

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

Original Application No. 91/2021(WZ)

Nalini Da Rosa Fernandes

...Applicant

Versus

Goa Coastal Zone Management Authority &Ors. ...Respondents

STATUS REPORT OF THE RESPONDENT NO. 1

1. I say that vide order dated 18/01/2022, passed by this Hon'ble Tribunal in the present Original Application, the Respondent No. 1 was directed to '*decide the pending application initiated on the basis of show cause notice within six weeks from today, positively and submit the action taken report before this Tribunal with affidavit before next date of listing.*'
2. I say that the Show Cause Notice dated 16/03/2020 was issued by the Respondent No. 1 in terms of the decision taken in the 221st meeting of the GCZMA held on 25/02/2020. I say that in pursuance of the said Show Cause Notice the concerned parties i.e. the Applicant and the Respondent No. 2 herein were



provided several opportunities to present their case before the Respondent No. 1 Authority.

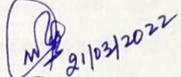
3. I say that the Respondent No. 1 in its 288th meeting held on 03/02/2022 upon concluding the hearing of the parties concerned posted the matter for orders.
4. I say that the Respondent No. 1 at its 289th meeting held on 08/02/2022 upon a detailed deliberation has concluded that the Show Cause Notice dated 16/03/2020 is not vitiated by unfairness and bias and that the Respondent No. 2 has failed to prove that the offending structures were in existence prior to 1991.
5. I therefore say that vide Order dated 07/03/2022 the Respondent No. 1 has confirmed the Show Cause Notice dated 16/03/2020 and has furtherin exercise of powers conferred under section 5 of the Environment (Protection) Act, 1986 read with sub-rule (3)(a) of Rule 4 of the Environment (Protection) Rules 1986, and read with power vested with the GCZMA vide Order S.O. 3975 (E) dated 31/10/2019 issued by the Ministry of Environment & Forests, Government of India directed the



Respondent No. 2 to demolish all the structures in the property bearing survey No. 242/1 (part) of Calangute village within a period of 30 days and has further directed the Respondent No. 2 to pay a penalty/fine of Rs. 5,00,000/- (Five Lakhs) as punitive costs for environmental violations. Annexed hereto and marked as **Exhibit A** is a copy of the Order dated 07/03/2022.

Dated: 21/03/2022

Porvorim-Goa


Member Secretary
(Respondent No. 1)



GOA COASTAL ZONE MANAGEMENT AUTHORITY

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

4th Floor, Dempo Towers

Patto, Panaji Goa 403001

Email: goacoastalzone@gmail.com

Ref. No. GCZMA/ILLE/03/CAL/2195

Date: 07/03/2022

DIRECTIONS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, READ WITH RULE 4 OF THE ENVIRONMENT (PROTECTION) RULES, 1986.

Sub: Directions to demolish structures in the property bearing survey number 242/1 part of Calangute Village, Bardez Goa.

WHEREAS, in terms of site inspection report prepared by Expert Member GCZMA and decision taken in the 221st GCZMA meeting held on 25/02/2020 and show cause notice dated 16/03/2020 was issued by the authority.

AND WHEREAS, the show cause cum hearing notice bearing no. GCZMA / ILLE / 03 / CAL / 2693 dated 16/03/2020 required the respondent violators to file a reply on or before 01/04/2020 and also attend personal hearing on 03/04/2020. The personal hearing to held on 03/04/2020 was cancelled on account of lockdown due to Covid Panademic.

AND WHEREAS, the matter was heard on various occasions in the GCZMA meeting viz are follows:- 227th meeting held on 17/10/2020, 232nd meeting held on 22/10/2020, 240th GCZMA meeting held on 17/12/2020, 243rd meeting held on 14/01/2021, 248th meeting held on 11/02/2021.

