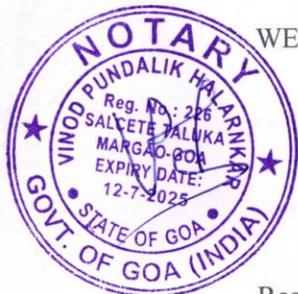


BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE AT PUNE.



Appeal NO. 6/2024

Reagan Rodrigues ..... Appellant

V/s

The Goa Coastal Zone Management

Authority & ors. .... Respondents

**REJOINDER OF THE APPELLANT TO THE  
REPLY FILED BY THE RESPONDENT NO.2**

MAY IT PLEASE THIS HON'BLE TRIBUNAL,

I Rousseau Rodrigues, S/o Blasco Rodrigues,  
aged 40 years, resident of Flat No.204, Status  
Residency, Fatorda Margao Goa, the Power of

Attorney holder for the Appellant herein, do hereby affirm as under:-



1. I say that I have read the contents of the Reply filed by the Respondent No.2. In respect of the same I do hereby submit as under.

2. With reference to para 2 the Appellant states that the additional documents produced by the Appellant at the time of filing the present appeal are at Exhibit No. J, A-1, B-1, C-1 and D-3. These documents are public documents and basically the records maintained by the G.C.Z.M.A and the Survey Department. These additional documents produced in the Appeal are for the assistance and convenience of the Hon'ble Tribunal in adjudicating upon the Appeal more effectively. There is no fresh evidence or facts introduced by virtue of the above documents. It is

*Quel*



humbly stated that, No leave is required to be sought to produce any public documents.

4. With reference to para 3, it is denied that the documents produced by the Appellant by virtue of the first Interim Application No. 8/2024. i.e. the Application under R.T.I. Act 2005 dated 19/4/2023 and the Reply dated 27/4/2023 of the G.C.Z.M.A and the Deed of gift with acceptance dated 11/3/2013 cannot be relied upon at the appellate stage. It is stated that the Deed of Gift is executed in favour of the Respondent No.2 wherein he is also a signatory. The records of the Deed of Gift maintained by the office of the Sub-Registrar of Salcete are public records. The genuineness of the Deed of Gift cannot be disputed by the Respondent No.2 as he himself is the maker of the document. The contents of these Deed of Gift also need not be proved as the Respondent No.2 is the beneficiary of the said Deed of Gift.

*Amul*

5. With reference to para 4 the contents thereof are denied. The Respondent No.1 has passed the Impugned order in total contradiction of the records maintained by them i.e. the CZMP plan.

6. With reference to para 5 of the reply the contents thereof are denied.

7. With reference to para 6 the contents thereof are denied. It is stated that the subject properties bearing Survey No.50/1 & 50/3 are abutting the tributary of river Sal.

8. With reference to para 7 of the reply, the contents thereof are denied. It is stated that the Tributary of River Sal abutting the subject properties is an inter tidal zone having tidal influence. There are 3 sluice gates opposite the subject properties which are abutting the said tributary.

*Deval*





9. With reference to para 8 of the reply the contents are denied. It is stated that the said S.O.1422(E) dated 1/5/2020 specifically relates to the existing khazans on the landward side parallel to a sluice gate or a bundh. The said S.O. does not pertain and is not applicable to a tributary or a water channel. The claim of the Respondent No.2 that there exists dysfunctional sluice gates close to the subject properties is contrary to his earlier claim that the sluice gate existed about 300 metres away, at the mouth of the tributary on the Western banks of River Sal.
10. With reference to Para 9 of the reply the contents are denied.
11. With reference to Para 10 of the reply the contents of the report of Dr. Nandaker M are disputed as false.

*Dr. Nandaker M*

12. With reference to para 11 of the reply the contents of the E.I.A accredit agency report are disputed as false.

13. With reference to para. 12 of the reply, it is denied that the permission dated 27.12.1951 issued by the Camara Municipal de Salcete pertains to the subject structure.

14. With reference to paras. 13,14,15 and 16 of the reply, the contents are denied.

15. With reference to para 17 of the reply, it is stated that the report of the D.L.C. is prepared by taking into account the public records. The D.L.C consisted of Various Government Authorities who have confirmed the fact that the structure constructed by the Respondent No.2 falls in the N.D.Z of River Sal. It is stated





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that till date there is no dispute raised by the Respondent No.2 to the D.L.C report before the Respondent No.1 and therefore the Respondent No.2 is prohibited from raising such a contention at the Appellate stage.

16. With reference to para. 18 of the reply, the contents thereof are denied. It is stated that there is no such scope under the CRZ notifications to consider the case to case basis objections, in the preparation of the Coastal Zone Management Plans.

17. With reference to para.19 the contents thereof are denied.

I say that whatever that is stated above is true to my knowledge and no part of it is false.



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Solemnly affirmed on this 8<sup>th</sup> day of April 2024 at  
Margao Goa.

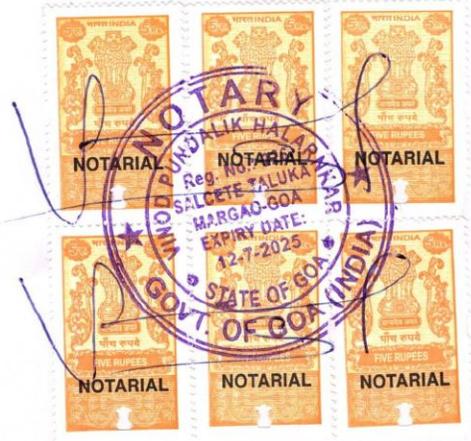
*Vale*

Identified by me

*Amber*

Deponent

*Amber*  
Adv. Amber D'souza  
MAH/6398/2023



Solemnly affirmed before me by  
Shri/Smt. *Rousseau Rodrigues*  
Who is identified before me by  
Shri/Smt. *Adv. Amber D'souza*  
Who is personally known to me

*Valamka*

VINOD PUNDALIK HALARNKAR  
NOTARY  
MARGAO-GOIA  
State of Goa (India)  
Reg. No. *29159/2024*  
Date... *08/04/2024*