

MINUTES OF 194th MEETING OF THE GOA TOWN & COUNTRY PLANNING BOARD HELD ON 18/01/2024 AT 10.00 A.M. IN CONFERENCE HALL, VAN BHAVAN, ALTINHO, PANAJI.

Following attended the meeting:

1. Shri. Vishwajit P. Rane, ... Chairman
Hon. Minister for TCP
2. Dr. DeviyaRane, Member
Hon'ble MLA, Poriem
3. Shri Rajesh Faldessai, Member
Hon'ble MLA Cumbharjua
4. Shri Pravin Kumar Raghav, Member
CCF, Forest Dept.
5. Rena Menezes, Member
Dy. Director Agriculture
6. Shri ShrivallabhPai, Member
SE-I, PWD
7. Dr. Rupa Naik, Member
Directorate of Health Services
8. Shri Ralph A. S. Barbosa, Member
Research Assistant, DPSE
9. Shri ShrinivasDempo, Member
GCCI President
10. Eng. PareshGaitonde Member
11. Arch. Rajeev M. Sukhthanker Member
12. Ms. VertikaDagur Chief Town Planner
(Land Use)
13. Shri. Rajesh J. Naik, ... Member Secretary
Chief Town Planner (Planning).

Item No. 1: Confirmation of the Minutes of the 193rd meeting of Town & Country Planning Board held on 14/12/2023.

Member Secretary informed that the Minutes of 193rd meeting of TCP Board held on 14/12/2023 were circulated to the Members vide letter No. 36/1/TCP/507/2023/36 dtd. 04/01/2024 and since no comments on the same were received, the decisions as taken were implemented.

Members took note of the same and accordingly the Minutes of 193rd meeting were treated as confirmed.

Item No. 2: Proposal received from North Goa PDA for relaxation in the front setback for the development of Community Market in the property bearing Chalta No. 2-A and 3-A of P.T.Sheet No. 6situated at Ribandar Panaji.

Member Secretary informed that the North Goa Planning and Development Authority vide Note dated 17/01/2024 has submitted a Note seeking relaxation of front setback for the development of Community Market in the property bearing Chalta No. 2-A and 3-A of P.T.Sheet No. 6 situated at RibandarPanaji.

It was further informed by the Member Secretary thatNGPDA has informed thatImagine Panaji Smart City Development Ltd. (IPSCDL) has undertaken the work of development of Community Market at Ribandar under the Smart City Mission in the property owned by North Goa Planning and Development Authority.

Member Secretary further informed that North Goa Planning and Development Authority has granted Development Permission vide Order No. NGPDA/03/PNJ/22-23/2524/2022 dated 20-12-2022 for construction of RibandarCommunity Market under Smart City Mission in the property bearing Ch. No. 2-A and 3-A of P.T. Sheet No. 6 situated at Ribandar,Panaji Goa.

Member Secretary also informed that the North Goa PDAhad received a complaint from Shri Amar ManoharKanthak, resident of Aquem, Alto Margao,Salcete Goa, stating that the construction work undertaken by Imagine Panaji Smart City Development Ltd. (IPSCDL) is being carrying out in total violation of approved plan and without maintaining required front setback and road widening area, as approved and has therefore requested to take action according to the law.

Member Secretary further informed that the North Goa PDA has stated that complainant Mr. Amar ManoharKanthak had also filed a Writ Petition No. 2532/2023 (F) before the Hon'ble High Court of Bombay at Goa against the Authority in this regard and that the said Writ Petition was disposed on 06-11-2023, giving directions to the Authority and Corporation of the City of Panaji to dispose the complaint within 2 weeks from the date of Order passed.

It has been further informed by the NGPDA that pursuant to the Order passed dated 06-11-2023, a joint site inspection was carried out by the officials of North Goa Planning and Development Authorityand Corporation of the City of

Panaji and it was noted that the construction work being carried out of the building is in violation deviation of the plans approved by the Authority vide permission dated 20-12-2022, as minimum required front setback and the road widening area as required has not been maintained.

