

No. 16/CNV/TIS/NRS/39/2006.
Office of the Deputy Collector &
S.D.O., Panaji.

Dated: 29th August, 2006.

To,

Shri Sajjad Sheikh,
Through his Attorney, Shri Sadiq Sheikh,
Flat No.0001, First Floor,
Nandavan Complex,
Tonca, Panaji-Goa.

Sub:- In the matter of exemption of conversion of use of land from one purpose to another in terms of the Order No. 16/11/90-RD dated 20.2.2006 issued by the Under Secretary (Revenue), Government of Goa, Secretariat, Porvorim.

Sir,

I have to refer to your application dated 9.5.2006 on the aforementioned subject and to inform that in the event there are structures in the land under survey Nos. 225/1, 225/4 and 227/1 of Taleigao village, existing since the time of first survey carried out under provisions of Land Revenue Code 1968 sometime between 1970 and 1972 or thereabout and in the event the land under these survey numbers falls under the settlement zone, then the whole of the area under the above mentioned survey numbers, is exempted from the operation of provisions of Section 30, 32, 33 and 34 of the Land Revenue Code 1968 in terms of the Government Order No. 16/11/90/RD dated 20.2.2006.



Yours faithfully

A. A. J. Fernandes

(A. A. J. Fernandes)
Deputy Collector & S.D.O.,
Panaji.



**OFFICE OF THE DEPUTY COLLECTOR & SUB DIVISIONAL OFFICER &
SUB DIVISIONAL MAGISTRATE, PANAJI, GOA.,
Collectorate Bldg., Panaji-Goa- 403001. Phone Nos &
Fax No :0832- 2225511 Email :sdm-panaji.goa@nic.in**

No :- 16/CNV/TIS/Taleigao/2023/3025

Dated: 11/08/2023

To,
Mr. Sajjad Sheikh,
R/o Flat No.001, Nandanvan Complex,
Mathura Apartments, Tonca,
Caranzalem-Goa.

**Sub:- Clarification sought by Goa Real Estate Regulatory Authority
regarding the validity of exemption of your Order
No.16/CNV/TIS/NRS/39/2006 dated 29/08/2006 for Survey
Nos.225/1, 225/4 and 227/1 (part).**

Sir,

With reference to your letter dated 12/07/2023 received by this office on the above cited subject, this is to inform you that the clarification was obtained from O/o the Inspector of Survey and Land Records, Tiswadi on the letter for exemption No.16/CNV/TIS/NRS/39/2006 dated 29/08/2006 issued by this office.:

The Inspector of Survey and Land Records, Tiswadi vide its report No.ISLR/TIS/MISC/08/2023/476 dated 08/08/2023 informed that as per the Form III, SLT Book, Soil Classification Book and the Final Plan prepared under the Goa Land Revenue Code, 1968 the structures indeed existed at the time of preparation of the First Plan sometime in between 1970-1972 in property bearing Survey Nos.225/1, 225/4 and 227/1 of village Taleigao in Tiswadi Taluka. Copy of the letter along with its enclosure is enclosed.

Yours faithfully,

(Rajesh S. Ajgaonkar)
Deputy Collector & SDO
Tiswadi Goa

Encl:- As above,

OFFICE OF DEPUTY COLLECTOR &
SUB DIVISIONAL OFFICER,
TISWADI NORTH - GOA

INWARD No.: 5133.

DATE: 9/8/23.



GOVERNMENT OF GOA

OFFICE OF INSPECTOR OF SURVEY & LAND RECORDS,
TISWADI - GOA.

Phone: (0832)-2227645, 2422453 Fax: 2234360 Email: islr-tiswadi-dslr.goa@gov.in

No. /ISLR/TIS/MISC/ 08/2023 | 476

Dated: - 8/8/2023.

To
The Deputy Collector & SDO,
Panaji Goa.

Sub: Clarification in respect of existence of structures in property bearing Survey No. 225/1, 225/4 & 227/1 of village Taleigao in Tiswadi Taluka.
Ref:- Order dated 25/08/2022 in File No. 3/RERA/ Completed
Proj(979)/2022/602 passed by Goa RERA

Sir,

I am to refer to your letter bearing No.16/CNV/TIS/Taleigao/2023/12696 dated 17/07/2023 whereby there is a mention made of the order passed by the Goa Real Estate Regulatory Authority.

