

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT PUNE

APPEAL NO. 18 OF 2023 [WZ]

BETWEEN:

Peter Coutinho



....APPELLANT

AND

The Goa Coastal Management
 Authority and Anr.

.....RESPONDENTS

REPLY TO AFFIDAVIT DT 17.03.2023 FILED BY THE
APPELLANT

I, Judith Almeida, Indian national, age 68 years, President of the Respondent 2 organization herein is a group of public spirited citizens who have been taking up the cause of coastal environment protection in and around the Colva & Sernabatim villages of Salcete Taluka in the State of Goa. This Respondent has participated in the proceedings before the R1 Authority and this Hon'ble Tribunal for the last over 11 years mostly without legal assistance or help of any nature, do hereby solemnly affirm and state as under ;

1. I state that I am filing the present affidavit in Reply to Appeal dt 17.03.2023. At the outset, I state that I am not replying to each and every statement and submission made in the said Affidavit, and 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.

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2. Before this Respondent deals with the Appeal para wise, it is necessary to set out certain facts as to why the R1 authority on multiple occasions has come to the conclusion on merits that the structures in question of Boomerang Bar and Restaurant were not existing prior of 19.02.1991 of the CRZ Notification and were put up without authorization.

3. **The pertinent issues to be dealt with herein are to prove whether the structures as per CRZ Notification 1991 in the NDZ of CRZ III of Colva Village are authorised or not ;**
 - I. The R1 Authority on 30.05.2019 issued the second directions to demolish the Boomerang Bar and Restaurant and the Ground + one Structure under Section 5 of the Environment Protection Act 1986 of the Appellant herein.

 - II. The Appellant filed an Appeal 49/2019 before this Hon'ble Tribunal on 05.07.2019 and withdrew that Appeal on 07.08.2020. On 09.07.2019 the Appellant filed a Review Application challenging two specific grounds (a) & (b) mentioned below , The R1 arrived at a point of determination crystallizing whether the grounds raised were procedural lapses or based on merits ;
 - a) With regards to the Xerox copy and not the original one of the affidavit dt 18.04.2019 sworn by one Mr. Silvester @ Silveirio Rodrigues, the R1 concluded that the fact that the document did not have any connection with the title as the Appellant herein had acquired rights over the property from one Mr Jose Maria Maximo Rodrigues and Mrs. Maria do Ceu Almeida e Rodrigues and moreover the R1 could not have overturned or reversed the impugned decision on this count in review the finding may (or may not) be erroneous on its merits but that would be within the province of the Appellate court.



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b) The second ground being that the R1 considered the discarding of the Deed of Sale cum Mortgage dated 01.08.1996. The impugned decision records a finding that there was a discrepancy in the signature of the mortgagee and hence the document could not be considered and clarified that "the title document produced by the Appellant herein does not mention any structure existing on site" The R1 concluded In the backdrop for arguments sake the finding regarding the document may be erroneous on its merits, but to interfere would amount to exceeding the review jurisdiction.

III. Hence the R1 Authority found no merit in the Review Application and dismissed the same vide the impugned order dt. 14.02.2023. It took more than 30 months to decide this simple fact leading to severe environmental damage caused by the existence of the illegal structures and the illegal commercial activities carried out since the year 1996.

IV). None of the following crucial documents produced to show that the structures were authorized or existed.

a). Deeds of Sale dt 01.08/1996 of plot A1 & B1 in sy. no 39/1 of Colva village. The plots adjoining the beach where the structures exist do not mention the existence of any structures nor any Bar and Restaurant.

b). No permissions, licences with plans, Completion Certificates etc., from the Statutory Authorities or Occupancy Certificates resolutions from the village panchayat, has been produced of the said Sunset bar and restaurant or Boomerang bar and restaurant or the ground plus one structure either prior or post 19 February 1991 have been produced.

c). No Conversion Sanad produced under Land Revenue Code 1968.

d). No Goa State Committee for Coastal Environment (GSCCE) or Goa Coastal Zone Management Authority (GCZMA) obtained either for the structures or for any subsequent repairs,

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renovation or reconstruction or no construction permissions/licences from the Technical Officer empowered in 1964 or the gazette notification of the government of Goa Daman & Diu dt 20.07.1971 have been produced. Annexed as Exhibit A1 is a copy of the Notification dt 20.07.1971.

c). No permission with resolution, site inspection report etc of the Village Panchayat of Colva (SVCG) to show the name of the Restaurant or ownership was transferred from Sunset Bar and Restaurant to Boomerang Bar and Restaurant.

f) The so called NOC dt 03.10.1987 minor repair referred to in para 8 does not show any plan or area attached for which structure is to be repaired from the statutory Technical Officer hence the authenticity of the document is suspect.

g) No copy of Resolution dt 15.06.2009 from the village Panchayat produced to show that the structures of the Appellant are authorised.

4. For all the above reasons it is submitted that the R1 Authority:
- I) Has rightly concluded that Boomerang Bar and Restaurant has been constructed illegally and without permissions.
 - II) The Appellant has not been able to prove or successfully establish that Sunset bar and Restaurant and Boomerang Bar and Restaurant are one and the same.

PARA WISE REPLY TO THE APPEAL

5. With regards to paragraph 3, the Appellant vide deeds of Sale dt. 01.08.1996 purchased two adjoining plots A1 with an area of 517 sqm facing the seafront on the west wherein there are two allegedly unauthorised structures one in which is Boomerang bar and restaurant and a Gr + 1 structure and B1 with an area of 271 sqm to the east of plot A1. The two properties are a part of a larger plot surveyed under no 39/1 of Colva village which was decreed through Inventory proceedings on 25.07.1994 by Mr. Sebestaio Jose Rodrigues to



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his son Jose Maria Maximo Rodrigues and his wife Maria do Ceu Almeida e Rodrigues.

6. Hence Mr Jose M. M. Rodrigues & Maria C.A. Rodrigues came into possession of the said property on 25.07.1994 who then divided and sold two parcels of the property ie A1 & B1 to Mr Peter Coutinho the Appellant herein above. This Respondent craves leave to produce the same if required. It is important to note that neither of the Sale deeds mention the existence of any Bar/ Restaurant or any other commercial structures in the said plots A1 & B1.
7. The DSLR mapping carried out under directions of the Hon'ble High Court of Bombay at Goa in SMWP 2 of 2006 showed the structures as new buildings. Annexed is a copy of the mapping dt 31.1. 2006 as **Exhibit A2**
8. With regards to para 4, the Annexure at page 69, the Show Cause Notice (SCN) dt 10.04.2008 states that the Hon'ble High Court of Bombay at Goa in SMWP 022006 had directed the Panchayats to take action against structures that came up on are after 19.02.1991. The DSLR mapping showed that the structure covered an area of 353 Sqm. It is clear that the Village Panchayat was aware through its records that this structure was illegal.
9. With regards to para 5 and 6 , Despite two SCN's issued by the Village Panchayat dt 10.04.2008 and 01.09.2012, this Respondent though not part of the proceedings in the year 2008 and 2012 will restrict its comments only to the facts as seen in the documents which shows that The Panchayat after hearing the Appellant in the year 2008 concluded that it was not satisfied with the reply (page 70-72) which did not produce any legal documents such as plans, licences/NOC to prove the legality of the said structure/construction/extension and hence termed the structure of 353 sqm as illegal which was



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constructed without any permissions and directed the Appellant to demolish the structure on 19.01.2009 .(refer to page 73) Such facts could not have rendered the demolition notice to have been mechanically issued as the Order dt 26.09.2007 in SMWP 02/2006 provided the basis on which the structures would be considered as authorised.

10. It is pertinent to note that the survey plan (*annexed on page 205 & 207 both are traced from the PT sheet on 12.12.1996 & 27.08.1997*) of Appeal booklet of Sy. No. 39/1 of Colva village, Salcete does not show any structures.

11. In fact though there were no structures prior to the purchase of this property in 1996, the photographs of the year 2019-2021 annexed on pages 210-212 of Appeal booklet are evidence that the Appellant has illegally encroached within the High Tide Line of Colva Beach.

12. Annexed as **Exhibit A3 Colly** are copies of the Electricity Bill shows the installation date as 22.10.1996 which is after the land was purchased on 01.08.1996 and water Bill installation date as *26.06.01* of the Appellant. Both the bills are post 19.02.1991.

13. Further the Appellant has suppressed the fact that subsequent to the MCA 635/2012 filed by this Respondent in SMWP 02/2006 and joined as Respondent No 30, the Village Panchayat of Colva issued a fresh SCN dt 01.09.2012 No VP/SVCG/1239/12-13 annexed as **Exhibit A4** directing the Appellant to produce Construction licence issued before 1991 and after 1991., Conversion Sanad., Approval from GCZMA, if any, after 1991, Approval from Town & Country Planning Dept, any other documents showing legality of the structures existing prior to 1991. There was no further action taken by the village Panchayat.

14. The contents of Paragraph 7 are a matter of record.



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15. With regards to paragraph 8, as per the RTI dt 25.05.2022 the letter/documents produced do not show the date of the inquiry on the proceeding sheet. The proceeding sheet of the village panchayat (page 75-B) cannot be relied upon as it has no date further it has merely recorded the submissions of the Appellant and is not a confirmation that the same is legal as there is no record or authentic government document mentioned in the proceedings nor produced by the Appellant from the Village Panchayat to prove the legal transfer in the year 1996 of the name of the commercial establishment from Sunset Bar and Restaurant to Boomerang Bar and Restaurant. Hence the RTI letter from the village panchayat cannot be no evidence of the authorization of the structure.

