



Revenue Department
Government of Goa
Secretariat, Porvorim-Goa. 403 521

No: 25/01/01/2020-RD-I

Dated: 11/08/2021

C I R C U L A R

Sub: Clarification regarding setback under the Goa Regularisation of Unauthorized Construction Act, 2016.

Government of Goa has enacted the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016). By the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2021 (Goa Act 6 of 2021), Government has further clarified the Law regarding Regularisation of Unauthorized Construction carried out in Eco sensitive Zone.

Section 3, in sub-section (5) of Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016), provides that the authorized officers shall not entertain any application if the unauthorisation construction falls within the road setback or right of way.

The Provision of section 3 of sub section (5) makes it clear that the setback towards the road or right of way vis-à-vis the existing road has to be maintained and no unauthorized construction shall be regularized if it is coming in road setback area or right of way. However the authorized officers are passing arbitrary orders with regard to the property setback and rejecting the applications.

From the above provision it is clear that unauthorized construction not having proper setback on all sides except road setback can be regularized. All the Authorized Officers are therefore directed to follow the above provision and disposed the application under the said Act expeditiously.

This Circular is issued on approval of the Government for strict compliance thereof.

(Sudin A. Natu)
Under Secretary (Rcv. I)

To,

1. All authorized Officers Dy. Collector & SDO of Bardez, Tiswadi, Sattari, Pernem, Bicholim, Dharbandora, Ponda, Quepem, Mormugao, Salcete, Canacona, Sanguem.
2. The Mamlatdars of Bardez, Tiswadi, Sattari, Pernem, Bicholim, Dharbandora, Ponda, Quepem, Mormugao, Salcete, Canacona, Sanguem.

Copy submitted for information to :

1. The Collector, North Goa District, Collectorate, Panaji Goa.
2. The Collector, South Goa District, Collectorate, Margao Goa.
3. The Chief Town Planner, Town and Country Planning (Administration), Panaji.
4. The O.S.D to Minister, Ministerial Block, Secretariat Annexe, Porvorim - Goa.