As per the clarifications sought by your office, we have to submit that, as per the Form III, SLT Book, Soil Classification Book, and the final plan prepared under the Goa LRC 1968, the structures indeed existed at the time of preparation of the first plan sometime in between 1970-1972 in property bearing Survey No. 225/1, 225/4 & 227/1 of village Taleigao in Tiswadi Taluka.

Copies of said records are enclosed herein for the purpose of substantiating this feat.

Yours faithfully,

(Mangesh K. Kholkar)
Inspector of Survey & Land Records,
City Survey, Panaji-Goa

Encl: as above

Panaji, 2nd March, 2006 (Phalguna 11, 1927)

SERIES I No. 48

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Inland Waterways

Captain of Ports

Notification

1-11017/OSB/2004/COP/IWT/614

In exercise of the powers conferred by clause (c) of sub-section (1) of section 4 of the Indian Ports Act, 1908 (Central Act 15 of 1908) (hereinafter called the "said Act"), the Government of Goa hereby withdraws, with immediate effect, the said Act from the Minor Port OSB Goa in the territorial waters of Goa which is between 4.4 and 5.7 Nautical Miles off the coast of Goa (Aguada point) in the Arabian Sea, in which the said Act is in force by virtue of the Notification No. 1-11017/OSB/2000-COP/IWT dated 15-3-2000, published in the Official Gazette, Series I No. 52, dated 23rd March, 2000.

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

Capt. A. P. Mascarenhas, Captain of Ports/ex officio Joint Secretary.

Panaji, 17th February, 2006.

Notification

1-11017/OSB/2004/COP/IWT/615

Read: (1) Notification No. I&L/V/118/67/2891 dated 29-11-1967.

(2) Notification No. 1/27/92-IWT dated 17-2-1993.

In exercise of the powers conferred by section 5 of the Indian Ports Act, 1908 (Central Act 15 of 1908) (hereinafter called the "said Act"), the Government of Goa is hereby pleased to alter the limits of Panaji, Tiracol, Chapora, Talpona and Betul ports and hereby declares the extent of limits of said ports as follows:—

(a) *Panaji*.— On the North: From the point on the coast in the parallel of latitude 15° 29' 42" North, due West along the same parallel point in longitude 073° 37' 30" East.

On the West: From the position in Lat. 15° 29' 42" N and Long. 073° 37' 30" E in due South Direction to the position in Lat. 15° 27' 30" N and Long. 073° 37' 30" E.

On the South: From the position in Lat. 15° 27' 30" N and Long. 073° 37' 30" E due East along the parallel Lat. 15° 27' 30" N to a point where this parallel meets the coast and also coinciding within the Northern limit of MPT.

On the East: All the tidal waters of the River Mandovi, Rivers Mapusa, Naroa (including Cumbarjua Canal) and the waters of river Zuari, eastward at the Agaciam-Cortalim ferry points.

(b) *Tiracol*: Tidal waters of River Tiracol East of Meridian passing through Long. 073° 41.5' East.

(c) *Chapora*: Tidal waters of River Chapora East of meridian passing through Long. 073° 44' East.

(d) *Betul*: Tidal waters of the River Sal East of meridian passing through Long. 073° 57' E.

(e) *Talpona*: Tidal waters of River Talpona East of meridian passing through Long. 074° 02' 24".

The above mentioned limits shall include all wharves and other works made on behalf of the public for convenience of traffic, for safety of vessels, or for the improvement, maintenance or

good government of the port and its approaches, whether within or without high water mark, and subject to any rights of private property therein, any portion of the shore or bank within fifty yards of high water mark.

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

Capt. A. P. Mascarenhas, Captain of Ports/ex officio Joint Secretary.

Panaji, 17th February, 2006.

