

**MINUTES OF 188th MEETING OF THE GOA TOWN & COUNTRY
PLANNING BOARD HELD ON 15/04/2023 AT 3.30 P.M. IN CONFERENCE
HALL, VAN BHAVAN, ALTINHO, PANAJI.**

The following attended the meeting:

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| 1. | Shri. Vishwajit P. Rane,
Hon. Minister for TCP | ... | Chairman |
| 2. | Shri Praveen K. Raghav,
Chief Conservator of Forest. | ... | Member |
| 3. | Shri Nevil Alphonso,
Director of Agriculture. | ... | Member |
| 4. | Dr. Uttam Desai,
Chief Medical Officer,
Directorate of Health Services. | ... | Member |
| 5. | Shri Rajesh Kale,
Dy. Director of Tourism | ... | Member |
| 6. | Shri Sanjeev Srivastav,
Captain India Navy, HQ Goa Naval Area,
SSO (Works). | ... | Member |
| 7. | Shri Paresh Gaitonde | | Member |
| 8. | Arch. Rajeev M. Sukhthanker | | Member |
| 9. | Shri Ralph De Souza,
President GCCI (Representative) | ... | Member |
| 10. | Adv. Nilesh Amonkar | ... | Special Invitee |
| 11. | Shri Avez Shaikh,
Representative of CREDAI. | ... | Special Invitee |
| 12. | Shri Aakash Khaunte
Representative of CII | ... | Special Invitee |
| 13. | Smt. Snehalata Pednekar,
Nominee ITPI, Goa Chapter | ... | Special Invitee |
| 14. | Shri Amit Sukhthankar,
IIA, Goa. | ... | Special Invitee |
| 15. | Dafia Khan Pandit | | |
| 16. | Shri. Rajesh J. Naik,
Chief Town Planner (Planning). | ... | Member Secretary |

Item No. 1: Confirmation of the Minutes of the 187th meeting of Town & Country Planning Board held on 20/03/2023.

Member Secretary informed that 187th meeting of TCP Board held on 20/03/2023 are prepared and the same 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: Proposal for revised approval of construction of Home Stay Cottages, new farm house, utility room, splash pool, watchman's cabin, Gobar gas plant, Dormitory at Sy.No. 80/3-A of Neturlim village of Sanguem Goa by Dr. S. N. Dessai.

Member Secretary informed that the Department is in receipt of an application dtd. 16/8/2022 from Dr. S.N. Dessai pertaining to approval of revised plans for construction of Home Stay Cottages, farm house, utility room, splash pool, watchman's cabin, Gobar gas plant and Dormitory at Sy.No. 80/3-A of Neturlim village of Sanguem Goa.

It was informed that the property under reference is earmarked partly as Settlement zone and partly as Orchard zone as per Regional Plan for Goa 2021 and is located within 1 Km Buffer Zone of Wild Life Sanctuary (Netravali Wild Life Sanctuary).

The Board was further informed that the Quepem Taluka Office of TCP Dept. had earlier issued Technical Clearance Order for construction of Cattle Shed, milk parlour, goat shed and 2 nos. of store room vide Technical Clearance No. TPQ/CT/Netur/80/4/1218 dtd. 28/10/2014 in the same property and further approval for the revised plan was also issued by Quepem Taluka Office vide No. TPQ/CT/Netur/80/16/503 dtd. 5/5/2016 and thereafter a completion Order for farm house, cattle shed, store room, milk parlour has been issued vide Order No. TPQ/CT/Netur/80/16/804 dtd. 1/7/2016.

It was also brought to the notice of the Board that the Technical Clearance vide No. TPQ/Const/Neturlim/80/3/2019/730 dtd. 7/3/2019 was thereafter issued by the Department for revised plans again of home stay, cottages, farm house and other counseling structures.

