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SERIES I No. 14

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

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GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Notification

3/4/Agron/PPG/3-2(3)/2015-16/D.Agr/115

The following scheme approved by Government of Goa is hereby published for general information of public.

1. *Short title & commencement.*— The scheme shall be called "Assistance for construction of retaining wall for soil conservation."

It shall come into force with immediate effect and shall remain in force till it is withdrawn or amended by the Government of Goa.

1. *Objective.*— (i) To save the field/soil from erosion.

(ii) To encourage the cultivation in fallow lands and to restore degraded cultivable lands.

(iii) To encourage soil and moisture conservation for cultivation of Rabi crops like Alsando, Cowpea, Groundnut etc. after the harvest of Kharif paddy.

(iv) Conservation of soil and moisture in the upper reaches for cultivation of horticultural crops and other agronomical crops.

(v) To improve the economic viability of farming enterprises.

2. *Pattern of assistance.*—

- Assistance @ 50% of cost for construction of retaining wall of average width of 0.4 mt and height upto 1.5 mts.

- Items proposed for construction of retaining wall, the standard cost and proposed assistance are as follows:—

Item description	Standard Rate/ /Sq m Rs.	Proposed Assistance @ 50%
(i) Random Masonary with hard laterite stones of size not less than 20 cm in mud mortar in walls with average width of 0.4 m and height upto 1.5 mts including labour etc.	285/-	142/-
(ii) Masonary with river pebbles stones of size not less than 20 cm in wall with average width of 0.4 mt and height up to 1.5 mt including labour etc.	340/-	170/-

- The existing structures are not eligible for the assistance under the scheme.

- The Zonal Agriculture Officer (Z.A.O.) / District Agriculture Office (DAO) (North/South) would scrutinize the proposal on receipt of all the relevant documents and inspect the site and issue administrative approval accordingly.

The farmer after completion of the structure in all respect shall report to the Z.A.O. and submit all relevant expenditure bills/vouchers to Z.A.O. for claiming assistance.

The Z.A.O. will then inspect the claim and cases completed in all respect will be forwarded to District Agriculture Office for the settlement of claim.

3. *Eligibility criteria for farmers.*— (i) Farmer should be registered under Krishi Card Programme.

(ii) Farmer should apply in prescribed format indicating approximate length and height of proposed retaining wall.

4. *Documents required.*— (i) Copy of Krishi Card.

(ii) GAR-32 in duplicate.

(iii) Bills and vouchers after completion.

5. *Guidelines/Procedure adopted for providing assistance.*— (i) The interested farmers shall submit his application indicating approximate length and height of proposed retaining wall before commencement of work.

(ii) The farmer should also submit a photo before the commencement of work with at least one natural reference point in the photograph i.e. structure like wall, boundary stone, trees etc. to co-relate the site, while giving the administrative approval.

(iii) He should also produce the photograph after the completion of work with same reference point in the picture given above.

11. *Relaxation.*— The Government shall be empowered to relax any or all clauses or conditions of the scheme in genuine cases. However for release of financial assistance in such case will be considered only with the approval of Finance (Exp.) Department.

12. *Interpretation.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision shall lie with the Government, which shall be final and binding on all concerned.

13. *Redressal of grievances and disputes.*— Grievances if any, arising out of the implementation of this scheme, shall be heard and decided by the Minister for Agriculture and the decision of the Minister of Agriculture in this regard shall be final and binding on all concerned.

This issue with the concurrence of the Finance Department under their U. O. No. 1179/F dated 29-4-15.

By order and in the name of Governor of Goa.

Orlando Rodrigues, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 24th June, 2015.

Department of Finance

Office of the Commissioner of Commercial Taxes

Order

CCT/ENT/2015-16/1466

Read: Application dated 21-4-2014 for surrender of unsold 566 tickets of Rs. 500/- denomination from Sr. No. ENT/C/A 050835 to ENT/C/A 051400 and request for refund of Rs. 2,83,000/-.

