**MINUTES OF 182nd MEETING OF THE TOWN & COUNTRY PLANNING BOARD HELD ON 01/08/2022 AT 11.00 A.M. IN CONFERENCE HALL, VAN BHAVAN, ALTINHO, PANAJI - GOA.**

The following attended the meeting:

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| 1. | Shri. Vishwajit Rane,  Hon. Minister for TCP | … | Chairman |
| 2. | Shri Rajesh Faldessai,  Hon’ble MLA | … | Member |
| 3. | Ms. Sandra L. Colaco,  ASW, PWD, Altinho | … | Member |
| 4. | Shri Keshav Kumar,  Chief Conservator of Forest | … | Member |
| 5. | Shri Shivanand Wagle,  Dy. Director, Agriculture | … | Member |
| 6. | Dr. Gokuldas V. Sawant,  CMO,  Directorate of Health Services | … | Member |
| 7. | Smt. Megha S. Kerkar,  Superintendent of Fisheries | … | Member |
| 8. | Captain Sanjeev Srivastav,  Indian Navy,  HQGNA (Goa) | … | Member |
| 9. | Shri Ralph De Souza,  President GCCI (Representative) | … | Member |
| 10. | Arch. Rajeev M. Sukhthanker | … | Member |
| 11. | Shri Paresh Gaitonde | … | Member |
| 12. | Adv. Nilesh Amonkar | … | Special Invitee |
| 13. | Shri Akash Khaunte,  Representative of CII | … | Special Invitee |
| 14. | Shri Avez Shaikh,  Representative of CREDAI | … | Special Invitee |
| 15. | Shri Gajanan Karkare,  Chairman IEI | … | Special Invitee |
| 16. | Shri James Mathew,  Chief Town Planner (Admn.) | … | Invitee |
| 17. | Shri. Rajesh J. Naik,  Chief Town Planner (Planning) | … | Member Secretary |

**Item No. 1: Confirmation of the Minutes of the 181st meeting of Town & Country Planning Board held on 04/07/2022.**

The Minutes of 181st  meeting of TCP Board held on 4/7/2022 were placed before the Board for confirmation. Since no comments were received from any of the Members, the Board confirmed the same.

**Item No. 2: Appeal under Section 45(1) of the TCP Act, 1974 filed by Mr. Prakash Bandodkar against South Goa Planning and Development Authority.**

Member Secretary informed that the present Appeal is filed against the Revocation Order bearing reference No. SGPDA/P/5781/208/22-23 dated 17/05/2022, whereby the Respondent SGPDA has revoked the Development Permission granted to the Appellant Shri Prakash Bandodkar and has ordered stopping of development work being carried out thereunder.

It was further informed that as per the appeal memo, the Development Permission under Section 44 of the Goa Town and Country Planning Act, 1974, was granted to the Appellant by the Respondent, approving the plan on 31/05/2018, for the proposed construction of building (Ground + 2) at Fatorda, Margao - Goa, in the property under Chalta No. 83 of P.T. Sheet No. 47 and that pursuant to the grant of Development Permission, the Appellant has obtained Construction License No. 4/4018-19 dated 13/11/2018 from Margao Municipal Council and thereafter the Appellant has commenced the construction of proposed building after complying with all the conditions in the Development Permission issued by the Respondent as well as the conditions as imposed in the Construction license issued by the Margao Municipal Council.

The Appellant states that he had submitted all the documents required for the grant of Development Permission including title documents namely the Deed of Sale dated 07/10/1990, whereunder the Appellant purchased the plot admeasuring 400 sq. mts. and as per the plan attached to the Deed of Sale, the said plot purchased by him is bounded on the East by public road and on the South by an access road of 3 mtrs. to serve as means of access to his plot situated on the eastern side of his plot.

The Appellant states that the plot purchased by him was carved out from the property of the Vendor, who had partitioned their larger property into various plots, vide Deed of Partition in the year 1978, with internal access leading to such plots, having a width of 3 meters.

The Respondent PDA has thereafter issued the Revocation Order under No. SGPDA/P/5781/208/22-23 dated 17/05/2022, stating that approval taken violates Condition No.2 of the Development Permission dated 31/05/2018. The Order also directs the Appellant to stop all the development work in subject property. The said Order dated 17/05/2022 calling upon the Appellant to stop all the development work in the subject property is based on the revocation of the Development Permission dated 31/05/2018.

In the appeal memo, the Appellant has stated that though the Plan showed balcony on the western side, while erecting building, he did not erect any balcony or has kept any opening on the southern side wall and the same was clarified by him vide his reply to the Show Cause Notice, that the wall on the southern building is a dead wall i.e. without any opening for ventilation.

In his reply, the Appellant has clarified that the setback of 1.50 meters is permitted on the southern side and consequently, showing or not showing of the access on the southern side was insignificant and irrelevant and hence there was no violation of any Planning Regulations in that respect and therefore, the Appellant has stated that finding in the Order that approval taken by the Appellant from the Respondent, violates condition No.2 of the Development Permission, is without any basis.

The Appellant has therefore prayed that the Appeal be allowed and impugned order be quashed and set aside.

During the hearing, the Member Secretary informed the Board that the Appeal challenges Revocation Order No. SGPDA/P/5781/208/ 22-23 dated 17/05/2022 issued by South Goa Planning Development Authority, revoking the Development Permission No. SGPDA/P/5781/330/18-19 dated 31/05/2018, giving approval to the Appellant for the development work undertaken by him in the property bearing Chalta No. 83 of P.T. Sheet No. 47 of Margao.

