

Panaji, 1st October, 2020 (Asvina 9, 1942)

SERIES I No. 27

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

NOTE

There are three Extraordinary issues to the Official Gazette, Series I No. 26 dated 24-09-2020, namely:—

(1) Extraordinary dated 26-09-2020 from pages 1145 to 1146 from Department of Finance (Debt Management Division), Notification No. 5-7-2020-Fin(DMU) regarding Market Borrowing Programme.

(2) Extraordinary (No. 2) dated 29-09-2020 from pages 1147 to 1150 from Department of Home (General Division), Notification No. 21/2/2013-HD(G)/2082 regarding amendment of Govt. Notification dated 9-11-1995.

(3) Extraordinary (No. 3) dated 29-09-2020 from pages 1151 to 1152 from Department of Law, Notification No. 7/18/2020-LA regarding the Contract Labour (Regulation and Abolition) (Goa Amendment) Act, 2020.

INDEX

Department	Order/Notification	Subject	Pages
1. Housing Addl. Secretary	Not.- 2/59/2016/HSG/Part	Goa Housing Board (Registration, Allotment and Sale of Tenements) (Second Amendment) Rules, 2020.	1153
2. Personnel Under Secretary	Not.-1/4/2010-PER	R.R.— Directorate of Settlement and Land Records.	1161
3. Public Under Secretary	Ord.- 38/36/2020-I/PHD/3198	Rates for Covid-19 admission in Private hospitals.	1163
4. Urban Development Dir. & ex officio Joint Secy.	Not.-10/661/2018/DMA/ /Sanitation Rules/ ByeLaws/1614	The Model Municipal Solid Waste (Management and Handling) Bye-laws, 2020.	1163

GOVERNMENT OF GOA

Department of Housing

Notification

2/59/2016/HSG/Part

Whereas, the draft Rules, namely, the Goa Housing Board (Registration, Allotment and Sale of Tenements) (Second Amendment) Rules, 2020 which the Government of Goa proposed to make in exercise of the powers conferred by sub-section (1) and (2) of section 128 of the Goa Housing Board Act, 1968 (Act No. 12 of 1968), so as to further amend the Goa Housing Board (Registration, Allotment

and Sale of Tenements) Rules, 2016, were pre-published as required by sub-section (1) of section 128 of the said Act vide Government Notification No. 2/59/2016/HSG/Part dated 13-07-2020 published in the Official Gazette, Series I No. 16, dated 16-07-2020, inviting objections and suggestions from all persons likely to be affected thereby within a period of 15 days from the date of publication of the said Notification in the Official Gazette;

And whereas, the said Gazette was made available to the public on 16th July, 2020;

And whereas, objections/suggestions received from the public on the said draft Rules have been considered by the Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and (2) of section 128 read with section 58 of the Goa Housing Board Act, 1968 (Act No. 12 of 1968), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Housing Board (Registration, Allotment and Sale of Tenements) (Second Amendment) Rules, 2020.

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

2. *Amendment of rule 2.*— In rule 2 of the Goa Housing Board (Registration, Allotment and Sale of Tenements) Rules, 2016 (hereinafter referred to as the “principal Rules”),—

(i) for clause (d), the following clause shall be substituted, namely,—

“(d) “allottee” means an individual, institution, firm or a company to whom a tenement has been allotted;”

(ii) in clause (e), for the expression “Form II”, the expression “Form II or Form II(A), as the case may be,” shall be substituted;

(iii) after clause (g), the following clause shall be inserted, namely:—

“(ga) “company” means ‘company’ as defined under the Companies Act, 2013 (Central Act 18 of 2013);”

(iv) in clause (j), for the expression “Form II”, the expression “Form II or Form II(A), as the case may be,” shall be substituted;

(v) after clause (j), the following clause shall be inserted, namely:—

“(ja) “e-auction” means auction which is conducted by using web-based software whereby the applicant submit price bids through online bidding event;”

(vi) after clause (n), the following clause shall be inserted, namely:—

“(na) “firm” means Partnership firm registered under the Indian Partnership Act, 1932 (Central Act 9 of 1932);”

(vii) after clause (s), the following clause shall be inserted, namely:—

“(sa) “institution” means an institution established for public purpose and registered under the Societies Registration Act, 1860 (Act 21 of 1860) or under the Goa Co-operative Societies Act, 2001 (Act 36 of 2001);”

(viii) after clause (t), the following clauses shall be inserted, namely:—

“(ta) “local” means a person who is eligible to make application under sub-rule (1) of rule 6 of these Rules, and residing within the jurisdiction of Panchayat/Municipality/Corporation of the City of Panaji, for atleast last 10 years or whose parents have been resident of such Panchayat/Municipality/Corporation for the last 10 years on the date of making application for tenement situated within the jurisdiction of such Panchayat/Municipality/Corporation;

(tb) “offline application” means an application form submitted manually;

(tc) “online application” means an application form filled and submitted through electronic mode;”.

