

**MINUTES OF 203rdMEETING OF THE GOA TOWN & COUNTRY
PLANNING BOARD HELD ON 10/07/2024 AT 10.30 A.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 Ralph de Souza ... Member
GCCI
5. Shri Cyd M. Ferrao, Member
PWD
6. Dr. Mohanrao P. Desai, Member
D.H.S.
7. Shri Nilesh Khanvilkar, ... Member
Director of Agriculture
8. Shri Rodlin Mascarenhas, ... Member
Asst. Director Tourism
9. Shri Bharat Kamat, Member
Chairman-IGBC, Goa Chapter
10. Shri Amol Anant Sawant, R.A., Member
Representative of Directorate of Planning
Statistics & Evaluation.
11. Shri PareshGaitonde Member
12. Shri Rajeev M. Sukhthanker Member
13. Ms. Vertika Dagur, Invitee
Chief Town Planner (Admn.)
14. Shri. Rajesh J. Naik, Member Secretary
Chief Town Planner (Planning)

Item No. 1: Confirmation of the Minutes of the 202nd meeting of Town & Country Planning Board held on 24/06/2024.

Member Secretary informed that the Minutes of 202nd meeting of TCP Board held on 24/06/2024 are prepared and the same were placed before the Board for confirmation.

Members took note of the Minutes circulated and as there were no further suggestions/comments, the same were treated as confirmed.

Item No. 2: Appeal under Section 52 of the TCP Act, 1974 filed by Mr. Alice Andrade against South Goa Planning and Development Authority. (File No. TP/B/APL/444/24)

Member Secretary informed that the Appellant has preferred the appeal against the Order dated 08/04/2024 bearing ref. No. SGPDA/Illegal/58/24-25 issued by the Member Secretary, South Goa Planning and Development Authority, by virtue of which, the Respondent had directed the Appellant to remove all illegal construction carried out by him within a period of 30 days from the date of notice.

Applicant has submitted brief facts of the case as under:

That he is a senior citizen of advanced age of 90 years and is the owner of a residential house, bearing H. No. 204, St. Joaquim Road, Borda, which is located in a property bearing chalta No. 74 P. T. Sheet 136 and the house is 250 years old Portuguese Heritage house in the heritage area of Borda, Margao. The said residential house consists of a ground floor made up of mud walls.

The said residential house occupied by one Maria Amabel Clement and the Appellant has a common house walls and common boundary wall.

As the Appellant has 2 sons, who are residing along with their families and to ensure both families enjoy independent peaceful lives, the ancestral house was mutually divided into 2 parts, upon obtaining necessary permissions from the Margao Municipality and other Government Departments.

The western side of the residential house has been allotted to the Neville Andrade who is residing there along with his wife and 3 children. The said western side of the residential house has been allotted Municipal House license No. 12/132.

The eastern side of the residential house has been allotted to the second son Glenn Andrade who is residing there along with his wife and 3 children. The said eastern side of the residential house has been allotted Municipal House License No. 12/132A.

Appellant states that for the purpose, necessary permissions have been taken for dividing the residential house between her two sons, including following permissions:

1. Permission for sewage connection for the building from Sewage Department dated 15/11/2013, approved by Assistant Engineer.
2. Conversion Sanad from Deputy Collector dated 27/08/2014 for the building.
3. NOC for occupancy of building from sanitary point of view from Health Officer, Urban Health Centre, Margao dated 19/09/2018.
4. Completion Certificate from South Goa Planning and Development Authority Margao dated 06/09/2018.
5. Occupancy Certificate from Chief Officer, Margao Municipal Council dated 24/09/2018.

Appellant states that no illegal construction has been undertaken with respect to the residential house in the property and that all necessary permissions undertaken.

Appellant has received Show Cause Notice dated 19/04/2023 from the Respondent, stating that a site inspection was conducted in the said Property on 23/05/2022, and it was observed that illegal developments were undertaken in the said property and accordingly a Show Cause Notice dated 19/04/2023 was issued to the Appellant.

Appellant further states that it was only after the site inspection was conducted and show notice dated 19/04/2023 was issued, he was made aware that the site inspection was conducted on the basis of a complaint filed by Maria Clement.

