

This amendment shall come into force with immediate effect from the date of publication in the Official Gazette.

This has been issued with the concurrence of Finance (Expenditure) Department vide U. O. No. 1400058427 dated 11-12-2018.

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

Venancio Furtado, Director & ex officio
Jt. Secretary (Tribal Welfare).

Panaji, 24th December, 2018.



Department of Town & Country Planning

Notification

21/1/TCP(A)/2018/Steering Committee/2398

The following draft regulations which the Government of Goa proposes to make in exercise of the powers conferred by sub-sections (1) and (2) of section 4 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) so as to further amend the Goa Land Development and Building Construction Regulations, 2010, are hereby pre-published as required by section 5 of the said Act, for information of all the persons likely to be affected thereby and notice is hereby given that the said draft Regulations will be taken into consideration by the Government after expiry of a period of 30 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft regulations may be forwarded to the Chief Town Planner (Administration), Town and Country Planning Department, 2nd Floor, Dempo Tower, Patto Plaza, Panaji, Goa, before the expiry of the said period of 30 days so that they may be taken into consideration at

the time of finalization of the said draft Regulations.

DRAFT REGULATIONS

In exercise of the powers conferred by sub-sections (1) and (2) of section 4 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, 2018.

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

2. *Amendment of regulation 2.*— In regulation 2 of the Goa Land Development and Building Construction Regulations, 2010 (hereinafter referred to as the "principal Regulations"), for clause (90), the following clause shall be substituted, namely:—

"(90) "Notary Architect or Notary Engineer" means an Architect or an Engineer empanelled, registered and empowered by the designated Chief Town Planner to issue third party certification for low risk buildings for facilitating issuance of Technical Clearance/Development Permission/Completion Order by the Town and Country Planning Department/Planning and Development Authority for promoting ease of doing business.

Note:- For the purpose of this clause, low risk building means and includes all buildings in plots formed by way of finally approved sub-division layout and partitioned plot formed by way of finally approved sub-division layout plan approved earlier by competent authorities, for residential buildings in plot area upto 500 sq. mts. having maximum

built up area of 500 sq. mts. and height of building limited to G+2 storeys including stilt floor. All other buildings shall be considered as high risk buildings.

3. *Amendment of regulation 3.1.*— In regulation 3.1 of the principal Regulations, after the words "Competent Authority", the expression "However no permission under these Regulations shall be required for setting up solar farm including construction, operation and office set up thereof subject to a maximum of 200 sq. mts. per MW as envisaged in the Goa State Solar Policy, 2017 as amended from time to time." shall be inserted.

4. *Amendment of regulation 3.2D.*— In regulation 3.2D of the principal Regulations,

(i) in clause (b), for the word and figures "Appendix-B4", the expression "Appendix-B4 or B4-A as applicable" shall be substituted.

(ii) in clause (c) and in all other regulations except regulation 20, for the expression "Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer" wherever it occurs, the expression "Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer/Diploma-Engineer/Supervisor (Civil)" shall be substituted;

(iii) in clause (d), for the word and figures "Appendix-B3", the expression "Appendix-B3 or B3-A as applicable" shall be substituted.

5. *Amendment of regulation 3.5A.*— In regulation 3.5A of the principal Regulations, in clause (b), after item (vi), the following items shall be inserted, namely:—

"(vii) *Diploma-Engineer*— Questionnaire, all buildings, structural design/drawings as per competence.

(viii) *Supervisor (Civil)*— Questionnaire, all buildings, structural design/drawings as per competence."

6. *Amendment of regulation 3.11.1.*— In regulation 3.11.1 of the principal Regulations, in clause (a), under step-1, in item (ii), for the word and figures, "Appendix-B5," the expression "Appendix-B5 or B5-A as applicable" shall be substituted.

7. *Amendment of regulation, 4.2.*— In regulation 4.2 of the principal Regulations, in clause (g), for the expression "The requirement of access to the rear is not applicable to three storey residential building in a plot not exceeding 500m² and 20 mts. depth", the expression "The side setback cum access to the rear of minimum 6.0 mts. is mandatory for high rise buildings at least on one side." shall be substituted.