Member Secretary further informed that the NGPDA has also noted that the building alignment was found to be shifted more towards the northern side of the property, thus encroaching in the front setback area and area reserved for road widening, as shown on the approved plan. It is found by the Authority that the setback required to be maintained from the centre line is 10.50 mts., from the existing road i.e. from the central line from the existing Old Heritage Causeway. Whereas it is found that the setback available from the centreline of this existing road to the front of building is 6.08 mts. only. It was also observed that the front setback maintained on site from existing compound wall of heritage causeway to the front of building is 2.40 mts. only.

It is therefore stated that the NGPDA had issued a Show Cause Notice cum Stop Work Order to Imagine Panaji Smart City Development Ltd. (IPSCDL) under Section 52 and 53 of Town and Country Planning Act vide ref. No. NGPDA/03/PNJ/2465/2023 dated 17-11-2023.

Member Secretary then informed that the North Goa PDA has subsequently received a replydtd. 2/1/2024 to the Show Cause Notice cum Stop Work Order from Imagine Panaji Smart City Development Ltd. (IPSCDL) vide which a copy of sketch plan as issued by DSLR,after carrying out the survey, is enclosed, wherein the front setback is shown as 3.00 mts. The reply further states that the width of the road abutting front is 19.20 mts. (inclusive of existing causeway, newly built road and traffic median) and further it is stated that the width of the road as required to be maintained is 15.00 mts., which is already available on site and therefore it is informed that the edge of the building falls well behind the required setback of 3.00 mts. and thereforeImagine Panaji Smart City Development Ltd. (IPSCDL) has requested to withdraw the Show Cause Notice/ Stop Work Order dated 17-11-2023.

Member Secretary then informed that North Goa PDA has discussed this matter in their 93rd meeting held on 15-01-2024 and considering the road width existing at loco i.e. 19.20 mts. wide (inclusive of existing causeway, newly built road and traffic median), it is decided to seek relaxation in the front setback, which is falling short by only 0.60 mts. and therefore it is unanimously decided by the Authority to consider the said road width as an access to the property and accordingly decided to refer the matter to the Government for seeking relaxation in the front setback.

Member Secretary Ms. VertikaDagur, who was present for the meeting explained regarding the development undertaken by Imagine Panaji Smart City Development Ltd. (IPSCDL) through its Chief General Manager and the issue arisen out of shortfall in setback area and further clarified about the correspondence received from DSLR, whereby it is observed by the authority that actual shortfall in the front setback is only 0.60 mts., and which need to be relaxed.

On inquiry by the members of the Board, it was informed by Member Secretary Ms. VertikaDagur that the construction is much advanced and that the shortfall in the setback area does not cause any obstruction to the line of sight. It was also informed that the said deviation does not cause any concern to the parking area as well.

Considering the nature of the development and the project undertaken by the Authority in public interest and that the said deviation does not cause any hindrance to the vehicular traffic nor to any parking provision etc., the Board recommended to grant relaxation of the setback area, as actually available on site and as decided by the Authority in its meeting held on 15-01-2024.

Member Secretary was accordingly directed to communicate the recommendation of the Board to the Government for its necessary approval.

Item No. 3: Submission of draft ODP 2031 of Panaji (Part) Planning Area comprising of part village of Penha-de-Franca u/s 29 of TCP Act 1974.

Member Secretary informed that North Goa PDA vide their letter dated 17/01/2024 has submitted draft ODP 2031 of Panaji (Part) Planning Area, comprising of part village of Penha-de-Franca.

NGPDA has informed that the vide Notification No. 36/1/443/2022/2098 dated 24-08-2022, published in Official Gazette Series II, No. 21 dtd. 25/8/2022, North Goa Planning and Development Authority has been reconstituted. Further, NGPDA informed that part area of village Penha- de- Franca is included in the Panaji Planning Area vide Notification No. 36/1/TCP/478/2022/3595 dated 29-12-2022.