Goa Legislature Secretariat

LA/F-3/3123/2006

The Report of the Select Committee on the Madhya Pradesh Control of Music and Noises Act, Samvat 2008 (Goa Amendment) Bill, 2005 which was presented to the House on 17-2-2006 is hereby published for general information in pursuance of Rule - 231 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

REPORT OF THE SELECT COMMITTEE ON BILL
No. 9 OF 2005

THE MADHYA PRADESH CONTROL OF MUSIC AND
NOISES ACT SAMVAT 2008 (GOA AMENDMENT)
BILL 2005

I, the Chairman of the Select Committee to which Bill No. 9 of 2005 - The Madhya Pradesh Control of Music and Noises Act Samvat 2008 (Goa Amendment) Bill 2005 was referred having been authorized by the Committee to submit the Report on its behalf present its Report as recommended by the Committee.

The Bill was introduced in the House on 10 January 2005 and taken up for consideration on 13 January 2005. The Bill was referred to the Select Committee during the consideration period. The then appointed Select Committee could not proceed with its work due to imposition of Governor's Rule in the State and thereafter a change in the Government. The Committee was thereafter reconstituted in August 2005 to complete its work.

The Committee held one sitting on 3-10-2005. Minutes are appended as Annexure-A. The Committee considered and discussed in depth the provisions of the Bill under reference, vis-à-vis the provisions of the Principal Act in relation to the prevalence of customary practice and usages in

the State of Goa. Thereafter the Committee took cognizance of the Supreme Court judgement in relation to Civil Appeal No. 3735 of 2005 given on 28 October 2005 wherein the State Government is empowered to specify in advance, the number and particulars of the days on which exemption under Rule 5(3) of the Noise Pollution (Regulation and Control) Rules 2000 (made by Central Government) will be operative. In view of this, the Committee was of the opinion that the proposed amendments to the Bill were not necessary and that the Bill be withdrawn.

The Committee therefore recommends that the proposed amendments to the Bill No. 9 of 2005 - The Madhya Pradesh Control of Music and Noises Act, Samvat 2008 (Goa Amendment) Bill, 2005 be withdrawn.

Sd/-

PRATAP Singh R. RANE

Dated: 24th February, 2006. CHAIRMAN

Revenue Department

Circular

16/11/90/RD

Sub: Procedure for issue of Conversion Sanads under the Land Revenue Code.

In continuation of circular of even number, dated 23-6-1997 and 8-2-2005 on above subject the following additional instructions are issued and the same shall be followed strictly with immediate effect:

(1) In the cases where the land falls within the area where the Outline Development Plan has been adopted the files should not be referred to any department except the Town & Country Planning Department who will certify that the area being converted falls in Settlement/Commercial/Industrial Zone and the conversion sanad should be issued immediately by the Deputy Collector/Collector on receipt of the report. The Town & Country Planning Department should submit the report within 10 days from the date of receipt of the communication from the Deputy Collector/Collector.

(2) If area is a paddy field marked in the survey plan, but shown as settlement/industrial/commercial in the Regional Plan as well as in the ODP, the file for the conversion need not be referred to the Government for the approval, as it is done earlier, as the Land Revenue Code empowers the Collector to decide upon the conversion matters.

(3) Once the Town & Country Planning Department indicates the land use applied for, as settlement/industrial/commercial etc. based on the Regional Plan and/or ODP, the question of referring to CADA/Irrigation Department for their report, is not required.

(4) In cases where lands are sold by the original owner to a buyer by way of a valid sale deed, the Deputy Collector/Collector should not insist on mutation of records for conversion of that particular land. The sanad should be issued based on the sale deed duly registered. The applicant should file an affidavit stating that he has not further transferred the land by way of sale.

(5) In cases where part of the land of a particular survey number is sold, the Deputy Collector/Collector should not insist on mutation and partition of records as this is a time consuming procedure which only causes delay for the parties who desire to build their houses. The sale deed contains the details of the part sold and a plan is appended to the sale deed. Conversion sanad should be issued on the basis of details contained in the sale deed and an inspection to the site may be conducted if necessary. The applicant should file an affidavit stating that he has not further transferred the land by way of sale.

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

V. S. N. Gaunekar, Under Secretary (Revenue).

Porvorim, 20th February, 2006.

