

The Goa Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982

GOA

India

The Goa Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982

Rule

THE-GOA-HOUSING-BOARD-REGISTRATION-ALLOTMENT-AND-SALE of 1982

- Published on 1 January 1982
- Commenced on 1 January 1982
- [This is the version of this document from 1 January 1982.]
- [Note: The original publication document is not available and this content could not be verified.]

The Goa Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982(Regulations governing Registration, Allotment and sale of Plots, for construction of Residential Houses under the Housing Scheme)In exercise of the powers conferred by section 129 of the Goa Housing Board Act, 1968 (Act 12 of 1968) and all other powers enabling it in this behalf, the Goa Housing Board, with the previous approval of the Government, hereby makes the following regulations, namely:-

1. Short title and commencement.

(1)These regulations may be called the Goa Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982.(2)They shall apply to the registration of intending purchasers of plots developed by the Goa Housing Board for construction of residential house/flat/bungalow.(3)They shall come into force at once.

2. Definitions.

- In these regulations, until the context otherwise requires:-(i)"Act" means the Goa Housing Board Act, 1968 (12 of 1968);(ii)"Allotment Committee" means a committee constituted under regulation 7 for the purpose of allotment of a plot under sub-section (1) of Section 19 of the Act;(iii)"Allottee" means a person to whom allotment of a plot is made;(iv)"Applicant" means a parson who has applied to the Board for a plot for the construction of a residential house/flat/bungalow under the Scheme specified in these regulations;(v)"Blind and Physically Handicapped" means those who are blind or where permanent physical disability impairment of either upper or lower limb is 50% and

above as certified by the competent authority of Goa Medical College;(vi)"Board" means the Goa Housing Board;(vii)"Ex-Servicemen and their dependents" means the former members of the armed forces of the Union not being persons who have ceased to be members of the armed forces as a result of their being duly dismissed or discharged after a Court Martial or as a result of desertion or who have been arrested;(viii)"Family" in relation to applicant means the applicant and if married, wife or husband as the case may be, dependent brothers, unmarried sisters actually dependent upon applicant and widowed sisters if dependent on applicant;(ix)"Form" means a form appended to these regulations;(x)"Freedom Fighter" means a person who has been recognised as such by the Government;(xi)"Government" means the Government of Goa;(xii)"Income" in relation to an allottee or applicant means the total annual income regularly derived by him/her from occupation, trade, business, employment or calling source constituting normal means of livelihood during the preceding financial/calendar year.(xiii)"Other Backward Classes" are those communities which have been notified as such by the Government from time to time;(xiv)"Para-military Forces" include personnel of Border Security Force, Indo-Tibetan Police, Assam Rifles, etc. who have been killed or disabled or declared missing in 1962 Sino-Indian Conflict and 1965 and 1971 Indo-Pak Conflict or any other combat thereafter on production of a certificate from the Defence or similar Authorities, as the case may be;(xv)"Plot" means a developed plot of land having specified dimension and boundaries allotted for the purpose of construction of residential house/flat/bungalow;(xvi)"Scheduled Castes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;(xvii)"Scheduled Tribes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968.

3. Conditions of eligibility.

(1)The applicant must be a domicile of the State of Goa, with residency period of not less than ten years or a person whose parents or grandparents are of the origin of the State. Further the applicant shall not own or possess a tenement or plot under the Housing Board Scheme anywhere in the State of Goa.(2)The applicant shall be entitled to fill in only one application form either in his or her own name or in the name of any other member of his or her family and to apply only in one of the category to which he or she may belong, namely either as a member of the general public or in any of the reserved categories specified hereunder.(3)Only such classes of persons whose annual income exceeds Rs. 12,600/- but does not exceed Rs. 2,00,000/- shall be eligible to apply for registration:Provided that the board may dispose of plots by public auction in accordance with the procedure notified from time to time in which case the ceiling limit of annual income of Rs. 2,00,000/- shall not apply for intending bidders.(4)The applicant should have attained the age of majority at the time of application.(5)No applicant shall be eligible for allotment of plot on the second occasion by the Board.

4. Reservation of plots.

- The reservation of plots for persons belonging to different categories shall be as under-

(i) Scheduled Castes/Scheduled Tribes

2%

- | | |
|--|----|
| (ii) Other Backward Classes... | 5% |
| (iii) Freedom Fighters... | 1% |
| (iv) Ex-Servicemen including personnel of Para-military forces and widows of defence personnel killed in action, if any... | 2% |
| (v) Blind and physically handicapped persons... | 3% |

The minimum number of plots for each of the above reserved categories shall be one irrespective of the number of plots in the Scheme. (2) The Housing Board shall set apart not less than 25% of the plots for sale by open auction on cash down basis. Note. - Where there are no applicants from any particular reserved category, the quota earmarked for such category shall be added to the general category.

