

MINUTES OF 198th MEETING OF THE GOA TOWN & COUNTRY PLANNING BOARD HELD ON 29/02/2024 AT 4.00 P.M. IN CONFERENCE HALL, VAN BHAVAN, ALTINHO, PANAJI.

Following attended the meeting:

1. Shri. Vishwajit P. Rane, ... Chairman
Hon'ble Minister for TCP
2. Dr. Deviya V. Rane, Member
Hon'ble MLA, Poriem
3. Shri Rajesh Faldessai, Member
Hon'ble MLA Cumbharjua
4. Shri Shrinivas Dempo, Member
President, GCCI
5. Rena Menezes, Member
D.D.A., Agriculture Department
6. Ralph A. S. Barbosa, Member
Research Assistant, DPSE
7. Shri Cyd M. Ferrao, Member
S. W. (PWD)
8. Dr. Mohanrao P. Dessai, Member
Director of Health Services
9. Shri Rajesh Kale Member
Dy. Director Tourism
10. Eng. Paresh Gaitonde Member
11. Arch. Rajeev M. Sukhthanker Member
12. Shri. Rajesh J. Naik, ... Member Secretary
Chief Town Planner (Planning).

Item No. 1: Confirmation of the Minutes of the 197th meeting of Town & Country Planning Board held on 23/02/2024.

Member Secretary informed that the Minutes of 197th meeting of TCP Board held on 23/02/2024 are prepared and the same were placed before the Board for confirmation.

Members took note of the minutes circulated and as there was no further suggestions/correction, the same were treated as confirmed.

Item No. 2: Cases considered by the Committee constituted as per Notification under No. 36/1/TCP/503/2023/3349 dated 31/10/2023 for granting additional FAR.

Member Secretary informed that the Government vide Notification No. 21/1/TCP/2021-23/Steering Committee/107 dtd. 9/8/2023 and published in Official Gazette, Series I No. 18 dtd. 09/08/2023 had notified the amendment to GLDCR-2010, which provided for following:

“(2) The Government on recommendation of the Town and Country Planning Board shall grant additional height and FAR to the proposals on case to case basis in consideration of the locational aspect, nature of development, use proposed, information available and on any such other criteria, if required. Such relaxation shall however not be relaxed for more than 20% permitted in the prevailing Regulations.”

It was then informed that a Corrigendum vide Notification No. 21/1/TCP/2021-23/Steering Committee/119 dtd. 21/8/2023 was thereafter published in Official Gazette, Series I, No. 21 dtd. 24/08/2023 stating that the regulation as referred above shall be read as under:

“The Government on recommendation of the Town and Country Planning Board shall grant additional height and FAR to the proposals on case to case basis in consideration of the locational aspect, nature of development, use proposed, information available and on any such other criteria, if required.”.

The Board was then informed that 7th meeting of the Committee, as constituted in this regard vide Notification No. 36/1/TCP/503/2023/3349 dated 31/10/2023 was held on 28/02/2024 in the office of the Chief Town Planner, TCP Dept., Panaji, during which, the proposals as forwarded by Taluka Offices/PDAs were considered by the Committee and the decisions taken were placed before the TCP Board as required under the amended regulation.

The Board deliberated in detail on the proposals submitted and conformity of the same in terms of notified regulations regarding the same. The Board took note that the proposals stands recommended by the Committee constituted for the purpose and therefore considered the same for approval at its end. The decisions as taken are recorded at Annexure/Table, which forms part of these minutes.

Item No. 3: Proposal of Shri Bal Ganesh Mandir Saunstha received from North Goa PDA for grant of Development Permission for proposed Temple in the property bearing Chalta No.2, 3 (part) of P.T. Sheet No.96 at Campal, Panaji, Goa.

Member Secretary informed that a Note bearing No. NGPDA/136/PNJ/3513/2024 dated 29/02/2024 is received from North Goa PDA, vide which a proposal of Shri Bal Ganesh Mandir Saunstha, as received by the Authority under their inward No. 3207 dated 29/12/2024 is forwarded. The proposal refers to the request made by the Secretary, Shri Bal Ganesh Mandir Saunstha for grant of Development Permission for proposed Temple in the property bearing Chalta No.2, 3 (part) of P.T. Sheet No.96 at Campal, Panaji, Goa.

