

MINUTES OF THE 17TH MEETING OF THE CONSERVATION COMMITTEE HELD ON 06/06/2018 AT 04.00 P.M. IN CONFERENCE HALL, MINISTER'S BLOCK, SECRETARIAT, PORVORIM – GOA

The following attended the meeting:

The meeting was attended by the Chairman and Members as indicated below:

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| 1) Shri Vijai Sardesai,
Hon'ble Minister for Town & Country
Planning Dept. | --- | Chairman |
| 2) Shri J. Ashok Kumar,
Secretary (TCP) | --- | Member |
| 3) Shri Marwin Gomes,
Chief Architect | --- | Member |
| 4) Smt. Blossom Medeira,
Director of Archives and Archeology | --- | Member |
| 5) Shri Pradosh Naik,
ASI-Old Goa Circle | --- | Member |
| 6) Arch. Ketak Nachinolkar, Govt. Nominee | --- | Member |
| 7) Er. Ernesto Moniz, Govt. Nominee | --- | Member |
| 8) Arch. Rajeev Sukhtankar, IIA | --- | Member |
| 9) Er. Chandrashekhar G Prabhudesai, IEI | --- | Member |
| 10) Arch. Snehalata Pednekar, ITPI | --- | Member |
| 11) Arch. Ankit Prabhudesai, CREDAI | --- | Member |
| 12) Shri Rajesh J. Naik,
Chief Town Planner (Planning) | --- | Member Secretary |

At the outset, the Chairman welcomed all the members.

Item No. 1:- Confirmation of minutes of 16th meeting of Conservation Committee held on 12/03/2018.

It was informed to the Committee that the Minutes of 16th meeting of Conservation Committee were circulated to all the members vide letter No. 27/15-2/TCP/CC/2018/739 dtd. 20/04/2018. No comments have been received on the same. Hence the minutes were confirmed.

Item No. 2: Proposed repair/renovation of existing house and addition of first floor (Part) situated in property bearing Chalta No. 63 P.T. Sheet No. 74 of Panaji city by Shri Sadhashiva Vinayak Vaigankar (File No. 27/15-3/830/TCP/C.C/ 2018)

It was informed to the Committee that the proposal is received from North Goa Planning & Development Authority vide letter dtd. 03/05/2018 for proposed repair/renovation of existing house and addition of first floor (Part).

The Technical Members Arch. Ketak Nachinolkar, Arch. Snehalata Pednekar, Eng. Chandrashekhhar Prabhudessai and Arch. Shri John Marcelo inspected the site on 14/05/2018 and it is observed that the small house has no proper access which is sought to be rebuilt. It was also observed that the same structure is not directly visible from the main road and is surrounded by some new structures which were found to be of suspicious legality.

The Technical Members have recommended the proposal.

The Committee deliberated on the same and decided to approve the same by considering the nature of development.

The proposal for repair/renovation of existing house and addition of first floor (Part) therefore stands approved.

Item No. 3: Proposed re-construction of Kasturba Matoshri High School building situated in property bearing Chalta No. 211,212, 312 of P.T. Sheet No. 35 at Panaji City by Shree Shikshan Pravartak Mandal. (File No. 27/15-3/631/ TCP/C.C/2018)

It was informed to the Committee that the proposal is received from North Goa Planning & Development Authority vide letter dtd. 09/05/2018 for proposed re-construction of Kasturba Matoshri High School building.

Earlier, the proposal was placed in the 100th meeting of the Conservation Committee held on 11/02/2009 and was approved from conservation point of view.

The Technical Members Arch. Ketak Nachinolkar, Arch. Snehalata Pednekar, Eng. Chandrashekhhar Prabhudessai and Arch. Shri John Marcelo inspected the site on 14/05/2018 and it is observed that the old building is sought to be demolished and rebuilt with additional floor. Further, it is observed that there is no proper access to the plot under reference. The Members were of the view that the building bears strong character and its historic features needs to be maintained. The Technical Members did not recommend the proposal as the above features are not reflected properly.

