

The Goa, Daman and Diu Town and Country Planning Board Rules, 1976

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Rule

THE-GOA-DAMAN-AND-DIU-TOWN-AND-COUNTRY-PLANNING-BOARD of 1976

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The Goa, Daman and Diu Town and Country Planning Board Rules, 1976Published vide Notification No. 4-41-74-UDD, dated 15 April, 1976

4.

-41-74-UDD. - In exercise of the powers conferred by clauses (b) and (c) of sub-section (2) of section 140 read with sections 5 and 7 of the Goa, Daman and Diu Town & Country Planning Act, 1974 (Act 21 of 1975) and of all other powers enabling it in that behalf, the Government of Goa, Daman and Diu hereby makes the following rules, namely:-

1. Short title.

- These rules may be called the Goa, Daman and Diu Town and Country Planning Board Rules, 1976.

2. Definitions.

- In these rules, unless the context otherwise requires. -(a)'Act' means the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975);(b)'Section' means a section of the Act;(c)Words and expressions used in these rules but not defined shall have the meanings respectively assigned to them in the Act.

3. Term of office and conditions of service of members of Board.

(1) Save as otherwise provided in these rules the members of the Board referred to in clauses (j) and (l) of sub-section (2) of section 4 shall hold office for a period of two years from the date of the notification constituting the Board under sub-section (1) of section 4: Provided that, the Government may, at the request of Board, by a notification extend the term of office of the aforesaid 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 by virtue of his being member of the Legislative Assembly shall not continue as a member of the Board, if he ceases to be a member of the Legislative Assembly. (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 office. (3) A member shall cease to be a member of the Board if he- (i) is declared to be unsound mind by a competent court; or (ii) is adjudged insolvent; or (iii) has been convicted by any court in India of any offence, and sentenced to imprisonment for not less than two years; or (iv) is absent without the permission of the Board in writing from three consecutive meetings thereof or from all the meetings of the Board for six consecutive months.

4. Manner of filling casual vacancies.

- In the event of a vacancy in the office of any member of the Board, 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. Allowances payable to non-official members of Board for attending its meetings.

- A non-official member shall draw travelling and daily allowances, as admissible to be a grade-I officer of the Government of Goa, Daman and Diu, according to rule 190 of Supplementary Rules, as amended from time to time and as per Government of India and Audit decisions thereunder.

6. The Procedure to be followed in regard to the transaction of business at the meetings of Board.

(1) The Board shall meet at such time and place as the Chairman may determine. (2) Twenty days notice at 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 a notice by any member shall not invalidate the proceedings of the meeting. (3) The Chairman and in his absence, the Vice-Chairman (if any) and in the absence of the Chairman and Vice-Chairman, any other member chosen by the members present from, amongst themselves, shall preside at a meeting of the Board. (4) The quorum necessary for the transaction of business at any meeting of the Board shall be one-half of the total number of members of the Board. If the requisite number of members is not present, the meeting shall stand

adjourned for ten minutes and held as an adjourned meeting not requiring a quorum.(5)The order in which the business shall be transacted at any meeting shall be determined by the presiding authority.(6)All questions at a meeting of the Board shall be decided by a majority of votes of the members present and voting; and in the case of an equality of votes, the person presiding shall have a second or casting vote.(7)A member, who is directly or indirectly concerned or interested in any proposal before the Board or is professionally interested on behalf of a principal or other person in any matter concerning the Board, or is engaged in any proceedings against the Board, shall, at the earliest possible opportunity, disclose the nature of his interest to the Board and the disclosure shall be recorded in the minutes of the Board. The said member shall not be present at any meeting of the Board when such proposal is discussed, unless his presence is required by the 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.(8)Minutes containing the names of the members present and others who attended the meetings of the Board under the provisions of the Act, and of the proceedings of 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 Board and shall, after confirmation by the Board, be signed by the presiding authority of such meeting, and shall be open to inspections by any member during office hours.