As per the records available with the department, the applicant had thereafter submitted the proposal to the Addl. Collector, South Goa District, Margao-Goa for conversion of use of land at land bearing Sy. No. 80/3-A, Netravali Village, Sanguem Taluka and the said proposal for conversion of use of land was placed before the 9th meeting of Goa State Level Eco-Sensitive Zone Monitoring Committee held on 2nd August 2022 at Secretariat Porvorim Goa and the Committee decided as under:

“The Committee observed that applicant has already constructed cottages which are permanent in nature and decided that request of NO Objection Certificate may not be considered in view of directives of Hon’ble Supreme Court at para 44(e) of Order dtd. 3/6/2022 which prohibits construction of any permanent structures for whatsoever purpose in the Eco-Sensitive Zone”.

Member Secretary then informed that the applicant now vide inward No. 1723 dtd. 16/8/2022 has submitted a proposal for revision of Home stay cottages, farm house and ancillary structures inside existing farm, however the same was not considered in view of decision of the Goa State Level Eco Sensitive Zone Monitoring Committee as quoted above.

Applicant Dr. S.N. Dessai was present for the meeting as a special invitee informed the Board that vide his letter dtd. 27/3/2023 had submitted a representation alongwith the Gazette Notification of Ministry of Environment Forest and Climate change vide dtd. 17/2/2015, through which he has stated that he is liable to get the permission for the development proposed, which basically is only for revision of roof and for other minor deviations. Dr. S.N. Dessai then informed the Board that the construction activity, as approved, had started in March 2019 and was completed on May 2022 and requested that the construction under reference shall not be considered as a new activity as it is not a permanent structure and that he has only attempted to follow all the guidelines under Agro Tourism Policy.

Dr. S.N. Dessai further impressed upon the Board that he has already completed and has now applied only for approval of revised plans for change of roof outlay, which is required under the guidelines issued for Agro-Tourism Policy. It was also brought to the notice of the Board that the minor changes made, have actually resulted into the reduction of built up area from 723.53m² to 720.76m².

The Board deliberated in detail on the matter and took note on the clarification given by the applicant as per which the project is developed on a plot located at Survey No. 80/3A, which is separated from Netravali Wildlife Sanctuary boundary by a water body, which is a rivulet and flows perennially and as such, the property of the applicant surveyed under No. 80/3A does not come under Eco-Sensitive Zone.

The Board also took note of contents of Notification issued in this regard, as submitted by the applicant, i.e. as per Gazette Notification of Ministry of Environment Forest and Climate Change dtd. 17th February 2015, which stated as under:

“In exercise of the powers conferred by Sub-section (1), clause (v) and clause (MN) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area to an extent of one kilometer of land or the water body, whichever is nearer to the boundary of the Netravali Wildlife Sanctuary in the State of Goa”.

The Board considered that the proposal was earlier approved with the structures having roof of mangalore tiles with designed roof pattern and whereas the same is now changed to a rectangle shape. The Board also took note of the layout, which remained the same, except for change in size and shape of one unit only i.e. unit No. 10, which also was found to be within the built up area permitted earlier.

The Board specifically took note of the contention of the applicant as per which the development/revision as proposed, does not come under the purview of Supreme Court decision dtd. 3/6/2022, as the construction undertaken was approved and completed much prior to this decision of the Hon’ble Supreme Court and that the application which has to be decided by the Department is only as regards to the deviation in the roofing pattern and minor changes in the approved plinth area and the shape.

Considering the extent of the revision now proposed by the applicant and the permissions earlier granted, the Board decided to recommend the proposal for approval.

Member Secretary was accordingly directed to communicate the decision of the Board to the concerned Taluka Office, for further processing of the application.

Item No. 3: Regarding maximum height permissible in high density zones as prescribed under the Goa Land Development and Building Construction Regulations, 2010.

Member Secretary informed that the Department has been receiving several requests for consideration of allowing additional height for the buildings coming up in Commercial C1 Special and SPC zones and that these requests are for permitting additional ceiling height of individual floors for accommodating service ducts.

The Board was informed about the prevailing regulations as prescribed under the Goa Land Development and Building Construction Regulations, which is as under:

Zones	FAR	Maximum permissible height
SPR	200	24 mts.
C1	200	24 mts.
CS	250	28 mts.
C1 Special	250	32 mts.
SPC	300	32 mts.

