

Panaji, 10th March, 1977 (Phalgun 19, 1898)

SERIES I No. 50

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Industries and Power Department

Notification

1-450-72-IPD

In exercise of the powers conferred by Section 6, 33, 34, 46, 47 and 48 of the Indian Ports Act, 1908 (15 of 1908), the Lieutenant Governor of Goa, Daman and Diu, hereby pleased to delete "Betul" appearing below the names of ports to the Appendix to Rule 2, of Goa, Daman and Diu, Port Charges Rules, 1972, published in Government Notification No. 1-450-72-IPD dated 24-4-73, published in the Official Gazette, Series I No. 6 dated 10-5-73.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 1st March, 1977.

Urban Development Department

Notification

4-40-74-UDD

In exercise of the powers conferred by sub-section (2) of section 140 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) and all other powers enabling it in that behalf, the Government of Goa, Daman and Diu hereby make the following rules, namely:

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Town and Country Planning (Planning and Development Authorities) Rules, 1977.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires.

(1) "Act" means the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975);

(2) "Chairman" means the Chairman of a Planning and Development Authority;

(3) "Form" means a Form appended to these rules;

(4) "Member" means a member of a Planning and Development Authority and includes the Chairman thereof;

(5) "Member Secretary" means the Member Secretary of a Planning and Development Authority;

(6) "Section" means the section of the Act;

(7) The words and expressions used in these rules but not defined herein shall have the same meanings as are respectively assigned to them in the Act.

3. *Term of office and condition of service of Chairman and members of Planning and Development Authority.*—(1) Save as otherwise provided in these rules, the Chairman and members of a Planning and Development Authority shall hold office for a period of two years from the date of issue of the notification constituting a Planning and Development Authority under sub-section (1) of section 20:

Provided that the Government may, at the request of a Planning and Development Authority, by a notification in Official Gazette, extend the term of office of the aforesaid Chairman and members by such period or periods not exceeding one year at a time as it deems fit:

Provided further that a member who has been appointed from amongst the members of the local authority shall not continue as a member of the Planning and Development Authority, if he ceases to be a member of the local Authority.

(2) If the Government is of opinion that any member is guilty of misconduct in the discharge of his duties or is incompetent or is incapable of performing his duties as such member, or should for any other good and sufficient reason be removed, the Government may after giving the member an opportunity of showing cause against his removal, remove him from the office.

(3) A member shall cease to be a member of a Planning and Development Authority, if he—

(i) is declared to be of unsound mind by a competent court; or

(ii) is adjudged insolvent; or

(iii) has been convicted by any court in India for any offence and sentenced to imprisonment for not less than two years; or

(iv) is absent, without the permission of the Planning and Development Authority, in writing, from three consecutive meetings thereof.

(4) A member, who is directly or indirectly concerned or interested in any proposal before the Planning and Development Authority, or is professionally interested on behalf of a principal or other person in any matter concerning the Planning and Development Authority, or is engaged at the time in any proceedings against the Planning and Development Authority, shall, at the earliest possible opportunity, disclose the nature of his interest to the Planning and Development Authority and the disclosure shall be recorded in the minutes of the Planning and Development Authority. The said member shall not be present at any meeting of the Planning and Development Authority when such proposal is discussed, unless his presence is required by other members for the purpose of eliciting information, but no member so required to be present shall vote on any such proposal:

Provided that, a member shall not be deemed to be concerned or interested as aforesaid by reason only of his being a share-holder of a company concerned in such proposal.

Provided further that a member shall not be disqualified under this sub-rule if he is engaged for the Planning and Development Authority without receiving any remuneration therefor or appears and conducts his own case in a Court of Law or before any authority against the Planning and Development Authority irrespective of whether such a member is a Legal Practitioner by profession or not.

4. *Manner of filling casual vacancies.*—In the event of a vacancy in the office of any member of a Planning and Development Authority, the vacancy shall be filled by the Government, and the person so appointed shall hold office so long only as the member in whose place he is appointed would have held office, if the vacancy had not occurred.

5. *Procedure to be followed in regard to transaction of business at meetings of Planning and Development Authority.*—(1) The members of a Planning and Development Authority shall meet at such times and places as the Chairman may determine.

