

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

M.A.No. 10 /2024

In

Execution Application No. 05/2023

In

Appeal No. 16/2022

BETWEEN

Mr.Suvarn Rajaram Bandekar

Having office at Suvarn Bandekar Building,

P.O. Box 11, Vasco Da Gama, Goa- 403802

(Respondent no.5 in Appeal No.16/2022)

.....Applicant

V/s

Goa Coastal Zone Management and Authority

and others

....Respondents

**REPLY OF RESPONDENT NO. 9
AND 11 TO APPLICATION
SEEKING COMPLIANCE OF
ORDER FOR RESTORATION OF
PROPERTY.**

MAY IT PLEASE HON'BLE TRIBUNAL.

The respondents undertakes to state as below :

Bandekar

Bandekar

1. The contents of para 2 and 3 are relatively admitted and true to my knowledge.
2. The contents of para 4,5,6 and 7 are admitted and true to my knowledge.
3. The contents of paragraph 8 and 9 are admitted and true.
4. The contents of paragraph 10 is alleged and denied that sufficient time has lapsed and that respondent no. 1 is yet to comply with the order of restoration of the property to its original condition.
5. In respect to para 11, all the contents are denied to the allegation in respect of the proceedings to restore the said property have not yet commenced.
6. In respect to para 12, for want of knowledge.
7. In respect to para 13, all the contents alleged are denied.
8. In respect to para 14, all the contents are alleged and denied strongly and adds that no such orders are passed.
9. Contents of para 15 alleged are partly denied that the respondents have been diligent in their conduct right from the year 2000.

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10. All the Contents of para 16 alleged are denied word to word that the respondents are deliberately delaying action towards restoration of the property
11. That the respondents have sought by order dated 25.03.2022 that the respondents are directed to demolish the structures held to be illegal which demolition was carried out.
12. It was also added that the property be restored to its original condition, it is now seen that the GCZMA has obtained Satellite images by the Russian MRI satellite Imagery which shows the property as it was in the year 1991. The GCZMA is using the said Satellite images as a marker for determining the condition of properties and structures therein, in areas coming under CRZ regulation.
13. These Satellite images by the Russian MRI satellite Imagery were not available to the undersigned earlier but the respondent have now sought for a copy of the same from respondent no. 1.



14. The condition of the property is visible in the said Satellite images by the Russian MRI satellite Imagery including the structures existing in them, which are legal as per the decisions of the GCZMA in other matters before it.
15. Thereafter respondent no. 1 in their reply No. 8-3-2024/GC&EMS/RTI/215 dated 08/08/2024 to the said RTI application, instructed the applicants i.e respondent no.11 to pay an amount of Rs. 70,000/- (Rupees Seventy Thousand Rupees) to avail the said Russian MRI satellite Imagery.
16. Since the amount is exorbitant and not in accordance with the regulation of fee and cost of the act, respondent no. 11 has filed an RTI Appeal on 30/08/2024 to the said reply before the First Appellate Authority The Central Regulation Management Zone of Goa Authority (FFA), at Panjim,
17. In view of the above it is submitted that the GCZMA may kindly identify at loco what is shown in the Russian MRI



satellite Imagery of the year 1991 so that the land can be restored as shown in the plan.

Date:12/10/2024

Place:Pune



Respondent 9



Respondent 11

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

M.A.No. 10 /2024

In

Execution Application No. 05/2023

In

Appeal No. 16/2022

BETWEEN

Mr.Suvarn Rajaram Bandekar

.....Applicant

V/s

Goa Coastal Zone Management and Authority

and others

....Respondents

LIST OF DOCUMENTS

| Sr. No. | Particulars |
|---------|--|
| 1. | Appeal U/s 19(1) of RTI act 2005 dated 30/08/2024 |
| 2. | Application Under RTI 2005, dated 23/07/2024 |
| 3. | Letter Ref. No. GCZMA/RTI/23-24/01/373 |

| | |
|----|--|
| | DATED 26/07/2024 |
| 4. | LETTER NO. 8-3- 2024/GC&EMS/RTI/215 DATED 08/08/2024 |

Place: Pune

Date: 12/10/24



Respondent 9



Respondent 11

**BEFORE THE FIRST APPELLATE AUTHORITY
THE CENTRAL REGULATION MANAGEMENT ZONE
OF GOA AUTHORITY (FFA), AT PANJIM**

RTI /Appeal No. /2024/²⁴

1. Mr. Sunifer Cardozo
H.no. 107, Sernabatim,
Ambeaxir, Colva, Salcete-Goa Appellant

V/S

1. The Officer on special Duty (OSD),
Goa Coastal Zone Management Authority
Dempo tower, 4th Floor,
Patto Plaza-Panjim- Goa.
2. The Public Information Officer
GCZMA
4th floor Dempo Tower
Patto Plaza- Panjim-Goa Respondent

