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OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Housing

Notification

2/58/2015/HSG

Whereas, the draft Rules, namely, the Goa Housing Board (Registration, Allotment and Sale of Plots) (First 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) (hereinafter referred to as the "said Act"), so as to further amend the Goa Housing Board (Registration, Allotment and Sale of Plots) Rules, 2016, were pre-published as required by sub-section (1) of section 128 of the said Act vide Government Notification No. 2/58/2015/HSG dated 05-01-2021, published in the Official Gazette, Series I No. 41, dated 07-01-2021, inviting objections and suggestions from all persons likely to be affected thereby within a period of fifteen days from the date of publication of the said Notification in the Official Gazette;

And whereas, the said Official Gazette was made available to the public on 07th January, 2021;

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-sections (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 Plots) (First Amendment) Rules, 2021.

(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 Plots) 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 plot has been allotted;";

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

"(i) "commercial purpose" means utility of an immovable property for any fare, fee, rate, charge, directly or

indirectly in connection with any business/or other undertaking intended for profit, other than the activities which are health hazardous in nature and those classified under “Red” or “Orange” category by the Goa State Pollution Control Board;”;

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

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

(iv) after clause (l), the following clause shall be inserted, namely:—

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

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

“(pa) “firm” means a partnership firm registered under the Indian Partnership Act, 1932 (Central Act No. 9 of 1932);”;

(vi) for clause (w), the following clause shall be substituted, namely:—

“(w) “institutional plot” means a plot to be allotted to the Government or an Institution for using the same for the purpose of establishing and running educational institutions and allied activities or for the purpose of an auditorium or complex for cultural and allied activities or for hospice for persons suffering from physical or mental illness, differently abled persons, diseased or infirm, orphans, abandoned women, children and infants, convalescents, destitute or aged persons, penal or correctional detention homes ordinarily providing sleeping accommodation with restricted liberty for the inmates and includes dharamshalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories, etc.”;

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

“(wa) “local” means a person who is eligible to make application under sub-clause (1) of clause (A) to rule 6 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 plot situated within the jurisdiction of such Panchayat/Municipality/Corporation;”;

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

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

“(xb) “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 plot.*— (1) The disposal of plot shall be on outright 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 Government may direct the Board to allot the institutional plot to any eligible applicant or to itself, for any public purpose.

(2) The Board shall give approval for the disposal of plots ordinarily through e-auction after which the procedure for such e-auction shall be undertaken. In case the plots remain unsold in the first round, then the Board shall undertake second round of e-auction in respect of such plots remaining unsold. Any plot remaining unsold in said two rounds shall be disposed on outright sale by open auction in such manner as specified by the Board from time

to time, with prior approval of the Government. The Board shall determine the procedure for e-auction/open auction and other documents required for the purpose of disposal/allotment of plots.”.

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, as the case may be, or by obtaining advance from the prospective allottee” shall be substituted.

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

(i) in clause (A), for sub-clauses (1) and (2), the following sub-clauses shall be respectively substituted, namely:—

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

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

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

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

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

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

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 (Central Act No. 57 of 1955).

(2) The applicant applying for a residential plot shall not own a residential/commercial tenement or a residential/commercial plot or shop or office allotted by the Board in his name or in the name of any other member of his family within a period of 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.”;

(ii) in clause (B), for sub-clauses (4) and (5), the following sub-clauses shall be respectively substituted, namely:—

“(4) No institution shall be eligible for an institutional plot, if it has been allotted a plot for institutional purpose or tenement or shop or office or plot under any scheme of Board purchased within 30 years immediately prior to the date of application anywhere in the State of Goa.

(5) The institution shall file an Affidavit in Form IA hereto declaring that institution does not own, hold or possess any tenement or shop or office or plot under any scheme of the Board allotted within a period of 30 years immediately prior to the date of application, anywhere in the State of Goa.”;

(iii) in clause (C),—

(a) for sub-clause (1), the following sub-clause shall be substituted, namely:—

“(1) Commercial plot shall be allotted only by public auction or e-auction, as the case may be. The applicant applying for a plot for commercial purpose shall be an individual who is eligible to make application under sub-clause (1) of clause (A) of rule 6 or a firm or a company or an institution registered for atleast 3 years prior to the date of submission of the application.”;

(b) for sub-clause (5), the following sub-clause shall be substituted, namely:—

“(5) No individual or institution or firm or company shall be eligible for a plot if he/it is already been allotted a plot or shop or office or tenement under any scheme of the Board within a period of 30 years immediately prior to the date of application anywhere in the State of Goa.”;

(c) for sub-clause (6), the following sub-clause shall be substituted, namely:—

“(6) The applicant shall file an Affidavit in Form IA hereto declaring that the applicant does not own, hold or possess a plot or shop or office or tenement under any Scheme of the Board allotted within a period of 30 years immediately prior to the date of application, anywhere in the State of Goa.”.

