

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
 APPEAL No. 437 of 2025(WZ)

IN THE MATTER OF:

COLVA CIVIC & CONSUMER FORUM & ORS. ...APPELLANTS

VERSUS

GOA COASTAL ZONE MANAGEMENT AUTHORITY & ORS.

...RESPONDENTS

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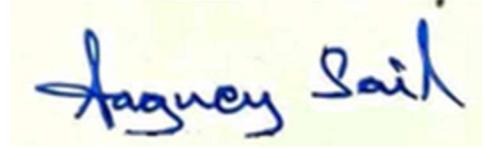
Next Date of hearing: 25.11.2025

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APPELLANTS

THROUGH



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Filed on: 24.11.2025

Place: Goa

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

APPEAL No. 437 of 2025(WZ)

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GOA COASTAL ZONE MANAGEMENT AUTHORITY & ORS.

...RESPONDENTS

**REJOINDER ON BEHALF OF APPELLANTS TO REPLY OF
G.C.Z.M.A.**

1. That the present Rejoinder of the Applicant is filed to the affidavit-in-reply of the Respondent No. 1 i.e. Goa Coastal Zone Management Authority (GCZMA) dated 24.10.2025 (hereafter 'reply of GCZMA' for short). At the outset the facts and averments in the said reply of GCZMA which are inconsistent with the pleadings in the present Appeal are denied. It is also stated that nothing may be deemed to be admitted unless the same is specifically admitted herein, but should be treated as though the same has been set out seriatim and denied and disputed specifically.

PRELIMINARY SUBMISSIONS:

2. That in light of the reply of GCZMA it is submitted that *"If the impugned decision of GCZMA is not quashed and set-aside it will serve as a precedent for the thousands of beach resorts / hotels in the state of Goa to get approvals for constructing concrete*

retaining walls in the inter-tidal zones or NDZ (CRZ-III) areas to safeguard their hotel property from erosion which will be the doom of the pristine coastal areas of Goa." Hence, it is pertinent to point out the following preliminary submissions in rejoinder highlighting the Appellants stand:

- (a) GCZMA has admitted in para 5 of their affidavit to not uploading on their website of the *alleged* second-part of the minutes of the 271st GCZMA meeting held on 21.09.2021.
- (b) GCZMA does not give any explanation for the above point in their reply, which constitutes a violation of para 4.2(vii) of the CRZ Notification, 2011 wherein it is provided that it shall be the responsibility of the State/UT Coastal Zone Management Authorities to post the agenda, minutes, decisions taken, clearance letters etc. on their dedicated website. No averment is made by GCZMA in their reply about uploading of the NOC dated 23.09.2021.
- (c) GCZMA has for the first time filed the *alleged* second-part of the minutes of its 271st meeting which is after passing of the impugned decision. Even the Respondent No. 4 project proponent did not have copy of the said minutes and got the same for the first time after 16.09.2025 as per averment in paragraph no. 9 of their reply affidavit dated 23.10.2025. Otherwise, the same would have been brought on record by them when this issue was raised during the

GCZMA proceedings on 14.06.2025 (461st Meeting) and thereafter.

- (d) GCZMA has not given any explanation in their reply for not supplying the complainants / Appellants herein (during its proceedings) with a copy of the *alleged* second-part of the minutes of its 271st meeting despite an application dated 11.06.2025 filed by the Appellant No. 3 and application dated 03.06.2025 by the Appellant No. 1. This is a direct violation of the principles of natural justice.
- (e) GCZMA has also not provided any reasons for not mentioning/discussing/annexing a copy of the *alleged* second-part of the minutes of its 271st meeting, in the impugned order, despite specific allegations made by complainants during the GCZMA proceedings that the minutes of 271st meeting do not refer/discuss/grant approval to the application of the Respondent No. 4.
- (f) GCZMA has also not provided any document to show that the *alleged* second-part of the minutes of its 271st meeting were circulated amongst its members for their comments and suggestions and thereafter, confirmed in the next or the earliest possible meeting by all the members present. This practice of recording as an agenda item the circulating and confirming the minutes of meetings was followed by GCZMA earlier as is evident from the minutes of its earlier meetings held in 2017.

(g) GCZMA has not mentioned a single word in the impugned decision about the site inspection report dated 14.06.2021 and hence, cannot be permitted to do so now through their reply which amounts to supplanting reasons after passing the decision.

(h) GCZMA has chosen, for reasons best known to them, not to file a para-wise reply to the Appeal thereby not assisting this Hon'ble Tribunal on the various detailed allegations and grounds raised therein.

3. **REJOINDER TO PARAs 1 to 3 OF REPLY:** The contents of these paragraphs need no response. However, it is submitted that GCZMA has chosen, for reasons best known to them, not to file a para-wise reply to the Appeal thereby not assisting this Hon'ble Tribunal on the various detailed allegations and grounds raised therein. Hence, the prayer made in paragraph no. 2 that they shall file an additional affidavit in future if found necessary is only a delaying tactic which should not be allowed and they should be directed to file a detailed reply to an Appeal defending their decision which is under challenge and submit before this Hon'ble Tribunal the entire case record.

4. **REJOINDER TO PARA 4 OF REPLY:** The contents of this paragraph are denied completely because in the impugned decision GCZMA has not once mentioned / relied upon the site inspection report dated 14.06.2021 and hence, cannot be permitted to do so

now which amounts to post-decisional implanting of reasons. Without prejudice to the above it is submitted that the site inspection report dated 14.06.2021 is submitted in hand written format with a typed copy of the same available at running page number 455. It is submitted that the reliance placed on the inspection report dated 14.06.2021 is misplaced due to the following reasons:

- **Firstly**, the classification of the concerned area as CRZ-III is not substantiated by any maps measuring / demarcating / superimposing proposed reconstruction area on the CRZ maps to ascertain the classification of the CRZ area which is a statutory requirement as per para 4.2(i)(a) to 4.2(i)(h) of CRZ Notification, 2011 [documents to be submitted for CRZ clearance] and para 8(i)(III)(B)(i) r/w Annexure III of CRZ Notification, 2011 [Guidelines for development of beach resorts or hotels in CRZ-III & CRZ-II areas]. This is despite the format of the site inspection report at serial no. v) requiring the distance from the HTL of River / Sea to be measured and filled. Moreover, at paragraph no. viii) of the inspection report to the entry '*Whether any lagoons, backwaters or other water bodies exist in the plot:*' it is only mentioned that, "*plot inbounded by river mandovi on west. Plot is constructed with hotel/tourism project and villas.*" without specifying the distance of river Mandovi from the collapsed retaining wall.
- **Secondly**, this inspection report does not record the legality of the collapsed retaining wall constructed in No Development Zone (CRZ-III) the records at paras xiv) and xv) that the proponent to submit the plan and copy of earlier approved structures from GCZMA and the office to verify for past violations. This establishes that during the inspection these crucial documents were not available to the inspection team. Even during the alleged deliberations of this project during the 271st GCZMA meeting these documents were not discussed / presented by the

proponent. As per the Respondent No. 4's application dated 31.05.2021 the retaining wall was built 12 years ago i.e. in 2009 (Refer Pg. 110). Hence, the said retaining wall must have had the NOC/approval of the GCZMA.

- **Thirdly**, the incomplete and vague conclusion / recommendation of the site inspection report cannot be accepted that the proposed wall is essential to control erosion and if not repaired it will lead to damage to land and property is incomplete. Nowhere, does this report mention the types of structures present in the concerned property and nature of the land which is at risk of being damaged. As per the statement made in the application dated 31.05.2021, there are lawns and garden in the said property which are at risk due to erosion (Refer to Pages 152-159 and 109 for Google Earth satellite images from 2010, 2019, 2021, 2022 and 2023). Further, nowhere is the CRZ Notification, 2011 safeguard private property (recent construction) is envisaged. If the GCZMA so believed that an area is at risk of erosion, they need to make a shoreline study or refer to shoreline studies already with them, or show more than a few grainy black and white photos of stones as proof that there is massive erosion. We continue to contend that the R4 hotel appears to have extended its retaining wall in the inter-tidal zone (refer to Pg. 863 for superimposed map) of the Mandovi River (Aguada Bay) in blatant violation of the CRZ law.
- **Fourthly**, the site inspection report at para xvii) recommends the repair as per attached plans. However, this plan (Refer Pg. 287) does not provide the coordinates of the proposed reconstruction / repair of the retaining wall i.e. the distance from the HTL and the bank of river Zuari. This lapse assumes significance as the Bhunaksha of the concerned Survey Nos. 12/1 and 99/2 of Bambolim Village on which the construction is proposed also discloses that these two survey nos. are not abutting the bank of river Zuari but there are three separate Survey Nos. 12/8, 12/9 and 99/1 of Village Bambolim between the river Zuari and the property of the Respondent No. 4.