It is further stated by the Appellant that vide letter dated 12/06/2023, all the facts were brought to the attention of the Respondent by him. However, inspite of the information being brought to the knowledge and attention of Respondent, the same was not considered by the Respondent and it is only due to the constant and persistent harassment meted out by the Respondent, he has filed an application for regularization of the minor maintenance/ improvement and alteration works with respect to the said residential house with the Deputy Collector and the said

application for regularization is still pending for approval with the Deputy Collector.

Aggrieved by the Impugned Order, the Appellant has preferred the Appeal on following grounds:

1. That considering the nature of the work, the said Section 52 of the TCP Act cannot be made applicable for the said part of the work of excavation.
2. That the activity undertaken by it cannot qualify as “development” or “change of use of land” under Section 52 of the TCP Act.
3. That the works carried out by him amounted to minor alteration works and it is reiterated that Section 52 cannot be made applicable.
4. That he has obtained all the necessary permissions/approvals from the concerned authorities for the residential house undertaken in chalta No. 74 P. T. Sheet 136, except for permission under Sec. 44 of the TCP Act. The minor improvement and alterations works by the Appellant are in strict conformance with the said permissions/ approvals and there is absolutely no deviance in respect of the same.
5. That the Appellant has commenced the minor alteration and improvement works pursuant to obtaining all the requisite permissions and approvals whilst complying with the relevant provisions of law.
6. That an application is submitted for regularization of the minor maintenance/ improvement and alteration works and the said application is pending adjudication and considering that the Appellant’s application for regularization is still pending, no order could have been passed whilst the said application for regularization is still pending.

The Appellant has therefore prayed to allow the present Appeal and quash and set aside the Impugned Order dated 19/04/2024 passed by the Respondent Authority.

Member Secretary then informed that during the hearing before the Board in its 202nd meeting held on 24/06/2024, Mr. Glen Andrade appeared on behalf of Appellant and informed that due to short notice issued to him, he could not prepare and gather relevant documents to defend the matter before the Board. During the hearing, the Appellant also submitted a letter citing therein his health issues and submitted a Medical Certificate issued by Hospicio Hospital Margao, as supporting document and therefore requested for adjournment of the matter and

considering the reasons cited, the Board had agreed for the adjournment and accordingly the matter was adjourned with the direction to the Member Secretary to place the appeal before the next meeting of the TCP Board for hearing.

The matter was therefore again placed before the 203rd meeting of TCP Board for which, the Appellant and the Respondent i.e. the Member Secretary of NGPDA were present.

During the hearing, the Appellant submitted before the Board, a copy of order dated 25/06/2024 issued by the Hon'ble High Court of Bombay in Writ Petition No. 166 of 2024 (Filing No.) as per which the impugned communication dated 14/6/2024 issued by South Goa Planning and Development Authority remains stayed.

The Appellant also placed before the Board a letter dated 10/07/2024 vide which, the Appellant brought to the notice of the Board that a hearing was conducted for regularisation of house through the office of Deputy Collector, Margao on 09/07/2024 and the said matter is further fixed for finalization of regularisation on 17/07/2024. The Appellant therefore stated that an Order in this regard from Dy. Collector is awaited and hence requested for adjournment of the matter to enable him to place before the Board final outcome in the matter.

Considering the submissions made by Appellant, the Board decided to adjourn the matter and hear during forthcoming meeting.

Item No. 3: Appeal under Section 52(2) of the TCP Act, 1974 filed by Mr. Prabhakar A. Nagvenkar against North Goa Planning and Development Authority. (File No. TP/B/APL/440/24)

The Member Secretary informed that the Appellant through his son, Sushant P. Nagvenkar, has preferred an appeal under section 52(2) and has challenged the impugned final notice under section 52 of the Town and Country Planning Act, 1974 bearing ref. NGPDA/ill/Const/15/PNJ/76/2024 dated 05/04/2024 issued by Member Secretary, North Goa PDA.

As per the appeal memo, one Mr. Ajit P. Volvoikar, filed a complaint dated 02/03/2020 before the Respondent Authority on 04/03/2020 alleging that an illegal construction was carried out by the Appellant in Chalta No. 65 PT. Sheet No. 4 within the area of CCP in ward No. 30.

