

Report of Site Inspection for Alleged Illegally Constructed Guest House & Restaurant Cum Rooms in Sy. No. 129/32, 34 and 35 of Village Anjuna, Bardez, Goa.

Background

GCZMA received a complaint letter dt. 7/4/2017 from Mr. Jaiprakash Sirsaikar regarding the alleged illegally constructed guest house and a restaurant cum rooms in the name of **SUN SHINE GOA GUEST HOUSE** and **SUN SHINE GOA ANJUNA FOOD POINT** in the property bearing Sy. Nos. 129/32, 34 and 35 of Village Anjuna, Bardez, Goa within 100m from the HTL by Mr. Thomas Fernandes & Tony Fernandes without permission from the competent authority. A site inspection was therefore fixed to see the site, the construction done and verify the documents.

Inspection and Observation

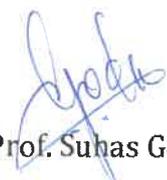
Upon instruction from the Member Secretary GCZMA, a site inspection was carried out by the Expert Members Dr. Prabhakar Shirodkar and Prof. Suhas Godse along with Mr. Fletcher Fernandes, Technical Officer of GCZMA on 2/6/2017 afternoon. A representative from the DSLR accompanied the site inspection team. At site, the Secretary of V. P. Anjuna Mr. Kishore Pagui and Talathi of V. P. Anjuna Mr. Redkar was present. Similarly, the complainant Mr. Jaiprakash Sirsaikar was present along with his brother and colleagues, but neither the alleged violator nor his representative was present at the site. The details are as below;

- i) The site with Sy. Nos. 129/32, 34 and 35 is lying within 200m from the HTL in CRZ III area of Anjuna village and is an NDZ area.
- ii) The alleged Sun Shine Guest House is seen to be constructed towards the eastern side of the mud road and Sun Shine Food Point is constructed on the edge of the upland towards the west side of the mud road passing in between.
- iii) The said Sun Shine Guest House is a G+1 structure, having 9 rooms constructed little away from the road towards the east with a gate on the mud road. There is also another ground floor structure constructed near to the gate.
- iv) The Sy. plan brought by the DSLR representative indicated only an existing old ground floor structure, where Sun Shine Guest House (G+1 Structure) has been constructed.
- v) The Sun Shine Food Point constructed across the road towards west is parallel to the mud road, with its back wall lying on the edge of the rocky upland where the waves break on the steps made by the violator for getting down onto the beach.
- vi) The complainant explained that in Sun Shine Food Point there are rooms on one side towards north and a restaurant on the other side towards south, with an open veranda having a protected wall and the columns.

- vii) Veranda is used as a utility space for the restaurant, whereas towards west, the steps are made for getting down on to the beach.
- viii) The Sy. Plan shown by the DSLR representative indicated no earlier existing structure in the area where Sun Shine Food Point is constructed.
- ix) Both the structures are falling within NDZ area of CRZ III of Anjuna village.
- x) The Complainant claimed that the said constructions have been made within the last 4-5 yrs without taking any permission from the Competent Authority.
- xi) Of the two structures, the SUN SHINE GUEST HOUSE appears to be a new structure, whereas the SUN SHINE FOOD POINT appears to be comparatively a older structure.

Conclusion & Recommendation

- i) The construction of Sun Shine Guest House and Sun Shine Food Point is within the NDZ area of Anjuna village.
- ii) The Sy plan shows earlier existing ground floor structure only where Sun Shine Guest House is constructed, whereas no earlier structure is evident in the place where Sun Shine Food Point is constructed.
- iii) No constructions are permissible within the NDZ area as per the CRZ Regulations.
- iv) If the earlier structure prior to 1991 existed in the NDZ area, the same can be constructed on the existing plinth with proper permissions from GCZMA and the V.P. Anjuna, however, its use cannot be changed. In the present case the building is used for commercial purpose as a Guest House/Hotel.
- v) Moreover, the Sun Shine Guest House has construction of first floor structure, and is a violation of CRZ regulation.
- vi) Both the structures have been constructed without the permission from GCZMA and also is a violation of CRZ Regulation.
- vii) It is not known whether the violator has taken the permission from V. P. Anjuna as he was not present at site during the site inspection.
- viii) A Show Cause Notice may be issued to the violator for the said violation of CRZ regulation.
- ix) This may be deliberated in the Authority meeting for a decision.


(Prof. Suhas Godse)


(Dr. Prabhakar Shirodkar)