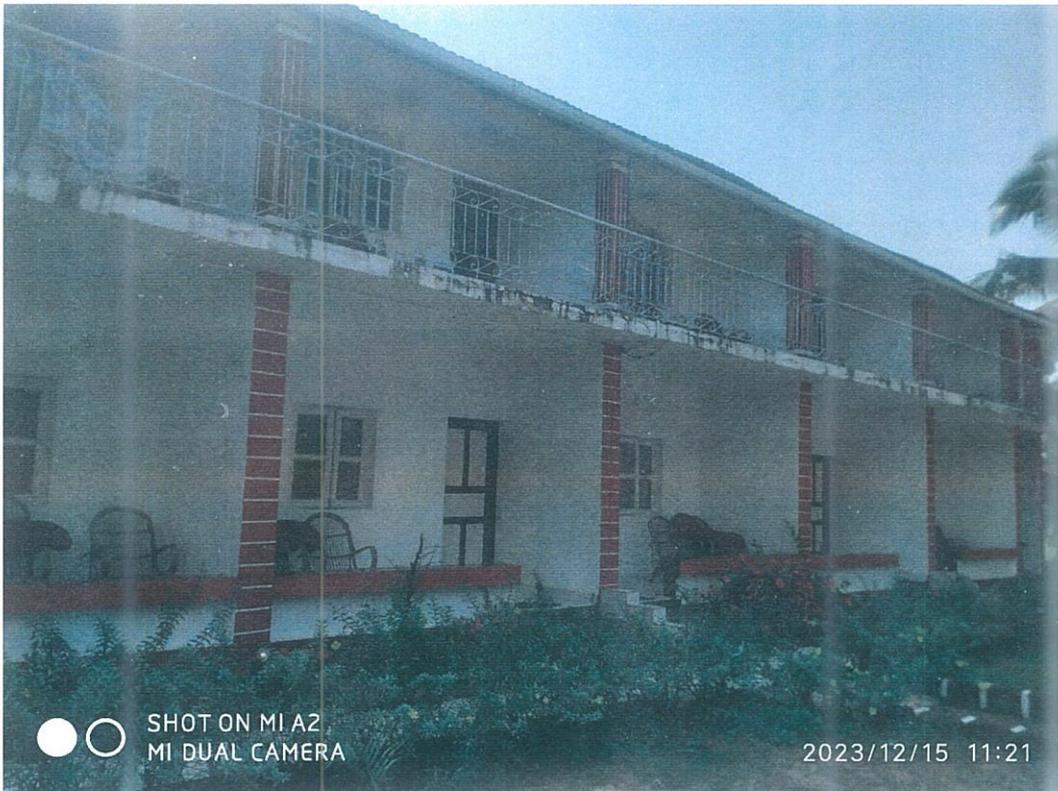
Sakshi



STRUCTURE 'G'



Sakshi
RBS



Sakshi
JBSH



Sakshi

STRUCTURE 'J'