The Appeal was taken for hearing during which, the Appellant was represented by Adv. S. Usgaonkar and whereas the Respondent PDA was represented by Adv. Vivek Rodrigues.

Advocate for the Appellant Mr. S. Usgaonkar submitted that the sole ground for revoking the Development Permission granted to the Appellant is based on ground of misrepresentation referred to at condition no. 2 of the Development Permission and stated the allegations is that in the Plans submitted for approval, he has deliberately not shown existing 3 meters wide road touching the southern boundary of the property and thereby has sought setback of 1.5 meters, which is against the Planning Regulations and the construction of the building carried out by him, is without maintaining required setback of 3 meters on the southern side of the property.

Appellant submitted that the Site Plan very clearly shows the road on the western side touching the plot from where the access is taken to the proposed building and further stated that the alleged access/road on southern side is not a means of access to his plot and that the Site Plan shows all relevant data required to be shown under Clause 3.2C1.(a) of the Goa Land Development and Building Construction Regulations, 2010, and that there is no such requirement for showing the alleged existing access road on the southern boundary of the plot, which infact he said is a private access from the main road to the plot situated on the eastern side of his plot.

Appellant further stated that in the approval for his construction as shown in the Plan, there is no advantage or benefit taken by him of non-existence or of the existence of the said access road of 3 meters and that he has maintained required setbacks as mentioned under the relevant Regulations at Clause 4.4; namely, 4.4.2 and stated that the said regulation shows that setback distances have no reference to road bounding on the plot.

The Appellant further stated that in the present case, Clause (a) of the Regulation is attracted, because on the southern side a setback of 1.50 meters is permissible, provided it is a dead wall without provision of light and ventilation and submitted that though the drawings of the second and third floor in the approved Plan showed opening of the balcony, while erecting the building, he has not kept any such opening and has constructed a dead wall and therefore it is a matter of revision of the Plan to show the development which is in conformity of the Building Regulations. The Appellant therefore submitted that the Stop Work Order and the Revocation order be set aside and the Development Permission be restored.

Advocate for the Respondent SGPDA, Mr. Vivek Rodrigues submitted that the Revocation Order is justified because the Appellant himself has produced his title Sale Deed to which the Plan is annexed showing the plot under development, which clearly depicts 3 meter access road on the southern side of his plot and which had to be shown on the Site Plan of the approved Plan and therefore all the setbacks required under the regulations, as applicable should have been shown.

After hearing the submissions and perusing the records annexed to the Appeal Memo, the Board was of the opinion that the defect pointed out by the Respondent in the Site Plan of the approved Plan on the ground of misrepresentation of not showing the access road, is not proper. From the perusal of the Site Plan and Development Plan as well as the Plan attached to the Sale Deed, the Board observed that there is a 10 meter wide road to the west of the Appellants plot which is shown as an access to the Appellant’s plot and the development and road widening distance has been considered from such road.

The Board perused relevant Regulation Clause 3.2C1. (a) on the contents of the Site Plan and noted that there was no specific reference for showing the access/road abutting the plot from which no benefit is taken for the development. The Board also noted from the Reply dated 22/04/2022 given by the Appellant to the Show Cause Notice dated 07/04/2022, that the 3 meter road access referred in Show Cause Notice is internal/private access passing through private property and it does not proceed to anywhere in the ward.

The Board observed that in the Memo of Appeal, there is also reference to this access stating that it serves an access to the plot situated on the eastern side of the Appellant’s plot. It was also noted that the Appellant, in his Reply to the Show Cause Notice has stated that he has constructed a dead wall from the southern boundary of the plot with setback of 1.5 meter from the southern boundary.

The Board was of the opinion that the Authority has not referred to these aspects in the Order dated 17/05/2022. Further, the Board took note that the fact of construction of dead wall is also not disputed by the Respondent.

The Board observed that the Revocation Order issued by the Respondent is not fully based on the Goa Land Development and Building Construction Regulations, 2010 and the Respondent has not considered the factual aspects of the case. The Board therefore was of the opinion that the case need not be treated as a misrepresentation in the Site Plan of the approved Plan. The Board therefore was of the opinion that the Appellant should revise the drawings of the first and the ground floor by omitting the openings of the balcony and showing the dead wall conforming with the construction done in the Plot.

The Board therefore made the following Order:

*The Revocation Order dated 17/05/2022 is set aside and the Development Permission dated 31/05/2018 issued to the Appellant is Restored, subject to condition that the Appellant shall revise the drawing of the ground and first floor by omitting the openings of the balcony and showing the dead wall conforming with the construction done in the Plot.*

*Consequently, stop work order issued by the Respondent is also set aside.*

Member Secretary was accordingly directed to communicate the decision of the Board to the concerned parties.

**Item No. 3: Regulation regarding size of Agricultural/Farm plots.**

Member Secretary informed that the Goa Land Development and Building Construction Regulations, 2010, specifies the development control for sub-division of land for the properties under different zones such as Settlement, Commercial, Industrial, Agriculture, Orchard etc. (A1 & A2). Regulation No. 12.6 (Table 12) defines the minimum area of the plot and minimum length of size of these plots in various zones.

It was further informed that under the said Regulations, minimum area of the plot to be developed in the agricultural properties was 4000 sq. mts., as notified initially. The properties sub-divided under agricultural zones are entitled for construction of farm houses and for construction of other auxiliary structures for residence of farmers, poultry or animal sheds. Regulation 27, Annexure XI gives the details regarding such development activities to be permitted under agricultural lands.