The Board took note that although the FAR in C1 Special zone is 250 and that in SPC is 300, maximum permissible height however for both the zones remains to be the same i.e. 32.00 mts. It was brought to the notice of the Board that in SPR, C1 Special zones and SPC, one additional stilt floor is permitted for accommodating parking, free from calculation of building height in addition to one stilt floor which is commonly allowed for the parking in all other zones.

During the discussion, Member Secretary informed that earlier, amendments have been effected to GLDBCR-2010 for the purpose of allowing maximum height of building to 50 mts. only in C1 Special Zone (C1 Special), Commercial Special Zone (CS) and Special Commercial Zone (SPC) for the purpose of creating iconic or landmark tower and which is to be granted with the approval of TCP Board.

The members deliberated on the issue and were of the opinion that it is the requirement of the industry to provide for additional floor heights to accommodate building services and other operational requirement, such as AC ducts, fire fighting installations, acoustic system, concealed wiring system, special lighting arrangement, installation of audio system and other interior design aspect.

On considering these aspects, Board recommended that the maximum permissible height in C1 special and SPC shall be 40.00 mts.

Member Secretary was accordingly directed to undertake further procedure for amendment to GLDBCR-2010 to this effect.

Item No. 4: Regarding signing of MoU between Town & Country Planning Dept. with the Indian Green Building Council (IGBC).

Member Secretary informed that earlier in 187th meeting of TCP Board held on 20/03/2023, it was decided that MoU shall be signed between the Department and IGBC to adopt various initiatives for green and sustainable development in the State, which is intended to potentially strengthen Goa's position as model sustainable State and lead to the judicious use of natural resources and environmentally responsible, low carbon construction practices.

Member Secretary then informed that as per the decision taken, the office of CII, IGBC was contacted for the purpose and a draft MoU in this regard has been submitted by the said office for approval by the Department.

While discussing on the contents of MoU, Member Secretary informed that the objective of the MoU states that the Town and Country Planning Department and CII Indian Green Building Council agree to jointly work together in incorporating green concepts/ measures as part of the development plans, policies and programs in the State of Goa and CII-IGBC will act as a 'Sustainability Partner' to the TCP Department of Government of Goa.

The Board was informed about the focus areas as mentioned in the draft MoU which were as under:

- a. **Capacity Building:** IGBC will build capacity for planners, engineers, architects in Department of TCP, PWD, PCB, Urban local bodies, and

other relevant departments of Government of Goa, associated consultants & project teams on sustainability concepts.

- b. **Advisory for development of master plan:** CII-IGBC to be a member of advisory council involved in development of short, medium and long term master plan for infrastructure and development projects and offer advisory for incorporating sustainability measures by design.
- c. **Facilitation of policy framework development:** CII-IGBC will facilitate development of a coherent policy framework in line with the State's sustainability goals.

As regards to Financial Implications, it is mentioned that as per the contents of the MoU, there shall be no financial commitment of any kind between the Department and IGBC emanating from the cooperation between these two authorities. The Board was however informed that the CII – IGBC has mentioned that it being a not-for-profit organisation, separate techno-commercial proposal would be submitted by them for any professional services rendered like green certification, etc.

While discussing on the confidentiality aspect, it was informed that the MoU states that neither parties will disclose or distribute any information that is supplied and marked, or stated to be “Confidential” by the originating Party, except as, and to the extent authorized, by the originating Party.

It was informed that the MoU mentions that the agreement shall be valid for a period of three (3) consecutive years from the date of signing of MoU by both parties and thereafter, shall be renewed for a further period of 3 years on mutually agreed terms & conditions.

The Board deliberated on the contents of draft MoU and was agreeable to the contents of the same. It was however opined that the detail working methodology need to be worked out between two authorities, so as to process the applications, once received.

Considering various incentives given by the other States for adoption of Green Building Concepts, the Members were also of the opinion that Government need to come out with scheme /incentives so as to promote green concepts. It was

also felt that type of project which need to be insisted for green ratings, need to be deliberated in detail.

It was therefore suggested that the Department may interact with the office bearer of CII – IGBC to work out further details in this aspect and proceed accordingly.

Member Secretary was accordingly directed to take further steps in finalizing the MoU.