16. With regards to paragraphs 9, 10 and 11, the same is a matter of record. The R1 Authority in its 115th meeting decided to direct the Inquiry Committee to conduct an inquiry and submit its detailed report to the GCZMA to take a decision.

17. With regards to paragraph 12, 13 & 14 the same is a matter of record. This Respondent submits that the R1 had in its 181st meeting dt 14.08.2018 raised certain points of determination (i to vii) (*listed on page 46*) to determine if the structures were authorised as per the order dt 26.09.2007. The Appellant was not able to justify the points of determination set out by the R1, who then took a decision and issued its **first** Directions to demolish and issued its order dt 05.12.2018 (*Para 4 Page 47 & para 1 of Page 48 of Appeal booklet*).

18. With regards to paragraph 15, the Appellant has falsely stated that the R1 Authority in its order dt 05.12.2018 ordered the demolition of the alleged illegal structure and further directed the Appellant 'to restore the user of the existing structure to Residential'. Such a statement is not found in any of the orders dt 05.12.2018, 30.05.2019 and 14.02.2023 issued by the R1



Authority. This statement of the Appellant appears to have a hidden motive, is attempting to mislead this Hon'ble Tribunal and the Appellant is put to strict notice. Annexed as Exhibit A5 a copy of the Directions dt 05.12.2018.

19. With regards to paragraph 16 & 17, after the Hon'ble High Court of Bombay at Goa in WP 1184/2018 granted extension of 6 weeks time to approach the Hon'ble NGT (*annexed as P-13 of Appeal Booklet*).

20. The Appellant again filed an MCA 131/2019 in WP 1184/2019 and through an order dt 04.02.2019 was granted an extension of further two weeks. Annexed as **Exhibit A6** is order dt. 04.02.2019.

21. With regards to paragraph 18 and 19, the Appellant in its Appeal 04/2019 before the Hon'ble NGT requested to produce fresh documents to show the existence of structures prior to 1991. The Hon'ble NGT through an order dt 15.02.2019 (*annexed as P-14 of Appeal booklet*) reverted the matter to the R1 to decide..

22. With respect to para 20, the Appellant has continuously been producing various documents repeatedly since the commencement of proceedings, pursuant to directions of the Hon'ble High Court of Bombay at Goa In SMWP 02/2006, before the Village Panchayat, the Inquiry Committee and the R1 Authority but surprisingly till date has not produced a single document eg permissions/licences to show that the structures have been authorised. The R1 heard the matter and in its 198th meeting dt 10.05.2019, it rejected the so called affidavit of the witness Mr. Jesus Francisco Silveiro de Rosario Rodrigues clarifying that "Moreover the documents does not have any connection with the title as the Respondent had acquired rights over the property from one Mr. Jose Maria Maximo and Maria do Ceu Almeida e Rodrigues."



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23. Paragraphs 21, 22 & 23 are a matter of record. The R1 heard the matter and in its 198th meeting dt 10.05.2019 and after going through all the documents produced did not find merit in the case of the Appellant, and decided to issue **second** Directions to demolish the same structures through its order dt 30.05.2019 (*Page 117-126 of Appeal Booklet*).

24. With regards to paragraph 24, it is true that the Appellant approached the Hon'ble High Court of Bombay at Goa seeking relief against the direction to immediately stop commercial activities which was granted. The Appellant filed an Appeal before the Hon'ble NGT on 05.07.2019, and while the Appeal was still pending and sub judice, the Appellant on 09.07.2019 filed the Review Application before the R1. This was a tactic used to delay the demolition of illegal and unauthorised structures and continue with the commercial activities. (*Annexed at page 127 of the Appeal*).

25. With regards to paragraph 25, 26, 27, the Appellant must produce a copy of the Appeal 46/2019 to get more clarity on its content. It came as a surprise that the Appellant withdrew the Appeal more than a year later on 07.08.2020 (*P- 24 pages 160 - 161 of Appeal*) though the Review Application was filed on 09.07.2019 before the R1 and on the limited ground that R1 had committed an omission by stating that the original affidavit of a witness was not furnished knowing that this ground was appealable. The R1 in its order dt 30.05.2019 clarified the reasons why the affidavit of the witness Mr. Jesus Francisco Silveiro de Rosario Rodrigues could not be relied on. (for details refer para 23 above)

26. Paragraph 28 is a matter of record. It is surprising that the Appellant himself remained absent on 07.08.2019.



27. Below mentioned is a brief Table of the sequence of events with respect to the case:-

Sr. No	Name	Date	Order of Authority/Court/Tribunal
1	Decision	30.10.2018	To issue directions under Section 5
2	1st DEMOLITION ORDER	05.12.2018	GCZMA issues order under Section 5 of Environment Protection Act
3	WP 1184/2018	13.12.2018	High Court grants 6 weeks to approach NGT
4	MCA 131/2019	04.02.2019	High Court grants further extension of 2 weeks to approach NGT
5	Appeal 04.2019	15.02.2019	NGT orders GCZMA to rehear based on documents produced, within 4 weeks.
6	Personal Hearing Notice	24.04.2019	Personal Hearing held on 25.05.2019
7	Decision	10.05.2019	To issue directions under Section 5
8	2nd DEMOLITION ORDER ISSUED	<u>30.05.2019</u>	<u>GCZMA issued 2nd ORDER under Section 5 of EPA 1986.</u>
9	WP 469/2019	11.06.2019	High court grants relief in terms of immediate Stoppage of Commercial activities and grants time till 07.07.2019 to approach NGT
10	Appeal 46/2019	05.07.2019	Filed in NGT
11	Review Application	09.07.2019	Filed before GCZMA
12			Personal Hearing Notice



19	Hearing held	317th meeting 28.07.22	Arguments heard on merits. KEPT FOR ORDERS
20	326 meet held	27.10.22	Matter heard. Peter Coutinho filed additional documents and final decision taken. Decision taken that Review not maintainable and directions to be issued, REFLECTED IN THE MEETING
21	3RD DEMOLITION ORDER ISSUED Directions issued	14.02.23	<u>Almost 4 months later</u> <u>GCZMA issued under Section 5 of EPA 1986.</u>

28. With respect to para 29 even if the R1 authority decided to review its decision, it did not issue any order but continued with the hearings.

29. This answering respondent submits that the R1 Authority in its 211th meeting dt 24.08.2019 held that the Review Application of the Appellant herein was maintainable, but without issuing/communicating the formal order to this effect. In any event, the R. 1. Authority subsequently heard the oral and written arguments of both the Appellant and the answering Respondent on merit in 8 meetings from Oct. 2019 till February 2022 [see table below], all of which culminated in the order dt. 22.03.2022 by the R1 Authority, by which the R. 1 decided to allow the Review Application and post the main matter for final arguments on merits. Accordingly, the main matter was heard on merits over the course of 4 meetings from April 2022 till



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October 2022 [see table below], and ultimately, the R1 Authority *vide* the impugned Order dt. 14.02.2023 — decided to dismiss the matter but erroneously referred to the Review application when it actually heard repeated arguments based on additional documents and merits of the case.

Minutes of GCZMA meeting	Dates	Particulars
1). 211	24.08.2019	Heard and allowed the Review Application (Order not communicated)
2). 214	03.10.2019	Heard parties and directed the R2 herein to cross question witness.
3). 215	22.10.2019	Matter to be heard afresh
4). 225	04.06.2020	Proceedings rescheduled
5). 227	17.09.2020	Witness crossed
6). 228	24.09.2020	Parties asked to file written arguments. Same filed.
7). 238	26.11.2020	New Member Secretary transferred in. Matter heard afresh, written arguments filed and KEPT FOR ORDERS
8). 285	13.01.2022	New Chairman transferred in. Matter heard afresh. Appellant herein argued. Relied on synopsis & additional documents.
9). 288	03.02.2022	Parties heard at length. Appellant was directed to produce NGT order on record.
10). 293	24.02.2022	Parties heard and R1 decided & issued an order on Maintainability.
11). 300	26.04.2022	Matter to be heard on merits. Adjourned due to difficulty of Appellant.



12).	303	12.05.2022	Appellant herein was asked to produce additional documents to prove lineage from Sunset Bar & Restaurant to Hotel Boomerang Bar & Restaurant
13).	310	16.06.2022	appellant herein was directed to file reply
14)	317	28.07.2022	Both parties were heard at large on merits and matter KEPT FOR ORDERS
15)	326	27.10.2022	Arguments heard on merits, additional documents produced by the Appellant herein. Decision taken to to dismiss the Review Application.

30. With respect to paras 30, 31, 32, 33, 34, despite there not being any provision in the EPA 1986 & CRZ Notification to rely on statements of a witness to prove that structures existed, the R1 went ahead with the so called examination of a so called witness is a matter of record.

31. The answering Respondent in her written arguments [page 167 of the Appeal at annexure P-26] provided evidence of the attempt of the witness who had an Agreement by lease with respect to an adjoining plot 'A' of the sy. No 39/1 to mislead the R1 Authority. Surprisingly none of the owners have mutated their properties which is an attempt to confuse the authorities with respect to various violations. This Respondent craves leave to produce that Sale Deed if required. (Refer page 61 para 4)

32. With respect to para 35, the Appellant states that his documents since 1966 were meant to show existence of structures. The Appellant has not shown the connection to his structure of the document dt 14.02.1966 (page 177) issued to obtain a loan for a structure named "casa de medanca", which is another attempt



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to mislead this Hon'ble Tribunal. None of the documents produced (page 177- 187) mention a survey number. nor are documents to prove authorization of the structures.

