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MINUTES FOR MEETING OF SUB-COMMITTEE APPOINTED UNDER SUB SECTION 2 OF SECTION 6 OF THE GOA (REGULATIONS LAND DEVELOPMENT AND BUILDING CONSTRUCTION) ACT, 2008 HELD ON 11/02/2019 AT 4.00 P.M.

The following members attended the meeting:-

- |   |                                                                                  |                      |
|---|----------------------------------------------------------------------------------|----------------------|
| 1 | Shri Chandra shekar G. Prabhudessai<br>Representative of IEI, Goa State Centre   | ....Member           |
| 2 | Shri Manguesh R. Prabhugaonkar<br>Representative of GCCI                         | ....Member           |
| 3 | Dr. Jagannath (Desh) M. Prabhudessai<br>Representative of GCHI/ CREDAI           | ....Member           |
| 4 | Shri Amit Sukthankar<br>Representative of IIA, Goa Chapter                       | ....Member           |
| 5 | Smt. Snehalata S. Pednekar<br>Representative of ITPI, Goa Regional Chapter       | ....Member           |
| 6 | Shri James Mathew<br>Chief Town Planner (Administration)/<br>Senior Town Planner | ....Member Secretary |

Shri M.K.C Srikanth, Dy. Town Planner who was present in the meeting assisted the Member Secretary. At the outset it was informed that the amendments to Goa Land Development and Building Construction Regulations was pre published in the Official Gazette, Series I, No. 39 dtd. 27/12/2018 for inviting objection and suggestions from public. It was informed that 16 objections and suggestions were received of which 8 were received within the time limit of 30 days from date of Notification.

The objections and suggestions received within 30 days prescribed time are from following:

- 1) DLF Limited, Campal, Panaji, Goa.
- 2) Architect, Gautam V. Desai, Margao, Goa.
- 3) Devashri Nirman Limited Liability Partnership, Campal, Panaji, Goa.
- 4) Residents of Green land Coop Housing Society Ltd. Campal, Panaji, Goa.
- 5) Sohrab Shapur Dalal, Authorized signatory for Design Plus Architecture  
Delhi.
- 6) Association of consulting Civil Engineers (India) Goa Centre

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- 7) Shiram Karandikar, Greenland Co-op Housing Society Ltd, Campal, Panaji, Goa.
- 8) Joe Mathias, "Mathias House", Campal, Panaji, Goa.

Objections and Suggestions received after 30 days prescribed time are from following:-

- 9) United Goans Foundation, Margao, Goa.
- 10) The Indian Institute of Architects Goa Chapter, M.G. Road, Panaji, Goa.
- 11) Goa Pradesh Congress Committee, D.B. Marg, Panaji, Goa.
- 12) Goa Chamber of Commerce & Industry, T.B. Cunha Road, Panaji, Goa.
- 13) Builders Association of India, Varde Valulikar Road, Margao, Goa.
- 14) CREDAI-Goa, Patto, Panaji-Goa.
- 15) Er. Thomas D'Costa, Margao, Goa.
- 16) Sabina Martins, Convenor, Goa Bachao Abhiyan

The Sub Committee members have gone through all the 16 comments received before the meeting held on 11/02/2019.

**1) Amendment to Regulation 2 (90):-**

**Notary Architect/Notary Engineer**

It was explained by the Member Secretary that the scope of the Notary Architect/Notary Engineer as envisaged in the draft regulations now, proposes to issue third party certification to low risk building for facilitating issuance of Technical Clearance/Development permission as the case may be, in approved sub division lay out for residential building in plot area up to 500 sq. mtrs. with maximum built up area of 500 sq. mtrs and height of building limited to ground +2 storey building including stilt floor. The earlier provision contemplated Notary Architect/Notary Engineer to issue Technical Clearance/Development permission. It was explained that this was disallowed by Law Department as the same would be violative of the Rules of Business of the Government of Goa. The new provision for third party certification has been proposed in terms of Ease of Doing Business initiative by the Department of Industrial Promotion and Policy, (DIPP) Government of India, which will also help in State of



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Goa gaining an additional point of score in overall ratings. The Members were of the opinion that it would be necessary to specify the qualifications and experience of the professionals before implementing it. It was clarified by Member Secretary, that procedure for empanelment and registration of Notary Architect and Notary Engineer will be specified as provided in the Annexure X of the regulations.

**2) Amendment to Regulation 3.1:-**

Members discussed on the said regulations, they were informed that the amendment is proposed in view of Goa State Solar Policy, 2017. It was informed that Goa State Solar Policy provide 2% of the total area could be used for construction, operation and office set up subject to maximum of 200 sq. mtrs. per MW.

It was decided to maintain the same provision as per Goa State Solar Policy in the Regulations.