Item No. 5: Regarding applications received under Section 16B of the Town & Country Planning Act.

Member Secretary informed the Board that under the amended provisions of the Goa Town & Country Planning Act, 1974, several applications have been received by the Department under Section 16B of the said Act. The Board was then informed that the Department has received about 6300 Nos. of applications and the details as under was informed to the Board:

1.	Total number of application submitted to TCP Board under Section 12.	1431 Nos.
2.	Total number of cases notified under Section 13(1)	1227 Nos.
3.	Total number of cases placed under Section 13(2) of the TCP Act by TCP Board.	313 Nos.
4.	Total number of cases which are at the stage of forwarding to the Government under Section 13(3) of the TCP Act for approval under Section 14.	234 Nos.

The Board was further informed that following Writ Petitions pertaining to Section 16B of the TCP Act and Regional Plan for Goa – 2021 are filed by different Petitioners before the Hon’ble High Court:

1. PIL WP No. 44/2018
2. PIL WP No. 45/2018
3. PIL WP No. 16/2019
4. PIL WP No. 34/2019
5. PIL WP No. 17/2021

The Board was also briefed that the issues regarding proposals under Section 16B were discussed earlier in 178th (Extraordinary) TCP Board meeting held on 18/4/2022.

Member Secretary then informed that on the basis of instructions received thereafter from the office of Hon'ble Minister for TCP vide Note dtd. 27/9/2022, an Affidavit dtd. 4/10/2022 was filed before Hon'ble High Court by Chief Town Planner (Planning), stating about the decision of the Government to withdraw all the recommendations of the applications received under Section 16B of the TCP Act, which were considered under section 13(1) and section 13(2) of the TCP Act and vide same Affidavit, decision of the Government was informed to the Hon'ble High Court about reconsidering all the applications received under Section 16B of the TCP Act, *denovo/ afresh*.

Member Secretary brought to the notice of Board that a Note dtd. 6/4/2023 was received from the office of Hon'ble Minister for TCP, wherein it is stated that a clear decision regarding Section 16B, must be taken, which shall be irrespective of any Court decision in the matter and further informed that vide same note, instructions are issued that no case shall be approved by the Government under provisions of Section 16B, without re-examining such cases, even if they are finally notified and that no letters in this regard shall be issued by the Government.

It was also brought to the notice of the Board, that vide same Note, it is further instructed that all the applications shall be re-examined, irrespective of the outcome of the case and no approvals shall be granted unless an assessment is done by the Chief Town Planner (Planning).

While deliberating on the issue, the Chairman informed that he has already issued necessary direction to Chief Town Planner (Admn.) to inquire into the matter of preparation of RPG-2021, especially as regards to the rationalization issue, through which the land which was earmarked as Settlement zone under RP-2001 has been zoned as Orchard, Natural Cover, Agricultural land etc. making them undevelopable.

The chairman informed the Board that it has been brought to his notice that about 6 crores square meters of land was converted to Settlement and other zones and in order to offset and to show that there has been marginal increase in the land that has been converted about 6 crores sq.mts. of land, which was under Settlement zone, has been taken off and made it into Orchard and other non development areas, which is nothing but a criminal act and a criminal conspiracy to take away people's rights.

The Chairman further stated that the people who had their lands under Settlement zone earlier under RP-2001, are at a real loss as these land of theirs has now been zoned as Orchard and such other undevelopable zones under RP-2001 and the same he said has happened as the few people, who were dealing with the plan in the name of experts, have destroyed their only source of livelihood.

Chairman therefore stressed upon conducting a detail inquiry in all this, such that he knows about exactly how this 6 crores of land which was settlement zone under RP-2001 has been converted to non-developable zone under RPG-2021 and against which, about 6 crores sq.mts. of new land has been released to Settlement zone under RPG-2021, which otherwise was non-developable under RPG-2001, the same he said must have been done to give an impression that RPG-2021 is a balanced plan and is prepared without having released much area under Settlement zone.