Order

16/11/90/RD

In exercise of the powers under section 35 of Goa Land Revenue Code, 1968 the Government hereby exempts from the operation of provisions of sections 30, 32, 33 and 34 the following lands:—

All those lands (survey holdings) situated in the settlement zone as per Regional/Outline Development Plan and the survey records of such survey holdings i. e. survey plan (First Plan prepared under provisions of Land Revenue Code, 1968 sometime in between 1970-1972 or thereabout) show existence of a structure. This will not apply to those survey holdings which are not shown in Settlement Zone in the existing Regional/Outline Development Plan but has its classification changed into Settlement Zone from its earlier classification in the existing Regional/Outline Development Plan.

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

V. S. N. Gaunekar, Under Secretary (Revenue).

Porvorim, 20th February, 2006.

Read:- Application of Shri Armando Gonsalves and Sadiq Sheikh under
Sub Section(1) of Section 32 of L.R.C.1968.

SANAD
SCHEDULE-II

(See Rule 7 of the Goa, Daman and Diu Land Revenue (Conversion of use of land
and non-agricultural Assessment) Rules, 1968)

Whereas an application has been made to the Collector of Goa (hereinafter referred to as "the Collector" which expression shall include any Officer whom the Collector shall appoint to exercise and perform his powers and duties under this grant) under Section 32 of the Goa, Daman and Diu Land Revenue Code, 1968 (hereinafter referred to as "the said Code" which expression shall, where the context so admits include the rules and orders thereunder) by Shri/Smt. Armando Gonsalves, Sadiq Sheikh, d/o Panaji, being the occupant of the plot registered under Survey No. 234/2 known as " " situated at Taleigao registered under No. 234/2 (hereinafter referred to as "the applicant" which expression shall, where the context so admits include his/her heirs, executors, administrators and assigns) for the permission to use the plots of land (hereinafter referred to as the "said plot" described in the Appendix I hereto, forming a part of admeasuring 22539 square metres be the same a little more or less for the purpose of Residential Personal Housing).

Now, this is to certify that the permission to use for the said plots is hereby granted, subject, to the provisions of the said Code, and rules thereunder, and on the following conditions, namely:—

1. *Levelling and clearing of the land*—The applicant shall be bound to level and clear the land sufficiently to render suitable for the particular non-agricultural purpose for which the permission is granted to prevent insanitary conditions.
2. *Assesment*—The Applicant shall pay the non-agricultural assessment when fixed by the Collector under the said Code and rules thereunder with effect from the date of this sanad.
3. *Use*—The applicant shall not use the said land and building erected or to be erected thereon for any purpose other than residential/Industrial/any other non-agricultural purpose, without the previous sanction of the Collector.
4. *Building time limit*—The applicant shall within one year from the date hereof, commence on the said plot construction of building of a substantial and permanent description, failing which unless the said period is extended by the Collector from time to time, the permission granted shall be deemed to have lapsed.
5. *Liability for rates*—The applicant shall pay all taxes, rates and cesses leviable on the said land.
6. *Penalty clause*— (a) if the applicant contravenes any of the foregoing conditions the Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code continue the said plot in the occupation of the applicant on payment of such fine and assessment as he may direct.
(b) Notwithstanding anything contained in sub-clause (a) it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or use contrary to the provisions of this grant within such time as specified in that behalf by the Collector, and on such removal or alteration not being carried out and recover the cost of carrying out the same from the applicant as an arrears of land revenue.

7. Code provisions applicable — Save as herein provided the grant shall be subject to the provisions of the said Code and rules thereunder.