Member Secretary briefed that the Government however vide Note dtd. 04/11/2013 had decided to re-examine the above guidelines for farm house & sub-division of agricultural properties and had accordingly directed to stop issuing Technical Clearance till further order for such development.

The Board was then informed that the Government thereafter vide Order dtd. 16/3/2018 had further directed to adopt Annexure VIII of the Goa Land Development and Building Construction Regulations, 2010 with additional restrictions that no trade license shall be issued by local bodies in farm house and it shall not be used as godown or storage of goods for trading/commercial use.

As per this revision, minimum size of farm plot for new Sub-division applications was 20,000m2 and following were the guidelines issued accordingly:

GUIDELINES FOR FARM PLOT SUB-DIVISION

|  |  |
| --- | --- |
| **Area of property** | **No. of plots/Division of plots permitted upto** |
| Upto 20,000m2 | Nil |
| 20,001 to 50,000m2 | 2 plots (minimum area of plot shall be 20,000m2) |
| 50,001 to 1,00,000m2 | 4 plots subject to minimum plot size of 20,000m2 |
| 1,00,001 and above | Four plots upto 1,00,000m2 and one additional plot for every 50,000m2 of area above 1,00,000m2 |

Subsequently, vide Order dtd. 27/10/2021 these guidelines were further revised as under:-

|  |  |
| --- | --- |
| **Area of property to be Sub-divided** | **No. of plots and area of plots** |
| Upto 10,000m2 | Maximum of **2** plots subject to minimum plot size of 4,000m2. |
| 10,0001 to 20,000m2 | Maximum of **3** plots subject to minimum plot size of 4,000m2. |
| 20,001m2 to 50,000m2 | Maximum of **4** plots subject to minimum plot size of 4,000m2. |
| 50,000m2 to 1,00,000m2 | Maximum of **5** plots subject to minimum plot size of 10,000m2. |
| 1,00,001m2 more | **5** plots of minimum plot size of 20,000m2, and additional entitlement of plot shall be in multiplies of 50,000m2 only. |

Member Secretary then informed that the Government is receiving representations from general public to retain regulations for sub-division of agricultural lands as was provided under initial regulations notified, wherein minimum area of the plots for agricultural sub-division was 4000m2.

Members deliberated on this issue and were of the opinion that these regulations for sub-division needs to be restored back to its original notified status, as per which, the minimum area for sub-division of agricultural plots was allowed to be 4000 sq. mts. The same was felt essential to reduce the pressure on Settlement land. While deciding on the same, the members also took under consideration the changing profile of the people, who undertake farming activities and their allied needs, as also those coming to State with intention of development of agricultural land. A separate investment sector into this field was also taken into consideration. The members were however of unanimous opinion that while undertaking such division of agricultural plots, the developer has to consider green aspects and has to ensure that the greenery is maintained.

After deliberation, the Board accordingly decided that minimum area of the plot for agricultural sub-division shall be retained as 4000m2, as was notified initially under The Goa Land Development and Building Construction Regulations, 2010.

Chief Town Planner (Admn.) was accordingly instructed to issue further necessary directions in this regard.

**Item No. 4: Guidelines regarding Farm House policy.**

Member Secretary informed that as per the Goa Land Development and Building Construction Regulations, 2010, Farm Houses are permitted in agriculture land for the purpose of carrying out farming activities for residence of farmer, farm sheds and other auxiliary structures.

As per the Farm House Regulation presently in force, maximum area permissible for farm house, irrespective of area of the plot is 500 sq. mts. and maximum permissible FAR is 5 and maximum permissible coverage for construction of farm house is also 5%. As per the prevailing regulations, maximum height permissible for a farm house is 7.60 mts.

It was further informed that Farm Houses are not permitted in low lying agricultural lands recorded as ‘Rice’ in the survey records or forest lands as per Forest Act. However, pump house are allowed in the low lying area with maximum 6.00 sq. mts. area and 1.8 mts. and this Farm Houses are to be used as residences of the owners and farm workers for storage of agricultural produce, storage of agricultural equipment, manual, pesticides for the use of farming, etc.

Present guidelines suggests that the design shall be in harmony with the surroundings and shall compulsorily have sloping roof with mangalore tile cladding.

It was brought to the notice of the Board that considering the requirement of those engaged in the farming activities and those interested in constructing a farm house, there is a demand to revise Farm House guidelines so as to permit higher FAR and coverage to accommodate their needs, for which purpose regulations shall have to be amended, primarily to promote sustainable & environment friendly construction of Farm Houses, which shall have conditions for use of less water and which shall be energy efficient and conserve natural resources and it shall have to be ensured that such Farm Houses generates less waste.

The Board deliberated on the issue and agreed that the regulations for Farm House need to be revised as the concept and the use of farm house is considerably changed, for which purpose, maximum permissible FAR and coverage need to be enhanced to 15%. It was opined that construction of swimming pool may also be permitted by imposing necessary conditions in this regard.

Considering the changing demand, the Board decided that the maximum permissible FAR and coverage for Farm Houses shall be 15% and the maximum area permissible for Farm House irrespective of the area of plot shall be 1000m2. It was further decided that such Farm Houses shall also be permitted in Agricultural land were such land is not put to any cultivation of paddy for past several years and subject to applicant submitting necessary documents to that effect. It was decided that the Department shall verify about the topography of land as regards to whether the land is low lying or not and whether the development will lead to any other adverse effect on the surrounding land and accordingly decide on granting the permission.

