

**MINUTES OF 172nd MEETING OF THE TOWN & COUNTRY
PLANNING BOARD HELD ON 20/11/2020 AT 3.30 P.M. IN
CONFERENCE HALL, MINISTER'S BLOCK, SECRETARIAT,
PORVORIM - GOA.**

The following attended the meeting:

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| 1. Shri. Chandrakant Kavlekar,
Hon. Minister for TCP | ... | Chairman |
| 2. Shri Filipe Nery Rodrigues,
Hon'ble Minister for WRD & Fisheries | ... | Member |
| 3. Shri Glenn Souza Ticlo,
Chairman, GIDC | ... | Member |
| 4. Shri Puneet Goel,
Principal Secretary, TCP | ... | Member |
| 5. Shri J. Ashok Kumar,
Secretary Industries | ... | Member |
| 6. Shri Keshav Kumar,
CRF, Forest Dept. | ... | Member |
| 7. Dr. Rajendra Borkar,
DHS, Panaji.
(Representative) | ... | Member |
| 8. Shri Satyavan K. Dessai,
Agriculture Dept.
(Representative) | ... | Member |
| 9. Shri Subhash Kavlekar,
Asstt. Director, Dept. of Tourism
(Representative) | ... | Member |
| 10. Smt. Megha S. Kerkar,
Supdt. of Fisheries (Representative) | ... | Member |
| 11. Capt. V.P. Vinayagam,
HQGNA (Indian Navy) | ... | Member |
| 12. Shri Tolentino Furtado,
Dy. Director, DPSE
Porvorim – Goa. (Representative) | ... | Member |

13. Shri Manoj M. Caculo, President GCCI	...	Member
14. Shri. Antonio P. Diniz	...	Member
15. Arch. Rajeev M. Sukhthanker	...	Member
16. Shri. Rajesh J. Naik, Chief Town Planner (Planning)	...	Member Secretary

Item No. 1: Confirmation of the minutes of the 171st (Adj.) meeting of Town & Country Planning Board held on 16/10/2020.

The Member Secretary informed that the minutes of 171st (Adj.) meeting of TCP Board held on 16/10/2020 were circulated to all the members and since no comments were received from any member, the same were confirmed.

Item No. 2: Appeal under Section 52(2)(B) of the TCP Act, 1974 filed by Shri Lyndon D'Silva and Maria Colaco D'Silva against South Goa Planning & Development Authority (File No. TP/B/APL/187/19).

Member Secretary informed that the matter is against final notice dated 06/12/2019 bearing No. SGPDA/P/Illegal/1289/19-20 vide which the Respondent PDA has directed the Appellant to demolish toilet on open terrace and covering of the roof by zinc sheets consuming additional FAR.

The Appellant Smt. Maria Colaco D'Silva owns a duplex flat on 4th floor of building bearing H.No. FF9 which was purchased by her about 5 years back. Appellant states that there was a need to make the flat in a livable condition as it was closed for 20 years. The Appellant therefore sought permission from Respondent and Margao Municipal Council. It is the say of Appellant that her duplex flat had a covered terrace which had broken finolex sheets and hence it was replaced by new sheets and the RCC stair case which saved as on access to upper floor was replaced by fabricated stair case. Upon complaint dated 09/03/2019, the Margao Municipal Council issued stop work order on 02/04/2019 for the work undertaken which was however revoked on 06/05/2019 and so also as per the directives of Margao Municipal Council, the

exposed roof that was removed earlier was put again and other minor works were carried out by the Appellant.

It was the direction of the Margao Municipal Council to take permission from Respondent PDA. On 01/08/2019 the Respondent issued show cause notice as no permission was obtained by the Appellant for the work undertaken, which was replied by the Appellant on 12/11/2019. A second show cause notice was again issued by Respondent, which again on 22/11/2019 was replied on 02/12/2019 by the Appellant. The reply was not found satisfactory, hence the Respondent issued final demolition order.

The matter was placed before the 168th meeting of the TCP Board held on 27/01/2020. During which Respondent PDA informed that they had not received any copy of appeal memo and hence were not aware as to what were the grounds for appeal. The Appellant then served a copy of appeal memo to the Respondent PDA, who sought the time to study the same and then to reply. The request was considered by the Board and accordingly the matter was deferred.