APPENDIX -- I

Length and Breadth		Total Superficial Area	Forming (part of) Survey No. or Hissa No.	BOUNDARIES	Remarks
North to South	East to West			North, South, East and West	
1	2	3	4	5	6
159.00 mts.	229.50 mts.	29539 sq.mts.	Survey No. 234/2 (part) of Village Taleigao Taluka Tiswadi.	North:- S.No. 223, 230 & 228 South:- S.No. 234/2 East :- S.No. 227 West :- S.No. 234/2	There are 100 Cashew trees.
<p>The applicant has paid the conversion fees for an area of 29539 sq.mts. for the purpose of residential (Personal) housing amounting to Rs. 59,178/- vide this office chalan No. 74/94-95 dated 30-3-1994.</p> <p><u>Conditions:-</u></p> <p>1. That for maintaining natural environment on the plateau area about 35 to 40 fruit trees ornamental personal plants are planted.</p>					

In witness whereof the/Collector of Goa, has hereunto set his hand and the seal of his Office on behalf of the Administrator of Goa, Daman and Diu and the applicant Shri Armando Gonsalves & Sadig Sheikh, r/o Panaji Goa.

here also hereunto set his hand this 31st day of March, 19 94.

(Signature of Armando Gonsalves)
Armando Gonsalves &
(Signature of the applicant)

Sadig Sheikh

Signature and designation of Witnesses

1. *(Signature)*
2. *(Signature)*

(Signature)
Deputy Collector and
Sub-Division Officer
Panaji, Goa.
OFFICE OF THE
DEPUTY COLLECTOR
PANAJI, GOA

Signature and designation of Witnesses

1. *(Signature)*
2. *(Signature)*

We declare that Shri/Smt. Armando Gonsalves and Sadig Sheikh, r/o Panaji, Goa, who has signed this Sanad is, to our personal knowledge, the person he/she represents himself to be, and that he/she has affixed his/her signature hereto in our presence.

1. *(Signature)*
2. *(Signature)*



GOVERNMENT OF GOA
 Directorate of Settlement and Land Records
 PANAJI-GOIA

Plan showing plots situated at
 Village : TALIGAD
 Taluka : TISWADI
 Survey No./Subdivision No. : 225/1,4 226/ 1 227/ 1
 Scale : 1:1000

Inward No. 15079



Generated By : Disha D Bhaswar
 On : 30-11-2012

Checked By :
 30/11/12
 Disha Bhaswar



GOA REAL ESTATE REGULATORY AUTHORITY
DEPARTMENT OF URBAN DEVELOPMENT

GOVERNMENT OF GOA

101, 1st Floor, 'SPACES' Building, Plot No. 40, EDC Patto Plaza, Panaji 403 001 GOA

www.rera.goa.gov.in

Tel: 0832-2437655; e-mail: goa-rera@gov.in

F.No:3/RERA/Completed Proj.(979)/2022/602

Date: 25/08/2022

ORDER

(Dated: 25.08.2022)

The promoter '**Emgee Housing Private Limited**', has applied for registration of proposed project '**Bay Hills Phase 2**' under Section 3 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the said Act) read with the Goa Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates on interest and Disclosures on website) Rules, 2017, vide his application submitted through online portal dated 01.07.2022. Enquiries were raised with regards to the below issues, however, the promoter has not furnished satisfactory reply:-

a) Conversion deed

b) Details pertaining pending High Court case

2. An opportunity for hearing was given to the applicant on 22.08.2022 to explain the case. The representative of applicant appeared and pleaded the case. It is mentioned that the applicant has not submitted the conversion sanad issued under the Land Revenue Code. Similarly, as per order dated 28.07.2020 conveying the approval by Greater Panaji Planning and Development Authority, along with other conditions, a



reference was made of High Court Order at para 20 of this Order. The para 20 of this Order is as follows:

“20) This Development Permission is subjected to the order of the Hon’ble High Court which said “we clarify that any further action, on the basis of impugned plan, will be subject to further order in this Petition. Further, the concerned Authorities to make it clear to the parties, while granting permissions, that such permissions will be subject to further orders in this Petition.” (PIL/WP No.48/2019) Order dated 10.02.2020”

3. Regarding details of this Hon’ble High Court order mentioned in para 20 of the order of Planning and Development Authority, applicant submitted that similar conditions has been put by the PDA in other matters also. He expressed ignorance about the content of this order. In respect of conversion sanad, applicant has submitted a letter dated 29.08.2006 issued by Dy. Collector & S.D.O., Panaji. At the time of hearing he also submitted an order dated 28.02.2006 issued by Under Secretary (Revenue) published in the Official Gazette of Government of Goa. According to the applicant, based on these 02 orders, there is no need of conversion sanad in this case as the same has been exempted.
4. I have considered the case. The contents of letter dated 29.08.2006 issued by Dy. Collector & SDO, Panaji is as follows:-