8. *Insertion of regulation 5A.*— After regulation 5 of the principal Regulations, the following regulation shall be inserted, namely:—

"5A. *Regulations for Shopping Mall cum multiplex.*— (1) *Definition.*— "Shopping mall cum multiplex" shall mean an integrated entertainment and shopping Centre/Complex consisting of small retail outlet, food courts, pubs, bowling alleys, restaurants, fast food outlets, health spas/centers, convention centers, hotel, IT and ITES, recreational activities, etc., with atleast 2 cinema hall screens either within the complex or in a separate building within the compound of the complex.

(2) *Site requirement for shopping mall cum multiplex.*— (i) The minimum size of plot for a new shopping mall cum multiplex complex shall be 10,000 sq. mts.;

(ii) The minimum abutting road width for a shopping mall cum multiplex complex shall be 15 mts. existing.

(3) *Location criteria*:— (i) The location of a shopping mall cum multiplex complex shall be in a notified commercial area as per the statutory plans in force.

The project shall be further subject to the requirements of,—

(a) A traffic impact study and a traffic management plan, for such complex undertaken through a qualified consultant in traffic and transportation.

(b) NOC from the Director of Fire and Emergency Services for considering the building permission by the Authority granting the permission.

(4) *General*:— Plot area - 10,000m².

Coverage - 50%.

FAR - As per the permissible FAR in respective zone.

Height - Maximum height permissible shall be as per the permissible limits within the respective zones. However, relaxation in height could be considered with the approval of the Town and Country Planning Board for landmark or signature projects which would have tourist/public attractions and would enhance the image of the city by following setback requirements upto a maximum height of 60.00 mts. only in C1 Special Zone (CS) and Special Commercial Zone (SPC). The relaxation in height will be further subject to part of the building not more than 33% of plinth area for creating iconic tower, revolving restaurants and other uses as recommended by the Town and Country Planning Board.

Note: The additional height upto 60 mts. can be permitted subject to availability of fire equipments capable of handling high rise building of such magnitudes by the Director of Fire and Emergency Services. However,

exemptions could be considered in case the prospective developer donates the equipments as required by the Government and make available in house fire fighting facilities within the complex."

9. *Amendment of regulation 6A.4*.— In regulation 6A.4 of the principal Regulations, (i) in TABLE-VIII.—

(a) under item "COMMERCIAL:", the following entry shall be added at the end, namely:—

"C1 special 10.00m 40% 250 10.00m 32.00m";

(ii) after Note (25), the following note shall be inserted, namely:—

"(26) In C1 Special two stilts for parking shall be allowed free of FAR and also free from calculation of building height. The provision of access of 10.00 meters right of way may be relaxed for proposal of re-development, where there is no scope of expansion of existing road, provided minimum 8.00 meters access is available. The front setback may be relaxed subject to maintaining a minimum of 7.00 mts. in C1 Special on special circumstances due to practical difficulties in re-development of existing buildings in plots having a depth upto 50 mts. The front setback may, further be relaxed, subject to maintaining a minimum of 5.00 mts. in C1 Special on special circumstances due to practical difficulties in re-development of existing buildings in plots having a depth less than 30 mts. with the approval of the Town and Country Planning Board and Government, provided they satisfy the requirement of fire safety for which prior clearance of Directorate of Fire and Emergency Services shall be mandatory before issuing development permission. In case of varying depths (sides perpendicular to the road), the average depth shall be taken into consideration."

10. *Amendment of regulation 14.3.*— In regulation 14.3 of the principal Regulations, after clause (b), the following clause shall be inserted; namely:—

"(c) Norms for roof top solar PV installation shall be as under:-

Serial No.	Category of building/area	area standards	Generation requirement
(1)	Group Housing	all proposals of Group Housing having more than 40 dwelling units	Minimum 5% of connected load or 20 w/sqft for "available roof space", whichever is less.