Order of cancellation of surrendered tickets

Whereas Advani Hotels & Resorts (India) Ltd., Varca Beach, Salcete, Goa, 403 721 is registered with this Department under Registration No. ENT/C/101 (TIN. 30241101735) under the Goa Entertainment Tax Act, 1964, for the purpose of Entertainment provided by way of on shore casino.

And, whereas the said casino operator was issued with 400 Nos. of Casino Entry Tickets on 3-4-2013 having face value of Rs. 500/- each bearing Sr. No. ENT/C/A 050601 to ENT/C/A 051000 in view of payment of Rs. 2,00,000/- paid on 30-3-2013 and again with 400 tickets of same denomination on 19-4-2013 based on payment of Rs. 2,00,000/- paid on 18-4-2013 bearing Sr. Nos. ENT/C/A 051001 to ENT/C/A 051400 respectively.

And whereas, the Government of Goa had amended the relevant provision of the Goa Entertainment Tax Act, 1964 increasing the rates of entry fees for entry in casinos from Rs. 500/- to Rs. 700/- per person under notification No. 3/2/2006-Fin (R&C)(18) dated 28-3-2014 which is made effective from 1-4-2014.

And whereas the casino operator under application dated 21-4-2014 surrendered 566 tickets having denomination of Rs. 500/- bearing serial Nos. ENT/C/A 050835 to ENT/C/A 051400 (566 tickets) claiming that the same remained unsold in view of change in

rate of ticket from Rs. 500/- to Rs. 700/- made effective from 1-4-2014, out of tickets issued to him on 3-4-2013 and 19-4-2013.

And whereas, on scrutiny by the departmental official, it has been revealed that the above mentioned ticket surrendered by casino operator are genuine which were issued in favour of casino operator by this Department.

And whereas, since the casino operator has returned 566 tickets of Rs. 500/- denomination amounting to Rs. 2,83,000/- (Rupees two lacs eighty three thousand only) which cannot be put to use in view of change in rate of tickets, the Department needs to refund this amount, in view of surrender of above mentioned tickets.

Therefore, I hereby order that an amount of Rs. 2,83,000/- (Rupees two lacs eighty three thousand only) be refunded by way of issue of Refund Voucher against the surrendered tickets as mentioned above. The tickets so returned/ /surrendered bearing Sr. No. ENT/C/A 050835 to ENT/C/A 051400 (566 tickets) with denomination of Rs. 500/- shall be treated as cancelled and declared as obsolete and invalid. The Assessing Authority to adjust this amount against the dues, if any. If no dues, the amount to be refunded.

S. G. Korgaonkar, Commissioner of Commercial Taxes (Finance).

Panaji, 30th June, 2014.

**Department of Transport**

Directorate of Transport

Notification

D.Tpt/EST/2306/2015/2193

The following draft rules further to amend the Goa Motor Vehicles Rules, 1991, which the Government of Goa proposes to make in exercise of the powers conferred by sections

26, 28, 38, 65, 95, 96, 107, 111, 138, 159, 176 and 213 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988) (hereinafter referred to as the "said Act"), are hereby published as required by section 212 of the said Act, for information of the persons likely to be affected thereby and notice is hereby given that the said draft rules shall be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Director of Transport and ex officio Additional Secretary, Government of Goa, Directorate of Transport, Junta House, Panaji, before the expiry of the said period of fifteen days so that they may be taken into consideration at the time of finalization of the said draft rules.

DRAFT RULES

In exercise of the powers conferred by sections 26, 28, 38, 65, 95, 96, 107, 111, 138, 159, 176 and 213 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa Motor Vehicles Rules, 1991, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa Motor Vehicles (Amendment) Rules, 2015.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Substitution of rule 140.*— In the Goa Motor Vehicles Rules, 1991, for rule 140, the following rule shall be substituted, namely:—

"140. *Motor cabs to be fitted with fare meters.*— (1) Every motor cab plying in the State of Goa shall be fitted with a fare meter of digital type with printer and Global Positioning System (GPS) tracking device approved by the State Transport Authority from the date as may be notified by the Director of Transport.

(2) No new permit to a motor cab shall be granted or its existing permit renewed unless such motor cab fitted with such digital meter.