5. REJOINDER TO PARA 5 OF REPLY: That the contents of this paragraph are denied as being false. Only the averment made that only the pages 1 to 26 of the minutes of the 271st GCZMA meeting held on 21.09.2021 were uploaded on the website is admitted as true which is till date not uploaded. Resultantly, GCZMA has admitted to not uploading on their website of the alleged second-part of the minutes of the 271st GCZMA meeting held on 21.09.2021. However, no explanation for this is given in their reply, which lapse constitutes a violation of para 4.2(vii) of the CRZ Notification, 2011 wherein it is provided that it shall be the responsibility of the State/UT Coastal Zone Management Authorities to post the agenda, minutes, decisions taken, clearance letters etc. on their dedicated website. Similarly, there is no averment made by GCZMA about uploading of the NOC dated 23.09.2021. It is pertinent to point out here that GCZMA has for the first time made a statement about and filed the alleged second-part of the minutes of its 271st meeting. Unfortunately, this is after passing of the impugned decision. Even the Respondent No. 4 project proponent did not have copy of the alleged second-part of these minutes and got the same for the first time after 16.09.2025 as per averment in paragraph no. 9 of their reply affidavit dated 23.10.2025. Otherwise, the same would have been brought on record by them when this issue was raised during the GCZMA proceedings on 14.06.2025 (461st meeting). That GCZMA has not given any explanation in their reply for not supplying the Appellants

herein (during its proceedings) with a copy of the alleged second-part of the minutes of its 271st meeting despite an application dated 03.06.2025 by Appellant No. 1 reply of which is **ANNEXURE - 26**. This is a direct violation of the principles of natural justice. Moreover, GCZMA has also not provided any reasons for not mentioning / discussing / 'annexing a copy of' the alleged second-part of the minutes of its 271st meeting, in the impugned order, despite specific allegations made by complainants during the GCZMA proceedings that the minutes of 271st meeting do not refer/discuss/grant approval to the application of the Respondent No. 4. That the GCZMA has also not provided any document to show that the *alleged* second-part of the minutes of its 271st meeting were circulated amongst its members for their comments and suggestions and thereafter, confirmed in the next or the earliest possible meeting by all the members present. This practice of recording as an agenda item the circulating and confirming the minutes of meetings was followed by GCZMA earlier as is evident from the minutes of its earlier meetings held in 2016-17 (135th to 161st – total 27 meetings). Resultantly, the Appellants take it to be their solemn duty to assist this Hon'ble Tribunal by impleading all the members of the GCZMA during the period Sept. 2021 when the alleged decision was taken during the 271st meeting. For the same a separate application for impleadment is being filed by the Appellants. True and correct copies of the relevant extracts of the minutes of the 135th(25.11.2016) & 161st(24.10.2017) GCZMA

meetings showing the first agenda item confirming the previous meeting minutes are hereto marked and annexed as **ANNEXURE - 27(colly)**.

6. REJOINDER TO PARA 6 OF REPLY: In rejoinder to the averments of this paragraph which are not concerning the issues raised in the present case, it is submitted that the mere fact that the said activity has technical clearance order dated 13.12.2021 issued by the Town and Country Planning Department (Refer Pg. 149-150) and the NOC dated 21.01.2022 issued by the Village Panchayat (Refer Pg. 151) does not imply / establish grant of GCZMA approval in compliance of the CRZ Notification, 2011 and after deliberations by the GCZMA in its meeting wherein decision was taken by its members for granting NOC to this project. These permissions have been granted under different statutes which have no bearing on the CRZ Notification, 2011. Hence, no reliance can be placed by GCZMA on these approvals/permissions granted under other laws with which this Hon'ble Tribunal is not concerned with in the present case.

7. REJOINDER TO PARA 7 OF REPLY: The contentions of providing the Appellants an opportunity of hearing following the principles of natural justice by GCZMA are vehemently denied. In rejoinder it is submitted that entire documents of the case, especially the *alleged* second-part of the minutes of its 271st GCZMA meeting were not made available to the Appellants during the proceedings and copies

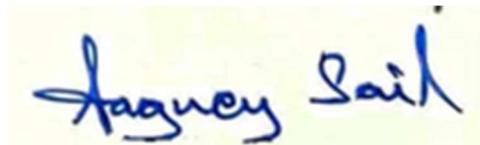
of the same were deliberately not provided to them when they were supplied the entire case documents as per direction taken in 455th GCZMA meeting. Here also it is pertinent to mention that the Appellants were supplied the case documents on the last GCZMA meeting day i.e. on 26.06.2025 when the 461st GCZMA meeting was held and the final decision was taken in this matter. True and correct copies of the relevant extracts of the minutes of the 450th(13.05.2025), 453rd(29.05.2025), 455th (10.06.2025) and 461st(26.06.2025) meetings of GCZMA are hereto marked and annexed as **ANNEXURE – 28(colly)**. Moreover, it is also submitted that the site inspection conducted on 28.05.2025 by GCZMA was carried out without any notice to the Appellants because of which they did not participate in it and requested for a fresh inspection citing various shortcomings in the inspection report. True and correct copies of the Appellants' Written Submissions dated 10.06.2025 and the Appellants' Rejoinder dated 26.06.2025, both filed with GCZMA are hereto marked and annexed as **ANNEXURE – 29(colly)**.

8. **REJOINDER TO PARA 8 & 9:** In Rejoinder to these two paragraphs it is submitted that in light of the above-mentioned rejoinder and the averments made in the Appeal, the present Appeal deserves to be allowed and prayers sought granted by this Hon'ble Tribunal. If the impugned decision of GCZMA is not quashed and set-aside it will serve as a precedent for the thousands of beach resorts / hotels in the state of Goa to get

approvals for constructing concrete retaining walls in the inter-tidal zones or NDZ (CRZ-III) areas to safeguard their property from erosion which will be the doom of the pristine coastal areas of Goa. In this regard the Appellants invite the attention of this Hon'ble Tribunal to pictures taken on 17.11.2025 at the concerned site showing use of heavy machinery being and the ongoing construction activity using concrete etc. in the inter-tidal zone / NDZ (CRZ-III) zone which are hereto marked and annexed as **ANNEXURE – 30**. Hence, it is most humbly prayed that this Hon'ble Tribunal may grant interim relief granting stay on all construction activity at the project site as sought in I.A. no. 809/2025 (WZ) filed by the Appellants.

APPELLANTS

THROUGH



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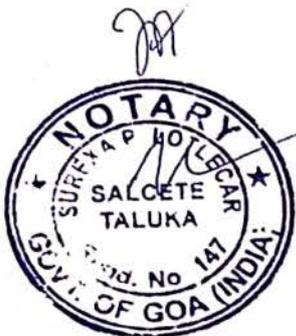
VERSUS
THE GOA COASTAL ZONE MANAGEMENT
AUTHORITY & OTHERS

...RESPONDENTS

AFFIDAVIT

I, Ms. Judith Almeida, aged about 70 years, D/o Late Joseph Baptista, President of Colva Civic & Consumer Forum having its registered office at H. No. 257/1, Ward No. 3, Bagdem, Colva, Salcete, Goa - 403708, do hereby solemnly state and affirm that:

1. That I am the authorized representative of the Appellant No. 1 in the above mentioned Appeal and I am aware of the facts of the present case and as such am competent to swear this affidavit on behalf of the Appellant No. 1 and also on behalf of the Appellant Nos. 2 & 3.
2. That I have read and understood the accompanying Rejoinder to the Reply of GCZMA which has been drafted on my instructions and the contents of which are true & correct to my knowledge and legal advice which I believe to be true and have been read and explained to me.
3. That the Annexures 26 to ³⁰ are true and correct copies of their respective originals.



J. Almeida
DEPONENT
Cons. No. 206/2009/GOA

VERIFICATION:

Verified that the contents of paras 1 to 3 of my above affidavit are true to my knowledge and its content is read and explained to me in the vernacular, no part of it is false and nothing material has been concealed therefrom.

J. Almeida

Verified on 22nd day of November, 2025 at Margao, Goa.

J. Almeida
DEPONENT
Consumer Forum

P.T.O

Solemnly affirmed before me by

Judith Almeida

who is identified by

EPIC Card no: KNX3050465

to whom I personally know

Reg No. 11729 / 2025

Date: 22/11/2025

[Handwritten Signature]

SUREXA P. LOTLECAR
NOTARY MARGAO
SALCETE TALUKA
STATE OF GOA (INDIA)



ANNEXURE – 26

GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Environment & Climate Change (Govt. Of Goa)

Dempo Tower 4th Floor, Patto Plaza- Panaji GoaWebsite : www.czma.goa.gov.in

Tel.: 0832-2951089

Ref. No. GCZMA/RTI/25-26/1250

Date: 26/06/2025

To

✓ Judith Almeida,
257/1, Bagdem, Ward 3,
Colva Salcete, Goa 403708.