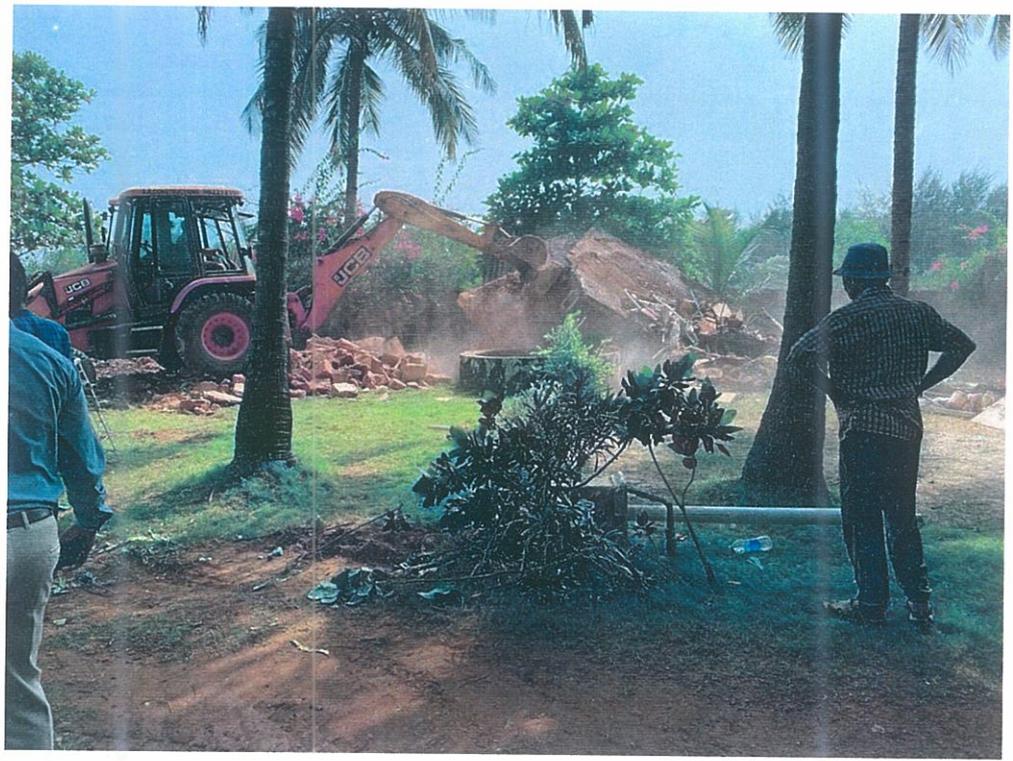
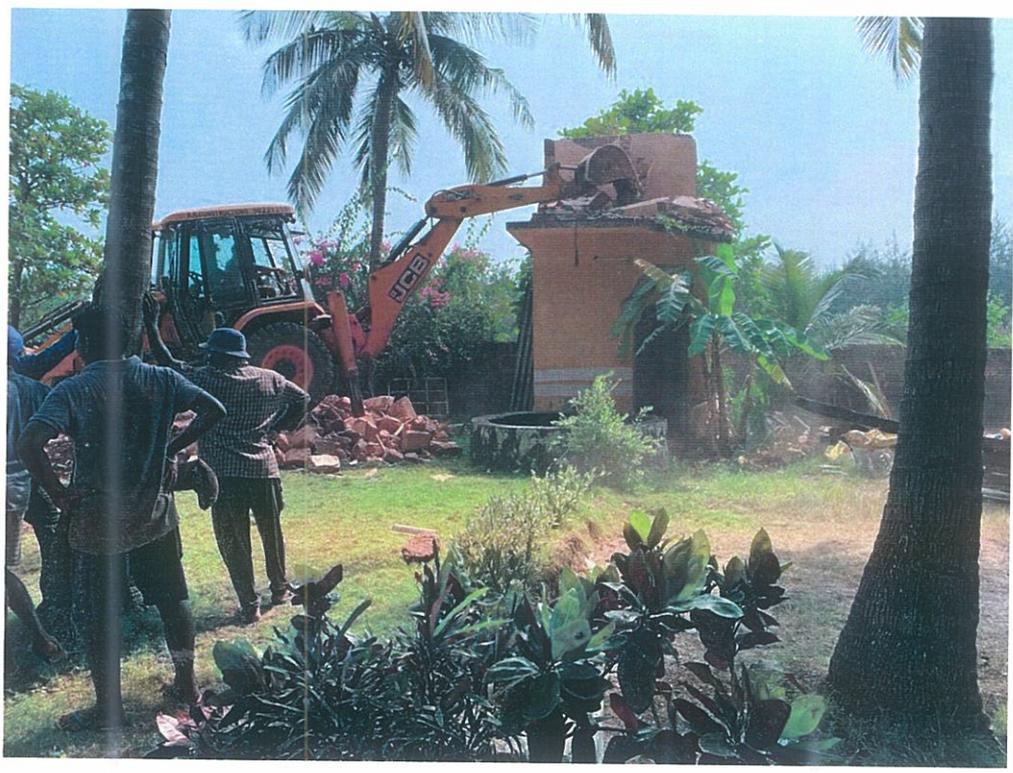