**APPEAL UNDER SECTION 19(1) OF THE RIGHT TO
INFORMATION ACT, 2005**

The Appellant most respectfully states and submits as under:

1. The appellant had filed a letter dated 23/07/2024 to the
Public information Officer GCZMA under RTI,
requesting the following information;
- a. Letter reference No.2-4-2023/GC&EMS/MISC/27
dated 10.10.2023 to the Director of RSI Softech India

Pvt Ltd, Hyderabad to provide the satellite Imagery and area calculation of structure in CRZ region

- b. Letter issued Odry Fernandes Ref No. 2-4-2023/GC&EMS/MISC/43 dated 09.01.2024 along with the Sattelite Imagery report in respect of property bearing survey No.16/7 of village Sernabatim, for the year 1991 and 1993.

2. The Appellant states that the respondent's no. 2 issued a letter bearing Ref.No. 8-3-2024/GC&EMS/RTI/215 DATED 08/08/2024 and corresponding to Question/Query/Information sort under serial No.2 it is mentioned that this information will be made available to the appellant upon payment of Rs 70,000/- (Seventy Thousand Rupees Only).

3. That no break-up of fee structure is mentioned by the concerned authority in respect of the demanded fee, which itself is highly exorbitant, and unreasonable and is in violation of the clauses (b) and (c) od sub-section (2) of section 27 of the Act (THE RIGHT TO

INFORMATION [REGULATION OF FEE AND COST] RULES, 2005) and not supported by any evidence of law and designed to deny any information.

That the present appeal is filed under the following grounds

I

- a. That the information sought by the appellant is public information and within the purview of the respondent and the respondent is duty bound to provide the said information to the Appellant by charging the nominal fee and is in violation of the clauses (b) and (c) of sub-section (2) of section 27 of the Act (THE RIGHT TO INFORMATION [REGULATION OF FEE AND COST] RULES, 2005).

II

- b. That the conduct of the Public information Officer is contrary to the provisions of Right to Information Act.

III

4. That the respondent is purposely charging exorbitant fee not supported by any evidence of law and designed to deny any information. so that the appellant is not in a position to afford the fees hence in contrary refusing/rejecting to give the said information to the appellant.

IV

- c. That the respondent has been very casual and irresponsible in providing the information.

V

- d. That the respondent has no courtesy even to give a break-up of the fee structure mentioned in the application filed by the appellant.

That the appellant has only sort for the certified copy of the document which is available/bound to be available with the authority, that the appellant has not sort for any services from the authority which are beyond the parameters of the authority.

It is my humble request that the payment towards the fee is kept strictly in accordance with the clauses (b) and (c) of sub-section (2) of section 27 of the Act (THE RIGHT TO INFORMATION [REGULATION OF FEE AND COST] RULES, 2005) and guidelines laid down by the Government so that it is affordable and a proper breakup of the same is mentioned as well as transparency is maintained.

4. The Appellant therefore prays:

- a) that necessary direction be issued to the Respondent to provide the said information to the appellant.
- b) any other relief as deemed fit and proper in the circumstances of the case

Margao, Goa

Appellant

Date : 30/08/2024

**BEFORE THE FIRST APPELLATE AUTHORITY
THE CENTRAL REGULATION MANAGEMENT ZONE
OF GOA AUTHORITY (FFA), AT PANJIM**

RTI /Appeal No. /2023/

1. Mr. Sunifer Cardozo
H.no. 107, Sernabatim,
Ambeaxir, Colva, Salcete-Goa Appellant

V/S

2. The Officer on special Duty (OSD),
Goa Coastal Zone Management Authority
Dempo tower, 4th Floor,
Patto Plaza-Panjim- Goa.
3. The Public Information Officer
GCZMA
4th floor Dempo Tower
Patto Plaza- Panjim-Goa Respondent

LIST OF DOCUMENTS

| Sr. No. | Particulars | Pg. No. |
|------------|--|---------|
| 1. | Application Under RTI 2005, dated 23/07/2024 | |
| 2. | Letter Ref. No. GCZMA/RTI/23-24/01/373 DATED 26/07/2024 | |
| 3. | LETTER NO. 8-3-2024/GC&EMS/RTI/215 DATED 08/08/2024 | |

Place: Margao

Date : 20/08/2024

Appellant

**GOA COASTAL AND ENVIRONMENT MANAGEMENT SOCIETY
(GC&EMS)**

C/o Department of Environment and Climate Change
4th Floor, Dempo Towers, Patto Panaji Goa - 403001.

e-mail: goacoastalandenvtmangscity@gmail.com

No.8-3-2024/GC&EMS/RTI /215

Dated: 08/08/2024

To,
Sunifer Cardozo,
H.No.107, Sernabatim,
Ambeaxir, colva, Salcete Goa

Sub: Information under Right to Information Act 2005.