33. With respect to para 36, such journals etc of the year 1984 etc cannot be relied on as there are no survey numbers to depict where the so called Sunset Bar and Restaurant is situated. The Appellant has not produced any permission, licenses etc of 1984 to prove that such structures were operational, functional and authorised under various Statutory laws. In any event, assuming without admitting the pleas made by the Appellant, references in print media journals prove existence of a structure at best, and certainly do not prove the legality of the structure.
34. With regards to paragraph 37 of the Appeal the contents of paragraphs 12, 13 & 27 of this Reply are reiterated, and are not repeated to avoid redundancy.
35. With regards to paragraph 38 , it is true that this Respondent raised objection to the Review Application and that though the R1 decided to review the matter no order was communicated and the matter was heard on merits. Several hearings later the R1 Authority in the 293rd meeting dt 24.02.2022 decided to hear the matter and pass orders on 'maintainability' leading to the order communicated on 24.03. 2022 and the matter was posted for hearing on merits which was heard on 26.04.2022..
36. The contents of Paragraph para 39 are a matter of record.
37. With respect to para 40, the R1 was not convinced with the existence of Sunset Bar & Restaurant hence asked the Appellant to produce additional documents to substantiate the link between Sunset Bar and Restaurant and Boomerang Bar and Restaurant which led to the dismissal of matter on merits.



38. With regards to paragraph 41 of the Appeal the contents of paragraphs 18 of this Reply are reiterated, and are not repeated to avoid redundancy.
39. With regards to paragraph 42 and 43 of the Appeal the contents of paragraphs 10, 15 of this Reply are reiterated, and are not repeated to avoid redundancy.
40. The contents of para 44 are a matter of record.
41. With regards to para 45, Reply at paras 9-13 above are reiterated, and are not repeated to avoid redundancy.
42. With regards to para 46, the same is a matter of record.
43. With regards to paragraphs 47 & 48, once again shows that the Appellant has repeatedly attempted to forum hunt by filing a WP 563/2023 (F) before the Hon'ble High Court of Bombay at Goa despite the knowledge that the remedy was an Appeal before this Hon'ble Tribunal.
44. With respect to para 49, the same is a matter of record.
45. It is pertinent to note that the R1 GCZMA in its order dt 14/02/2023 has not recorded in its references (on the 1st page of the order at page no 44 of the Appeal Booklet) the following hearings dt 238th 26.11.2020, 300th meeting dt 26.04.2022, 303rd meeting dt 12.05.2022, 310th meeting dt 16.06.2022, 317th meeting dt 28.07.2022, 326th meeting dt 27.10.2022.
46. It is important to note that after the Review Application was filed on 09.07.2019, 16 hearings took place before the final order was issued on 14.02.2023.
47. I submit herein that the Appellant is a highly influential person as can be seen from the above table at para 14. It can be seen



that the R1 Authority has heard the matter on several occasions and kept for orders, the orders were delayed and reminders had to be sent to the Authorities repeatedly to pass orders.. The Appellant has used all methods possible to abuse the process of law including forum hunting by approaching the Hon'ble High court of Bombay at Goa after each demolition order was passed in an attempt to delay the demolition. Such attempts provide ample time to continue with Commercial activities causing destruction of the Environment despite the Appellant not providing a single document to show the authorization of the structures that have encroached within the High Tide line .(refer to photographs at pages 210 - 212)

48. REPLY TO GROUNDS

a). Though the decision in the 211 meeting dt 24.08.2019 was taken to allow the Review Application, the R1 Authority subsequently heard the case on merits including all additional documents produced by the Appellant herein. It was surprising that the R1 decided to issue an order dt 22.03.2022 on maintainability. A reading of the recital of the impugned order and the minutes which contain documents and submissions of the parties makes it clear that the decision was taken on merits of the case, hence the drafting of the R1 authority is erroneous when referring to the Review application.

b). The R1 clarified that procedural reviews are limited and available when there is a patent error or omission apparent on the face of the record attributable solely to itself. "Review power is not to be confused with appellate power that enables appellate court to correct all manner of errors committed by a subordinate court" (page 66 para 1)

c). Pursuant to the order dt 22.03.2022 the R1 heard both the parties on merits at several meetings eg:



Handwritten signature or initials.

- I. 300th meet dt 26.04.2022, both parties were present. Appellant herein sought time due to personal difficulties.
- II. 303rd meet dt 12.05.2022 R1 heard both parties present and directed Appellant herein to produce additional documents.
- III. 310th meet dt 16.06.2022. Complainant and Appellant herein appeared and produced additional documents.
- IV. 317th meet dt 28.07.2022. Complainant made oral submissions relying on previous submissions and arguments and Appellant herein appeared and produced additional documents. Matter kept for Orders.

d). With Regards to ground (d) the contents of ground (b) of this Reply are reiterated, and are not repeated to avoid redundancy.

e). The decision dt 24.08.2019 was not communicated. The order on maintainability was issued on dt 22.3.2022 after a fresh hearing took place in the 293rd meeting dt 24.02.2022. Pursuant to this the case was heard over several subsequent hearings on merits.

f). With regards to ground (c) The Appellant themselves filed a Review based on Procedural Review (page 135) quoting order dt 25.09.2018 in WP 702/2018 when there was no ground for procedural lapse. Without prejudice and without admitting even if the R1 authority decided that the Review was maintainable the R1 after hearing afresh for on ground of maintainability and communicating the order dt 22.03.2022 heard the matter on several occasions on merits and finally issued order dt 14.02.2023 under Section 5 of the EPA 1986 . It is important to note that the Appellant made no such statement of procedural lapse before the Hon'ble High Court of Bombay at Goa in WP 563/2019 merely requesting for relief against immediate stoppage of Commercial activities and time to approach the Hon'ble NGT. The



Appellant was fully aware that the order was appellable and hid its motive to file a Review Application.

g). The R1 (on page 66 from para 1 onwards till its conclusion) has made its reasons clear for dismissing the review application after hearing the matter on merits which was fully within its jurisdiction.

h). The Appellant cannot use different yardsticks for itself when it filed a review with a perfectly appealable order but is finding fault with the decision of R1.

i). With regards to ground (h) and (i), this Respondent submits that though the impugned order states that the Review Application is being decided, a perusal of the contents of the impugned order as well as the minutes of meetings leading to said order makes it clear that the R. 1 has taken a decision on merits, after considering the additional evidence brought on record through the Review Application and relied upon by the Appellant.

j). The Hon'ble NGT merely recorded the issues raised by the Appellant in its Appeal 46/2019 and stated that the Learned Counsel for the Appellant has submitted that the order in question has been recalled and the GCZMA is reconsidering the matter. The Appellants prayer for withdrawal was allowed.

k). This case being a long drawn litigation and multiple demolition orders issued. Several submissions and written arguments were filed by this Respondent, it would only be repetitive and hence this Respondent relied on her earlier submissions.

l). The R1 had in the initial stage set out points of determination which the Appellant was not able to satisfy. The grounds raised by the Appellant in the Review Application and all the documents produced were not related to permissions/licences leading to authorization of the structures and hence the R1 has rightly dismissed the Review Application.



m). The R1 has clearly in its order dt 30.05.2019 (page 120 para 2) that "The Authority differed from the findings of the Inquiry Committee on the grounds that the justification furnished with regards to the structures do not corroborate" (page 118 para 2, 3, & 5) The Inquiry Committee was mandated to conduct an inquiry as the GCZMA was not constituted and had to submit its report to the GCZMA to finally hear the parties and take a decision. Hence the GCZMA issued notices and commenced hearings on 31.07.2018.

n). The R1 referred to several documents which could not prove the legality of the structures hence no merit was found and application dismissed.

o). The CRZ Notification and the applicable laws ie demand that any structures within the CRZ must have authorization from relevant authorities ie Conversion Sanad under the land Revenue Code 1968, construction permissions/licences from the Technical Officer empowered in 1964 or 1971 under the Goa Daman & Diu Gazette Notification, the Goa State Committee for Coastal Environment (GSCCE), Environment Development council (EDC) Chief Town Planner the Town and Country Planning Act 1974. The Appellant has not produced any such document till date.

p). The Appellant has not produced any documentary evidence of licences, permission etc from any statutory authorities authorising the construction of the concrete structures used for commercial activity which are vital as per law in the NDZ of CRZ III of Colva Village.

q). The contents of point 'm' of this Reply are reiterated, and are not repeated here to avoid redundancy.

r). No official government records to prove legality of the structure have been provided. The 1984 journal referred to cannot be relied upon as it has no survey numbers mentioned and cannot be relied on to prove legality of the structure.

s). Panchayat remarks during inquiries must be substantiated with documentary evidence. No such official government



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document has been produced to show the link. The R1 has confirmed the same (*refer to page 64 last para of order dt 14.02.2023*). (Refer to page 74) The village Panchayat issued a notice to remain present on 31/01/2009 with all documentary evidence. Further the Second SCN dt 01.09.2012 No VP/SVCG/1239/12-13 was issued by the Village Panchayat. Remarks on a proceeding sheet with no date cannot be relied on. The proceeding sheet does not refer to any document produced. Finally it was for the R1 to decide the legalities of the structures.

t). There is no provision in the CRZ Notifications or Environment (Protection) Act to obtain statements from witnesses to establish legality of structures.