(2) Twenty days' notice at the least specifying the place, date and the hour of the meeting and the agenda shall be given to the members, but the non-receipt of such notice by any member shall not invalidate the proceedings of the meeting.

(3) The quorum necessary for the transaction of business at any meeting of a Planning and Development Authority shall be one-half of the total number of members of the Planning and Development Authority. If the requisite number of members is not present the meeting shall stand adjourned for 10 minutes and held as an adjourned meeting, not requiring a quorum.

(4) The order in which the business shall be transacted at any meeting shall be determined by the presiding authority.

(5) Minutes containing the names of the members present and others who attend the meetings of a Planning and Development Authority under the provision of the Act, and of the proceedings at each meeting shall be kept in English in a minute book to be maintained for this purpose. The names of the members voting for or against any proposal or motion shall be recorded in the minute book. The minutes shall be signed as soon as practicable, by the presiding authority of such meeting. Such minutes shall be placed before the next meeting of the Planning and Development Authority and shall, after confirmation, be signed by the presiding authority of such meeting, and shall be open to inspection by any member during office hours.

6. *Temporary Association of persons with Planning and Development Authority for particular purposes.*—(1) A Planning and Development Authority may associate with itself any person whose assistance or advice, it may consider necessary in performing any of its functions under the Act.

(2) The person so assisting or advising a Planning Development Authority shall be given an appointment letter, mentioning the purpose therein for which such association has been made and the period for which association may last and the terms and conditions governing such association.

(3) If the person associated with the Planning and Development Authority under sub-rule (1) happens to be a non-official resident in Goa, he shall be entitled to draw T. A. and D.A. according to rule 190 of S. Rs. as amended from time to time.

(4) Notwithstanding anything contained in sub-rule (3), if such person is a Government servant or an employee in a Government undertaking he shall be entitled to travelling and daily allowances only at the rates admissible under the relevant rules applicable to him.

7. *Staff of Planning and Development Authority.*—(1) The number of officers and staff to be appointed by a Planning and Development Authority shall be such as may be approved by the Government in this behalf.

(2) The designations, qualifications, pay, allowances and method of recruitment of the officers and staff of a Planning and Development Authority shall be such as may be approved by the Government in this behalf and the terms and conditions of service shall be such as are applicable to a Government servant.

8. *Powers and duties of Chairman of Planning and Development Authority.*—(1) The Chairman shall have overall control over the day to day activities of the Planning and Development Authority.

(2) The Chairman may undertake tours within the jurisdiction of the Planning and Development Authority after obtaining prior permission of the Planning and Development Authority.

9. *Powers and duties of Member Secretary of Planning and Development Authority.*—The Member Secretary shall be subordinate to the Chairman and shall, subject to the control of the Chairman exercise the following powers, namely:—

(i) the Member Secretary shall be in charge of all the confidential papers of the Planning

and Development Authority and shall be responsible for preserving them;

(ii) the Member Secretary shall produce such papers whenever so directed by the Chairman;

(iii) the Member Secretary shall make available such papers to any member of the Planning and Development Authority.

(iv) the Member Secretary shall be entitled to call for the services of any officer or employee of the Planning and Development Authority, and files, papers and documents for study as also to carry out inspection at any time including checking of accounts, vouchers, bills and other records and stores pertaining to the Planning and Development Authority;

(v) the Member Secretary may withhold any payment:

Provided that as soon as may be after such withholding of payment the matter shall be placed before the Planning and Development Authority for its approval;

(vi) the Member Secretary shall make all arrangements for holding meetings of the Planning and Development Authority and meeting of the Committees constituted by the Planning and Development Authority;

(vii) all orders or instructions to be issued by the Planning and Development Authority shall be over the signature of the Member Secretary;

(viii) the Member Secretary shall authorise, sanction or pass all payments against allotments made or estimates sanctioned by the Planning and Development Authority;

(ix) the Member Secretary shall write and maintain confidential reports of all Class I and Class II officers of the Planning and Development Authority and shall get them countersigned by the Chairman;

(x) the Member Secretary shall countersign the confidential reports of all the Class III employees of the Planning and Development Authority;

(xi) (a) the Member Secretary shall sanction the annual increments of Class I and Class II officers of the Planning and Development Authority; Provided that the increment of Class I and Class II officers shall be withheld only with the approval of the Chairman;

(b) the annual increments of other employees of the Planning and Development Authority not referred to in sub-clause (a) shall be sanctioned by officers authorised in this behalf by the Member Secretary;

(xii) the Member Secretary shall exercise such other powers and perform such other functions as may be delegated to him from time to time either by the Planning and Development Authority or by the Chairman.

