

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
APPEAL No. 22 of 2024 (WZ)**

IN THE MATTER OF:

RAJENDRA KUMAR KAMRA

...APPELLANT

VERSUS

GOA COASTAL ZONE MANAGEMENT
AUTHORITY & OTHERS

...RESPONDENTS

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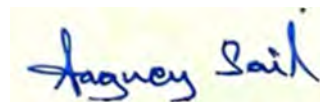
Next Date: 25.03.2025

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RESPONDENT NO. 3

THROUGH



AAGNEY SAIL

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Filed on:20.02.2025

Place: Goa.

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AUTHORITY & OTHERS

...RESPONDENTS

**REPLY OF RESPONDENT NO. 3 (CHANDAN SURYAKANT
KHORJUVEKAR) TO APPEAL**

MOST RESPECTFULLY SHOWETH:

1. That the present Reply of the Respondent No. 3 i.e. (Chandan Suryakant Khorjuvekar – complainant before GCMZA) is filed to the memorandum of Appeal No. 22/2024 (WZ) (hereafter 'said Appeal' for short). At the outset the facts and averments in the said Appeal which are inconsistent with the proceedings before Goa Coastal Zone Management Authority (GCZMA) initiated on the complaint of the answering respondent are denied. It is also stated that reply is not being filed for each and every statement and averment made in the said Appeal 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.

PRELIMINARY SUBMISSIONS:

2. That the following preliminary submissions with respect to the illegal construction carried out by the Appellant are submitted for kind consideration of this Hon'ble Tribunal to facilitate adjudication of the present Appeal:

A. Non-production of important record/documentary evidence by appellant to show that GCZMA permission was taken for

the three (3) structures to be demolished. This warrants adverse inference to be drawn against Appellant by applying reversal of burden of proof in Environmental cases.

- B.** Unsuccessfully camouflaging a full fledged swimming pool, which has been surveyed and coloured pictures of it taken during site-inspection, and passing it off as a water harvesting pit. The Appellant's website www.oralioresorts.com itself has rooms with a pool view for booking.
- C.** Similarly passing off a RCC underground water-tank as a Sewage Treatment Plant (STP) when the law requires STP compulsorily if there are more than 25 cottages/huts/shacks and Oralia resort has only 17 cottages.
- D.** Whether notice of site inspection given to the authorized advocate of a party during a GCZMA meeting is enough? Or a separate notice of inspection is required to be given that party?.
- E.** GCZMA conducted two site inspections which have mapped / surveyed / measured the structures in the entire property using highly accurate Electronic Total Station method, relied on Google Earth images pre and post construction of resort and have taken about 48 coloured photographs of the site showing violations.

PARAWISE REJOINDER:

- 3. REPLY TO PARAGRAPH NOS. 1 TO 3: The contents of these paragraphs being factual need no response.
- 4. REPLY TO PARAGRAPH NOS. 4 TO 6: The contents of these paragraphs are denied being incorrect and in reply it is submitted that the answering respondent has preferred Appeal No. 24/2024(WZ) before this Hon'ble Tribunal challenging the order dated 17.01.2024 and its corrigendum

dated 29.01.2024 (limited to the discharge of show cause notice) in which notice has been issued and the same is pending adjudication.

5. REPLY TO PARAGRAPH NO. 7: The contents of this paragraph are denied as being false and incorrect interpretation of the CRZ Notification, 2011 and the concerned law as is established in the following paragraphs of present reply.
6. REPLY TO PARAGRAPH NOS. 8 TO 10: The contents of these paragraphs are denied being false, incomplete and for want of documentary evidence. The Appellant has chosen for reasons best known to him, not to bring on record the title documents, revenue record, non-joinder of necessary party i.e. M/s Oralia Resorts Pvt. Ltd. (Company registered with the Registrar of Companies, Delhi) in which the Appellant and the three other joint owners of the said property (described in para 8 of the Appeal) are Directors. A true and correct copy of the master data of the Oralia Resorts Pvt. Ltd. downloaded from the Ministry of Corporate Affairs website is hereto marked and annexed as **ANNEXURE – R3/1**. The statement of the Appellant made in paragraph no. 10 that entire construction in the said property has been done exclusively by him and the other three co-owners have nothing to do in this regard may kindly be clarified by this Hon'ble Tribunal because no statement has been made on profit generation, profit sharing, financial understanding on expenses in running the Oralia Resort etc. All this will be relevant if this Hon'ble Tribunal dismisses the Appeal and upholds the impugned GCZMA decision, consequently imposing environmental compensation on the Appellant for construction of illegal structures without any

permission/approval from GCZMA and imposes costs towards restoration of the land to its original status.

7. REPLY TO PARAGRAPH NO. 11: The contents of this paragraph are denied completely for want of specific pleadings and documentary evidence in support of the contentions made in this paragraph.

- 7.1 It is submitted that the Appellant has not produced any documents to show which part of his property is within the "No Development Zone" (NDZ) i.e. 0-200m from the High Tide Line (HTL) and which part of the property is within the 200m-500m from HTL.
- 7.2 Similarly, for the contention that the said property is partly classified as an "Orchard" and partly as a "Settlement" has not been clarified by producing any documentary evidence to establish which part of his property is classified as what and what does this classification imply.
- 7.3 No documentary evidence was produced neither before GCZMA proceedings which resulted in non-adjudication of this issue nor before this Hon'ble Tribunal exercising Appellate jurisdiction.
- 7.4 It is pertinent to mention that it is settled law that there is reversal of burden of proof in environmental law with the onus resting on the party who is accused of causing damage to the environment. Applying the same, the Appellant has failed miserably.
- 7.5 Without prejudice, it is submitted that classification as "orchard" land in the land use / zoning map permits structures only for the limited purpose of agricultural activities as specified in Regulation 6A.4. and Annexure-X1-A of the "Goa Land Development and Building Regulations, 2010" for which the minimum size of land/plot has to be 4000 sq. mts. (present plot size is 3955 sq. mts. as per GCZMA approved site plan which

has not been deliberately brought on record in the present Appeal by the Appellant). A true and correct copy of the site plan of the Appellant approved by GCZMA on 23.07.2021 is ANNEXURE-R3/ .

8. Reply to Paragraph Nos. 12 & 13: The contents of these paragraphs are denied completely for want of documentary evidence and wrong interpretation of the CRZ Notification, 2011. In reply the following are submitted:

8.1 The Appellant has wrongly used the word "hotel" as CRZ Notification, 2011 provides in para 8(i)(III)(B)(i) for setting up of "hotel" or beach resorts only in the area between 200m to 500m of HTL and as per the Guidelines specified in Annexure III which, inter alia provide, that plots less than 4000 sq. mts. or 0.4 hectare cannot be used (present plot is 3955 sq. mts. and almost 80% of it is within 200mts. of HTL). Hence, Appellant has wrongly understood the CRZ Notification, 2011 and used the word "hotel".

8.2 Appellant has deliberately not brought on record his application dated 14.06.2021 which will reveal if the structures directed to be demolished i.e. swimming pool, RCC underground water tank and footpath were originally present in this application and consequently considered by GCZMA. As per Chapter 5.2 of the 'Carrying Capacity of Beaches of Goa for Providing Shacks & Other Temporary Seasonal Structures in Private Areas' prepared by NCSCM and accepted for implementation by GCZMA in its 135th meeting held on 03.01.2017 ('Beach Carrying Capacity Report' for short) a total of nine documents are to be attached to every application for cottages which will then be considered by GCZMA for granting approval/rejection. A true and correct copy of the relevant extract of the Chapter 5 of

the Beach Carrying Capacity Report is hereto marked and annexed as **ANNEXURE – R3/2**.

8.3 Similarly, the Appellant has deliberately chosen not to bring on record the minutes of the 264th GCZMA meeting held on 06.07.2021 wherein his application dated 14.06.2021 was approved. A true and correct copy of the relevant extracts of the minutes of the 264th GCZMA meeting held on 06.07.2021 is hereto marked and annexed as **ANNEXURE – R3/3**.

8.4 Similarly, the GCZMA permission/approval dated 23.07.2021 along with its approved site plans have not been brought on record by Appellant, which is **ANNEXURE – R3/4**. The NOC from the concerned Village Panchayat has also not been brought on record by the Appellant (which is one of the nine documents to be submitted along with application as per Beach Carrying Capacity Report), whose copy is not available with the answering respondent and hence, cannot be brought on record.

8.5 The answering respondent prays that adverse inference be drawn against the Appellant for suppressing relevant record before this Hon'ble Tribunal.

9. REPLY TO PARAGRAPH Nos. 14 to 16: The contents of these paragraphs are denied completely being false and not relevant to the present Appeal which has the limited scope of three structures directed to be demolished namely, (a) Swimming pool, (b) RCC underground water tank and (c) footpath, as noted in the Show Cause Notice dated 02.03.2023. With respect to these three structures, it is submitted that the same have been constructed without any permission / approval from GCZMA as noted in the impugned order. The Appellant has failed miserably to produce any document(s) to show that these three structures were constructed with the approval of GCZMA.

10. REPLY TO PARAGRAPH NOS. 17 TO 22: The contents of these paragraphs are vehemently denied as being completely baseless, incomplete and drawing inferences contrary to the law. In reply the following points are submitted:

10.1 That the GCZMA site-inspection conducted on 03.01.2023 was carried out on specific orders of this Hon'ble Tribunal dated 23.12.2022 passed in I.A. No. 203/2022 in O.A. No. 70/2022(WZ) which is hereto marked and annexed as **ANNEXURE – R3/5**.

10.2 That the detailed mapping of structures was carried out using Electronic Total Station Method which is a surveying technique that uses a specialized instrument called a "total station" to precisely measure both horizontal and vertical angles, alongside the slope distance between the instrument and a target point, by combining an electronic theodolite with an electronic distance meter (EDM), allowing for accurate 3D positioning of points in a survey area (refer Wikipedia – relevant extracts of the Wikipedia webpage on 'total station' is hereto marked and annexed as **ANNEXURE – R3/6**).

10.3 That the site plan prepared during the site inspection carried out on 03.01.2023 has been prepared by two field surveyors of GCZMA (Devendra Gaonkar & Balkrishna Surlakar) and assisted by Rajesh Harmalkar, field surveyor of Directorate of Settlement and Land Records (DSLRL), Government of Goa. A true and correct copy of this Site Plan is hereto marked and annexed as **ANNEXURE – R3/7** which may kindly be referred to in the electronic PDF file as the same is in colour and in high resolution which permits zooming in to appreciate the structures and CRZ features. It is pertinent to mention that the Appellant has deliberately not attached a high resolution image in the PDF file supplied to the

answering respondent and it seems that the same is also not provided to this Hon'ble Tribunal.

10.4 It is pertinent to mention here that all the ANNEXURE-R3/ to R3/ have been taken from the pleadings in O.A. No. 70/2022(WZ) wherein GCMZA had brought them on record vide their affidavit dated 20.04.2023.

10.5 That the point-wise response to the Site Inspection Report dated 10.01.2023 are denied as being incorrect and wrong interpretation of the CRZ law including the Beach Carrying Capacity Report. The coloured pictures of the second GCZMA site inspection carried out on 30.06.2023 completely clarify and give a befitting reply to this paragraph. The Appellant has the audacity to pass off a full-fledged swimming pool as a water harvesting tank when, in reality, there are four (4) colour pictures taken during the GCZMA site inspection carried out on 30.06.2023 and attached to the site inspection report. For reasons best known to the Appellant, black and white pictures taken during site inspection along with the site inspection report dt. 30.06.2023 are annexed as ANNEXURE-A10 to the Appeal whereas coloured pictures were supplied by GCZMA. A true and correct copy of the site inspection report dated 30.06.2023 along with its annexures (colour images in electronic pdf file) is hereto marked and annexed as **ANNEXURE – R3/8**. In addition, it is submitted that the pictures on the official website of the Appellant's resort www.oraliaresorts.com has several pictures of the swimming pool and as per the booking webpage there is a category of rooms designated as 'Oralia Pool View' that can be booked. A true and correct copy of the print of the webpage www.oraliaresorts.com is hereto marked and annexed as **ANNEXURE – R3/9**.

11. REPLY TO PARAGRAPH No. 23 & 24: The contents of these two paragraphs are factual and need no response. However, the Appellant

be put to strict proof on the Annexures A3, A4(colly) & A5(colly) that have been brought on record in these two paragraphs and the answering respondent craves leave to advance oral arguments in reply.

12. REPLY TO PARAGRAPH Nos. 25 to 32: The contents of these paragraphs are denied as not being supported by any documents (site inspection report dated 26.08.2022 carried out on complaint of Respondent No. 4 and not the answering respondent) which the Appellant has chosen deliberately not to bring on record in the present Appeal and hence, adverse inference be drawn against him. In addition, it is submitted that the contents of these paragraphs are pertaining to the complaint of the Respondent No. 4 and not the answering respondent. However, the answering respondent craves leave to advance arguments on the same if required.

13. REPLY TO PARAGRAPH Nos. 33 to 55: The contents of these paragraphs are denied completely being false and wrong interpretation of the law.

In reply the following points are submitted:

13.1 That the GCZMA site inspection carried out on 30.06.2023 got conducted pursuant to decision taken during in the 347th GCZMA meeting. Hence, the contention that because no expert member or member or otherwise of GCZMA was not present during this site inspection it is rendered void of any legal sanctity is completely misplaced. It may be noted that the CRZ Notification, 2011 does not provide any such requirement.

13.2 The Appellant was duly represented through his advocate during the 347th GCZMA meeting wherein the decision was taken to conduct a site inspection of the

Appellant's plot on 30.06.2023 at 11am onwards. Hence, the contention that no individual notice to the Appellant was given of this site inspection leading to violation of principles of natural justice is completely baseless and wrong. A true and correct copy of the relevant extract of the 347th GZCMA meeting held on 22.06.2023 is hereto marked and annexed as **ANNEXURE – R3/10**.

13.3 The site inspection conducted on 30.06.2023 is in furtherance to the earlier inspection carried out on 03.01.2023 as is evident as per the site inspection report in which the table in paragraph no. 4 gives a comparative table of site conditions as on 03.01.2023 and on 30.06.2023. Hence, the contentions that there is no material to indicate which portion of the property was inspected on 30.06.2023, no site-plan or sketch was drawn, etc. are wrong.

13.4 That a total of about 48 colour photographs were taken during this site inspection and they form part of the site inspection report and highlight the violations in great detail. These photographs are of the Oralia Resorts of the Appellant located on the said site which is self-evident from the signature construction of the structures and the same can be counter verified from the pictures available on the Oralia resorts website and Google Earth Images (three colour images are included in the site inspection report). Hence, the contention that the photographs taken during site inspection are not of the Appellant's Oralia Resort is vehemently denied being false and incorrect.

14. REPLY TO PARAGRAPH No. 56. a): The ground that site inspections dated 10.01.2023 and 30.06.2023 are in violation of principles of natural justice is vehemently denied as being wrong and unsustainable. The Appellant was duly represented through his advocate during the 347th

GCZMA meeting wherein the decision was taken to conduct a site inspection of the Appellant's plot on 30.06.2023 at 11am onwards. Hence, the contention that no individual notice to the Appellant was given of this site inspection leading to violation of principles of natural justice is completely baseless and wrong. In addition, the Condition no. 9 of the GCZMA approval dated 23.07.2021 states that regular site inspections shall be carried by the team comprising of the Expert Members of the GCZMA and or other Authorities / Departments to ensure compliance. It is pertinent to mention that, necessity of serving notice of inspection is mandatory in cases where the site which is to be inspected is an abandoned site which is locked or inaccessible. In the present case or in cases of shacks/cottages constructed with GCZMA approval which has a condition requiring regular site inspections (condition no. 9) and in such cases the inspection of structures erected (materials used, specifications, number of structures etc.) as per GCZMA approved site plan / sketch is to be conducted, the necessity of a notice of inspection is not mandatory. The answering respondent prays that this issue be settled by this Hon'ble Tribunal applying the principle of Polluter Pays and the reversal of burden of proof in Environmental Law.

15. REPLY TO PARAGRAPH No. 56. b) to g): The contents of this paragraph are denied as being completely wrong and baseless, it is submitted that the Appellant has miserably failed to show any convincing evidence against the findings of the GCZMA site inspection reports dated 10.01.2023 and 30.06.2023. The contents of paragraph no. 13 of this reply pertaining to the site inspection report dated 30.06.2023 are not reproduced herein for brevity and may kindly be read in reply to this

Ground. Similarly, the contents of paragraph no. 10 of this reply which pertain to the site inspection report dated 10.01.2023 are not being reproduced again for brevity and may kindly be read in reply to this Ground.