SHOT ON MI A2
MI DUAL CAMERA

2023/12/15 17:14

Sakib *JSM*

STRUCTURE 'E' AFTER DEMOLITION ON 16/12/2023



NSM

Sakib

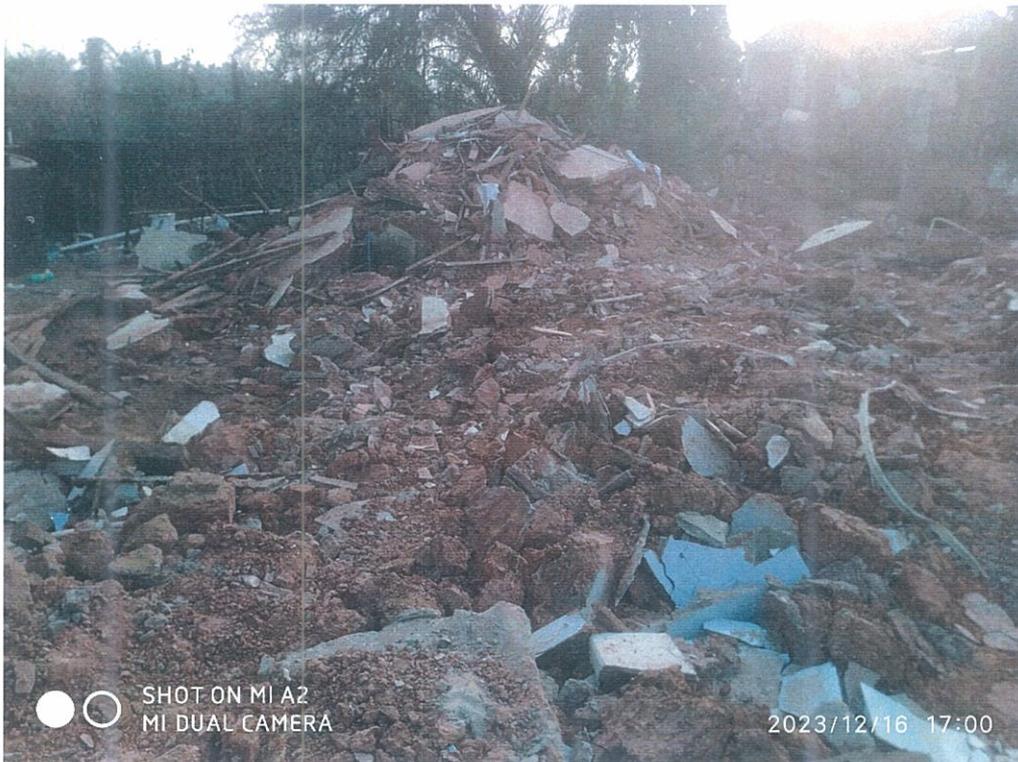
STRUCTURE 'T' ON 16/12/2023



SRM

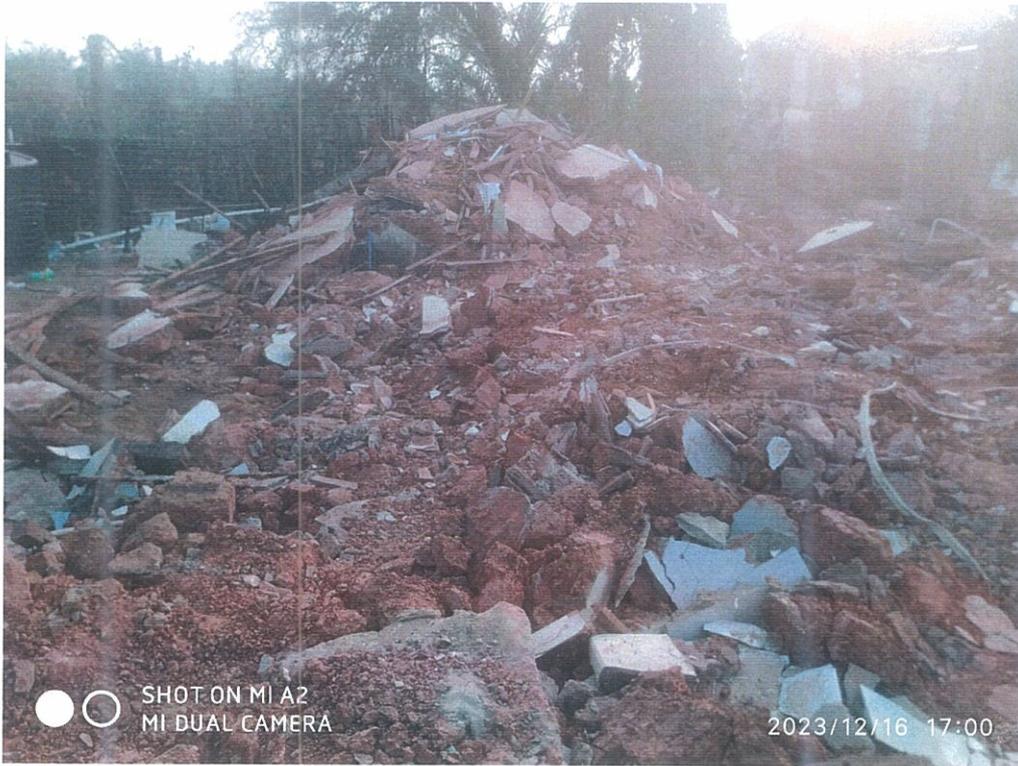
Sakshi

DEMOLISHED STRUCTURE 'J' ON 16/12/2023



NSM

Sakshi



NR/S

Sakhi



MSM *Sakli*

Demolition Photos on 18/12/2023 at Sernabatim village of Salcete taluka

STRUCTURE 'A'



Saleh. NFM

STRUCTURE 'B' AND 'C'



STRUCTURE 'D'