Sub: Information under Right to Information Act 2005.

Ref: 1. Your RTI Application dated 03/06/2025 received by this Authority on
03/06/2025.

2. This office Letter No: GCZMA/RTI/25-26/1072 dated 13/06/2025.

Sir, / Madam,

With reference to the above, the information available with this office may be collected on payment of Rs 294/- (Rupees Two Hundred Ninety Four only).

Yours faithfully

For

[Signature]
26/06/2025

Public Information Officer
(Goa Coastal Zone Management Authority)

[Signature]
Jagney Sain

and the same had

-- TRUE COPY --

ANNEXURE – 27(colly)**MINUTES OF THE 135TH MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD IN THREE SITTINGS I.E. ON 15/11/2016 (TUESDAY) AT 11:00 A.M., 25/11/2016 (FRIDAY) 3:30 P.M AND 03/01/2017 (TUESDAY) AT 3:30 P.M. AT THE CONFERENCE HALL, 1ST FLOOR, DEMPO TOWERS, GOA STATE POLLUTION CONTROL BOARD (GSPCB), PATTO, PANAJI - GOA**

The 135th meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Secretary (Environment), on 15/11/2016 (Tuesday) at 11:00 a.m. and 25/11/2016 (Friday) at 3:30 p.m and 03/01/2017 (Tuesday) at 3:30 p.m. at the Conference Hall, 1st Floor, Dempo Towers, Goa State Pollution Control Board (GSPCB), Patto, Panaji – Goa.

The following members were present during the 1st sitting of the meeting:

1. Principal Secretary (Environment) / Chairman(GCZMA)
2. Deputy Conservator of Forests, Department of Forests, Government of Goa represented the Principal Chief Conservator of Forests
3. Director, Directorate of Panchayats, Government of Goa
4. Director, Directorate of Tourism, Government of Goa
5. Director, Directorate of Fisheries, Government of Goa
6. Representative on behalf of Chief Engineer, Water Resources Department (W.R.D), Government of Goa
7. Shri. Audhut J. Bhounsule, Expert Member (GCZMA)
8. Dr. Prabhakar Shirodkar, Expert Member (GCZMA)
9. Dr. Nandakumar Sawant, Expert Member (GCZMA)
10. Shri. Suhas Godse, Expert Member (GCZMA)
11. Shri. Shrirang Jambhale, Expert Member (GCZMA)
12. Member Secretary (GCZMA)

Further, during the follow up meeting ie second sitting held on 08/11/2016 at 3.30 pm the following members were present:

1. Principal Secretary (Environment) / Chairman(GCZMA)
2. Director, Directorate of Tourism, Government of Goa
3. Superintendent of Survey & Land Records represented the Director, Directorate of Survey & Land Records

4. Director, Directorate of Fisheries
5. Representative on behalf of Chief Engineer, Water Resources Department (W.R.D),
Government of Goa
6. Shri. Audhut J. Bhounsule, Expert Member (GCZMA)
7. Dr. Prabhakar Shirodkar, Expert Member (GCZMA)
8. Dr. Nandakumar Sawant, Expert Member (GCZMA)
9. Shri. Suhas Godse, Expert Member (GCZMA)
10. Member Secretary (GCZMA)

Further, following members were present during the 3rd sitting of the 135th GCZMA meeting held on 03/01/2017:

1. Principal Secretary (Environment) / Chairman(GCZMA)
2. Deputy Conservator of Forests, Department of Forests, Government of Goa
represented the Principal Chief Conservator of Forests
3. Representative on behalf of Director, Directorate of Panchayats
4. Deputy Director, Directorate of Tourism, Government of Goa represented the
Director
5. Superintendent of Survey & Land Records represented the Director, Directorate of
Survey & Land Records, Government of Goa
6. Director, Directorate of Fisheries, Government of Goa
7. Shri. Audhut J. Bhounsule, Expert Member (GCZMA)
8. Dr. Prabhakar Shirodkar, Expert Member (GCZMA)
9. Dr. Nandakumar Sawant, Expert Member (GCZMA)
10. Shri. Suhas Godse, Expert Member (GCZMA)
11. Shri. Shrirang Jambhale, Expert Member (GCZMA)
12. Member Secretary (GCZMA)

At the outset, the Chairman (GCZMA) welcomed the Members of GCZMA present for the meeting. Thereafter the following agenda items were taken up for discussion and decision:

Item No.1: To confirm the minutes of the 134th Meeting of the GCZMA held in two sittings on 04/11/2016 and 08/11/2016.

The minutes of the 134th Meeting of the GCZMA held on 04/11/2016 and 08/11/2016 were circulated amongst the members and the same were confirmed by the Authority.

Item No. 2: To discuss and decide on the draft Report submitted by the National Centre on Sustainable Coastal Management (NCSCM) with regard to the Beach Carrying Capacity Study in respect of beaches of Goa pertaining to erection of temporary seasonal structures in the CRZ area.

1. The Office of the GCZMA had allotted the work of conducting the studies of the “Beach Carrying Capacity” for the State of Goa to the National Centre on Sustainable Coastal Management (NCSCM).
2. Accordingly, the NCSCM has completed the necessary study in respect of the same.
3. In this regard, the GCZMA had requested the representatives of National Centre for Sustainable Coastal Management, (NCSCM), Chennai to make a detailed presentation in respect of assessment of the Beach Carrying Capacity on Coastal Areas in Goa for Shacks and other temporary structures before the Goa Coastal Zone Management Authority (GCZMA) in its meeting held on 8th November at 3:30 pm in the Conference Hall of the Goa State Pollution Control Board in order to decide on the Tourism Policy 2016-19. Accordingly, a detailed presentation was made by the representatives of the NCSCM before the members of the Authority.
4. The draft report prepared by the NCSCM, Chennai with respect to the Beach Carrying Capacity on Coastal Areas in Goa is placed for consideration by the GCZMA.

In view of the above, the Beach Carrying Capacity report Study was placed before the Authority for discussion and decision.

Proceeding of First Sitting held on 15/11/2016: The Authority noted that the Beach carrying Capacity report for the State of Goa submitted by the NCSCM is required to be studied properly by the Authority members and the same can be decided thereafter. After detailed discussion and due deliberation, the Authority decided to constitute a sub committee comprising of 3 Expert Members namely Dr. P.V. Shirodkar, Dr. Nandakumar Sawant and Prof. Suhas Godse alongwith the Member Secretary (GCZMA) who are required to analyse / scrutinize the said report on Beach Carrying Capacity studies for the State of Goa on 19/11/2016 at 10:30 a.m and come up with suggestions / comments if any, with respect to the same.

Proceeding of Second Sitting held on 25/11/2016: The Sub committee members appraised the Authority regarding the Beach Carrying capacity study report. The members of GCZMA suggested certain changes to the draft report and noted that the sand dunes mapping needs to be incorporated in the said report . The Authority after detailed deliberation and discussion decided to inform the NCSCM accordingly to submit a final report and to take a final decision on the report in its third seating.

MINUTES FOR THE 161st MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) TO BE HELD ON 24/10/2017 (TUESDAY) AT 3:30 P.M. IN THE CONFERENCE HALL, 2ND FLOOR, SECRETARIAT, PORVORIM – GOA.

The 157th meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Principal Secretary (Environment), on 19/09/2017 (Tuesday) at 3:00 p.m. in the Conference Hall, 2nd Floor, Secretariat, Porvorim – Goa.

The following members were present during the meeting:

1. Principal Secretary (Environment) / Chairman(GCZMA)
2. Representative on behalf of Director, Directorate of Tourism
3. Representative on behalf of Director, Directorate of Settlement & Land Records
4. Chief Engineer (WRD)
5. Dr. Prabhakar Shirodkar, Expert Member (GCZMA)
6. Shri. Audhut Bhonsule, Expert Member (GCZMA)
7. Member Secretary (GCZMA)

At the outset, the Chairman (GCZMA) welcomed the Members of GCZMA present for the meeting and thereafter the following agenda items were taken up for discussion and decision:

Item No.1: To confirm the minutes of the 159th Meeting of the GCZMA held on 10/10/2017 and 160th Meeting of the GCZMA held on 17/10/2017.

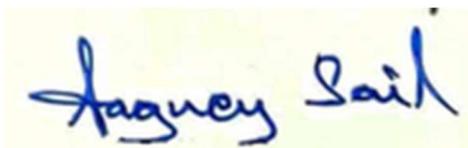
The minutes of the 159th Meeting of the GCZMA held on 10/10/2017 and 160th Meeting of the GCZMA held on 17/10/2017. Authority confirmed the minutes of the meetings.