16. REPLY TO PARAGRAPH No. 56. h): The contents of this Ground are denied as the case law cited is inapplicable to the facts of the present case wherein there are coloured pictures of the concrete pathway and also the site-plan made during GCZMA site inspection using Electronic Station Method (clearly indicating the concrete pathway) which was not the case in the precedent cited by Appellant.
17. REPLY TO PARAGRAPH No. 56. i): The contents of this Grounds deserve to be discarded for want of evidence. In the alternative, it is submitted that the GCZMA permission/approval given to the Appellant and the Beach Carrying Capacity Report specifically prohibits use of concrete (permanent structures) thereby making the concrete footpath a violation.
18. REPLY TO PARAGRAPH No. 56. j) & k): The contents of these two Grounds are denied as being wrong interpretation of the law and misrepresentation. It is submitted that neither in the GCZMA approved site-plan nor in the GCZMA permission dated 23.07.2021 granted to the Appellant there is no provision for or mention of establishing a Sewage Treatment Plant (STP) in the Appellant's said property. In this regard it is pertinent to mention that as per S. No. 7 in Table 25: "Criteria proposed for erection of shacks, huts/cottages/tents on private lands" given in Chapter 5: Guiding Principles for Shacks/ Huts/ Tents/ Cottages and events in Private Lands of the Beach Carrying Capacity Report

GCZMA meeting wherein the decision was taken to conduct a site inspection of the Appellant's plot on 30.06.2023 at 11am onwards. Hence, the contention that no individual notice to the Appellant was given of this site inspection leading to violation of principles of natural justice is completely baseless and wrong. In addition, the Condition no. 9 of the GCZMA approval dated 23.07.2021 states that regular site inspections shall be carried by the team comprising of the Expert Members of the GCZMA and or other Authorities / Departments to ensure compliance. It is pertinent to mention that, necessity of serving notice of inspection is mandatory in cases where the site which is to be inspected is an abandoned site which is locked or inaccessible. In the present case or in cases of shacks/cottages constructed with GCZMA approval which has a condition requiring regular site inspections (condition no. 9) and in such cases the inspection of structures erected (materials used, specifications, number of structures etc.) as per GCZMA approved site plan / sketch is to be conducted, the necessity of a notice of inspection is not mandatory. The answering respondent prays that this issue be settled by this Hon'ble Tribunal applying the principle of Polluter Pays and the reversal of burden of proof in Environmental Law.

15. REPLY TO PARAGRAPH No. 56. b) to g): The contents of this paragraph are denied as being completely wrong and baseless, it is submitted that the Appellant has miserably failed to show any convincing evidence against the findings of the GCZMA site inspection reports dated 10.01.2023 and 30.06.2023. The contents of paragraph no. 13 of this reply pertaining to the site inspection report dated 30.06.2023 are not reproduced herein for brevity and may kindly be read in reply to this

22. REPLY TO PARAGRAPH Nos. 57 to 64: The contents of these paragraphs need no response from the answering respondent who does not wish to oppose the prayer for condonation of delay of 13 days in filing present Appeal.

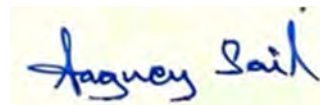
23. REPLY TO PARAGRAPH No. 65: The prayers sought by the Appellant do not deserve to be granted considering the present reply submitted by the answering respondent. Hence, it is prayed that this Hon'ble Tribunal may be pleased to pass the following orders:

- (a) Dismiss the present Appeal and uphold the impugned GCZMA orders dated 17.01.2024 and its corrigendum dated 29.01.2024 to the limited extent of it directing demolition of swimming pool, RCC underground water-tank and concrete footpath in Appellant's property,
- (b) Impose Environmental Compensation on the Appellant for blatant violation of the CRZ Notification, 2011 directing GCZMA to submit before this Hon'ble Tribunal a calculation of the proposed amount of compensation commensurate to the illegal financial gains enjoyed by the Appellant for the period of operation of these structures in the Appellant's resort,
- (c) Adjudicate on the amount of environmental compensation to be imposed on the Appellant,
- (d) Direct GCMZA to calculate costs for restoration / remediation of the land where the illegal structures were constructed to its original state and impose the said restorations costs on the Appellant.

(e) Pass any other order(s) as it deems fit and necessary.

RESPONDENT NO. 3

THROUGH



AAGNEY SAIL

ADVOCATE FOR THE RESPONDENT NO. 3

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Email: aagneysail@gmail.com

Filed on: 20.02.25

Place: Goa.



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WESTERN ZONE BENCH, PUNE**
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RAJENDRA KUMAR KAMRA

...APPELLANT

VERSUS

GOA COASTAL ZONE MANAGEMENT
AUTHORITY & OTHERS

...RESPONDENTS

AFFIDAVIT

I, Chandan Suryakant Khorjuvekar, S/o Late Shri Suryakant Khorjuvekar aged about 50 years, R/o H.No. 98/9, Bandirwaddo, Anjuna, Bardez, Goa - 403517, do hereby solemnly state and affirm that:

1. That I am the Respondent No. 3 in the abovementioned Appeal and I am aware of the facts of the present case and as such am competent to swear this affidavit.
2. That I have read and understood the accompanying Reply to the Appeal which has been drafted on my instructions and the contents of which are true to my knowledge and have been read and explained to me in the vernacular.
3. That the Annexures R3/1 to R3/ are true and correct copies of their respective originals.

Place: Mapusa
Date: 17-02-2025

DEPONENT



Solemnly affirmed before me by
 Shri/Smt Chandan Suryakant Khorjuvekar
 who has been identified by His/Her Advocate
Aadhaal Said No. 5364 6386 3355
 known to me personally at Mapusa,
 Bardez-Goa on 17-02-2025
Call
 S. G. DESHPRABHU B.A LLB
 Advocate & Notary
 Bardez Taluka, Mapusa-Goa
 Reg. No. 203
 Regn No 3119 / 2025

P.T.O
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VERIFICATION:

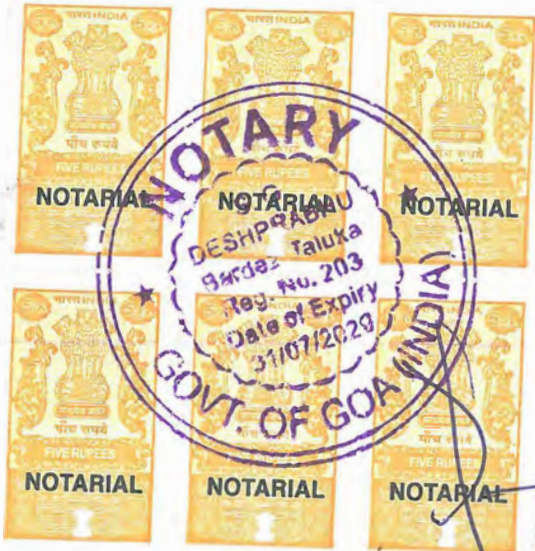
Verified that the contents of paras 1 to 3 of my above affidavit are true to my knowledge and its content is read and explained to me in the vernacular, no part of it is false and nothing material has been concealed therefrom.

Verified on 17th day of February, 2025 at Mapusa, Goa.

DEPONENT

IDENTIFIED BY:

Aadhaar Card No.
5364 6386 3355



Before Me
At Mapusa, Bardez-Goa on 17.02.2025

Lallu

S. G. DESHPRA BHU BA LLB
Advocate & Notary
Bardez Taluka, Mapusa-Goa
Reg. No. 203
Regn. No. 3120/2025

Lallu

05/01/2023, 12:26

Company Master Data

Company Master Data

CIN	U55101DL2021PTC384267
Company Name	ORALIA RESORTS PRIVATE LIMITED
ROC Code	RoC-Delhi
Registration Number	384267
Company Category	Company limited by Shares
Company SubCategory	Non-govt company
Class of Company	Private
Authorised Capital(Rs)	10000000
Paid up Capital(Rs)	4000000
Number of Members(Applicable in case of company without Share Capital)	0
Date of Incorporation	27/07/2021
Registered Address	HOUSE NO. 145, GROUND FLOOR, POCKET 22, SECTOR 24, Rohini DELHI North West DL 110085 IN
Address other than R/o where all or any books of account and papers are maintained	-
Email Id	Girish24sector@gmail.com
Whether Listed or not	Unlisted
ACTIVE compliance	
Suspended at stock exchange	-
Date of last AGM	30/09/2022
Date of Balance Sheet	31/03/2022
Company Status(for efilling)	Active

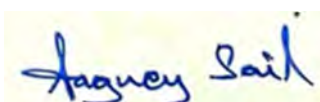
Charges

Charge Id	Assets under charge	Charge Amount	Date of Creation	Date of Modification	Status
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No Charges Exists for Company/LLP

Directors/Signatory Details

DIN/PAN	Name	Begin date	End date	Surrendered DIN
00746507	AKHIL BANSAL	27/07/2021	-	
06662117	GIRISH KUMAR	27/07/2021	-	
09256528	KAMAL TAKKAR	27/07/2021	-	
09256529	RAJENDER KUMAR KAMRA	27/07/2021	-	



-- TRUE COPY --

Carrying Capacity of Beaches of *Goa*

*for Providing Shacks & Other Temporary
Seasonal Structures in Private Areas*

Submitted to
Government of Goa

Prepared by



NATIONAL CENTRE FOR SUSTAINABLE COASTAL MANAGEMENT
Ministry of Environment, Forest and Climate Change
Government of India

Carrying Capacity of Beaches of Goa for Providing Shacks & Other Temporary Seasonal
Structures in Private Areas

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1. Introduction

1.1 Goa and its Geographic Setup

Goa, with a coastline of 105 kilometers, most of which are sandy beaches, attracts a large number of tourists both domestic and international. Goa is one of the most favored tourism destinations in India with a consistent ranking amongst the top states in terms of tourist arrivals. This steady and increasing inflow of tourists provides employment, income and business opportunities to the locals. The contribution of tourism to employment generation both direct and indirect is of immense importance to the State. Tourism has also contributed to the growth and development of many sectors in the State such as infrastructure, hotels, transport, housing, banking, travel agencies and tour operators. Presently, tourism contributes to approximately 34% of the State Gross Domestic Product, providing employment to nearly 30% of the total workforce (Economic survey 2011-12).

1.2 History of Tourism

Influenced by over 450 years of Portuguese rule and Latin culture, Goa presents a diverse representation of the country to international visitors. In 1961, 1439 visitors and 10,422 night lodgings came to Goa from as many as 39 countries, (Ave Cleto and Tensing 1994). Most prominent beaches of Goa include Anjuna, Calangute, Bagain North Goa and Colva & Palolem in South Goa. The tourist inflow increased steadily since 1980s resulting in significant growth and development of beach shacks. The trends and the composition of tourists are discussed in detail in [Section 1.5](#) below. Tourism is generally focused on the coastal areas of Goa, with moderately low tourist activity inland. International tourists, mostly from Europe, arrive in Goa in winter whilst the summer and monsoon seasons see a large number of Indian tourists. Apart from being blessed with the natural beauty, the key definitions in Goa's coastal tourism are described below:

1.3 REGULATED ACTIVITIES

1.3.1 Beach Shacks

These are purely seasonal/temporary structures set up on public beaches to serve food and beverages to the public/tourists. They are usually made of eco-friendly materials like bamboo/wooden poles with thatched palm leaves/ thatched bamboo mat roofing with modern materials like synthetics or nylon fabric and steel



Figure 1: Beach Shacks, Goa

framework, as required. These shacks operate during September to May every year, in accordance with the shack allocation process governed by Beach Shack Policy of the State Government (Tourism Department). Different sizes of beach shacks are specified by the Policy (e.g. 12m X 8m, 18m X 8m) depending on the beach width, public access and other factors. The statistics of Beach shacks are provided in **Annex 1**.

1.3.2 Non-Beach Temporary Shacks

These include all those purely seasonal/temporary structures which are set up to serve food and beverages to the public. They are located in CRZ areas within the village boundaries on surveyed land adjacent to public beaches. They are constructed using temporary material, and are usually set up between the months from September to May every year. Most of these structures are located in private properties, but a few could also be set up in land belonging to the Government.

1.3.3 Kiosks

These are temporary structures that can be dismantled, made using materials such as steel, bamboo and wood. They sell fruits, tender coconuts, packed food items, handicrafts, handlooms etc. These are set up in touristic locations from seaward side survey boundary to 500m in CRZ areas from September to May every year.

1.3.4 Wedding Tourism

Destination weddings on beaches have become hugely popular and successful in Goa. As per a rough estimate, it is observed that over 800 high-end weddings are being organized in Goa annually, mostly in four and five star properties located along the coastline. Destination weddings bring in high quality tourists who spend large amounts of money, benefitting local economy and providing livelihood to service providers like event management companies, floral decorators, sound and light personnel, caterers, musicians etc. Unlike Rajasthan where the backdrops of such weddings are Forts & Palaces, Goan destination weddings take place on beaches and adjacent coastal areas. It is also seen that many Non-Resident Indians (NRI) and Overseas Citizens of India (OCI), also come to Goa for organizing destination weddings. The destination wedding setup includes, setting up of Pandal-cum-Shamiana on the beach, temporary cabanas and kiosks, stage, sound & light decor etc.

1.3.5 Night Bazaars/ Flea markets

These are events and activities organized in coastal areas by private organizers, comprising of several kiosks selling handicrafts, textiles, artificial jewelry, food items, handlooms, curios/ antiques etc., or offering services such as tattooing for the tourists. The kiosks are fabricated using bamboo, wooden poles, cloth/fabric to create non-permanent structures. Night bazaars and flea markets attract both domestic and international tourists and are a permanent feature of Goan tourism. Some of the flea markets like the Anjuna flea market are world famous and are organized since the 1970s as a legacy of the hippies who visited Goa in large numbers during those years.

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1.3.8 Lifeguard towers

In order to ensure security and safety of the tourists visiting the State, the Government has initiated a mechanism of beach lifeguards and beach safety. Goa is the only State to have such a functional and well trained unit of lifeguards posted on all the major beaches of the State. Hundreds of precious lives are saved by 711 lifeguards. As a part of lifeguarding activities, temporary towers made of steel and FRP are placed at key vantage points in public beach areas.



Figure 3: Life Guard Tower, Goa

Beach coastal security is becoming extremely important with both Central and State Governments placing high emphasis in ensuring that the coastal areas of the country are safe and secure. In order to provide effective surveillance and monitoring, a need was felt to install CCTV Cameras and other Wi-Fi equipment along with cabling to interconnect the surveillance devices. Such CCTV surveillance cameras are installed on steel poles which are erected in key vantage points so as to have a clear line of sight in order to provide continuous images for real time monitoring 24 x 7.

1.3.9 Fisherman Huts

Goa being a coastal state, traditional fishing activities undertaken by Ramponkars (traditional fisherman) are a common source of livelihood. Such traditional fishing activities have been undertaken from generation to generation. In some of the coastal fishing villages, traditional fishermen erect temporary huts on public beaches and within CRZ areas to store salted fish/fishing equipment, canoes and other fishing accessories.

1.3.10 Huts / cottages / tents in village boundaries within CRZ areas

These are temporary structures built on surveyed plots for providing inexpensive accommodation to tourists. Huts are mainly made of bamboo poles with a thatched roof, similar to that of the shacks. Cottages are made up of wood and other temporary structural frameworks whereas tents are basically pitched out of cloth or canvas material and have basic amenities for tourists to stay. They are generally arranged in a linear pattern, with semi-open verandah in front with a sloped roof; stilt type of construction is also adopted in some places. The huts usually measure 3m



Figure 4: Huts in Private Areas

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by 4m. The height of the structure is restricted to 5.5m. The provision of toilets facilities for these huts can be common for a group or individual (attached) depending on the plot owner.

1.3.11 Beach Beds

A beach bed is an outdoor day bed on a platform with a mattress. Protection albeit little is offered from the sun by the umbrellas provided for each of the beach beds. Facing the sea front, they are placed in front of the shacks on the beaches of Goa. The beach beds are usually given on hire on an hourly basis to the tourists by the shack owners. Apart from the food offered in the shacks, other services may include a massage for the customers.



Figure 5: Beach Beds, Goa

1.4 Role of Beach Shacks in Goa's Tourism Industry

Beach shacks – earlier, fishermen's settlements- have been in existence for more than forty years. They have been providing food and shelter close to the beach at reasonable rates to tourists visiting the beaches. Although shacks are seasonal, many Goans depend on them to earn a living. Shacks also help the State Government to earn revenue in the form of various taxes like luxury tax, VAT, excise duty and service tax, apart from license fees. They also provide revenue to the local village panchayats and municipalities.

Shacks in Goa are increasing in number every year mainly because of their affordability. Beach shacks serve fresh food at reasonable price; provide personalized service (Prakash, 2013). They were initially licensed by the local village Panchayats (Noronha et al, 2003) and since 1995, the State Government through the Department of Tourism, issues licenses to the beach shacks because their number has increased considerably (Kazi et al, 2004).

Goan shacks are seasonal as they are abandoned during the monsoon due to the inclement weather conditions and the seasonal erosion of the beaches (Noronha et al, 2003, and Prakash, 2013). Brammer et al. (2003) observed that since the arrival of hippy visitors to Goa in the 1960s, modern day mass tourism has put pressure on the society as well as the environment. The major issues with the local community are with regard to the use/abuse of land and beaches. Brammer et al.2003 also focused on the conflict between the small-scale entrepreneurs who seek a living from tourism through beach shacks and the beachfront star hotels and the role played by the State Government to protect the interest of both these groups. According to Sparks et al

5. Guiding Principles for Shacks/ Huts/Tents/ Cottages and events in Private Lands

5.1 Guidelines for shacks, huts/ tents/ cottages:

The guiding principles for determining the carrying capacity of shacks and huts / tents/ cottages in private surveyed plots have been classified under four distinctive headings:

- i) Planning Principles
- ii) Ecological safeguards
- iii) Environmental safeguards
- iv) Socio-economic considerations

ij) Planning Principles:

- 33% of coverage in a plot, in which shacks, huts / tents / cottages are proposed, should be permitted, based on the principle adopted in the CRZ Notification, 2011.
- Geocoding of all shacks and huts / tents / cottages in private areas shall be undertaken by GCZMA through any expert organization in order to monitor the area occupied by the shacks and huts / tents / cottages.
- For surveyed plots (private plots), the number of shacks and huts / tents / cottages should be determined on the case to case basis by applying precautionary principle so that the total area occupied by such shacks and temporary structures do not exceed the carrying capacity arrived for respective panchayat stretches in between survey boundary and 200 m in CRZ.