It is mentioned by the PDA that the applicant has submitted the following documents:

- Certificate of Conformity with regulations in force from Architect Ketak S.P. Nachinolkar, Reg.No.AR/0023/2010.
- Structural Liability Certificate from Engineer Viraj Kunkoliencar, Reg. No. ER/0001/2016.
- Appendix B4, appointment of architect and engineer for the project.
- Order under ref.No.46/1/TCP/2022/192 dated 18/01/2024 from Chief Town Planner (Admin) and Ex-Officio Jt. Secretary to the Government of Goa along with the attached site plan showing plot for relocation of Bal Ganesh Mandir, Campal, Panaji - Goa.
- Submission drawing and Questionnaire form

It is stated by the Member Secretary, North Goa PDA that the site was inspected by the official of the Authority and it is observed that the plot admeasuring 100.00 m² as allotted by the Government is clearly demarcated by distinct boundary stone, which is located opposite to Bal Bhavan, Campal and adjoining corner of the Campal Parade Ground. The plot is accessible by 20.00 mts. road towards southern side and 30.00 mts. on western side.

It was further informed by the Member Secretary that the Note of NGPDA further states that vide Order dated 18/01/2024, the Chief Town Planner (Admin) and Ex-Officio Jt. Secretary to the Government of Goa, the Government has allotted 100.00 m² of land for re-location of temple structure and 250.00 m² of open space on periphery to the plot towards the western corner of Campal Parade

Ground. The applicant has submitted a site plan as attached to the allotment letter.

It is informed by the PDA that as per the drawing submitted, the applicant has proposed ground floor with basement, having 100.00 m² at respective floors, thus having total proposed built-up area as 200.00 m²

The area statement submitted by the applicant is as under:

Particulars	Details
Total Area of Plot	100.00 m ²
Coverage proposed @ 100%	100.00 m ²
Built-up area proposed (basement +Gr.Fl.)	200.00 m ²
FAR proposed	200%
Height of temple proposed inclusive of dome	10.00 mts.

It is stated by NGPDA that the proposal is examined and it is observed that the coverage, FAR and height proposed, exceeds the permissible limit as prescribed under zone Recreational 'R' under the Goa Land Development and Building Construction Regulations, 2010.

It is informed by NGPDA that the proposal was discussed in 94th meeting of the Authority held on 12/02/2024, during which it was explained to the members that as per Rule 6.A.4, the coverage and FAR permissible is 5% of the plot and height permissible is maximum 5.00 mts. and as such the proposal as submitted by the applicant does not confirm to the regulations in force. It is further stated that the Authority was briefed that vide Order dated 18/01/2024, the Government has allotted 100.00 m² of land for temple structure for relocation of existing Temple, and the same is done with approval of the Council of Minister.

It is informed by the Member Secretary that the Authority discussed and deliberated on the proposal and has decided to forward the proposal to the TCP Board for consideration and for approval of the Government as regards to grant of relaxation of coverage, FAR and height for the proposed structure, such that the Development Permission could be granted for relocation of the Temple in the area allotted under Recreational 'R' zone.

The Board deliberated on the proposal submitted and took note that the very purpose of allotting 100 m² of the land to the applicant was for the purpose of relocating the temple existing right in the middle of the road at a crucial junction of Panaji – Miramar road and which creates traffic hurdles.

Considering that the plot has been allotted for the relocation purpose and considering that the portion of the land allotted is within the campal Parade Ground, it was decided by the Board to recommend the proposal for approval by relaxing the planning parameters and as mentioned in the application.

Member Secretary was accordingly directed to forward the proposal for approval of the Government in view of recommendation made by the Board.

Item No. 4: Proposal for regularization of Retail Shed, Security Cabin and Regularization of Rest Room Block 3 and 4 of Earlier approved Shed 1 at land bearing Sy. No. 5/0 of Talaulim village, Tiswadi Taluka from Mr. Francisco Soccero Serrao.