50. This answering Respondent humbly submits that the present proceedings are not in the nature of an adversarial litigation between this Respondent and the Appellant . Rather, it is a litigation/proceeding initiated by this Respondent in the interest of Environment Protection and thereby in public interest. Therefore this Respondent respectfully submits that legal technicalities and procedural issues ought to be eschewed by this Hon'ble Tribunal and in the interest of the environment be given primacy while deciding this Appeal.

51. For these reasons, it is prayed that :-

i. the Appeal be dismissed on the ground that the Appellant has not produced any authentic document of permissions/licences/ NOC's authorizing the construction of the structures in which commercial activities are taking place for the last over two and half decades in the High Tide line of the NDZ CRZ III of Colva village in Salcete Taluka causing severe environment damage. (*refer to photographs at pages 210 - 212 taken 2019, 2020 & 2021*).



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ii. That this Hon'ble Tribunal impose Environmental compensation based on the principle of Polluter Pays. With heavy costs.

52. I state that the contents of paragraphs 1- 51 are correct and true to my own knowledge and official documents/ records, and that the submissions are made on legal advice which I believe to be true. No part of it is false and nothing material has been concealed therefrom, and the annexures enclosed are true and correct copies of their respective originals.



Solemnly affirmed and verified at Margao, Goa, This the 01st day of ^{NOVEMBER} ~~October~~ 2023.

Almeida
DEPONENT

Solemnly affirmed before me by Judith Almeida
Who is identified to me by KNX3050465
to whom I personally know on this 01 day of NOV 2023
Reg No 18861/2023

SAVITA G. KURTARKAR
NOTARY
MARGAO-GOIA



26TH AUGUST, 1971 (BHADRA 4, 1893)

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DRAFT RULES

In exercise of the powers conferred by Sub-section (1) of section 306 read with sub-section (2) of section 47 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) and all other powers enabling him in that behalf, the Lt. Governor of Goa, Daman and Diu hereby makes the following rules, namely:

1. **Short title.**— These rules may be called the Goa, Daman and Diu Municipalities (Special Notice to Councillors for Taxes) Rules, 1971.

2. **Form of special notice under sub-section (2) of section 47.**— The special notice to be issued by the Chief Officer under sub-section (2) of section 47 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) shall be in the form appended to these rules.

FORM

Form of special notice under sub-section (2) of section 47

(See rule 2)

To

A. B. ... Councillor/Vice-President/ President of the ... Council, residing at ...

Take notice that in spite of the notice of demand served on you under section 146 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) you have on the 1st day of ... 19 ... failed to pay the tax specified below due to you by the ... Council, within two months from the date on which the said tax became payable:

Name of the tax	Amount of tax	Date from which it has become payable
-----------------	---------------	---------------------------------------

Total amount of tax due Rs. ...

In pursuance of the provisions of sub-section (2) of section 47 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) you are hereby required to pay the said amount of Rs. ... due from you within one month from the date of this special notice.

Dated this ... day of ... 19 ...

(Signed) ...
Chief Officer

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

J. C. Almeida, Secretary (Industries and Labour).
Panaji, 2nd August, 1971.

Notification

3-119-71-LSG

The following draft of the Goa, Daman and Diu Municipalities (Writing off of Irrecoverable Tax, Fee and Dues) Rules, 1971 which the Govt. of Goa, Daman and Diu in exercise of the powers under section 306 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) proposes to make is hereby published for general information. If any person has any suggestion or objection to make regarding the said draft, the same may be sent to the Under Secretary to the Government of Goa, Daman and Diu in the Department of Local Self Government within 15 days of its publication so that they may be taken

into consideration by the Government at the time of finalisation of the said draft.

DRAFT RULES

In exercise of the powers conferred by sub-section (1) of section 306 read with section 162 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) and all other powers enabling him in this behalf, the Lt. Governor of Goa, Daman and Diu hereby make the following rules, namely:—

1. **Short title.**— These rules may be called the Goa, Daman and Diu Municipalities (Writing off of Irrecoverable Tax, Fee and Dues) Rules, 1971.

2. **Resolution under section 162 to contain certain particulars.**— Every resolution to be passed by a Council under the first proviso to section 162 of the Goa, Daman and Diu Municipalities Act, 1968 approving the writing off of any tax, fee or other amount to the Council, shall specify—

- (a) the amount sought to be written off and the name of the person from whom, and the period for which, it is outstanding;
- (b) the processes followed by the Council for the recovery of the amount; and
- (c) the reasons for which the Council considers that the amount is irrecoverable.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 11th August, 1971.

Development Department 'A'

Notification

ODE/VPT/486/69

In exercise of the powers conferred by Section 65 read with Section 83 of the Goa, Daman and Diu Village Panchayats Regulation (Amendment) Act, 1969 and of all other powers enabling him in that behalf, the Lt. Governor of Goa, Daman and Diu hereby makes the following rules namely:—

1. **Short title.**— These rules may be called the Goa, Daman and Diu Village Panchayats (Regulation of Buildings) Rules, 1971.

2. **Definitions.**— In these rules, unless the context otherwise requires:— 1) "agriculture" includes horticulture, farming, growing of crops, fruits, vegetables, flowers, grass, fodder and trees, any kind of cultivation of soil, breeding and keeping of live stock including cattle, horses, donkeys, mules and pigs, fish breeding, poultry farming and bee keeping, any use of land which is ancillary to the farming of land or to any purpose aforesaid, but shall not include the use of any land attached to a building for the purposes of gardens to be used along with such buildings; and "agricultural" shall be construed accordingly.

2) "Building Line" means the line which is parallel to the street alignment or boundary and to which

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the plinth of a building adjoining a street or an extension of a street or a future street may lawfully extend and includes the line prescribed, if any, in any development plan or in these rules.

3) "Technical Officer" means any officer appointed by the Government for the purposes of these Rules.

3a) "Senior Town Planner" means Senior Town Planner of the Government of Goa, Daman and Diu.

4) "development" with its grammatical variations, means the carrying out of building, engineering, mining, quarrying or other operations in, on over or under land, the cutting of a hill or any portion thereof or the making of any material change in any building or land or in the use of any building or land including sub-division of any land;

5) "land" includes benefits arising out of land, and things attached to the earth or permanently fastened to anything attached to the earth;

6) "owner" means:—

a) when used with reference to any premises, the person who receives the rent of the said premises, or who would be entitled to receive the rent thereof if the premises were let out and includes:—

i) an agent, or trustee, who receives such rent on account of the owner;

ii) an agent, or trustee, who receives the rent of any premises devoted to religious or charitable purposes;

iii) a receiver, Administrator or manager appointed by any Court of competent jurisdiction to have the charge of, or to exercise the rights of an owner, of any premises; and

iv) a mortgagee-in-possession; and

b) when used with reference to any animal, vehicle or boat, includes the person for the time being in charge of the animal, vehicle or boat;

7) "plot" means a continuous portion of land held in one ownership;

8) "Private street" means any street, road square, court, alley passage or riding path which is not a public street, but does not include a path-way made by the owner of premises on his own land to secure the access to or the convenient use of such premises;

9) "public place" means any place or building which is open to the use and enjoyment of the public whether it is actually used or enjoyed by the public or not, and whether the entry is regulated by any charge or not;

10) "residence" includes the use for human habitation of any land or building or part thereof including gardens, garages, stable, and out houses, if any, appurtenant to such building and "residential" shall be construed accordingly.

11) Words and expressions not defined in the rules shall have the same meaning as in the Goa, Daman and Diu Municipalities Act, 1968.

3. Procedure for submission and scrutiny of application for development of land or sub-division. —

1) From the date of coming into force of these Rules, no change in the use of land or its development or sub-division of plot or layout of Private Street shall be made except with the written permission of the

Panchayat for any land falling within the area of such Panchayat.

(2) On receipt of an application for permission under sub-rule (1) above, the Panchayat shall (a) furnish to the applicant a written acknowledgement within a period of one week from its receipt;

(b) After enquiry as may be necessary, send the application alongwith its enclosures and enquiry report thereon, within a period of one week, from the date the said application was acknowledged, to the Technical Officer.

(3) (a) The Technical Officer shall, in cases of Panchayats other than those specified in the Appendix appended to these rules, advise the Panchayats, within a period of one month to sanction plans with or without modification or subject to such conditions as he considers expedient or to refuse to give sanction. In cases of Panchayats specified in the said Appendix, the Technical Officer shall, submit applications along with its enclosures to the Senior Town Planner;

(b) The Senior Town Planner shall, whenever the applications are referred to him, communicate his decision to the Village Panchayats within one month of receipt of such applications by him.

(4) In case of any disagreement between the Technical Officer and the Village Panchayat, the matter shall be referred to the Senior Town Planner, whose decision shall be final and binding on all the parties.

(5) On receipt of the decision of the Technical Officer or the Senior Town Planner under Sub-rule (3) above, the Panchayats shall communicate the same to the applicant within a period of one week from the date of such decision.