The criteria that are proposed for erection of shacks, huts/cottages/tents on private lands are detailed in Table 25.

Carrying Capacity of Beaches of Goa for Providing Shacks & Other Temporary Seasonal Structures in Private Areas

Table 25: Criteria proposed for erection of shacks, huts/cottages/tents on private lands

S.No.	Criteria	Remarks
1.	Area of land in possession of applicant should not be less than 100 sq.mts	GCZMA should consider the number of shacks, huts / tents / cottages on case to case basis in between survey boundary to 200m in CRZ. However the total area occupied by such shacks, huts / tents / cottages should not exceed the carrying capacity arrived at for a particular space in private areas.
2.	Presence of ESAs	No-Go Areas
3.	Presence of fishing villages and creeks	No Activity Area
4.	Entry points to the beach	Buffer of 10m on either side of the entry point in private areas
5.	Availability of Road access and Water Supply	No shacks or huts/tents/cottages shall be permitted in properties which do not have road access
6.	Distance between shacks (e.g. fire safety, accessibility)	No existing policy; national & international standards provided
7.	The applicant shall submit Consent to Establish (CTE) obtained from the Goa State Pollution Control Board (GSPCB) as per the provisions under the Air / Water Acts. And upon approval of the GCZMA, obtain Consent to Operate from the GSPCB establishment of STP compulsory for erection of more than 25 huts/tents/cottages / tents / cottages.	As per provision of the CRZ Notification, 2011 as well as provisions under Water/ Air Acts.
8	Validity of NOC / Permission granted by the GCZMA	(i) Five years from the date of issuance for the relevant season from September to May. (ii) Certificate from Architect for removal of a structure(s) during monsoon (June to August) to be submitted on yearly basis. (iii) In case any violations reported / confirmed, NOC / Permission shall be withdrawn forthwith and not considered until the five-year period has expired.

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- **Type of Material to be used:**

Shacks, huts, tents, cottages and huts/ tents/ cottages in private areas shall be erected using eco-friendly materials such as bamboos/wooden poles with thatched palm leaves/ thatched bamboo mat roofing as far as possible and for structural support wherever required GI-pipes / mild steel framed structures could be permitted. However, in case of paucity of wood the same may be erected out of the other modern materials such as synthetic, steel, nylon fabric etc. for the purpose of frame work due to unpredictable weather conditions. However the same shall not exceed 30% of the total material required. Use of concrete is banned. Grouting, plastering, laying of PCC/ RCC on the floor/ structure/ digging of soak pits/ digging and laying of pipes/ metal staircases grouted in cement etc. shall not be permitted as per the guidelines issued by the GCZMA.

- **Height of temporary Structures:**

Shack, huts, tents, cottages and huts/ tents/ cottages in private areas shall be at a maximum height of 9m including the height of boards displayed above the roof. Height of the temporary structures shall be limited to 9mt.

- **Architecture**

The architecture guidelines recommend construction of traditional tropical architecture made up of local materials and other materials which should stimulate the work of local artists, craftsman and trades people.

- **Approval:**

For seeking permission from the authority, the applicant/plot owner has to submit the plan, section, elevation, site plan, and survey plan, along with septic tank/soak pit / DRDO Eco/Bio-toilets or equivalents STP drawings including GPS co-ordinate and Google map from a registered architect/ engineer as well as the signature of the owner/ authorized representative.

ii) Ecological safeguards:

The ESAs such as sand dunes, turtle nesting sites, archeological and heritage sites, no development slopes, paddy fields/khazans, river, creeks, nallas etc., located on the beaches and along the coast are No-Go areas. This has already been demarcated on the maps.

iii) Environmental safeguards:

Environmental safeguards have been developed in response to the perception that it was becoming increasingly necessary to encourage tourism while conserving natural resources and protecting their cultural and milieu. This would enable Goa's market position as one of the world leaders in ecotourism and environmentally sensitive conventional tourism. Coastal vegetation should be maintained to maintain the natural

Carrying Capacity of Beaches of Goa for Providing Shacks & Other Temporary Seasonal Structures in Private Areas

façade and to guard against coastal erosion. In addition, the following key environmental safeguards that are potential health hazards shall be considered:

- **Clean potable water**

Portable water requirement for domestic and tourist population has to be made available. The quality of water to be supplied should meet the national standard. Measures like Rain Water Harvesting should also be encouraged to have access to clean and potable water.

- **Safe disposal of solid wastes**

Separate bins for different types of solid wastes (source segregation of solid wastes) shall be provided by the operator. It will be the responsibility of the plot owner to dispose the waste generated from their plots to the respective bins. The municipality/ Village Panchayat or the contractor appointed by the Department of Tourism, as the case may be, shall collect waste from time to time and hand over the non-biodegradable waste to the Monitoring Cum Working Committee/ Solid Waste Management Cell of Department of Science and Technology for baling and transportation to cement plants. Solid waste to be transported to the Solid Waste Management Facility at Calangute by the Village Panchayats in North Goa whereas in South Goa it will be responsibility of the owner/ authorized representative to dispose the same by compositing/biogas plant or to transport to the piggeries for the bio degradable waste.

- **Safe disposal of sewage to sewage treatment plants and levy charges on use of public amenities**

The sewage generated (shack, huts, tents, cottages and huts / tents / cottages in private areas) from each plots are to be directed to a septic tank. The sewage tankers shall be deployed by the owner to collect the sewage at his own cost from time to time and dispose it to the nearest STP. Low water demand toilet (5litres per flush), Low volume showers and wash basins nozzles (1/3rd the conventional) and utilization of grey water for gardening shall be implemented. The GTDC should install public conveniences at locations on top priority in the locations as stated in the **Annexes 4 &5** of this report. The DRDO-developed eco/ bio toilets or equivalentents should be considered for installation.

- **No extraction of groundwater**

Bore wells for water requirement of shacks and huts in private plots shall not be permitted.

- **Promote use of renewable energy**

Appropriate use of renewable energy such as solar and wind energy is recommended

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- **Fire safety**

All temporary structures shall maintain a standard buffer of a minimum of 2m - 3m from huts / tents / cottages.

iv) Social considerations:

Fishing spaces along the Beach areas shall be avoided for private shacks and huts/ cottages/ tents to encourage coastal livelihood diversification. The ratio of local population to tourist population has also been compared to analyze the carrying capacity.

5.2 Procedure for considering application for shacks/ beach huts/ cottages in private areas

The owner of private property/ lessee shall submit an application accompanied by appropriate fees as prescribed by the GCZMA from time to time with the following details/ documents –

- Ownership documents / Form I-XIV / Leases Deed / Sale Deed
- Survey plan with HTL / 200 and 500m line marked on survey plan as issued by the DSLR
- Six copies of plan, elevation, section and site-plan of the proposed temporary structure (shack / huts / cottages and huts / tents / cottages) duly signed by the owner / authorized representative and a registered Architect / Engineer
- Duly filled Form-1 as prescribed in CRZ Notification, 2011
- Details of road access
- Copy of NoC / Registration issued by the local bodies / other State Government
- Consent to Establish issued by the Goa-PCB for the proposed temporary structure
- Copies, if any, of the previous permissions / NoC issued by the local authority / Government Department
- On receipt of a complete application with all documents prescribed above, a panel of registered engineers and Architects nominated by the GCZMA or its officials or expert members will conduct site-inspection and submit a technical report of the site conditions.

The said report will be placed before the GCZMA for its decision and the decision of the Authority for granting NoC / Rejection, as applicable be conveyed to the applicant. In cases where the Authority decides to grant NoC, the same will be conveyed along with four copies of the plans, duly stamped, by the engineer / authorized official of the GCZMA and Member Secretary of the GCZMA. The copies of the permission / NoC / Rejections shall also be conveyed to the GSPCB, Department of Tourism and the local body concerned.

Carrying Capacity of Beaches of Goa for Providing Shacks & Other Temporary Seasonal Structures in Private Areas

The Authority may in cases where it feels necessary conduct inspection through the expert members for verifications / confirmation of the findings in the technical report the panel of registered engineers / Architects.

5.3 Guideline for use of beach or private area in CRZ for wedding and other recreational purposes:

- (i) While encouraging **wedding tourism**, the following guidelines are recommended. However, such activities shall not be permitted in ecologically sensitive areas -sand dunes and designated turtle nesting sites:
1. The stage set up for beach weddings should be done without use of any cement, concrete or permanent material. Use of modular steel stages which can be easily assembled and dis-assembled should be adopted.
 2. Care should be taken not to damage the vegetation of the area such as creepers and other flora.
 3. Separate bins for different types of solid wastes (source segregation of solid wastes) shall be provided by the operator. It will be the responsibility of the plot owner to dispose the waste generated from their plots to the respective bins. The municipality/ Village Panchayat or the contractor appointed by the Department of Tourism, as the case may be, shall collect waste from time to time and hand over the non-biodegradable waste to the Monitoring Cum Working Committee/ Solid Waste Management Cell of Department of Science and Technology for baling and transportation to cement plants. Solid waste to be transported to the Solid Waste Management Facility at Calangute by the Village Panchayats in North Goa whereas in South Goa it will be responsibility of the owner/ authorized representative to dispose the same by composting/biogas plant or to transport to the piggeries for the bio-degradable waste.
 4. Department of Tourism currently issues permissions for organizing **weddings on public beach area**. The same should be issued after obtaining one time approval from GCZMA for the particular locations. The Department shall ensure that such beach wedding set up does not unreasonably block the free movement of public on beaches and no permanent damage should be caused to the beach and natural surfaces such as rock formations etc. should not be altered or changed in any manner. There shall be no digging or disturbance of sand on public beaches for putting up such temporary structures. The structures on public beach areas should not remain for more than 3 days per event, and the same should be dismantled and the beach must be restored to its original condition without keeping behind any debris/residue. Cleanliness of the beaches shall be the complete responsibility of organizers when such weddings are organized on

MINUTES OF 264th MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 06/07/2021 at 2.00 PM. IN THE CONFERENCE HALL, FOURTH FLOOR, DEMPO TOWER, PATTO-PANAJI-GOA THROUGH VC.

The 264th Meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Secretary (Environment), on 06/07/2021 at 2.00 p.m. in the conference hall, fourth floor, Dempo Towers, Patto-Panaji – Goa.

The following members were present for the meeting on 06/07/2021 through VC:

- Secretary (Environment) / Chairman (GCZMA).
- Representative on behalf of Principal Conservator of Forests, Panaji, Goa.
- Representative on behalf of Director, Department of Tourism, Panaji Goa.
- Representative on behalf of Director, Directorate of Industries, Trade & Commerce (online).
- Shri. Flaviano Miranda, Expert Member (GCZMA).
- Shri. Savio Joquim Filipe Correia, Expert Member (GCZMA).
- Shri. Mahesh Patil, Expert Member (GCZMA).
- Shri. Sujeet Kumar Dongre, Expert Member (GCZMA).
- Member Secretary (GCZMA).

Case No. 1.1

To decide on Complaint from Rajesh V. Dabholkar, Mr Advino Fernandes, Mr Sachin Satardekar, Mr Mahabaleshwar Mavekar, regarding illegal construction being carried out in property bearing survey No. 87/1-C and 87/1(part) of Village Reis Magos. (High Court matter)

Background:

The Office of the Goa Coastal Zone Management Authority (hereinafter referred as 'the GCZMA' in short) is in receipt of a Complaint from Rajesh V. Dabholkar, Mr Advino Fernandes, Mr Sachin Satardekar, Mr Mahabaleshwar Mayekar, dated 20/08/2019; regarding illegal construction being carried out in property bearing survey No. 87/1-C and 87/1(part) of Village Reis Magos.

That upon receipt of the Complaint the GCZMA on 21/08/2019; forwarded the Complaint to the Mamlatdar of Bardez, at Mapusa; directing them to inspect the site immediately and submit a report with regard to the illegal construction carried out in the property bearing Sy. No. 87/1-C and 87/1(part) of Village Reis Magos Village, Bardez, Taluka.

Conclusion and recommendations:

1. The proposed restoration and rehabilitation of the existing mini deck, cassion and installation of floating pontoon is within the HTL of Zuari River marked as CRZ III area.
2. Mini Deck was granted CRZ permission on 17/10/2000.
3. Entire structure is corroded, unsafe and requires immediate maintenance and repair.
4. Recommended for restoration and rehabilitation of existing Mini Deck, strengthening of cassion, anchoring arrangement, and installation for floating pontoon.

Decision: The said matter is deferred.

Item No. 5 (Any Other Development)**Case No.5.1**

NOC for proposed sub division for individual plot development of society by Members in Sy.No.188/1-A in Poinguinim Village, Canacona Taluka.

Background:

This office is in receipt of an application dated 15/06/2021 from Hon. Secretary, Gomantak Co-Op Housing Society Ltd, 322, Casa Del Sol, office block, Miramar, Panaji-Goa regarding NOC for proposed sub division for individual plot development of society by Members in Sy.No.188/1-A in Poinguinim Village, Canacona Taluka.

Decision: The said matter is deferred.

Case No.5.2

To decide on Erection of Temporary Structures i.e Shack/Tents/Cottages/Huts etc as annexed as Annexure "A"

Meeting ended with thanks to the chair.


Member Secretary
(GCZMA)


Chairman
(GCZMA)

Village: Mandrem (Sea)

Taluka: Pernem

Sr. No	Inward Date	Name of the Applicant	Sy. No	Sub. Div No.	Plot area	33% Permissible Area	Applied for			Application Status	Remarks
							Huts	Shack	Area		
1	09/07/2020	Mr. Lyzer Fernandes	226	1-F	140.00	46.20 (33%)	-	1shack/Restaurant	45.90	Recommended Subject to Beach Carrying Capacity Report	Approved
2	04/03/2021	M/s. Bhalla and Anand Enterprises	211	2-A	2943.00	971.00 (33%)	Cottages-28, Admin-1,	Resutrent/Shack-1	964.76	Recommended Subject to Beach Carrying Capacity Report	Approved
3	14/06/2021	Mr. Rajender Kumar Katra	211	2-A (Part) Plot M-L Plot 23, Plot 24	3955.00	1305.15	Cottages-21,	1-Resturent/ Reception	1217.00	Recommended Subject to Beach Carrying Capacity Report	Approved
4	18/06/2021	Mr. Satyam Thakral	216	0	4800.00	1584.00	Huts type X-12, Huts type Y-8, Admin/Reception-1	Shack-1	931.00	Recommended The applicant also sought permission for repair of existing structures having an total area of an 311.00 Sq.mt.	Approved. However for repair of existing structures is pending.

Jagney Sain

-- TRUE COPY --

GOA COASTAL ZONE MANAGEMENT AUTHORITY

C/o Department of Environment, and Climate Change (Govt. of Goa)
4th Floor, Dempo Tower, Patto Plaza,
Panaji-Goa. 403001
Website: www.czma.goa.gov.in

Ref. No. GCZMA/N/Shack-Hut-Cott-Tent/20-21/68/585

Dated: 23/07/2021

To,

Mr. Rajendra Kumar Kamra,
H.No.76, 3rd Floor, Pocket 27,
Sector-24, North West, Delhi- 110085

Sub: Permission/Approval for erection of temporary 21 Cottages and 1 Restaurant/Reception in the property bearing Survey No. 211/2-A(part), Plot M-I, Plot 23, Plot 24 of Mandrem Village, Pernem Taluka in terms of CRZ Notification, 2011 as amended.

**Ref: 1. Your application no. nil dated 14/06/2021.
2. CRZ Notification, 2011 as amended from time to time.**

With reference to your application on the above mentioned subject, it is hereby conveyed that the Goa Coastal Zone Management Authority (herein after referred to as 'the GCZMA', in short) has examined your proposal in its 264th GCZMA Meeting held on 06/07/2021 in accordance with the provisions of the Para 8 (v) (3).CRZ (iii) of Goa of CRZ Notification 2011 as amended issued by the Ministry of Environment, Forests & Climate Change, Government of India. Accordingly, after detailed deliberation and discussion, the authority decided to grant approval for erection of temporary 21 Cottages and 1 Restaurant/Reception made of wood and /or natural/biodegradable material only in the property bearing Sy. No. 211/2-A (part), Plot M-I, Plot 23, Plot 24 of Mandrem Village, Pernem Taluka, Goa. A shack & huts having an total area of 1217.00 sq.mtrs is approved (as per enclosed plan) subject to the conditions as specified in the Beach Carrying Capacity Report and further compliance of following conditions:-

1. The provisions of the CRZ Notification 2011, (as amended), should be strictly adhered to by you. No activity in contravention to the provisions of the CRZ Notifications shall be carried out.
2. The applicant shall take all requisite environmental safeguard to ensure that there would not be any environmental degradation in this area.
3. The traditional access, right of way, easement shall not be blocked by the applicant.
4. The proposed temporary seasonal structure should be made of wooden material and as per the recommendation of Beach Carrying Capacity report. No cement / concrete should be used for flooring. No structure of permanent nature shall be erected/constructed.
5. In the event of any change in the project profile, a fresh reference shall be made to the GCZMA.
6. The GCZMA may stipulate any additional conditions subsequently if deemed necessary, for environmental protection which shall be complied with.
7. The office of the GCZMA reserves the right to revoke this recommendation / clearance without prior intimation of non compliance of any one or more of the aforesaid conditions.