Member Secretary then informed that the Government in supersession of earlier Notification dated 29-12-2022 has defined the limits of Panaji Planning Area and vide Notification No. 36/1/TCP/478/2022/164 dated 13-01-2023 and further, vide Notification No. 36/1/TCP/478/2022/497 dated 14-02-2023, the Government has amended the earlier Notification dated 13-01-2023, mentioning therein the survey numbers of village Penha-de-Franca, which are the part of Panaji Planning Area.

Member Secretary then informed that the NGPDA has stated that pursuant to the inclusion of part area of village Penha-de-Franca in Panaji Planning Area, Authority has appointed a consultant “Sky Group” for the purpose of preparation of Present Land Use Map & Register & ODP and the said consultant has prepared Land Use Map and Land Use Register under sec. 26 and 27 of TCP Act 1974 and Authority has adopted the same. Public Notice of adoption of Land Use Map and Register is also published in daily newspaper and Official Gazette, Series III, No. 36 dated 07-12-2023 as a conclusive evidence that the said Map and Register have been duly prepared and adopted.

As informed by North Goa PDA, after preparation of Present Land Use Map and Register, Sky Group started the work of preparation of draft ODP 2031 of said part Planning Area comprising of plot area of village Penha-de-Franca and as a part of consultation with local authority required as required under sec 29 of TCP Act for preparation of ODP, letters dated 23-11-2023 and 18-12-2023 were sent to Village Panchayat Penha-de-Franca, requesting to give their suggestions with regard to preparation of said ODP.

NGPDA has stated that the Draft ODP 2031 of Panaji (Part) Planning Area, as prepared by consultant ‘Sky Group’ was thereafter placed in 93rd Authority meeting held on 15-01-2024 and the Authority has approved the same.

It was then informed that the NGPDA has now submitted draft ODP 2031 of Panaji (Part) comprising of part village of Penha-de-Franca for obtaining necessary approval of the TCP Board under Section 29 of TCP Act, 1974.

Member Secretary, North Goa PDA Ms. VertikaDagur explained the salient features of the draft ODP and informed about the procedure undertaken in preparation of the same, as defined under TCP Act.

The Board took note that the NGPDA has followed the procedure, as explained by the its Member Secretary and therefore considered the drat ODP for provisional approval for onward submission of the same to the Government, as provided under Section 29 of the TCP Act.

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

Item No. 4: Re-consideration of proposals submitted earlier by Goa Housing Board for change of zone.

Member Secretary informed that a letter under ref. No. GHB/ADM/765/2024 dated 15/01/2024 is received from Goa Housing Board asking for reconsideration of the decision of the Government of rejecting their various proposals submitted for change of zone.

It was then informed that the proposals of Goa Housing Board were earlier discussed in 191st meeting of TCP Board held on 25/10/2023 and while discussing on the same, it was observed that the Board has been constantly asking for change of zones of many of their properties located in different part of the State. It was thus observed that Goa Housing Board has applied for almost all the properties for change of zone, either from Settlement to Institutional or from Settlement to Commercial zone with the intention of availing higher FAR.

The Board had also specifically noted the pattern in which the change of zone was constantly sought, whereby it was observed that initially the change of zone of the properties was sought by the Housing Board from Settlement to Institutional zone and after obtaining the same, requests for further change of zones were made from Institutional to Commercial zone, having higher FAR. Thus, it was seen that increase of FAR by virtue of change of zone was either from 60 to 150 or from 80 to 150.

The Board therefore had felt that the concepts and priorities of the Goa Housing Board were constantly changing. Member Secretary therefore briefed the members that the very aim and objectives of the Goa Housing Board were getting modified time and again by shifting its focus from providing better housing facilities to different income groups, to creating commercial spaces and therefore the Board had decided not to consider the proposals of Housing Board as applied for change of zone for higher FAR.