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

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

(ii) in clause (f), for the figures “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) in sub-rule (3),—

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

(b) for the expression “1st draw”, the expression “first draw of lot or first round of e-auction, as the case may be,” shall be substituted;

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

(ii) in sub-rule (4),—

(a) for the word “auction”, wherever it occurs, the expression “e-auction or auction, as the case may be,” shall be substituted;

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

(iii) 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.”;

(iv) in sub-rule (7), the expression “only after the scrutiny of the application by the Allotment committee” 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 and 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 figures “15%”, the figures “5%”, shall be substituted;

(iv) in sub-rule (8), for the expression “An online draw or draw by any other mode for the allotment”, the expression “A draw for the allotment” shall be substituted.

9. *Amendment of rule 13.*— In rule 13 of the principal Rules, for sub-rules (3) and (4), the following sub-rules shall be substituted, namely:—

“(3) The allottee shall pay the full consideration of the plot allotted within a period of 60 days of receipt of the order of allotment failing which, the order of

allotment of plot 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 plot shall revert to the Board forfeiting 5% of the initial deposit and the balance amount shall be refunded to the applicant without any interest.

(4) In case the applicant effects only part payment of the consideration within the extended period, then his/her allotted plot shall also be reverted thereby forfeiting 5% of the initial deposit and the part payment made shall be refunded to the applicant without any interest and no appeal shall be entertained thereon.”.

10. *Substitution of rule 14.*— For rule 14 of the principal Rules, the following rule shall be substituted, namely:—

“14. *Allotment of plot on outright sale under auction.*— (1) Every online application shall be generated with a computerized serial number and every offline application shall be given a serial number which shall be entered in the register.

(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.

(3) An auction or an e-auction shall be held amongst eligible applicants in the presence of Managing Director, Housing Engineer and Chief Accounts Officer of the Board at the place, date and time fixed by the Managing Director and the plan showing plot number, area, etc. shall be displayed at the place of auction.

(4) Except in case of e-auction, the applicant shall sit according to their registration number at the venue during the auction.

(5) The particular bidder shall increase the bid price per sq. mt. as specified by the Board from time to time. In case of e-auction the applicant shall participate in the e-auction proceedings and follow the bidding procedure as specified by the Board from time to time.

(6) There shall be atleast two applicant bidders present for the e-auction or auction proceedings for each plot, failing which, the bidding shall defer.

(7) The Managing Director may postpone/cancel/defer the auction or e-auction proceedings of any particular plot/plots, as the case may be, at any time without assigning any reasons thereof.

(8) The decision of the Managing Director in the matter of allotment of plot by auction or e-auction, as the case may be, to the highest bidder shall be final and binding on the bidders.

(9) The allotment of plot shall be on as is where is basis and the allottee shall not have any right to complain or raise any objection about nature, condition or planning, etc., or to claim any damage or compensation on any account from the Board.”.

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 V hereto to the successful bidder of a plot. The allottee shall pay the full consideration of the residential plot within a period of 60 days and in case of commercial and institutional plot within a period of 90 days from the date of receipt of the order of allotment, failing which, the 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 for residential plots, 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 the said period by another 25 days by charging 5% penal interest on entire amount. No further extension shall be granted beyond 110 days and the plot 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 16.*— In rule 16 of the principal Rules,—

(i) in sub-rule (1), in the proviso, for the expression “one month before expiry of 3rd year”, the expression “one month before expiry of period specified hereunder” shall be substituted;

(ii) in clauses (a), (b) and (c), for the expression “5% per annum”, “8% per annum” and “10% per annum”, wherever they occur, the figures “3%”, “4%” and “5%” shall be respectively substituted;

(iii) in sub-rule (2), for the expression “@ 20% per annum”, the expression “at the rate of 10%” shall be substituted;

(iv) in sub-rule (8), for the expression “@ 5%”, the expression “at the rate of 5%” shall be substituted.