-2-

8. You are required to obtain all the requisite permissions / licences / NOC etc from the competent Authorities before actual operation of the said temporary structure/ enabling activities. This NOC is issued without prejudice to any other permission as required under the law including that of ownership of the property, property dispute, easement rights, court case etc. As such, prior to the erection and operation of the aforementioned 'temporary seasonal structures, it will be incumbent upon the applicant to obtain all the requisite permission / NOC / licences etc from the Authorities / Departments for any other authority as required under the law including from the local authority, Goa State Pollution Control Board, Revenue Authority, Department of Tourism, etc.
9. Regular site inspections shall be carried by the team comprises of the Expert Members of the GCZMA and or other Authorities / Departments to ensure compliance of aforesated condition. In case of any non compliance of the terms and conditions stipulated above, the action as deemed fit including that of demolition of structure, disconnection of Power / Water supply will be taken.
10. The said structures should be one meter above the ground on stilts of wooden poles wherever possible. However the ground clearance should not be more than 1.5 m.
11. The applicant will not transfer by any mode his premises to any other person.
12. This permission stands automatically revoked in case of any illegal/unlawful/immoral acts done by the applicant/proponent and or agent, lawful power of attorney holder, authorized person, any person acting for on behalf of the applicant/proponent in the said structures.
13. Further this approval also shall stand automatically revoked in case of any standing order of court of law/tribunal, arbitrator, quasi-Judicial authority etc. in force and suppressed by the applicant/proponent or otherwise.
14. All temporary structures shall maintain a standard buffer of a minimum of 3 m from adjacent huts/tents/cottages.
15. Appropriate use of renewable energy such as solar and wind energy to be used wherever possible.
16. Potable water requirement for domestic and tourist population has to be made available. The quality of water to be supplied should meet the national standard. Measures like rain water harvesting should also be encouraged to have access to clean and potable water.

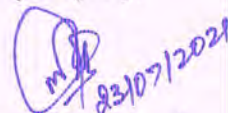
-3-

17. Separate bins for different types of solid wastes (source segregation of solid wastes biodegradable and non bio-degradable) shall be provided by the operator. It will be the responsibility of the plot owner to dispose the waste generated from their plots to the respective bins. The Municipality/Village Panchayat or the contractor appointed by the Department of Tourism, as the case may be, shall collect waste from time to time and hand over the non- biodegradable waste to the Goa Waste Management Corporation. Solid waste to be transported to the solid Waste Management Facility at Calangute by the Village Panchayats in North Goa whereas in South Goa it will be responsibility of the owner/authorized representative to dispose the same by composting/biogas plant or to transport to the piggeries for the biodegradable waste.'
18. In case the property on which these structures are permitted to be erected has several title holders any dispute/objection to this permission by any such title holder/holders, this permission shall stand revoked. This permission would be withdrawn in case an objection from owners regarding lease is filed before GCZMA. No hearing in the matter shall be allowed.
19. The validity of this permission is for 5 years from the date of issue or period of lease whichever is earlier. This permission should abide by the Notification dated 3rd May 2017 S.O 1393(E) issued by Ministry of Environment, Forests and Climate Change.
20. The applicant has to pay annual fee of Rs. 10000/- for shack and Rs. 10000/- for huts to GCZMA at the beginning of the tourist season month of October every year during the validity of this NOC. The fee may be revised by GCZMA.
21. All the structures shall be of ground floor in nature.
22. For private plots abutting the beach, a minimum set back of 3 mts from the survey boundary shall be kept by the applicant.
23. You should not barricade the proposed site.
24. In case of lease, the permission is conditional on the period of lease only and on the consent of the land owner.
25. All the other conditions as mentioned in Beach Carrying Capacity report w.r.t. FAR, construction material, spacing between huts, consent to establish from SPCB etc. shall have to be followed by the applicant.
26. This permission is liable to be revoked, if it is found, at any stage, that the application contained false information / wrong plans / calculations / documents / misleading or false information, etc. or documents not submitted as called for in this application.

-4-

27. Any appeal against this provisional permission shall lie with the Hon'ble National Green Tribunal, if preferred within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

Yours faithfully,



(Dasharath M Redkar)

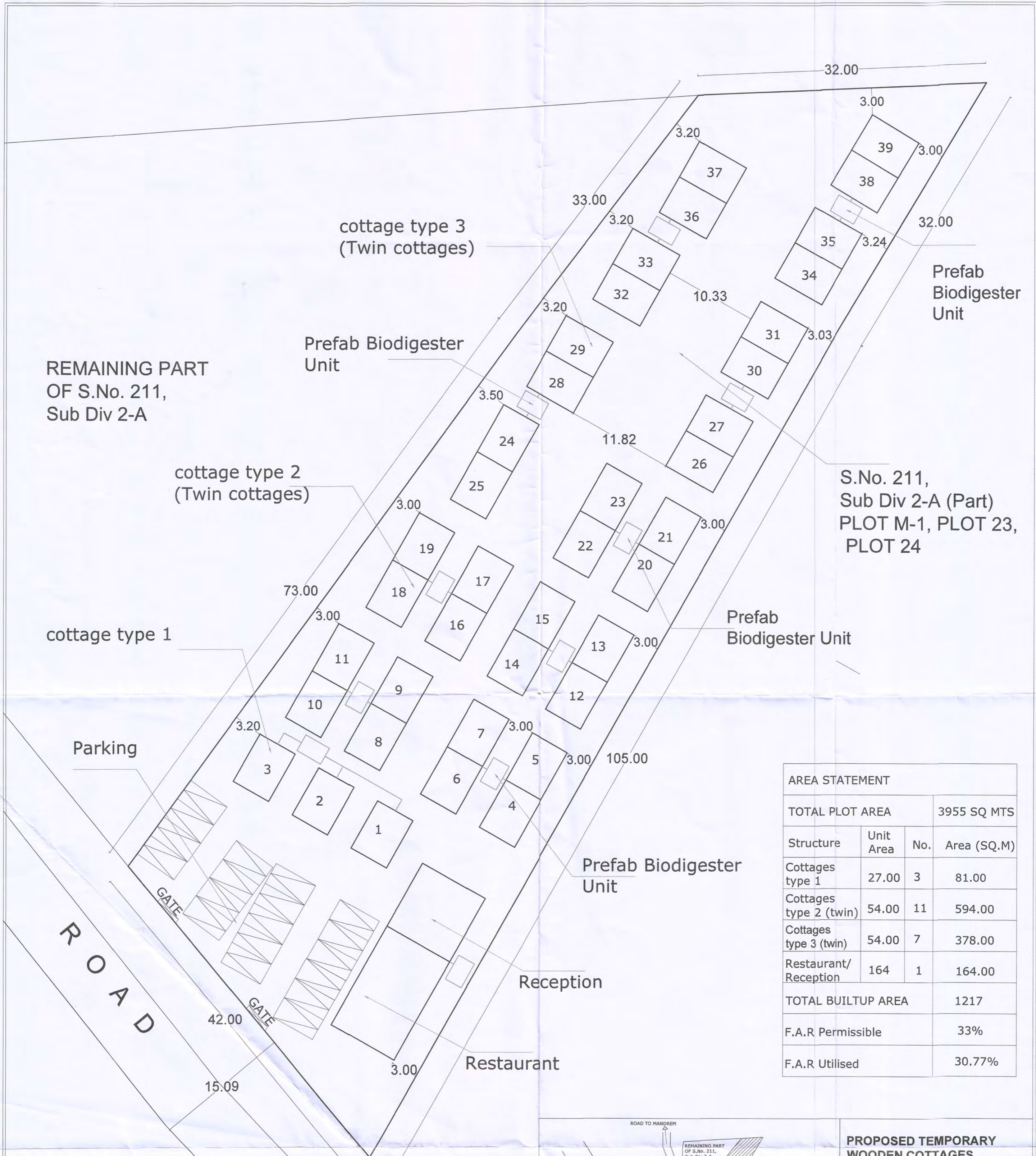
Member Secretary (GCZMA)

o/c

Encl: As above

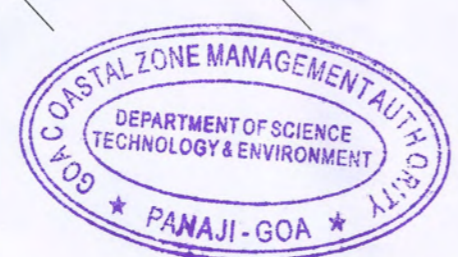
Copy to:

1. **P.A to Secretary (Environment) / Chairman (GCZMA), Secretariat, Porvorim.....for kind information.**
2. **The Chairman, District Level Committee, Collectorate building, Panaji-Goa for kind information.**
3. **The Director, Department of Tourism, Government of Goa, Patto Panaji Goa.... for information and necessary action.**
4. **The Member Secretary, Goa State Pollution Control Board, Saligao Goa..... for information and necessary action.**
5. **The Commissioner of Commercial Taxes, Vikrikar Bldg. M.G. Road, Panaji-Goa.... for information and necessary action.**
6. **The Dy. Collector & SDO, (Pernem), Pernem Goa.... for information**
7. **The Secretary, Village Panchayat of Mandrem, Pernem Talukafor information and necessary action.**



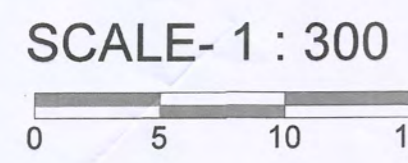
AREA STATEMENT			
TOTAL PLOT AREA		3955 SQ MTS	
Structure	Unit Area	No.	Area (SQ.M)
Cottages type 1	27.00	3	81.00
Cottages type 2 (twin)	54.00	11	594.00
Cottages type 3 (twin)	54.00	7	378.00
Restaurant/ Reception	164	1	164.00
TOTAL BUILTUP AREA		1217	
F.A.R Permissible		33%	
F.A.R Utilised		30.77%	

REMAINING PART OF S.No. 211, Sub Div 2-A

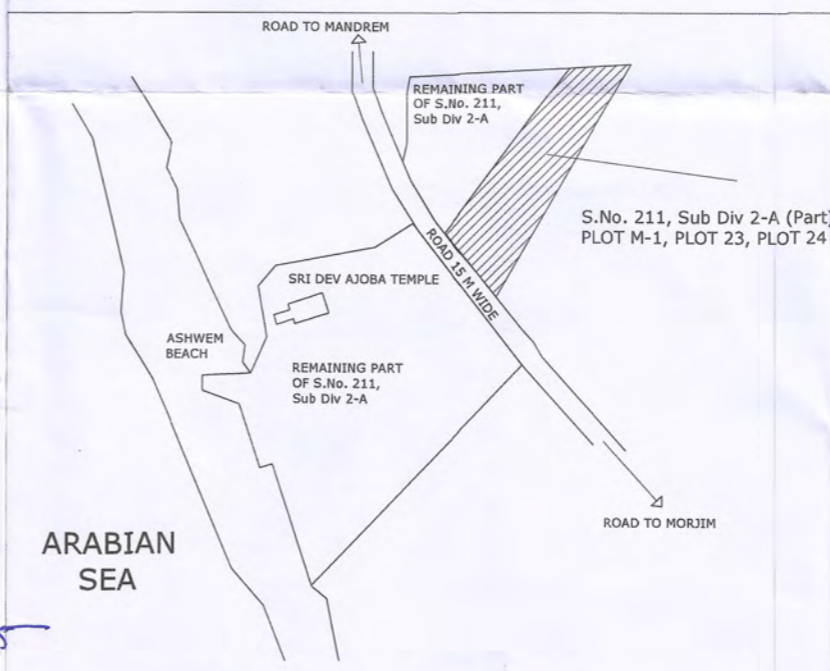


SITE PLAN

Ref No. Gen/01/1/shack-Hut cott-tent/20-21/05/555
dt 23/07/2021



ALL DIMENSIONS ARE IN METERS



PROPOSED TEMPORARY WOODEN COTTAGES, RESTAURANT AND ALLIED STRUCTURES FOR MR. RAJENDER KUMAR KAMRA, IN THE PLOT BEARING SURVEY No. 211, SUB DIV 2-A(PART) PLOT M-1, PLOT 23, PLOT 24, SITUATED AT MANDREM VILLAGE OF PERNEM TALUKA, NORTH GOA.

LOCATION PLAN
NOT TO SCALE

ARCHITECT JOGESH A TELI
REG. No. - AP/0084/2011

Rajender K

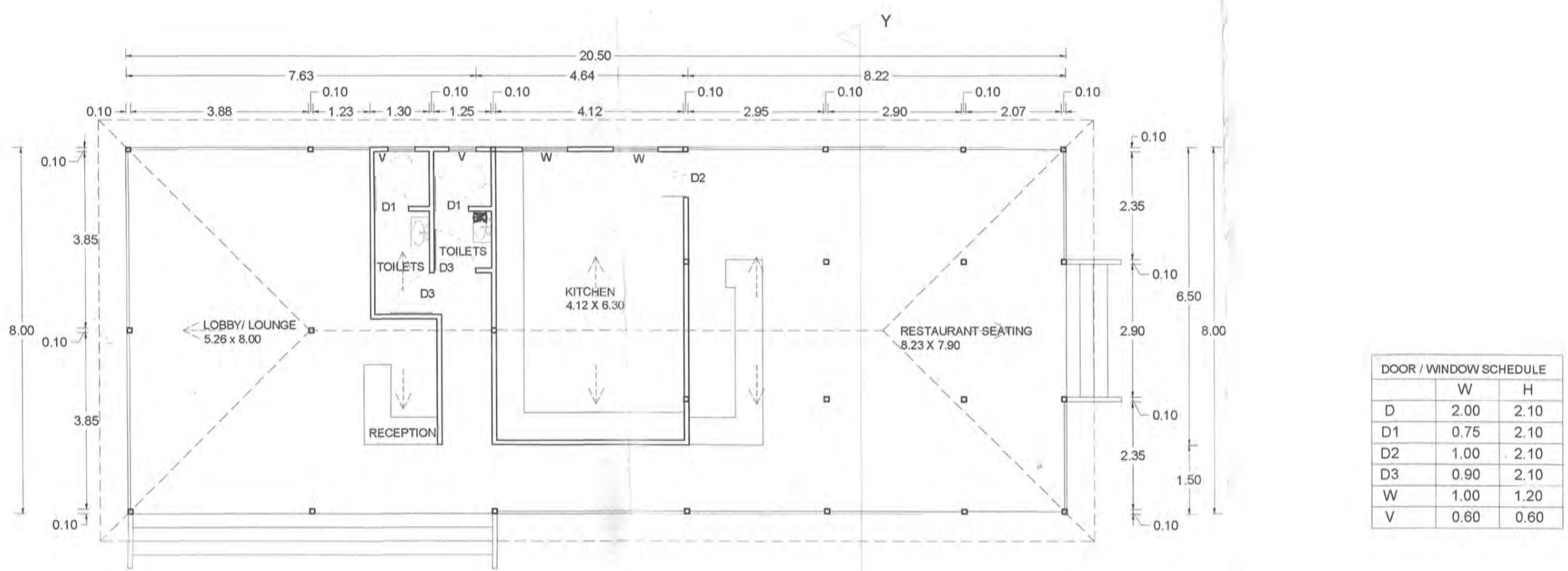
Architect's Signature

Owner's signature

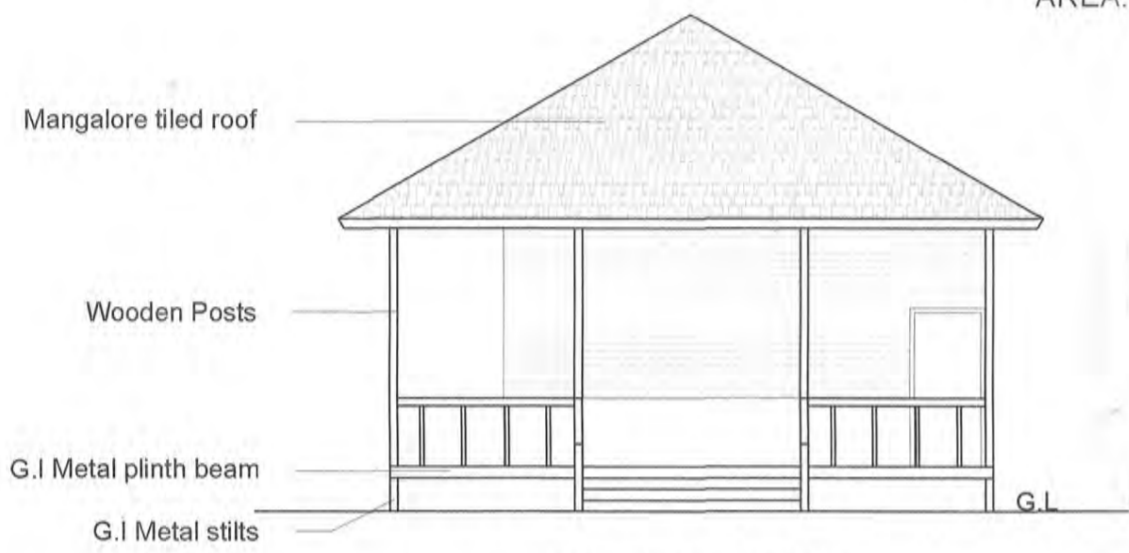
AYD architecture interior design landscape design solutions

Office No. 5, 2nd Floor, Magnum Chambers, Opp. St. Inez Church, Panaji - Goa, India 403 001