10. *Form in which land use map and land used register to be prepared.*—(1) The land use map shall consist of an index map which shall be drawn to a scale not smaller than one centimetre to fifty

metres. The index map shall show the boundaries of the plots, the structures on the plot and show areas used for various uses such as:—

Main Group	Sub-Groups
Vacant	Partly built but unoccupied.
Residential	Single family Two family Multi-family Holiday homes and Boarding houses of permanent nature such as hostels but not including public assistance—institutions providing residential accommodation like Dharmashala, etc.
Commercial	Retail trade. Wholesale trade. Warehouses and storage. Offices including Government offices and Banks. Restaurants, hotels and transient boarding houses including public assistance—institutions providing residential accommodation like Dharmashala, tourist homes, etc. Cinema and other places of public assembly run on a commercial basis. Professional establishments.
Industrial	Service Industry. Light Industry. Extensive Industry. Heavy Industry. Noxious Industry.
Transport and Communication	Railway yards, Railway stations and Sidings. Roads and Road transport. Depots and Parking Areas. Dockyard, jetties and Piers. Air Ports and Air Stations. Telegraph Offices, Telephones and Telephone Exchanges, etc. Broadcasting Stations.
Public Utilities	Water supply installations including treatment plants. Drainage and Sanitary Installations including Disposal Works. Electric Power Plant, HT & LT transmission lines sub-stations, etc. Gas Installations and Gas-works.
Public & Semi Public Uses	Government Administrative Centres, Secretariat, District Offices, Law Courts, Jails, Police Stations, Governor's Residence, Educational, Cultural & Religious institutions, Medical & Health Institutions. Cultural Institutions like Theatres, Opera Houses, etc. of a predominantly non-commercial nature. Land belonging to Defence.

Main Group	Sub-Groups
Open Spaces	Sports Grounds, Stadia, Play-grounds, Parks. Other Recreational uses. Cemetries, Crematoria, etc.
Agricultural Land	Market Garden. Orchards & Nurseries Land under Staple crops. Grazing land and Pastures. Forest land. Morshy land. Barren land. Land under water.

(2) The form in which land use register is to be prepared shall be in form 'A'.

11. *Form and content of Development Plan.* — (1) The Development Plan shall consist of an index map and a written statement supplemented by other maps, charts, illustrations and documents as may be necessary.

(2) The index map shall be to a scale not smaller than one centimetre to fifty metres, and shall show the areas or locations of various proposals and other particulars specified in section 30 and 32 as may be appropriate to the Development Plan.

(3) Other maps and documents shall further illustrate and amplify the proposals of the Development Plan and the maps shall be drawn to a scale not less than one centimetre to ten metres.

(4) The written statement shall describe in detail the report of the surveys conducted, their analysis and findings and will describe in brief the main proposals of the Development Plan made in the index map and the other maps; and the stages of the development programme for executing the Development Plan.

12. *Time limit for directing modifications in Development Plan by Government.* — The time within which modifications may be directed by the Government to be made in the Development Plan shall be one hundred and eighty days from the date of its submission to the Government under sub-section (1) of section 34.

13. *Application for permission for development.* — (1) Every application under section 44 for permission to carry out any development shall be made in Form 'B'.

(2) The form 'B' shall be accompanied by the following documents, namely: —

(a) in the case of building operations — a site plan in quadruplicate drawn to a scale of not less than one centimetre to five metres showing therein the boundaries of the site, the width of the existing streets, if any, direction of the North, existing buildings, or structures on over or under the site or projecting beyond the site, if any, the position of the building or buildings the applicant intends to erect on the site and those within 15 metres around the site, the means of access and its width from the street to the site, the dimensions of front, rear and side setbacks, if any, a clear indication of the

area of the plot, plot coverage and the floor area ratio and also a detailed plan in quadruplicate, showing the plan section and elevations of the proposed development work.

