

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN

ZONE BENCH AT PUNE

Appeal no. 48/18



The Colva Civic and Consumer Forum .. Appellants

V/s

Cesar Vaz and others .. Respondents

**AFFIDAVIT IN REJOINDER ON BEHALF OF THE PETITIONER TO THE AFFIDAVIT IN REPLY FILED BY THE RESPONDENT NO. 2 DATED 02.01.2024.**

*JA*

I, Judith Almeida, the <sup>PRESIDENT</sup> ~~Secretary~~ of the Appellant herein, Major, Resident of Colva, Salcete Goa, do hereby solemnly affirm and state on oath as under:



*JA*

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1. I say that I have read and understood the contents of the Affidavit in Reply filed by the Respondent no.2, at the outset, I deny each and every averment contained therein to the extent they are contrary to the case of the Appellant herein.
  2. I say that Respondent no.2 in its Affidavit in Reply has not addressed the following main issues that arise for consideration in the present appeal.
    - a. The Respondent no.1 has not adverted to the site inspection report of its own expert members dated 19.01.2017, which states that the old structure was 50m away from High Tide Line (HTL). Since the structure is in the No Development Zone (NDZ), repair and renovation can only be permitted within the plinth area of the existing authorized structure.
    - b. The sand dunes existed in the property bearing survey no. 39/3 of village Colva have not been mapped.
    - c. The GCZMA has permitted the Respondent no.1 to shift the existing structure to another location on the ground that shifting of the plint area of an existing structure is permissible even in the NDZ. The CRZ Regulations 2011, do to permit any such exercise.
  3. I say that Respondent no. 1 has illegally constructed 14 levels of illegal stone steps in survey no. 39/3A in village Colva within the NDZ right on the beach. I have filed a complaint dated 15.04.2024 to the GCZMA along with photographs. The



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*JA*



compliant has not been acted till date. I am annexing herewith copies of the complaint dated 15.04.2024 along with the photographs. *Annexed as EXHIBIT 'A'*

- 4. I therefore submit that the GCZMA is not performing its duties in accordance with law.
- 5. I do hereby solemnly verify the contents of paragraphs 1 to 3 of this reply are true to my knowledge and the content of paragraph 4 is legal submission which I believe to be true.

Solemnly affirmed at Margao on this 22<sup>nd</sup> day of April 2024.

*Almeida*  
Deponent

Identified by:



Solemnly affirmed before me by Judith Almeida  
Who is identified to me by Election no - KNX3050465  
to whom I personally know on this 22<sup>nd</sup> day of April 2024

Reg No 7542/2024  
*KSQV179*  
SAVITA G. KURTARKER  
NOTARY  
MARGAO, GOA



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EXHIBIT 'A'

# COLVA CIVIC AND CONSUMER FORUM

Reg No 268/Goa/2009

House No 257/1, Bagdem, Ward 3, Colva, Salcete-GOA 403708 Mob: 9823085206

(4)

Ref: CCCF / GCZMA / 02 /2024-2025

Date: 15.04.2024

To,  
The Chairman/Member Secretary,  
Goa Coastal Zone Management Authority,  
4<sup>th</sup> Floor, Dempo Towers, Patto,  
Panaji, Goa, 403 601

Sub : Illegal construction of a 14 level of stone steps leading to almost the HTL in the NDZ of CRZ III of Colva Beach, Salcete. Annexed are photographs.

Sirs,

This is to complain to your office that the owners Mr. Caesar Vaz and his co-owner have undertaken illegal construction of a 14 level of stone steps <sup>and metal gate</sup> leading to almost the HTL in the NDZ of CRZ III of Colva Beach, Salcete. Annexed are photographs.

This Site is being assailed in Appeal 18/2018 before the Hon'ble NGT (WZ), Pune. You are requested to urgently inspect the site for any other illegal constructions carried out on the site and take action to have the illegal development removed before the monsoons and issue necessary orders including environmental compensation for damage caused to the beach environment.

Thanking You,  
Sincerely,

  
Judith Almeida



  
15/04/2024  
O/n Member Secretary  
Goa Coastal Zone Management Authority  
C/o Department of Environment & Climate Change  
Dempo Tower 4th Floor,  
Patto Plaza Panaji Goa 403001

STONE  
14 LEVEL STEPS & METAL GATE SNO39/3-ACOLVA EXHIBIT 'A'



15/04/2024

ND2 - CR2-111 COLVA BEACH

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