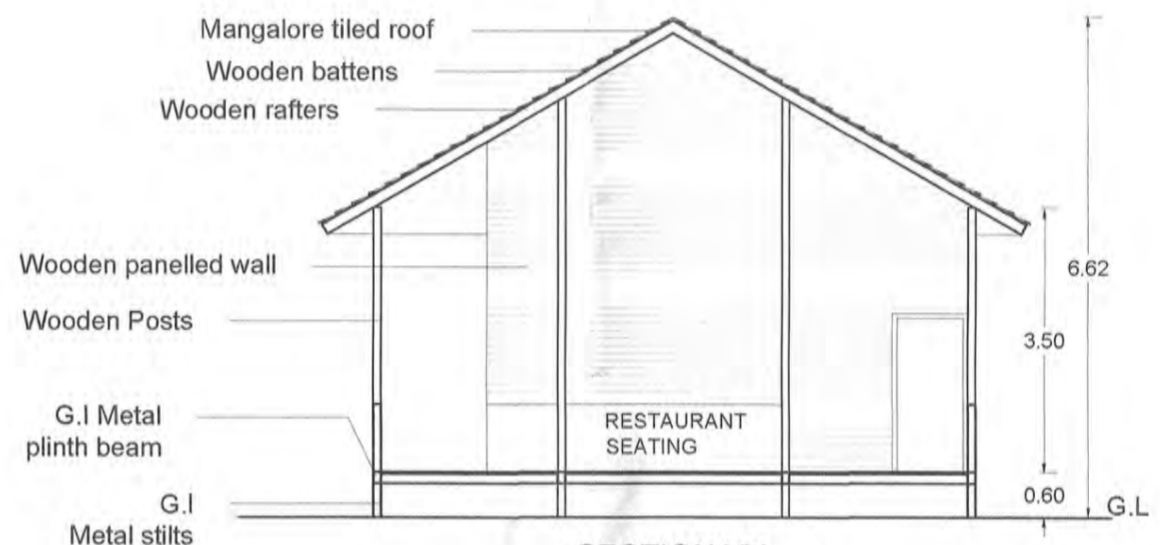
Ph: 888 88 30550
www.architectyogesh.com



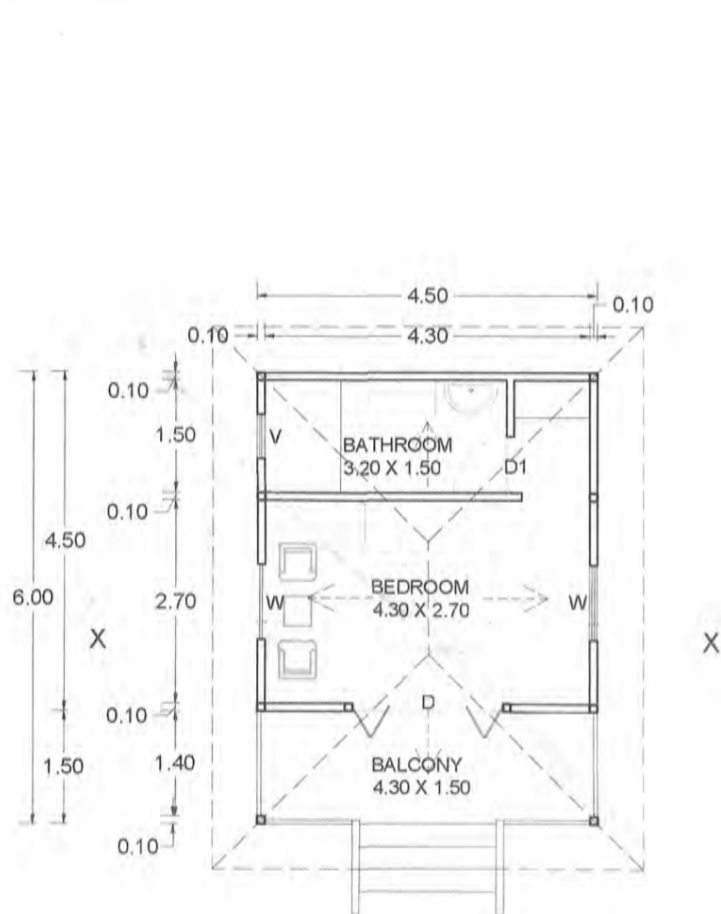
PLAN
RESTAURANT/ LOBBY
AREA: 164 SQ. M



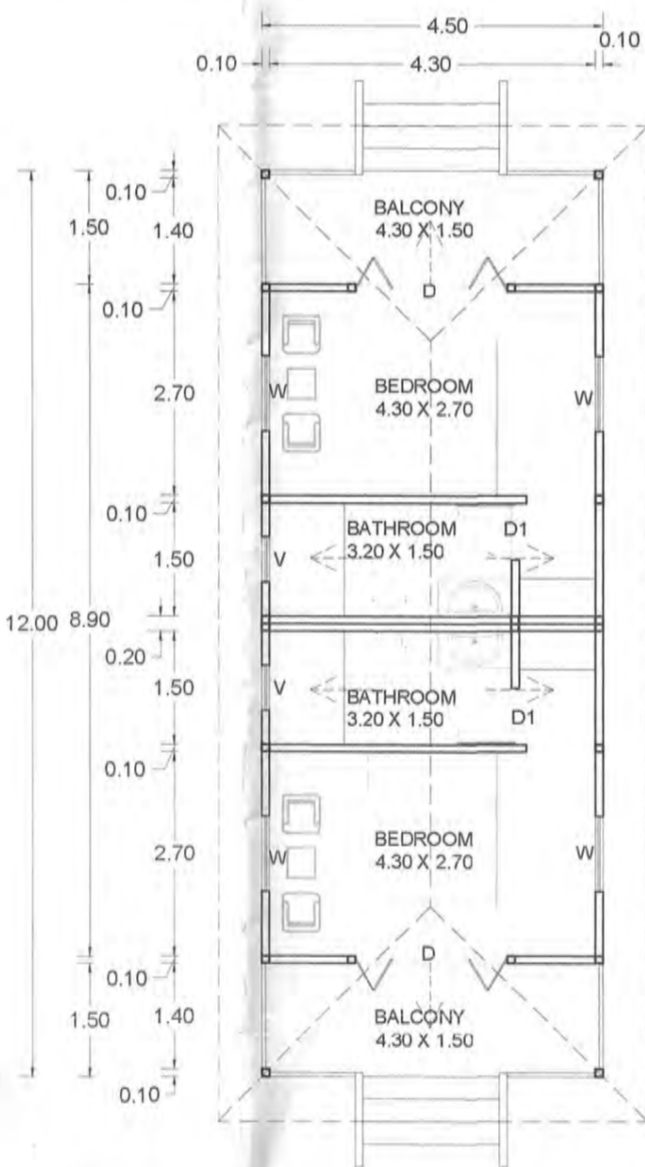
FRONT ELEVATION
RESTAURANT / LOBBY



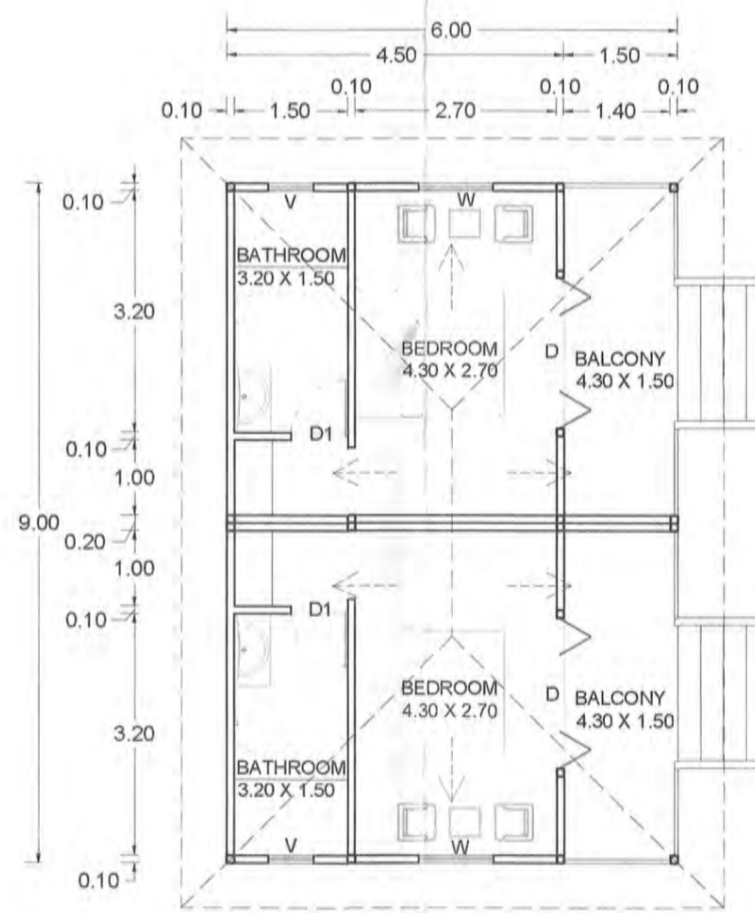
SECTION YY
RESTAURANT / LOBBY



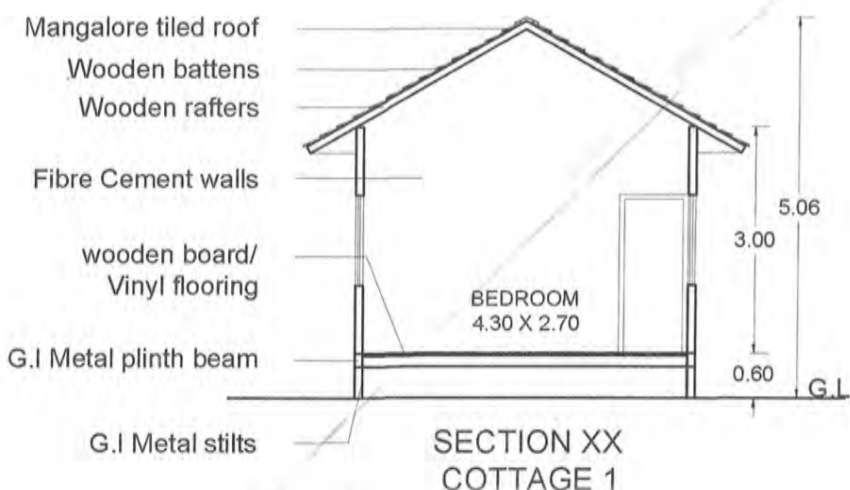
PLAN
COTTAGE 1
AREA: 27 SQ. M



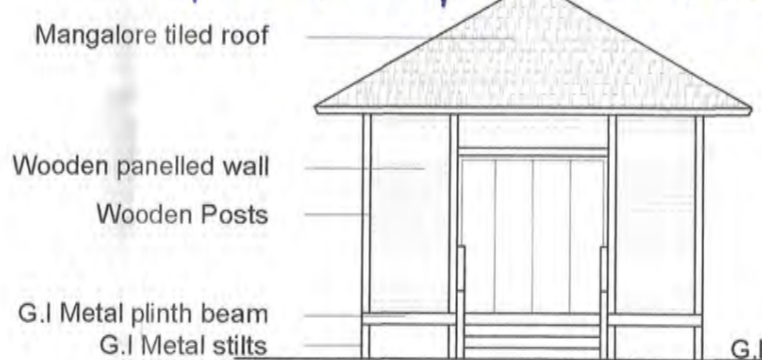
PLAN
COTTAGE 2
TWIN COTTAGE
AREA: 54 SQ. M



PLAN
COTTAGE 3
TWIN COTTAGE
AREA: 54 SQ. M



SECTION XX
COTTAGE 1



FRONT ELEVATION
COTTAGE 1



Ref No. *Goa/2021/23-107/2021* dt *23/07/2021*

PROPOSED TEMPORARY
WOODEN COTTAGES,
RESTAURANT AND ALLIED
STRUCTURES FOR
MR. RAJENDER KUMAR
KAMRA, IN THE PLOT
BEARING SURVEY No. 211,
SUB DIV 2-A(PART) PLOT
M-1, PLOT 23, PLOT 24 ,
SITUATED AT MANDREM
VILLAGE OF PERNEM TALUKA,
NORTH GOA.

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Opp. St. Inez Church, Panaji - Goa,
India 403 001

Ph: 888 88 30550
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ARCHITECT YOGESH
REG. No. - AR / 0084 / 2011
Architect's Signature

Rajender K
Owner's signature

SCALE- 1 : 100

ALL DIMENSIONS ARE IN METERS

Agney Sath

--- TRUE COPY ---

Mentioned matter

(Pune Bench)

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

(By Video Conferencing)

Original Application No. 70/2022 (WZ)
[I.A. No. 202/2022 & I.A. No. 203/2022]

Chandan Suryakant Khorjuvekar

.....Applicant

Versus

Goa Coastal Zone Management Authority & Ors.

....Respondent(s)

Date of hearing: 23.12.2022

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Mr. Aagney Sail, Advocate

ORDER

1. From the side of Applicant, learned Counsel Mr. Aagney Sail has mentioned before us today that I.A. No. 202/2022 (WZ) and I.A. No. 203/2022 (WZ) filed in Original Application No. 70/2022 (WZ), should be taken up today as that would save time of this Tribunal in disposing of the mentioned case. Further, it is pressed by him that these applications have been moved by him in pursuance to the order of this Tribunal.

I.A. No. 202/2022 (WZ)

2. By this I.A., prayer is made by the Applicant that Respondent No. 1 be directed to bring on record all the photographs which have been taken by the Expert Member of GCZMA from his mobile phone during the inspection of Survey No. 211/2-A of Village Ashwem, Mandrem, carried out on 27.08.2022. In this regard, he has drawn our attention to para no. 2.7 of rejoinder to the reply affidavit dated 18.10.2022 filed by

Respondent No.1, where-in it is stated by him that the Expert Member had taken photographs of every cottage and other structures using his mobile phone. It is argued by him that this Rejoinder has not been rebutted from the side of Respondent No. 1. Therefore, it is apparent that these photographs were taken by the Expert Member. Hence, the prayer has been made.

3. It is deemed appropriate by us to grant opportunity to the Respondent No. 1 to file objection, if any, against this I.A. by the next date.

Put up this I.A. for disposal on 06.01.2023

I.A. No. 203/2022 (WZ)

4. By this I.A., the learned Counsel for the Applicant has prayed that Mr. Satyam Thakral should be impleaded as Respondent No. 7 and Mr. Rajendra Kumar Kamra be impleaded as Respondent No. 8 and further Respondent No. 1 be directed to conduct a site inspection of the property of Mr. Rajendra Kumar Kamra in Survey No. 211-2A (i.e. Plot M-L, Plot 23 and Plot 24) and submit inspection report before the Tribunal.

5. The learned Counsel for the Applicant has drawn our attention to the order of this Tribunal dated 21.11.2022, in pursuance of which, this application has been moved and has also drawn our attention to our earlier order dated 18.11.2022, directing Mr. Satyam Thakral to be impleaded as Respondent No. 7.

6. We find that partly this application is in compliance with our order, as regards impleadment of Mr. Satyam Thakral as Respondent No. 7, though regarding Mr. Rajendra Kumar Kamra to be impleaded as Respondent No. 8, there is no direction from us but it is stated that he

has also raised construction in the property in question. Therefore, we deem it proper to allow this application as regards impleading Mr. Satyam Thakral and Mr. Rajendra Kumar Kamra as Respondent Nos. 7 & 8 respectively. Let the amendment be carried out during the course of the day and an amended memo of O.A. be filed on record.

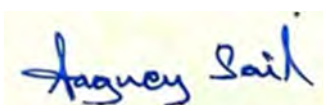
7. Further, we direct the Respondent No. 1 to conduct inspection of the property of newly impleaded Respondent No. 8- Mr. Rajendra Kumar Kamra regarding construction raised by him over the property in question, after giving notice to him regarding the date on which the inspection would be done and submit its report within a period of 15 days.

Accordingly, I.A. No. 203/2022 (WZ) stands disposed of.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 23, 2022
Original Application No. 70/2022 (WZ)
[I.A. No. 202/2022 & I.A. No. 203/2022]
P.Kr



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WIKIPEDIA
The Free Encyclopedia

Total station

A **total station** or **total station theodolite** is an electronic/optical instrument used for surveying and building construction. It is an electronic transit theodolite integrated with electronic distance measurement (EDM) to measure both vertical and horizontal angles and the slope distance from the instrument to a particular point, and an on-board computer to collect data and perform triangulation calculations.^[1]

Robotic or motorized total stations allow the operator to control the instrument from a distance via remote control. In theory, this eliminates the need for an assistant staff member, as the operator holds the retroreflector and controls the total station from the observed point. In practice, however, an assistant surveyor is often needed when the surveying is being conducted in busy areas such as on a public carriageway or construction site. This is to prevent people from disrupting the total station as they walk past, which would necessitate resetting the tripod and re-establishing a baseline. Additionally, an assistant surveyor discourages opportunistic theft, which is not uncommon due to the value of the instrument. If all else fails, most total stations have serial numbers. The National Society of Professional Surveyors hosts a registry of stolen equipment which can be checked by institutions that service surveying equipment to prevent stolen instruments from circulating.^[2] These motorized total stations can also be used in automated setups known as "automated motorized total station".



Archaeological survey using a Leica TPS1100 total station on an Iron Age dwelling in Ytterby, Sweden



A typical prism with back target. Used with survey and 3D point monitoring systems to measure changes in elevation and position of a point.

Function

Angle measurement

Most total station instruments measure angles by means of electro-optical scanning of extremely precise digital bar-codes etched on rotating glass cylinders or discs within the instrument. The best quality total stations are capable of measuring angles within a standard deviation of 0.5 arc-seconds. Inexpensive "construction grade" total stations can generally measure angles within standard deviations of 5 or 10 arc-seconds.