“I have to refer to your application dated 9.5.2006 on the aforementioned subject and to inform that in the event there are structures in the land under survey nos. 225/1, 225/4 and 227/1 of Taleigao village, existing




since the time of first survey carried out under provisions of Land Revenue Code 1968 sometime between 1970 and 1972 or thereabout and in the event the land under these survey numbers falls under the settlement zone, then the whole of the area under the above mentioned survey numbers, is exempted from the operation of provisions of Section 30, 32, 33 and 34 of the Land Revenue Code 1968 in terms of the Government Order No. 16/11/90/RD dated 20.2.2006.”

Similarly, order dated 28.02.2006 issued by Under Secretary (Revenue) published in the Official Gazette of Government of Goa is as follows:-

“In exercise of the powers under section 35 of Goa Land Revenue Code, 1968 the Government hereby exempts from the operation of provisions of Sections 30, 32 33 and 34 the following lands:-

All those lands (Survey holdings) situated in the settlement zone as per Regional/ Outline Development Plan and the survey records such survey holdings i.e survey plan (First Plan prepared under provisions of Land Revenue Code, 1968 sometime in between 1970-1972 or thereabout) show existence of a structure. This will not apply to those survey holdings which are not shown in Settlement Zone in the existing Regional/Outline Development Plan but has its classification changed into settlement Zone from its

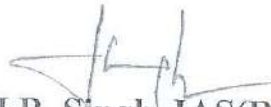


earlier classification in the existing Regional/Outline Development Plan.”

5. A plain readings of both these orders i.e. order dated 29.08.2006 issued by Dy. Collector & S.D.O., Panaji and order dated 28.02.2006 issued by Under Secretary (Revenue) stipulates that if there is a existing structure in the property, the same will be exempted from operation of provision of Section 30,32,33 and 34 of the Goa Land Revenue Code, 1968. However, in this property, whether the old structure was existing or not is not known. The said letter dated 29.08.2006 of Dy. Collector and S.D.O., Panaji is not an exemption order given for this land. In my opinion, this will not amount to exemption granted for conversion of land.
6. Applicant was given sufficient opportunity to produce the conversion sanad by raising the enquiry on the portal as well as hearing on 22.08.2022 before this Authority but applicant was unable to submit the same. As observed in the preceding paras, the letter and order submitted by the applicant does not amount to either conversion sanad or exemption from conversion sand.
7. Under the circumstances, application dated 01.07.2022 for registration of the project under Section 3 of the said Act is hereby rejected.

Order accordingly,




J.B. Singh, IAS(Retd.)
Member, Goa RERA

To,
✓ Emgee Housing Private Limited,
608, 6th Floor,
Citi Centre, Patto Plaza,
Panjim-403001.



GOA REAL ESTATE REGULATORY AUTHORITY

DEPARTMENT OF URBAN DEVELOPMENT

GOVERNMENT OF GOA

101, 1st Floor, 'SPACES' Building, Plot No. 40, EDC Patto Plaza, Panaji 403 001 GOA

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Tel: 0832-2437655; e-mail: goa-rera@gov.in

F.No:3/RERA/New Proj.(979)/2022/ 636

Date: 09/09/2022

To,


Mr. Caetano Rony Fernandes
Emgee Housing Private Limited,
608, 6th Floor, Citi Centre,
Patto Plaza, Panjim - 403001

Sub: Review of order No 3/RERA/Completed Proj(979)/2022/602, dated 25/08/2022 under Section 39 of the Real Estate (Regulation and Development)Act, 2016.

Sir,

With reference to your application dated 29/08/2022 with regards to the above referred subject, I am directed to inform you that, there is no provision for review provided under Section 39 of the RERA Act. Hence the said application is not admissible.

This issues with approval of the Competent Authority.


(Sampurna Bhagat)
Dy.T.P(RERA)