The Board was also informed that even the change of zones affected earlier to the properties of the Goa Housing Board, shall be restored back to its original status i.e. to revert back zones of all the properties from other zones as changed earlier to Settlement zone and the Board was accordingly informed that the decisions taken by the Government in this regard of rejecting the proposals as earlier approved by it, were communicated to the Goa Housing Board.

The Board was then informed that the Goa Housing Board, now vide its letter dtd. 15/01/2024 has requested to reconsider their various proposals, which were rejected by the Government.

The Board discussed on the issue and the representation by the Goa Housing Board, which was not elaborate and giving any justification for their request, felt it appropriate that the matter be deliberated in detail again viz-a-viz the issues earlier noted by it.

The matter was therefore deferred for further discussion on the subject.

Item No. 5:- Cases considered by the Committee constituted as per Notification under No. 36/1/TCP/503/2023/3349 dated 31/10/2023.

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 3rd 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 12/01/2024 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, which forms part of these minutes.

Item No. 6:-Proposal of Parmesh Construction Company Limited in Sy. No. 257/1 of Sancoale village, MormugaoTaluka.

Member Secretary informed that the Government vide Order No. 28/1-7/PDA/GEN-PERMISSION/TCP-2023/2483 dated 17/08/2023 and Order No. 28/1-7/PDA/GEN-PERMISSION/TCP-2023/3377 dated 03/11/2023 has issued direction for streamlining the procedure in issuing various permission by the Planning and Development Authority to improve functioning of PDAs and the clearance process needs to be expedite under Ease of Doing Business initiative (EoDB).

It was then informed that the Government in exercise of the powers under Section 132 of the TCP Act, directed that all the permissions for approval of subdivision of land for the properties having total area of 25000 m² and building having floor area above 25000 m² under Section 44 of TCP Act shall be dealt at the level of Member Secretary/Town Planning Officer of PDAs by obtaining Government approval for the same.

The subject was further discussed in the 190th meeting of Town & Country Planning Board held on 21/09/2023 and it was decided that applications received in this regard shall be forwarded by the concerned Planning & Development Authorities to the Chief Town Planner (Planning) for the purpose of placing the same before the Town & Country Planning Board for its consideration and decisions on the same and which shall thereafter be submitted to the Government for its approval.

It was informed by the Member Secretary that MPDA has now forwarded a proposal for construction of apartments and villas in the property bearing Sy. No. 257/1 of Sancoale village by Parmesh Construction Company Limited. It was further informed that the total area of the property is 35,050.00 m² and the property is zoned as C1 Commercial as per Outline Development Plan for Vasco-da-Gama Planning Area 2030.

The Board was further briefed that the MPDA has earlier granted Development Permission for construction of multi family dwelling vide Development Permission Order No. MPDA/7-M-70/2007-08/1198 dated 08/10/2007. The proposal was then placed before the Board for discussion, during which the detail area statement pertaining to the proposal was then explained to the Members, which was as under:

Sr. No.	Particulars	Details
1	Total Area of the Property	35,050.00 sq. mtrs.
2	Permissible floor area (200)	70,100.00 sq. mtrs.
3	Permissible coverage	14,020.00 sq. mtrs.
4	Plot coverage utilized	10,340.06 sq. mtrs.
5	Floor area consumed	57,006.45 sq. mtrs.
6	Open Space required	5,257.5 sq. mtrs.
7	Open Space provided	5,270.00 sq. mtrs.
8	Parking required	680 Nos.
9	Parking proposed	823 sq. mtrs.

The Board was then informed that the Committee constituted for the purpose has dealt with the proposals in its meeting held on 13/01/2024 and has recommended the same as the proposal was found to be in conformity with regulations in force.

As regards to accessibility and the development earlier approved in the property under reference, the committee observed that the commitment has been already made by the MPDA in terms of grant of earlier Development Permission and noticed that the scheme has only been revised now and hence to be considered.

The Board was then informed that the proposal M/s Parmesh Construction Company Limited therefore stands recommended by the Committee and that the same was placed before the TCP Board, as required.