Item No. 2:

Case No. 2.1

To discuss and decide on the report submitted by the Inquiry Committee with regard to the complaint filed by Goa Paryavaran Savrakshan Sangharsh Samitte pertaining to alleged illegal construction of buildings / structures within NDZ carried out by M/s. Thalasa Resort in the property bearing Sy. No. 214/1 of Anjuna Village, Bardez – Goa.

1. An Application bearing No. 106/2015 was filed by Goa Paryavaran Savrakshan Sangharsh Samittee before the Hon'ble NGT, Pune thereby challenging the alleged illegal construction of buildings / structures within NDZ area by M/s. Thalasa Resort in the property bearing Sy. no. 214/1 of Anjuna Village, Bardez – Goa.
2. The said Application came to be disposed off by the Hon'ble NGT, Pune with a common order dated 29/10/2015 with a direction to the Applicant to file proper complaint to the GCZMA and then GCZMA to take necessary action.
3. Accordingly, as directed by the Hon'ble NGT, Pune a complaint letter dated 30/10/2015 was filed by Goa Paryavaran Savrakshan Sangharsh Samittee with regard to the alleged illegal construction of buildings / structures within NDZ area at various beaches in the State of Goa viz. Anjuna, Vagator, Morjim, Mandrem etc. carried out by various Beach Resorts etc.
4. It may also be noted that, the GCZMA had received another complaint letter dated 23/11/2015 from Mr. Kashinath Shetye with regard to the same subject matter.
5. Accordingly, upon receipt of the said complaints the same were forwarded to the Inquiry Committee of the GCZMA for inquiry and report.
6. The Inquiry Committee of the GCZMA after conducting due inquiry which includes site inspection and grant of personal hearing to the parties, submitted their report on 10/06/2016. The Inquiry Committee report concludes as under:



MINUTES OF THE 450th MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 13/05/2025 at 2.30 P.M. ONWARDS IN THE CONFERENCE HALL, FOURTH FLOOR, DEMPO TOWER, PATTO-PANAJI-GOA.

The 450th Meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Secretary (Environment), on 13/05/2025 at 03.30 p.m. in the Conference hall, fourth floor, Patto-Panaji –Goa.

The following members were present for the meeting

1. Secretary, Environment & Climate Change /Chairman (GCZMA)
2. Representative of the Principal Conservator of Forest.
3. Representative of the Directorate of Panchayat
4. Ganesh Velip, Expert Member, (GCZMA)
5. Radha Rao, Expert Member (GCZMA)
6. Dilip B Arolkar, Expert Member (GCZMA)
7. Director, Environment & Climate Change /Member Secretary, (GCZMA)

The Minutes of the previous meeting was discussed and approved by all the Members present.

Item no .1

Case No 1.1

To decide on the Complaint from Viresh Borkar MLA against Grand Hyatt Hotel Bambolim.

Background: This office is in receipt of telephonic complaint from Viresh Borkar, MLA St. Andre Constituency, complaint from Ramrao Wagh and complaint from Goa Green Brigade with regards to illegal construction carried out by Grand Hyatt Hotel, Bambolim, Tiswadi-Goa.

On receipt of complaint, the officials attached to the office conducted the site inspection and accordingly placed the report.

That upon close perusal of the said report the following alleged gross illegal construction resulting violation of CRZ Notification 2011 is noticed:

Sr. No.	Survey No.	Type of Construction/Activity	Distance From HTL
1.	Sy.No 12/1 and 99/2 village Bambolim	<ul style="list-style-type: none"> • At the time of inspection excavation using machinery works ongoing, and construction work of concrete retaining wall of height approx. 3.2mtrs and for length approx. 10.00mtrs was already completed • As noticed during the time of inspection the foundation PCC has laid and raised structural 'I' section was noticed above the foundation PCC. 	CRZ-III BAY NDZ

That the Authority issued a Show Cause Notice to the Respondent and directed to remain present for hearing on the 24/04/2025 at 3.30p.m.

The matter was taken up in the 447th GCZMA Meeting the Proceeding: Complainant MLA present in person, Complainant Ramrao Wagh absent, Avelino Furtado absent. The Complainant states that the Respondents are constructing a Compound wall. Copy of the Site Inspection Report furnished to the parties. The Respondents filed their reply and stated that they have the permission from the GCZMA dated 23/01/2021. The Respondent stated that the current of the waves are so strong that the gabion wall does not hold as they had earlier erected a gabion wall and the same had collapsed. After the hearing Ramrao Wagh and Avelino Furtado appeared. The Authority's Decision: Posted the matter on 13/05/2025 at 3.30p.m.

Proceeding: Complainant absent. Respondent absent.

Decision: In view of both the parties remaining absent. Opportunity granted and posted the matter on 01/07/2025 at 3.30p.m.

Case No 1.2 High Court direction matters.

To decide on complaint from and Mr Cruz Silveira, Mr Paulo J Mascarenhas with regards to CRZ violations by Mr. Ashok Meher, with regards to the illegally construction beyond the approved plan thereby exceeding the permissible FAR in survey no 206/1, 206/1A and 206/1B, of Calangute Village .

Background: The Office of the GCZMA is in receipt of a complaint letter dated 24/11/2020 and inwarded in the office of the GCZMA on the 25/11/2020; from Adv. Rohit Bras de Sa, r/o having office at G-1, Churchview Bldg., Fr. Agnelo Road, Altinho, Panaji, 403001; with regards to CRZ violations by Mr. Ashok Meher, r/o H.No. 111, Nandanver, Navapur, Post Agasi, Taluka Palghar 401301 email. sudhirmeher75@gmail.com; with regards to the illegally construction beyond the approved plan thereby exceeding the permissible FAR in survey no 206/1, 206/1A and 206/1B, of Calangute Village within the CRZ Limits.

There was a subsequent Complaint received a joint Complaint from Mr Paulo J Mascarenhas r/o H.No. 3/23, TivaiVaddo, Calangute, Bardez Goa and Mr Cruz Silveira, r/o TivaiVaddo Calangute, Bardez Goa; wherein he complainant about the same illegal Construction carried out by Mr. Ashok Kashinath Meher in survey no 206/1B, of Calangute Village within the CRZ Limits.

The Complainant filed a PIL Writ Petition bearing no 38/2018 before the Hon'ble High Court of Bombay at Goa and vide order dated 28/06/2019 the Hon'ble High Court observed that, "*Learned Advocate General appearing on behalf of the Respondent State states that the Deputy Collector will carry out the survey as required by GCZMA in their communication to him dated 9th May, 2017, within a period of four months from today. Since that was the main grievance of the Petitioners and is now redressed, as noted above, the petition is disposed of by directing the Respondents to carry out the survey accordingly*".

MINUTES FOR THE 453rd MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 29/05/2025 at 3.30 P.M. ONWARDS IN THE CONFERENCE HALL, FOURTH FLOOR, DEMPO TOWER, PATTO-PANAJI-GOA.

Item no .1

Case No 1.1

To decide on the Complaint from Viresh Borkar MLA against Grand Hyatt Hotel Bambolim.

Background: This office is in receipt of telephonic complaint from Viresh Borkar, MLA St. Andre Constituency, complaint from Ramrao Wagh and complaint from Goa Green Brigade with regards to illegal construction carried out by Grand Hyatt Hotel, Bambolim, Tiswadi-Goa.

On receipt of complaint, the officials attached to the office conducted the site inspection and accordingly placed the report.

That upon close perusal of the said report the following alleged gross illegal construction resulting violation of CRZ Notification 2011 is noticed:

Sr. No.	Survey No.	Type of Construction/Activity	Distance From HTL
1.	Sy.No 12/1 and 99/2 village Bambolim	<ul style="list-style-type: none"> At the time of inspection excavation using machinery works ongoing, and construction work of concrete retaining wall of height approx. 3.2mtrs and for length approx. 10.00mtrs was already completed As noticed during the time of inspection the foundation PCC has laid and raised structural 'I' section was noticed above the foundation PCC. 	CRZ-III BAY NDZ

That the Authority issued a Show Cause Notice to the Respondent and directed to remain present for hearing on the 24/04/2025 at 3.30p.m.

The matter was taken up in the 447th GCZMA Meeting the Proceeding: Complainant MLA present in person, Complainant Ramrao Wagh absent, Avelino Furtado absent. The Complainant states that the Respondents are constructing a Compound wall. Copy of the Site Inspection Report furnished to the parties. The Respondents filed their reply and stated that they have the permission from the GCZMA dated 23/01/2021. The Respondent stated that the current of the waves are so strong that the gabion wall does not hold as they had earlier erected a gabion wall and the same had collapsed. After the hearing Ramrao Wagh and Avelino Furtado appeared. The Authority's Decision: Posted the matter on 13/05/2025 at 3.30p.m.

