



LEGISLATIVE ASSEMBLY STATE OF GOA

**THE GOA TOWN AND COUNTRY
PLANNING (AMENDMENT) BILL, 2008**

(Bill No. 14 of 2008)

As
~~To be~~ introduced in the Legislative Assembly State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA
MARCH, 2008.**

THE GOA TOWN AND COUNTRY PLANNING (AMENDMENT) BILL, 2008

(BILL No. 14 of 2008)

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BILL

5 *further to amend the Goa, Daman and Diu Town
and Country Planning Act, 1974 (Act 21 of
1975).*

BE it enacted by the Legislative Assembly of
Goa in the Fifty-ninth Year of the Republic of India,
as follows.-

10 1. *Short title and commencement.*— (1) This
Act may be called the Goa Town and Country
Planning (Amendment) Act, 2008.

(2) It shall be deemed to have come into force
on the 29th day of February, 2008.

15 2. *Substitution of Section 16.*— For section 16
of the Goa, Daman and Diu Town and Country
Planning Act, 1974 (Act 21 of 1975) (hereinafter
referred to as the "principal Act"), the following
section shall be substituted, namely:-

20 "16. *Effect of regional plan.*— On and from
the date of publication of the regional plan under
section 15 for an area, all development
programmes undertaken within that area by any
private institution or by any other person shall

conform to the provisions of such regional plan. However, public projects/schemes/development works, undertaken by the Central Government or the Government, shall be in conformity with the rules framed and procedures laid down by the Government for such projects/schemes/development works." 5

3. *Amendment of section 16A.*— For sub-section (1) of section 16A of the principal Act, the following sub-section shall be substituted, namely:- 10

“(1) No person shall undertake any work of development in contravention of any provision of the regional plan as in force, except the projects/schemes/development works undertaken by the Central Government or the Government, either by himself or through his servant or agent or any other person and all such development work shall be in conformity with the provisions of the regional plan.”. 15 20

4. *Repeal and saving.*— (1) The Goa Town and Country Planning (Amendment) Ordinance, 2008 (Ordinance No. 4 of 2008) is hereby repealed

(2) Notwithstanding the repeal of the Goa Town and Country Planning (Amendment) Ordinance, 2008 (Ordinance No. 4 of 2008), anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act. 25 30

STATEMENT OF OBJECTS AND REASONS

Section 16 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975), mandates that all development programmes including that of the public utility programmes undertaken by the Government shall conform to the Regional Plan. No Plan can be prepared full proof, as such, it is necessary to provide for an exemption from the provisions of section 16 of the said Act, 1974, with regards to public projects/schemes/development works undertaken by the Central Government or the Government. In view of the aforesaid, sections 16 and 16A of the said Act, 1974 are proposed to be suitably amended.

The Bill also seeks to repeal the Goa Town and Country Planning (Amendment) Ordinance, 2008 (Ordinance No. 4 of 2008), which was promulgated by the Governor of Goa on 29/2/2008.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa (Shri. DIGAMBAR KAMAT)
Dated: 17-3-2008 Hon. Chief Minister

Assembly Hall, (R. KOTHANDARAMAN)
Porvorim-Goa, Secretary to the Legislative
Dated: 17-3-2008. Assembly of Goa

ANNEXURE

16. *Effect of regional plan.*— On and from the date of publication of the regional plan under section 15 for an area all development programmes undertaken within that area by any Department of the Government or by public and private institutions or by any other person shall conform to the provisions of such regional plan.

"16A. *Development to conform to regional plan.*— (1) No person shall undertake any work of development in contravention of any provision of the regional plan as in force, either by himself or through his servant or agent or any other person and all such development work shall be in conformity with the provisions of the regional plan.

(2) Whoever undertakes any work of development in contravention of the regional plan as in force, shall be punished with fine which may extend to Rs. 1.00 lakh.

(3) An offence under this section shall be cognizable."

Assembly Hall,
Porvorim - Goa,
Dated: 17-3-2008.

(R. KOTHANDARAMAN)
Secretary to the Legislative
Assembly of Goa