(b) in the case of engineering, mining, quarrying operations — a site plan in quadruplicate drawn to a scale of not less than one centimetre to ten metres showing therein the boundaries of the site, direction of the North, existing buildings or structures on, over or under the site or projecting beyond the site the means of access with its width from the street to the site, and the exact nature of the operations the applicant intends to carry out on the site.

(c) in the case of making of any material change in use of any building or land — a site plan in quadruplicate drawn to a scale of not less than one centimetre to five metres, showing therein the boundaries of the site, direction of the North, existing buildings or structures on, over or under the site or projecting beyond the site, if any, the means of access from the street with its width to the site and the exact nature of the change in use of a building or land proposed and its extent.

(d) in the case of sub-division of any land or layout of private street — a site plan in quadruplicate drawn to a scale of not less than one centimetre to five metres, showing therein the boundaries of the site, direction of the North, existing buildings or structures on, over or under the site or projection beyond the site, if any, the means of access from the street to the site, the dimensions of each of the proposed sub-divisions, width of the proposed streets, dimensions and area of open spaces to be provided in the layout plan for the purposes of garden or recreation or like purpose and the details of proposed land use.

Note: — All plans shall be duly signed by the owner and the architect registered with the Planning and Development Authority and shall indicate their names, addresses, qualifications and registered numbers, allotted by the Planning and Development Authority.

(e) cash receipt of the fees payable to the Planning and Development Authority for permission under these rules.

14. *Manner of filling appeals under section 45.* — (1) Every appeal under section 45, shall be in writing addressed to the Chairman of the Board and shall specify the grounds of appeal and the point of which the ruling of the Board is required.

(2) Every appeal, except made on the grounds applicable in the case of section 45(1)(b), shall be accompanied in duplicate, by —

(a) copies of the application made to the Planning and Development Authority;

(b) copies of all relevant plans, documents and particulars submitted with the applications;

(c) true copies of the order of the Planning and Development Authority; and

(d) copies of all other relevant correspondences with the Planning and Development Authority.

(3) Every appeal, except made on the grounds applicable in the case of section 45(1) (b), shall bear a fee of rupees one hundred.

15. Manner of serving acquisitions notice under Act.— Any person serving the acquisition notice under section 47(1) shall submit the same in writing to the Secretary, Urban Development Department, Secretariat, Panaji, Government of Goa, Daman and Diu alongwith the documents mentioned in clause (a) to (d) of rule 14(2) and specify the points in detail how the claim is supported, mentioning therein the nature of his interest in the land.

16. Manner in which claim for compensation under section 48 is to be made.— Any person claiming compensation under section 48 of the Act may put his claim in writing to the Planning and Development Authority within ninety days from the date of receipt of an order in appeal under section 45, supporting the claim in detail and accompanied by the documents mentioned in clauses (a) to (d) of sub-rule (2) of Rule 14.

17. Exemption from levy of development charges payable.— The following plots shall be exempted from the levy of development charges payable under the Act.—

(a) all plots reserved for public and semi-public purposes in the Development Plan;

(b) all plots owned by any Department of the Central or any State or Union Territory Government or any local authority.

18. Procedure to be followed in summarily evicting persons under section 80.— (1) If a Planning and Development Authority is of the opinion that any person is in unauthorised occupation of any land and that he should be evicted, the Planning and Development Authority shall issue in the manner hereinafter provided a notice in writing calling upon all persons concerned to show cause why an order of eviction should not be made.

(2) The Notice shall —

(a) Specify the grounds on which the order of eviction is proposed to be made; and

(b) require all persons concerned, that is to say all persons who are, or may be in occupation of, or claim interest in land, to show cause, if any, against the proposed order on or before such date as is specified in the notice, being a date not earlier than 10 days from the date of issue thereof.

(3) The Planning and Development Authority shall cause the notice to be served either by tendering or delivering a copy or sending such copy by post to the person on whom it is to be served, or his authorised agent or if service in manner aforesaid cannot be made, by affixing a copy thereof at his last known place of public resort in the village in which the land to which the notice relates to is situated.