Subsequent to the said complaint, the complainant, Ajit Volvoikar, somewhere in May 2023, 11/05/2023, after a lapse of almost three calendar years, follows up the issue with the NGPDA referring to his complaint dated 02/03/2020 and narrating the contents of the said complaint and the Respondent Authority, acting on the said follow up communication dated 11/05/2023, issued a communication No. NGPDA/ill-const. /15/PNJ/23/1285/2023 dated 20/07/2023 to the Appellant with copy of the complainants communication dated 11/05/2023, directing him to produce ownership documents of the property alongwith development permission/ construction license if any and further seeking a reply within 15 days.

Appellant states that given the frivolous nature of complaint dated 11/05/2023 and since the communication of NGPDA dated 20/07/2023 was not specific quoting therein the statutory provisions and the specific action that would follow, a sense of binding requirement to act on the said communication was not found to be prominent by him and as such, he did not act on the said communication immediately.

The communication of the North Goa PDA was soon followed up by a communication ref No. NGPDA/ill-const./15/PNJ/1700/ 2023 dated 31.08.2023 intimating of a proposed date and time of a site inspection and seeking the Appellants presence and co-operation for the inspection and the inspection intimation was then followed by a Show Cause Notice bearing ref. NGPDA/ill-const./15/PNJ/2033/2023 dated 06/10/2023.

The Appellant states that he responded to the said Show Cause vide his reply dated 16/10/2023 and in the said reply, he conveyed how the complainant has been complaining against him to all and sundry and denied the content of the show cause and in particular sought to know the powers under which the Show Cause was issued.

The Appellant has subsequently received the impugned Final Notice dated 05/04/2024 on 08/04/2024, which the Appellant states was issued without affording any opportunity of hearing him.

The Appellant has preferred an Appeal challenging the impugned Final Notice dated 05/04/2024 on following grounds:

1. That the Authority has passed the impugned final Notice dated 05.04.2024 in a cursory manner based on Conjectures and surmises.

2. The Show Cause Notice dated 16.10.2023, is factually and inherently erroneous rendering the final Notice dated 05/04/2024, which find its footing in the said show cause, null and void ab-initio.
3. The Final Notice dated 05/04/2024 is not by the time bar set out in Sec 52 of the TCP Act and therefore is bad in law and nullity.
4. The Authority completely failed to logically traverse the reply dated 16/10/2023, filed by the appellant to the Show Cause dated 05.04.2024, arbitrarily brushing it aside by terming it "Unsatisfactory" for failure to produce any approvals / permission as required to be obtained under Town and Country Planning Act, 1974.

The Appellant has therefore prayed that the appeal be allowed and the impugned Final Notice Order ref. No. F1/CCP/ENG/SCN/2021-22/817 dated 27/10/2022 passed by the Respondent be quashed and set aside.

Member Secretary then informed that during the hearing in 202nd meeting held on 24/06/2024, Adv. Hanumant Naik appeared on behalf of Respondent PDA, whereas the Appellant remained absent for the same and therefore considering this as the first opportunity, the Board decided to adjourn the matter which was consented by the Respondent.

The matter was therefore again placed before the 203rd meeting of TCP Board during which, both the Appellant and the Respondent Member Secretary of NGPDA were present for the hearing.

During the hearing, the Appellant placed a letter before the Board dated 10/07/2024, vide which, it is prayed to the Board to decide on the preliminary objections raised by him prior to going into the merits of the case. The Appellant further stated that some additional and relevant facts have emerged on his subsequent perusal of the issue and therefore craved leave to amend his pleadings by way of an addendum and further prayed for six weeks time to do the needful. Considering the request made, the Board decided to adjourn the matter.

Item No. 4: Submission of Budget of North Goa Planning and Development Authority for the financial year 2024-2025.

Member Secretary informed that the North Goa PDA has submitted budget for the year 2024-2025 vide letter bearing No. NGPDA/Budget/707/2024 dated 25/06/2024 and the same was placed before the Board under Section 106 of the TCP Act for discussion.