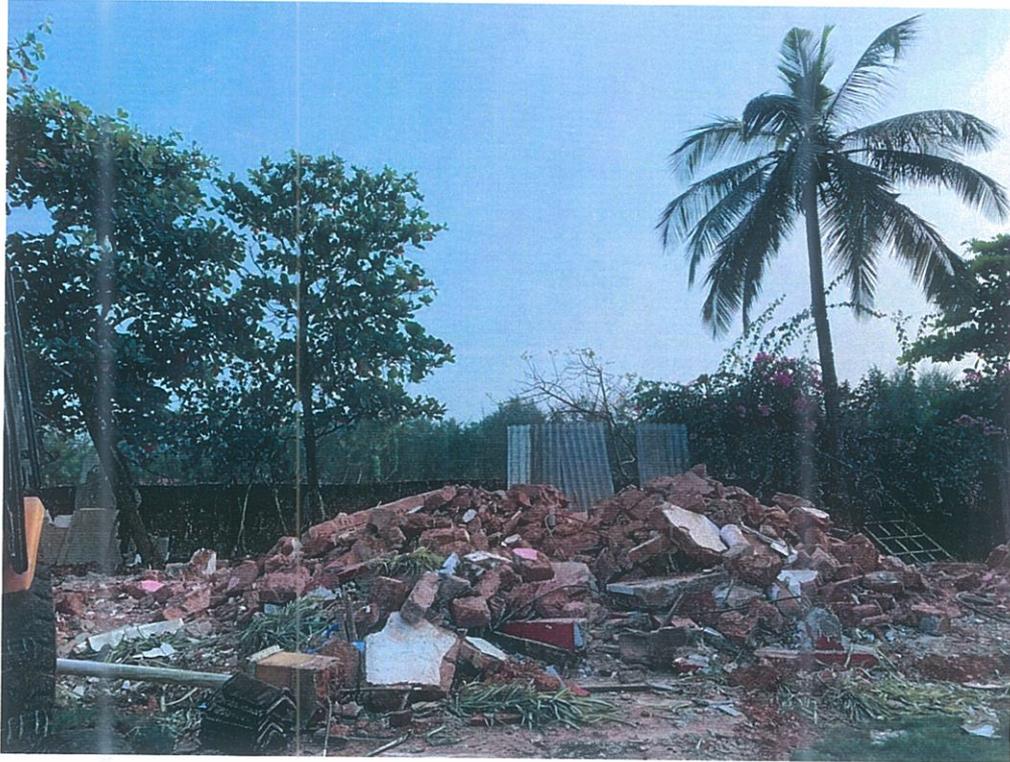
Sakib. JRM

STRUCTURE 'E'

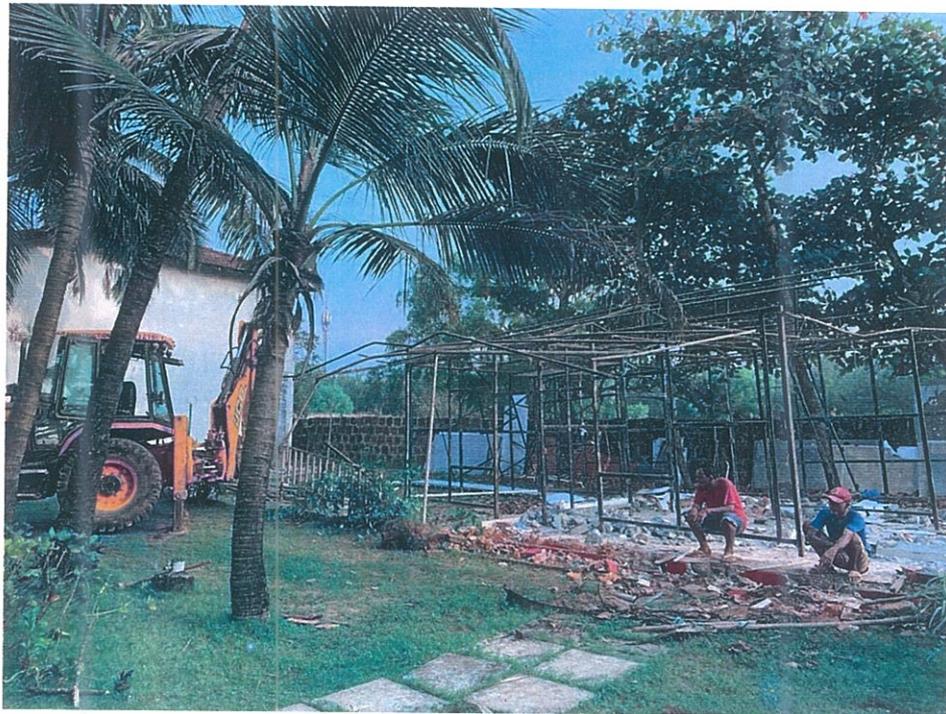


Sakhi
Jhon

STRUCTURE 'F'



STRUCTURE 'G'