Member Secretary further informed that the matter was again taken up for hearing in earlier Board meetings which however was not attended by Appellant on health grounds and accordingly the notices were issued to both the parties to remain present for the meeting.

When the matter was taken up for hearing, Member Secretary of Respondent PDA informed the inability of their Advocate to attend the meeting and give the say on behalf of the Authority and hence requested for adjournment of the matter, whereas Shri Lyndon D'Silva, the Appellant was present for the hearing.

The Chairman inquired with the Member Secretary of PDA whether she can argue in the matter, to which, Member Secretary responded that it would be appropriate for the Advocate to argue on behalf of the Authority, as the legal issues are to be debated. The request of adjournment was therefore considered by the Board and accordingly it was decided to give a last and final

notice to both the parties to remain present for the next hearing so that the matter could be finally decided.

The Member Secretary informed the Board that an application for intervention has been filed by Sarika Emma D'Souza, Comba Margao – Goa requesting for an opportunity of being heard in the matter. The intervener has also mentioned that she has filed preliminary objection dtd. 7/2/2020 and requested that the same be treated as an integral part of her application for intervention. The Board considered the same and directed the Member Secretary to issue notice to the intervener also regarding the next date of hearing.

Item No. 3: Appeal under Section 45 of the TCP Act, 1974 filed by Sant Nirankal Mandal against North Goa Planning and Development Authority.

Member Secretary informed that the matter is regarding appeal under Section 45 of the Town & Country Planning Act, 1974 in respect of letter bearing No. NGPDA/M/1806/1554/2020 dated 27/07/2020 communicating preliminary observations as raised by North Goa PDA and regarding erroneous change of zoning of the property bearing Chalta No. 1/13 of P.T. Sheet No. 127 at village Mapusa, Taluka Bardez.

The Appellant states that they are a Charitable Society and had purchased the property in 2006 under Chalta No. 1/13 P.T. Sheet 127 of Mapusa admeasuring 1981 sq.mts. which was then zoned as “Settlement/Residential” under ODP for Mapusa in operation in the year 2016 for the purpose of setting up of its Sant Sang Bhavan. The Appellant further states that the Conversion Sanad was granted for residential use with 100 FAR, bearing No. RB/CONV/BAR/COLL/43/2014/ 647 dated 01/12/2016 which was much prior to the Notification of the Final ODP (Mapusa) dated 27/12/2016 which was published in the Official Gazette Series III No. 38 dated 28/12/2016. However they could not commence the construction of Sat Sang Bhavan as they did not have required funds for the same. The Appellant on 18/3/2020 applied for Technical Clearance to the North Goa PDA, however

vide letter bearing No. NGPDA/M/1806/1554/2020 dated 27/07/2020, the same was not considered by the North Goa PDA citing three observations, one amongst which was that the property is now earmarked as Recreational zone in the Mapusa Outline Development Plan 2021 and hence the coverage permissible is 5% and FAR permissible is 5.00 and height permissible is 5.00 mts. The proposal was therefore not considered by North Goa PDA for approval as FAR coverage and height of the building exceeded the permissible limit.

The Appellant therefore states that they are rudely shocked to learn from the Respondent that their property has been wrongly, erroneously and ex-post facto after grant of Sanad to the Applicant has been zoned as “Recreational zone” in the Final Mapusa ODP 2021.

The Appellant has therefore prayed for following:

- a. Appeal be allowed;*
- b. The letter dated 27/07/2020 bearing ref. No. NGPDA/M/1806/1551/2020 issued by the Member Secretary, NGPDA be quashed and set aside.*
- c. The application bearing inward No. 2153 dated 18/03/2020 and be allowed.*
- d. Technical sanction be awarded to the Applicant in respect of the proposed construction in the property surveyed under Chalta No. 1/13 P.T. Sheet No. 127, Mapusa Taluka, Bardez Goa.*
- e. Any other order or relief as deemed fit by the Authority.*

The matter was earlier taken up for hearing by the Board for which Advocate of the Appellant Shri Raunaq Rao was present but the matter was not taken up for discussion as Shri R. K. Pandita, Member Secretary of North Goa PDA had telephonically requested for adjournment citing the reason that they shall not be able to attend to the hearing in view of situation arisen in their Authority out of Covid-19 pandemic. The request was considered by the Board and accordingly it was decided to take up the matter in next meeting of the Board.