Further, it was decided that such Farm Houses to be permitted shall have eco-friendly and sustainable design which shall be energy efficient and shall promote water conservation and shall make optimum utilization of locally procured materials. The Farm House shall re-use waste generated from construction of such Farm Houses and should install the waste treatment system for treating organic waste.

To ensure compliance of these requirements, it was decided that the Farm Houses shall have Green Certification. For the purpose of Green compliance, it was decided to have tie-up with Indian Green Building Council (IGBC). It was also decided that the Green compliance shall be strictly checked by the Department at the time of Completion Order for the construction undertaken.

The Board therefore resolved following amendment to Farm House regulations:

1. Maximum permissible coverage 15% subject to maximum of 1000 m2 per holding.
2. The maximum area permissible for a farm house irrespective of the area of the plot will be 1000 m2.
3. Maximum permissible FAR shall be15.
4. Farm Houses shall have a pre-approval from IGBC as regards to:
5. Sustainable green design
6. Rainwater conservation provision
7. Energy efficiency with provisions for alternate energy generation
8. Utilisation of local material
9. Mechanism for disposal of solid waste

It was also decided to delete the condition from regulation which prohibited construction of Farm Houses in low lying agricultural land recorded as ‘Rice’ in the survey records and to permit the same subject to verification of site condition and other records and to decide accordingly on permissibility of construction of such Farm Houses.

Chief Town Planner (Admn.) was accordingly directed to take necessary amendment to the Regulations.

**Item No. 5: Regulations for sub-division of land notified under the Goa Land Development & Building Construction Regulations, 2010 with regards to provision of public utilities/amenities.**

Member Secretary informed that the Goa Land Development & Building Construction Regulations, 2010 specifies regulations for all sizes of plots and the said regulations specifically include the provisions for the following:

1. Right of ways for the roads.
2. Surface and strong water drainage
3. Regulation regarding sloping sites
4. Regulation regarding open spaces
5. Requirement for development of plots, open spaces and roads
6. Minimum width of plots
7. Minimum width of roads and other regulations.

It was informed that there is different set of regulation for sub-division of land for the plots having area more than 5 hac, in which case, 5% of the total plot area is required to be reserved for a provision of amenities and utilities, schools, community halls, commercial centres, etc. In addition to the above, whenever the plot area exceeds 5 hac., the development is subject to other special conditions in connection with, drainage, garbage and waste disposal, water supply and other requirement, amenities, commercial facilities, etc.

Member Secretary informed that for sub-division of land involving properties having area of more than 5 hac., provision for additional facilities such as drainage, garbage and waste disposal etc. are therefore made, whereas provision of such facilities is not mandatory under the regulations for the properties involving sub-division of land having area less than 5 hac. Thus it is observed that no specific areas are earmarked for such essential facilities like garbage and waste disposal etc. for the sub-division involving land having area less than 5 hac. It was therefore observed that the beneficiaries of such sub-division of plots involving area less than 5 hac. are deprived of such common facilities and there is intense problem of garbage management in such areas, as the plot owners has to rely only upon facilities provided in this regard by local authorities.

The Government has issued various guidelines and conditions for effective management of garbage, which presently is burning issue of the State and this issue of garbage management is also monitored by courts of law and various orders in this regard have also been issued to the local authorities.

The Board took serious concern of the matter and upon deliberation, it was decided that facilities like garbage disposal area, installation of transformer, etc. shall be made compulsory for any sub-division of land having area more than 4000 sq. mts. It was also decided that such facilities could also be installed and provided within the open space which otherwise is compulsory to the extent of 15% of the area of the plot wherein area of the sub-divided property exceeds 4000 m2.

The Board also opined that during the grant of permission, the Department shall strictly check about appropriate location of area reserved for such facilities to ensure that such facilities are located at convenient place for the local Authorities/Departments to manage it.

Chief Town Planner (Administration) was accordingly directed to issue necessary instructions to all the Taluka Offices/PDAs in this regard.

**Item No. 6: Other uses to be included under the Goa Land Development and Building Construction Regulations, 2010.**

Member Secretary stated that Government seeks to attract high end tourism by utilizing its natural beauty and its architectural and cultural heritage. It is observed that in order to widen the scope of tourism related infrastructure, the Goan landscape consisting of orchard areas, hilly areas and other picturesque locations could be optimally utilized for recreational purpose and for other tourism related activities.These areas are also having potential for development of various other activities including Golf Courses, Film City and Film Studio, etc.

It was informed that under GLDBCR-2010, there are no regulations prescribed for setting up of Golf Courses and which needs to be defined now. Member Secretary then placed before the Board a comparative statement of these activities i.e. Golf Course, Film City & Film Studio, as available in other parts of the Country.

**a) Golf Course**

The Member Secretary informed that Golf Course does not require large built up areas but vast open spaces, which are available at different locations in Goa.

As per mandatory guidelines and international standards, golf course areas are dependent upon the number of hole as given below:

• 2-3 Acres – 9 Hole Chip & Putt Golf Course

• 4-7 Acres: Driving Range (Practice Area) requires (50-100 m) Width X

(200-300 m) Length with playing holes

• 8-10 Acres: Driving range with 3 playing holes

• 12-15 Acres: 6 or 9 Hole Executive Golf Course without Driving Range

• 20-25 Acres: 6 or 9 Hole Executive Golf Course with Driving Range

• 30-35 Acres: 9 Hole Golf Course without Driving Range

• 40-50 Acres: A standard 9 Hole Golf Course with Driving Range

• 65-75 Acres: An international standard 9 Hole Championship Golf Course

and Driving Range

• 125 Acres and above: several formats of 18 Hole Golf Course with Driving

Range

It was observed that for an area for a 18 hole golf course, the requirement of area would be 4 lakh square meter and this area shall include provision for club house, driving range and shall compulsorily have to adopt Green concepts.