13. *Amendment of rule 17.*— In rule 17 of the principal Rules, for the figure “@”, wherever it occurs, the words “at the rate of” shall be substituted.

14. *Amendment of rule 18.*— In rule 18 of the principal Rules, for sub-rules (1) and (2), the following sub-rules shall be substituted, namely,—

“(1) The allottee shall after completion of the construction of residential house/ bungalow or an institutional building or a commercial building alongwith compound wall, obtain Occupancy Certificate from the competent authority and submit the same to the Board within a period of 60 days from the date of obtaining such Occupancy Certificate, failing which, a penalty shall be imposed as specified by the Board from time to time.

(2) After expiry of ten years from the date of submission of Occupancy Certificate to the Board under sub-rule (1), the allottee may apply to the Board for the execution of Conveyance Deed towards the transfer of the allotted plot to him. The allottee shall get the Conveyance Deed registered in the office of the concerned Sub-Registrar and furnish the registration details to the Board within a period of fifteen days from the date of registration of Conveyance Deed. The fees payable to the advocate for drafting and registration of such Conveyance Deed and the expenditure in respect of the stamp duty, registration charges and any other charges are levies imposed by the Government, shall be borne by the allottee.”.

15. *Amendment of rule 19.*— In rule 19 of the principal Rules,—

(i) in sub-rule (1), for the expression “shall stand cancelled”, the expression “shall stand cancelled and a penalty at the rate of 5% of the present market value of the plot shall be levied on such allottee,” shall be substituted;

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

“(2) In the event the allottee does not utilise the plot for the purpose for which the allotment was made, within a period fixed under these Rules, or as extended by the Board or Government, as the case may be, then the allotment of plot shall stand cancelled and the allotted plot shall revert to the Board on “as is where is” basis, free from any encumbrances thereon. The decision of the Board in this regard shall be final and binding upon the allottee and no appeal or petition shall be entertained by the Board or Government. An Declaration-cum-Undertaking in this regard shall be submitted by the allottee in Form XI hereto.”.

16. *Amendment of rule 20.*— In rule 20 of the principal Rules, for sub-rule (1), the following sub-rule shall be substituted, namely,—

“(1) Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these Rules.”.

17. *Substitution of FORM-I.*— For Form-I appended to the principal Rules, the following form 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 6A(2)]

I, the undersigned, Shri/Smt./Kum. _____, son/wife/daughter of _____, aged _____ years, Indian National/Overseas Citizen of India, r/o _____, do hereby solemnly state on oath as under:—

(1) I say that I have applied for allotment of a residential plot at from the Goa Housing Board under auction/e-auction for General/Reserved Category of

(2) I say that neither myself nor any member of my family own a residential/commercial tenement or residential/commercial plot or shop or office already allotted by the Board within a period of 30 years immediately prior to the date of application, anywhere in the State of Goa.

(3) I say that I have satisfied myself that I fulfil the conditions of eligibility as laid down in the 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 hereby undertake to abide by the provisions of the Act and Rules referred in paragraph (3) above.

(5) I say that what is stated hereinbefore is true to my own knowledge and belief and no part of this Affidavit is false and nothing material has been concealed by me and I know that making a false statement in an affidavit is a punishable offence.

Solemnly affirmed at _____, Goa, on this _____ day of _____, 20_____.

Deponent”

18. *Insertion of new Form.*— After Form-I appended to the principal Rules, the following form 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(B)(5) and rule 6(C)(6)]

I, the undersigned, Shri/Smt./Kum. _____, son/wife/daughter of _____, aged _____ years, Indian National, r/o _____ authorized representative of M/s _____ by virtue of _____, having registered office at _____, do hereby solemnly state an oath as under:—

(1) I say that I/M/s _____ has applied for allotment of a institutional/commercial plot at _____ from the Goa Housing Board under auction/e-auction category.

(2) I say that I/M/s _____ does not own, hold or possess any tenement or shop or office or plot under any scheme of the Board, purchased within a period of 30 years immediately prior to the date of application, anywhere in the State of Goa, as on date.

(3) I say that I have satisfied myself/that M/s _____ fulfils the conditions of eligibility as 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/M/s _____ hereby undertake to abide by the provisions of the Act and Rules referred in paragraph (3) above.