The Board deliberated in detail on the proposal and considering the findings of the MPDA and further recommendation of the Committee in this regard, considered the proposal for approval for onward submission of the same to the Government.

Member Secretary was accordingly directed to do further needful in this regard.

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

a) Representation received from CREDAI regarding Fire Safety Regulations Amendment.

Member Secretary informed that a representation bearing ref. No. CR/Govt/107/2023-24 dtd. 11/12/2023 from CREDAI addressed to Hon'ble Minister for TCP, copy of which is received by the Department on 2/1/2024, whereby attention is drawn towards the concern of CREDAI, which is affecting their members and the construction industry as a whole. It is stated by CREDAI that recent introduction of "Fire Safety Regulations" in the TCP Act, 1974 has encountered delays in the approval process for construction projects, causing considerable hardship and financial losses to their members and in light of which, CREDAI has proposed certain amendments to the Goa Land Building Construction Regulations, 2010 as an effort to align with the Supreme Court Order dtd. 11/8/2022 pertaining to building and stilt height.

The CREDAI has given details of the changes as proposed by them in this regard which they believe shall strike a balance between meeting the necessary safety standards and facilitating smoother approval process for their construction project.

Member Secretary also brought to the notice of the Board the objection as raised by the Institution of the Engineers (India) vide their letter under ref.No. IEI/GST/FI/2023-24/367 dtd. 20/12/2023 and received by the Department under inward No. 154 dtd. 11/1/2024, which shall pertaining to recent introduction of “Fire Safety Regulation” in the TCP Act 1974.

The Board was informed that amendments as proposed for related regulation and the reasons cited for the same by IEI are the same as proposed by CREDAI.

Amendment as proposed by CREDAI and IEI (India) are as under:

	Current Regulation	Proposed Regulation by CREDAI & IEI	Reason given by CREDAI and IEI
1.	<p>5. Amendment of regulation 6A.5.— In regulation 6A.5 of the principal Regulations, for clause (2), the following clause shall be substituted, namely:-</p> <p>"2) In case of building on stilts or building with basements, the height of the buildings shall be measured from the top of the stilts/basement. However, if the building height is 15 meters or more from the ground. Fire and Life Safety Regulations shall be applicable."</p>	<p>5. Amendment of regulation 6A.5.— In regulation 6A.5 of the principal Regulations, for clause (2), the following clause shall be substituted, namely.</p> <p>"(2) In case of building on stilts or building with basements, the height of the buildings shall be measured from the top of the stilts/basement. However, if the building height without stilt is 15 meters or more from the ground. Fire and Life Safety Regulations shall be applicable."</p>	<p>To Bring the regulations consistent with regards to the supreme court ruling dated 11 August 2022 related to height of building with stilts.</p>
2.	15.1.2. Notwithstanding anything contained in regulation 4.2. (g) and 44.2 for high rise buildings, the	15.1.2. Notwithstanding anything contained in regulation 4.2. (g) and 44.2 for high rise buildings, the	Planning in Goa for high rise buildings (C-3, C-2 zones) has been done with 8M

	Current Regulation	Proposed Regulation by CREDAI & IEI	Reason given by CREDAI and IEI
	<p>following provisions of means of access and open spaces (set backs) shall be ensured:</p> <p>(a) The width of the main street on which the building abuts shall not be less than 10 meters;</p>	<p>following provisions of means of access and open spaces (set backs) shall be ensured:</p> <p>(a) The width of the main street on which the building abuts shall not be less than 8 meters;</p>	<p>minimum road widths. These amendments adversely impact the planning calculations made during the preparations of the plans in force, thus bringing them in conflict. To maintain consistency, it is recommended to amend the minimum width of road to 8m.</p>
3.	<p>15.1.2. Notwithstanding anything contained in regulation 4.2. (g) and 4.4.2 for high rise buildings, the following provisions of means of access and open spaces (set backs) shall be ensured:</p> <p>(b) The approach to the building and open spaces on all its sides shall be not less than 6 meters in width, the layout for the same shall be done to the satisfaction of the Directorate of Fire and Emergency Services and the open space shall be of hard surface capable of taking the mass of fire engine weighing up to 45 tonnes. A turning radius of at least 9 meters shall be provided for movement of fire service vehicles. The said open space shall be kept free of obstructions and</p>	To be deleted	<p>In the NBC 2016, this regulation is with regards to giving access to podium buildings as per part 3 of NBC 2016 and is not required as a blanket regulation for all high rise buildings. The setback provisions in the current building byelaws address the access requirement for buildings having height of 21m and above. As such this current regulation is making plots undevelopable or limiting the development potential of a given land parcel, which is contrary to sound planning practices.</p>