On 06/06/2018, the applicant submitted the revised drawing to the office of the Chief Town Planner (Planning), by incorporating the suggestions as made by the Technical Members during the site inspection. The proposal was discussed at length during the meeting. The revised plan submitted were perused by the Technical Members and it was observed that the revised proposal submitted sufficiently reflects the character of the area and hence the observations raised earlier stand complied.

After detail deliberations, the Committee decided to approve the proposal.

The proposal for re-construction of Kasturba Matoshri High School building therefore stands approved.

Item No. 4: Proposed construction of residential house in Sy. No. 217/3 of Quelossim village Mormugao Taluka by Shri Antonio Almeida. (File No. 27/15-3/ 829/TCP/C.C/2018)

It was informed to the Committee that the proposal was received from Director of Archives & Archaeology vide letter dtd. 11/04/2018 for proposed construction of residential house.

The permission was granted for proposed construction of residential house by Mormugao Taluka Office vide letter no. DH/3193/5/MTP/2015/73 dtd. 21/01/2015. The construction licence is also issued by office of the village Panchayat Cortalim-Quelossim vide letter No. VP/CQ/Const licence/45/2015-16/3131 dtd. 22/02/2016.

The applicant has also obtained Conversion Sanad from office of the Dy. Collector/SDO, Mormugao, for an area admeasuring 255.00 sq.mts. for residential purpose vide letter No. 11/DYC/MOR/CONV/27/2015/ 4578 dtd. 04/01/2016.

The Director of Archives & Archaeology has mentioned in their letter that the permission was granted within 100 mts. from the State protected monument of the site of Shree Shantadurga Temple, without having NOC from Director of Archives & Archaeology.

The Technical Members inspected the site on 14/05/2018 and it is observed that the residential structure approved is located in the vicinity of protected site of ruins of Shree Shantadurga Temple. The Technical Members further observed that the site is largely unexplored and needs investigations for test pits on the other side of road. The Members noted that proposed structure is behind the Temple and is also separated by road. It was informed to the Committee that the old Shantadurga

Temple is in the list of structures to be notified in the Goa Land Development & Building Construction Regulations, 2010. The Directorate of Archives clarified that the Temple is already notified as State protected monument.

Considering the report of the Technical Members, the Committee decided to grant approval subject to the investigation report of test pits being favourable.

Item No. 5: Revised plan for proposed construction of Residential Building at Sy. No. 124/1 of Ella village, Tiswadi Taluka by Shri Ajit B. Shirodkar. (File No. 27/ 15-3/783/TCP/2018)

It was informed to the Committee that the proposal is received vide letter dtd. 14/05/2018 from Office of the Dy. Town Planer, TCP Dept., Tiswadi Taluka office for proposed construction of Residential Building (revised plan).

Earlier, the proposal was placed in the 12th meeting of Conservation Committee meeting held on 28/04/2016 and it was decided to approve the proposal subject to condition that the colour scheme be revised as suggested by the Technical Members.

Subsequently, the Tiswadi Taluka Office had forwarded revised drawings vide letter dtd. 11/08/2016 and same was verified by sub-committee and thereafter the approval of the Committee from conservation point of view was communicated to the Tiswadi Taluka Office vide letter dtd. 22/09/2016.

It was informed that the proposal received now contains major variations, wherein the structure proposed consists of stilt, ground floor and first floor having floor area 274.63 sq mts. and having a height of 6.32 mts.

The Technical Members observed that the elevation is not keeping in tune with the character of the area, as was maintained during earlier approval. The Technical Members therefore recommended that the proposal be resubmitted.

The Committee took note of the observations raised by the sub-committee and was of the view that the proposal needs major revision so as to maintain the character as desired by the sub-committee. The Committee therefore did not approve the proposal.

The proposal for construction of residential building therefore stands rejected.

Item No. 6: Proposed Residential Wellness Center (re-construction) in Chalta No. 5 of P.T. Sheet No. 125 of Mapusa Goa, Bardez Goa by Fr. Ivo Dias (File No. 27/15-3/828/TCP/C.C/2018)

It was informed to the Committee that the proposal was received from North Goa Planning & Development Authority vide letter dtd. 04/04/2018 for Residential Wellness Center (re-construction).