(5) I say that what is stated hereinbefore is true to my own knowledge and belief and no part of this Affidavit is false and nothing material has been concealed by me and I know that making a false statement in an affidavit is a punishable offence.

Solemnly affirmed at _____, Goa, on this _____ day of _____ 20 _____.

Deponent”

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

“FORM – II

Form of application for registration of a plot for residential purpose

[See rule 6A(3) and 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 _____

DECLARATION CUM UNDERTAKING

I hereby declare that,—

(a) I have satisfied myself that I fulfil the conditions of eligibility as laid down in the 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 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 undertake 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 in Form I to the Board before the date of scrutiny for allotment of plot 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 undertake to abide by the procedure of auction and to 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.

Place:

Dated:

(Applicant's signature)".

20. *Substitution of Form-III.*— For Form-III appended to the principal Rules, the following form shall be substituted, namely:—

“FORM – III

Form of e-application for registration of a plot for institutional purpose

[See rule 6B(3) and rule 10(1)]

1. Name of the Institution: _____
2. (a) Permanent Address: _____
Pin Code _____

- (b) Present Address for correspondence: _____
Pin Code _____
- (c) Phone No. _____ Mobile No. _____ E-Mail _____
Website, if any _____
- (d) Bank Details:
Name of the Bank and Branch _____
Account Number _____ IFSC _____ MICR _____
3. Locality to which application relates: _____
4. Institution Registration No. and date (copy to be enclosed) _____
5. Act, rules under which it is registered: _____
6. Copy of certificate of incorporation/registration and Bye-Laws/Articles of Association or Constitution of the institution: _____
(Copy to be enclosed)
7. PAN No. (copy to be enclosed): _____
8. TAN No. (Copy to be enclosed) _____
9. Audited statement of accounts for the last 3 years: _____
(Copy to be enclosed)
10. Last 3 years annual report _____
11. Activities of the Institution _____
12. Any accreditation/recognition receipt, if any: _____
13. Details of initial deposit amount:
a) Rs. _____ paid through (Credit/Debit card, RTGS, NEFT, DD, etc.) _____ dated _____
14. Name and designation of present office bearer _____
(list to be enclosed separately)
15. Income tax return of the last three preceding years, if applicable. (Copy enclosed)
16. Institution notified by the Government (copy enclosed) _____
17. Any other relevant details: _____

DECLARATION CUM UNDERTAKING

I hereby declare solemnly that,—

- (a) I have satisfied myself that I fulfil the conditions of eligibility as laid down in the Goa Housing Board Act, 1968 (Act 12 of 1968) and the Rules framed thereunder 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 am authorized to give Declaration cum Undertaking on behalf of Institution that Institution shall abide to the procedure of drawal of online lot or draw by any other mode for selecting the eligible applicant for the allotment of Institutional plot and Institution shall submit all the attested copies of the mandatory documents to the Board before the date of scrutiny for allotment of plot under lot, failing which, application shall be liable for rejection and 5% initial deposit shall be forfeited to the Board and the balance amount shall be refunded without any interest.

Signature _____
Name of authorized signatory _____
Designation _____
with Seal

Place: _____

Date: _____ ."

21. *Substitution of Form-IV.*— For Form-IV appended to the principal Rules, the following form shall be substituted, namely:—

“FORM – IV

Form of application for registration of a plot for commercial purpose

[See rule 6C(3) and rule 10(1)]

1. Name of the Applicant: _____
- 2.(a) Permanent Address: _____
Pin Code _____
- (b) Present Address for correspondence: _____
Pin Code _____
- (c) Phone No. _____ Mobile No. _____ E-Mail _____
Website, if any _____
- (d) Bank Details:
Name of the Bank and Branch _____
Account Number _____ IFSC _____ MICR _____
3. Locality to which application relates: _____
4. Firm Registration No. and date, if applicable (copy to be enclosed): _____
5. Act, rules under which it is registered: _____
6. Copy of Certificate of incorporation/registration and Bye-Laws/Articles of Association or Constitution of the firm: _____
(Copy to be enclosed)
7. PAN No. (copy to be enclosed): _____
8. TAN No. (copy to be enclosed): _____
9. Audited statement of accounts for the last 3 years: _____
(Copy to be enclosed)
10. Details of commercial activity: _____
11. Details of initial deposit amount:
a) Rs. _____ paid through (Credit/Debit card, RTGS, NEFT, DD, etc.) _____ dated _____
12. Income tax return of the last three preceding years, if applicable. (Copy enclosed) _____
13. Any other relevant details: _____