The Board Member Shri Rajiv Sukhtankar stated that it shall be advisable to see that the Golf Course shall be developed primarily with Green concepts with focus on reduction in potable water, better handling of waste and energy efficiency, enhanced bio-diversity and protection & enriching of topsoil. It was opined that the project proponent shall have to submit special report as regards to water to be procured by him and necessary conditions shall have to be imposed to see that utilization of public water distribution system is discouraged.

The Board Member Shri. R. D’Souza stated that the Golf Courses should be developed with sustainable and environmental friendly material and development of such Golf Courses need to be encouraged as it acts as Green breathing spaces in the concrete landscape. He further stated that here also, the Department need to adopt IGBC green landscape concept for development of such facilities.

Shri. Akash Khaunte stated that the regulation need to be framed keeping the green concept in mind specially while setting up golf courses, under following categories:

1. Site Planning & Management
2. Selection of Species for Landscape
3. Water Conservation
4. Material Selection
5. Energy Efficiency:
6. Operation & Maintenance

The Board deliberated further and it was observed that the Golf Course requires lot of water to function and therefore the Board was of the opinion that the project proponent shall have to make necessary arrangement for procurement of water, such that such facilities shall not cause any additional burden on the State infrastructure. For this purpose, it was decided that water harvesting unit shall be made compulsory for the Golf Courses for recycling the water for irrigation system etc.

Board also took note that the Solar energy which is generally abundant in most areas of a Golf Courses, need to be tapped by implementing solar panels on the clubhouse and at such other suitable locations.

The Board was therefore of unanimous opinion that setting up of Golf Courses need to be permitted in the State which certainly would create a beautiful landscape.

After deliberation and discussion, Board decided that Golf Courses shall be permitted with minimum area of 100 acre and shall have 30% FAR and coverage for providing other ancillary facilities and amenities and that such Golf Courses shall be permitted in all zones except the eco-sensitive zones. It was also decided that the Golf Courses shall be exempted from obtaining conversion sanads, as in most of the cases, it would involve vast land under undevelopable zones.

As regards to Green concept, it was decided that all the Golf Courses shall compulsorily have Green certification and shall have Green inputs as regards to the following:

1. Site Planning & Management
2. Green and eco-friendly design
3. Selection of Species for Landscape
4. Water Conservation
5. Material Selection
6. Energy Efficiency
7. Operation & Maintenance
8. Installation of Sewage Treatment Plants (STP)
9. Creation of catchment areas to ensure that the project is self sufficient in water requirements.
10. Organic/non-toxic fertilizers to be used.
11. Golf course should be designed to act as the lungs of the locality.

It was accordingly decided to frame the regulations to address green features for setting up of Golf Courses in the State of Goa.

**b) Film City and Film Studio**

Member Secretary informed that Goa is the permanent venue for the international film festival that provides a common platform for filmmakers and other artists from across the globe to showcase their talent and put forth the excellence of cinema from all over. Goa is much loved destination for film makers, who use Goa’s picturesque landscape for various shootings.

The Board deliberated on the subject and felt the need of promoting development of Film City and Film Studios that will further facilitate film related activities and shall act as added attraction for tourism industry and thus boosts the economy of the State. It is observed that Film Cities and Film Studios are service industries that act as employment nodes and economic engines for the State.

The members were informed of existence of following film cities in India:

* Goregao Film City having an area of 52 acres which is 8000 square meters area, with 52 outdoor shooting locations and 16 studios of various sizes.
* Ramoji Film City which is the largest integrated Film City in the world and is spread over an area of 1,666 acres which is 67,42,063 square meters.
* Innovative Film City at Bangalore, which is spread over 50 acres of land and which is similar to Goregao Film City.
* Noida Film City which is a 100 acres complex, which is approximately 16000 square meters of area with 75 acres outdoor and 25 acres indoor and having 16 studios.

Members were further informed about some of Film Studios that exists in India, that includes:

* Mehboob Film Studio having an area of 56769 square feet which is 5000 meters square.
* Other Film Studios having various sizes of approximate 2,650 sq. mts. area.

Member Secretary then informed that there is already a provision under RPG - 2021 for Film City at Durbhat Village, Ponda Taluka, however, no further detailing is spelt out anywhere under the regulations or under Regional Plan policies regarding the same.

Chairman stated that it shall be advisable to see that the Film City shall have concept of Green City to promote eco-friendly development with social, economic, and environmental dimensions. It was expressed that such Film City shall necessarily incorporate green measures, which shall reduce energy consumption and this green measures shall lead to reduction in water demand, etc. and the mechanism for solid waste management shall have to be worked out. The Members were of unanimous opinion that the Film City shall focus on increasing green cover of the area and such Film City and Film Studio shall lead to generation of more jobs for informal sector including that for carpenters, painters, etc.,

Considering the facilities to be provided for Film City and Film Studio, it was decided that maximum permissible FAR and Coverage for such facilities shall be 30%.

