**AGENDA FOR 178th EXTRAORDINARY MEETING OF THE TOWN & COUNTRY PLANNING BOARD SCHEDULED TO BE HELD ON 18/04/2022 AT 10.30 A.M. AT VAN BHAVAN, ALTINHO, PANAJI – GOA.**

**Item No. 1: Briefing about the 177th TCP Board meeting held on 20/12/2021.**

177th meeting of TCP Board was held on 20/12/2021 and the same was adjourned.

177th (Adj.) meeting (1st seating) was held on 29/12/2021. The said meeting was further adjourned and 177th (Adj.) meeting (2nd seating) was held on 03/01/2022. Minutes of the same were prepared and confirmed by circulation.

Submitted for information of the Members.

**Item No. 2: Empanelment/Registration of Notary Architects and Notary**

**Engineers.**

 As per the Goa Land Development and Building Construction

Regulations, (latest amendment) “Notary Architects or Notary Engineers means

an Architect or Engineer empanelled, registered and empowered by the Chief

Town Planner to issue Third Party or self Technical Clearance/Development

Permission/ Completion Order for **low risk building** or Compound wall or to issue third party or self certification for low risk building and for

facilitating issuance of the Technical Clearance/Development

Permission/ Completion Order by the Town and Country Planning

Department/PDAs for promoting ease of doing business”.

 “Low risk building” means and includes all buildings in plots formed by

way of finally approved sub-division layout of plot area upto 500m2 having

maximum built up area of 500m2 and height of building limited to ground + 2

storeys including stilt floor”.

Criteria for empanelment of Notary Architect/Notary Engineer

1. Should possess qualification of Architect and Engineer/Structural Engineer as

per Regulations.

2. Shall be not below the age of 35 years and possess atleast 10 years experience

in the field from date of registration with Council of Architecture in case of

Architects and from date of registration as Engineer or Structural Engineer

under the Goa Land Development and Building Construction Regulation for

Engineers.

3. They shall submit recommendation from Indian Institute of Architects, Goa

Chapter or Institution of Engineers, Goa Local Centre as the case may be.

4. Shall submit specimen signature, passport size photographs and residence

certificate.

5. Submit registration fee of Rs. 20,000/- for a term of 5 years.

6. Submit security deposit of Rs. 1.00 lakhs in the form of Bank guarantee.

Few applications have been received from professionals which are under

process. Order to notify Notary Architect/Engineer as competent Authority to

collect the infrastructure tax is under submission in Law Department.

This provision could act as a major reform in promoting Ease of Doing

Business (EoDB) and lot of relief to common man who want to obtain hassle

free permission without having to visit Government office.

The Board may deliberate in light of above provision.

**Item No. 3:- Regarding Time limit to dispose off applications received by the TCP Department and the PDAs.**

As provided under the Goa Land Development & Building Construction Regulations, 2010 all application received by the Town & Country Planning Department are to be processed and disposed of within 45 days from the date of receipt of the applications except for the cases where reference to the Government or Conservation Committee, legal opinion or approval from any other agencies is necessary. The Chief Town Planner is the Appellate Authority, in case of failure to dispose of the application by the respective District/Taluka level offices, within the stipulated period. In the event, the application is not disposed of within the said stipulated period it shall be deemed as a refusal and appeal lies from such deemed refusal which is required to be preferred within a period of 3 months from the date of such deemed refusal and such appeals are to disposed of by the Appellate Authority within a period of 45 days from the date of receipt of memo of appeal.

The Notification dtd. 6/6/2016 issued by the Department of Public Grievances pertaining to the Goa (Right of Citizens to Time-Bound Delivery Public Services) Act, 2013, the time limits within which services are to be provided is specified, as per which the TCP Department is required to dispose off applications pertaining to Technical Clearances for building/development plan within 30 days from the receipt of applications. The same time limit is given to the PDAs within which Development Permissions under Section 44 of the TCP Act are to be issued by it.

It is however the case that in most of the cases, the applicants are not able to obtain their permissions within the prescribed time limit there by defeating the purpose of the Act. The procedure followed in issuing the permissions including the site inspections, meetings, hierarchical order through which they are processed, leads to the delay in grant of permissions.

The procedure followed therefore needs to be streamlined keeping in tune with Ease of Doing Business and in compliance to Right of Citizens to Time-Bound Delivery of Public Services.

The Board may deliberate.

**Item No. 4:- File Management System to be adopted in the Town & Country Planning Department and PDAs.**

It is a general complaint from the applicants that they have to have numerous trips to the offices of TCP Dept. and PDAs to inquire about the progress in the matter of the proposals they have submitted before these Authorities. The grievances of the public are mostly as regards to the non-availability of the staff and no proper maintenance of records of the moment of files within the Department, which leads to lot of hardship to the general public in obtaining their permissions.

Board may therefore deliberate on a proper system to be adopted by the Department for file management and for timely disposal of the proposals.

**Item No. 5: Streamlining the procedure in issuing permissions by the Planning & Development Authorities.**

In the pre-budget meeting held on 29/03/2022, it was decided to withdraw all administrative orders issued in the past to submit the applications/files to the Government, which are not mandated under law and issue directions to further streamline on hierarchical order for granting permissions within the Department at Taluka level/District level and the level of Chief Town Planner (Planning) based on the principle of delegation of powers to the lowest level.

Similarly, in the PDAs too, it was decided to issue direction to discontinue the practice of passing the buildings/land development project in the Authority meeting and direction to be issued to grant Development Permissions at the level of Member Secretary.

Accordingly, vide Order No. 29/08/TCP/2022/141443686 dtd. 30/03/2022 directions were issued for dealing and clearing the proposals for grant of Technical Clearance for building projects, land development, etc. as per the hierarchical level specified as under:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sr.****No.** | **Type of Clearance** | **Taluka level**  | **District level** | **Chief Town Planner (Planning)** |
| 1. | Technical clearance for building projects | Upto 1,000m2 built up area | Upto 2,000m2 built up area | Above 2,000m2 built up area |
| 2. | Technical clearance for land development proposals | Upto 10,000m2 area | Upto 20,000m2 area  | Above 20,000m2 area |

 Vide said Order, the Member Secretary, PDAs werealso authorized to process and issue the permissions for all applications of Development Permissions including renewal of permission, NOC under Section 49(6) of the TCP Act, Zoning Certificate and Completion Order.

Considering further improvement in functioning of the Authorities and to facilitate the clearance of the proposals in time bound manner, further direction under Section 132 of the TCP Act are issued to all PDAs vide Order No. 29/8/TCP/2022/566 dtd. 12/4/2022 to expedite the approval process in tune with Ease of Doing Business, whereby the Member Secretary, PDAs are authorized to process and issue the permissions for all applications of Development Permissions including renewal of permission, NOC under Section 49(6) of the TCP Act, Zoning Certificate and Completion Order

The above is brought to the notice of the Board for information and ratification.

**Item No. 6: Any other item with permission of the Chair.**