4. Site Plans. — The site plan sent with the application for permission shall be drawn to a scale of 1/500 and shall show;

a) the boundaries of the site;

b) the direction of the North point relative to the plan of the buildings;

c) all existing buildings or structures on, over, or under the site or projecting beyond the site;

d) all surrounding buildings, in outline within a distance of 25 mts. from the boundaries of the site;

e) the name of the street on which the building is proposed to be situated (if any) or location and name of the nearest street, public or religious building;

f) the position of access from the street to the building;

g) the width of the street in front and of the street at the side of the building if any;

h) the dimension of front, rear and side set backs, if any and also of the space to be left about the buildings to secure a free circulation of air, and admission of light;

i) the position of kitchens, staircases, privies, urinals, drains cesspools, stables, cattle-sheds, garages, wells and other appurtenances of the building;

j) a clear indication of the area of the plot, plot coverage and the floor area ratio.

5. Building Plans. — The plans, sections and elevations of the building or buildings accompanying the

notice shall be accurately drawn to a scale of 1 meter to 1 cm. in triplicate and in quadruplicate in case of the Panchayats included in the Appendix 'A' appended to these rules.

a) Plans of all floors, basements, terraces and accessory buildings indicating clearly (i) the north point, the percentage of covered area, the sizes and spacing of all supporting members, and dimensions of rooms; (ii) exact location of essential services such as W.C.s, sinks and baths; (iii) terrace plan indicating the drainage and the slope of the roof;

b) Sectional drawings showing clearly the materials used, sizes of footings, the thickness of basement walls, roof, floor slabs and walls, the sizes and spacing of framing members and the ceiling and parapet heights. The sections should indicate the drainage and slope of the roofs and at least one section should be taken through the staircase;

c) All street elevations;

d) Plans and sections of private water supply and sewage disposal system (if any).

Note:—1. The drawing are to indicate where necessary, adequate arrangements for proper drainage;

2. Details of service latrines, if any;

3. Dimensions of the portions projecting beyond the permissible building line.

6. Signing the Plans. — All the plans shall be duly signed by (i) the owner and (ii) an Architect/Engineer registered with the P. W. D. of the Government of Goa, Daman and Diu with his name, address, qualifications and registered number allotted by the said department.

7. Duration of sanction. — The sanction once accorded shall remain valid upto three years during which period a completion certificate from the registered Architect/Engineer shall be submitted and if this is not done, the sanction shall be got revalidated before the expiration of the said period. Revalidation shall be subject to the rules then in force.

8. Notification stages.—As work progresses under a building permit, the holder thereof shall cause the Panchayat concerned and Technical Officer to be notified at the following stages of construction:—

a) Upon commencement of the work;

b) Upon completion upto the plinth level and before erection of the foundation walls;

c) Upon total completion of the work authorised by the building permit and before occupancy.

Inspection as required under a) and b) shall be made within seven days following the receipt of notification after which period the owner will be free to continue the construction according to the sanctioned plan. At the first inspection the Panchayat concerned shall determine that the building has been located in accordance with the site plans and covered area complying with the requirements of these rules. The final inspection indicated under (c) shall be made within 21 days following the receipt of notification for the grant of an occupancy certificate.

9. Revocation of Permit. — The Panchayat concerned may revoke any permit issued under the provision of these rules, wherever there has been any

false statement or any misrepresentation of any material passed, approved or shown in the application on which the permit was based.

10. Occupancy certificate. — No building hereafter erected, re-erected or altered materially shall be occupied in whole or part until an occupancy certificate is issued by the Technical Officer after conducting the site inspection as per clause 8(c), after affirming that such a building conforms in all respects to the requirements of these rules and is fit for occupation.

11. Safe structures. — All structures shall be designed, built and maintained that under the conditions of dead and live loads, the stresses in any of the materials of construction or in the materials on which a structure rests shall not exceed the permissible limits as laid down by the Indian Standards Institute.

12. Construction of buildings on plots in layout to conform to certain standards. — The area of each individual plot shall not be less than 100 sq. metres. The set back, Floor Area Ratio, Coverage etc., shall be as follows:—

a) Plots between 100 sq. metres and 200 sq. metres will have a maximum coverage of 50 per cent.

Front set back	3.0 m.
Rear set back	3.0 m.
Side set backs	1.5 m. each

In these category of plots construction is limited to ground floor only.

b) Plots measuring 200 to 500 sq. metres.

Coverage	50%
Front set back	3.0 m.
Rear set back	3.0 m.
Side set backs	3.0 m. each

In these category of plots construction is limited to ground and one up only.

c) Plots measuring more than 500 sq. metres.

Maximum Coverage	40%
Front set backs	3.0 m.
Rear set backs	3.0 m. or half the height of the building whichever is more.

Side set backs where the height of the building varies

Minimum width of open space throughout	
ground floor	3.0 m.
ground floor and one up	3.30 m.
ground floor and 2 up	4.0 m.
ground floor and 3 up	4.70 m.
Floor Area Ratio	100 m.

Floor Area Ratio or F.A.R. means the quotient obtained by dividing the multiple of the total of the covered area on all floors and 100 divided by the area of the plot i.e.

$$F. A. R. = \frac{\text{total covered area on all floors} \times 100}{\text{Plot Area}}$$

Note:—These regulations shall be applied only to the plots falling in residential areas, which will be determined by the Technical Officer. For other uses the F.A.R., coverage etc., will be governed

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by site conditions and locations as may be determined by the Technical Officer.

Where plots front on classified roads, such as National Highway, State Highway, Major District Road, other District Road or Village Road, the building and the control lines shall be in accordance with such standards as may be prescribed by or under any law for the time being in force, and in the absence of such law in force in the village, by executive orders by the Government for prevention of ribbon development.

13. Means of Access. —

a) Every person who erects a building shall provide as means of access to such building a clear way not less than 3.0 metres in width from a street to the entrance door of such buildings, such pathways to be, so long as it is used as a means of access to the building, maintained free from any construction and shall not at any time cause or permit any portion of any building below a height of 4.50 m to overhang or project over or into such a passage. However in case of traditional/contraventional access exists, the same may be shown as access to the plot concerned, which will have to be duly certified by the Panchayat.

b) A person who undertakes construction works on a building shall not reduce the access to any building previously existing below the minimum width of 5 m.

c) No building shall be erected so as to deprive any other building of the means of access as provided in this clause.

d) The means of access under these rules shall not be deemed to be suitable and sufficient until they have been approved by the Panchayat concerned which shall have power to prescribe the width of the clear way which he shall communicate.

14. **Minimum Ceiling Height of rooms.** — Every habitable room in any building shall be in every part at least 3.0 metres in height from the floor to the underside of the roof slab or ceiling, provided that in the case of sloped roof the height shall not be less than 2.5 metres.

15. **Minimum size of habitable rooms.** — No habitable room shall have a floor area of less than 10.00 sq. mts. except in the case of hostels attached to recognised educational institutions where the minimum size of habitable room for the residence of a single person may be 8.5 square metres. The minimum width of a habitable room shall be 2.80 sq. metres.

16. **Lighting and Ventilation of rooms.** — Every habitable room shall have for the admission of light and air, one or more apertures such as windows, fanlights etc., opening directly to the external air into an open verandah and of an aggregate area, inclusive of frames, of not less than 1/10 of the floor area excluding doors, except in cases of hospital wards, dormitories and school where such apertures are to be not less than 1/6 of the floor area.

17. **Bathrooms and water closets.** — 1) Every bathroom or water closet shall: —

a) be so situated that at least one of its walls shall open to external air.

b) have (i) a floor area in case of bathrooms inclusive of water closets of not less than 4 sq. metres for which the smallest side shall not be less than 1.25 metres; and (ii) in case of a bathroom exclusive of a water closet, the floor area shall be not less than 2.6 sq. metres and the smallest side not less than 1.25 sq. metres; and (iii) in case of separate water closet the floor area shall not be less than 1.35 sq. metres and the smallest side not less than one metre.

c) bathrooms shall have a window or a ventilator open to external air of a superficial area of not less than 0.80 sq. metres and the water closet if separate shall have a window or a ventilator open to external air of a superficial area of not less than 0.50 sq. metres.

d) height of not less than 2.10 metres.

2) Every bathroom or water closet shall: —

a) not be directly over or under any other room other than another bathroom or water closet, washing place, terrace or bath, unless it has a water tight floor;

b) have the platform or seat either plastered with cement, or be made of some water tight non absorbent material;

c) be enclosed by walls or partitions of brick or stone. The surface of every such wall or partition shall be finished with a smooth impervious surface such as cement plaster 1/2" thick or any other suitable material to a height of one metre above the floor of such room;

d) have an impermeable floor made of smooth hard material having a suitable fall to a soil pipe with an adequate trap connection and have a floor level of such a height so as to ensure suitable grade towards the sewage drain.

3. No room containing a water closet shall be used for any purpose other than a lavatory and no such room shall open directly into any kitchen or cooking space. Every room containing a water closet shall have a door completely closing the entrance to such a room.

18. **Service Latrines.** — A service latrine shall have: —

a) A floor area of not less than 2.25 sq. metres of which the smallest side shall not be less than one metre;

b) A window or a ventilator of a superficial area of not less than 0.5 sq. metres;

c) An impermeable floor made of smooth hard material having a slope of 0.5 per cent towards the back of the latrine;

d) An impermeable dado 1 metre high;

e) Height not less than 2.10 metres.

19. **Kitchens.** — 1) A kitchen shall have a floor area of not less than 5 sq. metres and shall not be less than 1.75 metres in width in case of plots having an area upto 200 sq. metres and shall have a floor area of not less than 7 sq. metres and shall not be less than 2 metres in width in case of plot having an area more than 200 sq. metres. Each kitchen not fully equipped with electric or gas cooking appliances shall be provided with a flue.