Shri. R. D’Souza Member of the Board stated that the regulations for the Film City shall have to be worked out to incorporate the following:

1. Land Use Planning for roads, amenities and other infrastructure.
2. Green Built Environment.
3. Green and Open Space
4. Sustainable Mobility
5. Solid Waste Management
6. Water and Energy Efficiency

It was decided that the development has to be energy efficient with enhance biodiversity concept and shall lay stress on protection and enriching of topsoil.

After deliberation and discussion Board decided that the Film City shall have minimum area of 100-acres and film studio shall have minimum area of 25-acres and have maximum permissible FAR and coverage of 30%.

It was therefore decided that the Department shall workout the mechanism for monitoring such projects to see that only the projects which are green compliant and certified by IGBC, shall only be issued a completion certificate. Also, it was decided to identify a mechanism for post construction regular inspections to ensure that the norms are not breached. It was further decided that conversion sanad shall not be insisted under LRC for the above mentioned activities.

Board decided to engage an expert agency under whose guidance and technical expertise such project shall be designed and the same shall be evaluated by the Department through the consultants. For this purpose, it was decided that the Board and the Department shall take necessary assistance of IGBC (Indian Green Building Council). It was therefore decided that the Department will sign a MoU with IGBC for the purpose. It was thus decided that only on their recommendations IGBC, such projects shall be considered for approval.

**c) Grant of additional FAR for Medical Institutions/Hospitals.**

Member Secretary informed that the State of Goa has amended the Goa Land Development and Building Construction Regulations, 2010, through which special provisions are made under Section 6A.4.20, by which additional FAR of 20% for 4 & 5 Star Hotels is granted on the recommendation of the Committee constituted for the purpose. Necessary guidelines are also framed under Annexure - XIII to permit the same.

It was further informed that amendment to the Goa Land Development and Building Construction Regulations, 2010 is also carried out by means of regulations 6A.4.22 through which, an additional FAR upto 20% of the permissible FAR is granted with the approval of the Government for the educational institutions which are recognised by the Education Department/Goa University etc.

The Board took note that there is a growing demand from the medical fraternity for such a provisions to be made under the regulations to grant additional FAR for the medical institutions and hospitals etc. so as to enable them to undertake expansion of medical and teaching facilities provided by them. The Board also took note that the request is to improve medical facilities for the people of the State in rural as well as urban areas, wherever such hospitals and teaching institutions are already existing or are under construction or are intended to be constructed.

Board discussed the matter and it was decided that additional FAR of 20% shall also be granted for medical institutions/ hospitals. As regards to grant of this facility to the hospitals, it was however decided that such additional FAR shall be granted only to the hospitals having a capacity of more than 200 beds.

Chief Town Planner (Admn.) was accordingly directed to undertake necessary amendments to the regulations in this regard.

**Item No. 7: TDR Policy for Transit Oriented Corridors/along National Highway.**

The Board acknowledged that Goa has a well developed road network of National Highway, State Highways and Major District Roads which provides good connectivity between major Bus Terminals, major Railway stations and Airports and therefore Planning needs to be focused along these Transit Corridors.

It was deliberated and expressed that Goa is witnessing linear development along major roads and considering undevelopable zones and lower FAR allotted to villages under RP Policy, allocating higher FAR and permitting high density development along such Transit corridors could be an effective tool to contain urban sprawl and for economic growth of urban as well as rural areas and which could be achieved by planned concentration of commercial and residential activities in the villages/connected by National Highways and Railways.

Board was informed about the bye-pass road proposed from Colvale to Bali, through Thivim, Bicholim, Sangquelim, Dharbandora, Savordem and Quepem and that the villages along this new proposed road have been categorized as VP-1 villages, based on this concept. Board was of the opinion that villages and towns having good connectivity by way of important transport corridors could be considered as receiving areas of TDR.

Board deliberated at length on the subject and issues concerned and decided that a policy for Transit Oriented Development (TOD) need to be framed alongwith TDR policy.

Board also decided that consultancy services shall be taken to involve the consultants/experts in the planning field for identifying such receiving and sending areas along these transit corridors.

Board also decided that the sub-committee constituted in its 180th (Adj.) meeting held on 17/06/2022 under item No. 1 shall further work on this concept.

During the discussion, it was also decided that Adv. Nilesh Amonkar, who is the Special Invitee for the Board meetings, shall also be appointed on the said committee constituted for the purpose.

**Item No. 8: Withdrawal of Planning Areas from Greater Panaji Planning & Development Authority.**

Member Secretary informed that as per Section 18 of the TCP Act, 1974, the Government has declared various Planning Areas from time to time and has subsequently constituted different Planning & Development Authorities as provided under Section 20 of the TCP Act, to have jurisdiction over these Planning Areas.

It was informed that Government has earlier constituted a Greater Panaji Planning & Development Authority having following Planning Areas under its jurisdiction:

1. Panaji Planning Area
2. Taleigao Planning Area
3. Kadamba Planning Area
4. Bambolim Planning Area

It was further informed that the Government has also constituted North Goa Planning & Development Authority having following Planning Areas under its jurisdiction:

1. Mapusa Planning Area
2. Calangute-Candolim Planning Area
3. Arpora-Nagao-Parra Planning Area

The Board was then briefed that vide Notification dtd. 27/04/2022, the Board had earlier suspended ODPs of Calangute-Candolim Planning Area and Arpora-Nagao-Parra Planning Area and whereas draft ODP of Kadamba Planning Area is kept on hold.