The Chairman therefore expressed that considering these aspects, RPG-2021 has given the impression of a scam, which needs to be investigated and further said that it was always known that Regional Plan 2001 was a base plan, based on which RPG-2021 was made, but it has been now brought to his notice that even large tracks of land, which was under settlement zone under RP – 2001 has been changed, which is nothing but criminal act and criminal conspiracy to misguide the people of State.

During the discussion, member Shri Ralph D'Souza and Arch. Snehalata Pednekar also cited certain examples wherein huge area, which was otherwise earmarked as Settlement zone under RP-2001, has been zoned now as Orchard, Natural Cover, etc. under RP-2021, thereby depriving owners of these lands of any further development of these areas.

Chairman therefore stated that a committee shall be formed to investigate into this matter and to place the facts before him in this regard.

Item No. 6: Ratification of the proposals considered under Section 17(2) of the TCP Act, 1974.

Member Secretary informed that the Goa Town and Country Planning Act, 1974 (Act 21 of 1975) is amended vide the Goa Town and Country Planning (Amendment) Act, 2023 (Goa Act 4 of 2023) whereby the existing provision contained in section 17 of the TCP Act has been numbered as sub-section (1) and after the said sub-section (1), the following provision has been inserted as sub-section (2) therein, which reads as under:-

“(2) Notwithstanding anything contained in sub-section (1), if the Government is of the opinion that alteration/modification is necessary to be carried out to the regional plan for the purpose of rectifying any inadvertent error that has occurred in the regional plan, and for correction of inconsistent/ incoherent zoning proposals in the regional plan, it may direct the Chief Town Planner (Planning) to carry out such alteration/modification to the regional plan and the Chief Town Planner (Planning) shall by notification in the Official Gazette carry out such alteration/modification to the regional plan in such manner and only to such extent as prescribed.”.

It was further informed that the said Goa Town and Country Planning (Amendment) Act, 2023 (Goa Act 4 of 2023) has been published in Official Gazette (Extraordinary No. 2), Series I No. 46, dtd. 21/02/2023 and the provisions of the said amendment have been brought into force by the Government w.e.f. 2nd March, 2023 vide Notification published in Official Gazette (Extraordinary No. 5), Series I No. 47, dtd. 01/03/2023.

Member Secretary then informed that the Goa (Town and Country Planning alteration/modification in Regional Plan for rectification of inadvertent errors and correction of inconsistent/ incoherent zoning proposals) Rules, 2023 under sub-section (2) of section 17 read with sub-sections (1) and (2) of section 140 of the TCP Act) have been framed and the said Rules as published in the Official Gazette (Supplement), Series I No. 50 dtd. 16/03/2023, provides for Consultation with external agencies in the following cases:

- a) Public Works Department, in case of major roads;
- b) Local Authority/body or Goa Waste Management Corporation; in case of playgrounds/open space or garbage management site, as the case may be.

- c) Water Resources Department and District Collector in case of disaster management site.
- d) Directorate of Agriculture, in case area of the property exceeds 5,000m² and land recorded as 'rice' in Form I & XIV/index of land and is low lying paddy field under cultivation.
- e) Forest Department in case area of the property exceeds 10,000m².
- f) Such other authority as be deems necessary.

The Board was then briefed about the fees for processing of applications received under this provision of the Act, which are notified vide Notification published in Official Gazette (Supplement), Series I No. 50 dtd. 16/03/2023.

Member Secretary then explained about the guidelines for processing applications under Goa (Town and Country Planning alterations/modifications in Regional Plan for Goa – 2021 for rectification of inadvertent error and corrections of Inconsistence/ Incoherent Zoning Proposals) Rules, 2023, issued vide Circular No. 21/1/TCP/GTCTACT/2023/987 dtd. 27/3/2023, which are as under:

1. Applications/cases which can be considered as “inadvertent error” may include and not limited to the following:

“Inadvertent error” in the Regional Plan means and include errors like existing structures/past commitments which are not depicted in the Plan, land having less than 25% slope shown as “no development slope”, wrong depiction of right of way of roads, non-feasible proposals for roads, depiction of internal roads and open spaces of plotted developments, error in depiction of CRZ boundaries, buffer zones, untenable identification of Garbage Management Site, Disaster Management Site, Micro Industrial Zone.