Member Secretary, North Goa PDA informed the Board that the Budget as prepared for the year 2024-25 is Rs. 7,96,82,000/- which includes the anticipated grants-in-aid. It was further stated that the anticipated expenditure is Rs. 7,83,20,000/-.

Member Secretary, North Goa PDA further briefed the members about the major component for Revenue Receipt as under:

1. Anticipated Grant-in-aid from the Government towards Town Planning Scheme, Down Town Mapusa is Rs. 1,00,00,000/-.
2. Construction of roads behind T.R. Residency in Sy. No. 164/2 to 172/7 at Bondiem Taleigao is Rs. 50,00,000/-.
3. Auction receipt/Sale of Porvorim Plot is Rs. 1,00,00,000/-
4. General Revenue is Rs. 5,46,52,000/-

Member Secretary further explained the Budget provision as regards to revenue receipts, par capital receipts, expenditure revenue and capital expenditure.

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

Item No. 5: 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 11th 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 09/07/2024 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 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 of the proposals as recommended by the Committee constituted for the purpose and further deliberated on each of the same and considered the same for approval as per the decisions recorded at Table ‘A’, which forms part of these minutes.

Item No. 6: Applications received under Section 39A of the TCP Act for the consideration of the Board for change of zone in the Regional Plan/Outline Development Plan.

Member Secretary informed that the Government has introduced new section, Section 39A for change of zone vide Notification Series I No. 47 dated 22/02/2024 which reads as under:

“39A. Change of Zone.— (1) Notwithstanding anything contained in this Act, the Chief Town Planner (Planning) upon direction of the Government or on receipt of an application in this regard and with approval of the Board, may, from time to time, alter or modify the Regional Plan and/ or the Outline Development Plan to the extent as specified in sub-section (2) for carrying out change of zone of

any land therein, in such manner as prescribed, after giving notice of 30 days inviting suggestions from the public, provided the change of zone shall not be in respect if any eco sensitive land as may be prescribed.

(2) The alteration or modification carried out under sub-section (1) shall not alter the overall character of the existing Regional Plan and/or the Outline Development Plan.”

The Government has also framed the Rules for considering application under Section 39A of the TCP Act as notified in the Official Gazette (Supplementary) vide Series I No. 49 dated 07/03/2024 and as amended vide Notification No. 21/1/TCP/GTCPACT/2024/824 dated 24/05/2024 published on the Official Gazette Series I No. 10 dated 06/06/2024.

Rules provides for procedure to be adopted, objection suggestion period, scrutiny of application and rates of processing fees and change of zone. As per the said rules, application received under Section 39A of the TCP Act shall be placed before the TCP Board after carrying out necessary scrutiny for its recommendation/approval/decision and the same to be subsequently notified for objection/suggestion.

The applications received by the Department with scrutiny details were placed before the 203rd Town & Country Planning Board meeting as per the rules for its recommendation/approval/decision and the cases as listed at Table ‘B’ are approved by the Board. The Member Secretary, TCP Board was accordingly directed to initiate further course of action in this matter.

Details of applications as placed before the Board under Section 39A and decision of the Board on the same is as per Table ‘B’, which forms part of this minutes.

Item No. 7: Guidelines for Indian Green Building Council (IGBC) Certification.

Member Secretary informed that the Goa Town and Country Planning Department has signed an MOU on 20th January 2024 with CII- Indian Green Building Council to work together to incorporate green concepts/measures as part of the development plans, policies, and programs in the State of Goa. Board was further informed that as part of the MOU signed, IGBC has conducted a half-day workshop on Green Buildings for the Officials of TCP Department on 16th February

2024 at TCP Headquarters, during which it was discussed about the rapid development happening and number of projects coming up in the State of Goa and the need to shift from conventional buildings to green buildings so as to conserve natural resources and thus reduce the impact on the environment.

As per the signed MOU, one of the main focus areas is for CII-IGBC to facilitate the development of a coherent policy framework in line with the State Sustainable Goals and for IGBC to act as a “Sustainability Partner” to the TCP Department.