3. *Amendment of rule 3.*— For rule 3 of the principal Rules, the following rule shall be substituted, namely:—

“3. *Disposal of tenements.*— (1) The disposal of tenements shall be on sale (either by open auction or e-auction or a lot) or by any such manner as specified by the Board from time to time, with prior approval of the Government:

Provided that, the tenements to be used for commercial purpose shall be disposed only on outright sale under e-auction:

Provided further that, the Government may direct the Board to allot the tenement/s to any eligible institution in public interest or to itself. The Board shall accept offline applications in such cases.

(2) The Board shall give approval for the disposal of tenements ordinarily through e-auction after which the procedure for such e-auction shall be undertaken. In case the tenements remain unsold in first round, then the Board shall undertake second round of e-auction in respect of such tenements remaining unsold. All those tenements remaining unsold in first two rounds shall be sold to any resident of Goa who has been resident of Goa for last 30 years on the date of making an application for tenement and capable of paying consideration on sale of such tenement. The Board shall determine the procedure for e-auction and other documents required for the purpose.”.

4. *Amendment of rule 5.*— In rule 5 of the principal Rules, for the expression “financial institutions, as the case may be”, the expression “financial institutions or by obtaining advance from the prospective purchasee” shall be substituted.

5. *Amendment of rule 6.*— In rule 6 of the principal Rules,—

(i) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely:—

“(1) The applicant must be a citizen of India or an Overseas Citizen of India, and must have been,—

(a) born in Goa on or before 19th December, 1961, or,

(b) born of a parent who resided in Goa on or before 19th December, 1961, or,

(c) born in Goa and a resident of State of Goa continuously for the last thirty years, or,

(d) resident of State of Goa for the last thirty years, or,

(e) born in Goa of parents who have been residents of the State of Goa for the last thirty years, on the date of making application for the tenement:

Provided that where the applicant is an Overseas Citizen of India, he shall obtain clearance of competent regulatory authorities prior to making the application.

Explanation.— The expression “citizen of India or an Overseas Citizen of India”, shall have the same meaning as assigned to them under the provisions of the Citizenship Act, 1955 (Act 57 of 1955);

(2) Tenements to be used for residential purpose shall not be allotted to any institution, society, firm or company. They may apply for a tenement to be used for commercial purpose, with a valid registration certificate issued by the competent authority, five years prior to the date of making of an application in Form-II(A). Only one such application from each such entity shall be entertained.

(3) The applicant applying for a tenement to be used for residential purpose shall not own a residential tenement or a residential plot already allotted by the Board in his name or in the name of his family purchased within 30 years immediately prior to the date of application anywhere in the State of Goa and an affidavit to this effect shall be produced in Form-I hereto.

Whenever, an individual, society, firm or company is applying for a tenement to be used for commercial purpose, he/ /or it shall not own a commercial tenement already allotted by the Board in his or its name or in the name of his family and purchased by him or it within 30 years immediately prior to the date of application anywhere in the State of Goa and an affidavit to this effect shall be produced in Form-I(A) hereto.”.

(ii) existing sub-rules (3) and (4) shall be re-numbered as sub-rules (4) and (5).

6. *Amendment of rule 8.*— In rule 8 of the principal Rules,—

(i) for the words “tenements” and “under lot”, wherever they occur, the words “residential tenements” and the expression “under e-auction or under lot, as the case may be”, respectively, shall be substituted;

(ii) in clause (f), for the figure “1%”, the figure “5%”, shall be substituted;

(iii) after clause (f), the following clause shall be inserted, namely:—

“(g) Local 30%”.

