

MINUTES OF 26th MEETING OF THE COMMITTEE CONSTITUTED UNDER SUB RULE 4 OF RULE 3 OF THE GOA TOWN & COUNTRY PLANNING (PUBLIC PROJECTS/SCHEMES/DEVELOPMENT WORKS BY THE GOVERNMENT) RULES, 2008 HELD ON 04/02/2019 AT 4.00 P.M. IN CONFERENCE HALL OF CHIEF SECRETARY'S OFFICE, SECRETARIAT, PORVORIM- GOA.

The following Members attended:

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| 1 | Shri Parimal Rai,
Chief Secretary | ... | Chairman |
| 2 | Shri Daulat Hawaldar,
Secretary (TCP) | ... | Member |
| 3 | Ar. Milind Ramani
Rep. of Indian Institute of Architects
(Goa Chapter) | ... | Member |
| 4 | Er. Anwar Khan
Rep. of Indian Institute of Engineers
(Goa Chapter) | ... | Member |
| 5 | Shri Akbar Mulla | ... | Member |
| 6 | Shri Amul Gaonkar,
Dy. Director of Transport | ... | Member |
| 7 | Shri Rajesh Naik
Chief Town Planner (Planning) | ... | Member Secretary |

Item No. 1: Confirmation of minutes of 25th meeting of the committee constituted under sub rule 4 of the rule 3 of the Goa Town & Country Planning (Public projects/ Schemes/Development works by the Government) Rules, 2008, held on 26/11/2018.

The Member Secretary submitted that minutes of 25th meeting held on 26/11/2018 were circulated to the members and no comments have been received for the same. The Committee therefore confirmed the minutes.

Member Secretary informed the Committee that during the discussions in the last meeting i.e. 25th meeting held on 26/11/2018, the Chairman had opined that it would be advisable to seek clarification whether the Committee can parallelly decide on proposals as received by it for change of zone for public projects under

amended Section 16A or such proposals now needs to be decided under Section 16B of TCP Act, which now considers the applications received for change of zone of land in Regional Plan – 2021.

It was unanimously decided that since 16A procedure is not withdrawn which is actually applicable only for the public projects, the Committee should continue its functioning for deciding on the proposals referred to it pertaining to public projects only.

Member Secretary was accordingly directed to process the pending applications, if any with the Department.

Item No. 2: Proposal received from Collector of South Goa for change of zone for Settlement to Institutional Zone with FAR of 150.

Member Secretary submitted that the proposal was received from the Collector, South Goa with a request for change of use of land under Sy. No. 1/1 & 2 of Dharbandora village of Salcete Taluka for construction of office building and further informed that the said proposal was placed in the 162nd (Adj.) meeting of TCP Board held on 16/5/2018 and Board after deliberation had decided as under:

“The TCP Board after deliberation opined that the Collector South has to approach the 16-A Committee for consideration of change of zone at the first instance, and accordingly directed the Member Secretary to communicate the said decision to the Collector, South Goa”.

Whereas the Collector, South Goa has now submitted a note dtd. 15/11/2018 as received from Dy. Collector and SDO Dharbandora – Goa, with a request for change of zone of land under Sy.No. 1/1 of Dharbandora village. As per the note of Dy. Collector, proposal for conversion of land from Residential to Institutional was moved and Conversion Sanad was granted for change of use from Residential to Institutional. Consequent upon grant of conversion, construction of 3rd floor of office building was taken up.

As per the Goa Land Development & Building Construction Regulations, 2010 regulation No. 6A.4 sub-section 15, provides as under:

In zone P building shall be allowed with FAR of 100 on all plots fronting roads having width less than 8 meter, however on roads having width of more than

8 meter the FAR shall be 125. The maximum height of building in Zone P shall be 16 meters.

Note: In special cases with the concurrence of the Town and Country Planning Board and approval of the Government the maximum FAR of 150 could be permitted on case to case basis.

It was brought to the notice of the members that as per the inspection carried out by the Dy. Town Planner, Quepem Taluka Office, it was revealed that construction of building is already carried out having Ground + 4 floors. Also, the note dtd. 15/11/2018 of Dy. Collector stated that while finalizing the drawings, the office of Chief Architect, PWD has already made a provision for a third floor for future extension, so that more area was available to accommodate additional offices.

The Committee after deliberation and considering the extent of the development undertaken to accommodate office space for the Government administration building, considered the proposal and recommended for change of zone from Settlement zone to Institutional zone in Regional Plan for Goa 2021 with FAR of 150.

Item No. 3: Proposal to increase FAR to 1.5 for proposed construction of Bus Stand at Curchorem with other related Infrastructure.