During the discussion, reference was made to the prevailing Goa Land Development and Building Construction Regulations, 2010, Regulation 6.A.4 Note (28), which provided for the following:

“Incentives for Indian Green Building Council (IGBC) Certified Green Buildings: An additional FAR of 10% may be granted with the approval of the Government, for Green Building Projects which will be pre-certified/provisionally certified by IGBC. All such project proponents availing this additional FAR shall be issued Completion Certificate with the approval of the Government post certification by IGBC and this IGBC Certification shall be renewed every 5 years by IGBC.”

Members were then informed that IGBC has submitted draft guidelines for granting an additional FAR of 10% for Green in Building Projects the State of Goa and the same were discussed upon:

It was then brought to the notice of the Board in its 202nd meeting held on 24/06/2024, the following was deliberated upon:

- 1) Residential plot area/built up area or the number of commercial units to be mandatorily considered for IGBC rating.
- 2) Commercial plot area or the number of commercial units to be mandatorily considered for IGBC rating.
- 3) Educational plot area/ built up area to be mandatorily considered for IGBC rating.
- 4) Minimum built up area for farm houses to be considered for IGBC rating.

Since it was felt necessary by the Members that a detail presentation by IGBC is required to decide on the guidelines, it was decided that IGBC shall make a presentation on guidelines formulated for the purpose of implementation of the same for undertaking Green Building initiative in the State of Goa.

Accordingly, officials of the IGBC i.e. M. Anand, Deputy Executive Director, Himanshu Shah, Director, Bharat Kamat, Chairman, K. K. Sekhar, Co Chair and Shri Ankur Pramal, Director & State Head, CII Goa State Council made a formal presentation before the Members during which, they highlighted the efforts and achievements of the Indian Green Building Council (IGBC) in promoting green building practices in the state of Goa. It was emphasized by the officials on the partnership between IGBC and the Government of Goa to foster sustainable development through various initiatives and incentives.

Key Points of the Presentation were as follows:

1. Partnership and Capacity Building:

The presentation highlighted the focus areas of the partnership as part of the Memorandum of Understanding (MoU) with the Government of Goa. These included capacity-building programs for planners, engineers, architects, and other relevant departments, advisory services for development plans, and facilitation of policy framework development in line with the state's sustainability goals.

2. Successful Green Projects in Goa:

The presentation showcased several IGBC-certified green projects in Goa, including residential complexes, resorts, factories, and educational institutions. Notable examples include the Manohar International Airport (Platinum rated), Club Mahindra Resorts, and various green homes and factories.

These projects demonstrated the viability and benefits of green buildings, such as reduced energy and water consumption, improved indoor air quality, and enhanced occupant health and productivity.

3. Incentives for Green Buildings:

The presentation also highlighted the incentives for developers such as faster approvals and grant of additional FAR for the project proponents. Policies to remove caps on the installed capacity for onsite renewable power generation was

also discussed alongwith promoting the open access and encouraging net metering/gross metering to ensure a quick return on investment.

The presentation also included incentives such as capital subsidies, power tariff concessions, stamp duty exemptions and reimbursement of IGBC certification fees for specific types of projects.

4. Certification Process:

IGBC in their presentation explained the certification process which included Registration, Pre-Certification, Final Certification and the Validity of the certifications issued.

The presentation included a comparative analysis of green building incentives offered by various Indian states, highlighting Goa's competitive position with its proposed incentives.

The Presentation underscored the potential for Goa to emerge as a Model Green State by 2025 and reiterated IGBC's commitment in providing all necessary support to achieve this vision, aiming to transform the built environment in Goa into a sustainable and green ecosystem.

Further deliberation were then held by the Members with the officials of IGBC and it was decided that the Department as of now can consider the incentives of faster approvals and grant of additional 10% FAR as provided under the regulations towards the Green Building Certification and it was decided accordingly that a methodology shall be framed for the approval process by the Department and Green Building Certification by IGBC.

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

Item No. 8: Any other item with permission of the chair.

A) Presentation of Outline Development Plan for Panaji Planning Area 2031.

Member Secretary informed that North Goa Planning and Development Planning Area vide letter dated 10/08/2023 has submitted Outline Development Plan for Panaji (Part) Planning Area 2031, under Section 35 (3) and report as

submitted by the consultant, for the purpose of placing the same before the TCP Board and for onward submission to the Government.