DECLARATION CUM UNDERTAKING

I hereby declare that,—

- (a) I have satisfied myself that I fulfil the conditions of eligibility as laid down in the Goa Housing Board Act, 1968 (Act 12 of 1968) and the Rules framed thereunder 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 hereby undertake to abide to the procedure of open auction for selecting the eligible applicant for the allotment of commercial plot and I shall submit all the copies of the mandatory documents to the Board before the date of scrutiny for allotment of plot under auction, failing which, application shall be liable for rejection and 5% initial deposit shall be forfeited to the Board.
- (d) I hereby declare that the commercial activity being undertaken by me is not classified under the 'Red' or 'Orange' category by the Goa State Pollution Control Board and upon allotment of the plot and before commencement of the commercial activity; I shall produce the relevant NOC or consent letter from the Goa State Pollution Control Board, to that effect.

Signature _____
Name of the applicant _____

Place: _____

Date: _____ .”

22. *Substitution of Form-V.*— For Form-V appended to the principal Rules, the following form shall be substituted, namely:—

“FORM – V
[See rule 13(1) and rule 15(1)]
ORDER OF ALLOTMENT

In exercise of the powers conferred by sub-rule (1) of rule 13 and sub-rule (1) of rule 15 of the Goa Housing Board (Registration, Allotment and Sale of Plots) Rules, 2016, Shri/Smt./Kum./M/s _____ is hereby allotted Plot No. _____ admeasuring an area of _____ sq. mts., surveyed under Survey No. _____ of Village _____/Chalta No. _____ of P.T. Sheet No. _____ of City of _____, at _____ under draw/auction/e-auction category.

Shri/Smt./Kum./M/s. _____ shall convey his/her acceptance in Form VI within 3 working days and should remit the consideration of the plot 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:”

23. *Substitution of Form-VII.*— For Form-VII appended to the principal Rules, the following form shall be substituted, namely:—

“FORM - VII
SALE LETTER
[See rule 13(5) and rule 15(3)]

To,

Sir/Madam,

I am to state that Plot No. _____ admeasuring _____ sq. mts. surveyed under Survey No. _____ of Village _____/Chalta No. _____ of P.T. Sheet No. _____ of City of _____, situated at _____, _____ Taluka, District of _____ has been allotted to you for total consideration of _____ (Rupees _____ only) being at the rate of Rs. _____ per sq. mts. for construction of residential house/bungalow/institutional building/commercial building alongwith compound wall. The Provisional/Final NOC has been issued by _____ Village Panchayat/Municipal Council/Corporation vide No. _____ dated _____.

The Boundaries of the Plot No. _____ are shown as follows:-

To the East:

To the West:

To the North:

To the South:

The Plot No. _____ described above is a portion of a larger property situated at _____ under Survey No. _____ acquired under Land Acquisition Act, 1894 (Act 1 of 1894) _____ vide Award No. _____ dated _____/purchased vide Deed of Sale dated _____.

The allottee shall adhere and comply with all the terms and conditions as per the Goa Housing Board Act/Rules/Scheme in force.

The order of allotment for all intends and purpose shall be legal documents to enable the allottee to construct a single family residential house/bungalow/institutional building/commercial building alongwith compound wall on the allotted plot till the execution of Conveyance Deed in respect of the said plot. The allottee shall submit the drawing/plan of construction including the compound wall of allotted plot, in accordance with the terms and conditions indicated herebelow and obtain No Objection Certificate from the Goa Housing Board, before submitting the same to local authorities for approval.

The allotment of plot shall be subject to the following conditions:

(1) The allottee shall construct a residential house/bungalow/institutional building/commercial building alongwith compound wall over the allotted plot within a period of three years from the date of a sale letter, failing which, the plot shall be reverted to the Board and the consideration shall be refunded to the allottee after forfeiting the entire initial deposit without any interest thereof.

Provided that on an application made in this behalf stating specific reasons before one month of expiry of 3rd year to the Board, the Secretary/Managing Director of the Board may extend the period to construct a house to a maximum period of 8th year on payment of penalty for delayed construction as under:

- (a) After 3rd year and less than 5 years— 3% of the total consideration of the plot.
- (b) After 5th year and less than 7 years— 4% of the total consideration of the plot.
- (c) After 7th year and less than 8 years—5% of the total consideration of the plot.