Note: Existing structures means structure reflected in the survey plan and structures constructed with legal permissions.

2. Applications/cases which can be considered as “Inconsistent/incoherent zoning proposals” and “alterations/modifications” may include and not limited to the following:
 - (i) Mismatch between Regional Plan-2001/old Outline Development Plan/ old Zoning Plan with the Regional Plan/Outline Development Plan in force.

- (ii) Playground/open space shown in private properties without land acquisition proposals.
 - (iii) Land shown in non-settlement zones despite being located in the midst of larger settlement pockets or having development potential consistent with the development and infrastructure scheme.
 - (iv) Land contiguous to settlement zone and land in close proximity to settlement zone, despite having identical topographical features and not included in the settlement zone.
 - (v) Industrial land shown in the settlement zone and vice versa.
 - (vi) Forest land shown under non forest zone and vice versa.
 - (vii) Cases in respect of land who's zoning status have been reverted to agricultural and non-developable zone in the Regional Plan in force from settlement zone in the Regional Plan 2001.
 - (viii) Past commitments/approvals/Sanads granted in respect of properties which have been not included in the respective land use zones.
3. Areas such as low lying paddy fields, water bodies, khazan lands, flood prone areas, land having slopes more than 25%, forest land including private forest land, land falling in the buffer zone of Wild Life Sanctuaries, tenanted agricultural lands shall not be considered under sub-clauses (vii) and (viii) of clause 2 above.
 4. In case of land falling within CRZ areas, comments of the GCZMA shall be obtained.
 5. In case of land falling under command area of Irrigation project, comments of CADA shall be obtained.
 6. Comments from Forest Department and Agriculture Department and other relevant authorities shall be obtained wherever necessary.

It was then informed that the Department has started receiving applications under Section 17(2) of the TCP Act and the same are scrutinized and processed as provided under the Rules and guidelines framed in this regard.

Member Secretary then informed that it has been instructed by the Hon'ble Minister for TCP that the proposals decided and agreed by the Government under this section of the Act shall be placed before the TCP Board for ratification. Accordingly, the Board was informed about following case, as notified/approved by the Government:

Sr. No.	Name of the applicant	Sy.No. & village/Taluka	Total area of the property	Prevailing zone as per RPG-2021	Area considered for correction/rectification	Status of proposals
1.	Mr. Dattaprasad P. Vernekar and Mr. Mahavir Kasi Nadar	89/9 Anjuna/Bardez	1900m ²	Area under Orchard - zone 1770m ² . Area under Settlement zone - 130 m ²	1770 m ² from Orchard zone to Settlement zone	Notified vide Official Gazette Series II No. 1 dated 06/04/2023

The Board took note of the same and ratified the decision.

Member Secretary brought to the notice of the Board that as per the rules framed under Section 17(2) of the TCP Act, consultation with external agencies is required, such as comments from Directorate of Agriculture, in case area of the property exceeds 5000 m² and comments from Forest Department in case the area of the property exceeds 10,000 m². Also, as per the guidelines issued, comments of CADA are required in case the land is falling under Command Area of Irrigation project.

Member Secretary informed that there are several cases, wherein correction/rectification is sought of the properties which were earlier zoned as Settlement under RP-2001. While discussing on the requirement of consultation with external agencies, the Board decided that the same shall not be required in the matter of cases wherein the property was earlier earmarked as settlement/ any other developable zone, such as industrial zone, etc. under RP -2001.

The Board also decided that in case the applicant has already obtained any reports from Agriculture Department, Forest Department, WRD, etc., in the matter of applications under Section 16(B) of the TCP Act, the same shall be honoured and no fresh comments shall be insisted upon while dealing with their applications under Section 17(2) of the TCP Act, if received any.

Further, the details of the other proposals, which were dealt by the Department under Section 17(2) of the TCP Act, were placed before the Board for information and deliberation accordingly. While discussing on the same, the Members took note of the provisions under the Act, Rules framed in this regard and the guidelines issued in the matter and decisions were taken accordingly as recorded in Annexure – A, which forms part of these minutes.