All other buildings defined under clause(20A) of regulation 2 (mandatory for buildings having shadow free rooftop area > 50 sq. mt.)

(2)	Educational	Plot size of 500 sq. mt. and above	Minimum 5% of connected load or 20W/sq. ft. for "available roof space", whichever is less.
(3)	Institutional		
(4)	Commercial		
(5)	Industrial		
(6)	Mercantile		
(7)	Recreational		

11. *Amendment of regulation 20.*— In regulation 20 of the principal regulations,— (i) in the heading and in sub-regulations 20.1, 20.3 and 20.4. for the expression "Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer", wherever it occurs, the expression "Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer/Diploma-Engineer/Supervisor (Civil)" shall be substituted;

(ii) in sub-regulation 20.1, the following expression shall be added at the end, namely:— "However, no registration shall be required for Structural Engineers, Engineers and other professionals employed with Government Departments and undertakings having the required qualification as per these regulations in case of land development and building construction by the Government, Government owned corporations, autonomous bodies and local bodies.";

(iii) in sub-regulation 20.2, the word "Architects" shall be omitted;

(iv) in sub-regulation 20.6, for the expressions "Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer" and "prescribed processing fees", the expressions "Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer/Diploma-Engineer/Supervisor (Civil)" and "Specified fees" shall be respectively substituted;

(v) in sub-regulation 20.7, for the word "prescribed", the word "specified" shall be substituted.

(vi) for sub-regulation 20.9, the following sub-regulation shall be substituted; namely:—

"20.9 Notary Architect or Engineer empanelled, shall be registered by the designated Chief Town Planner to issue third party certification towards issuance of Technical Clearance/Development Permission/Completion Order by the Town and Country Planning Department/PDA as the case may be as per rules specified at Annexure-X, 27.X.";

(vii) after regulation 20.9, the following note shall be added, namely:—

"Note:- Architects at the time of submission of certificate of conformity with regulations in Appendix - B2 should mention their Council of Architecture registration number. Further they shall also give a

declaration in the Certificate of conformity with Regulation Appendix-B2 that they are holding valid registration with the Council of Architecture as per the provisions of the Architects Act, 1972 (Central Act No. 20 of 1972)."

12. *Amendment of regulation 26.*— In regulation 26 of the principal Regulation,— (i) after entry at "B3 Structural Liability Certificate by Engineer/Structural Engineer", the following entry shall be inserted, namely:—

"B3A Structural Liability Certificate by Engineer/Structural Engineer (For building projects having more than 1000 sq. mts. built up area or for high rise buildings irrespective of the built up area)";

(ii) after entry "B4 Affidavit by the owner", the following entry shall be inserted namely:—

"B4A Affidavit by the Owner (For building projects having more than 1000 sq. mts. built up area or for high rise buildings irrespective of the built up area)";

(iii) after entry "B5 Structural Stability Certificate by Engineer", the following entry shall be inserted, namely:—

"B5A Structural Stability Certificate by Engineer/Structural Engineer (For building projects having more than 1000 sq. mts. built up area and for high rise buildings irrespective of the built up area)".

13. *Insertion of Appendix-B3A.*— After APPENDIX-B3 of the principal Regulations, the following APPENDIX shall be inserted, namely:—

"APPENDIX – B3A

Structural Liability Certificate

(For building projects having more than 1000 sq. mts. built up area and for high rise buildings irrespective of the built up area)

*** STRUCTURAL LIABILITY CERTIFICATE**

I, _____ having [Name, address and registration No. of Engineer-Diploma/Supervisor (Civil)] been appointed as supervisor of the proposed construction of _____ by Shri _____

(name of the project)

(name of the owner)

and placed under the control of Engineer Shri _____ do hereby certify as under

1. That I shall be available at the site to supervise the project during the entire construction phase till the completion of project.

2. That, I shall supervise the said work in accordance with the structural drawings/documents and instructions of Structural Engineer appointed by the owner.