	Current Regulation	Proposed Regulation by CREDAI & IEI	Reason given by CREDAI and IEI
	<p>shall be motorable, further no projections shall be allowed in the said open spaces. In case of buildings with no side setbacks or setbacks with 1.5 meters or less, a clear height of at least 5 meters</p> <p>shall be maintained below the bottom of the lowest structural member and the open space as aforesaid shall be made available through the building on all sides for movement of fire service vehicles.</p>		

Having reference to the representation made by CREDAI and IEI, Board deliberated on the regulations as proposed vis-à-vis current regulation and the reasons cited for the same. It was observed that CREDAI and IEI has stated that the regulations at Sr.No. 1 shall be consistent with regard to the Supreme Court Ruling dtd. 11/8/2022.

It was further observed that as regards to amendment to regulations at Sr.No. 2, pertaining to 8.00 mts. width of road, the same was to maintain consistency and to reduce conflict between planning calculations as against plans in force. Further as regards to amendment suggested at Sr.No. 3, it was observed that the CREDAI and IEI has noted that setback provision in the current building bye-laws addresses the access requirement for building having height of 21.00 mts. and above andas such current regulation is contrary to sound planning practices.

CTP (Landuse) Ms. Vertika Dagur, who was present for the meeting briefed the Board about the regulations existing prior to affecting the amendment and those amended now and informed that an effort has been done through the amendment to meet the requirement of Fire Safety Regulation Amendment as suggested by Department Fire & Emergency Services.

CTP (Landuse) Ms. VertikaDagur also briefed the members about the references made by Hon'ble High Court in different Court matters in relation to accessibility to the plot and the extent of nature of development as regards to Fire and Safety Regulations.

The Board was therefore of the considered opinion that the subject pertaining to Fire Safety Regulation need to be more appropriately dealt by Department Fire & Emergency Services and that the TCP Dept./Planning Authorities need to impose conditions while granting Technical Clearance Order/ Development Permissions that necessary NOCs shall be obtained by concerned parties from Department of Fire Services in case the development comes under the definition of "High Rise Buildings".

Since the purpose was served even under the earlier regulations under GLDBCR-21010, it was suggested that regulation with regard to fire safety shall be reverted back in line with earlier existing regulations.

CTP (Landuse) Ms. VertikaDagur was accordingly directed to undertake further procedure in this regard.

b) Representation received from Priority Construction for deletion of proposed 8.00 mts. wide ODP road shown in Taleigao ODP – 2028 in land bearing Sy.No. 103/5 of Taleigao, Tiswadi – Goa.

Member Secretary informed that a representation is received from Priority Construction vide their letter dtd. 17/1/2024 requesting for deletion of proposed 8.00 mts. wide ODP road as shown in Taleigao ODP – 2028, in land bearing Sy.No. 103/5 of Taleigao, Tiswadi – Goa.

It was informed that vide their representation Priority Construction has stated that they have purchased a plot bearing Sy.No. 103/2 of Taleigao in the year 2019 and that the said plot was a land locked area and hence they had requested for 8.00 mts. wide road in Taleigao ODP- 2028, passing from the land bearing Sy.No. 103/5 such that their plot could have access.

