

Outward No. 21/1/TCP/2018/605 dated 28/03/2018

ORDER

The following instructions and guidelines are issued for processing the application for NOC under Section 49 (6) of the Town and Country Planning Act for registration of deeds:

I. No Sanction or NOC is required in the following cases.

1. Plots which are as per or tallying with the Survey Plan, issued by Survey Department.
2. Plots having approval from Planning and Development Authority or Town and Country Planning Department.
3. If the sub-division of land or making or layout of any property resulted from right of inheritance within a family.
4. Mortgaging immovable property in favour of any financial institution notified by Government by a Notification in the Official Gazette.

II. Cases wherein NOCs can be issued without insisting for formal sub-division approval.

1. In case NOC is sought for part of a property divided by way of Government intervention i.e. by way of Road, Canal, railway or any other land acquisition, applications shall be considered for NOC.
2. In case, the plot proposed for NOC for Sale Deed and remaining part of said Survey No. are more than 4000m² each in Settlement areas, the application could be considered for approval subject to availability of access to partitioned land and remaining part.

3. In case NOC is sought for plot whose area is left out area after deducting area for mundcar/ordered by competent Authority or for balance area of the property pursuant to registration of sale deed of remaining portion prior to 22/03/2018.
4. In case, plot area for consideration is the area available after leaving out area for public uses as per Statutory Plans.
5. Part areas of properties which are being purchased for deriving access to land locked properties.
6. Purchase of small strips of land from adjoining properties in order to make available setbacks, or to accommodate FAR etc., provided that such adjoining property, shall not be rendered unsuitable or make it less than the minimum plot size/area, provided further that such purchase would not amount to areas larger than 4,000m² to be reduced to less than 4,000m².
7. For re-sale of plots which have been duly registered, prior to 22/03/2018, but not partitioned.

III. Cases where sub-division approval under Goa Land Development and Building Construction Regulations, 2010 is required.

For all other cases, other than what specified in Para I & II the Department will have to insist the applicants to apply for sub-division of land as per Goa Land Development and Building Construction Regulations -2010. In case the land falls in Settlement zone, the application will have to be dealt as per the standards of internal roads and open spaces as per the said Regulation. In case of land facing public road/directly accessible by public roads having area less than 4,000m², approval could be considered as per the standards of plots specified in sub-division Regulations and after reserving road widening area, without insisting for provisional approval. In case the land under reference is falling in

the agricultural land, sub-division application will have to be considered as per the Regulations with minimum plot area of 20,000m².

For cases where sub-division approvals have been granted provisionally with plot sizes of minimum 4,000m², but final approval has not been granted, NOC for sale could be granted based on the provisional approval.

IV. General instruction on receiving application.

The application under Section 49 (6) of the Act shall be preferred in the respective District/Taluka level offices. Application under 49 (6) shall be made by the owner of the land or his Power of Attorney holder who is selling the property in the prescribed format along with copies of Survey Plan, Form I & XIV, approved sub-division plan, Site Plan showing area proposed for sale and relevant ownership documents. Processing fee as prescribed shall be levied at the time of filing the application.

Any difficulties arising out from time to time shall be brought to the notice of the undersigned for appropriate decision.

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(Rajesh J. Naik)
Chief Town Planner
(Planning)