AND WHEREAS, in the 251st meeting held on 25/02/2021 the matter was placed for further hearing and compliance. In the said meeting it as decided as follows:-*"The Authority after hearing the Respondent ordered for sealing of 14 rooms through the Deputy Collector & SDO, Bardez-Goa and execute the order of demolition of 14 rooms identified by the Expert Member after 2 weeks.*

The Authority further posted the matter for hearing on the Show Cause Notice dated 26/03/2020 issued by this authority for other additional structures identified by the Expert member during the site inspection. The matter is posted on 18/03/2021 at 3.30pm."

AND WHEREAS, on 18/03/2021 the Items as per Agenda from Case No.1.1 to 1.18 could not be taken up for discussion today as the Secretary Environment & CC and the Chairman CRZ was busy with administrative work and hence this agenda items from serial No.1.1 to 1.18 stood adjourned. The authority decided to issue fresh hearing notices.

AND WHEREAS, the matter was placed in the 287th GCZMA meeting held on 27/01/2022. The Proceedings in the said meeting can be seen as follows:- "*Ld Adv Sangram Bhosle along with Ld Adv . S jain appeared for Complainant through VC. Ld Adv. Jayant Karn appeared physically on behalf of Respondent and prayed for time to argue the matter as the notice of personal hearing is received by him yesterday only. Advocated for Complainant objected for the same because as per Hon'ble NGT order the Authority has to decide on the matter within 6 weeks time on show Cause notice dated 16/03/2020. Ld advocate for Complainant stated that he has filed the written submissions before the Authority. Adv. for Complainant pointed out that many structures were built pursuant to demolition order issued in year 2012. In the year 2016 GSPCB had conducted the site inspection and described the structures at site. In the year 2016- 20 rooms noted. After October 2016 new structures were built. 12 structures were demolished. The new structures are constructed without any permission and in violation of CRZ rules and regularisation and prayed that the illegal construction be demolished and land be restored to its original position.*"

AND WHEREAS, in the 287th GCZMA meeting held on 27/01/2022, the Authority after hearing both the parties decided to post the matter on 03/02/2022 at 3.00 pm for further arguments of Respondents.

AND WHEREAS, the matter was heard in the 288th meeting held on 03/2/2022. The proceedings in the said matter can be seen as follows:- "*Adv Bhosle appeared on behalf of the Complainant; Adv Jayant appeared on behalf of the Respondent. The Adv for Complainant files a copy of the detailed written synopsis on*

record. The Adv for the Respondent briefly narrated how in the year 2012 a demolition order was passed by the GCZMA in respect of 18 rooms out of 20 rooms. Two such rooms out of the remaining 18 were admittedly prior to 1991, the subject matter of the present show cause notice are the supposed for the additional rooms which were allegedly constructed after the year 2016. The Adv submitted that visa vis the order of 2012 there was never a site inspection done nor a sketch drawn to identify the structures in the property. As per panchanama 12 rooms have been demolished. The basis of the present show cause notice that the site inspection report prepared by the Expert Member of the Authority which relies on a plan of the year 2016 prepared by GSPCB. The said report of the year 2016 was done pursuant to a matter of discharge of waste by the said Respondent. The sketch of the year 2016 has no legends, no indication as to nature of violations however the Expert Member of GCZMA has relied on the said report of the PCB of the year 2016, in fact the sketch prepared by the PCB in the year 2016 is not complete in many aspects. Further pointed out two panchanamas which clearly records that the said plan of 2016 is insufficient to identify the 6 rooms. Further submitted that the same person who attended the inspection and also the demolition gave a different findings on different occasions. Further submitted that contrary affidavits were filed by the earlier Member Secretary of this Authority further the earlier Member Secretary was biased and application in this regard was filed before the Authority. The present show cause notice is based on definite conclusions instead of charges and allegations. The meeting minutes which spells out the present show cause notice has already branded the Respondents a rank violator. Coming to the site inspection report submitted by the Expert Member he submitted that the same is factually incorrect and based on wrong assumptions and unwarranted comparisons to the report of the PCB of the year 2016. The Respondent pointed to the tabular columns of comparison vis a vis the structure as stated in the report and submitted that the comparison was based wrongful assumption. The Respondent submitted that there are still disputes between the parties and the



Complainant infact considered him as her enemy. Further submitted that there are major contradictions if we compare the plan to the plan of the year 2016. The Respondent further submitted that what is submitted in the inspection report is infact on logical falsity; the present show cause is based on of flawed inspection report. The said inspection report should not be considered by the Authority and shall be discarded, the Respondent submitted that they have submitted documents such as house tax receipt, electricity bills and a decree to show that the structures were existing prior to 1991 and hence the show cause notice should be dropped.