Angle measurement is typically performed by the operator first occupying a known point, aiming the head of the instrument at a target or prism which exists at either another known point or along an azimuth, which is to be held as a backsight — sighting with the reticle inside the eyepiece — then holding that line as an angle of 00°00′00″. The operator then will turn the head of the instrument at a

target or feature that is to be observed as a foresight and record the AR (Angle Right) from the backsight measured by the instrument in which a horizontal angle is produced. Angular error in the instrument as well as collimation error can be mitigated in many total stations by performing a set collection. This entails witnessing any angles recorded an equal number of times in both "direct" and "reverse" modes by sighting the observed backsight and foresights with the instrument facing the targets normally as well as with the scope flipped or "plunged" 180°. The recorded sets of angles taken from each target will be averaged together and a mean angle will be generated.^[3]

Distance measurement

Measurement of distance is accomplished with a modulated infrared carrier signal, generated by a small solid-state emitter within the instrument's optical path, and reflected by a prism reflector or the object under survey. The modulation pattern in the returning signal is read and interpreted by the computer in the total station. The distance is determined by emitting and receiving multiple frequencies, and determining the integer number of wavelengths to the target for each frequency. Most total stations use purpose-built glass prism (surveying) reflectors for the EDM signal. A typical total station can measure distances up to 1,500 meters (4,900 ft) with an accuracy of about 1.5 millimeters (0.059 in) \pm 2 parts per million.^[4]

Reflectorless total stations can measure distances to any object that is reasonably light in color, up to a few hundred meters.

Coordinate measurement

The coordinates of an unknown point relative to a known coordinate can be determined using the total station as long as a direct line of sight can be established between the two points. Angles and distances are measured from the total station to points under survey, and the coordinates (X, Y, and Z; or easting, northing, and elevation) of surveyed points relative to the total station position are calculated using trigonometry and triangulation.

To determine an absolute location, a total station requires line of sight observations and can be set up over a known point or with line of sight to 2 or more points with known location, called free stationing.^{[5][6]}

For this reason, some total stations also have a global navigation satellite system (GNSS) receiver and do not require a direct line of sight to determine coordinates. However, GNSS measurements may require longer occupation periods and offer relatively poor accuracy in the vertical axis.^[5]

Data processing

Some models include internal electronic data storage to record distance, horizontal angle, and vertical angle measured, while other models are equipped to write these measurements to an external data collector, such as a hand-held computer.

When data is downloaded from a total station onto a computer, application software can be used to compute results and generate a map of the surveyed area. The newest generation of total stations can also show the map on the touch-screen of the instrument immediately after measuring the points.

Applications

Most large-scale excavation or mapping projects benefit greatly from the proficient use of total stations. They are mainly used by land surveyors and civil engineers, either to record features as in topographic surveying or to set out features (such as roads, houses or boundaries). They are used by police, crime scene investigators, private accident reconstructionists and insurance companies to take measurements of scenes. Total stations are also employed by archaeologists, offering millimeter accuracy difficult to achieve using other tools as well as flexibility in setup location. They prove crucial in recording artifact locations, architectural dimensions, and site topography.^[7]

Mining

Total stations are the primary survey instrument used in mining surveying.

A total station is used to record the absolute location of the tunnel walls, ceilings (backs), and floors, as the drifts of an underground mine are driven. The recorded data are then downloaded into a CAD program and compared to the designed layout of the tunnel.

The survey party installs control stations at regular intervals. These are small steel plugs installed in pairs in holes drilled into walls or the back. For wall stations, two plugs are installed in opposite walls, forming a line perpendicular to the drift. For back stations, two plugs are installed in the back, forming a line parallel to the drift.

A set of plugs can be used to locate the total station set up in a drift or tunnel by processing measurements to the plugs by intersection and resection.

Mechanical and electrical construction

Total stations have become the highest standard for most forms of construction layout.

They are most often used in the *X* and *Y* axes to lay out the locations of penetrations out of the underground utilities into the foundation, between floors of a structure, as well as roofing penetrations.

Because more commercial and industrial construction jobs have become centered around building information modeling (BIM), the coordinates for almost every pipe, conduit, duct and hanger support are available with digital precision. The application of communicating a virtual model to a tangible construction potentially eliminates labor costs related to moving poorly measured systems, as well as time spent laying out these systems in the midst of a full-blown construction job in progress.

Meteorology

Meteorologists also use total stations to track weather balloons for determining upper-level winds. With the average ascent rate of the weather balloon known or assumed, the change in azimuth and elevation readings provided by the total station as it tracks the weather balloon over time are used to compute the wind speed and direction at different altitudes. Additionally, the total station is used to track ceiling balloons to determine the height of cloud layers. Such upper-level wind data is often used for aviation weather forecasting and rocket launches.

Instrument manufacturers

- [Carl Zeiss](#) (historical)
- [GeoMax](#), part of [Hexagon AB](#)
- [Hewlett-Packard](#) (historical)
- [Hilti Corporation](#)
- [Leica Geosystems](#), part of [Hexagon AB](#)
- [Nikon](#), part of [Trimble](#)
- [North Group LTD](#) (historical)
- [Sokkia](#), part of [Topcon](#)
- [South Group](#)
- [Spectra Geospatial](#), part of [Trimble Navigation Ltd.](#)
- [Stonex](#) (company)
- [TI Asahi Co. Ltd.](#), sold under the [Pentax](#) brand
- [Topcon](#)
- [Trimble Navigation Ltd.](#)
- [Wild Heerbrugg AG](#) (historical), part of [Leica Geosystems](#)

See also

- [Compass](#)
- [LIDAR](#)
- [Local attraction](#)
- [Resection](#) (free stationing)
- [Surveying](#)
- [Tacheometry](#)
- [Theodolite](#)
- [Trigonometric leveling](#)

References

1. Kavanagh, Barry F.; Bird, S. J. Glenn (1996). *Surveying: Principles and Applications* (<https://books.google.com/books?id=lo8rAQAAMAAJ>) (4th ed.). Prentice Hall. pp. 257–264. ISBN 9780134383002.
2. "Equipment Theft" (<https://nsps.us.com/page/StolenEquipment>). *nsps.us.com*. Retrieved February 12, 2024.
3. Ghilani, C. D., & Wolf, P. R. (2012). 8.8 Observing Horizontal Angles With Total Station Instruments. In *Elementary Surveying: An Introduction to Geomatics* (Thirteenth Edition, pp. 204-205). Pearson.
4. *Leica Flexline TS02/06/09* (https://archive.today/20120803175744/http://www.leica-geosystems.us/en/Construction-Surveying-TPS-Leica-FlexLine-TS020609_72053.htm). (2008). Leica Geosystems. See datasheet for model TS06 (PDF). Retrieved 27 August 2009
5. "Leica Viva TS11 Datasheet" (<http://www.leica-geosystems.us/common/shared/downloads/inc/downloader.asp?id=14376>). Leica Geosystems - Americas. n.d. Retrieved June 24, 2014.

6. "Purpose, Advantage, and Objective of Resection Setup" (http://trl.trimble.com/docushare/dsweb/Get/Document-406432/SC_Purpose,%20advantage%20and%20objective%20of%20resection%20setup.htm). *Trimble Knowledge Center*. Trimble. Retrieved 3 January 2016.
7. Rick, John W. (2018). *The Encyclopedia of Archaeological Sciences* (<https://pure.manchester.ac.uk/ws/files/83246184/9781119188230.saseas0156.pdf>) (PDF). Wiley. doi:10.1002/9781119188230 (<https://doi.org/10.1002%2F9781119188230>). ISBN 978-0-470-67461-1. S2CID 198415316 (<https://api.semanticscholar.org/CorpusID:198415316>).

External links

- [Using a Total Station](http://www.csanet.org/newsletter/aug94/nl089407.html) (<http://www.csanet.org/newsletter/aug94/nl089407.html>)
 - [Total Station Manual with Laser Scanner Function](http://northsurveying.com/index.php/soporte/north-nxr-total-station-manual) (<http://northsurveying.com/index.php/soporte/north-nxr-total-station-manual>)
 - [Online computation of total station measurements](http://www.in-dubio-pro-geo.de/?file=tach/polar0&english=1) (<http://www.in-dubio-pro-geo.de/?file=tach/polar0&english=1>)
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Jagney Sain

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SITE INSPECTION REPORT

As per the directions of the Hon'ble National Green Tribunal in Original Application 70/2022(WZ) [I.A. No.202/2022 & I.A 203/2022] in order dated 23/12/2022 and as per the direction of the Member Secretary, GCZMA vide Ref No. GCZMA/N/ILLE-COMPL/22-23/75/2191 Dated 02/01/2023. Accordingly the site inspection was carried out on 03/01/2023 at 4.30 p.m. onwards in the presence of the following parties in respect of Sy. No. 211/ 1-A of Village Ashwem, Mandrem of Pernem Taluka.

The following parties were present: -

1. Shri. Rajesh Harmalkar, F.S o/o DSLR, Panaji
2. Shri. Devendra Gaonkar, F.S o/o GCZMA, Panaji
3. Shri Balkrishna Surlakar F.S o/o GCZMA, Panaji
4. Shri. Kamal Takkar Representative of Respondent
5. Shri. Chandan Suryakant Khorjuvekar, Complainant Remain Absent

OBSERVATION AT LOCO

At the time of site inspection it was observed as under:-

1. The land in question is located opposite Ajoba Temple, Ashwem, Mandrem Village of Pernem Taluka surveyed property under Sy.no.211/2-A of Mandrem Village of Pernem Taluka.
2. As per present online computerized Form I & XIV records the name of Anand Giri Keni & 360 Degree media solution Private limited is recorded in the occupant's column admeasuring about 24,008 Sq.mtrs.
3. The Site Inspection was conducted by Shri. Rajesh Harmalkar, Field Surveyor attached to the office of Directorate of Settlement and Land Records, Panaji along with Shri. Devendra Gaonkar & and undersigned.
4. The detailed mapping of structures was carried out using Electronic Total Station in Survey No. 211/2-A of Mandrem Village of Pernem Taluka.

[Handwritten Signature]

The details of the structure as shown in the below tabular column

Sr. No.	Sy.No./ sub.Div.	Name of Structure	Type of Structure	Details of Structure	Size of Structure & Height in metres	Remarks
1	211/ 2-A (part)	A	Ground Floor structure	Metal fabricated structure having bitumen roofing with bison panel walls erected on Concrete Plinth	13.47x 5.50m	Falls within 0 to 200.Mtr from HTL (CRZ-III)
2		B to E	G+1 Structure		9.11 x 9.14	
3		F			4.16 x 8.85	
4		G			9.36 x 8.85	
5		H			8.95 x 9.59	
6		I	Ground Floor structure	21.76 X 18.76	Falls within 200 to 500.Mtr from HTL (CRZ-III)	
7	J	Under-Ground Tank	Under-ground tank Constructed with Laterite stone Masonry And Covered with R.C.C Slab	6.21x3.37	Partly Falls within 0 to 200.Mtr & Partly falls in 200 to 500 from HTL (CRZ-III)	
8	K	G+1 Structure	Metal fabricated structure having bitumen roofing with bison panel walls erected on Concrete Plinth.	9.52 x 9.04		
9	211/ 2-A	L	G+1 Structure	Metal fabricated structure having bitumen roofing with bison panel walls Erected on Concrete Plinth.	9.04 x 9.97	Falls within 0 to 200.Mtr from HTL (CRZ-III)
10		M			4.20 x 9.02	
11		N to P			9.04 x 9.65	
12		Q			9.04 x 9.33	
13		R			4.51 x 9.04	
14		S	Concrete Plinth	Concrete Plinth Constructed with Laterite Stone Masonry	22.08 x 4.81	
15	T	Ground Floor structure	Metal fabricated structure having bitumen	17.37 x 8.26		



				roofing with bison panel walls Erected on Concrete Plinth.		
16		U,W	Concrete Footpath	Concrete Footpath Constructed on ground with Rubble packing.		Falls within 0 to 200.Mtr from HTL (CRZ-III)
17		V	Swimming Pool	Swimming Pool Constructed Below the Ground with Laterite Stone masonry	18.02x6.46	

1. A laterite stones compound wall is constructed on the North-Eastern Side of the Land in question abutting to Sy. No.211/2-A-1 and other is Constructed on the North-western Side of the Land in question part in Survey No. 211/2-A (part).
2. A shed net fencing over metal pipes fixed with metal gate is erected on the Southern Side of Land in question part in Survey No. 211/2-A (part).


(Balkrishna Surlakar)
Field Surveyor
GCZMA

Place: Panaji
Date: 10/01/2023.

SITE PLAN

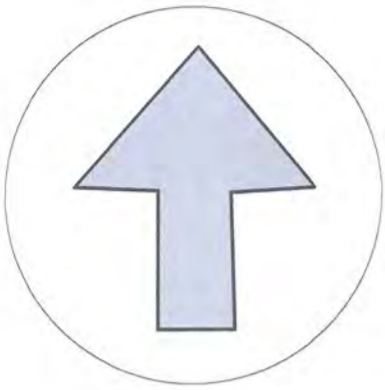
As per the order dated 23/12/2022 of Hon'ble National Green Tribunal Western zone Bench,Pune in O.A.No.70/2022(WZ) [I.A.202/2022 & I.A.No.203/2022] in respect of S.No./ Sub Div. No.211/2-A of Village Mandrem of Pernem Taluka.

Scale :1:1000

NOTE:-

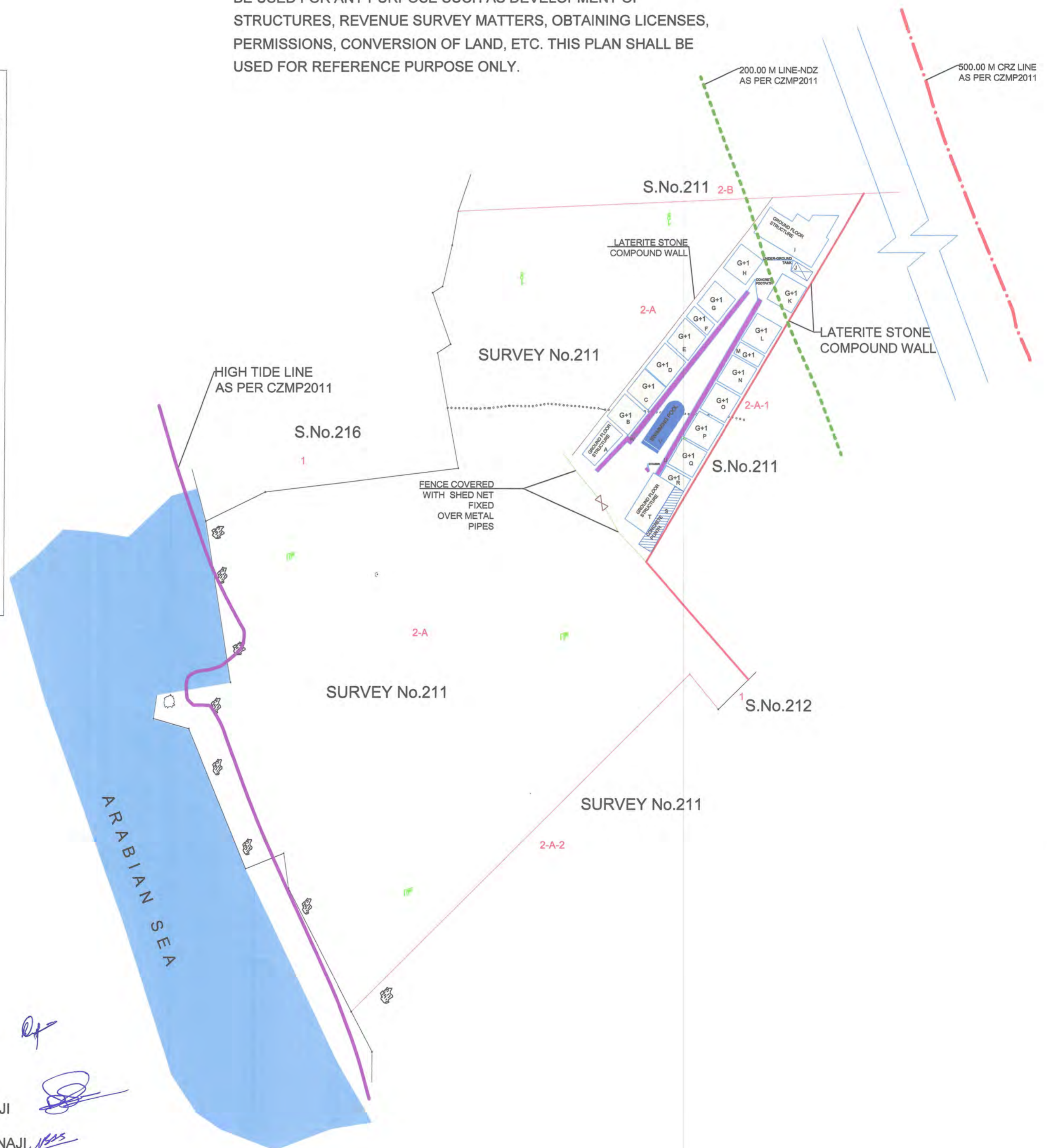
THE LEGALITY / ILLEGALITY OF STRUCTURES SHOWN ON THIS PLAN IS NOT KNOWN AND THEREFORE THIS PLAN SHALL NOT BE USED FOR ANY PURPOSE SUCH AS DEVELOPMENT OF STRUCTURES, REVENUE SURVEY MATTERS, OBTAINING LICENSES, PERMISSIONS, CONVERSION OF LAND, ETC. THIS PLAN SHALL BE USED FOR REFERENCE PURPOSE ONLY.