As regards to Kadamba ODP, it was informed that in its earlier meeting, the Board had taken an overview over the difficulties faced by the general public having their properties affected by Kadamba ODP whereby some of their properties were partly coming under the jurisdiction of GPPDA and partly under the jurisdiction of Tiswadi Taluka Office and the same was resulted by virtue of declaration of Planning Area by fixing a fix distance from either side of the road, passing through this planning area.

The Board had then specifically taken into account a situation arising out of this fact, whereby the owner of one particular property is required to obtain Development Permission from Greater Panaji PDA for part of the portion of his plot falling under GPPDA and obtain another Technical Clearance from Tiswadi Taluka Office for the portion of his plot falling under jurisdiction of Tiswadi Taluka Office, thus there are circumstances wherein the construction proposed in a single plot has got Development Permission from GPPDA as well as Technical Clearance obtained from TCP Department.

Board took the note of various issues involved and in larger public interest, decided to recommend withdrawal of Kadamba Planning Area from the operation of the TCP Act as provided under Section 19 of the same Act.

Further, Board also recommended that Panaji Planning Area, Bambolim Planning Area and Taleigao Planning Area be brought under the jurisdiction of North Goa PDA, as provided under the provisions of the TCP Act.

Following were therefore the recommendations of the Board:

1. Kadamba Planning Area be withdrawn
2. Following Planning Areas be merged/brought under the jurisdiction of NGPDA, which otherwise were under the jurisdiction of GPPDA
3. Panaji Planning Area
4. Taleigao Planning Area
5. Bambolim Planning Area
6. North Goa PDA shall therefore have under its jurisdiction following Planning Area:
7. Mapusa Planning Area
8. Calangute-Candolim Planning Area
9. Arpora-Nagao-Parra Planning Area
10. Panaji Planning Area
11. Taleigao Planning Area
12. Bambolim Planning Area
13. With the above amalgamation of Planning Areas with NGPDA and withdrawal of Kadamba Planning Area, Greater Panaji PDA shall cease to have its jurisdiction over these Planning Areasas providedunder Section 19(2) (i) of TCP Act.

The Board took note of the provisions of the TCP Act, as per which, when a planning area, through a notification is withdrawn from Planning & Development Authority, the said Planning & Development Authority stands dissolved and that this shall be applicable to GPPDA.

The Board accordingly directed the Member Secretary to initiate further procedure in this regard.

**Item No. 9: Decision regarding preparation of draft ODP of Panaji, Kadamba, Mapusa, Margao & Ponda.**

Member Secretary informed that in 180th meeting held on 09/6/2022, status of various ODPs prepared by Greater Panaji Planning and Development Authority, North Goa Planning and Development Authority and South Goa Planning and Development Authority was discussed.

The Board had deliberated on the matter and had expressed the urgency in completing the procedure of preparation of these ODPs, which are under the draft stage. Considering the process undertaken by the PDAs and the time delay etc., it was felt appropriate by the Board to undertake the exercise of preparation of ODPs through Chief Town Planner (Planning) as provided under Section 33 of the TCP Act.

Considering all the factors involved and the provision available under Section 33 of the TCP Act, the Board had earlier decided that following ODPs shall be prepared by the Chief Town Planner (Planning) and submit it to the Board:

|  |  |
| --- | --- |
| 1. | Outline Development Plan of Panaji Planning Area |
| 2. | Outline Development Plan of Kadamba Planning Area |
| 3. | Outline Development Plan for Mapusa Planning Area |
| 4. | Outline Development Plan of Margao Planning Area |
| 5. | Outline Development Plan of Ponda Planning Area |

The Board had also decided to engage the services of consultants/experts in the planning field for this purpose.

Member Secretary informed that the Government vide Notification No. 28/11/TCP/2017-19/644 dated 27/04/2022 has now constituted North Goa Planning and Development Authority and vide Notification No. 28/11/TCP/2017-19(Part)/639 dated 25/04/2022, has also constituted South Goa Planning and Development Authority.

Considering that these Authorities have now been constituted, the Board decided that Mapusa, Margao & Ponda ODP shall now be prepared by the concerned Planning & Development Authorities as per the provisions prescribed under TCP Act.

As regards to Panaji ODP, it was decided that the same shall still be prepared by the office of the Chief Town Planner(Planning) as decided in the earlier meeting.

As regards to Kadamba ODP, it was decided that further directions in this regard subsequently need to be issued, as the Board has already recommended withdrawal of Kadamba Planning Area from the jurisdiction of Greater Panaji PDA.

Member Secretary was accordingly directed to issue necessary directions in this regard to the concerned PDAs.

**Item No. 10: Status report on the work initiated by Committee constituted to review and examine ODPs as per Notification dtd. 27/4/2022.**

Member Secretary informed that the Government has suspended ODPs vide Notification No. 47/5/TCP/2022-23/1025 dtd. 27/4/2022 for a period of 60 days and in 180th (Adj.) meeting of TCP Board held on 17/06/2022 and it was decided to extend suspension period of these ODPs by another 30 days and had also decided to extend the period for submission of report by the Committee by 30 days.

The ODPs suspended are as under:

1. Outline Development Plan for Calangute-Candolim Planning Area – 2025
2. Outline Development Plan for Arpora-Nagoa-Parra Planning Area – 2030
3. Outline Development Plan – 2030 for Vasco-da-Gama Planning Area

Hon’ble Minister for TCP vide Note No. Misc/TCP/258/2022 dtd. 13/05/2022 had directed to place before the Board, the proceedings of the Committee constituted for the purpose.