The Complainant in rebuttal sated that the challenged to the report of the PCB cannot be raised before this Authority as this is already been raised in an appeal before the Hon'ble Supreme Court. The subject matter of the show cause notice is clear that the additional constructions done by the Respondents over and above the two rooms everything is illegal. The comparative chart in the site inspection report of the Expert Member of GCZMA clearly depicts the illegality at site. The GSPCB report of the year 2006 cannot be challenged by this Respondent. The structures build by the Respondents are within NDZ hence the same cannot be shown any leniency. He further submitted that the Respondent was required to submit an affidavit that he will not carry out any commercial activity; however the same has not been submitted till date. The Adv for the Respondent undertook that he will not carry out any commercial activity. The Respondent further submitted that by 07.02.2022 he will file his written synopsis with advance copy to the Complainant.

AND WHEREAS, in the 288th GCZMA meeting held on 03/02/2022 it was decided as follows: "The Authority heard both the parties and posted the matter for orders. "

AND WHEREAS, the matter was placed for discussion and deliberation and taking final decision in the 289th GCZMA meeting held on 08/02/2022. The proceedings in the matter in the said meeting can be seen as follows "the Adv for the

Complainant Miss Samridhi Jain present through VC, Adv Jayant Bhosle present for the Respondent. On 7.2.2022 the Advocate for the Respondent filed a copy of the brief written synopsis on record by serving an advance copy to the Complainant via email, on 8.2.2022, the Adv for the Complainant sent a copy of the Additional Written synopsis via email the same was placed before the Authority".

AND WHEREAS the matter was placed in the 289th GCZMA meeting held on 08/02/2022. In the said meeting it was decided as follows:- *"The Authority heard Ld Adv Sangramsinh Bhosale with Ld Adv Samridhi Jain on behalf of the Complainant and Ld Adv Jayant Karn for the Respondents at length. Written arguments submitted by counsel were also perused.*

The present matter arises from Show Cause Notice no. GCZMA/III/03/CAL/2693 dated 16/03/2020 issued by this Authority with respect additional structures identified in property bearing Survey no.242/1 (part) of revenue village Calangute situated at Sauntawaddo locality, Calangute, Bardez.

The Authority noted that after due discussion and deliberation in the 221st Authority meeting held on 25/02/2020 it had inter alia decided to issue said show cause notice as to why direction demolish the structures and penalty of Rs.5,00,000/- should not be imposed on the Respondents.

Succinctly, the case of the Complainant can be summarised as under: -

The Authority after conducting detailed inquiry had issued demolition order dated 15/02/2021 for 18 rooms in Syno.242/1 (part), Sauntawaddo, Calangute, Bardez. The Authority in the said order inter alia noted that out of 20 rooms, 18 rooms were without necessary approval from the Authority.

The said order dated 15/02/2012 was challenged by the Respondents before the Hon'ble High Court vide Writ Petition no. 915/2012. The Hon'ble High Court vide order dated 22/03/2018 held that the petition was not tenable, and remedy of appeal

was available before the Hon'ble National Green Tribunal (NGT). The said Order dated 22/03/2018 was challenged by the Respondent in a Civil Review Application bearing no.08/2018. The said CRA no. 08/2018 came to be dismissed was dismissed by the Hon'ble High Court vide order dated 13/04/2018.

The orders dated 22/03/2018 in Writ Petition no.195/2012 and 13/04/2018 in CRA no.08/2018 were challenged before the Hon'ble Supreme Court in SLP no: 13457-13458/2018. The Hon'ble Supreme Court vide order dated 25/05/2018 was not inclined to interfere with orders however directed the Authority to consider the efficacy of resolution of Village Panchayat dated 20/02/2012 purporting to regularize the illegal construction/violation of the Respondent.