It was further informed that Priority Construction vide their letter dtd. 17/1/2024 has stated that they are also the owner of Sy.No. 104/1 and 2, which directly touches the Taleigao bye-pass road and as they are having direct access from the Taleigao bye-pass road, a request is now made to

delete the said 8.00 mts.wide road as they no longer require this proposed 8.00 mts. wide road, as shown in the Taleigao ODP – 2028.

The members deliberated on the issue and were of the opinion that consideration of such a request for deletion of ODP road shall have to be dealt by North Goa PDA by following the provisions prescribed under TCP Act.

Member Secretary NGPDA Ms. VetikaDagur, who was present for the meeting informed that revision of Taleigao ODP is presently undertaken by NGPDA on receipt of direction for the same from Government.

Board therefore was of the opinion that in absence of any alternate provision to undertake modification/rectification/revision of ODPs, the request as made by Priority Construction, shall have to be dealt by NGPDA.

The Board however was of the opinion that the request as made by Priority Construction for deletion of proposed 8.00 mts. wide road in ODP was genuine one and need to be considered favourably by NGPDA, as the very intension of proposing the road for landlocked area, is already met.

The Board therefore recommended the deletion of 8.00 mts. wide proposed ODP road, as shown in TaleigaoODP – 2028 and accordingly directed the Member Secretary to forward the recommendation of the Board to NGPDA for affecting necessary changes accordingly in the Taleigao ODP by following the due procedure.

c) Regarding Rules framed and Guidelines issued under Section 17(2) of the TCP Act, 1974.

Member Secretary informed that by virtue of sub-section (2) of Section 17 read with sub-sections (1) & (2) of Section 140 of the TCP Act and further informed that the Government has framed the Goa (Town & Country Planning alteration/modification in Regional Plan for rectification of inadvertent errors and corrections of inconsistent/incoherent zoning proposals) Rules, 2023 whereby the rules are laid to decide the manner in which and the extent to which such alteration/modification to the Regional Plan can be carried out. Further, it was informed that in pursuance of rule 5

of the said Rules, the Government vide Circular No. 21/1/TCP/GTCPACT/2023/987 dtd. 27/3/2023 has framed the guidelines to process such applications.

The Board was then informed that in pursuance of the Rules and guidelines framed in this regard, the Committee constituted for the purpose vide Notification dtd. 23/05/2023 is seeking report from the concerned Departments such as Forest Department, Agriculture Department, Irrigation Department (CADA), wherever required. It was then informed that it has been noticed that the issue of reports from the concerned Department is somehow getting delayed, whereby the applications as dealt by the Committee cannot be processed further.

Considering the provisions of the Section, Rules and guidelines framed and the issue of delay factor in processing the application under Section 17(2) of the TCP Act, it was the recommendation of the Board that the TCP Department shall clearly mention in the report sought, that in case no reply is received from the concerned Departments within 30 days of receipt of letters, then it shall be presumed that the said Departments has no comments to offer in the matter and the Committee/TCP Department shall therefore process such applications further for Government decisions in the matter.

Member Secretary was accordingly directed to consider and abide by such a decision immediately, by informing the Committee about the same.

d) Amendment to regulations under the Goa Land Development & Building Construction Regulations, 2010 for exemption of height for buildings having two stilt floors.

Member Secretary informed that the Goa Land Development & Building Construction Regulations, 2010 has provision for two stilt floors without counting in overall height of the building and free of FAR in SPC and SPR zone. However other than the above mentioned zones, there is no provision for consideration of relaxation of height in other zones, including those in other residential zones.

Board deliberated and decided that additional stilt floor could be exempted for counting of height in other high density zones as well. Considering the nature of development and residential/ commercial uses, otherwise being proposed in SPC and SPR, it was recommended that all zones having FAR of 150 and above shall also be considered for exemption of height for two stilt floors.

Chief Town Planner (Landuse) Ms. Vertika Dagur, who was present for the meeting was accordingly directed to work out further details in this regard and make necessary amendments to GLDBCR-2010 to make provision for the same.

Meeting ended with thanks to the Chair.