Member Secretary informed that Tiswadi Taluka Office has forwarded a proposal for regularization of Retail Shed, Security Cabin and Regularization of Rest Room Block 3 and 4 of earlier approved Shed 1 at land bearing Sy. No. 5/0 of Talaulim village, Tiswadi Taluka from Mr. Francisco Soccero Serrao.

Member Secretary further informed that earlier Tiswadi Taluka Office had received a proposal from Mr. Francisco Soccero Serrao for construction of Residential Apartment Block -1, Residential Block 2, Bungalow and for regularization of Retail Shed, Security Cabin and also for regularization of Rest Room Block 3 and 4 at land bearing Sy. No. 5/0, Talaulim village Tiswadi Taluka and whereas the same was rejected vide letter No. TIS/2705/TAL/TCP/2022/1841 dated 22/08/2022, as the area for regularization was found to be more than 500.00m², which was not found to be permissible as per regulation 22.4(a) of the Goa Land Development and Building Construction Regulations, 2010.

It is further informed by Tiswadi Taluka Office that the applicant vide letter dated 12/01/2024 has given clarification that earlier he had obtained Technical Clearance Order for construction of service shed in plot bearing Sy.No. 5/0 of Talaulim village, Tiswadi Taluka vide Order No. TIS/2705/CAL/2002/532 dated 16/03/2002. Further, the applicant has stated that the said service shed was extended with block 3 and 4 and the same was done due to the unexpected surge in materials purchased for increased event activities.

The applicant has also reasoned that the lack of existing storage space and the approaching monsoon at the relevant point of time threatened to damage his valuable assets. Hence, the structure was constructed in the adjacent area, which consisted of Retail Shed, Security Cabin & Restroom block.

Further the applicant has stated that there were constant theft occurring and to prevent the same necessary control measures had to be put in place, for which reason, the construction of a security cabin and restroom was immediately undertaken by him.

It is stated by Tiswadi Taluka Office that the applicant has not maintained required height, coverage, FAR and other planning parameters, as required regulations in force are not met.

The Board perused the proposal placed before it and the reasons cited by the applicant for the construction undertaken and decided to recommend the same for regularization by considering the merit of the case.

Member Secretary was accordingly directed to forward the proposal for approval of the Government in view of recommendation made by the Board.

Item No. 5: Proposal for regularization of structure (Ground + 3 Floors) in Plot bearing Chalta No. 106 (part) and Chalta No. 53 of P.T. Sheet No. 100 at Maimolem, Vasco, Mormugao Taluka from Shri Deepak Naik.

Member Secretary informed that Mormugao PDA has forwarded a proposal for regularization of structure(Ground + 3 Floors) in Plot bearing Chalta No. 106 (part) and Chalta No. 53 of P.T. Sheet No. 100 at Maimolem, Vasco, Mormugao Taluka from Shri Deepak Naik.

It is further informed by Member Secretary, MPDA that the applicant has submitted Certificate of Grant for regularization (Under Goa Act of 2016) issued vide Ref. No. 37/3/Reg-ENC/Pvt. Land/DYC/59/2016/3027 dated 15/11/2022 and Order vide ref. No. 37/3/Reg-ENC/Pvt. Land/DYC/59/2016/3026 dated 15/11/2022. As seen from the noting, the area of the plot is 200.00 m² and is zoned as S-1 and is accessible by existing 8.00 mtrs wide road, which is proposed as 10.00 mtrs. wide ODP road on the Southern side of the property as per Vasco-da-Gama Planning Area 2030.

The proposal is forwarded by Mormugao PDA for placing the same before the TCP Board as the area to be regularized requires relaxation in regulations, under the Goa Land Development and Building Construction Regulations, 2010.

The Board perused the records placed before it and found that the applicant has already got its structure regularized by office of the Dy. Collector as provided under relevant provisions of regularization Act and whereas the present proposal is for further regularization of second floor of the residential house.

Board also observed that the structure to be regularized is for personal housing of the applicant and not for any commercial use. Since the structure was found to be for self use, it was decided by the Board to recommend the same for regularization by relaxing the relevant regulations under the Goa Land Development and Building Construction Regulations, 2010.

Member Secretary was accordingly directed to forward the proposal for approval of the Government in view of recommendation made by the Board.