The matter was taken up in the 450th GCZMA meeting held on 13/05/2025 the Proceeding: Complainant absent. Respondent absent. The Authority's Decision: In view of both the parties remaining absent. Opportunity granted and posted the matter on 01/07/2025 at 3.30p.m.

Upon the request of the parties the matter was preponed to 29/05/2025 at 3.30p.m.

Proceeding: Complainant absent. Respondent present. All the Complainants sent a email stating their inability to appear before the Authority in a short notice and requested for advance notice to be given before the next date.

Decision: The Authority considered the request and posted the matter on 10/06/2025 at 3.30.p.m.

Item No. 2 PROPOSALS

Case No. 2.1

NOC for proposed Banquet and kitchen in the plot bearing Sy. No. 98/1(part) & 104/1 (part) of Candolim village, Bardez Goa.

The Office of the GCZMA is in receipt of an application dated 25/11/2024 from M/s Taj Fort Aguada Resort & Spa, with regards to Proposed Banquet and kitchen in the plot bearing Sy. No. 98/1(part) & 104/1 (part) of Candolim village, Bardez Goa.

Site Inspection Report: The said site was inspected by Dr. Sushant Naik (Expert Member GCZMA), Mr. Nehal Devidas, Engineer (GCZMA).

- i) **Name of the Applicant:** M/s Taj Fort Aguada Resort & Spa
- ii) **Date of the Application:** 25/11/2024
- iii) **Application for:** Proposed Banquet and kitchen in the plot bearing Sy. No. 98/1(part) & 104/1 (part) of Candolim village, Bardez Goa.
- iv) **Date of construction based on the documents:** NA
- v) **Date of Inspection:** 04/12/2024
- vi) **Name of the Official / Expert Member, GCZMA:**
 - 1) Dr. Sushant Naik (Expert Member, GCZMA)
 - 2) Mr. Nehal Devidas (Engg, GCZMA)
- vii) **Name of the Parties Present:** Mr. Savio D'Mello (Representative of Applicant)
- viii) **Location of the alleged violation:** NA
Sy. No.: 98/1(part) & 104/1 (part) **Village:** Candolim **Taluka:** Bardez
- iv) **Accessibility:** By PWD road
- v) **Distance from the HTL of River / Sea:** plot touching HTL.
- vi) **Classification of CRZ Area:** The property falls in CRZ – III as per CZMP 2011.
- vii) **Existence of Sand dunes and its Height:** No
- viii) **Whether any lagoons, backwaters or other water bodies exist in the plot:** N
- ix) **Existence of Vegetation, if any:** Wild Trees & Bushes.
- ix) **Plinth area of the structure:** NA
- xi) **Nature of the structure:** Permanent Structure.
- xii) **Height of the structure:** 9 m above ground level and 3.5m below ground level.
- xiii) **Details of extension to the existing structure:** NA
- xiv) **Approvals / NOC's issued by any other Department's / Authorities:** No
- xv) **Nature of violation if any, with regards to provisions of CRZ Notification 2011:**

Sagney Sain

MINUTES OF THE 455th MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 10/06/2025 at 3.30 P.M. ONWARDS IN THE CONFERENCE HALL, FOURTH FLOOR, DEMPO TOWER, PATTO-PANAJI-GOA.

The 455th Meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Secretary (Environment), on 10/06/2025 at 03.30 p.m. in the Conference hall, fourth floor, Patto-Panaji –Goa.

The following members were present for the meeting

Secretary, Environment & Climate Change /Chairman (GCZMA)

Representative on behalf of Principal Conservator Forest, Department of Forest

Representative on behalf of Director, Directorate of Panchayat, Panaji Goa.

Representative on behalf of Principal Chief Engineer, WRD, Panaji Goa.

Shri. GaneshVelip, Expert Member, (GCZMA)

Radha Rao, Expert Member, (GCZMA)

Dr Sushant S Naik, Expert Member, (GCZMA)

Director, Environment& Climate Change /Member Secretary, (GCZMA)

The Minutes of the previous meeting was discussed and approved by all the Members present.

Item no .1

Case No 1.1

To decide on the Complaint from Viresh Borkar MLA against Grand Hyatt Hotel Bambolim.

Background: This office is in receipt of telephonic complaint from Viresh Borkar, MLA St. Andre Constituency, complaint from Ramrao Wagh and complaint from Goa Green Brigade with regards to illegal construction carried out by Grand Hyatt Hotel, Bambolim, Tiswadi-Goa.

On receipt of complaint, the officials attached to the office conducted the site inspection and accordingly placed the report.

That upon close perusal of the said report the following alleged gross illegal construction resulting violation of CRZ Notification 2011 is noticed:

Sr. No.	Survey No.	Type of Construction/Activity	Distance From HTL
1.	Sy.No 12/1 and 99/2	• At the time of inspection excavation using machinery works ongoing, and construction work of concrete retaining wall of height approx. 3.2mtrs and for length approx. 10.00mtrs was	CRZ-III BAY NDZ

	village Bambo lim	already completed • As noticed during the time of inspection the foundation PCC has laid and raised structural 'T' section was noticed above the foundation PCC.	
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That the Authority issued a Show Cause Notice to the Respondent and directed to remain present for hearing on the 24/04/2025 at 3.30p.m.

The matter was taken up in the 447th GCZMA Meeting the Proceeding: Complainant MLA present in person, Complainant Ramrao Wagh absent, Avelino Furtado absent. The Complainant states that the Respondents are constructing a Compound wall. Copy of the Site Inspection Report furnished to the parties. The Respondents filed their reply and stated that they have the permission from the GCZMA dated 23/01/2021. The Respondent stated that the current of the waves are so strong that the gabion wall does not hold as they had earlier erected a gabion wall and the same had collapsed. After the hearing Ramrao Wagh and Avelino Furtado appeared. The Authority's Decision: Posted the matter on 13/05/2025 at 3.30p.m.

The matter was taken up in the 450th GCZMA meeting held on 13/05/2025 the Proceeding: Complainant absent. Respondent absent. The Authority's Decision: In view of both the parties remaining absent. Opportunity granted and posted the matter on 01/07/2025 at 3.30p.m.

Upon the request of the parties the matter was preponed to 29/05/2025 at 3.30p.m.

The matter was placed in the 453rd GCZMA Meeting held on 29/05/2025 the Proceeding: Complainant absent. Respondent present. All the Complainants sent a email stating their inability to appear before the Authority in a short notice and requested for advance notice to be given before the next date. The Authority's Decision: The Authority considered the request and posted the matter on 10/06/2025 at 3.30.p.m.

Proceeding: The Complainants Judith present, Mr Viresh Borkar present, Ramrao Wagh present, Goa Green Brigade present. All complainant present. Adv Supekar present along with other Respondent. The Complainants stated that the copies of the Complaint was not furnished to them, that the site inspection report and the SCN was not issued to them. They requested for all the copies of the papers so as to file appropriate reply. Adv Supekar stated that they had obtained all the permissions including the GCZMA permission.

Decision: The Authority directed the Complainants to make an application and seek all documents from the file and directed to file reply to the notice posted the matter on 26/06/2025 at 3.30p.m.

Case No. 1.2

To decide on the Complaint from M/s Ashwin Holdings Pvt Ltd., through its authorized representative Mr. Ramesh Kumar Singh, against Mr. Celestino D'Souza and Mrs. Joanita D'Souza

Background: The Office of the Goa Coastal Zone Management Authority (hereinafter referred as 'the GCZMA' in short) had received a complaint letter dated 18/04/2022 from

Jagney Sain

MINUTES OF THE 461ST MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 26/06/2025 at 3.30P.M. AM. IN THE CONFERENCE HALL, FOURTH FLOOR, DEMPO TOWER, PATTO-PANAJI-GOA.

The 461st Meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Secretary (Environment), on 26/06/2025 at 03.30 p.m. in the conference hall, fourth floor, Patto-Panaji -Goa.

The following members were present for the meeting

1. Secretary, Environment & Climate Change /Chairman (GCZMA)
2. Representative of the Principal Conservator of Forest.
3. Representative on behalf of Director, Directorate of Panchayat, Panaji Goa.,
4. Representative on behalf of Chief Engineer, PWD, Panaji Goa.
5. Mrs Radha Rao, Expert Member, (GCZMA)
6. Shri GaneshVelip, Expert Member, (GCZMA)
7. Director, Environment & Climate Change / Member Secretary, (GCZMA)

The Minutes of the previous meeting was discussed and approved by all the Members present.

Item no .1.