- 2) Every room to be used as a kitchen shall have:—
- a height of not less than 2.8 metres;
 - a window of not less than that 0.5 sq. metres superficial area;
 - an impermeable floor and an impermeable dado one metre high;
 - The height of the plinth for the main building shall not be less than 0.50 metres and that for cattle shed and the like not less than 0.2 metre above the general ground level.

20. Building abutting on two or more streets. — If a building abuts on two or more streets of different widths, the building shall be deemed for the purpose of this rule to face upon the street that has the greater width and the height of the building shall be related by the width of that street and may be continued at this height to a depth of 13.5 metres along the narrower street subject to the conformity with the prescribed road angles.

21. Dimension for staircase, steps, corridor, passage and balcony. — i) In a residential building, no staircase shall be less than 0.9 metres in width and no step shall have a rise of more than 20 cms. and a tread of less than 25 cms. In case of a service spiral staircase, the width shall not be less than 0.75 metre; ii) No corridor or passage or balcony in any residential building shall be less than 0.90 metres.

22. Regular line of Street. — No portion of any building shall project beyond the prescribed set back of any street or highway.

23. Sites containing deposited refuse. — No building shall be constructed on any site on any part of which there is deposited refuse, excreta or other offensive matter to which the health authority having jurisdiction objects, until such refuse has been prepared or left in manner suitable for building purpose to the satisfaction of the Panchayat concerned. Provided that where it is intended to found a building on piles or on reinforced concrete pillars, the Panchayat concerned may approve the erection of such a building after the refuse has been appropriately treated by chemical or some other manner to the satisfaction of the Panchayat concerned and has been covered by a layer of sand or other suitable material to a depth of not less than 0.6 metres, or by a layer of cement concrete not less than 15 cms. thick.

24. Damp Sites. — Wherever the dampness of a site or the nature of the soil renders such precautions necessary, the ground surface of the site between the walls of any building erected thereon shall be covered with a layer of sound cement concrete not less than 15 cms. thick or with asphalt paving on a layer of closely packed broken stone hard cake not less than 15 cms. thick or be otherwise rendered damp proof to the satisfaction of the Panchayat concerned.

25. Defective Work. — The Panchayat concerned shall have the power to condemn any work, workmanship or materials executed by any person under or by virtue of or pursuant to this part of these rules which in its opinion is unsatisfactory or is likely to constitute a danger to health. Any work, workmanship or materials so condemned shall be re-

medied, amended or made good or shall be removed in whole or in part and replaced by new work, workmanship or materials as the Panchayat concerned may require until finally completed to its entire satisfaction.

26. Water Supply and Sanitary Installations. — The requirements regarding water supply and sanitary installations of the buildings shall conform to those specified in L.S. 1172-1957.

27. Building under dangerous conditions. — Buildings considered to be in danger although they do not fall in line of imminent ruin, will be asked to be vacated by the Panchayat concerned and shall be declared habitable only when proper repairs are undertaken and considered to be in a good condition of security. The demolition of structures shall be obligatory when they are declared unhealthy and infectious by the Health authorities concerned and not in position to be repaired.

28. Latrines with an opening on public roads. — It is prohibited to have latrines opening on to public roads and on the lateral sides of neighbouring houses.

29. Disposal of Sewage. — Until arrangements are made for the removal of waste by an appropriate water-borne system it will be obligatory for every application for a new construction or major additions or alterations to be accompanied by plans for properly designed septic tanks within the curtilage of the plot. If there is insufficient space for the adoption of this method or adequate water supply is not guaranteed for the smooth functioning of this system, then the Panchayat concerned may permit the removal of waste after proper chemical treatment in removable tanks which can be conveniently collected by the appropriate department of the Panchayat. Any other method for removal of waste would need sanction of the Panchayat concerned.

30. Construction of horse stables, cattle yards and factories of washable corrosive products prejudicial to health, can take place in less than 100 metres of any existing drinking well.

31. Construction of wells. — No drinking water well can be opened without prior consent of the Panchayat concerned.

32. Oven for white washing powder. — White washing powder cannot be cooled within a distance of 100 metres from an habitable area or public road.

33. Architectural Features. — 1) Appearance and Disfigurements: No Building shall be erected which in the opinion of the Panchayat concerned constitutes a disfigurement to or an interference with the aesthetic and other amenities of the area. No construction or alterations which in the opinion of the Panchayat concerned will depreciate neighbouring properties or cause annoyance to residents in the neighbourhood shall be permitted. The appearance of all new buildings shall be subject to the approval of the Panchayat concerned.

2) Unfinished Buildings: — No building shall be left with unfinished portions including projecting reinforcing bars, which in the opinion of the Panchayat concerned are unsightly, unless within the

permission prescribing conditions with respect to the structure and period for which such permission remain valid.

34. Control of building activities along highways.

— 1) In order to regulate and control building activities along National highways, State Highways, West Coast Highways, Major District roads and major urban roads as notified by the Principal Engineer, P.W.D. in consultation with the Senior Town Planner from time to time, persons responsible for carrying out excavation, earth work, construction, demolition or repairs to all sites within 100 m from these roads shall apply to the Panchayat concerned for permission to carry out such work in accordance with the set back mentioned here below:—

Type of building activities	National Highway or State Highway or West Coast Highway	Major District Road	Village Roads
Theatres, Industrial Units etc. Major Commercial Establishments	8 m. front set back	5 m. front set back	8 m.
Residential	5 m. front set back	3 m. front set back	3 m.
Institutional	8 m. front set back	5 m. front set back	5 m.
Excavation	100 m. front set back	100 m. front set back	50 m.

2) Compound Wall:— Any construction of compound wall along the above category roads, and other roads shall be permitted on temporary basis i.e. that part of the plot affected by the proposed R/W compound walls in such cases shall be of the approved design, with 1.0 metres height and construction material of a temporary nature. This compound wall erected along the above category of the roads, and other roads shall be demolished by the owners when the notice is served to them without any compensation for the same.

35. Authority to enter into land.— The Panchayat/Technical Officer or Town Planning Department of the Government may authorise any person to enter into or upon any land or building with or without assistance or workmen for the purpose of:—

- making any enquiry, inspection, measurement or survey or for taking levels of such land or buildings;
- examining works under construction and ascertaining the course of sewers and drains;
- digging or boring into the sub-soil;
- setting out boundaries and intended lines of work;
- making such levels, boundaries and lines by placing marks and cutting trenches;
- ascertaining whether any land is being or has been developed in contravention of these bye-laws and regulations or without the permission referred to and in contravention of any conditions subject to which such permission is granted; or
- doing any other thing necessary for the efficient administration of present regulations and rules;

Provided that—

- no such entry shall be made except between the hours of sunrise and sunset and by giving reasonable notice to the occupier, or if there be no occupier to the owner of the land or buildings;
- sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or buildings;
- due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages, of the occupants of the land or building entered.

36. Directions from the Government to the Panchayats.— The Panchayat concerned shall carry out such directions as may be issued from time to time by the Government of Goa, Daman and Diu for the efficient administration of these regulations.

37. Penal Provisions.— 1) Any construction in contravention to the rules shall be demolished by the owners on receipt of a notice from the concerned authorities within the stipulated time. In case the owner fails to demolish the construction illegally put up, the authorities shall demolish the same and the cost of demolition shall be collected from the defaulters.

2) Any person who fails to comply with the notice issued by the Panchayat, under the provisions of these rules, shall on conviction be punished with fine which may extend upto Rs. 50/- (Rupees fifty only) and in case of a continuing contravention, with an additional fine which may extend to five rupees for every day during which such contravention continues.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 23rd August, 1971.

APPENDIX "A"

- | | |
|-------------|---------------------|
| 1) Salcete | 1. Aquem. |
| | 2. Navelim. |
| | 3. Davorim. |
| | 4. Colva. |
| | 5. Benaulim. |
| | 6. Loutolim. |
| | 7. Verna. |
| 2) Goa | 1. Taleigao. |
| | 2. Santa-Cruz. |
| | 3. Mercas. |
| 3) Mormugao | 1. Chicaitm-Bogmal. |
| | 2. Sancoale. |
| | 3. Cortalim. |
| | 4. Cansaulim. |
| | 5. Velsao. |
| 4) Bardes | 1. Calanguta. |
| | 2. Socorro. |
| | 3. Penha de Franca. |
| 5) Ponda | 1. Curti. |
| 6) Bicholim | 1. Sanquelim. |
| | 2. Bordem. |
| 7) Quepem | 1. Curchorem. |
| | 2. Deao. |

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REPLACED
P.T. SHEET No. 15
DT. 17/2022 14600

GOVERNMENT OF GOA
DIRECTORATE OF SETTLEMENT & LAND RECORDS
PANAJI - GOA

DISTRICT : SOUTH GOA
TALUKA : SALCETE
VILLAGE : COLVA

EXHIBIT A2
3122

AS PER HIGH COURT PL. WP NO. 10/2020 FILED BY COLVA CIVIC &
& CONSUMER FORUM PASSED ORDER ON 22/12/2021
AND THIS OFFICE ORDER NO. 12-13-DSLRZ02/153 DATED 12/01/2022
FROM DIRECTOR OF SETTLEMENT & LAND RECORDS PANAJI