(2) The extension of time beyond 8th year and upto 10th year shall vest with the Government subject to payment of penalty at the rate of 10% of the total consideration of the plot.

Provided the allottee shall make a representation for an extension with specific reasons before one month of the expiry period of 8th year, to the Board. The decision taken by the Board/Government shall be binding on the allottee and no further appeal shall be entertained.

(3) In no circumstance, extension beyond 10 years shall be granted and plot shall revert to the Board on as is where is basis and in such eventuality no appeal shall be entertained.

(4) The allottee shall prepare the construction plan of a single family residential dwelling house/bungalow/institutional building/commercial building considering the aesthetic point of view, ground coverage, control of height and roof, on the basis of Floor Area Ratio as specified by the Board as under:

- (a) For the plot area upto 300 sq. mts., the minimum ground coverage should be 30%;
- (b) For the plot area above 300 sq. mts. and upto 400 sq. mts., the minimum ground coverage should be 25% or 90 sq. mts., whichever is higher.
- (c) For the plot area above 400 sq. mts., the minimum ground coverage should be 20% or 100 sq. mts., whichever is higher.

(5) Allottee shall obtain "No Objection Certificate" from the Board before submission of construction plan to the licensing authorities. An affidavit stating that the construction is for a single family residential dwelling house/bungalow/institutional building/commercial building shall be submitted in Form IX.

(6) The construction of residential house/bungalow/institutional building/commercial building shall be in accordance with the plans approved by the Town and Country Planning Department/Planning and Development Authority, Municipal Council or the Village Panchayat, as the case may be, under the Rules and Regulations in force in the locality concerned.

(7) On breach of any of the terms and conditions, penalty at the rate of 5% on the total consideration of plot shall be levied to such allottees.

(8) (a) The allottee shall after completion of the construction of residential house/bungalow or an institutional building or a commercial building alongwith compound wall, obtain Occupancy Certificate from the competent authority and submit the same to the Board within a period of 60 days from the date

of obtaining such Occupancy Certificate, failing which, a penalty shall be imposed as specified by the Board from time to time.

(b) After expiry of ten years from the date of submission of Occupancy Certificate to the Board under sub-rule (1), the allottee may apply to the Board for the execution of Conveyance Deed towards the transfer of the allotted plot to him. The allottee shall get the Conveyance Deed registered in the office of the concerned Sub-Registrar and furnish the registration details to the Board within a period of fifteen days from the date of registration of Conveyance Deed. The fees payable to the advocate for drafting and registration of such Conveyance Deed and the expenditure in respect of the stamp duty, registration charges and any other charges are levies imposed by the Government, shall be borne by the allottee.”.

(9) The allottee shall not object for carrying out any development by the Board on the balance area of the sector as per the permissible FAR as and when required.

(10) The allottee shall not cause any obstruction to an official, duly authorized by the Board in discharging his/her duties in connection with the matter arising out of the management of the property.

Yours faithfully,
Managing Director.

24. *Substitution of Form-XI.*— For Form-XI appended to the principal Rules, the following form shall be substituted, namely:—

“FORM – XI

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

DECLARATION-CUM-UNDERTAKING

[See rule 19 (2)]

I, the undersigned, Shri/Smt./Kum. _____, son/wife/daughter of _____, aged _____ years, Indian national/Overseas Citizen of India, r/o _____, do hereby solemnly declares as under:—

(1) I say that, I will utilize the plot for the purpose for which the allotment is made, within the extended period of ten years, failing which, the allotted plot shall revert to the Board, on “as is where is” basis, free of any encumbrances thereon, and no further appeal shall be entertained.

(2) I say that I have satisfied myself that I fulfil the conditions of eligibility as laid down in the Goa Housing Board Act, 1968 (Act 12 of 1968) and the Rules framed thereunder and the terms and conditions stipulated in the scheme formulated by the Board in this regard and I undertake to abide same.

(3) I say that what is stated hereinbefore is true to my own knowledge and belief and no part of this undertaking is false and nothing material has been concealed by me.

DECLARANT

Place:-

Date:- ”

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

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

Place : Secretariat, Porvorim-Goa.

Date : 03-03-2021.

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