Case No 1.1 HIGH COURT DIRECTION

To decide on the complaint filed by Alchemist Asset Reconstruction Company Limited, through Akshat Sharma, against Royal Agonda Sr. No. 3

Background: The office of the GCZMA is in receipt of complaint dated 07/02/2024 from Alchemist Asset Reconstruction Company Limited, through Akshat Sharma, authorized representative, A-270, 1st& 2nd floor, Defence Colony- New Delhi 110024, with regards to Complaint against Rampant illegal and unlawful construction and ongoing illegal and unlawful commercial establishments in the form of resorts/hotels/shacks/bar/restaurant in the CRZ area of village Agonda, Canacona Taluka Goa which is designated Turtle nesting site and a No Development Zone in property bearing Sy. No. 100/1, 100/3, 100/7, 100/8, 100/10, 100/12, 100/13, 101/1, 101/3, 101/6, 101/7, 101/8, 101/9, 101/14, 101/15, 101/16, 101/17, 101/18, 101/19, 101/20, 101/21, 101/22, 101/23, 101/24, 102/1, 102/3, 102/6, 102/7, 151/1 of village Agonda, Canacona Taluka.

That on receipt of complaints, the officials attached to the office conducted the site inspection and accordingly placed the report.

That upon close perusal of the said report the following alleged gross illegal construction resulting violation of CRZ Notification 2011 is noticed:

Sr. No.	Name of the Party/alleged violator	Survey No./ Village	Type of Construction	Details As Per CZMP 2011

Case No. 2.5

To decide on the Complaint from **Devidas Panjekar** against **Subhash Sitaram Palni**.

Background: the office of GCZMA is in receipt of a complaint dated 19/11/2024 from Devidas Panjekar, Cuxem, Khorjuem, Aldona, Bardez-Goa and complaint dated 25/03/2025 from Thomas Tavares, R/o Udoiem, Aldona, Bardez-Goa with regards to illegal construction in property bearing Survey No. 209/3 of village Aldona, Bardez-Goa carried out by Subhash Sitaram Palni.

On receipt of complaints, the officials attached to the office conducted the site inspection and accordingly placed the report.

That upon close perusal of the said report the following alleged gross illegal construction resulting violation of CRZ Notification 2011 is noticed:

Sr. No.	Name of the Party/alleged violator	Survey No/ Village	Type of Construction
I.	Subhash Sitaram Palni	Survey No. 209/3 of village Aldona, Bardez-Goa	<ul style="list-style-type: none"> - The property is compounded partly with laterite masonry wall and partly with fencing. - As noticed during the time of inspection there exist one RCC ground floor structure with approximate area of 333.40 sq. mtr and height of 4.40 mtr. The RCC structure is with basement of height 2.50 mtr. -There exist one permanent laterite masonry structure with GI sheet roofing of area 16.70 sq. mtr. on the Western side of the property. -There exist one well in the property adjacent to the permanent RCC structure.

The Authority issued a Show Cause Notice to the Respondent with a direction to file their reply and appear before the Authority on 26/06/2025 at 3.30p.m.

Proceeding: Complainant absent. Respondent absent

Decision: The Authority posted the matters on 31/07/2025 at 3.30p.m.

Case No. 2.6

To decide on the Complaint from **Viresh Borkar** MLA against **Grand Hyatt Hotel Bambolim**.

Background: This office is in receipt of telephonic complaint from Viresh Borkar, MLA St. Andre Constituency, complaint from Ramrao Wagh and complaint from Goa Green Brigade with regards to illegal construction carried out by Grand Hyatt Hotel, Bambolim, Tiswadi-Goa.

On receipt of complaint, the officials attached to the office conducted the site inspection and accordingly placed the report. ○

That upon close perusal of the said report the following alleged gross illegal construction resulting violation of CRZ Notification 2011 is noticed:

Sr. No.	Survey No.	Type of Construction/Activity	Distance From HTL
1.	Sy.No 12/1 and 99/2 village Bambo lim	<ul style="list-style-type: none"> At the time of inspection excavation using machinery works ongoing, and construction work of concrete retaining wall of height approx. 3.2mtrs and for length approx. 10.00mtrs was already completed As noticed during the time of inspection the foundation PCC has laid and raised structural 'T' section was noticed above the foundation PCC. 	CRZ-III BAY NDZ

That the Authority issued a Show Cause Notice to the Respondent and directed to remain present for hearing on the 24/04/2025 at 3.30p.m.

The matter was taken up in the 447th GCZMA Meeting the Proceeding: Complainant MLA present in person, Complainant Ramrao Wagh absent, Avelino Furtado absent. The Complainant states that the Respondents are constructing a Compound wall. Copy of the Site Inspection Report furnished to the parties. The Respondents filed their reply and stated that they have the permission from the GCZMA dated 23/01/2021. The Respondent stated that the current of the waves are so strong that the gabion wall does not hold as they had earlier erected a gabion wall and the same had collapsed. After the hearing Ramrao Wagh and Avelino Furtado appeared. The Authority's Decision: Posted the matter on 13/05/2025 at 3.30p.m.

The matter was taken up in the 450th GCZMA meeting held on 13/05/2025 the Proceeding: Complainant absent. Respondent absent. The Authority's Decision: In view of both the parties remaining absent. Opportunity granted and posted the matter on 01/07/2025 at 3.30p.m.

Upon the request of the parties the matter was preponed to 29/05/2025 at 3.30p.m.

The matter was placed in the 453rd GCZMA Meeting held on 29/05/2025 the Proceeding: Complainant absent. Respondent present. All the Complainants sent a email stating their inability to appear before the Authority in a short notice and requested for advance notice to be given before the next date. The Authority's Decision: The Authority considered the request and posted the matter on 10/06/2025 at 3.30.p.m.

The matter was taken up in the 455th GCZMA Meeting the Proceeding: The Complainants Judith present, Mr Viresh Borkar present, Ramrao Wagh present, Goa Green Brigade present. All complainant present. Adv Supekar present along with other Respondent. The Complainants stated that the copies of the Complaint was not furnished to them,

that the site inspection report and the SCN was not issued to them. They requested for all the copies of the papers so as to file appropriate reply. Adv Supekar stated that they had obtained all the permissions including the GCZMA permission. The Authority's Decision: The Authority directed the Complainants to make an application and seek all documents from the file and directed to file reply to the notice posted the matter on 26/06/2025 at 3.30p.m.

Proceeding: Mr Claude Alvares was present as the Complainant and stated that he had filed a complaint, as there were bulldozers disturbing the area fact of which was supplemented with videos of the same. Later on, the Complainant found out that the Authority of the GCZMA had indeed given the permission and had further also issued a Show Cause Notice.

That the Complainant perused the minutes of the GCZMA Meetings uploaded on the website of the Authority; wherein he claimed that he did not find any information mentioned of this approval granted. The Complainant further stated that, this hotel got the benefit of the then permitted 50 mts. of the HTL and during this open window period got most of their structures approved. The Complainant furthermore stated that, the Respondents could have put a gabion wall; but not a concrete wall, quoting the decision taken by the NGT in matter bearing case no. OA 04/2013, vide order dated 11/04/2022. The Complainant also stated that such hard structures cannot remain in the then permitted 50 mts. of the HTL, as the area constructed upon belongs to the sea.

That the Respondent had put RCC structures with a concrete foundation, where the Respondent could have put a gabion wall without any cement. The Complainant stated that as a matter of procedure the permissions then granted had to be uploaded on the website. In conclusion, the Complainant stated that since there was an error in granting the permission, the same had to be withdrawn.

The Complainant Mr. Viresh Borkar present for the hearing stated that the fishing village must be taken into consideration along with the NGT Order, which also had to be taken into consideration. The contention of the Complainant is that the height of the constructed concrete wall, which would affect the other villages along the same stretch.

The Complaint, Adv. Sanjay Madgaonkar stated that in the Site Inspection Report dated 09/04/2025, of the Authority clearly stated that the Property fell in CRZ III Area where no construction was permitted. The Complaint Advocate also stated that, the Respondent had not obtained any construction licence from the Village Panchayat but had only received a No Objection / NOC from the respective Panchayat. Further, the given Panchayat permission should have actually been signed by the Secretary of the Village Panchayat; but in this case the NOC was signed by the Sarpanch. Furthermore, The Complaint Advocate also pointed out to the Talathi report wherein; wherein the Talathi had mentioned that, the earlier wall had fallen on account of a cyclone, and that there was no disaster management report that was obtained or filed. The Minutes uploaded on the website of the Authority did not mention that the respective permission was granted.

The Complainant Ramrao Wagh said that he sent the reply by email opposing the construction of the Respondent.

The Complainant Judith stated that if the 271st Minutes in hard copy has the mention of those matter; then in this case the Agenda does not state that the respective proposal was taken up. As per the NCSCM; it says that the wall is 100 mts away from the HTL, and if so; the Complainant Judith questions as to how the sea waves are washing the constructed wall of the property. The Complainant Judith stated that a gabion wall is not permitted quoting that the NGT Order had clearly stated that no hard wall is permitted. Further, the Complainant stated that the permission granted by the Authority of the GCZMA was illegal.

