

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

Original Application No.200/2023(WZ)

Green Space

.....Applicant

Versus

The State of Goa & Ors.

....Respondents

Date of hearing: 10.02.2025

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

Applicant : None present.
Respondents : Mr. Shubham Sinai Priolkar, Advocate for R-1/ State of Goa
& R-2/GCZMA
Mr. Manish Salkar, Advocate for R-3/GSPCB

ORDER

1. None has appeared from the side of applicant despite repeated calls nor has he filed rejoinder/objections to the Joint Committee Report dated 17.05.2024 in compliance with the previous order dated 22.10.2024 of this Tribunal. He has also not submitted an affidavit relating to the sufficiency of service of notice upon the respondents.
2. From the side of respondent No.3- GSPCB, learned counsel Mr. Manish Salkar has appeared and has not filed any reply affidavit so far nor has he given any reason as to why the same has not been filed.
3. Today, it has been apprised by learned counsel for respondent No.3 that an inspection of the site in question was conducted by the officials of the GSPCB and found that there is a temple and hall constructed at the

Survey Numbers in question, which are being used for only religious purpose and hence, they did not require any Consent to Establish and Operate. We direct respondent No.3 to file an affidavit to that effect within two weeks positively.

4. From the side of respondent No.1- State of Goa through its Chief Secretary and for respondent No.2- GCZMA, learned counsel Mr. Shubham Sinai Priolkar has appeared, who submits that only Joint Committee Report has been submitted by respondent No.3- GSPCB and not an affidavit in support thereof. We direct him to file objection/reply against the Joint Committee Report, wherein it is mentioned that the Survey Numbers in question fall under Khazan land in CRZ-III and Water body – CRZ-IV (B) as per the CZMP – 2011, within two weeks.

5. When we enquired from learned counsel for respondent Nos.1 & 2 as to whether the constructions, which are found in the Survey Numbers in question, are illegal because of the same being found to have been constructed under Khazan land in CRZ-III and Water body - CRZ-IV (B) as per the CZMP – 2011, he submits that they are illegal but they are keeping their hand off because of this matter being pending before this Tribunal, otherwise they would have issued notice to respondent No.6- Mr. Nirdesh Gauns in that regard and would have proceeded against him.

6. In view of above, looking to the fact that no one has appeared today from the side of respondent No.6- Mr. Nirdesh Gauns, who appears to have raised alleged constructions, we direct the Registry to issue notices to respondent No.6 as well as that of respondent No.4- The Deputy Collector and SDO, Panaji, Goa; and respondent No.5- The Secretary, Village Panchayat of Siridao- Palem, Tiswadi, Goa, returnable within four

weeks, by Registered Post as well as e-mail, because of the fact that the applicant has stopped appearing before us.

7. Put up this matter for further consideration on 08.04.2025

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

February 10, 2025
Original Application No.200/2023(WZ)
P.Kr