The proposal consisted of ground + 2 structure above stilt with a height of 11.35 mts. and having an area of 650.84 sq.mts.

The proposal received was not as per the Goa Land Development and Building Construction Regulations, 2010 and was not having any clear recommendation from planning point of view of the Authority. The same was informed to the Member Secretary vide letter dtd. 13/5/2018 with a request to submit the revised proposal.

In compliance, the Member Secretary has submitted revised plans vide letter dtd. 17/5/2018.

The proposal now consists of stilt, upper ground floor, first floor and second floor with a height of 11.35 mts. and is now having an area of 954.26 sq.mts. The Technical Members informed that they could not go through the revised drawings so as to offer their comments in the matter.

During the discussion on the proposal with reference to the earlier observations raised, it was informed that the Member Secretary, NGPDA vide his letter dtd. 17/5/2018 has submitted the revised plans with necessary corrections. Whereas it was observed that the said letter again does not mention anything specific about the recommendation of the Authority from planning point of view, although the same was sought vide letter dtd. 13/5/2018.

The Committee therefore decided to refer back the matter to North Goa PDA, asking for clear recommendation/approval of the Authority from planning point of view for further consideration of the proposal by the Committee, from conservation point of view only.

Member Secretary was accordingly directed to communicate the decision of the Committee to the Authority.

Item No. 7: Suggestions to preserve Goan Culture and Heritage. (File No. 27/15-2/C.C/OBJECTION-SUGGESTION/2018)

The Department is in receipt of letter dtd. 24/6/2017 from Directorate of Archives & Archaeology, Panaji wherein representation received from Additional Collector-II and suggestion received from Department of Public Grievance, Secretariat, Porvorim are forwarded to TCP office, requesting for preservation of Goan Culture and Heritage. It is stated that Goa is influenced by Portuguese culture and their buildings and art works are famous till today.

It is their say that the Modern developments are spoiling the city's age old streets, colonies, churches, and have also stated that there should be no more new buildings, new structures to be built in the name of modernization and spoiling the states age old colour and culture, buildings, houses and churches. It is therefore their request not to allow new structures to be built.

Also, Directorate of Archives & Archeology vide their letter dtd. 15/11/2017 has forwarded representation of Shri Prajal Sakhardande regarding preservation of the ancient Temple of Betal in Paiguinim, Canacona.

It was also informed that a letter is received from Shri Domnick Mendes requesting to declare village of Chandor as Heritage Conservation area.

The Committee deliberated on the representations and decided to form a comprehensive Conservation/Heritage Policy which shall provide guidelines to permit any development in the areas felt necessary to be conserved and to provide guidelines in this regard, such that apprehensions raised by various stake holders are sufficiently addressed. For this purpose, it was decided to constitute a sub-committee comprising of all the Technical Members of the Committee, Director of Archives & Archeology, Goa and Shri James Mathew, Chief Town Planner(Admin) as the Convenor.

It was decided that the sub-committee shall formulate a policy in this regard and submit it to the Committee by 30th July, 2018.

Item No. 8: Proposed development of Reis Magos Fort and Reis Magos village along with development of Passenger Ropeway between Panaji and Reis Magos at Sy.No. 91/1 of Reis Magos village, Chalta No. 7 of P.T. Sheet No. 97 & Chalta No. 1 of P.T. Sheet No. 79 of Panaji city by Dy. General Manager (Co-Affairs), Goa Tourism Development Corporation Ltd. (File No. 27/15-3/819/TCP/2017)

It was informed to the Committee that the proposal was earlier discussed in 15th meeting of Conservation Committee held on 22/11/2017, in which certain suggestions were made to be incorporated in the proposal. The Committee had also recommended that the Tower shall be covered with suitable material considering aesthetic features to match with surrounding area.

Proposal was again placed in the 16th meeting held on 12/3/2018 and it was informed that it is for inclusive development of Reis Magos Fort and Reis Magos village alongwith development of passenger ropeway between Panaji and Reis-Magos. The proposal consisted of re-opening in the backside (North-West) of the Fort Wall, illumination of the Fort, conducting Light & Sound show at the back side of the Fort and running battery-operated buggies for transporting tourists.