Member Secretary informed that the Notices were accordingly issued to both the parties to remain present for meeting.

On behalf of the Appellant Adv. R. Rao remained present for the hearing and whereas Member Secretary Shri Pandita and Adv. Shri Saish Mhambre were present on behalf of the Respondent PDA. It was the case of the Appellant that he had earlier obtained the permission for the construction of building in the property under reference which subsequently was zoned as Recreational zone in the Mapusa ODP – 2021 thereby depriving them of the construction of their building.

Appellant also stated that they have obtained necessary Conversion Sanad from the Competent Authority which itself is a commitment made by the Government and which has been totally ignored by the Respondent PDA while preparing the Mapusa ODP. It was also the contention of the Appellant that merely because they had not carried out the construction due to lack of finance, they should not be punished now by wrong zoning of the property.

Whereas Adv. R. Rao argued that PDA has rightfully rejected the proposal of Appellant as the same was not in conformity with the zoning provisions of ODP.

Considering the arguments placed before it by both the parties, Board felt it appropriate to have further deliberations on the matter by considering various provisions under TCP Act in preparation of ODP and past commitment if any, to be honoured by PDAs in terms of grant of permissions/reports based on earlier ODPs.

It was accordingly decided to deliberate further on the matter in the next meeting of the Board with relevant details which are to be placed before the Board by the Appellant and Respondent.

Item No. 4: Appeal under Section 45 of the TCP Act, 1974 filed by Mrs. Rukmini Kharde against Greater Panaji Planning and Development Authority. (File No. TP/B/APL/193/2020)

The matter is regarding appeal under Section 45 of the Town & Country Planning Act, 1974 in respect of order dated 17/03/2020 for the development carried out in the property bearing Chalta No. 1 of P.T. Sheet No. 126 situated at Bhatlem, Panaji filed by Mrs. Rukmini K. Kharde.

The Member Secretary informed that the Appellant is aggrieved by the order dated 17/03/2020, by which approval has been granted to Mrs. Sarita Kharde in the property under reference. The plot under reference is an unpartitioned holding. The Appellant states that initially there was one original house totally admeasuring about 308 sq. mts. It is stated that the family of the Appellant are occupying the house at Bhatlem, Panaji-Goa for the last more than 75 years and specifically from the year 1932.

As per appeal memo, the proposal was submitted to Member Secretary, GPPDA vide inward No. 1017 dated 09/11/2018 by Smt. Sarita S. Kharde & others represented by (POA holder for Mr. Anil S. Kharde) requesting for issue of Development Permission for Single Family Dwelling in property bearing Chalta No. 1 (part A) of P.T. Sheet No. 126 of Panaji city.

As per the records, NGPDA had earlier issued Development Permission vide Ref. No. NGPDA/1485/2939/12 dated 02/02/2012 for construction of single family dwelling and thereafter renewal of Development Permission was issued vide ref. No. NGPDA/1485/2370/15 dated 10/03/2015 in favour of Smt. Sarita Kharde.

The said Development Permission was issued by NGPDA based on the documents submitted by the applicant such as certified copy of suit, written statement order and decree dated 26/03/1987 issued on 08/05/2015 by Hon'ble Court of Civil Judge Junior Division at Panaji under Civil Suit No. 4/85/B. By virtue of said documents applicant was declared as owner of the property bearing Chalta No. 1 (Part A) of P.T. Sheet No. 126 of Panaji city, admeasuring 153.00 m² in which the said proposal was approved.

Smt. Sarita Kharde submitted the fresh proposal for single family dwelling to the GPPDA which is without any changes in the plan as that approved earlier and therefore the Authority approved the said proposal vide ref. No. GPPDA/180/PAN/936/2018 dated 28/11/2018 in the property allotted to Smt. Sarita Kharde in accordance to the Civil Suit No. 4/85/B, for applicant having been declared as the absolute owner of plot admeasuring 153.00 m2.