While elaborating on the process undertaken for preparation of the same, Member Secretary informed that vide Order No. 36/1/TCP/323/2018/2630 dated 28/12/2018, the direction of the Government u/s 39 of the Town & Country Planning Act, 1974 were issued to North Goa Planning and Development Authority, to take up the process afresh of revising Outline Development Plan for Panaji Planning Area by following the procedure envisaged u/s 29, 30 and 34 to 37 of the Town & Country Planning Act, 1974.

It was then informed that in pursuance of the said directions, the North Goa Planning and Development Authority had undertaken further process of preparation of ODPs.

It was further informed that vide Order bearing No. 47/5/TCP/2022-23/1026 dated 27/04/2022, further direction of the Government were issued to GPPDA, NGPDA and SGPDA to keep on hold their respective draft ODPs and were further directed to prepare fresh ODPs for their respective planning areas in consultation with consultants/ experts.

The Board was then briefed that the directions of the Government were subsequently issued vide Order No. 36/1/TCP/447/2022/2344 dated 14/09/2022 to North Goa Planning and Development Authority to prepare the Outline Development Plan for Panaji Planning Area and acting upon the said Order, Notification was accordingly issued in the Official Gazette, Series I No. 26 dated 29/09/2022.

Vide Order No. 47/5/TCP/2022-23/2159 dated 05/07/2023, Government directions were thereafter issued to North Goa Planning and Development Authority to complete the process of preparation of Outline Development Plan for Panaji Planning Area – 2031 by 30/07/2023.

The Board was then informed that North Goa Planning and Development Planning Area, vide their letter dated 01/08/2023 had requested for extension of time for completion of Outline Development Plan for Panaji Planning Area, however the request was not considered by the Government and the decision was accordingly communicated to NGPDA vide Order No. 47/5/TCP/2022-23/2656 dated 04/08/2023.

The Members were then informed that as per the direction issued, the North Goa Planning and Development Planning Area vide letter dated 10/08/2023, has now submitted Outline Development Plan for Panaji (Part) Planning Area 2031 and report as submitted by the consultant, under section 35 (3) of the TCP Act for the purpose of placing the same before the TCP Board and the Government.

During deliberation, Members opined that various issues are now emerging within Panaji Planning Area, in view of rapid development coming up within the city and therefore expressed that adequate opportunity needs to be given again to the public to express their views in terms of objections/suggestions on the ODP of Panaji Planning Area 2031.

Members also noted that major development projects are coming up in the city, which will definitely have its impact on prevailing land uses and was therefore felt that the zoning allocation as done in the ODP submitted, need to be re-looked upon.

Chairman also expressed the need for the same in view of number of applications being filed by the owners of property/ project proponents within the Panaji Planning Area, requesting for higher FAR and additional height for the buildings, as provided under regulation 6.1.1 (2) of the Goa Land Development and Building Construction Regulations, 2010.

It was therefore recommended by the Board that the directions under section 132 of the TCP Act, 1974, may be issued by the Government to North Goa Planning and Development Planning Area to restart the process of preparation of ODP by re-notifying the ODP of Panaji Planning Area (Part) under section 35 of the TCP Act, 1974, by calling objections/suggestions from the public, as prescribed under the Act.

Considering the long pending issue, the Board further decided that the matter shall be expeditiously dealt by the North Goa PDA and accordingly Member Secretary was directed to immediately forward the recommendation of the Board to the Government for its onward consideration and for issue of direction accordingly to North Goa PDA.

B) Regarding the application of Mr. Sumedha Rajesh Sawal u/s 17(2) of the TCP Act

Member Secretary briefed the Board about Section 17(2) of TCP Act under which, correction of inconsistent/incoherent zoning proposals under RPG-2021 are being considered by the Government and further informed that under the said provision of the Act, the Government has affected several corrections/rectifications to the properties under RPG-2021 on receipt of applications regarding the same.

The Board was then informed that after affecting such corrections/rectifications to RPG-2021, representations are sometimes received by the Department against such corrections/rectifications affected.