(3) No permit of a motor cab shall be transferred unless it is fitted with the digital meter.

(4) No fitness certificate to a motor cab shall be issued or its existing fitness certificate renewed unless such motor cab is fitted with the digital meter.

(5) The digital meter shall be sealed at three points, namely, at the meter, at the junction box and at the adopter.

(6) The motor cab shall not ply for hire unless the fare meter bears an intact seal of the Legal Metrology Department to indicate that the fare meter has been tested and is in working condition. The seal shall be always kept intact.

(7) Any alterations to the fare meter shall be carried out only by the Legal Metrology Department with the written permission of the Secretary, State Transport Authority.

(8) The owner, driver, attendant of the motor cab or any other person who breaks or tampers in any way with the seal or marks placed on a fare meter, or who with an intent to deceive, tampers with the fare meter or the driving mechanism thereof, shall be deemed to have committed a breach of this rule and shall be liable for a penalty as specified in section 177 of the Act."

By order and in the name of the Governor of Goa.

Arun L. Desai, Director & ex officio Additional Secretary (Transport).

Panaji, 25th June, 2015.

Department of Town & Country Planning

Notification

21/1/TCP/2014/SC/2015/2507

Whereas, vide notification No. 21/2/TCP/13/Pt.file/2015/290 dated 23-01-2015, published in the Official Gazette, Series I No. 44, dated 29-01-2015, draft regulations (hereinafter referred to as “the said draft regulations”) were pre-published as required by section 5 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) (hereinafter referred to as the “said Act”) inviting objections and suggestions to the said draft regulations within 30 days from the date of publication of the said notification in the Official Gazette;

And whereas, the Government of Goa received a number of objections and suggestions from organizations and the public on the said draft Regulations;

And whereas, the Steering Committee, constituted under section 6(1) of the said Act, vide Notification No. 21/1/TCP/2015/SC/1323 dated 31-03-2015, published in the Official Gazette, Series II No. 1, dated 02-04-2015, in its meeting held on 23-04-2015 discussed and deliberated on the objections and suggestions received on the said draft regulations and came out with its recommendations;

And whereas, the Government of Goa vide Note No. 21/1/TCP/2014/SC/2015/1696 dated 27-04-2015 has considered the recommendations and Report of the Steering Committee and approved the same and directed the Chief Town Planner to notify the same in the Official Gazette;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 4 read with section 7 and 8 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following regulations so as to further amend

the Goa Land Development and Building Construction Regulations, 2010, namely:—

1. *Short title and commencement.*— (1) These regulations may be called the Goa Land Development and Building Construction (Amendment) Regulations, 2015.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of regulation 6A.4.*— In regulation 6A.4 of the Goa Land Development and Building Construction Regulations, 2010 (hereinafter referred to as the “principal Regulations”), after note (19), the following shall be inserted, namely:—

“(20) An additional FAR of 20% for 4 and 5 star hotels may be granted on the recommendations of the following Committee and on the approval of the Government.

- | | |
|--|--------------|
| (1) Secretary (TCP) | ... Chairman |
| (2) President, TTAG | ... Member |
| (3) Director of Tourism | ... Member |
| (4) A person nominated by the Government from the field of Architecture/
/Engineering | ... Member |
| (5) Chief Town Planner | ... Member |
| | Secretary. |

Any other further relaxations required to accommodate the additional higher FAR, such as height of building, minimum required set back and coverage may be considered by the Government for buildings either existing or under advance stage of construction based on the provisions contained in Annexure XIII.

The Committee shall discharge functions as specified by the Government.

(21) Structures on agricultural lands, including cultivable land, orchard land may be permitted by the Government for the purpose of promoting agricultural activities. The uses permissible and the type of structure (temporary or permanent) that may be permitted are provided in Annexure XI-A.

(22) An additional FAR upto 20% of the permissible FAR may be granted with the approval of the Government, for educational institutions recognized by the Education Department/Goa University/University Grant Commission/All India Institute of Technical Education/Higher Education/Technical Education of Government of Goa, as provided in Annexure-XIV.