It is stated that the Authority further received revised plan of Single Family Residential House, for grant of Development Permission for alteration and addition carried out in the earlier approved plan and being found in conformity with regulations in force, the Authority issued Development Permission vide Ref. No. GPPDA/18/PNJ/1033/2020 dated 17/03/2020 in favor of Smt. Sarita Kharde.

The Appellant Smt. Rukmini Kharde therefore prays:

- A. The impugned Order dated 17/03/2020 passed by the Respondent No. 2, Greater Panaji Planning and Development Authority be quashed and set aside.
- B. The Respondent No. 3, the Corporation of City of Panaji be directed not to issued Occupancy Certificate the Respondent No. 1.
- C. Pending disposal of the appeal, the impugned Order dated 17/03/2020 be stayed.
- D. Ex-parte reliefs in terms of prayer clause c.
- E. Such other and further reliefs as this Hon'ble Court may deem fit in the circumstances of the case.

During the hearing, Adv. A Agani appeared on behalf of Appellant and Adv. Shri Saish Mhambre appeared on behalf of GPPDA.

At the outset, it was brought to the notice of the Board that the PDA had granted the development permission in favour of Smt. Sarita Kharde and as per the provision under Section 45(1) of the TCP Act, only the applicant can appeal to the Board if he is aggrieved by the Order passed u/s 44 by the Authority or were no order is passed by the Authority.

The question therefore raised by the Respondent Advocate was about the maintainability of the appeal itself.

After considering the arguments placed before the Board by both the parties, it was finally decided by the Board that the appeal is not maintainable and accordingly disposed the same.

Item No. 5: Appeal under Section 52 of the TCP Act, 1974 filed by Mrs. Rosa Maria Lopes against Greater Panaji Planning and Development Authority. (File No. TP/B/APL/194/2020)

Member Secretary informed that the matter is regarding appeal filed under Section 52 of the Town & Country Planning Act, 1974 in respect of final notice issued by GPPDA bearing No. GPPDA/ill-constn/05/Tal/228/2020 dated 16/07/2020 regarding illegal development carried out in the property bearing Sy.No. 61/7 of Village Taleigao, Tiswadi Taluka, where the property is earmarked as Settlement zone (S3) in the Outline Development Plan of Taleigao. As per the appeal memo, the Appellant resides in the house bearing No. 19/46/1, situated in survey No. 61/7 of Village Taleigao for the last several years.

It is seen that the GPPDA had received a complaint dated 02/08/2016 regarding the unauthorized development for which purpose, a site inspection was carried out by the officials of the Respondent Authority on 10/08/2016 and it was observed that Appellant has carried out and an illegal development in the property bearing survey No. 61/7 of village Taleigao, which is zoned as “Settlement S-3 Zone” under Outline Development Plan of Taleigao.

A show cause notice was issued to the Appellant by the Respondent under ref. No. NGPDA/illegal/Gen/Vol-V/1336/16 dated 12/09/2016, whereby Appellant was called upon as to why action under Section 52 of Town and County Planning Act, 1974 should not be initiated for demolition of the illegal/un-authorized development. The Respondent also issued a notice vide its ref. No. NGPDA/illegal/Gen/Vol-V/1337/16 dated 12/09/2016 under Section 53 of TCP Act, directing the Appellant to stop the work.

In response, the Appellant filed a detailed reply to the show cause notice denying about any illegal construction carried out by her and stating that she has carried out only the repair work to her existing house bearing No. 19/46/1, which she claimed to be 82 years old and that too with the permission of Village Panchayat Taleigao.

On receipt of application for regularization of house under Section 44 of TCP Act, the Respondent obtained legal opinion pertaining to ownership title/possession of land by the Appellant and subsequently the application was rejected by the Authority after placing the same in 11th meeting of the Authority, for having found the reply unsatisfactory and for the plans for not being in conformity with the relevant rules and regulations and accordingly the Respondent issued final notice u/s 52 of the TCP Act.