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

a) Inventory of land acquired by TCP Department

Chairman briefed the Members that TCP Department has acquired various land parcels for the purpose of undertaking development and which, in many cases has been further transferred to Planning & Development Authorities for development purpose.

The Members were further informed that the Department is still in possession of land, which he required to be put to use especially for some public purpose and for installation of public utilities.

Considering this aspect, Chairman highlighted that the Department is in possession of land along Miramar-Dona Paula Road and along Dona Paula Circle to Raj Bhavan. While considering different options for putting up this land to use, Chairman suggested that considering the tourist influx at Dona Paula, it is absolutely necessary to provide better parking facilities around the place and therefore suggested that the land near Raj Bhavan could be developed for parking purpose. The Members acknowledged the need and consented that it would be more appropriate to put this land for use as parking lot.

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

During the discussion, Member Secretary informed the Members that the land in possession of TCP Department along Miramar - Dona Paula road is presently maintained by Goa Forest Development Corporation (GFDC) and for which purpose, the TCP Department is paying necessary maintenance charges to GFDC.

At this, Member Smt. Deviya Rane suggested that the TCP Department can further explore the possibilities of handing over additional land to GFDC, only for the purpose of maintaining and beautifying it and for which purpose, the TCP Department and GFDC can work out further modalities including payment of additional maintenance charges, etc. towards the same.

The Board agreed with the suggestion made and accordingly directed Member Secretary to undertake further procedure in this regard.

b) Regarding cartographical error to be rectified in the Regional Plan 2021 in the village of Raia.

Member Secretary informed that letter under ref. No. CUR/MLA/C/2023-24/225 dtd. 21/09/2023 is received from Shri Aleixo Reginaldo Lourenco, Hon'ble MLA, Curtorim Constituency, bringing to the notice of the Department about a cartographical error, which he states is to be rectified in the Regional Plan for Goa - 2021 in the village of Raia.

The letter refers to the subject about incorrect width of road marked as 25.00 mts. on Regional Plan for Goa -2021, which need to be corrected to 10.00 mts.

Member Secretary further informed that Shri Aleixo Reginaldo Lourenco, Hon'ble MLA in his letter dtd. 21/09/2023 has stated that he is in receipt of representation/requests from the villagers of Raia village and in particular residents along the stretch of road from Raicho Ambo towards Nuvem Church to correct the proposed right of way proposed Road width that has erroneously been shown in the Regional Plan 2021 (R.P-2021).

The letter of Hon'ble MLA further states that on the village level plan of R.P.2021, within the village Plan of Raia, the aforesaid stretch of road from Raicho Ambo towards Nuvem Church has been shown as a proposed 25-meter

width within the jurisdiction of Raia and the same stretch has been shown as a proposed 10 meter width road within the jurisdiction of the village level plan of Nuvem village in R.P.G – 2021.

The letter refers to part Regional Plan of village Nuvem, village Raia and combined village plan of Nuvem & Raia, as per which, it is seen that the stretch of road from Raicho Ambo towards Nuvem Church is one continuous straight stretch of road and therefore cannot have two different proposed widths within the two different village jurisdictions.

Hon'ble MLA has further mentioned that proposed width of 25 meters has been kept only for Major District Roads (M.D.R.).

The matter was discussed at length by the Members and it was observed that there is an anomaly in designating the width of a continuous road by which, a stretch of road within Nuvem village jurisdiction is shown as 10.00 mts. whereas the continuation of same road through the jurisdiction of Raia village is marked as 25.00 mts. wide.

Considering the stretch of road and the representation as forwarded by Hon'ble MLA, it was recommended that the width of the road under reference passing through Nuvem and Raia village need to be corrected as 10.00 mts. on RPG-2021.

The Board was however of the opinion that since the matter refers to correction in RPG-2021, it shall be more appropriate to deal the matter under Section 17(2) of the TCP Act, which is dealing with the correction in Regional Plan.

Member Secretary was accordingly directed to consider the proposal u/s 17(2) of the TCP Act and to undertake necessary corrections in RPG-2021, as above, as recommended by the Board.

Meeting ended with thanks to the Chair.