

Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Execution Application Nos. 01/2019 (WZ) to 06/2019 (WZ)  
IN  
Original Application No. 23/2014 (WZ)

Goa Paryavaran Savrakshan Sangharsh Samitee Applicant(s)

Versus

Goa Coastal Zone Management Authority & Ors. Respondent(s)

Date of hearing: 25.02.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant (s): Mr. S.M. Walwaikar and Mr. P.V. Shinde, Advocates

**ORDER**

1. This application seeks enforcement of order of this Tribunal dated 02.11.2017 in Original Application No. 23/2014. By the said order, this Tribunal directed the Goa Coastal Zone Management Authority (GCZMA), respondent no. 1, to take action against temporary structures constructed along the beaches of Morjem, Mandre, Galgibag and Agonda without specific permission from GCZMA in No Development Zone (NDZ).

2. Directions were also issued to respondent no. 1, GCZMA to enforce the recommendations of the Forest Department for preservation of Turtle Nesting sites.

3. The directions are as follows:

*“i) No beach, beds to be set up in the intertidal zone. The existing practice in Morjem is to lay the beach beds very close to the waterline leaving little scope for the turtles to move up.*

*ii) The beach shacks to desist from installing any outdoor illumination. The indoor lighting should also be muted and provided with opaque shields on sea facing side.*

*iii) Playing of loud music by the shacks beyond 6.00 PM and holding of beach parties to be prohibited.*

*iv) Movement of any automobile on the beach to be prohibited.*

*v) It should be made incumbent upon the shack licensees to play a proactive role in ensuring conducive condition to the mare turtles besides information sharing with staff of Forest Department which monitors the entire coast”.*

4. It was also directed that the compensation be recovered by the GCZMA from those violating the above norms, apart from other incidental directions.

5. According to the applicant, the above order has not been complied with.

6. Respondent nos. 4 to 11, La Palge, Boomerang Resort, Babu Huts and Pegan Café's, Ambica Concept, Micasa Beach Resort, D'Soule Lounge & Bar, Sky Club and Hotel Garage have constructed several NDZ offending structures on Turtle Nesting site, destroying sand dunes and sand vegetation since October, 2013. Commercial activities have been started without permission of the GCZMA. The GCZMA is not performing its duty as a regulatory body to remedy the illegalities.

7. In view of the above averments, we consider it necessary to ascertain the factual position by appointing a three members Committee comprising Deputy Conservator of Wildlife, Goa, Member Secretary, Goa State Pollution Control Board and Member Secretary, GCZMA. The nodal agency will be the Deputy Conservator of Wildlife for compliance and coordination. The factual and action taken report be furnished to this Tribunal within one month by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com).

The applicant may furnish a set of papers to the above three authorities forthwith and file affidavit of service.

Copies of this order be sent to the above three authorities directly as well as through Chief Secretary, State of Goa by e-mail.

List for consideration of the report on 01.05.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

February 25, 2019  
Execution Application Nos. 01/2019 (WZ)  
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