(23) The construction/re-construction/repair of houses belonging to Tribal people may be permitted under the Atal Asra Yojana, for welfare of tribal people of Goa as provided in Annexure XV".

3. *Insertion of Annexure XI-A.*— After Annexure XI to the principal Regulations, the following Annexure shall be inserted, namely:—

ANNEXURE – XI-A

For Agro Based Activities in Cultivable/Agriculture Zone/Orchards, etc.

Sr. No.	Schemes of the Agriculture Department	Minimum area of the structure	Type of structure	Proposed FAR in percentage to net plot area
1	2	3	4	5
(1)	Protected cultivation for growing flowers and vegetables. The farmer gets 100% assistance against standard construction costs. Back ended programmer with a ceiling of maximum assistance for plot area of 4000 sq. mts. per individual green houses, shade, net houses, plastic tunnel	500. mts.	(1) Tubular structure (steel or plastic) (2) Wooden Structure (3) Plastic tunnels	50
(2)	Grading and packing house (As per project)	—	Temporary/Permanent structure	5
(3)	Pre-cooling/primary proceeding unit (as per project)	200 sq. mts.	Temporary/Permanent structure	5
(4)	Cold storage	As per project	Temporary/Permanent structure	15
(5)	Mushroom production unit	As per project	Temporary/Permanent structure	30
(6)	Pump house with storage for tools and inputs	30 sq. mts.	Temporary/Permanent structure	30 sq. mts. permitted
(7)	Water storage tank -10 cu. meter storage	—	Temporary/Permanent structure	—
(8)	Dairy/Poultry/Piggery	300 sq. mts.	Temporary/Permanent structure	20

Note: (1) For all above activities minimum size of land/plot has to be 4000 sq. mts., except in case of pump houses.

(2) Prior approval of Director of Agriculture/Director of Animal Husbandry (as the case may be) shall be obtained and accompanied by a project report.

(3) The activities listed at Nos. 2, 3, 4 and 8 may not be permitted in wet cultivated paddy fields.

(4) The activities listed at No. 1 and 5 may be permitted in wet cultivated paddy fields provided the structures are of temporary nature only.

(5) Front set-back for such activities is relaxable to 10.00 mts. from the right of way line and all other set-backs shall remain the same as per farm house guidelines.

(6) A residence for staff/labourers, having a ground floor only and not exceeding 6.00 mts. height upto ridge

may be permitted but only as auxiliary to the main use. However, the same shall not be permitted in wet cultivated paddy fields. Also, toilet facilities may be permitted for the activities listed at Nos. 1, 2, 3, 4, 5 & 8.

(7) The area under the residential use for the staff/labourers shall be restricted to 50.00 sq. mts. maximum of the total built up area proposed in the plot.

(8) The structure permitted for the activities listed at Nos. 1 to 8, shall be in addition to any other structure as permitted under Goa Land Development and Building Construction Regulations, 2010, in the same plot.

4. Insertion of Annexures XIII, XIV and XV.— After Annexure XII of the principal Regulations, the following Annexures shall be inserted, namely:—

ANNEXURE - XIII

For granting additional FAR of 20% for 4 and 5 star hotels in the State of Goa.

(1) Any existing hotel or hotel under construction or new proposals of 4 star and 5 star categories of hotels are eligible to avail this benefit.

(2) The project proponent has to submit details to the office of the Chief Town Planner, Town and Country Planning Department, Panaji, Goa, comprising of the following:

(i) A Copy of approved plans of the project (applicable to existing hotels).

(ii) A copy of construction licence from the local body (applicable to existing hotels).

(iii) A copy of conversion Sanad.

(iv) A letter confirming star category of hotel, issued by the Ministry of Tourism, Government of India.

(v) The detail report pertaining to infrastructure to be made available such as sewerage treatment plant, solid waste disposal details by taking into consideration additional area being added.

(vi) Plans indicating additional FAR, complying with other prevailing regulations of parking, set-back, access, etc.

(vii) A certificate from consultant that building confirms to the guidelines of 4 and 5 star rating hotels, both for new hotels and for the hotels under constructions.