7. *Amendment of rule 10.*— In rule 10 of the principal Rules,—

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) The applicant shall apply in Form II or Form II(A), as the case may be, hereto in pursuance of notice issued under rule 9 and make payment of non-refundable registration fees fixed by the Board from time to time, as administrative charges.”

(ii) in sub-rule (3),—

(a) for the words “under lot”, the expression “under e-auction or under lot, as the case may be” shall be substituted;

(b) for the figures “15%”, the figures “5%” shall be substituted;

(iii) in sub-rule (4),—

(a) for the words “auction category”, wherever they occur, the expression “e-auction or auction category, as the case may be”, shall be substituted;

(b) for the figures “15%”, the figures “5%”, shall be substituted;

(iv) for sub-rule (5), the following sub-rule shall be substituted, namely:—

“(5) The Board shall carry out transactions through payment gateway or demand draft or any other cashless mode of online payment.”

(v) in sub-rule (7), the words “only after the scheme is closed” shall be omitted.

8. *Amendment of rule 12.*— In rule 12 of the principal Rules,—

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) Every online application shall be generated with a computerized serial number. Every offline application shall be given a serial number which shall be entered in the register.”

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The draw shall be held within 10 days after the expiry of the last date of registration.”

(iii) in sub-rule (6), for the figure “15%”, the figure “5%”, shall be substituted;

(iv) in sub-rule (8), for the words “An online draw for the allotment”, the words “Draw for the allotment” shall be substituted.

9. *Amendment of rule 13.*— In rule 13 of the principal Rules, for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) The allottee shall pay the full consideration of the tenement allotted within a period of 60 days of receipt of the order of allotment failing which the order of allotment of tenement shall stand cancelled without any further notice and 5% of the initial deposit of the applicant shall be forfeited to the Board and the balance amount shall be refunded to the applicant without any interest:

Provided that before the expiry of the said period, if an application is made to the Managing Director of the Board for extension of time for making payment by stating reasons for non-payment, the Managing Director may extend the said period by 25 days for payment of full consideration subject to payment of penal interest of 2% on the entire amount and may further extend by another 25 days by charging 5% penal interest on entire amount. No further extension shall be granted beyond 110 days and the tenement shall revert to the Board forfeiting 5% of the initial deposit and the balance amount shall be refunded to the applicant without any interest.”.

10. *Amendment of rule 14.*— In rule 14 of the principal Rules,—

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) Every online application shall be generated with a computerized serial number. Every offline application shall be given a serial number which shall be entered in the register.”.

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The Allotment Committee shall scrutinize all the applications within 20 days after the expiry of the last date for submission of application and the list of the applicants who are eligible to participate in the auction shall be displayed. If any applicant is found to be ineligible, his application shall be liable for rejection and 5% initial deposit shall be forfeited to the Board and the balance amount shall be refunded to the applicant without any interest.”.

(iii) for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) An auction or e-auction shall be held amongst eligible applicants in the presence of Managing Director and

Housing Engineer and Chief Accounts Officer of the Board at the place, date and time fixed by the Managing Director and the plan showing tenement number, area, etc. shall be displayed at the place of auction.”.

11. *Amendment of rule 15.*— In rule 15 of the principal Rules, for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) The highest bidder shall be declared as successful and order of allotment shall be issued in Form III hereto to the successful bidder of a tenement. The allottee shall pay the full consideration of the tenement allotted within a period of 60 days of receipt of the order of allotment failing which order shall stand cancelled without any further notice and 5% of the initial deposit of the applicant shall be forfeited to the Board and the balance amount shall be refunded to the applicant without any interest:

Provided that before the expiry of the said period of 60 days, if an application is made to the Managing Director for extension of time for making payment by stating reasons for non-payment, the Managing Director may extend the said period by 25 days for payment of full consideration subject to payment of penal interest of 2% on the entire amount and may further extend by another 25 days by charging 5% penal interest on entire amount. No further extension shall be granted beyond 110 days and the tenement shall revert to the Board forfeiting 5% of the initial deposit and the balance amount shall be refunded to the applicant without any interest.”.

12. *Amendment of rule 17.*— In rule 17 of the principal Rules, after the expression “law in force.”, the expression “A penalty at the rate of 5% on the total consideration of tenement shall be levied on such allottee.” shall be added at the end.

13. *Amendment of FORM-I.*— For Form-I appended to the principal Rules, the following Form-I shall be substituted, namely:—

“FORM-I

(Note: To be executed before a Competent Authority on a non-judicial stamp paper as per denomination prescribed in the Indian Stamp Act and submitted in original).