N



LEGEND:-

- New structure
- Concrete Footpath
- Concrete Plinth
- Swimming Pool
- Compound Wall
- Fence
- Gate
- Chamber
- Under-Ground tank
- High Tide Line as per CZMP2011
- 200.00 Line-NDZ as per CZMP2011
- 500.00 CRZ LINE as per CZMP2011



Assisted By

RAJESH HARMALKAR (F.S.) O/O DSLR,PANAJI

Surveyed & Prepared by

DEVENDRA GAONKAR (F.S.) O/O GCZMA,PANAJI

BALKRISHNA SURLAKAR (F.S.) O/O GCZMA,PANAJI

Agney Sait

-- TRUE COPY --

ANNEXURE - R3/8**SITE INSPECTION REPORT**

Report of site inspection based on the complaint filed by Mr.Chandan Suryakant Khorjuvekar, r/o Anjuna-Bardez Goa against Mr.Pankaj Chopra,Sayam Thakral, M/s Maargrit Beach Resort Goa Ashwem Beach and Mr.Rajendra Kamra Ashwem Beach with regards to illegal construction carried out in property bearing Sy.No.211/2-A situated at Ashwem, Mandrem, Pernem, Goa

Background

As decided in the 347th Meeting held on the 22/06/2022; the Authority after hearing both the parties decided to hold a Site Inspection on the 30/06/2022 at 11 am onwards posted the matter for further hearing on 06/07/2023 at 3.00 pm for final arguments.

That the Advocates for both the Parties were intimated about the Site Inspection to be held on 30/06/2022 at 11 am onwards and the notice for Site inspection was waived off. but however, the Respondent and his Advocate chose to remain absent for the Site Inspection.

The undersigned visited the site in presence of the following parties.

1. Mr.Sagardeep Sirsaikar....Representative from Mr.Chandan S.Khorjuvekar.
(Complainant)
2. Adv. Andrea Rodricks.....Representative from Cochin estates Ltd.
(Complainant)
3. Mr.Amit Boob....Constitute Attorney of Cochin estates Ltd (Complainant).
4. Mr.Balkrishna Surlakar....Field Surveyor O/o GCZMA,Panaji-Goa.
5. Mr.Rajendra Kamra... Respondent Remain Absent.

OBSERVATION AT LOCO

At the time of Site Inspection it was observed as under:-

1. The land in question is located opposite Ajoba Temple, at Ashwem, Mandrem Village of Pernem Taluka in the property bearing under Sy.no.211/2-A of mandrem Village of Pernem Taluka.
2. As per present online computerized Form-I & XIV records, the name of following occupants is shown below in Tabular Column.

Sr.No.	Sy.No./Sub-Div	Occupant's Name As Per Form-1 & 14	Area In Sq. Mtrs
1	211/2-A	Anand Giri Keni 360 Degree Media Solutions Private Limited Anil Sharma Arun Bhalla Rohit Kher	24,008

[Handwritten Signature]

3. The detail identification of structures was carried out referencing the site plan prepared by GCZMA technical team on dated 03/01/2023.
4. The detail of the structure as shown in the below tabular column:-

Sr.no.	Sy.no./sub-div.	Name of structure	Type of structure	Site conditions As on inspection Dated 03/01/2023.	Site conditions as on Inspection dated 30/06/2023.
1	211/2-A	A	Ground floor Structure	Metal fabricated structure having bitumen roofing with bison panel walls erected on Concrete plinth.	Metal fabricated structure having bitumen roofing with bison panel walls erected on Concrete plinth.
2		B to E	G+1		
3		F			
4		G			
5		H			
6		I			
7		J	Under-Ground Tank	Under-ground tank constructed with laterite stone masonry and covered With R.C.C. Slab.	Under-ground tank Constructed with Laterite stone masonry and covered with R.C.C. Slab & Green lawn.
8		K	G+1	Metal fabricated structure having bitumen roofing with bison panel walls erected on concrete plinth.	Metal fabricated structure having bitumen roofing with bison panel walls erected on concrete plinth.
9		L	G+1	Metal fabricated structure having bitumen roofing with bison panel walls erected on Concrete plinth.	Metal fabricated structure having bitumen roofing with bison panel walls erected on Concrete plinth.
10		M			
11		N to P			
12		Q			
13		R			
14	211/2-A	S	Concrete Plinth	Concrete plinth constructed with laterite stone masonry.	Concrete plinth constructed with laterite stone masonry & laterite stone masonry base used for Switchgear/Circuit breaker & transformer covered with temporary shed GI. Sheets of supported with M.S .pipes.

15	211/2-A	T	Ground floor structure	Metal fabricated structure with bison panel walls & concrete slab erected on concrete plinth.	Metal fabricated structure with bison panel walls & concrete slab erected on concrete plinth supported with box section channel railing.
16		U,W	Concrete Footpath	Concrete footpath constructed on ground with rubble packing	Concrete Footpath Constructed on ground extended up to Structure "H" & "K" on each Side Respectively and Covered pavers Block.
17		V	Swimming Pool	Swimming pool constructed below ground with laterite stone masonry.	Swimming pool constructed below ground with laterite stone masonry with ceramic tiles & attached with wooden deck.


5. At loco it was observed that distance between structures was less than 3m (Approx. 80cm). It was also observed that the Respondent failed to maintain 3m (Approx. 80cm) setback from Eastern and Western Side of land in question.
6. At loco it was observed that Concrete Pathway has been laid between structure and compound wall from Eastern and Western side of land in question approx. 80 cm wide.
7. The property is compounded with laterite stone masonry approx. 30 cm from ground further up covered with G.I. sheets supported with box section Channel from Eastern, Western, and Northern Side.
8. At loco the property compounded from Eastern, Northern side is abutting to Sy.No.211/2-A-I and Sy.No.211/2-B respectively.
9. At loco it was observed that the retaining wall of laterite stone masonry has been constructed between Structures "I" And Compound Wall from Northern Side.
10. The southern side of property abutting to road is fenced with box section channel frame with opening gate.
11. The entire property bearing Sy.No.211/2-A is laid with paver blocks.
12. Site plan & site photos are attached with the report. (Annexure-I)

Conclusion and Recommendation

1. The land in question i.e. Sy.No.211/2-A partly falls between 0 to 200 m (NDZ) From HTL & Partly Falls Between 200m To 500m (CRZ-III) Mandrem Village of Pernem Taluka
2. During Site inspection it was also noted that the Respondent Mr. Rajendra Kamra had obtained approval from the GCZMA bearing Ref.No.GCZMA/N/Shack-Hut-Cott-Tent/20-21/68/585 Dated 23/07/2021 for erection of 21 Cottages and in the property bearing Sy.no.211/2-A (part) of Mandrem village of Pernem Taluka. However the position at loco does not tally with the approved plan.
3. During site inspection it was observed that the Ground Floor Structure & G+1 is constructed with fabricated metal having bitumen roofing with bison panel walls erected on concrete plinth, it was also noted that there was a Swimming Pool, Under-Ground Tank, Concrete Footpath laid with paver blocks, laterite stone masonry compound wall up to 30cm from ground, & laterite stone masonry retaining wall are constructed of material permanent in nature. The Legalities of the Same Need to Be Verified.
4. This may be deliberated in the Authority meeting for a decision.

Place: Panaji-Goa

Date: 30/06/2023.


Balkrishna Surlakar
Field Surveyor
GCZMA

SATELLITE IMAGE OF SY.NO.211/2-A OF ASHWEM,
MANDREM VILLAGE OF PERNEM TALUKA.



GROUND FLOOR STRUCTURE & G+1 STRUCTURE ON R.C.C. PLINTH FROM STRUCTURE 'A' TO 'H' & 'K' TO 'T'. (Annexure-I)



SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:46



SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 17:01



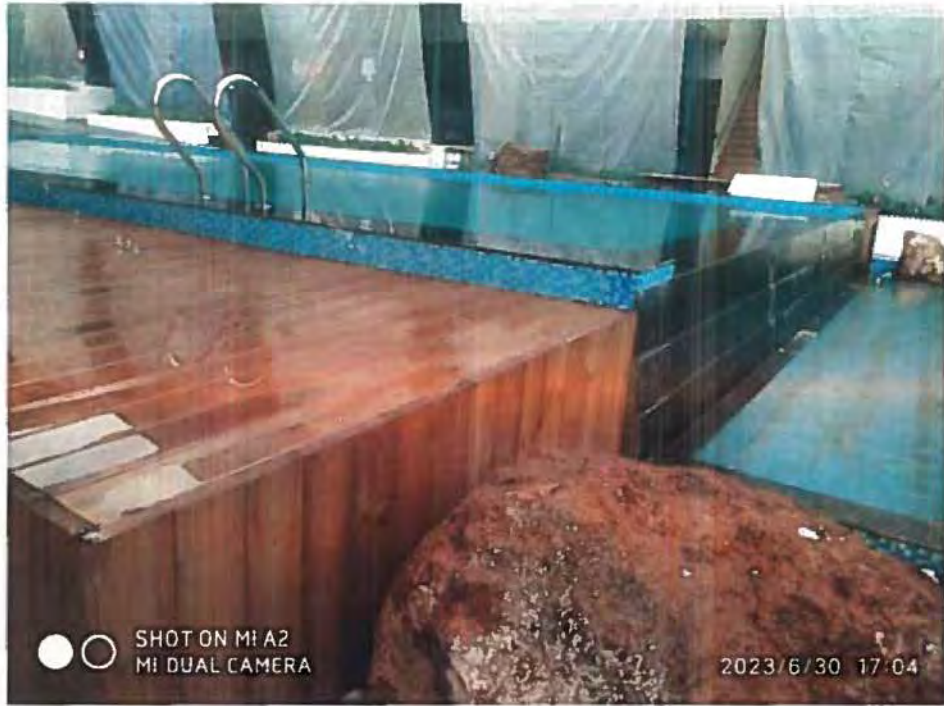
CONCRETE FOOTPATH COVERED WITH PAVER BOCK





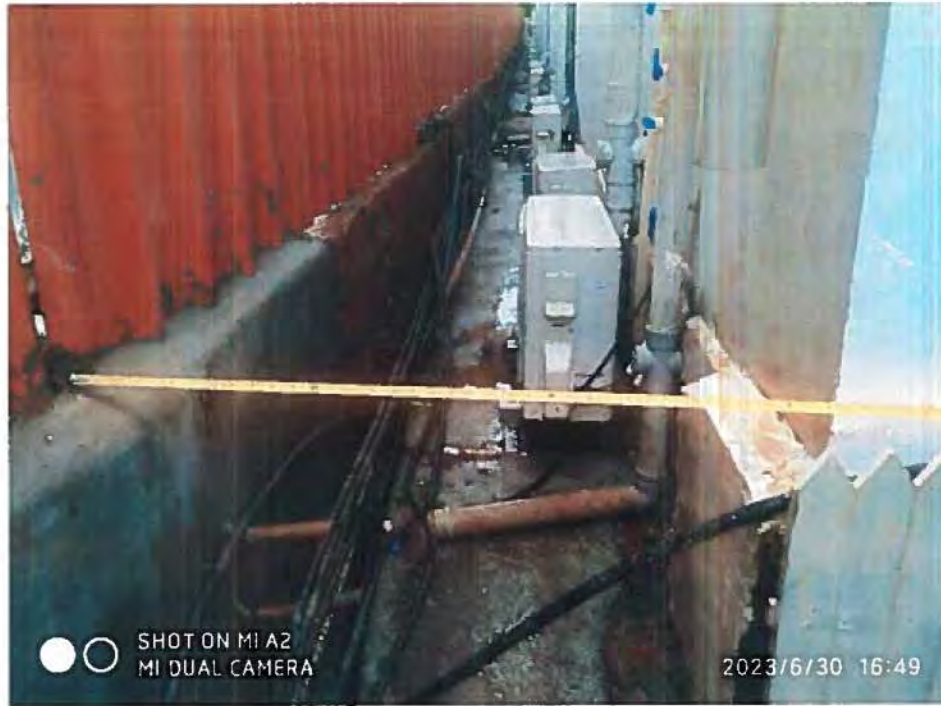


SWIMMING POOL ATTACHED WITH WOODEN DECK





SETBACK OF LESS 1.00M FROM EASTERN BOUNDARY WALL.





SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:45



SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:45

SETBACK OF LESS 3.00M FROM WESTERN BOUNDARY WALL.





CONCRETE PATHWAY BETWEEN STRUCTURE AND BOUNDARY WALL.





SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:55



SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:55



LATERITE STONE RETAINING WALL BETWEEN NORTHERN SIDE BOUNDARY AND STRUCTURE 'I'.

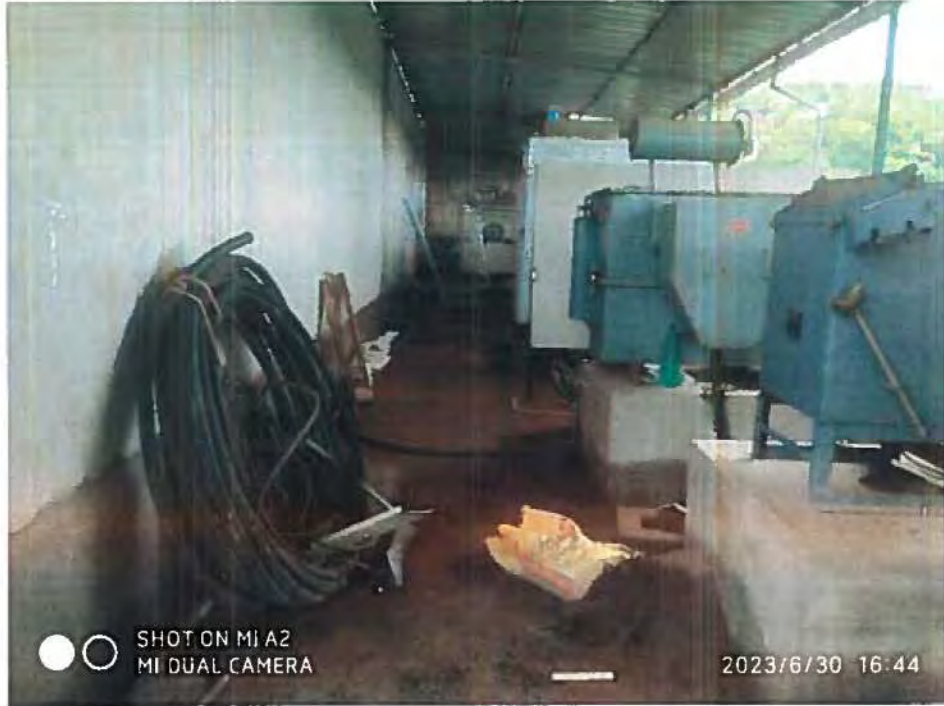




CONTINUATION OF RETAINING WALL NORTH-EAST SIDE OF LAND IN QUESTION.

CONCRETE PLINTH DENOTED AS 'S' COVERED WITH G.I. SHEET ROOFING AND SUPPORTED WITH ROUND M.S.PIPES.





SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:44



SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 17:18

PAVER BLOCKS LAID ON ENTIRE SITE



SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:54



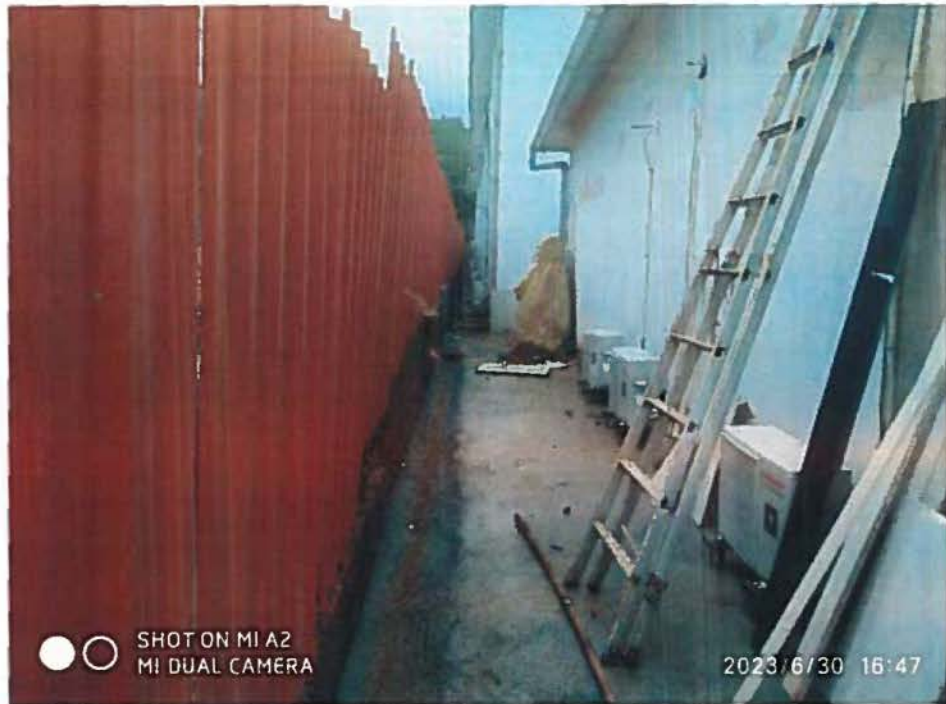
SHOT ON MI A2
MI DUAL CAMERA

2023/6/30 16:46



LATERITE STONE MASONRY COMPOUND WALL UP TO APPROX. 30CM FROM GROUND & COVERED WITH G.I. SHEETS SUPPORTED WITH BOX SECTION CHANNEL FROM EASTERN, WESTERN, AND NORTHERN SIDE.







ENTRANCE /SOUTHERN SIDE FENCED WITH BOX SECTION CHANNEL FRAME WITH OPENING GATE.





SITE PHOTOS OF SY.NO.NO.211/2-A OF MANDREM VILLAGE OF
PERNEM TALUKA.