This Authority then considered the efficacy of resolution of the village panchayat dated 20/02/2012 and passed an order dated 24/06/2018 re-affirming its order dated 15/02/2012. The said order dated 24/06/2018 was challenged by the Respondent in Writ Petition no. 915/2018. The Hon'ble High Court vide order dated 29/11/2018 was pleased to dismiss the said petition as the Respondent had efficacious statutory remedy before the Hon'ble NGT.

The Respondent filed an appeal bearing no. 24/2019 before the Hon'ble NGT. The Hon'ble Tribunal, vide order dated 03/04/2019, dismissed the said Appeal. A civil appeal no. 3735/2019 was filed before the Hon'ble Supreme Court. The Hon'ble Supreme Court vide order dated 22/04/2019 dismissed the said civil appeal.

The Complainant filed an Execution Application no.13/2019 before the Hon'ble NGT inter alia seeking execution of demolition order of the Authority which had attained finality. The Authority, in compliance to the said matter, by way of affidavit, submitted site inspection report dated 13/01/2020. The site inspection report of Expert Member GCZMA relied upon Joint Site inspection report dated 06/10/2016. The Complainant relied upon the findings of the said report dated 13/01/2020. On 13/01/2020, the Expert Member of this Authority along with other officials conducted the site



inspection and noted the structures along with the rooms that were existing at the said property as on 13-14.01.2020. It was during the field inspection of 13/01/2020 that it was observed that the violator had constructed additional rooms than those that were noted in the Demolition Order dated 15/02/2012 and the Inspection dated 06/10/2016.

The Complainant approached the Hon'ble NGT in O. A. No. 91 of 2021. The Hon'ble Tribunal vide its order dated 01/12/2021 in O. A. No. 91 of 2021, restrained the Respondent from exploiting the unauthorized structures for commercial exploitation.

On the other hand, the Respondent's case can be summarised as under: -

The Respondent's case is that the show cause notice itself stands vitiated by unfairness and bias, which in turn defeats the very purpose of its issuance.

The Respondent has submitted that the Member Secretary of GCZMA (Predecessor) was biased. The Respondent stated that the Member Secretary of GCZMA (Predecessor) has filed contradictory affidavit in Execution Application no. 13/2019 before the Hon'ble NGT and filed affidavit opposing the grant of interim relief before the Hon'ble High Court in Writ Petition bearing no (Stamp no). 1033/2020.

The report of 13/01/2020 prepared by the Expert Member GCZMA is erroneous and arbitrary. The Respondent submitted that there are different findings by same field surveyors on different occasions. The Respondent submitted that the Expert Member's report has logical fallacies and errors in comparison. The Respondent submitted that the sketch/map dated 06/10/2006 cannot be relied upon by the Authority. The Respondent further relied upon certain documents issued by other authorities prior to year 1991.

In view of the rival contentions, the following issues crystallize for determination of the matter, namely:

- I. Whether the show cause notice dated 16/03/2020 is vitiated by unfairness and bias? and,

- II. Whether the offending structures in property bearing Survey No. 242/1 (part), Sauntawaddo, Calangute, Bardez, Goa were existing prior to 19/02/1991?

Issue no. I:

The thrust of the respondent's submissions is that the Show Cause Notice dated 16/03/2020 stood vitiated by unfairness and bias. In the present case, the Respondent was issued demolition order dated 15.02.2012 for demolition of 18 rooms on the said property. The said order was upheld by the Hon'ble Apex Court not once, but thrice. The Respondent has deceived the authorities and protracted the environmental violation for nine years as the offending 18 rooms could only be demolished in 2021. In the Inspection Report of 13.01.2020, it was found that merely because there was delay in execution of demolition order dated 13.01.2020, the Respondent had been emboldened to undertake new construction of additional rooms and a swimming pool.

Thus, this Authority in its minutes of the meeting dated 25/02/2020 had found the Respondent to be a rank violator who had hoodwinked the authorities by raising technical issues.