AFFIDAVIT
[See rule 6(3)]

I, Shri/Smt./Kum. _____ Son/
/Wife/Daughter of _____ r/o
_____, age
_____, do hereby solemnly affirm and state
as under:—

(1) That I have applied for allotment of a tenement at _____ from the Goa Housing Board under General/Auction/Reserved Category of _____

(2) That neither myself nor any other member of my family own a residential/commercial plot of land or residential/commercial tenement of the Housing Board purchased within 30 years immediately prior to the date of application anywhere in the State of Goa as on date.

(3) I have satisfied myself that I fulfil the conditions laid down in Goa Housing Board Act, 1968 (Act No. 12 of 1968) and the rules framed thereunder and the terms and conditions stipulated in the scheme formulated by the Board in this regard.

(4) I have read the provisions mentioned in clause (3) above and agree to abide by the same.

I further affirm that what is stated hereinbefore is true to my own knowledge and belief and I know that to make a false affidavit is an offence.

Deponent

VERIFICATION

Verified at _____, this the
____ day of _____, _____ that the content in
this affidavit is true and correct to the best of my
knowledge and belief. No part of this affidavit is
wrong and nothing material has been concealed
therefrom.

Deponent.”.

14. *Insertion of new Form.*— After Form-I appended to the principal Rules, the following Form-I(A) shall be inserted, namely,—

“FORM – I(A)

(Note: To be executed before a Competent Authority on a non-judicial stamp paper as per denomination prescribed in the Indian Stamp Act and submitted in original)

AFFIDAVIT
[See rule 6(3)]

I, Shri/Smt./Kum. _____ authorized
representative of M/s _____ by
virtue of _____, having registered office at
_____, do hereby
solemnly affirm and state as under:—

(1) That M/s _____ has applied
for allotment of a tenement at _____ from
the Goa Housing Board under Auction Category.

(2) That M/s _____ does not
own a commercial plot of land or commercial
tenement of the Housing Board purchased within
30 years immediately prior to the date of
application anywhere in the State of Goa as on
date.

(3) I have satisfied myself that M/s _____
fulfils the conditions laid down in Goa Housing
Board Act, 1968 (Act No. 12 of 1968) and the
rules framed thereunder and the terms and
conditions stipulated in the scheme formulated
by the Board in this regard.

(4) I have read the provisions mentioned in
clause (3) above and agree to abide by the same.

I further affirm that what is stated hereinbefore
is true to my own knowledge and belief and I know
that to make a false affidavit is an offence.

Deponent

VERIFICATION

Verified at _____, this the
____ day of _____, _____ that the content in
this affidavit is true and correct to the best of my
knowledge and belief. No part of this affidavit is
wrong and nothing material has been concealed
therefrom.

Deponent.”.

15. *Amendment of Form-II.*— For Form-II appended to the principal Rules, the following Form-II shall be substituted, namely:—

"FORM – II

Form of application for registration of residential tenement

[See rule (10)1]

Affix latest
passport
size
photograph
here

1. Applicant's full name:

_____	_____	_____
First Name	Middle Name	Surname

2. Father's/Husband's name:

_____	_____	_____
First Name	Middle Name	Surname

3. (a) Permanent Address: _____

Pin Code _____

(b) Present Address for correspondence: _____

Pin Code _____

(c) Locality to which application relates: _____

(d) Phone No. (Res.) _____ Mobile No. _____

E-Mail if any _____

(e) Bank Details:

Name of the Bank and Branch _____

Account Number _____ IFSC _____

MICR _____

4. Period of residency of the applicant in the State of Goa: _____

5. Period of residency of the Parent (if applicable): _____

(Residence certificate from the competent authority of the applicant or his/her Parents)

6. Date of Birth (Birth certificate to be attached): _____

7. AADHAR (UID) No. if any _____

8. PAN No: _____

9. Occupation: _____

(a) Name of the Establishment/office with address _____

(b) Present pay including allowances _____

(c) Family annual income of the applicant for the preceding financial year (Certificate from the competent authority alongwith supporting documents required under rules to be enclosed) _____

(d) Details of family (Name, Relation with applicant, occupation and income) to be attached, separately.