Place: _____

Date: _____

Signature of the Engineer-Diploma/
/Supervisor (Civil) Seal with Name,
Address and Reg. No. _____

I, _____
(Name, address and Registration No. of the Engineer)

having been duly appointed as Engineer by Shri _____
(Name of the Owner)

for carrying out structural design and inspection of the proposed construction of _____
(Name of the project).

The plans for which have been prepared by _____
(Name of Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer)
in Plot No. _____/Survey No. _____/Chalta No. _____ of P.T. Sheet
No. _____, within the jurisdiction of Municipal Council of _____/Village Panchayat
of _____.

I do hereby certify as under:-

1. That I shall be responsible for the structural design and stability of the said building.
2. That the structural work shall be executed by the owner, as per the structural drawings prepared by me under the supervision of Diploma-Engineer/Supervisor (Civil) as mentioned above, under my overall control.
3. The provisions of the following BIS codes are made in the proposals.

This certificate is issued in respect of plans, one set of which is enclosed herewith, duly signed by the Architect/Engineer/Structural Engineer who has prepared the same.

Place:- _____

Date:- _____

Signature of the Structural Engineer seal with
Name, Address and Reg. No.

* to be issued on Letter Head

I, Shri _____
(Name and address of Owner)

hereby confirm that I have appointed the Engineer, Shri _____ to carry out the structural design of the above mentioned project and Shri _____, Diploma-Engineer/Supervisor (Civil) to supervise the complete work.

I further undertake to intimate them at the appropriate stage of construction of my project _____ to enable him to perform his functions as given in the above certificate.

(Name of Project)

(Signature of Owner or his authorized representative)".

14. Insertion of APPENDIX-B4A.— After APPENDIX-B4 of the principal Regulations, the following APPENDIX shall be inserted, namely:—

"APPENDIX-B4A

(For building projects having more than 1000 sq. mts. built up area and for high rise buildings irrespective of the built up area)

Affidavit to be sworn by the owner of the property and to be sworn before the Notary Public

AFFIDAVIT

I, _____, son of _____, aged _____ years, Indian National, marital status _____, occupation _____, resident of House No. _____, _____, Goa, do hereby state on oath as under:-

1. That I am the owner of the property bearing Plot No. _____, Chaita No. _____ of PT. Sheet No. _____, /Survey No. _____, situated at _____, Goa.
2. That I intend to apply for development permission/technical clearance/building permission/sub-division permission in respect of the said property.
3. That the ownership documents submitted by me alongwith the application are true and correct.
4. That I have appointed Shri _____ as the Architect/Engineer to plan and design the said development.
5. That I have also appointed Shri _____ as Engineer to carry out the structural design of the said development.
6. As the building project is having more than 1000 sq.mts. built up area or the building is high rise, I have also appointed Shri _____, as Engineer/Engineer-Diploma/Supervisor (Civil) as Supervisor under the overall control of Shri _____, Engineer who is carrying out the structural design of the said development as mentioned at (5) above.
7. That I am aware that it is my responsibility to ensure that the development is properly supervised by the Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer who have signed the plans.
8. That I am also responsible to execute the development as per approved plans.
9. That in the event of the above mentioned Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer/Diploma Engineer/Supervisor (Civil) disassociates from the development, I shall appoint another Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer/Diploma Engineer/Supervisor (Civil) to be responsible for the development and intimate of such change to the Competent Authority.
10. That I shall not carry out any development until such time, the appointment of Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer/Diploma-Engineer/Supervisor(Civil) is made.
11. That what is stated above is true to the best of my knowledge and belief.

DEPONENT".

15. *Insertion of APPENDIX-B5A.*— After APPENDIX-B5 of the principal Regulations, the following APPENDIX shall be inserted, namely:—

"APPENDIX-B5A

Structural Stability Certificate

(For building projects having more than 1000 sq.mts. built up area and for high rise buildings irrespective of the built up area)

***STRUCTURAL STABILITY CERTIFICATE**

I, _____ having been duly appointed as Supervisor by
Shri _____
(Name and Address of the owner)

for carrying out supervision of the above mentioned project and placed under the control of Engineer
Shri _____, do hereby certify as under:—

1. That I was available at the site during the entire construction phase till the completion of project and was following the written instructions issued by the below mentioned Engineer from time to time.