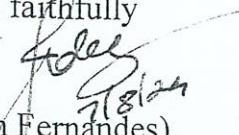
Ref: Your RTI Application dated 23/07/2024 received by this Office on 30/07/2024

Sir/Madam,

With reference to above, it is informed as under:

| Sr No | Information sought | Reply |
|-------|--|--|
| c. | Letter reference No.2-4-2023/GC&EMS/MISC/27 dated 10/10/2023 to the Director of RSI Softech India Pvt ltd, Hyderabad to provide the Satellite Imagery and area Calculation of Structures in CRZ region | The information will be made available upon payment of Rs.2/- |
| d. | Letter issued to Odry Fernandes Reference No.2-4-2023-GC&EMS/MISC/43 dated 09/01/2024 along with Satellite Imagery report in respect of property survey No.16/7 of Sernabatim Village Salcete Goa for the year 1991 & 1993 | The information will be made available upon payment of Rs. 70,000/- (Seventy Thousand Only) as per office order issued by GC&EMS duly approved by the Government and as per the provision of Goa Right to Information (Regulation of Fee & Cost) Rules 2008. |

Yours faithfully


 (Johnson Fernandes)
 Project Director (GC&EMS)

GOA COASTAL ZONE MANAGEMENT AUTHORITY

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

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

Tel.: 0832-2951089

Ref. No. GCZMA/RTI/23-24/01/1373

Date: 26/07/2024

To,
The Public Information Officer,
Goa Coastal and Environment,
Management Society,
Dempo Tower 4th Floor,
Patto Plaza-Panaji Goa.

Sub: Transfer of application u/s 6 (3) (i) & (ii) of the RTI Act 2005.

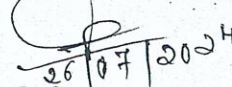
Ref: RTI Application received from, Sunifer Cardozo H.no. 107, Sernabhatim, Ambeaxir, Colva, Salcete Goa, dated 23/07/2024 received by this Authority on 24/07/2024 (copy enclosed).

Sir,

Please find enclosed herewith RTI Application received from from, Sunifer Cardozo H.no. 107, Sernabhatim, Ambeaxir, Colva, Salcete Goa dated 23/07/2024 received by this Authority on 24/07/2024 (copy enclosed), seeking information under RTI Act, 2005.

The information sought in the application with respect to Point No. a & b is dealt with by your office and as such the same is transferred to your office, with a request to provide him the information as per his application enclosed, under intimation to this office.

Yours faithfully

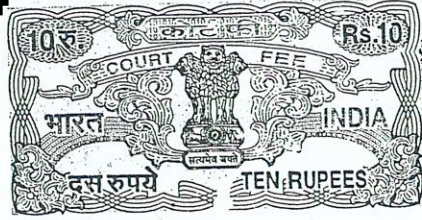


Public Information Officer
(Goa Coastal Zone Management Authority)

Encl: as above

✓ Copy to: Sunifer Cardozo H.no. 107, Sernabhatim, Ambeaxir, Colva, Salcete Goa

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Sunifer Cardozo
H.No. 107, Sernabatim,
Ambeaxir, Colva, Salcete Goa.

Mobile No. 8668577262

Date: 23/07/2024

To,
The Public Information Officer
GCZMA
4th Floor Dempo Tower ,Patto ,
Panaji Goa.

Sub : Request to provide information under RTI 2005.

Sir

This is to kindly request you issue me certified copies of the documents mentioned below:

- Letter reference No. 2-4-2023/GC&EMS/MISC/27 Dated 10/10/2023 to the Director of RSI Softech India Pvt Ltd , Hyderabad to provide the Satellite imagery and area Calculation of Structures in CRZ region .
- Letter issued Odry Fernandes Reference No. 2-4-2023-GC&EMS/MISC/43 dated 09/01/2024 along with Statelite Imagery report is respect of property survey No.16/7 of sernabatim Village Salcete Goa for the year 1991 & 1993.

Im the citizen of India

Sunifer Cardozo.

~~23~~ 24/07/2024
C/o Member Secretary
Goa Coastal Zone Management Authority
C/o Department of Environment & Climate Change
Dempo Tower 4th Floor,
Patto Plaza Panjim Goa. 403001