Member Secretary informed that the Government vide Notification No. 47/5/TCP/2022-23/1664 dtd. 14/07/2022, has now extended the suspension period of the said ODPs for a period of thirty days and vide same Notification has also extended the period for submission of report by the Committee by thirty days.

The Board was further informed that in last meeting of the Board, it was decided that the Committee shall submit its Report and the same was accordingly placed before the Board for its consideration.

The members deliberated on the contents which included the discussions held by the Committee in its various meetings and subsequent decisions taken by the Board in this regard.

The Report as presented was considered by the Board and accordingly Member Secretary was directed to submit the same to the Government, as it was found that all the decisions and recommendations as made were found to have been incorporated in the Report. It was also decided that the changes suggested in ODPs of Calangute - Candolim, Arpora-Nagao-Parra and Vasco shall be notified for sixty days for inviting comments from general public/those affected.

Member Secretary was accordingly directed to undertake further procedure.

**Item No. 11: Development undertaken in un-developable zones in contravention to provisions of Regional Plan for Goa – 2021.**

Member Secretary informed the Board that under the provisions of Section 16A of TCP Act, 1974, no person in Goa can undertake any work of development in the State, which is in contravention to provisions of Regional Plan in force and informed that this provision is however not applicable to the projects/ schemes/ development work undertaken by the Central Government or the Government. It was further informed that as required under the Act, any person undertaking any construction activity or development of land has to see that same is in conformity with the provisions of Regional Plan.

The Board was informed that Section 16A also provides for action against anyone who undertakes the development in contravention of the Regional Plan in force, as per which, the person is liable for punishment with simple imprisonment which may extend to one year or has to pay a fine of Rs. 10.00 lakhs or is liable for action under both categories and that such offence is cognizable.

The Members however expressed their concern that despite of law being in force, development is still undertaken in various parts of Goa in contravention to provisions of the Act and many areas under eco-sensitive zones such as agricultural land or land under Orchard, Natural Cover, etc. are brought under development by means of sub-division of land etc. through which, unauthorized plots are being made and sold which later on becomes unauthorized colonies, as no construction under these zones can be validly undertaken by obtaining any permissions. The Members therefore expressed that strict action as provided under the Act need to be taken against such unauthorized development as it causes environmental damage as non-confirming zones are brought under development.

Member Secretary was accordingly directed to issue immediate directions to the concerned Taluka Offices and PDAs to have a strict vigil against any such unauthorized development coming up in non-confirming zones and to initiate the stringent action if any such development is noticed.

**Item No. 12: Submission of Budget of South Goa Planning and Development Authority for the financial year 2022-2023.**

Member Secretary informed that the South Goa PDA has submitted budget proposal for the year 2022-23 and the Budget proposed is for Rs. 8,93,00,000/- (Rupees Eight Crores Ninety Three Lakhs only) which includes Grant-in-Aid anticipated to be sanctioned by the Government.

Member Secretary, SGPDA Shri Vinod Kumar Chandra explained the contents of the Budget. The Board was informed that South Goa PDA’s actual revenue receipt for the year 2021-22 is Rs. 3,48,01,640/- which includes grant towards pay and allowances to the staff amounting to Rs. 1,00,00,000/- whereas Revenue receipts are amounting to Rs. 80,72,400/- and other receipts are amounting to Rs. 18,38,326/-.

It was informed that the total receipt of the Authority from Wholesale Fish Market and Retail Market amounts to Rs. 1,48,90,874/-.

It was further informed that SGPDA’s actual expenditure for the year 2021-22 is Rs. 2,73,06,187/- which includes pay & allowance of Rs. 2,33,40,793/- and other expenses amounting to Rs. 39,65,394/-.

Member Secretary Shri Vinod Kumar Chandra then informed that the SGPDA has estimated revenue receipt for the year 2022-22 to be Rs. 12,85,17,735/- with grants for pay & allowance as Rs. 5,00,00,000/-. He further stated that the receipts from Wholesale Fish Market are expected to be Rs. 2,00,00,000/- and expected recovery of outstanding dues from Retail Market is Rs. 4,80,73,135/-.

Estimated expenditure for the year 2022-23 of the Authority is expected to be Rs. 8,93,08,822/- including pay & allowance and other payment of staff of Rs. 6,19,06,070/-

Expected expenditure of the Authority towards maintenance and improvement of Wholesale Fish Market and Retail Market is Rs. 55,14,462/-and whereas other office expenses including outstanding dues of electricity and water charges is expected to be Rs. 2,18,88,290/-.

Member Secretary Shri Vinod Kumar Chandra then informed that the Budget as presented by him for the financial year 2022-23 was earlier placed before the 95th meeting of the Authority held on 19/05/2022 and was approved.

The Board took note of the Budget as placed before it.

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

Member Secretary informed that with notification of Section 16B of TCP Act, the Town & Country Planning Dept. has started receiving applications u/s 16B and informed that some of the proposals as received under Section 16B were earlier placed before the Board for consideration as required under the provisions of Section 12 of the TCP Act.

It was further informed that the applications earlier placed before the Board under Section 12 were processed further as required under Section 13(1) of the Act. Some of the applications processed were then placed before the Board and the decision taken on the same is recorded in Annexure ‘A’, which forms part of these minutes.

**Item No. 14: Any other item with permission of the Chair.**

No other matter was discussed under this item.

Chairman informed the members that there are many other important issues to be deliberated and decided by the Board.

It was therefore decided to have next meeting of the Board i.e. 183rd meeting on 11/08/2022 at 3.30pm and members were requested to take note of the same.

Meeting ended with thanks to the Chair.