Considering different types of applications as received by the Department and the reports issued by the professional, the Chairman suggested that a sub-committee could be formed for scrutinizing these proposals, which may consist of members of the Board and other professionals. On consideration of different aspects, it was decided that the sub-committee shall be formed for the purpose and shall consist of the following members:

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|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------------|
| 1. | Shri Rajesh J. Naik ,
Chief Town Planner - Planning | | Chairman |
| 2. | Shri Ralph D'Souza,
President GCCI | | Member |
| 3. | Shri Gautam Dessai
Chairman, Goa State Environment Expert
Appraisal Committee
Constituted by Ministry of Environment,
Forest & Climate Change | | Member |
| 4. | Shri Sujeet Kumar Dongre
Scientist - Centre for Environment Education
and Member of Goa State Environment Expert
Appraisal Committee | | Member |
| 5. | Arch. Rajeev Sukhthankar | | Member |
| 6. | Arch. Gayle Aroujo | | Member |
| 7. | Eng. Paresh Gaitonde
Chartered Engineer and approved Valuer | | Member |
| 8. | Adv. Nilesh Amonkar | | Member |
| 9. | Shri Vinod Kumar,
Town Planner | | Member Secretary |

It was decided that the committee shall scrutinize the proposal on the basis of the provisions of the Act, rules framed thereunder and guidelines issued in this regard and submit its report for further consideration by the Government.

Member Secretary was accordingly directed to immediately issue Order/ Notification in this regard.

Item No. 7: Any other item with permission of the Chair.

1. Regarding Aerodrome Safeguarding – Control of Obstacles within 20 kms. of Aerodrome at the New Goa Manohar International Airport at Mopa – Goa.

Member Secretary informed that the Department is in receipt of a Note bearing No. 187/DOCA/MOPA/CCZM/NGMIA/2023 dtd. 23/01/2023 from Department of Civil Aviation, Secretariat, Porvorim, pertaining to Aerodrome Safeguarding and for Control of Obstacles within 20 kms. of Aerodrome at the New Goa Manohar International Airport at Mopa – Goa.

It was informed that Note dtd. 23/1/2023 of Department of Civil Aviation refers to email from GGIAL pertaining to the same subject.

The Board took note of the completion of Phase-I development of New Goa Manohar International Airport at Mopa – Goa, as per the concession agreement signed between Government of Goa and GGIAL and that the same was inaugurated by Shri Narendra Modi, Hon'ble Prime Minister of India on 11/12/2022.

Member Secretary then informed that vide Note dtd. 23/1/2023, Department of Civil Aviation has brought to the notice of Department the provisions of Aircraft Act, 1934, MOCA G.S.R. 751(E), G.S.R.- 770(E) and Aircraft (Demolition of obstruction caused by Buildings and Trees etc.) Rules, 1994, which mandates to ensure that the Aerodrome is safeguarded from obstacles within 20 km of its radius and the same provision also prohibits slaughtering and flaying of animals and depositing rubbish, filth and other polluted and obnoxious matter within the radius of 10 kms. from the Aerodrome.

Airport Authority of India has already issued the Colour Coded Zoning Map (CCZM) for New Goa Manohar International Airport at Mopa – Goa.

The Board was then informed that Department of Civil Aviation has therefore forwarded the said regulations alongwith the CCZM to the Department with a request to inform local planning authorities in and around the New Goa Manohar International Airport at Mopa – Goa that no construction permits / no objection certificates shall be issued to the buildings/ masts/ elevated structures within 20 kms. radius of the Aerodrome without obtaining NOC through the NOC application system (NOCAS) – the online portal managed by Airports Authority of

India (AAI), for the purpose of ensuring the structures/ buildings/ mats etc. constructed are within the permissible limits for safe aircraft operations.

Department of Civil Aviation has also proposed to prohibit butcheries with 10 kms. of radius with the concerned authorities.

The Board was then informed that the concerned file has been referred to the Department by the office of Hon'ble Chief Minister to take note of CCZM and GSR751(E) and for any such other action.