Member Secretary submitted that the proposal is received from Dy. Director (Admin), Directorate of Transport requesting for increase of F.A.R upto 1.5 and height relaxation from 20 mts. to 24 mts. for proposed construction of Bus Stand and other related Infrastructure at land bearing Sy. No. 229, 230 and 231 at Curchorem Town, Quepem Taluka.

The proposal was earlier placed before 23rd meeting of 16-A Committee meeting held on 12/05/2017. The decision of the Committee is reproduced below:-

“The Committee after deliberation agreed to consider the proposal on the basis that it was acquired in the year 1988 and also it is earmarked partly as Commercial zone and partly it is under Bus Terminus as per zoning plan of Curchorem -Cacora town, subject to condition that Transport Department shall obtain NOC/ Clearance from Revenue Department to the effect that there is no bar

to convert Paddy field into a Developable zone, before the proposal could be placed before the Town & Country Planning Board and the Government”.

Further, the proposal was placed before the 160th meeting of Town & Country Planning Board held on 23/11/2017, the decision of the Board is reproduced below:

“The Board agreed for the proposal and also decided to change the zone from Paddy field to Settlement zone in RPG-2021”.

Thus, the zone of the property already stands changed to Settlement zone. However, the request was made to increase FAR to 1.5 in Settlement zone and to allow maximum height of 24 mts. for the purpose of construction of Bus Stand at Curchorem with other related Infrastructure.

The proposal was again discussed in the 25th meeting of the 16-A Committee held on 26/11/2018. Committee after having detail discussion on its scope and its limitation viz-a-viz the statutory provisions under the Goa Land Development & Building Construction Regulations, 2010, concluded that it is not empowered to grant the additional FAR and additional height to the proposals, other than what is specified under the relevant regulations and as the same would lead to contradiction to the prevailing regulations under the Goa Land Development & Building Construction Regulations, 2010. It was however suggested that the Directorate of Transport may opt for processing their proposal through the provisions of Section 16B of the TCP Act, for change of zone to avail higher FAR and height.

This decision was however not communicated to the project proponent, as in the same meeting, it was decided to obtain clarification from Government as regard to role of 16-A Committee viz-a-viz provision of Section 16B of Town & Country Planning Act.

Member Secretary informed that a request is now received from Shri Nilesh Cabral, Hon’ble Minister for Power vide his note No. Cur/MTCP/18-19/556 dtd. 14/01/2019, to increase the FAR to 150.

The Committee deliberated on the proposal and recommended for change of zone of the property from Settlement to Institutional in Regional Plan for Goa 2021 with FAR of 150 to accommodate additional needs of the Directorate of Transport.

Item No. 4: Any other item with permission of the Chair.

a)Representation received from Goa Tourism Development Corporation for effecting changes in the letter of the TCP Department dtd. 21/12/2018 as regards to obtaining NOC from Competent Authorityfor construction of Lower Terminal Building and Main Ropeway Tower at Sy. No. 91/1, Reis Magos Village, Bardez Taluka.

Member Secretary informed that the Department vide its letter dtd. 21/12/2018, the Government approval was communicated for the proposed construction of Lower Terminal Building and Main Ropeway Tower at Sy. No. 91/1, Reis Magos Village, Bardez Taluka and the same was with one of the condition that the project proponent shall obtain approval from Archaeological Survey of India.

Member Secretary informed that a proposal was earlier placed in the 24th Committee of 16A Committee held on 11/04/2018 and the Committee had considered the same for change of zone of property from partly Defence to Settlement zone in Regional Plan for Goa 2001 and from partly Orchard, partly Natural Cover with No Development Slope and partly as No Development Slope to Settlement zone in Regional Plan for Goa 2021, with the condition that the project proponent develops adequate access and obtains approval from Archaeological Survey of India and provided that North Goa Planning and Development Authority considers the proposal of other side of Ropeway project towards Panaji side.

Member Secretary further stated that the Department is now in receipt of a letter from General Manager, Goa Tourism Development Corporation Ltd. requesting to issue an amended letter to them asking for NOC from Directorate of Archives instead of NOC from Archaeological Survey of India, as Reis Magos Fort is State Protected Monument and comes under the Director of Archives and not under Archaeological Survey of India.

The Committee after deliberation decided to consider the request being a genuine one and asked the Member Secretary to issue such a letter to the project proponent asking them to obtain necessary NOC from the Competent Authority by considering that Reis Magos Fort is a State Protected Monument and coming under the jurisdiction of Director of Archives.

The meeting ended with thanks to the chair.