2. I have supervised the structure and certify that the structure is built as per the structural drawings prepared by below mentioned Engineer.

Signature of the Engineer-Diploma/
/Supervisor (Civil) Seal with Name,
Address and Reg. No. _____

I, _____ having
(Name, address and Registration No. of the Engineer)

been duly appointed as Engineer by Shri _____
(Name of the Owner)

for carrying out structural design and inspection of the construction of _____ Chalta
(Name of the project)

No. _____ of PT. Sheet No. _____ within the jurisdiction of
Municipal Council of _____/Village Panchayat of _____ and having given the Structural
Liability Certificate at the time of obtaining building permission, do hereby certify as under:—

1. That I have carried out the structural design of the above referred project with the following BIS
Codes;

2. That the structural work has been executed by the owner, as per the structural drawings prepared
by me and under the supervision of Diploma Engineer/Supervisor (Civil) as mentioned above under
my overall control.

3. That the building is structurally safe and fit for occupation.

I am enclosing complete set of structural "as built" drawings for your records.

Place:-

Date:-

Signature of the Structural
Engineer Seal with Name,
Address and Reg. No. _____

* to be issued on Letter Head."

16. *Substitution of Annexure-I.*— For Annexure-I of the principal Regulations, the following
Annexure shall be substituted, namely:—

"ANNEXURE-I

27.I.
Notifications on Environment and CRZ Regulations as notified from time to time by the Ministry of
Environment, Forest and Climate Change, Government of India, shall be applicable to all permissions
under the regulations."

17. *Substitution of Annexure-X.*— For Annexure-X of the principal Regulations, the following
Annexure shall be substituted, namely:—

"ANNEXURE-X

Rules for Notary Architect and Notary Engineer for risk based classification of approvals.

(1) Notary Architect and Notary Engineer registered shall be authorized to issue third party certification
for low risk buildings in plots formed by way of finally approved sub-division layout and partitioned

plot forming part of finally approved sub-division layout approved by competent authorities for residential buildings in plot area upto 500 sq.mts. having maximum built up area of 500 sq.mts. and height limited to G+2 storeys including stilt floor.

- (2) Procedure for empanelment and registration shall be as specified.
- (3) Duties and responsibilities of Notary Architect and Notary Engineer:-
 - (i) To scrutinize the applications received for issue of third party certification under these rules.
 - (ii) Sign the formats and building plan as required under the Regulations and submit it to the Town and Country Planning Department/respective PDA.
 - (iii) Maintain register of applications received for third party certification towards issue of building approvals/completion order by the Town and Country Planning Department/respective PDAs.
- (4) Power of designated Chief Town Planner to act against Notary Architect/Notary Engineer in case of default/complaint.

If any Notary Architect or Engineer, as the case may be, fails to discharge his/her duties and responsibilities, the Chief Town Planner, may after giving him/her a reasonable opportunity of being heard in the manner as such as may be prescribed, and by an order remove his/her name from the Records of NOTARY Architect or Engineer authorized to issue third party certification.

The Licencing Authority i.e. Corporation/Municipal Council in Municipal areas and Village Panchayat in respective panchayat areas shall take note of the discharged Notary Architect or Engineer and shall not honour any third party certification issued by them, thereafter."

18. *Amendment of Annexure-XI-A.*— In Annexure-XI-A of the principal Regulations, for the existing Note (1), the following shall be substituted, namely:—

"(1) For all above activities minimum size of land/plot has to be 4000 sq.mts. except in case of pump houses and dairy farming. In case of dairy farming the minimum plot requirement can be relaxed provided that a minimum plot size of 1000 sq.mts. shall be maintained and the area of structure on such plot shall be restricted to 100 sq.mts., provided further that the plot is surrounded by agriculture areas and preferably away from dense human habitation."

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

Daulat A. Hawaldar, IAS, Secretary (TCP).

Panaji, 26th December, 2018.

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