

**Outward no. 29/8/TCP/2018(pt.file)/602 dated 28/03/2018**

**O R D E R**

**Read:-1) Order no. 29/8/TCP/2012-13/RPG-21/Status/1803 dtd. 4/6/2012.  
2) Order no. 29/8/TCP/2015/Gen/3982 dtd. 28/9/2015.**

1. Whereas the Government vide Order dated 4/6/2012 read at preamble (1) above, had issued directions to withhold the Regional Plan-2021 and to use Regional Plan 2001 as reference plan for the purpose of determining the land use while using the policies of Regional Plan 2021 with respect to FAR, village status and height of building. As per the said Order, permissions can be granted in plots falling under developable zone as per both the Regional Plans i.e. Regional Plan 2001 as well as Regional Plan-2021.

2. And whereas, by Order dated 28/9/2015 read at preamble at sl. No. 2) above, the decision of Government was conveyed for relaxation of Order dated 4/6/2012 read at preamble sl. No. 1) above, for proposals cleared by Goa Investment Promotion and Facilitation Board. As per the said Order projects cleared by GIPFB can be issued permission, if the land under reference falls in settlement zone, industrial zones and Institutional zones as per Regional Plan 2021.

3. And whereas, it has been brought to the notice of the Government, that many applications for personal housing in lands classified as Settlement areas as per Regional Plan 2021 are pending for clearance as the land pertaining to the same are not classified under Settlement Zone in the Regional Plan 2001 and vice versa, due to the instructions contained in the Order dated 4/6/2012, and putting the public at large to hardship.

4. And whereas, there are cases of the nature that the properties zoned earlier under Industrial Zones in the Regional Plan for Goa 2001 have been shown under Settlement Zone as per Regional Plan for Goa 2021, in which case the owner of the land can neither get permission to develop industry nor develop the land for residential use as per the Order dated 04/06/2012. There are applications from institutions for setting up state of the art educational institutions and knowledge centres, pending for want of zoning clarity. Many tourism related projects are also awaiting nod which conforms to Regional Plan 2021.

5. And whereas, the Government has recently brought about amendment to section 49(6) of the Act, thereby making it mandatory for registration of plots which are not as per the survey plan or plots which are not having approval from competent Authority, to obtain a No objection Certificate from Chief Town Planner(Planning). This was enacted primarily to control large scale unauthorized fragmentation of Orchard and agricultural lands which was taking place at brisk pace in the state. Government has observed that many unauthorized land developments have already taken place by way of registration of sale deeds for smaller plots and construction of pucca houses/buildings have sprung up in many plots. Some of them are within settlement areas, as per RPG 2021 and where as many such developments are in non settlement areas as per both the Regional Plans. It was found necessary, that whatever developments which have come up in settlement area of Regional Plan 2021, could be considered for regularization by following rules.

6. Now therefore, in view of the aforesaid circumstances it has become necessary to issue fresh directions, in supersession to Orders dated 4/6/2012 and 28/9/2015, as under:

A. Development in land zoned under Settlement zones or Commercial Zones or Industrial zones or Institutional Zones as per Regional Plan -2021 to be

permitted as per its merit for uses permitted in respective zone, by following transparent process as under:-

i) Applications as received by the Taluka Level offices of the Department to be scrutinized with respect to the following:-

- Report on settlement character of the land and surroundings.
- Access conditions.
- Nature of land as to whether sloping/low lying or having forest trees etc.
- Permissibility as per Goa Land Development and Building Construction Regulations.

ii) The release of land shall further be subjected to the following:-

- a) In case the area of land is more than 5000.0sq.mts, opinion of Forest Department and Agricultural Department shall be obtained.
- b) Areas such as low lying paddy field, water body, khazan land, flood prone area, land having slopes more than 25%, forest land including private forest land, land falling in the buffer zone of Wild Life Sanctuaries(without the prior permission of Forest Department) and No Development Zone as per CRZ notification(without prior permission of GCZMA) even if they fall in settlement or developable zone shall not be permitted.

B. Land falling under Settlement Zones as per Regional Plan 2021, but falling under Industrial Zones as per Regional Plan 2001(both developable zones) the lower use i.e. residential and allied uses permitted in Settlement zone could be considered. Applications for educational complexes institutes recognized by the Government could be considered on priority, in case the land under reference fall under Settlement Zone or Institutional Zone in the Regional Plan 2021.

C. Cases of this nature considered by the Government as per the provisions of RPG-2021 and not in conformity with the RPG-2001 shall be notified to the public through Department's website. The Taluka level/District level offices shall maintain a register for recording such cases considered by the Government for ready reckoning for public scrutiny and for updation of Plans.

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**(J. Ashok Kumar)**  
**Secretary (TCP)**