Member Secretary then brought to the notice of the Board that the similar request made earlier from the Director of Civil Aviation vide their letter dtd. 19/4/2022 was earlier discussed by the Board in its 179th meeting held on 17/5/2022 and it was decided not to consider the request at that particular stage, as no specific details were worked out and that no statutory plan in this regard was in place.

A detail deliberation was then held on the subject by the members and the Board was of the opinion that imposing such restrictions on construction shall cause hardship to the general public and therefore a proper procedure need to be laid for obtaining such clearances. A specific mention was then made by the members regarding the issues emerging out of such restrictions around Dabolim Airport.

The Board was also of the opinion that the Department of Civil Aviation need to provide specific guidelines, especially as regards to the permissible height within the area specified by them for the purpose of allowing constructions, which could then be followed by the Department while granting the permissions.

The Board took note of the Colour Coded Zoning Map as forwarded by Department of Civil Aviation and was of the opinion that considering the permissible top elevation as mentioned in the colour legend, no structures coming within the vicinity are likely to be effected by the restrictions. The elevation of airstrip at an altitude of +115 MSL was specially discussed upon vis-à-vis the maximum permissible building height in the village.

For the purpose of clarity, the members also felt it necessary that Department of Civil Aviation shall issue necessary plans by superimposing the CCZM on the survey plan and on RPG-2021, so that the directions could be properly followed by checking strictly the area affected by such restrictions.

It was also expressed by the members that Department of Civil Aviation shall specify strict timeline for the purpose of granting NOCs, as required by them, such that permissions could be granted by the TCP Department/ local authorities without causing much delay due to the restrictions imposed.

It was therefore decided not to consider the request at this stage and the Member Secretary was accordingly directed to have further correspondence with the Department of Civil Aviation in this regard and any such issues emerging out of the restrictions mentioned.

2. Regarding unauthorised construction of compound wall in front of property bearing Sy.No. 122/1-A of village Morjim Pernem Taluka.

Member Secretary informed that a note under ref. No. TCP/Correspondence/208/2023/673 dtd. 13/4/2023 is received from office of the Hon'ble Minister for TCP regarding complaint unauthorised construction of compound wall in front of property bearing Sy.No. 122/1-A of village Morjim Pernem Taluka. It was then informed that the complaint letter as received from Shri Madhusudhan Morje and enclosed alongwith the note of Hon'ble Minister stated that there is an illegal unauthorized construction of compound wall in front of property bearing Sy.No. 122/1-A of village Morjim Pernem Taluka, which has been undertaken without taking any permission from Town & Country Planning Dept.

The complainant further informed that the construction referred is in CRZ area and therefore Goa Coastal Zone Management Authority (GCZMA) has passed an order bearing Ref.No. GCZMA/N/Ille/Compl./21-22/46/351 dtd. 13/5/2022 directing the Village Panchayat Morjim to demolish the illegal construction of compound wall in front of property bearing Sy.No. 122/1-A of Village Morjim Pernem Taluka. Member Secretary informed that the complainant has therefore requested to take further necessary action as the construction is unauthorized.

The matter was deliberated at length and serious note was taken of the fact that unauthorized constructions are being undertaken as not strict action is found to be taken against such constructions.

After deliberation, the Board decided that the direction need to be issued to the concerned Taluka Office of the TCP Dept. to act strictly against the unauthorized construction referred.

Member Secretary was accordingly directed to make further correspondence in this regard to ensure that the strict action is taken in the matter.

3. Regarding TDR policy and Transit Oriented Development/Corridors (TOD) along National Highways.

Member Secretary informed that earlier in 182nd meeting of the TCP Board held on 1/8/2022 and again in 183rd meeting of the TCP Board held on 11/8/2022, discussion were held on TDR policy and Transit Oriented Development/Corridors (TOD) along National Highways.

During the discussion on the subject, Chairman emphasized on the implementation of the policy at the earliest such that the same could be incorporated in the ODPs which are in the making and the zoning plans which are to be prepared by the Department.

Accordingly, it was decided that the Department shall finalise the rules for the TDR policy and for the TOD by June 2023 end.

Member Secretary was accordingly directed to initiate further procedure in this regard.

Meeting ended with thanks to the Chair.