**3) Amendment to Regulation 3.2 D and 3.5 A:-**

Members discussed on the said amendment with specific regard to 3.2 D, clause (c) and 3.5A, clause (b) regarding certificate signing and authentication of plans/ documents. Members were apprehensive of the provisions recognizing Engineer -Diploma and Supervisor (Civil) to sign the drawings as per the Regulations. It was pointed out that Architects Act, NBC 2016 and newly notified RERA Act 2016 does not permit for Engineer-Diploma and Supervisor (Civil) to be qualified for the mentioned scope of work. The Member Secretary clarified that the registration of Diploma holders in Civil Engineering were stopped after the Canacona building collapse. These professionals i.e. Engineer-Diploma and Supervisor (Civil) and their competence were pre published in the Gazette dtd. 18/01/2018 and finally notified in the Gazette dtd. 27/09/2018. Their competence to sign the plans has been curtailed to 3 storeys and 600 m2 built up area on all floors put together for each block and having upto 3 storeys including still, if any, or height upto 9.00 mtrs. for Engineer-Diploma. In case of Supervisor (Civil), the competence is 2 storeys and 300 m2 built up area on all floors put together for each block and having upto 2 storeys, including still, if any, or height up to 7.6 mtrs.

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It was also clarified that as per Real Estate (Regulations and Development) Act, 2016 a person is also considered as Engineer, if he is registered as an engineer under any law for the time being in force.

**4) Amendment to Regulation 3.11.1:-**

It was explained that the new Forms proposed to be introduced namely B5-A was made applicable only in respect of area under jurisdiction of PDA's as per the draft Regulations. It was decided to have the expression "Appendix-B5 or B5-A" at other places wherever the expression "Appendix-B5" is appearing in the regulation 3.11.1

**5) Amendment to Regulation 4.2 regarding access to the Rear:-**

The Members were of the opinion that the proposed amendment needs to mention that the buildings provided with setbacks as mentioned at regulation 4.4.2 Side and Rear setbacks Table-IV need not have 6.00 mtrs Side setback cum access to the rear as propose in the draft Regulations. After deliberations the Committee decided to have the regulations as follows: "For buildings having side and rear setbacks as per Regulation 4.4.2, Table-IV, the means of access to the rear is not required to be maintained. However, for high rise buildings means of access to the rear of minimum 6.0 mtrs or applicable setbacks whichever is higher is required to be maintained at least on one side. Further access to the rear shall not be applicable to the plots covered under the regulation 4.7"

**6) Amendment to Regulations regarding shopping mall cum multiplex:-**

Members were of the opinion that the maximum proposed height of 60 mtrs may not be viable in the State and recommended to restrict the height to maximum of 45 mtrs only as recommended by the sub-committee earlier. The Sub Committee also recommended that NOC from Directorate of Fire & Emergency Services shall be pre condition before issuance of licence by the local body. Members also recommended parking standards to be stricter than normal commercial buildings and recommended one equivalent car parking space for every 40 sq. mtrs of built up area as against one space for every 50 sq. mtrs in other commercial buildings.

During the discussion, it was brought to the notice of the Committee by a member that, assembly occupancies cannot exceed height of 30 mtrs.

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as per NBC. The same was confirmed and it was found that the maximum height of shopping mall as per NBC 2016 is restricted to 30 mtrs., Sub-Committee was of the opinion that height of shopping mall should be restricted to 30 mtrs only and if at all any project proponent desired to set up iconic tower or the like, it should be restricted to the non-assembly use having separate entry and exit from the ground.

**7) Amendment to Regulation 6A.4 and insertion of new Note (26):-**

The Members discussed matter. It was pointed out that the relaxation in front setback was required to facilitate redevelopment projects in C1 special zone as was already granted to Special Commercial Zone (SPC). Members after deliberation have decided to retain the regulation and Note (26) as published.

**8) Amendment to Regulations 14.3:**

**Members discussed norms for Roof top Solar PV Installation**

Sub-Committee has deliberated on the practical difficulty, economical viability and problems that would be faced in maintenance of PV Installation for housing projects. Sub-Committee was of the opinion that affordable housing which are being promoted by Government of India with cost limitation and felt that installation of PV panels and other peripherals would incur additional cost and burden. The maintenance and functionality of PV panels would also cause difficulty to the developer in the RERA Regime due to Performance guarantee.

In view of the above members were of the opinion that provisions for PV Installation for housing projects should not be insisted due to non-viability of cost and the same should be applicable only to other category buildings.

**9) Amendment to Regulation 20:-**

The Members discussed on the said regulation 20 and sub regulation 20.1, 20.3 and 20.4, 20.7 and 20.9. They expressed that Diploma-Engineer/ Supervisor (Civil) are not qualified for the design of buildings and compounds as per Architects Act and NBC. The Member Secretary, subcommittee clarified that the words "Diploma-Engineer" shall be

Sub-Committee was of the opinion that 2 years experience is very short and this provision will indirectly make buildings less safer and less aesthetic.

The Sub Committee opined that fresh Diploma holders have to work in the construction site as Supervisor which are now being provided for building more than 1000 sq. mtrs in built up area or high rise buildings and they should be permitted to sign plans only after gaining 5 years experience as supervisor (Civil) to design building and its Structural details.

11) Amendment to Annexure -XI A, Note 1:

(Structures on agricultural lands , including cultivable land, orchard land) relaxation in minimum plot size requirement from 4000 sq. mtrs to 1000 sq. mtrs for dairy farming.

Members were of the opinion not to dilute the minimum plot area standards as it is likely to experience more misuse rather than genuine requirement.

Meeting ended with decision to meet again for confirmation of the minutes.

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