Scale 1:1000

LEGEND

FOR NEWLY SURVEYED FEATURES EXISTING ON THE GROUND DURING CRZ SURVEY

- NEW COMPOUND
- NEW BUILDINGS
- PLINTH
- HIGH TIDE LINE
- 200M TS NDZ LINE
- CRZ RESURVEY BUILDINGS 2006

BOUNDARIES:

- STATE BOUNDARY
- TALUKA BOUNDARY
- VILLAGE BOUNDARY
- SURVEY NUMBER BOUNDARY
- SUB-DIVISION BOUNDARY

ROADS:

- ROAD TRACK
- ROAD WITH BRIDGE
- KULMAY LINE WITH STATION
- VALA

VEGETATION:

- COCONUT
- DRY CROPS
- FOREST
- ARECANUT
- SUGAR CANE

WATER FEATURES:

- WELL
- FANK
- SPRINGS
- STREAM
- LAKES/POND
- SALT PANS
- QUAY
- ROCKY LAND
- CULTIVATION LIMITS

MASONRY:

- BUILDING HOUSE
- CHURCH/GHATEL/CROSS
- TEMPLE
- SHRINE
- TRAVELERS STATION
- TRIGONOMETRICAL STATION
- POST OFFICE, TELEGRAPH OFFICE
- POSTAL TELEGRAPH OFFICE
- POLICE STATION/SCHOOL
- POWER HOUSE
- HOSPITAL/DISPENSARY/NEST HOUSE
- PANIC/VAT GHAR
- INDUSTRIAL WALL
- INDUSTRIAL
- CEMETERY

-	14	13
-	15	16
-	20	19

VERIFIED BY :-
NETRA GANVA (SUPERVISOR)
SAMIR KAMBLE (HEAD SURVEYOR)

INSPECTOR OF SURVEY & LAND RECORDS
MARGAO GOA

Five left off

1) JIJS, PANAJI, P.S.
2) PANAJI, PANAJI, P.S.
3) TISSAR, PANAJI, P.S.
REV. 24/1/2022 TO 14/03/2022

EXHIBIT A3 Colly

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Receipt No. (Consumer's C - 03077

ELECTRICITY DEPARTMENT
Government of Goa

Sub-Division II		ELECTRICITY DEPARTMENT Government of Goa				Receipt No. (Consumer's C - 03077	
Issue Date 13/08/07	From 14/02/07	To 16/06/07	Due Date 28/08/07	Current Reading	Locked		
BNY-07-01200 PETER COUTINHO H. NO-458/1 COLVA		-41B-44-3		Previous Reading	64035		
Minimum				Units Billed	0		
				Energy Charges	600		
				Meter Rent	40		
				Electricity Duty	0		
				Capacitor Charges	0		
				Sundry Charges	0		
				Gross Amount	640		
				Arrears / Credit			
				(A) Net Amount Payable within due date	640		
Installation No.	/17125	Sanctioned Load	3800 W	DISCONNECTION NOTICE			
Date of connection	22/10/1996	Minimum	2007	RECEIVED			
Meter No.	106414	Average	500	RECEIVED			
Tariff	LTC	Line Minimum					
Pole No.		Multiplying Factor					
Disconnection Notice / Remarks							
47							
				Chief Electrical Engineer			
				(A or B) Amount in words & figures to be filled in by the consumer			
				Received Rs.			
				Date: 18/8/07			
DO PROMPT PAYMENT TO AVOID DISCONNECTION OF SUPPLY							
Seal of Bank / Sub-Div. / Credit Society & Receiver's Signat.							

True copy

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SUB. DIV.		BILL NO.	ISSUE DATE	FROM DATE	AVG. UNITS	LAST DATE OF PAYMENT	
14		00018	04/03/08	01/02/08		18/03/08	
METER NO.		METER SIZE	METER FIX DATE	TO DATE	MIN. UNITS	CURRENT/FAULT METER READING	PREVIOUS
190466		0.5"	26/06/01	29/02/08	10	90	5745
CONSUMER CODE		Establishment		Actual		ADDITIONAL UNITS	
MBHA 06 00540						UNITS BILLED 59	
MR. PETER COUTINHO						WATER CHARGES 1770	
HOUSE NO-45B/1						METER RENT 15	
4TH WARD COLVA						SEWERAGE CHARGES 0	
SALCETTE-00A						SUNDRY CHARGES 1638	
NOTICE: The Water connection is liable for disconnection						ARREARS (CREDIT) 1	
RECEIVED NO.	DATE	CHEQUE NO.	DATE			TOTAL 3423	
Three Four Two Three Only							
RECEIVED SIGNATURE						(PLEASE SEE OVERLEAF FOR WATER TARIFF & METER RENT)	
WARNING IF ARREARS EXCEED THE SECURITY DEPOSIT, THE SUPPLY IS LIABLE TO BE DISCONNECTED.							

True copy
MA

EXHIBIT A4
PH 2788485

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Office of the Village Panchayat
Sernabatim, Voneflim, Colva & Condaolim
Salcete - Goa Pin Code 403 708

Ref No. VP/SVCG/1239/12-13

Date 01/9/12

SHOW CAUSE NOTICE

Whereas, the Colva Civic Forum has filed an Petition before the Hon'ble High Court in MCA No.635/2012 in Suo Moto Writ petition No.2 of 2006 and have identified details of NDZ Constructions, copy annexed for your reference. The matter was placed before the V.P body Meeting held on 21/8/2012, Vide Resl.No.4(11) and the said body has decided directing to produce the below referred documents;

1. Construction licence issued before 1991 and after 1991.
2. Conversion sanad
3. Approval from GCZMA if any after 1991.
4. Approval from Town & Country Planning Dept.
5. Any other documents showing legality of the structures existing prior to 1991.

In view of above, you are hereby directed to show cause within 7 days why necessary action should not be taken against you Construction carried out in No Development Zone area and also to produce the above referred documents within the stipulated period :

Failing to comply with this notice within the said period of 7 days, then it will be presumed that you have nothing to say in this matter and the Construction carried out by you will be considered as " illegal " and further necessary action will be taken to demolish the illegal Construction as per rules in force.



A. S. G. G. S.
SECRETARY
Village Panchayat
SERNABATIM, VONEFLIM,
COLVA & CONDAOLIM

To,
Shri/Smt. The Proprietor
Boomerang Hotel
4th ward Colva

Yue Coyr
BT

EXHIBIT A5

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GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Science, Technology and Environment (Govt. of Goa)

1st floor, Pt. Deendayal Upadhyay Bhavan, Pundalik Nagar, Alto,

Porvorim, Bardez- Goa-403 521

www.czma.goa.gov.in

Ref. No. GCZMA/SMWP/02/06/1659

Date: 05/12/2018

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION)
ACT, 1986, READ WITH RULE OF THE ENVIRONMENT (PROTECTION)
RULES, 1986.**

Sub: Directions to demolish the Ground Plus one floor structure and the Bar and Restaurant erected in the property bearing Survey No. 39/1 of Colva Village, Salcete Goa.

Ref. :(1) Suo Moto Writ Petition no.02/2006.

- (2) Order dated 12/01/2015 passed by the Hon'ble High Court of Bombay at Goa in the matter of Suo Moto Writ Petition no.02/2006.
- (3) Minutes of 115th GCZMA meeting held on 04/05/2015.
- (4) Letter dated 15/05/2015 issued to the Inquiry Committee of GCZMA.
- (5) Report dated 11/09/2015 Submitted by the Inquiry Committee of GCZMA.
- (6) Order dated 21/06/2017 passed by the Hon'ble High Court of Bombay at Goa in the matter of Suo Moto Writ Petition no.02/2006.
- (7) Minutes of 179th GCZMA meeting held on 19/07/2018
- (8) Minutes of 180th GCZMA meeting held on 31/07/2018
- (9) Minutes of 181th GCZMA meeting held on 14/08/2018
- (10) Minutes of 186th GCZMA meeting held on 12/10/2018
- (11) Minutes of 187th GCZMA meeting held on 26/10/2018.

AND WHEREAS, the present matter is inter alia Suo Moto cognizance of the Hon'ble High Court of Bombay at Goa, Panaji about the illegalities / constructions in the CRZ area. The Hon'ble High Court of Bombay at Goa vide Order dated 26/09/2007, passed in the matter of Suo Moto Writ petition no. 02/2006 had directed all Panchayats / Municipalities to submit 'Action Taken Report' with regard to constructions in NDZ / CRZ Area as per terms mentioned therein along with an affidavit.

AND WHEREAS, the Hon'ble High Court of Bombay at Goa, Panaji vide its Order dated 12/01/2015 passed in the matter of Suo Moto Writ Petition no. 02/2006 had inter alia directed the Respondent no. 19, Village Panchayat of Colva, to furnish the material on record, to suggest the structures are not illegal before the GCZMA and such authorities shall examine such material after hearing the parties in accordance with law.

AND WHEREAS, the said Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim produced its 'Action Taken Report' along with all material record of relevant

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copies of the parties, etc to the office of GCZMA vide letter dated 19/01/2015 The Action taken report was filed by the Village Panchayat of Sernabatim, Vanelim, Colva before the Hon'ble High Court of Bombay at Goa with two additional affidavits annexing all the documents of the structures pointed out by the intervenor (Colva Civic Forum) in its intervention application dated 13/07/2012 bearing MCA no.635/2012.