The Complainant Judith stated that as per the claim of the Respondent; that the wall was demolished and the reconstructed; She states that a fresh permission was never obtained as the permission had long expired and thereafter the wall was constructed.

The Adv Parag Rao appeared for the Respondent along with Adv Supekar. The Adv stated that they had obtained the requisite permissions from all the departments and even that from the GCZMA. The Adv further stated that, the very fact that Authority of the GCZMA had granted the respective permission and that the permission was for the construction of the Wall; the GCZMA cannot re-hear this matter as it becomes a matter of appeal before the appropriate forum other than the Authority of the GCZMA. Further, had the permission been rightly issued or otherwise, the Complainants had to take recourse from the Appropriate Court of Law.

Further, Adv Rao stated that the Site Inspection Report stated that the Authority of the GCZMA had granted the permission and knowing that the permission was granted; how could the SCN have been issued by the GCZMA. The Adv further stated that the Authority should have looked into the complaint and the permission granted, rather than having caused inconvenience to the parties.

That the Adv further questions that, all the observations mentioned in the site inspection report was not mentioned in the SCN that, the permission was granted. Adv Rao stated that the plan annexed to the permission granted mentioned of the concrete wall. He further stated that there was no construction on the beach, and that there was a retaining wall of a height of 2 mts. from the sandy portion.

That the Adv further stated that in 2022; the WRD had granted permission at Nauxi Village, to erect a concrete wall. Furthermore. the Adv Rao asks that, if WRD could have given the respective permission earlier; then why could the Respondent not be given such similar permission. Adv Rao said that there were no allegations that the construction had gone beyond the approved plan. That the permission granted, was valid for a period of Five (5) years and as the construction had been granted for the specific length of 514 mts. Incidentally, when the Respondent put up the wall upto a length of Ten (10) mts. the same collapsed. The obtained permission had not expired as this wall construction was an ongoing construction. The S.I.R. of GCZMA confirmed that only an area of upto 10 mts. had been erected.

Adv Rao for the Respondent stated that gabion wall was not mentioned in their Complainant filed by all the complainants, hence the Respondents were not put to show cause; on that part, which now the Complainants have claimed. as it was beyond their complaint. Adv Rao further stated that the permission was valid and not exhausted, this office became functious officio to pass any order, and had no jurisdiction nor had any powers to review this matter / permission granted.

DECISION: The Authority noted that permission was granted by the Authority of the GCZMA on the 23/09/2021. Subsequently the Respondent also obtained permission from the TCP on 12/12/2021 and 26/03/2025 and a NOC from the Village Panchayat on 21/02/2022.

The Authority perused the provision of the CRZ Notification 2011 and as per the regulations of permissible activities in CRZ area, *"the following activities shall be regulated..... 4(i)(f) construction and operation for ports and harbours, jetties, wharves, quays.....erosion control measures"*.

The claim of the Respondent was that the Respondents property was above the beach to a height of at least 1.5 to 2 mts and had in the past always had a rubble retaining wall which marked the boundary between the property and that of the beach. It was noted that the respondent sought for permission to protect their property and prevent flooding in and soil erosion to the property; as the waves were lashing on to the compound wall, thereby having caused damage to their old existing wall. Further, the Respondent claimed their land was getting eroded and hence sought for the respective permission.

Further, under 4.2 (v) it reads as, *"The clearance accorded to the projects under this notification shall be valid for a period of seven years from the date of issue of such clearance: Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years....."*

The Authority noted that the Respondents were granted permission by the Authority of the GCZMA on 23/09/2021 and that the permission is valid till 2026, as per the provision it is noted that the Respondent has also put the permission to use with the period of 5 years and this validates the works carried out by the Respondent as per the approval.

Further, since the Authority had granted the permission, this Authority becomes functus officio; in so far the permission issued by the GCZMA dated 23/09/2021 is concerned. The Respondent submitted that once this Authority had granted the permission the same has become final and cannot be re-visited / re-opened, as this Authority lacks the power to review it's own decision.

The Authority noted that the Complainant vide complaints are seeking to review of the permission dated 23/09/2021; which is impermissible and the Authority lacks jurisdiction.

Inview of the Authority being functus officio and lacking jurisdiction to review the permission granted; This Authority discharges the Stop Work Order and drops the Show Cause Notice bearing No GCZMA/N/ILLE-COMPL/25-26/02/154 dated 15/04/2025; as the work carried out on site is as per the approved plan / permission granted by this Authority dated 23/09/2021.

Case No. 2.7

To decide on the Complaint from M/s Ashwin Holdings Pvt Ltd., through its authorized representative Mr. Ramesh Kumar Singh, against Mr. Celestino D'Souza and Mrs. Joanita D'Souza

Decision: The Authority decided to call the project proponent for clarification.

Case No. 3.10

BACKGROUND

Forwarding of Recommendation through Parivesh Portal to MoEF&CC.

The Authority is in receipt of proposal for Construction of 400 KV DC Xeldem - Mapusa Transmission Line Project and Construction of Xeldem (Existing)-Xeldem (New) 220 KV DC) HTLS Transmission Line Project from Goa Tamnar Transmission Project Limited. The matter has been placed before the Authority meeting during its 385th GCZMA Meeting held on 13/02/2024. Upon reviewing and scrutinizing the matter and referring the site inspection report by engineer, the Authority has decided to grant CRZ Clearance to proceed with the proposed activity.

Whereas, as per the Notification and Office Memorandum (OM) issued by Ministry amended from time to time, if a project attracts the OM issued by MoEF&CC, the proposal should be forwarded to MoEF&CC for its final recommendation followed by GCZMA recommendation as stipulated in the procedure laid down of said OM.

However, the said matter has been already taken cognizance by GCZMA through offline mode but it is required to forward this matter to ministry for their recommendation through Parivesh Portal as Ministry is not accepting any offline matters.

In context of the above, the Authority decide to forward this letter to Ministry alongwith all the correspondences whichever

have been received / issued by this Authority.

Decision: Approve.

The Meeting ended with thanks to the Chair

MEMBER SECRETARY

GCZMA

CHAIRMAN

GCZMA

Jagney Sain

ANNEXURE – 29(colly)

o/c

IN THE MEETING BEFORE THE GOA COASTAL ZONE
MANAGEMENT AUTHORITY

Personal Hearing No GCZMA/ILLE-Compl/25-26/02/844 dt
10.06.2025

1. Colva Civic and Consumer Forum

Represented by Ms Judith Almeida (President) r/o 257/1,

Bagdem, Ward 3, Colva, Salcete, Goa 403 708

Email add colvacivicconsumerforum@gmail.com

2. Glean Cabral,

H. No. E-22, Katie Bhat,

Ella, Old Goa,

Tiswadi, Goa 403 110

3. Aditya Parulekar,

House No. 210/3, Plot no. 9,

Lane 7 Valley View colony,

Alto St. Cruz, Goa 403005

4. Samil Volvaiker

H.No.200/1/1, Plot No 17,

Keni Colony, Corlim,

Tiswadi, Goa 403 110

Vs

The Grand Hyatt Hotel

Bambolim, Tiswadi, Goa 403 206

Jitendra Supekar

for Grand Hyatt
Croan Real Estate
Pvt Ltd.

Adv. Jitendra Supekar@gmail.com

9823052306

WRITTEN SUBMISSIONS DATED 10.06.2025

10/6/25

10/6/25

10/6/25

O/o Member Secretary
Goa Coastal Zone Management Authority
U/s Department of Environment & Climate Change
Dempo Tower 4th Floor,
Pinto Plaza Panjim-Goa. 403001

MAY IT PLEASE YOUR HONOUR

1. This Complainant requests that this Hon'ble Authority direct the Respondent to provide their email address and the name of the official representing the Hotel for future legal remedies.
2. This complainant filed the first complaint dt. 22.04.2025 regarding **illegal construction activity along Bambolim Beach stretch aligned with survey nos 12/1, 12/8, 12/9, 99/1 & 99/2 of Bambolim village within CRZ limits.**
3. The second complaint dt 03.06.2025 under Ref no GCZMA/05/2025-2026 was filed with regards to the **discrepancy in Demarcated High Tide Line at sy. Nos 12/1, 12/8 & 12/9 (Grand Hyatt Hotel) Bambolim Goa and demanded an immediate remedial action.**
4. The Goa Coastal Zone Management Authority on 30.05.2025 under no GCZMA/ILLE-Compl/25-26/02/844 issued a Personal Hearing Notice to be taken up on 03.06.2025. On 02.06.2025 an email was addressed to the undersigned adjourning the hearing to 10.05.2025.
5. The Personal Hearing Notice states that officials of the GCZMA inspected the Site and a Show Cause Notice cum Stop work Order has been issued.
6. Neither was site Inspection Notice issued to this complainant nor was a copy of the show Cause Notice or Site Inspection Report provided to this complainant. Issuing a Personal Hearing Notice to us without following due procedures **deprives us of Natural Justice.**
7. This Hon'ble Authority must follow due procedures before inviting us to attend the Personal Hearing as we will not be in a position to respond to any defenses put up by the Respondent in this matter.