ANNEXURE-I

STRUCTURE 'A'
(GROUND FLOOR STRUCTURE)



STRUCTURE 'B' TO 'H' (G+1)



STRUCTURE 'I' TO 'W' (G+1) WITH SWIMMING POOL



STRUCTURE 'T'
(GROUND FLOOR STRUCTURE)



Aagney Saini

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17/02/2025, 18:44

About the hotel - Oralia Resorts



WELCOME TO ORALIA RESORTS



Experience the Pinnacle of Goa's Luxury at Our Premium Resort

Oralia Resort, a tranquil oasis in Goa's bustling center, offers the perfect vacation.



17/02/2025, 18:43

Dallas Beach Resort

Oralia Pool View 3  500 sq ft 

Pool view rooms to feel the difference and enjoy the comforts of life that we have laid out for you. Sit back and take in all the action of the pool below from the comfort of your balcony then relax in your spacious and well-equipped Pool View Room with a king bed.

Bedding Configuration

1 Double

A handwritten signature in blue ink that reads "Aagney Sain". The signature is written in a cursive style and is placed on a yellow rectangular background.

-- TRUE COPY --

MINUTES OF THE 347th MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 22/06/2023 at 03.00 PM IN THE CONFERENCE HALL, FOURTH FLOOR, DEMPO TOWER, PATTO, PANAJI-GOA

The 347th Meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Secretary (Environment), on 22/06/2023 (Thursday) at 03.00 p.m. in the Conference hall, Fourth floor, Dempo Tower, Patto, Panaji – Goa.

The following members were present for the meeting on 22/06/2023:

1. Secretary, Environment and Climate Change/Chairman (GCZMA)
2. Representative on behalf of Principal Chief Conservator of Forest, Department of Forest, Panaji Goa
3. Representative on behalf of Director of Panchayat, Panaji Goa
4. Representative on behalf of Chief Engineer, WRD Porvorim, Goa
5. Mr. Dilip Arolkar, Expert Member (GCZMA)
6. Dr. Sushant S. Naik, Expert Member (GCZMA)
7. Shri Ganesh B. Velip, Expert Member (GCZMA)
8. Director, Environment & Climate Change/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

Case No.1.1

To decide on complaint from Shri. Vinod V.Juvekar against Shri. Gajanan Juvekar and Mr. Vishnu Juvekar , in survey No.95/1 of village Cavelossim Salcete Taluka.

Background: GCZMA in receipt of a complaint letter dated 11/12/2018 from Shri. Vinod V.Juvekar, Flat No.1, Shree Gurukrupa Co-op, Hsg Soc.Ltd. Super Market, Ponda Goa., against Shri. Gajanan Juvekar and Mr. Vishnu Juvekar , in survey No.95/1 of village Cavelossim Salcete Taluka regarding illegal construction of one laterite masonry with manglore tiles roof one RCC framed structure with G.I.sheet fabrication one RCC load bearing structure with flat slab one Load bearing structure one Partly RCC structure and partly A.C. Sheet roof Temporary Structure

The Applicant has approached Hon'ble High Court and Honble Court is pleased to disposed off the matter vide dated 25/04/2023 thereby directing this Authority, Biodiversity and WRD to have joint site inspection and was further directed Bio Diversity to make a report and further directing this Authority to decide the matter within 3 months.. A joint site inspection was held 27/4/202. Further this office has received a report on 07/06/2023.

Proceeding: Complainants present along with their Advocate. Shri Vaz present from WRD. Smt Reshma present on Behalf of Goa Biodiversity. The Complainant submitted that they have not received the report of GCZMA.

Decision: The Authority directed the Complainant to collect the copy of the report by Friday since it is time bound matter and posted the matter on 06/07/2023 at 3.00pm.

Case No 1.18

To decide on complaint from Mr. Chandan Suryakant Khorjuvekar, Anjuna Bardez Goa against Mr. Pankaj Chopra, Sayam Thakral, through M/s Maargrit Beach Resort Goa Ashwem Beach and Mr. Rajendra KamraAshwem Beach with regards to Illegal construction in the property bearing Sy No. 211/2-A of Ashwem, Mandrem, Pernem, Goa

Background: The Office of the Goa Coastal Zone Management Authority is in receipt of a complaint letter dated 14/07/2022 from Mr. Chandan Suryakant Khorjuvekar, R/o H. No 98/9, Bandirwaddo, Anjuna Bardez Goa against M/s Lucky Real Tech Pvt Ltd through Lalit Arora, M/s Maargrit Beach Resort Goa Ashwem Beach through Pankaj Chopra and Sayam Thakral, with regards to Illegal construction in the property bearing Sy No. 211/2-A of Ashwem, Mandrem Village, Pernem Goa.

On receipt of complaints, the Engineers and Expert Member attached to the office did the site inspection.

During 326th GCZMA meeting held on 27/10/2022. Advocate appeared on behalf of Complainant and filed written submissions on site inspection report submitted by Expert Member (GCZMA). Ld advocate present on behalf of Lucky Real Tech submitted that he has not done any violation, further he stated that he submitted before Hon'ble NGT that there is no violation and Hon'ble NGT has discharged the proceedings against him. None appeared for Maargrit Beach Resort and Satyam Thakral.

The Authority after hearing both the parties decided to drop the proceedings with respect to Lucky Real Tech Pvt Ltd through Lalit Arora as per the order passed by NGT and to continue the proceedings on other parties issue fresh notices on Mr. Satyam

Thakral and Pankaj Chopra for M/s Maargit Beach Resort the matter is posted on 24/11/2022 at 3.30 pm.

The term of GCZMA got expired on 31/10/2022, the GCZMA again reconstituted on 27/12/2022. Fresh Personal Notices were issued to the parties.

Upon the direction of the Hon'ble NGT in its order dated 23/12/2022 the site was inspected by the GCZMA team and a report was drawn. Accordingly Show Cause notice was issued to Mr. Rajendra Kamra for erecting Metal fabricated structure having bitumen roofing with bison panel walls on Concrete Plinth.

The said matter was placed on 334th GCZMA meeting held on 09/03/2023 Advocate Pankaj Vernekar appeared for the Respondent Mr. Rajendra Kamra. Advocate Akshata Gawas appeared for the Respondent Mr. Pankaj Chopra (M/s Maargit Beach Resort). Advocate Gauresh Malik appeared for the Complainant Mr. Chandan Khorjuvekar. Advocate for the Respondent Mr. Rajendra Kamra submitted that Show Cause Notice is not received by him. The NGT directed the parties to appear before GCZMA on 09/03/2023. The Copy of the Show Cause Notice is given to the advocate appeared for Mr. Rajendra Kamra.

The Authority after hearing all the parties decided to bifurcate the cases and hear the Respondents individually. Further, the Authority decided to post the matter on 21/03/2023 at 3.00 pm.

The said matter was deliberate during 336th GCZMA meeting held on 21/03/2023 Advocate Basilo Pacheco appeared for the Complainant. Advocate Nitin Sawant remained present for Mr. Rohit Kher, Mr. Anil Sharma and Mr. Arun Bhalla who are the new purchaser of the property belonging to Mr. Satyam Thakral. Advocate Kajal Bandodkar remained present for Pankaj Chopra (M/s Maargit Beach Resort) and Advocate C. Lobo appeared for Rajendra Kamra. Advocate for Rajendra Kamra filed reply. Advocate Nitin Sawant accepted the show cause notice and the violations and stated he will file appropriate reply in his case. Further, he sought copy of complaint, Show cause Notice and site inspection report which were furnished to him and to the advocate Kajal Bandodkar.

The Authority after hearing the parties decided to post the matter on 05/04/2023 at 3.00 pm for filling replies by Mr. Satyam Thakral and Pankaj Chopra and decided to bifurcate the cases and hear all the 3 Respondents individually.

The said matter was deliberate during 338th GCZMA meeting held on 05/04/2023.

(1) Rajendra Kamra: Advocate Gauresh Malik appeared for the Complainant. Advocate N Nadkarni appeared for the Respondent. Complainant made written submissions. Advocate for the respondent stated that they have filed reply on 21/03/2023.

The Authority after hearing both the parties decided to post the matter on 13/04/2023 at 3.00 pm for arguments.

(2) Pankaj Chopra (M/s Maargrit Beach Resort): Advocate Gauresh Malik appeared for the Complainant. Advocate Kajal Bandodkar remained present for the Respondent. Advocate for the Respondent filed reply.

The Authority after hearing both the parties decided to post the matter on 13/04/2023 at 3.00 pm for arguments.

(3) Sayam Thakral: Advocate Gauresh Malik appeared for the Complainant. Advocate Nitin Sawant remained present for the Respondent. Advocate for the Respondent filed reply.

The Authority after hearing both the parties decided to post the matter on 13/04/2023 at 3.00 pm for arguments.

The said matter was deliberate during 340th GCZMA meeting held on 13/04/2023.

(1) **Rajendra Kamra**: Advocate Gauresh Malik appeared for the Complainant. Advocate Pankaj Vernekar appeared for the Respondent. Advocate for the Respondent sought time.

The Authority after hearing both the parties decided to post the matter on 04/05/2023 at 3.00 pm for arguments.

(2) **Pankaj Chopra (M/s Maargrit Beach Resort)**: Advocate Gauresh Malik appeared for the Complainant and filed brief complaint notes. Advocate Kajal Bandodkar remained present for the Respondent. Respondent filed reply. Further Respondent sought time to file additional documents.

The Authority after hearing both the parties decided to post the matter on 04/05/2023 at 3.00 pm for arguments.

(3) **Sayam Thakral**: Advocate Gauresh Malik appeared for the Complainant. Advocate Vidhya Dessai remained present for the Respondent. Advocate for the Respondent sought time for arguments.

The Authority after hearing both the parties decided to post the matter on 04/05/2023 at 3.00 pm for arguments. The Personal Hearing on 04/05/2023 was rescheduled to 05/05/2023 in view of the CZMP Meeting.

The Decision of the hearing on 04-05/05/2023:

(1) **Rajendra Kamra**: Advocate Gauresh Malik appeared for the Complainant. Advocate Pankaj Vernekar appeared for the Respondent. Advocate for the Respondent sought time.

Decision:The Authority after hearing both the parties decided to post the matter on 22/06/2023 at 3.00 pm for arguments.

(2) **Pankaj Chopra (M/s Maargrit Beach Resort)**: Advocate Gauresh Malik appeared for the Complainant and Respondent sought time to file additional documents.

Decision:The Authority after hearing both the parties decided to post the matter on 04/05/2023 at 3.00 pm for arguments.

(3) **Sayam Thakral**: Advocate Gauresh Malik appeared for the Complainant. Advocate remained present for the Respondent. Advocate for the Respondent sought time for arguments.

Decision:The Authority after hearing both the parties decided to post the matter on 22/06/2023 at 3.00 pm for arguments.

4) **Oralia Resorts vs Rajendra Kamra**

Advocate Gauresh Malik appeared for the Complainant Adv for Cochin Estate appeared for 2nd Complainant Adv Pankaj Vernekar appeared for the Respondent and sought for time

Decision:The Authority after hearing both the parties decided to post the matter on 22/06/2023 at 3.00 pm for arguments.

At Today's hearing on 22/06/2023

(1) **Rajendra Kamra**: Advocate Gauresh Malik appeared for the Complainant. Advocate Pankaj Vernekar appeared for the Respondent. Advocate for the Respondent sought time.

Decision: The Authority after hearing both the parties decided to hold a Site inspection on 30/06/2023 at 11 am onwards post the matter on 06/07/2023 at 3.00 pm for final arguments.

(2) **Pankaj Chopra (M/s Maargrit Beach Resort)**: Advocate Gauresh Malik appeared for the Complainant and Respondent sought time to file additional documents.

Decision:The Authority after hearing both the parties decided to post the matter on 27/07/2023 at 3.00 pm for final arguments.

(3) **Sayam Thakral:** Advocate Gauresh Malik appeared for the Complainant. Advocate remained present for the Respondent. Advocate for the Respondent sought time for arguments.

Decision: The Authority after hearing both the parties decided to post the matter on 20/07/2023 at 3.00 pm for final arguments.

4) **Oralia Resorts vs Rajendra Kamra**

Advocate Gauresh Malik appeared for the Complainant Adv for Cochin Estate appeared for 2nd Complainant Adv Pankaj Vernekar appeared for the Respondent and sought for time

Decision: The Authority after hearing both the parties decided to hold a Site inspection on 30/06/2023 at 11 am onwards post the matter on 06/07/2023 at 3.00 pm for arguments.

Case No 1.19

To decide on complaint from Mr. Sylvester D'Souza, regarding illegal construction and operation of Guest House of 8-10 rooms, operating without tourism and a structures of ground +2 floors built within 20-30 mts from HTL/sea shore, carried out by Bosco Cruz Fernandes, in Sy. No. 242/9 at Calangute Bardez Goa

Background: The Office of the Goa Coastal Zone Management Authority (hereinafter referred as 'the GCZMA' in short) had received a complaint letter dated 14/09/2022; from Mr. Sylvester D'Souza, and was inwards in the office of GCZMA on the 14/09/2022, with respect to Illegal construction and operation of Guest House of 8-10 rooms, operating without tourism and a structures of ground +2 floors built within 20-30 mts from HTL/sea shore, carried out by Bosco Cruz Fernandes, in Sy. No. 242/9 at Calangute Bardez Goa.

The Authority based on the Complaint carried out a Site Inspection through its Engineer and field Surveyor on the 28/09/2022 however when the inspecting team visited the site the parties informed that they were not served with a copy of the Site Inspection notice. Hence fresh notice for Site inspection was issued to the Parties.

The Authority issued fresh Site Inspection notice and fixed an Inspection on the 17/01/2023. The GCZMA Engineers along with the Field Surveyor of GCZMA in the presence of the Complainant and the Respondent carried out the Site Inspection and noted that, *"There existed one partly RCC house, partly Mangalore tiles ground floor house. (It is a ground floor having dimensions with 11.70mts x 16.20mts). There exists G+2 (guest house) RCC structure. The property is compounded with masonry compound wall. There exist three masonry structures, roof of which is covered with GI sheets and*

Jagney Sain

VAKALATNAMA**NATIONAL GREEN TRIBUNAL, Western Zone Bench, Pune**APPEAL No.: **22 / 2024(WZ)****IN THE MATTER OF:**

RAJENDRA KUMAR KAMRA

...APPELLANT

VERSUS

GOA COASTAL ZONE MANAGEMENT AUTHORITY & ORS.

...RESPONDENTS

KNOW ALL to whom these present shall come that I: Chandan Suryakant Khorjuvekar, S/o Suryakant Khorjuvekar, aged about 49 years, R/o H. No. 98/9, Bandirwaddo, Anjuna, Bardez, Goa - 403517 Mobile: 07038781742, the above named...**RESPONDENT NO. 3**..... do hereby appoint:

Mr. AAGNEY SAIL (D/1284/2007)

A-36, Rama LIFE CITY, USLAPUR, Bilaspur, Chhattisgarh - 495003

(M) +91.9810076618, Email: aagneysail@gmail.com

(hereinafter called the advocate) to be my Advocate in the above noted case authorize him:-

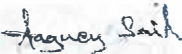
1. To act, appear and plead in the above-noted case in this Tribunal or in any other Court in which the same may be tried or heard and also in the appellate Court including the Supreme Court of India subject to payment of fees separately for each Court by me.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner(s) authorizing them to exercise the power and authority hereby conferred upon the Advocate whenever they may think fit to do so and to sign the power of attorney on my behalf.
8. And I the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my own acts, as if done by me to all intents and proposes.
9. And I undertake that I or my duly authorized agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I the undersigned do hereby agree not to hold the Advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I the undersigned do hereby agree that in the event of the whole or part of the fees agreed by me to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fees settled is only for the above case and above Court. I hereby agree that once fees is paid, I will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fees shall be paid again by me.

IN WITNESS WHEREOF I do hereunto set my hand to these presents the contents of which have been understood by me on this. 01 day of **February, 2025**.

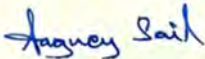
Accepted subject to the terms of the fees.



(Chandan Suryakant Khorjuvekar)



(AAGNEY SAIL)



Identified by _____ (signature)
 _____ (name and Bar Council Reg. No. of advocate)



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Aagney Sail <aagneysail@gmail.com>

Appeal No. 22/2024(WZ) - Reply of Respondent No. 3 to Appeal - NEXT DATE 25.03.2025

Aagney Sail <aagneysail@gmail.com>

Wed, Feb 19, 2025 at 1:17 PM

To: gcзма gcзма <goacoastalzone@gmail.com>, shubhpri@yahoo.co.in, pankaj vernekar <pankajvernekar@yahoo.co.in>, Pankaj Vernekar <vernekarpankaj@gmail.com>, sdm-pernem.goa@nic.in

To,

1. Rajendra Kumar Kamra - Appellant,
Through Adv. Pankaj Vernekar.

Email: vernekarpankaj@gmail.com, pankajvernekar@yahoo.co.in

2. Goa Coastal Zone Management Authority (GCZMA) - Respondent No. 1,
Through Adv. Shubham Priolkar.

Email: shubhpri@yahoo.co.in, goacoastalzone@gmail.com

3. Deputy Collector & SDO, Pernem - Respondent No. 2,

Email: sdm-pernem.goa@nic.in

Please find attached the reply of Respondent No. 3 to the Appeal No. 22/2024(WZ) along with its annexures. A line confirming receipt of this email and attached file will be highly appreciated.

Adv. Aagney Sail,
Counsel for Respondent No. 3.
Mobile: +91.9810076618



Appeal 22 of 2024 - REPLY OF R3.pdf

-- TRUE COPY --