Lastly, the show cause notice dated 16/03/2020 also forms a part of the O.A. no. 91 of 2021 before the Hon'ble NGT wherein the Hon'ble NGT has prima facie found the Respondent to be in total abdication of law, and therefore the Hon'ble NGT vide its orders dated 01/12/2021 and 18/01/2022 was pleased to stay commercial operations of the Respondent.

The Authority noted that the present show cause notice dated 16/03/2020 was issued based on due discussion and deliberation in the 221st GCZMA meeting held on 25/02/2020. The Authority noted that in the said 221st meeting minutes, the Authority had arrived at two decisions: one being demolition of structures which were part of

original order dated 15/02/2021, and the other being issuance of show cause notice regarding additional structures built by the Respondent.

It is clear from the minutes of 221st GCZMA meeting held on 25/02/2020 that the Authority acted independently in respect of additional structures erected by the Respondent. The said Show Cause Notice dated 16/03/2020 was based on findings given by the Expert Member GCZMA in his report dated 13/01/2020. The said report dated 13/01/2020 is based on factual findings at site along with map generated by the DSLR clearly indicates the situation at loco. The Respondent has been given reasonable opportunity to file reply to show cause notice and file documents in support of his case. The Respondent was also given fair opportunity to heard through to submit orally as well as written submissions. The Authority thus complied with principles of natural justice. As such, the Authority did not find any merit in submissions of the Respondent that the Show Cause Notice dated 16/03/2020 was vitiated by unfairness and bias.

The Authority considered the judgment of Hon'ble Apex Court in *Oryx Fisheries Pvt Ltd vs Union of India* (2010) 13 SCC 427 relied by the Respondent and concluded that the facts of the case and law laid down in the judgment do not apply to this case. The Show Cause Notice clearly spelt out the offending structures and did not in any way conclude or prejudge the guilt of the respondent against the same.

Next, the Respondent has alleged bias on part of the Member Secretary (predecessor) of the Authority who issued the Show Cause Notice. The Authority noted that the Member Secretary of the Authority has an important role to play. The Authority which is notified by the MoEF&CC acts through meeting and decisions are arrived unanimously after due discussion and deliberation amongst the members. The Authority is a body consisting of Chairman, Member Secretary along with Expert Members and other ex-officio Members from various Departments. The meetings of the Authority are presided by the Secretary Environment who is the Chairman of



Authority along with other members of the body. The secretariat, administration and litigation of the Authority is under the watchful eye of Member Secretary of the Authority. The Member Secretary of Authority is spokesperson of the Authority and is required to communicate and defend the decisions taken by the Authority. The affidavits of the Member Secretary of Authority are drafted based upon instructions/documents on record and legal advice by allotted Government counsels in the matter. The Authority noted there is nothing contrary in the affidavits filed by Member Secretary of the Authority (predecessor) as they are based on records before the Authority. The Member Secretary of the Authority is entitled to take all the grounds available in law to defend the litigation filed against the decision of the Authority in a Court of law.

The Authority did not find any merit in submissions of the Respondent in this regard and answered the issue in the negative.

Issue no. II:

The Respondent has taken the plea that the structures that are subject matter of the Show Cause Notice dated 16/03/2020 have always existed from the beginning and certainly existed prior to 1991.

The Authority noted that it is an undisputed fact that the structures which are subject matter of the show cause notice dated 16/03/2020 are within No Development Zone in CRZ III Zone of Calangute village. The CRZ Notification clearly states the area up to 200m from the HTL is be earmarked as 'No Development Zone'. No construction shall be permitted in this zone except for repairs of existing authorized structures not exceeding existing FSI, existing plinth area and existing density.

As far as affidavit dated 26/11/2018 of the Village Panchayat of Calangute is concerned, the Authority was of the view the same was only filed to justify the regularization of structures and under Goa Panchayat Raj Act 1994. The statement of

the Panchayat has no bearing on the present matter as only this Authority has the power to consider construction/reconstruction/regularization/other permissible activity in CRZ area (No Development Zone) under the CRZ Notification.