During discussion on the subject, the Chairman informed that he has received one such objection on the correction of zoning undertaken to the part of the property under Sy.No. 64/1-K of Virdi Village, Bicholim Taluka, wherein the area of 400 m² was corrected from Orchard zone to Settlement zone.

On inquiry, Member Secretary informed that the said correction was notified vide Notification No. 36/18/17(2)/ Notification(4)TCP-2024/1264 dtd. 19/6/2024 and published in the Official Gazette, Series II, No. 13 dtd. 27/06/2024, vide which, an area of 400 m² was corrected to Settlement zone, which was the part of the property earmarked as partly Orchard, partly Natural Cover with NDS and partly Orchard with NDS as per RPG-2021 and the property is abutting 30.00 mts. wide road.

The Board was briefed about the details of the case and considering the merits of the case and the topographical feature of the land, it was opined that the zone should have been ideally corrected as Natural Cover rather than correcting it as Settlement zone.

Member Secretary was accordingly directed to undertake further procedure regarding the recommendation made as above, such that the zone of the property under reference admeasuring an area of 400 m² is further corrected as Natural Cover by undertaking the procedure prescribed under the provisions of Section 17(2) of the Act and by obtaining necessary Government approval for the recommendation as above.

C) Decision on proposals considered in 39th meeting of the 16-A Committee, constituted under sub-rule 4 of Rule 3 of the Goa Town & Country Planning (Public Projects/Schemes/Development work by the Government) Rules - 2008 held on 05/03/2024.

Member Secretary informed that various proposals of the Goa Housing Board as considered by 16A Committee, constituted under sub-rule 4 of Rule 3 of the Goa Town & Country Planning (Public Projects/Schemes/Development work by the Government) Rules – 2008 were discussed by the Board in its 191st meeting held on 25/10/2023, 195th meeting held on 29/1/2024 and 199th meeting held on 8/3/2024.

The Board was then briefed about the decisions taken by the Board for change of zone of various properties of Goa Housing Board located in different parts of the State and was further informed that the recommendation of the Board as approved by the Government has been subsequently conveyed to the Goa Housing Board.

Considering the request as made by the Goa Housing Board, it was once again deliberated by the Board about the pattern as adopted by the Goa Housing Board for development of its properties by continuously undertaking change of zone, which appeared to be fully commercial motive, thus deviating in the very objective of the Goa Housing Board. It was also discussed that the grant of higher FAR shall drastically disturb the planning parameters of the respective area as the sub-division layout as approved earlier and the development subsequently happened in this layout has not envisaged such high density development in these areas. It was thus felt that the change of zone resulting into grant of higher FAR and change of uses of the land, as intended by the Goa Housing Board will certainly disturb the residential development as planned, as the infrastructure might not be adequate to support the enhanced FAR and change of uses done.

Considering the above, it was recommended that change of zone of following properties shall be reverted back to its original zone as was at the time of acquisition of land / approval of sub division scheme:

1. Proposal received from Goa Housing Board for change of zone from Institutional (Housing) with FAR of 150 to Institutional with FAR of 150 of property bearing Sy. No. 93/1(part), 93/2, 3, 4; 94/1 & 2; 95/1(part); 12/1, 2(part); 11; 13/1; 10/3, 2, 1 for Sector-Z of Village Rumdamol, Davorlim, Salcete Taluka.

2. Proposal for change of zone for Goa Housing Board from Group Housing (Residential Settlement) to Institutional in Block –H for an area admeasuring 945.00 m² of Sy. No. 92/0, 93/0, 94/0 of Curti Village, Ponda Taluka.
3. Proposal received from Goa Housing Board for change of zone from Institutional (Housing) with FAR 150 to Institutional (Commercial) with FAR of 150 of property bearing Sy. No. 449/1-A, Sector-A of Village Tivim, Bardez Taluka.
4. Proposal for change of zone from Settlement to Institutional (Commercial) with FAR 200 for an area admeasuring 3772.00 m² of Sy.No. 34/1 of Village Penha-de-Franca, Bardez Taluka.

Member Secretary was accordingly directed to forward above recommendation of Board to the Government for approval of the same.

Meeting ended with thanks to the Chair.