During the hearing, the Appellant remained absent although the notices were issued to remain present for the meeting. Whereas Adv. Shri Saish Mhambre remained present on behalf of the authority,. During the hearing Adv. P. Shetye filed an application to allow him to be the intervening party, for he being the complainant in the matter. The same was agreed upon by the Board. The intervening party Shri Anton Xavier Fernandes stated that he would like to make his written submission during the next hearing of the appeal and the same was also agreed upon. The matter was thereafter adjourned for further hearing in the next meeting.

Item No. 6: Appeal under Section 45(1) (b) of the TCP Act, 1974 filed by Mr. Rahul Kamat Damodar Shankhwalker against Greater Panaji Planning and Development Authority. (File No. TP/B/APL/195/2020)

The Member Secretary informed that the matter is regarding appeal under Section 45 (1) (b) of the Town & Country Planning Act, 1974 in respect of construction of residential house comprising of an upper floor bearing Municipal house No. E-139(OLD)/5/10(NEW) surveyed under Chalta number 131A of P.T. Sheet No. 74 admeasuring 95.00 sq. mts. situated at Fontainhas Panaji.

Adv. Jagannath Mulgaonkar appeared on behalf of Shri Rahul Kamat Damodar Shankwalker and Adv. Shri Saish Mhambre appeared on behalf of Respondent. The Appellant stated that he has applied for Development Permission under Section 44 of the Goa Town and Country Planning Act, 1974 vide application dated 16/09/2019, inwards on 19/09/2019 with the Member Secretary, North Goa Planning and Development Authority, Panaji-Goa which is accompanied with the requisite drawings and documents such as the questionnaire, Deed of Sale, Form D, survey plan, structural liability certificate and the Affidavit, etc. He further informed that the property in which he has proposed the development is situated in conservation zone and is classified as Commercial (Conservation) and further stated that as per established procedure, the NGPDA was required to forward the application to the Conservation Committee to seek its approval, which it has failed to do. He further stated that it has been 11 months since the application was inwards with the NGPDA however the Authority has failed to act on it.

While arguing on behalf of Respondent PDA Adv. Shri Saish Mhambre informed that the delay was caused due to certain Court matters, however the application of the petitioner has been processed by the GPPDA and has now been forwarded to the Member Secretary, Conservation Committee to decide further on it and that only after receipt of any reply from the Member Secretary Conservation Committee, it shall act further on the application of petitioner.

The Board therefore took note that the PDA has already acted upon the application and hence nothing more survives in the appeal, as the very purpose for which it was filed, has been met and accordingly disposed off the appeal without any further directions to the Respondent.

Item No. 7:- Proposal for draft Outline Development Plan – 2030 (revised) plan for Vasco-da-Gama planning area for Government approval under Section 34 of Town & Country Planning Act, 1974.

The Member Secretary informed that Mormugao Planning and Development Authority has submitted Draft ODP-2030 plan of Vasco-da-Gama Planning Area under Section 34 of Town & Country Planning Act, 1974

vide letter bearing No. MPDA/ODP-2030/2020-21/655 dated 30/10/2020 for approval of Government and further informed that the Government under Section 39 of Town & Country Planning Act, 1974, had issued directions to MPDA to take up the process to prepare a fresh ODP for Vasco-da-Gama Planning Area by following the procedure under Sec. 29, 30, 34 to 37 of Town & Country Planning Act, 1974 and the said directions were communicated to MPDA vide ref. No. 36/1/TCP/324/2018/2629 dated 28/12/2018.

It was further informed that MPDA was also directed to take up the preparation of Land Use Map and Land Use Register indicating present use of the land under Vasco-da-Gama Planning Area under Sec.26 & 27 of Town & Country Planning Act. The Board was informed that the said Land Use Register and Map was approved by MPDA in its 2nd meeting held on 18/11/2019 and it was also decided to adopt the same.

Member Secretary of Mormugao PDA Shri Ashok Kumar then informed that the Authority in its 5th meeting held on 20/5/2020 resolved to revise the Outline Development Plan for Vasco-da-Gama Planning Area – 2030 in consultation with the Local Authorities within the jurisdiction of the Planning Area after conducting fresh survey of the Planning Area, as per the provision of Sec.39 of Town & Country Planning Act, 1974.

