

**BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN
ZONE BENCH, PUNE**

Original Application No. 103/2021(WZ)

Inacio Dominic Pereira &Ors. ...Applicants

Versus

Dwarka Eco Beach Resort &Ors. ...Respondents

REPORT OF THE JOINT COMMITTEE

1. In pursuance of the Order dated 18/01/2022 passed by this Hon'ble Tribunal in the present proceedings, a site inspection was conducted on 08/02/2022 by the Joint Committee comprising of the following members;
 - (i) Ms. Ruchika Katyal IAS, Collector South
 - (ii) Mr. Dasharath H. Redkar, M.S. GCZMA
 - (iii) Dr. Sharmila Monteiro M.S. GSPCB
 - (iv) Mr. Prem Kumar IFS DCF South
2. The said site inspection was held in the presence of Mr. Inacio Domnic Pereira the Applicant No. 1 herein as well as Mr. Clement Rodrigues who is the owner of Dwarka Eco Beach Resort.
3. On the basis of the issues broadly raised in the present Application the observations of the Joint Committee are as follows;
 - A. **With respect to the grievance of cutting of mangroves:**No destruction of mangroves was observed. Further the forest officers informed that there are no mangroves at the site.

- B. With respect to the grievance of filling of water body:** No filling up of water body was seen at the site.
- C. With respect to the grievance of hill cutting:** existence of steps were noticed on the hill for the purpose of providing access to the huts.
- D. With respect to the structures erected by the Respondent No. 1:** the Respondent No. 1 is in possession of a permission dated 26/09/2018 from the GCZMA whereby the Respondent No. 1 was granted permission for the purpose of erection of 10 huts, a restaurant and kitchen. The said permission is valid for a period of 5 years i.e. until 26/09/2023. Upon inspection it was noticed that the Respondent No. 1 has constructed 10 temporary huts, a restaurant and kitchen.
- E. With respect to the grievance that survey No. 131/3 of Canacona is identified as a private forest:** A portion of the property bearing survey No. 131 has been identified as a prospective private forest. The conclusive determination as to whether the sub division bearing No. 3 of survey No. 131 comes within the ambit of a private forest can be arrived at only once the same is finally demarcated.
- Annexed hereto and marked as **Exhibit A** is the copy of the Proceeding sheet of the site inspection along with the sketch prepared by the Joint Committee and photographs of the site.

Panaji-Goa
Dated:21/03/2022

Goa Coastal Zone Management Authority
(Member Secretary)



GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Environment, (Govt. of Goa)
4th Floor, Dempo Tower, Pato Plaza,
Panaji-Goa 403001

PROCEEDINGS OF SITE INSPECTION

FILE NO:- GCZMA/SILLE + COMPL/19-20/67

DATE: 08/02/2022

SUB: Site inspection regarding structure violation in
Survey No. 131/3, Cola village Canacona.

REF: GCZMA/SILLE - COMPL/19-20/67/1886.

Village: Cola Taluka: Canacona Survey: 131 Sub.Div.No. 3

Parties/Officers Present:-

- ① Ms. Ruchika Kojal IAS, Collector South.
- ② Mr. Dasharath H. Redkar, H.S. GCZMA
- ③ Dr. Sharmila Monteiro H.S. GSPCB
- ④ Mr. Pram Kumar I.R.S DCF South
- ⑤ Mr. Inacio Dominic Pereira Complainant.
- ⑥ Mr. Clement Rodrigues owner of Dwarka Eco Beach Resort

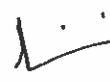
Brief description of proceedings:-

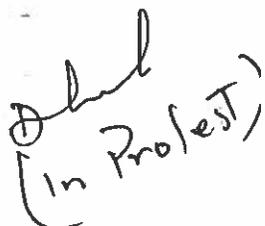
- ① Complaint of Cutting of Mangroves:-
No such mangroves destruction was observed on site.
During enquiry with forest officer who stated that there are no mangroves at the site.
- ② Backfilling of water body:-
During the inspection no backfilling of water body could be seen at site. Owner of the resort informed that he had repaired the existing ^{retaining} wall with the permission dated 18/01/2013.
- ③ Hill Cutting:-
During the inspection it is observed that steps have been provided to the huts on the upper side towards the hill for access purpose.