(4) No such notice shall be deemed void on account of any error in the name or designation of any person or in the description of any person, or in the description of any land referred to therein, unless such error has produced substantial injustice.

(5) If, after considering the cause, if any, shown by the person in pursuance of a notice and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the Planning and Development Authority is satisfied that the person is in unauthorised occupation, the Planning and Development Authority may make an order of eviction, for reasons to be recorded therein directing that the land, shall be vacated in such date as may be specified in the order, by all persons which may be in occupation thereof or any part thereof and cause a copy of the order to be served in the manner as specified in sub-rule (3).

(6) If any person refuses or fails to comply with the order of eviction within 30 days of the date of its issue under sub-rule (5), the Planning and Development Authority or any officer duly authorised by the Planning and Development Authority in this behalf may evict that person from and take possession of the land and may, for that purpose use such force as may be necessary.

19. Manner in which draft variation of final scheme to be published under sub-section (2) of section 81 and particulars to be contained in such variation.—

(1) The draft variation shall be first submitted to the Government alongwith a plan showing the area where the variation is proposed and the nature of variation proposed from the original proposal together with the plan showing the original proposal included in the final scheme.

(2) There shall also be an explanatory note containing the reasons which have given rise to the variation.

(3) The draft of such variation shall be published in the Official Gazette and in one or more local newspapers.

20. Manner in which an application for assessment of development charge under section 102 to be made.— Any person who intends to apply for assessment of the development charge under section 102 of the Act shall apply in Form 'C'.

21. Depositing of money belonging to Planning and Development Authority.— The sum of money that may be kept in a current account by a Planning and Development Authority shall not exceed Rs. 500,000/- (Rupees five hundred thousand).

22. Budget.— The Budget of a Planning and Development Authority shall be prepared in Form 'D'. The Budget so prepared for any financial year shall be submitted to the Government in the month of January preceding the commencement of the said financial year. Six copies each of the budget shall be prepared and shall be sent to the Board and the Government.

23. Maintenance of Accounts.— (1) Every Planning and Development Authority shall maintain in Form 'E' an account of its transactions in two sections, namely 'Revenue' and 'Capital' under the head 'Planning and Development Authority Fund'.

(2) A summary of the Planning and Development Authority Fund account for every year shall be submitted to the Government through the Chief Town Planner not later than the 1st June of the year

following and a copy thereof shall be sent to the Resident Audit Officer.

24. Pension and Provident Funds of Officer and Employees of Planning and Development Authority. — Officers and Employees of a Planning and Development Authority shall be governed by Civil Service Regulations and Central Civil Services (Pension) Rules 1972 and General Provident Fund (Central Services) Rules, 1960.

25. Certified copies and fees payable therefor. — Certified copies of the following documents may be granted on payment of the fees mentioned against these items.

	Rs. Np.	
1. Plan showing the limits of the Planning area	10-00	per copy
2. Land Use Map	50-00	— do —
3. Extract from Land Use Register	5-00	— do —
4. An Outline Development Plan	50-00	— do —
5. A Comprehensive Development Plan	50-00	— do —
6. A Town Planning Scheme ...	25-00	— do —
7. An Order under section 44 ...	5-00	— do —
8. An Order under section 45 ...	5-00	— do —
9. An order under section 50 ...	5-00	— do —

FORM 'A'

[See Rule 10 (2)]

(Form Land Use Register under Section 26 of the Goa, Daman and Diu Town & Country Planning Act, 1974)

Land Use Survey Tabulation Sheet

Postal Address

Survey Area; Block; Survey.
Code No. (See B.M.)

Plot Size and Frontage

Plot Area

No. of structures

Structure No.

No. of Storeys

A
B

U
L

Ground Floor

A
B

U
L

First Floor

A
B

U
L

Second Floor

A
B

U
L

Third Floor

A
B

U
L

Fourth Floor

A
B

U
L

Fifth Floor

Built up Area and Land Use

Age, Type & condition of Structure

Land

Structure

Total

Water

Drainage

Electricity

Other Services

Plot
F.S.I.