10. Category for which applied (whether Reserved or General, if reserved certificate in proof to be enclosed from the competent authority)

11. Income group to which the applicant belongs: _____

12. Amount of deposit:- Rs. _____ paid through (Credit/Debit card, RTGS, NEFT, demand draft, etc.) _____ dated _____

I solemnly affirm and state that:—

(a) I have satisfied myself that I fulfil the conditions laid down in the Goa Housing Board Act, 1968 (Act No. 12 of 1968) and the rules framed there under and the terms and conditions stipulated in the Scheme formulated by the Board in this regard and agree to abide the same.

(b) The statements made above are true to the best of my knowledge and belief.

(c) (i) I hereby give an Undertaking that I agree to abide to the procedure of drawal of lot for selecting the eligible applicant for the allotment of tenement and I shall submit self-attested copies of the mandatory documents including the original Affidavit indicated in Form I to the Board before the date of scrutiny for allotment of tenement under lot, failing which, my application shall be liable for rejection and 5% of initial deposit shall be forfeited to the Board and the balance amount to be refunded without any interest.

(ii) I hereby give an Undertaking that I agree to abide to the procedure of auction and shall submit self-attested copies of the mandatory documents before the date of scrutiny to participate in auction proceedings, failing which, my application shall be liable for rejection and 5% of initial deposit shall be forfeited to the Board and the balance amount to be refunded without any interest.

Dated:

(Applicant's signature)".

16. *Insertion of new Form.*— After Form-II appended to the principal Rules, the following Form-II(A) shall be inserted, namely,—

“FORM – II(A)

Form of application for registration of a tenement for commercial/institutional purpose

[See rule 6(2) and 10(1)]

Affix latest
passport
size
photograph
here

1. Name of the Applicant: _____
2. Name of the Institution/Firm/Company (if applicable): _____
- 3.(a) Permanent Address: _____
Pin Code _____
- (b) Present Address for correspondence: _____
Pin Code _____
- (c) Phone No. (Res.) _____ Mobile No. _____
E-Mail _____ Website, if any _____
- (d) Bank Details:
Name of the Bank and Branch _____
Account Number _____ IFSC _____
MICR _____
4. Locality to which application relates: _____
5. Institution/Society/Firm/Company Registration No. and date, if applicable (copy to be enclosed): _____
6. PAN No. (copy to be enclosed), if applicable: _____
7. TAN No. (copy to be enclosed), if applicable: _____
8. Details of initial deposit amount: a) Rs. _____
paid through (DD/Credit/Debit card, RTGS, NEFT etc.) _____ dated _____
9. Any other relevant details: _____

I solemnly affirm and state that:—

(a) I have satisfied myself that I fulfil the conditions laid down in the Goa Housing Board Act, 1968 (Act No.12 of 1968) and the rules framed there under and the terms and conditions stipulated in the scheme/rules formulated by the Board in this regard and agree to abide the same.

(b) The statements made above are true to the best of my knowledge and belief.

(c) I hereby give an Undertaking that I agree to abide to the procedure of auction and shall submit self-attested copies of the mandatory

documents before the date of scrutiny to participate in auction proceedings, failing which, application shall be liable for rejection and 5% of initial deposit shall be forfeited to the Board and the balance amount to be refunded without any interest.

Date: _____

(Applicant's signature)" .

17. *Amendment of FORM-III.*— For Form-III appended to the principal Rules, the following Form-III shall be substituted, namely:—

“FORM – III

Order of Allotment

[See rules 13(1) and 15(1)]

In pursuance of rule 13 (1) and 15(1) of the Goa Housing Board (Registration Allotment and Sale of Tenements) Rules, 2016, Shri/Smt./Kum. _____ is hereby allotted tenement No. _____ with built up area admeasuring _____ sq. mtrs. at _____ under draw/auction category.

Shri/Smt./Kum. shall convey his/her acceptance in Form IV within 3 working days to the Board and should remit the full consideration of the tenement within 60 days as per the calculation sheet appended hereto, on receipt of this order, failing which, the Order of Allotment shall stand cancelled without any further notice and 5% of the initial deposit of the applicant shall be forfeited to the Board and the balance amount shall be refunded to the applicant without any interest.

.....
Managing Director

To,

.....
.....
.....

Copy to:"

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

Michael M. D'Souza, Additional Secretary
(Housing).

Porvorim, 28th September, 2020.