(viii) A bank guarantee as specified by the Government from time to time shall be issued by the project proponent, guaranteeing compliance of requirement of 4 and 5 star rating criteria. In case the project proponent fails to submit star category certificate from the specified Competent Authority within 2 years of completion of the hotel, the bank guarantee is liable to be forfeited in favour of the Government.

(ix) The maximum permissible height of the building shall be relaxed for one additional floor only and shall not exceed the building height of 24.00 mts. The building height may be relaxed by the Government to 28.00 mts. in commercial (C-1) zone, on merit of the case, subject to fulfilling the requirement of parking, fire safety measures, etc.

(x) In case of existing buildings, relaxation of 5% additional coverage may be considered by the Government.

(xi) The calculation of 20% additional FAR shall be on total net effective plot area.

(xii) The payment of Rs. 20,000/- per square meter for additional FAR shall be deposited alongwith the application, which shall be refunded in case the application/proposal is rejected.

(xiii) Adequate additional parking provision to commensurate with the additional built-up area permitted depending on categories of land use and size of development, as specified at Regulation No. 10 (parking) of the Goa Land Development and Building Construction Regulations, 2010.

(xiv) The requirement of access road shall be as per the width specified under the Goa Land Development and Building Construction Regulations, 2010.

(xv) For the buildings above 15.00 mts. height, Fire Department Clearance shall be required as provided under the Goa Land Development and Building Construction Regulations, 2010.

(xvi) Affidavit/Certificate from the Consultant Engineers shall be insisted regarding safety aspect, including structural safety and earthquake resistance, while considering the applications.

ANNEXURE XIV

For allowing additional FAR to the education institutions

(1) The educational institutions recognized by Education Department/Goa University/University Grant Commission/All India Institute of Technical Education/Directorate of Higher Education/ /Directorate of Technical Education and Government of Goa are eligible to avail additional FAR for this facility. However, they shall obtain prior no objection certificate for the additional FAR from the concerned Department of the Government of Goa.

(2) Such educational institutes shall have minimum plot area of 2,000 sq. mts.

(3) Such educational institutions are eligible for additional FAR of upto 20% of the standard FAR permissible.

(4) The additional FAR shall not involve any relaxation in other planning parameters except height requirement subject to approval of the Government on a case to case basis.

(5) Only one additional floor is allowed.

(6) The benefit cannot be availed for any **leased or rented premises**. However, leased land with building owned by the school will be permitted provided the lease is in force for at least 10 years from the date of application.

(7) The proposal shall be submitted to the respective Senior Town Planner's office for scrutiny and submission.

(8) All proposals have to be approved by the Government.

(9) New buildings shall be permitted only on the recommendations of the Department of Education/ /Higher Education.

(10) An undertaking will need to be issued by the applicant to the effect that the benefit of additional FAR availed shall be strictly for the permitted institutional use only.

(11) A penalty as specified by the Government from time to time shall be levied on the defaulters for, failing to comply with condition No. 10 above.

(12) The Fire Department Clearance shall be insisted for all the cases wherever benefit of additional FAR is availed, irrespective of any height of the building.

(13) Affidavit/Certificate from the Consultant Engineers shall be insisted regarding safety aspect, including structural safety and earthquake resistance, while considering the applications.

ANNEXURE XV

For allowing construction, etc. under "Atal Asra Yojana"

(1) The construction/re-construction/repair of tribal houses shall as far as possible conform to the land use i.e. Settlement Zone in Regional Plan of Goa 2021.

(2) No new construction shall be permitted in Eco-I category of land uses as per Regional Plan of Goa 2021. However, in case of repairs, renovations and reconstruction of existing houses located in forest lands or in 1kms buffer zone, the re-construction/renovations/repair may be permitted after obtaining no objection certificate from the Forest Department.

(3) In case the existing houses does not have minimum required access roads, set-backs, the same may be relaxed in case of repair and renovations.

(4) Re-construction and new construction shall still need to have at least 1.50 mts. of access road and 1.00 mts. side set-back, only in such cases where the set-backs are not possible due to ground condition or plot size.