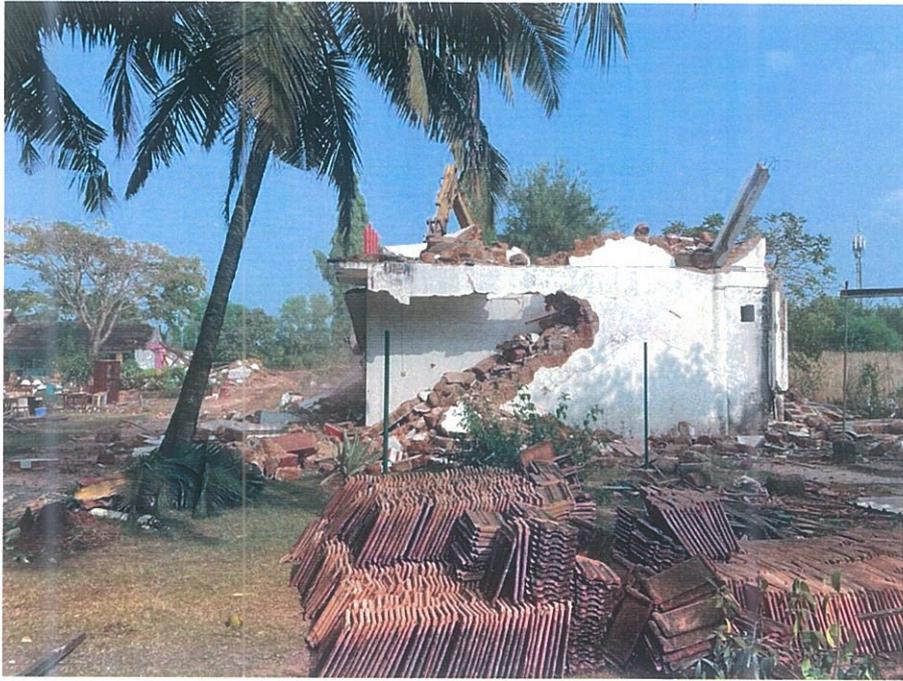
Sakina JBS



STRUCTURE 'H'



Sakli NBS



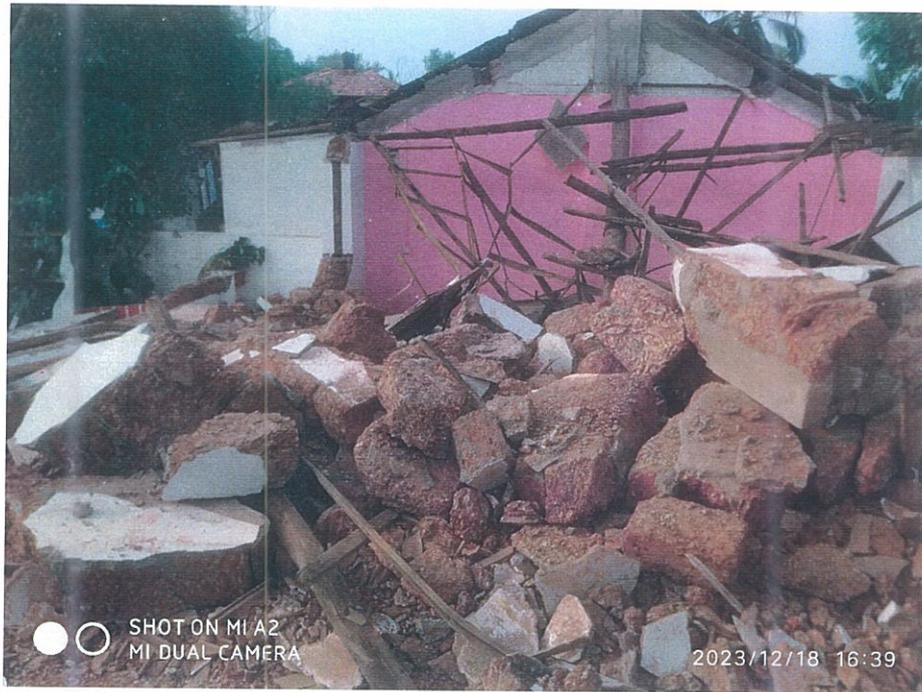
Sakly
NSM



STRUCTURE 'I'