8. This Authority having earlier listed this matter on 01.07.2025 and preponed the same now to be held on 10.06.2025 is in fact acting according to the requests of the Respondent instead of following all due procedures of natural justice to take the matter to its logical conclusion lacks legal fairness to the complainant.

9. Further the Personal Hearing Notice states that the Respondent has filed their reply that they have '*permission from the GCZMA dated 23.01.2021. The Respondent stated that the current of the waves are so strong that the gabion wall does not hold as they had earlier erected a gabion wall and the same had collapsed*'. Hence, a copy of this permission must be provided to this complainant.

10. This Complainant humbly request this Authority to direct the Member Secretary that both our complaints dt 22.04.2025 and 03.06.2025 be addressed in letter and spirit and all due procedures be followed, all necessary documents be provided to this complainant before the Personal Hearing is held.

11. In the interim, we pray that the stop-work order mentioned in the Personal Hearing Notice should remain in force until this authority completes the hearing process: This includes service of procedural filings and notices to all complainants, an opportunity to hear all parties fairly, and a reasonable final order is passed by this authority.

DEPONENTS : No 1

Ameida


No. 2. Glean Cabral,

Glean Cabral

No. 3. Aditya Parulekar,

Parulekar

aditya.parulekar.architects.goa@gmail.com

No. 4 Samil Volvaiker

Samil Volvaiker

samil.1127@gmail.com

Jagney Sain

O/C

**IN THE MEETING BEFORE THE GOA COASTAL ZONE
MANAGEMENT AUTHORITY**

**Personal Hearing No GCZMA/ILLE-Compl/25-26/02/844 dt
26.06.2025**

1. Colva Civic and Consumer Forum and ORS

Represented by Ms Judith Almeida (President) r/o 257/1,

Bagdem, Ward 3, Colva, Salcete, Goa 403 708

Email add colvacivicconsumerforum@gmail.com

Vs

The Grand Hyatt Hotel

Bambolim, Tiswadi, Goa 403 206

**REJOINER LIMITED TO THE REPLY DT 21.04.2025 OF
RESPONDENT**

1. We have been informed that Goa Foundation has also filed a complaint in the present matter in February 2025. However, despite applying for related documents, a copy of their complaint was not furnished to us. Considering Goa Foundation's track record of setting legal precedent on environmental and CRZ issues before the Hon'ble High court of Bombay at Goa, Hon'ble Supreme Court and the Hon'ble National Green Tribunal, it is imperative that we are provided with a copy of their complaint and any replies or documentation received in that matter. This is essential to avoid duplication, enable coordination, and tailor our responses appropriately.

[Handwritten signature]
26/6/2025
at 4:30pm

[Handwritten signature]
26/6/2025

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

[1-5]

Recd. copy
[Handwritten signature]
26/6/25

[Handwritten signature]
26/6/25

2. We filed our detailed objection on 22 April 2025. However, we were only belatedly made aware that a site inspection was conducted on 28 May 2025. This inspection was done without any notice to us and without our participation, despite being a formal Complainant on record.

3. We note from the inspection report dated 28.05.2025 (ref: Annexure I, GCZMA Personal Hearing Notice dated 30.05.2025) that substantial observations were made, including:

- a. A concrete wall under construction;
- b. Debris and washed-out material on the beach; and
- c. Acknowledgement by the Respondent that earlier gabion walls had collapsed due to wave action

4. In spite of these findings, the report lacks key details: no measurements of the wall or eroded area, no mapping of Survey Nos 12/9, 12/8 and 99/2, and no record of the concrete's thickness or the depth of excavation, as flagged in our earlier analysis.

5 We reiterate that a fresh site inspection must be conducted in the presence of the complainants, with full documentation, mapping, and photographic evidence.

- a. Disclosure of all complaints (including by Goa Foundation),
- b. Notification and participation in the site inspection process,

We reserve our right to file a comprehensive and substantive reply. This submission is being filed in a limited capacity, limited to respond to the reply submitted by the Respondent Grand Hyatt dated 21.04.2025 and nothing may be deemed to be admitted unless the same is specifically

[2-5]

admitted herein but should be treated as though the same has been set out *seriatim* and denied and disputed specifically.

6. Our limited para-wise response is as follows.

1. Para 1, is a matter of record.
2. With regards to para 5 and 6, This Complainant states that the attempt of the Respondent to raise objection to the GCZMA's Show Cause Notice that they had obtained all permissions including the GCZMA permission dt 23.09.2021 under No GCZMA/N/21-222/20/967 fails for the following reasons below;
 - a. the report dt 28.05.2025 para 3 "Details the Site Inspection" point no 3 and 4 state that:
 - i. A concrete wall was under construction.
 - ii. Debris was found on the shore, indicating possible collapse of earlier structures
 - b. Photographs (depicted in Annexure I of the report) show fresh construction activity, a clear sign that the earlier wall was demolished and anew wall was under construction.
 - i. This constitutes reconstruction, for which the CRZ notification is abundantly clear that a new approval / NOC is required.
 - ii. Considering that a new NOC was not issued by this authority, the reconstruction is unauthorised.
 - iii. The CRZ Notification has no provision for post-facto regularization of unauthorised (re)construction.
 - iv. Hence the wall is illegal and must be removed.

7. Further para 3 of the Personal Notice Dt 30.05.2025 under No GCZMA/ILLE-COMPL/25-26/02 / 844, states that "...The Respondent

[3-5]

stated that the current of the waves are so strong that the gabion wall does not hold as they had earlier erected a gabion wall and the same had collapsed.....” . I submit and reiterate 2 (bi,ii,ii& iv) above and not repeating the same.

8. Para 8: The Respondent admits that no prior CRZ approval was obtained for the ongoing works. Accordingly, the Show Cause Notice cum Stop Work Order dated 15.04.2025 (No. GCZMA/N/ille-COMPT/25-26/02/154) issued by this Hon'ble Authority **is sustained** and hence all the construction work must be demolished and Environmental compensation be levied.

9. The GCZMA Clearance dated 23.09.2021 (No. GCZMA/N/21-222/20/967) describes the project as falling in CRZ-III, and permissions are granted accordingly. However, this is factually and legally incorrect. Based on the observation of the high tide on site the area in question where the construction is coming up is clearly within the intertidal zone, evidenced by the location of the structure on the sandy beach, and by repeated wave action that has led to collapse of earlier gabion walls (as acknowledged by the Respondent).

10. I further submit that CRZ-IB includes intertidal areas between the Low Tide Line and the High Tide Line, which are strictly no-development zones under the CRZ Notification, 2011.

We have filed a separate complaint dy 03.06.2025 on this false demarcation, and we reiterate that any construction approval based on misclassification of the CRZ zone is void *ab initio*. This issue must be taken cognizance of before any further decision is taken.

[4-5]

Prayers

In light of the above we pray that this authority may:

- a) Direct the GCZMA office to immediately furnish the complaint and related materials filed by Goa Foundation.
- b) Schedule a **fresh site inspection** with adequate advance notice to all complainants.
- c) Initiate investigation into wrong marking of HTL on the submitted plans approved by this authority and/or the CZMP by an independent surveyor like the DSLR, and locate the impugned construction viz the HTL on the Survey Plan Map.
- d) Until the above are complied with, permit us to **reserve our right to file a detailed reply.**
- e) Pursuant to Respondent's own admission and the inspection findings, direct the **immediate demolition of the illegal wall** and levy **environmental compensation** under the "Polluter Pays" principle.

I attest that I am filing this limited reply after having consulted with the co-complainants, namely Aditya Parulekar, Glean Cabral and Samil Volvoikar.

DEPONENT



[5-5]

Jagney Sain

-- TRUE COPY --









Jagney Sain

-- TRUE COPY --



Aagney Sail <aagneysail@gmail.com>

REJOIDNER to GCZMA Reply in Appeal No. 437/2025(WZ) listed on 25.11.2025

Aagney Sail <aagneysail@gmail.com>

Mon, Nov 24, 2025 at 12:59 PM

To: gczma gczma <goacoastalzone@gmail.com>, Chief Secretary <cs-go@nic.in>, monitoring-crz@nic.in, secy-moef@nic.in, info@dbg.co.in, Shankar Swaminathan <shankar@chambers.net.in>, shubham priolkar <shubhpri@gmail.com>

Hi,

Please find attached the rejoinder to GCMA reply in Appeal No. 437/2025(WZ) listed on 25.11.2025.

Best

Adv. Aagney Sail,
Mobile: +91.9810076618



Rejoinder to GCZMA Reply.pdf

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