Block
F.S.I.

Assessed Services Valuation

Remarks

FORM 'B'

(See Rule 13)

Application for permission for development under section 44 of the Goa, Daman and Diu Town and Country Planning Act, 1974

From (Name of the owner of land) ...

Address ...

To

The ... Planning Authority.

Sir,

I intend to carry out the undermentioned development in the site or plot of land, Town and Revenue Survey No. ... on ... Street or road named in the ... ward or Division, in accordance with the provisions of Section 44 of the Goa, Daman and Diu Town and Country Planning Act, 1974, and rule 13 of the Planning and Development Authority Rules, 1977.

Particulars of proposed development: —

2. I forward herewith: —

- (a) * A site plan.
- (b) * A detailed plan (in quadruplicate).
- (c) * An extract of record of rights/property register card (any other document showing ownership of land to be specified).
- (d) * A cash receipt of the fees paid to the Planning and Development Authority.

3. I request that the proposed development may be approved and that permission may be accorded to carry out the development.

Signature of the Licensed Architect.

Date.

Signature of the owner of the land.

* Strike out which is not applicable.

FORM 'C'
(See Rule 20)

Form of application for the assessment of development charges

The Goa, Daman and Diu Town and Country
Planning Act, 1974
(Act 21 of 1975)

To

Sir,

I hereby give notice under sub-section (1) of section 102
of the Act that I intend to carry out/I am carrying out/I have

carried out development mentioned below and request you
to assess the development charge, if any, payable in respect
thereof under section 100 of the Act.

1. Nature of Development: —

2. Location: —

Date ...

Signature of owner

Address

FORM 'D'
(See Rule 22)

Form of Budget

Abstract figures of the Budget of ... Planning and Development Authority for the year 19...-19...

		Revised estimates for the current year 19 - 19				Budget Estimates for the year 19 - 19.
Accounts of past year 19 - 19	Sanctioned Estimates for the current year 19 - 19	Actuals for 8 months	Probable receipts for 8 months	Total		
Opening balance on 1-4-19...						
Ordinary Section						
Capital Section	...	...	...	...		
Receipts						
Ordinary Section						
Capital Section	...	...	...	...		
Total Receipts	...	...	...	...		
Expenditure						
Ordinary Section						
Capital Section	...	...	...	...		
Total Expenditure	...	...	...	...		
Closing balance as on 31-3-19...						
Ordinary Section						
Capital Section	...	...	...	...		

FORM 'E'
(See Rule 23)

Planning and Development Authority Fund Account

Expenditure		Receipts	
Ordinary Section		Ordinary Section	
1. Town Planning Act Schemes —		1. Town Planning Act Schemes —	
(1) Staff	Rs.	(1) Rent of Land	Rs.
(2) Allowances, pensionary contribution and cost of conveyance or hire of vehicles, etc.		(2) Ground rent	
(3) Survey charges		(3) Produce of lands	
(4) Contingencies and equipment renewals		(4) Licence fees, etc.	
(5) Law charges		(5) Betterment contributions	
Total — Running Charges		(6) Interest on investments	
(6) Interest on loans		(7) Law charges recovered	
(7) Stationery, printing and notification expenses, cost of preparation of maps, etc.		(8) Sundry receipts including sale pro- ceeds of copies of maps and schemes	
A. Total — Ordinary charges		A. Total — Ordinary receipts	
		A. Net total — Ordinary section (surplus or deficit)	

Expenditure	
Capital Section	
1. Town Planning Act Schemes —	
	Rs.
(1) Acquisition of lands, buildings, etc. ...	
(i) Roads and lanes ...	
(ii) Other purposes ...	
(2) Works of improvement —	
(i) Raising level ...	
(ii) Road forming ...	
(iii) Culverts ...	
(iv) Drains ...	
(v) Lighting ...	
(vi) Water supply ...	
(vii) Latrines ...	
(viii) Schools ...	
(ix) Markets, etc. ...	
(x) Other works ...	
(3) Repayment of loans (sinking fund charges) ...	
(4) Investments ...	
(5) Compensation for Injurious affections	
(6) Advances made ...	
(7) Miscellaneous ...	
(i) Cost of preparation of scheme, including special surveys ...	
(8) Expenses of enforcement under section 47(2) ...	
B. Total — Capital Charge ...	
* Grand Total — Ordinary and Capital charges ...	