It was informed that a note of GTDC addressed to Hon'ble Minister for TCP was also received by the Department, by which relaxations are sought from the office of North Goa PDA pertaining to height of the terminal building to 40.00 mts. and floor height to 6.00 mts. Also, coverage relaxation upto 40% is sought. GTDC also requires change of zone to Commercial Special (CS) having FAR of 250.

Further, it was informed that earlier a meeting was convened on 2/2/2018 in the Conference Hall, Secretariat by the Chairman-Conservation Committee/ Hon'ble Minister for TCP to discuss and resolve issues faced by GTDC in executing the project. During the meeting, Smt. Blossom Medeira, Director of Archives and Archaeology had raised apprehensions regarding stability of Fort walls which may get effected during construction of Tower. The Committee was of the opinion that the foundation of the Fort Walls be checked thoroughly by the Competent Authority so as the Fort is not endangered during the execution of the work. It was accordingly decided that the site shall be inspected by the Technical Members to ascertain the stability of Fort Walls.

It was informed that the proposal was considered for approval by the Conservation Committee in its 16th meeting held on 12/3/2018 subject to compliance of the decision as taken in meeting dtd. 02/02/2018.

The site inspection was accordingly carried out by the Technical Members on 14/5/2018 and the proposal in totality and its impact on the fort wall and the surrounding was studied and the following was observed:

1. The development is in the vicinity of the historic fort of Reis Magos.
2. The main block proposed is far away from the fort.
3. Proposed tower is close to the fort wall on the slope.

The Technical Members also observed following impacts:

- i) Archaeological – Away from the Fort area hence negligible.
- ii) Visual – The tower which is much higher than 80.00 mts. is quite imposing affecting the visual impression of the fort on the west side from the road below. This will also be a hindrance to the Vicco from the bastion of the fort.
- iii) Architectural – Not competing with the architectural character of the fort.
- iv) Physical/structural – No direct touch but the slope which is steep with the fort above, hence digging and rock breaking for foundation might impact the structural stability of the old fort which already has cracks in the bastions.

During the discussion, it was informed that the Technical Members did not recommend the proposal in view of the observations cited above. It was also the opinion of Technical Members that the tower be shifted away from line of sight of the Fort.

The Committee deliberated at length on the findings of the Technical Members. Considering the importance of the project for the state of the Goa vis-a-vis the observations raised, the Chairman opined that a joint meeting be held with the consultant of the project, so that observation raised by Technical Members could be addressed. Accordingly, it was decided to hold a joint meeting of the Conservation Committee Members, GTDC, Director of Archives & Archaeology and the project consultant on 12/6/2018 and it was further decided that any decision taken in the said meeting shall form the part of these minutes.

Accordingly, a meeting of the Technical Members of the Committee with consultants was held on 12/6/2018 and it was decided to shift the location of the tower such that the concerns of the Conservation Committee are addressed, which was agreed by the consultants. The consultants are therefore required to submit revised plans, which shall then be circulated among the members for their comments and further necessary action accordingly.

Item No. 9: Any other item with the permission of chair**Completion Certificates in Conservation Area**

It was informed to the Committee that the role of Conservation Committee is limited to recommending approvals for construction of buildings in designated conservation areas, however once the building is completed, the said proposal does not come before the Committee for issue of Completion Certificate. The Committee therefore expressed its inability in exercising its control on the development in conservation area, once it is permitted.

It was brought before the Committee that there are instances of construction which are not conforming to the approvals granted by the Conservation Committee thus causing threat to the character of the streets in designated conservation areas. After deliberation, the Committee decided that instructions are to be issued to PDAs/TCP offices to ensure that the approvals granted by the Conservation Committee are strictly adhered to without any deviation from conservation point of view. Before issuing Completion Certificate this aspect shall be duly considered and strictly adhered to. If there is any deviation from the approval granted by Conservation Committee then NOC from the Committee shall be withdrawn.

The Member Secretary was accordingly directed to issue necessary instructions to all the concerned District Offices/PDAs, dealing with the conservation matters.

The meeting ended with thanks to the Chair.