Member Secretary, Mormugao PDA informed that communication was sent to all the Local Authorities informing about the process undertaken of revising the ODP and seeking their participation. He informed that as required under the procedure, all the local authorities stand consulted.

Thereafter, the Draft ODP – 2030 for Vasco-da-Gama Planning Area is prepared by MPDA after carrying out fresh surveys, wherein, the corrections of missing open spaces, Water Bodies, corrections of ODP road as per site conditions were shown. Also change of zones as per the Gazette Notification which were not reflected in the ODP – 2026 are shown and also incorporated the changes as suggested by the Village Panchayat of Chicolna-Bogmalo.

It was further informed that the Draft ODP - 2030 for Vasco-da-Gama Planning Area was placed in the 6th meeting of the Authority held on 16/9/2020 and salient features of the ODP – 2030 were explained to members. It was also explained that the property bearing Sy.No.19 of Chicolna Village was changed from existing Settlement to A-1 (Agriculture) as per the request from the V.P. Chicolna- Bogmalo after site verification.

Member Secretary Mormugao PDA informed that corrections/changes are incorporated in the Draft ODP for Vasco-da-Gama Planning Area – 2030 which are as under:

- 1) The zone was converted from Agricultural(A-2) to Settlement (S-1) zone in Sy.No.6 Sub-div.No.4 & 6(part) of Chicalim Village as per Gazette Notification;
- 2) Change of zone C-2 to C-1 in Sy.No.8/1-B of Dabolim Village as per the Notification;
- 3) Settlement zone which was inadvertently shown as open space in ODP-2026 was corrected as per sub-division approval corrected to S-1 zone in Plot No.8 of Sy.No.39 & 40 of Dabolim Village;
- 4) The open spaces and roads in Sy.No.181 & 182 of Sancoale Village were corrected as per the final sub-division approval;
- 5) Property bearing Sy.No.19 of Chicolna Village was changed from existing Settlement to A-1 (Agriculture) as requested by the Village Panchayat of Chicolna-Bogmalo;
- 6) Water Bodies (four Nos.) adjacent to property bearing Sy.No.19 of Chicolna Village was corrected as per the request of Village Panchayat of Chicolna-Bogmalo;
- 7) The existing Crematorium was shown in Sy.No.4 of Chicolna Village;
- 8) Open spaces were corrected in Sy.No.197 of Sancoale Village as per the approved final sub-division plan;
- 9) The road alignment has been changed in Sy.No.22 & 23 of Chicolna Village as per the site condition.

Member Secretary Mormugao PDA further informed that the Authority also agreed to take up a few changes of land use and alterations/corrections of the ODP roads on suo-moto basis, which he mentioned were as under:

- a) The property owned by Mormugao PDA at Dabolim bearing Sy.No.14/1(part) admeasuring an area of 26,670.00 sq.mts. recommended to change from existing part C-1/S-1 zone (Settlement) to C-1 Zone (Commercial);
- b) The 15.00 mts. wide road is recommended to reduce to 10.00 mts. in width in Sy.No.64, 14, 15 and 16 of Chicolna Village and alignment of road;
- c) Zone was recommended to change from S-4 to I (Institutional) zone having an area of 10,000.00 sq.mts. in Sy.No.4 of Chicolna Village;
- d) Zone was recommended to change from S-1 to C-1 in Ch.No.51-A of P.T.Sh.No.116 of Vasco City at Baina, admeasuring an area of 975.00 sq.mts.;
- e) Zone was recommended to change from C-1 to S-1 in Ch. No.22 & 26-A of P.T.Sh.No.69 of Vasco City having an area of 316.00 sq.mts. at Vaddem, Vasco da Gama as per the request of Owner of the plot;
- f) Zone was recommended to change from A-1 to S-1 zone admeasuring 4,270.00 sq.mts.in Sy.No.17/1 of Dabolim Village;
- g) Zone was recommended to change from S-1 to C-1 admeasuring an area of 5,800.00 sq.mts. and A-2 to S-1 admeasuring an area of 5,500.00 sq.mts. in Sy.No 21/1(part) of Dabolim Village;
- h) Zone was recommended to change from S-2 to S-1 in Plot No.B-3 and B-4 of Sy.No.24/12 of Dabolim Village admeasuring an area of 595.00 sq.mts.;
- i) Zone was recommended to change from Industrial zone to Settlement (S-1) zone in Sy.No.188 of Sancoale Village admeasuring an area of 5,262.00 sq.mts.;
- j) Zone was recommended to change from S-1 to C-1 admeasuring an area of 500.00 sq.mts. in Ch.No.147, 148 & 149 of P.T.Sh.No.156 of Vasco City;