Sakli
MRS



Sakli 18/12/23



STRUCTURE 'J'



Sakle
2022

INTERNAL COMPOUND WALL



COMPOUND WALL



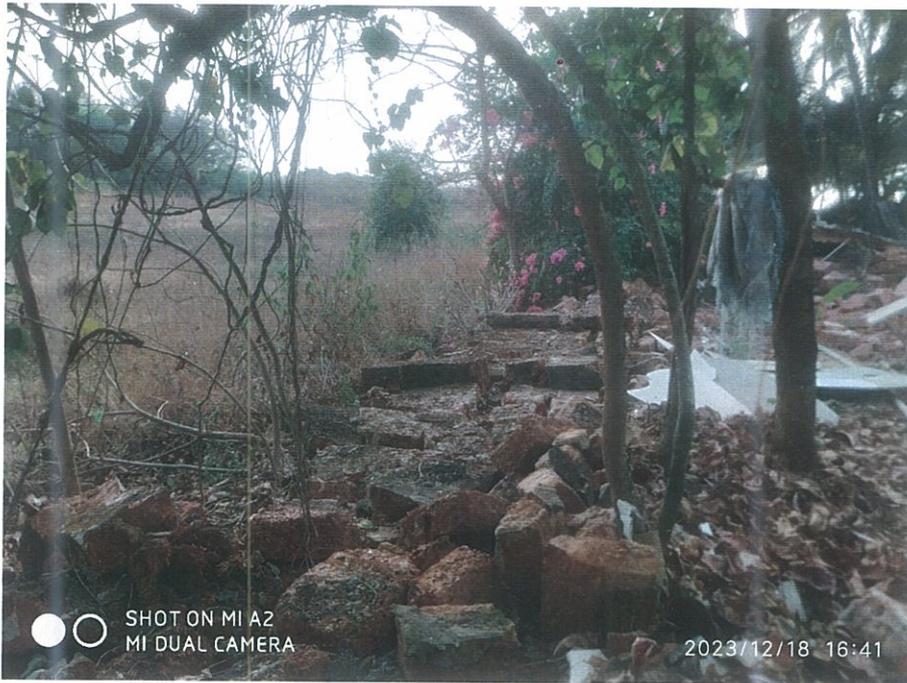
Sakle
Sakle



SHOT ON MI A2
MI DUAL CAMERA

2023/12/18 12:01

Sakle
NAN



Sakli Noto



Service of Compliance Affidavit on behalf of Respondent No. 1 in the matter of Suvarn Rajaram Bandekar Vs GCZMA & Ors.

1 message

Chambers of Surjendu Sankar Das <office@ssdas.in>

9 January 2024 at 11:47

To: "Shailesh Henriques." <shenriques33@gmail.com>, advocatedangare@gmail.com, Pradosh Dangui <pradoshdangui@gmail.com>, dycrev.south.goa@nic.in, cols.goa@nic.in, "jovek1069@gmail.com" <jovek1069@gmail.com>, joveckxcardozo@gmail.com, Odry Fernandes <audrycardozo@gmail.com>, cardozo.shweta@hotmail.com, savioperry_2005@yahoo.co.in, csunifer@yahoo.com
Cc: gcзма gcзма <goacoastalzone@gmail.com>
Bcc: anand@ssdas.in

Dear All,

Please find attached the copy of the report in compliance of order dated 4 December 2023 passed by the Hon'ble Tribunal.

Regards

Chambers of Surjendu Sankar Das

Advocate-on-Record

Supreme Court of India

Standing Counsel for State of Goa

Standing Counsel for Andaman & Nicobar Administration

N-7, C. R. Park,

New Delhi 110019

Mo: +91 9810813651

Ph: 011-47087980

www.ssdas.in



09.01.2024 Suvarn Bandekar Compliance Affidavit FAF.pdf

13679K