Signatures:







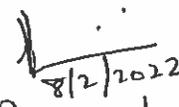

 (In Protest)

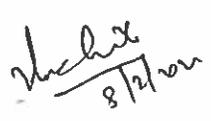
From the records it is seen that the GCZMA had granted permission to erect 10 huts, restaurant & Kitchen vide GCZMA / S / Shack - Hut - Cott - Tent / 17-18/103 / 1104 dated 26/09/2018 which is valid up to 5 years, from the date of issue. It is observed that there are 10 temporary huts, restaurant & Kitchen.

The sketch ^{with dimensions} of the existing temporary structures is enclosed along with the approved plan. DCF informed that the Survey No. 131 / (B) Part is identified as prospective private forest. Whether sub division 3 of Survey No. 131 falls under private forest or not will be known only after demarcation & map is made.


08/02/2022
D. M. Redkar
MS GCZMA


Clement Rodriguez


8/2/2022
Dr. Shamila Monteiro
M-S GSPCB

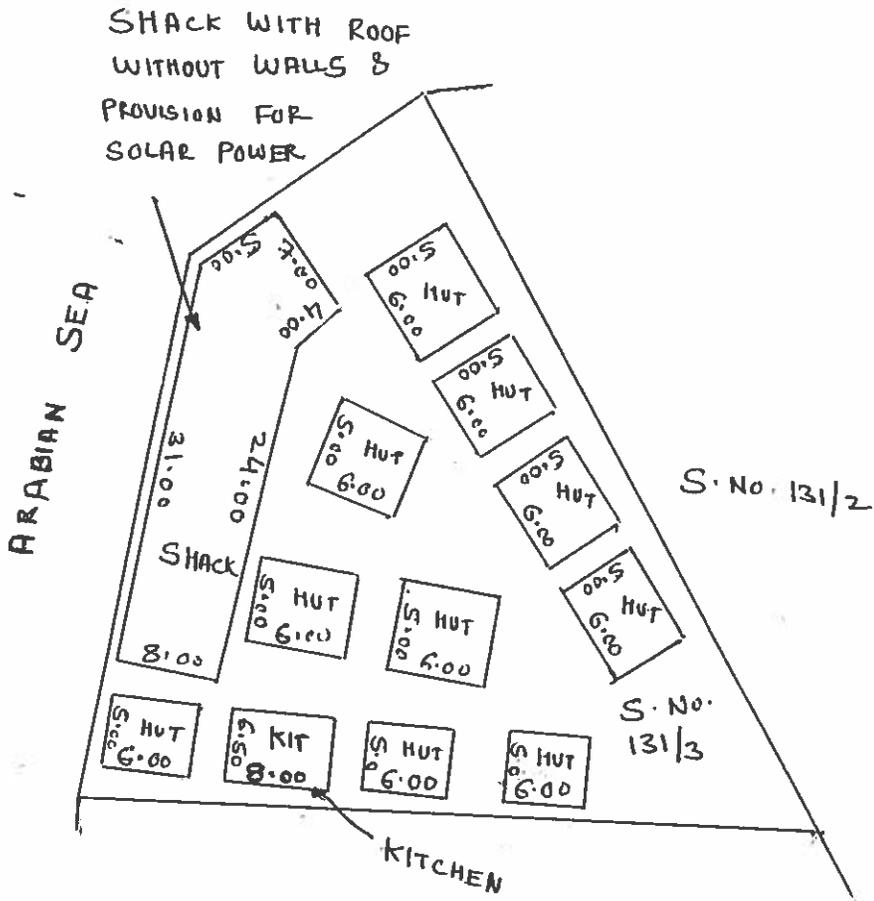

Ruchika Katiyal
Collector South Goa


Prem Kumar
DCF, South Goa


Inacio Pereira
(Sign in Protest)

SKETCH PERTAINING TO PROPERTY
BEARING SURVEY NO. 131/3 OF VILLAGE
COLA OF CANACONA TALUKA

NOT TO SCALE



Prepared By :- Devendra Gaonkar (F.S GCMA).

Date :- 08/02/2022