- k) Zone was recommended to change from C-2 to C-1 admeasuring an area of 2,143.00 sq.mts. at Mangor in Ch.No.27, 81, 82 & 83 of P.T.Sh.No.139 of Vasco City.

It was then informed that the Mormugao PDA has approved the Draft ODP - 2030 for Vasco-da-Gama Planning Area with the changes/corrections as suggested and the same ODP is now submitted to the office of Chief Town Planner (Planning) for placing it before the Town & Country Planning Board for according Government approval under Section 34 as per the provisions of Town & Country Planning Act, 1974.

After having due deliberations on the proposals incorporated in the ODP and considering the justification as given by the Member Secretary Mormugao PDA for the same, the Board recommended for the approval of the draft ODP by the Government.

Member Secretary was accordingly directed to undertake the further procedure.

Item No. 8:-Proposal of Se-Old Goa Village Panchayat for inclusion of additional properties in Greater Panaji Planning and Development Authority (Kadamba ODP).

Member Secretary informed that the Government vide notification No. 28/10/TCP/2017-18/1824 Series I No. 23 dated 06/09/2018 had revised Kadamba Planning Area to the extent of 150.00 mts. on either side of right of way of National Highway 4A, upto the point of hotel Fern Kadamba.

It was further informed that the proposal of Se-Old Goa Village Panchayat as adopted vide their resolution bearing No. VP/SOG/TIS/2020-2021/451 dated 27/08/2020 for inclusion of additional area in Greater Panaji Planning and Development Authority was earlier discussed in 170th meeting of the Board and it was felt appropriate by the Board that the proposal need to be studied further and requires to be discussed at length in next meeting of the Board.

The proposal as received from SE-Old Goa Village Panchayat was accordingly taken up for discussion viz-a-viz the plan submitted by the Village Panchayat showing the additional area to be included under the Kadamba Planning Area. The Board observed that as proposed by Village Panchayat, the planning area which was earlier restricted to 150 mts. on either side of the road is now extended to 200 mts. from the either side of the same road and the same is extended upto the village boundary of Corlim. It was also observed that the Village Panchayat has proposed for further extension of planning area beyond the 200 mts. line as referred above by including total area under certain properties bearing independent survey numbers such that the same properties are not getting bifurcated. It was observed that the same concept was not adopted uniformly by the Village Panchayat.

After having deliberation on the same, it was suggested by the Members that it would be more appropriate that in case it is required to extend further the planning area, the same shall be in line with the already notified planning area, thus the further area to be included shall be restricted to a width of 150 mts. only, upto the village boundary of Corlim Village.

Member Secretary was asked to prepare a plan accordingly for further consideration of the proposal and to decide finally on the matter.

Item No. 9:- Proposals received under Section 16B of the TCP Act for consideration under Section 12 of TCP Act.

With notification of Section 16B of TCP Act, the Town & Country Planning Dept. has started receiving applications u/s 16B. The proposals as received under Section 16B were scrutinized in terms of site conditions and potentialities of the area under Section 10 of TCP Act and were placed before the Board for consideration as required under the provisions of Section 12 of the TCP Act and the decision taken on the same are as recorded in Annexure 'A', which forms the part of these minutes.

Due to paucity of time, the decisions only on cases reflected from Sr.No. 1 to 41 were taken and the rest of the cases from Sr.No. 42 to 46 were adjourned for discussion in the next meeting.

Item No. 10: Proposals received under Section 16B of the TCP Act for consideration under Section 13(2) of TCP Act.

This agenda item was not taken up for discussion as the meeting was adjourned.

Item No. 11: Any other item with permission of the Chair.

No other issues were discussed under this item.

Meeting was accordingly adjourned.