AND WHEREAS, the matter was placed in the 115th GCZMA meeting held on 04/04/2015; wherein the authority after detailed discussion and due deliberations, decided to refer the matter to the Inquiry Committee of GCZMA, to examine all the documents on record and hear the parties if required, and submit the detailed report to the GCZMA within 30 days.

AND WHEREAS, the concerned file was forwarded to the Inquiry Committee of GCZMA for necessary action vide letter dated 15/05/2015, as referred to above at Sr.no.4. In this regard the Inquiry Committee of GCZMA completed its inquiry and submitted its report dated 21/12/2015.

AND WHEREAS, the matter came up for hearing before the Hon'ble High Court of Bombay at Goa on 21/06/2016 and was pleased to dispose off the matter interalia with a direction which can be seen as follows:- *"Besides the above directions, the Anjuna as well as the Colva Panchayats namely respondent no.9 and 19 and the GCZMA are directed to take necessary action with regard to the structures identified in the report of the GCZMA and proceed to take necessary action in accordance with law within three months from today and file a compliance report with that regard."*

AND WHEREAS, in the while the term of GCZMA expire and the matter was placed before the Committee to decide on CRZ matters as per Notification no. GCZMA/CONST/05/STE/98 dated 03/08/2016. The matter was placed for personal hearing on 08/09/2016 before the said Committee, the meeting was adjourned.

AND WHEREAS, the matter was placed in the 179th GCZMA meeting held on 19/07/2018 wherein the Authority decided to issue personal hearing notices to all the parties including complainant to appear before it on 31/07/2018. The authority further noted that a lot of time had passed in the matter and it needed to be disposed expeditiously in accordance with law .

AND WHEREAS, the matter was placed in the 180th GCZMA meeting held on 31/07/2018 wherein the complainant Mrs. Judith Almeida remained present in person and Respondent remained present through his representative. Complainant as well as Respondent sought additional time to file submission before the Authority.

AND WHEREAS, the matter was placed in the 181th GCZMA meeting held on 14/08/2018 wherein the Complainant Mrs. Judith Almeida remained present in person and Respondent remained present through his Advocate. Complainant produced additional documents on which she proposed to rely upon, to the Authority and a copy to the Respondent. Further the Respondent filed a preliminary reply and further sought additional time to file a reply by 28/09/2018.

AND WHEREAS, in the 181th GCZMA meeting held on 14/08/2018 the Authority took a note of the written submission made by the complainant and the preliminary reply filed by the Respondent and directed Respondent to file a further reply by 28/09/2018.

AND WHEREAS, based on the documents on record the Authority has derived certain points of determination as under:

- (i) To produce plan attached to the Deed of Sale cum Mortgage dated 1/8/96.
- (ii) Documents to show connection between Sunset Bar & Restaurant and Boomerang Hotel.
- (iii) Permissions granted for Ground Plus One structure in sy No. 39/1 of Colva Village.
- (iv) Construction / repair plan issued by the Departments approving the structures. in sy no 39/1 of Colva Village.
- (v) Conversion Sanad
- (vi) Copy of the Plan along with NOC dated VP/SVCG/385/87-88 dated 03/10/1987.
- (vii) Copy of the Resolution from the Village Panchayat dated 15/06/2009 relating to the structure.

AND WHEREAS, the matter was placed in the 186th GCZMA meeting held on 12/10/2018 for grant of personal hearing to the parties. The proceedings of the present matter can be seen as follows:-The Complainant Mrs. Judith Almeida remained present in person and Respondent remained present. Respondent files his reply and prayed for time to meet the issues raised in personal hearing notice.

AND WHEREAS, in the 186th GCZMA meeting held on 12/10/2018 decided that, the authority decided to grant final opportunity for hearing and fixed the matter on 26/10/2018 on a principle of natural justice.

AND WHEREAS, the matter was placed in the 187th GCZMA meeting which was to be held on 26/10/2018 was rescheduled to 30/10/2018. The proceedings of the present matter can be seen as follows:- "The Complainant present in person. The Respondent present in person along with Adv. Jason Fernandes. The Complainant submitted that there is a Ground plus one Structure and a Bar and Restaurant functioning since 1996.

The Complainant submitted that the pages of the Sale Deed relied upon by the Respondent are manipulated. Advocate for the Respondent files an application raising preliminary objection stating that the Authority had already heard and decided this matter. Further hearing in the matter amounts to reviewing the decision taken by the Committee. The Authority rejected the contentions of the Respondent and granted 48 hours time to produce relevant documents. The Respondent has failed to prove or produce any documents/records to prove the points of determination”.

AND WHEREAS, in the 187th GCZMA meeting which was to be held on 26/10/2018 was rescheduled to 30/10/2018. the Authority decided that, “The Authority came to conclusion that no such documents to justify the point of determination were produced by the Respondent even though the Authority had granted 48 hours. The Authority differed from the findings of the Inquiry Committee on the grounds that the justification furnished with regards to the structures do not corroborate. The Authority noted that this proceeding is not barred by the Principles of res judicate and further does not amount to review the Order; as Inquiry Committee was formed under the directions of the NGT, to assist the GCZMA in hearing the matter and submit a Report to the Authority, so as to expedite the disposal of case. After the Inquiry Committee concludes the inquiry in a matter, a report was placed before the Members of the Authority for its final orders. The Authority observed that the Respondent has failed to establish/justify existence of Bar and Restaurant and a Ground plus one Structure in Survey No. 39/1 of Colva Village, as prior to 1991 with documentary evidence; hence the Authority resolved to issue demolition order against the Bar and Restaurant and a Ground plus one Structure in Survey No. 39/1 of Colva Village run in the name and style of M/S BOOMERANG BAR AND RESTAURANT. Further, it resolved to direct M/S BOOMERANG BAR AND RESTAURANT, to stop all commercial activities being carried out in Survey No. 39/1 of Colva Village with immediate effect.”

A copy of the Extract of minutes of 187th GCZMA meeting held on 30/10/2018 is annexed hereto and marked as Annexure A.

NOW THEREFORE, the GCZMA in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) read with sub-rule (3) (a) of Rule 4 of the Environment (Protection) Rules 1986, and read with power vested with the GCZMA vide Order S.O. 3324 (E) dated 26/10/2016 issued by the Ministry of Environment & Forests, Government of India, hereby directs M/S BOOMERANG BAR AND RESTAURANT to demolish the Bar and Restaurant and a Ground plus one Structure in Survey No. 39/1, of Colva Village run in the name and style of M/S BOOMERANG BAR AND RESTAURANT and further, the Respondent M/S

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BOOMERANG BAR AND RESTAURANT is hereby directed to stop all commercial activities being carried out in Survey No. 39/1 of Colva Village with immediate effect and restore the land to its original condition, within 30 days from the date of receipt of this order.

The Dy. Collector & S.D.O of Salcete, to verify if the structures as referred above located in the property bearing survey No. 39/1 of Colva Village Salcete-Goa is demolished as per these directives failing which the concerned Deputy Collector/ S.D.O shall demolish all the structures to enable restoration of land to its original state within 15 days and recover the expenses incurred from M/S BOOMERANG BAR AND RESTAURANT as the arrears of land revenue. Further, Dy. Collector & S.D.O of Salcete is required to submit a compliance report in respect of compliance of afore stated directions to the GCZMA within next 3 days of expiry of the aforementioned 30 days time period. The proceedings are disposed off accordingly.

For and on behalf of the
Goa Coastal Zone Management Authority



(Ravi Jha, IAS)
Member Secretary (GCZMA)

Encl: as above
To,

1. MR PETER COUTINHO, Prop of M/S BOOMERANG BAR AND RESTAURANT, 4th Ward, Colva, Salcete Goa.
2. ✓ Colva Civic & Consumer Forum, C/o Mrs Judith Almeida, H no.257/1, ward 3, Bagdem, Colva, Salcete-Goa.

Copy to:-

1. The Collector & District Magistrate (South), office of Collector (South), Mathanhy Saldanha Complex, Salcete-Goa... *for information and necessary action.*
2. The Deputy Collector & S.D.O of Salcete, Office of the Dy. Collector & S.D.O, Salcete, Margao-Goa...to ensure enforcement and compliance of the aforementioned directions including restoration of land to its original state incase of the failure on the part of violator.
3. The Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim..... who is required to assist the Dy.Collector & S.D.O Salcete in enforcing and complying the abovementioned directions.
4. The Scientific Assistant, Goa Coastal Zone Management Authority... *to upload copy of this order on GCZMA website immediately.*

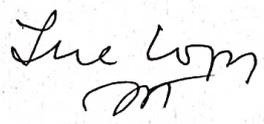


EXHIBIT AG 321

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 131 OF 2019

IN

WRIT PETITION NO. 1184 OF 2018

PETER JOSEPH COUTINHO.,

... Applicant

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 2 ORS.,

... Respondents

Mr. Shivan Desai, Advocate for the Applicant.

Mr. Aamir Jamadar, Additional Government Advocate for the
Respondent Nos. 1 and 2.

Coram:- C. V. BHADANG, J.

Date:- 4th February 2019

P.C.

Heard the learned Counsel for the parties.

2. This is an application for extension of interim relief.
3. The learned Additional Government Advocate objects to the grant of extension of the interim relief.
4. The interim relief granted by order dated 13.12.2018 in Writ Petition No. 1184/2018 is extended by a period of two weeks from today. No further extension shall be granted.
5. The application is disposed of.

C. V. BHADANG, J.

EV

Shivan Desai