Receipts	
Capital Section	
1. Town Planning Act Schemes —	
	Rs.
(1) Government grants ...	
(2) Contribution from	
(a) Government Departments ...	
(b) Other local authority ...	
(c) Private persons ...	
(3) Sale proceeds of lands, buildings, and equipments ...	
(4) Loans ...	
(5) Investments realised ...	
(6) Contribution from Municipal funds	
(i) General account — Ordinary ...	
(ii) Elementary Education Account ...	
(iii) Water supply and drainage account ...	
(iv) Lighting account ...	
(v) Remunerative enterprises (Land development) account ...	
(vi) Any other account ...	
(7) Recoveries of advances ...	
(8) Recoveries of expenses of enforcement under section 47(2) ...	
(9) Contribution from surplus in ordinary section ...	
B. Total — Capital Receipts ...	
* Grand total — Ordinary and Capital receipts ...	
D. Net Total Planning and Development Authority Fund Account (surplus of deficit).	

* The contribution from the surplus in the ordinary section should not be included.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (U. D. D.)

Finance Department (Revenue)

Corrigendum

Fin(Rev)/2-35/49/75

In the notification published in the Official Gazette Series I No. 42 dated 13-1-1977 under No. Fin(Rev)/2-35/49/75 dated 29-12-76, at page 455, in column 2, in line 21, for the figures and words «18.00 hrs. to 22.00 hrs.» read «18.00 hrs. to 23.00 hrs.».

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. S. Sukhthankar, Under Secretary (Finance).

Panaji 24th February, 1977.

Corrigendum

Fin(Rev)/2-35/21/309/76

In the "Form" appended to the notification No. Fin(Rev)/2-35/21/76 dated 27th December, 1976 published in the Official Gazette, Series I, No. 40,

dated 30th December, 1976 for the words and figures "Excise Duty Rules, 1964" appearing in the fourth line on page 423 of the said Gazette, read "Excise Duty (Lease of Government Distilleries) Rules, 1976".

By order and in the name of the Administrator of Goa, Daman and Diu.

S. S. Sukhthankar, Under Secretary (Finance).

Panaji, 2nd March, 1977.

Law and Judiciary Department

Notification

LD/893/77

The following Ordinances which were promulgated by the President of India on 7-2-1977 are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 24th February, 1977.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 7th February, 1977/
/Magha 18, 1898 (Saka)

THE GOVERNMENT OF UNION TERRITORIES
(AMENDMENT) ORDINANCE, 1977

No. 5 of 1977

Promulgated by the President in the Twenty-eighth
Year of the Republic of India.

An Ordinance further to amend the Government of
Union Territories Act, 1963.

Whereas the House of the People has been dissolved
and the Council of States is not in session and the
President is satisfied that circumstances exist which
render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers con-
ferred by clause (1) of article 123 of the Consti-
tution, the President is pleased to promulgate the
following Ordinance:—

1. *Short title and commencement.*—(1) This
Ordinance may be called the Government of Union
Territories (Amendment) Ordinance, 1977.

(2) Clause (a) of section 4 shall come into force
on such date as the Central Government may, by
notification in the Official Gazette, appoint and the
remaining provisions of this Ordinance shall come
into force at once.

2. *Amendment of section 3.*—In sec-
tion 3 of the Government of Union Terri-
tories Act, 1963 (hereinafter referred to 20 of 1963.
as the principal Act), in sub-section (5),
the following *Explanation* shall be inser-
ted, namely:—

‘Explanation.—In this sub-section,
the expression “population” means the
population as ascertained at the last
preceding census of which the relevant
figures have been published:

Provided that the reference in this *Explanation*
to the last preceding census of which the relevant
figures have been published shall, until the rele-
vant figures for the first census taken after the
year 2000 have been published, be construed as a
reference to the 1971 census.’

3. *Amendment of section 5.*—(1) In section 5 of
the principal Act, for the words “five years”, in the
two places where they occur, the words “six years”
shall be substituted.