(5) All constructions shall be restricted up to 100 sq. mts. plinth and ground plus one floor and total built-up area shall not exceed 150 sq. mts.

(6) No conversion Sanad, license copy of existing structures shall be insisted for repair, renovations and re-construction proposals.

(7) In case of new construction/re-construction, technical clearance can be granted subject to condition that Sanad is obtained from Competent Authority, unless it is exempted under the Goa Land Revenue Code, 1968.

(8) In case the existing houses are not reflected in survey plan, the Town Planning Officer of the

concerned branch office shall inspect the site and submit his report with a sketch plan to the Senior Town Planner by confirming the existence of the structure.

(9) Relaxations in minimum required set-backs as required under the regulations shall be granted subject to obtaining necessary no objection certificates from the immediate plot owner on the affected site.

(10) The applicant should be the owner of the land on which he plans to construct the house, failing which, an irrevocable no objection certificate should be obtained from the owner. Alternatively, the applicant should possess any document to prove that he is a Mundkar or he should be in receipt of a license issued by a Competent Authority.

In the absence of the above, any other document could be submitted which proves that applicant can construct the house on a land to the satisfaction of Senior Town Planner.

(11) Minimum plot area, in case of new constructions shall not be less than 60 sq. mts. and the coverage of re-construction shall not exceed 60% of effective plot area.

(12) Infrastructure tax shall not be applicable for the construction under the Atal Asra Yojana.

(13) No other fees shall be applicable for the construction under the Atal Asra Yojana.

(14) These provisions for construction/re-construction/repair of tribal houses under these Regulations shall not be applicable to municipal areas, coastal villages except the villages of Cola, Agonda and Velim and for the planning areas under the jurisdiction of respective Planning and Development Authorities."

By order and in the name of the Governor of Goa.

Dr. S.T. Puttaraju, Chief Town Planner & ex officio Joint Secretary (Town & Country Planning).

Panaji, 29th June, 2015.

Department of Tribal Welfare

Directorate of Tribal Welfare

Notification

DTW/STAT/PC/2012-13/51/3316

Read Notification No. (1) Govt. Notification No. DTW/STAT/PC/2012-13/51 dated 18-10-2012.

(2) Govt. Notification No. DTW/STAT/PC/2012-13/51/5879 dated 9-1-2014.

The amendment to the scheme title "Atal Asra Yojana" is proposed as below:-

(1) At Sr. No. 4 Benefit under the Scheme, addendum clause (iii) shall be amended as below:

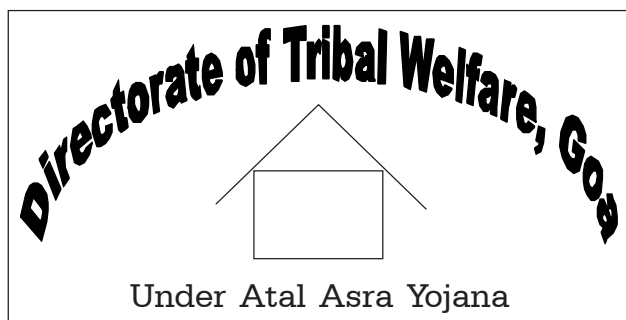
(iii) Construction/Re-construction License fees for the purpose of construction or re-construction of house under the scheme will be exempted to the beneficiaries subject to maximum of Rs. 1,050/- (Rupees one thousand fifty only) for which area of house falls in the jurisdiction of Village Panchayat and Rs. 3,000/- (Rupees three thousand only) for which area of house falls in the jurisdiction of Municipalities. However Village Panchayat/Municipalities may submit their claim along with license copy and sanction order to the Director of Tribal Welfare for the reimbursement of license fees on the amount sanctioned under Atal Asra Yojana Scheme.

(2) The Prescribed Logo of the scheme title "Atal Asra Yojana" shall be amended as under:

PRESCRIBED LOGO

Size: Length:2 feet

Breadth: 3 feet



All other clauses in the above mentioned scheme remain unchanged.

By order and in the name of the Governor of Goa.

Sandhya Kamat, Director (Tribal Welfare).

Panaji, 24th June, 2015.

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