As far as submission of the Respondent that there are errors in the report dated 13/01/2020 prepared by Expert Member GCZMA is concerned, the Authority was of the view that said report gives correct findings and clearly depicts the factual situation at loco.

Insofar as the Respondent's argument that there are different findings by same field surveyors on different occasions is concerned, the Authority is of the view that the role of field surveyor is only to assist the Expert Member of GCZMA during a site inspection. The Authority noted on the occasion of site inspection the structures were only mapped by the field surveyor who have submitted their map which was part of the report dated 13/01/2020. The findings are only given by the Expert Member of GCZMA in said report dated 13/01/2020. The inability to identify the rooms expressed by the same field surveyor at the time execution of demolition on 24/07/2019, the same cannot be construed as a contrary finding and conclusion.

With respect to the contention of the Respondent that the sketch/map dated 06/10/2006 cannot be relied upon, the Authority was of the view that the sketch was prepared in discharge of the statutory duties pursuant to site joint site inspection and cannot be overlooked. Admittedly a member of the Authority was part of the said joint site inspection which was arising from complaint filed for waste discharge being examined by Goa State Pollution Control Board. Further, the Respondent also admits that said report dated 06/10/2006 was never challenged or findings challenged in court of law.

As far as the contention of the Respondent that there are errors in the inspection report about demolition order of year 2005 is concerned, the Authority was of the view that the same only to indicate that there was an earlier demolition order of the year

2005. Be that as it may, the status of the demolition order of the year 2005 is a matter of record and cannot be left to any inference.

The Authority observed that there are no logical fallacies or inconsistencies in the report dated 13/01/2020 submitted by the Expert Member GCZMA. The decree dated 11/11/2005 along with Plan submitted by Respondent is relied upon however the same between inter se private parties. The Authority noted it is not privy to the said decree and plan. On perusal of the decree and plan, it is seen that the said the suit was filed against the present Respondent for permanent injunction and mandatory injunction. The plan is only prepared to demarcate the property between the parties. The said decree is also a consent decree. The Authority hence rejected the submission that the decree dated 11/11/2005 along with Plan submitted by Respondent gave the correct factual position at loco. The report dated 06/10/2006 is correctly relied upon by the Expert Member in his report dated 13/01/2020.

The Respondent has relied upon house tax receipts, light tax receipts, permission dated 16/01/1987 issued by Village Panchayat of Calangute, electricity bills dated 17/11/1985, declaration dated 12/04/1990, 20/09/1988, ration card of the year 1987, 1988, challan dated 12/12/1985, NOC dated 27/12/1986, decree dated 11/11/2005, panchayat letter dated 24/12/1988, electricity bill of the year 1989, letter dated 27/04/1989 from office of PWD, declaration of consent dated 13/11/1984 to build cottages.

The Authority noted that although the Respondent has produced the abovementioned documents which were prior to 1991, however the nature of construction has changed at loco. The Authority observed that the said documents produced by the Respondents cannot justify the structures existing at loco. The Expert Member in his report dated 13/01/2020 has clearly brought out nature of construction in property. The mapping plan submitted by office of DSLR has indicated only one small red dotted structure admeasuring 25 sq. mts. existed in Sy no. 242/1 however at time of inspection no such

structure existed at site. The Respondent has not produced any permission/NOC issued by this Authority or its predecessor GSCCE to show that reconstruction/construction was carried with prior permission. The Respondent has failed to produce any approved plan from any licensing authority. The Respondent's structures are within the No Development Zone only reconstruction is permissible on existing plinth of authorized structure after 19/02/1991. The Respondents have blatantly and clearly violated CRZ norms, having carried out construction of the said structures within the No Development Zone of CRZ III, Calangute village.

The Authority noted that in the demolition order dated 15/02/2012, it has been categorically mentioned that two rooms were existing prior to 1991. In the earlier demolition order dated 16/03/2020 directing demolition of 14 rooms, two rooms were to be demolished from Structure "H". The inspection report dated 13/01/2020 discloses that four rooms are existing in Structure "H". However, no new construction is found and therefore after demolishing two rooms from said Structure "H", the two remaining rooms in Structure "H" are existing pre-1991. This fact is further corroborated from the DSLR plan of 2020 that shows two pre-existing rooms were in Structure "H".