(2) The amendments made by sub-section (1) to
section 5 of the principal Act shall apply also to
every Legislative Assembly in existence on the date
of coming into force of this section without prejudice
to the power of the President with respect to the
extension of the duration of such Assembly under
the proviso to the said section 5.

4. *Amendment of section 14.*—In section 14 of the
principal Act,—

(a) for clause (a) of sub-section (1), the follow-
ing clause shall be substituted, namely:—

“(a) if he holds any such office of profit
under the Government of India or the Govern-

ment of any Union territory as is declared by
Parliament by law to disqualify its holder;”;

(b) for sub-sections (3) and (4), the follow-
ing sub-sections shall be substituted, namely:—

«(3) If any question arises—

(a) as to whether a member of the Legis-
lative Assembly of a Union territory has
become subject to any of the disqualifications
mentioned in sub-section (1), or

(b) as to whether a person, found guilty
of a corrupt practice at an election to the
Legislative Assembly of a Union territory
under any law made by Parliament, shall be
disqualified for being chosen as, and for being
a member of either House of Parliament or
of a House of the Legislature of a State or
of the Legislative Assembly of a Union terri-
tory or as to the period for which he shall
be so disqualified, or as to the removal of, or
the reduction of the period of, such disqua-
lification,

the question shall be referred for the decision
of the President and his decision shall be final.

(4) Before giving any decision on any such
question, the President shall consult the Election
Commission and the Election Commission may,
for this purpose, make such inquiry as it thinks
fit.»

5. *Insertion of new section 43E.*—In Part III of
the principal Act, after section 43D, the following
section shall be inserted, namely:—

‘43E. *Special provision as to readjustment of
territorial constituencies.*—Notwithstanding any-
thing contained in sections 38 to 43D (both inclu-
sive), until the relevant figures for the first census
taken after the year 2000 have been published, it
shall not be necessary to readjust the division of
each Union territory into territorial constituencies
and any reference to the “latest census figures”
in this Part shall be construed as a reference to
the 1971 census figures.’

6. *Amendment of section 46.*—In section 46 of the
principal Act, after sub-section (1), the following
sub-section shall be inserted, namely:—

“(1A) No court or other authority shall be
entitled to require the production of any rules
made under clause (b) of sub-section (1).”

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

New Delhi, the 7th February, 1977/
/Magha 18, 1898 (Saka)

THE DELHI ADMINISTRATION (AMENDMENT)
ORDINANCE, 1977

No. 6 of 1977

Promulgated by the President in the Twenty-eighth
Year of the Republic of India.

An Ordinance to amend the Delhi Administration Act, 1966.

Whereas the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Delhi Administration (Amendment) Ordinance, 1977.

(2) It shall come into force at once.

2. *Act 19 of 1966 to be temporarily amended.*—During the period of operation of this Ordinance, the Delhi Administration Act, 1966 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 6 (both inclusive).

3. *Amendment of section 3.*—In section 3 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) For the purposes of this section and section 4, the expression “population” means the population as ascertained at the last preceding census of which the relevant figures have been published:

Provided that the reference in this sub-section to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 2000 have been published, be construed as a reference to the 1971 census.”

4. *Amendment of section 10.*—(1) In section 10 of the principal Act, for the words “five years”, in the two places where they occur, the words “six years” shall be substituted.

(2) The amendments made by sub-section (1) to section 10 of the principal Act shall apply also to the Metropolitan Council in existence on the date of coming into force of this Ordinance without prejudice to the power of the President with respect to the extension of the duration of such Metropolitan Council under the proviso to the said section 10.

5. *Amendment of section 19.*—In section 19 of the principal Act, for sub-sections (3) and (4), the following sub-sections shall be substituted, namely:—

“(3) If any question arises as to whether a member has become subject to disqualification under the provisions of sub-section (1), the question shall be referred for the decision of the President and his decision shall be final.

(4) Before giving any decision on any such question, the President shall consult the Election

Commission and the Election Commission may, for this purpose, make such inquiry as it thinks fit.”

6. *Amendment of section 29.*—In section 29 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) No court or other authority shall be entitled to require the production of any rules made under clause (b) of sub-section (1).”

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

Government Press

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