The sum and substance of the foregoing discussion is that the Respondents have no evidence at all to prove that the offending structures were in existence prior to 19/02/1991. In the present case, the Respondents had to prove through documentary evidence that the structures were in existence prior to 1991; moreover, the one small red dotted structure measuring about 25 sq. metres and shown in survey plan ceased to exist on site. The Respondent has failed to discharge the burden. Accordingly, this issue is also answered in the negative.

In view of the aforesaid observations and findings, the Authority decided to confirm the Show Cause Notice dated 16/03/2020 and issue directions to the Respondents under Sec. 5 of the Environment Protection Act to demolish all the structures that are



subject matter of the said show cause notice and identified in the DSLR plan in property bearing Survey No. 242/1 (part), Sauntawaddo, Calangute, Bardez Goa and restore the land to its original condition. Further, the Authority decided to impose Rs. 5,00,000/- (Rupees Five Lakh only) as penalty upon the Respondents as punitive costs for environmental violations by the Respondents."

NOW THEREFORE, the GCZMA in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986) read with sub-rule (3) (a) of Rule 4 of the Environment (Protection) Rules 1986, and read with power vested with the GCZMA vide Order S.O. 3975 (E) dated 31/10/2019 issued by the Ministry of Environment & Forests, Government of India, hereby directs **Mr. Sylvester D'Souza, Agusta D'Costa, Maria D'Costa, Elvira D'Costa r/o Saunta Vaddo, Calangute, Bardez-Goa** to demolish all the structures in the property bearing survey number 242/1 part of Calangute Village, Bardez Goa within a period of 30 days interms of decision taken in 289th GCZMA meeting held on 08/02/2021. **Mr. Sylvester D'Souza, Agusta D'Costa, Maria D'Costa, Elvira D'Costa r/o Saunta Vaddo, Calangute, Bardez-Goa** are directed to pay a penalty/fine of Rs.500000/- (Five lakhs) as punitive costs for environmental violations. The said fine/penalty is required to be paid in the office of the GCZMA C/o Department of Environment and Climate Change (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji, Tiswadi Goa-403001 via cheque /Demand Draft in favour of "GOA COASTAL ZONE MANAGEMENT AUTHORITY". The Deputy Collector S.D.O Bardez, to verify if all the structures pertaining to **Mr. Sylvester D'Souza, Agusta D'Costa, Maria D'Costa, Elvira D'Costa r/o Saunta Vaddo, Calangute, Bardez-Goa** are demolished at site. Further, recover the expenses incurred for the same from **Mr. Sylvester D'Souza, Agusta D'Costa, Maria D'Costa, Elvira D'Costa r/o Saunta Vaddo, Calangute, Bardez-Goa** as the arrears of land revenue. The Deputy

Collector S.D.O Bardez, is required to submit a compliance report in respect of compliance of aforesaid directions to the GCZMA a day after such exercise.

For and on behalf of the
Goa Coastal Zone Management Authority


07/03/2022

(Dasharath M Redkar)
Member Secretary (GCZMA)

o/c

To,

1. Mr. Sylvester D'Souza
2. Agusta D'Costa
3. Maria D'Costa
4. Elvira D'Costa
r/o Saunta Vaddo, Calangute, Bardez-Goa.

Copy to:-

1. The Collector & District Magistrate (North), Office of the Collector (North), Collectorate Office, Panaji-Goa... *for information and necessary action.*
2. The Secretary, Village Panchayat of Calangute, Bardez-Goa... *who is required to assist the Dy. Collector & S.D.O Bardez in enforcing the abovementioned directions.*
3. Mrs. Nalini Da Rosa Fernandes, 7/14B, Sauntavaddo, Calangute, Bardez-Goa... *for information.*
4. The Scientific Assistant, Goa Coastal Zone Management Authority..... *to upload copy of this order on GCZMA website immediately.*