5. Notice of Registration.

(1) The board shall issue an advertisement in the form of a notice in the local newspapers with wide circulation inviting applications for registration of plots by such date which shall not be less than 15 days from the date of issue of the advertisement. (2) The notice shall indicate the reserved percentage for Scheduled Castes/Scheduled Tribes/Other Backward Classes, Freedom Fighters, Ex-Servicemen and Blind and Physically handicapped and shall also specify the location, size, cost, eligibility etc., of plots available for allotment both for general and reserved categories as specified in regulation 4 and also the amount of initial deposit, subsequent amount payable, etc. and the particulars of the Co-operative Banks, or Commercial Banks where the application forms, pamphlets and other relevant information may be obtained and where such application forms with challans are to be handed over. All applications along with one copy of the chalan in token of the necessary deposit made in Bank and so received by registered post with acknowledgements due shall be entertained by the Board. After receipt of such applications each applicant shall receive a post card indicating a serial number allocated to his/her application. All applications from persons belonging to the Reserved category shall be superscribed as "Reserved" indicating the category on the cover and on the top of the application.

6. Application for registration.

(1) The application for registration of a plot in pursuance of notice issued under regulation 5 above shall be in Form "I" and shall be subject to fulfilling the conditions of eligibility specified in regulation 3. (2) The deposit if payable shall be Rs. 5,000/-.

7. The Allotment Committee shall consist of the following.

- (i) The Housing Board Chairman or in his absence any one member of the Board present Chairman. (ii) Collector, North Goa District/Collector, South Goa District, as the case may be, or any other representative nominated by the Collector but not below the rank of Deputy Collector Member. (iii) Managing Director of the Housing Board or in his absence the Housing Engineer of the Board Member. The Allotment Committee may co-opt any one member from the Board.

8. Drawal of lots for the purpose of allotment.

(1) Every application on receipt shall be given a serial number and shall be entered in the register along with the name of the applicant, address, income and occupational status, this serial number shall be communicated to the applicant by post card from the Board within seven days of receipt of the application. (2) Within ten days after the expiry of the last date for receipt of applications, a draw shall be held, wherein all the serial numbers given to applications shall be fed into a draw/lottery machine for the purpose of determining the successful applicants. (3) The 1st draw of serial numbers shall be equal to the number of plots/tenements to be allotted minus the percentage/number which is covered by reservation for Scheduled Caste/Scheduled Tribe, Other Backward Classes, freedom fighters, blind and physically handicapped persons, ex-servicemen including Para-Military Personnel and widows of Defence Personnel killed in action, if any. This shall form the first or main list. (4) To cover the possibility of some applications in the first list being rejected on scrutiny, an equal number of serial numbers i. e. applications, shall be drawn and this shall comprise of the second or standby list. (5) All applications received from the Reserved percentage of persons, shall be kept separate, categorywise. Separate lots shall be drawn categorywise if sufficient applications are received. Otherwise all applications shall be considered for allotment, after scrutiny. The percentage quota under any category not applied for and hence not considered for allotment shall be added to the general pool. (6) Thereafter, the Allotment Committee shall scrutinise the applications from the first list and for every application that is rejected, take up the topmost serial number/application from the second list as a substitute and scrutinise the same till the first list and corresponding total number of quota/plots is exhausted. That is say, if ten applications in the first list were rejected, these ten shall be substituted by the first ten or more serial numbers/applications in the second list after due scrutiny. Thereafter, the Allotment Committee shall scrutinise and keep ready (in the serial order of lots picked up) 10 to 15 or more applications from the standby list to adjust against an allotment in the event of some applicants from the main list withdrawing from the scheme: "Provided that if any allottee after scrutiny is found to be ineligible as per the regulations, the number of the said allottee shall be cancelled and shall not be eligible for the second drawal of lots as laid down under regulations 8(11)". (7) The scrutiny shall as far as possible be held immediately after lots are drawn on the basis of the two lists. While the draw of lots for allotment may be a public function, the scrutiny by the Allotment Committee, which is to follow immediately thereafter, is to be in strict seclusion. Soon after the scrutiny, the eligible serial numbers (from the applications received and picked in the draw accordingly) shall be announced by display on the notice board at the venue where lots were drawn and on the premises of the Housing Board. (8) On the working day following the announcement of the eligible numbers, these eligible serial numbers inclusive of those Reserved Categories (as per 5 above) shall be written on small bits of paper and rolled up/crushed and put in a small drum or container. Any applicant or a child may start picking these paper bits from the container and the first serial number so picked up shall be allotted plot number 1 in that order till the entire allotment is complete. (9) The reserved categories shall not maintain a separate identity in the final allotment of plots and that these serial numbers shall be merged with the rest. This final allotment indicating serial number of application plot number allotted is to be published on the notice board and by announcement in the press. Within 30 days of publication of this final result, it will be separately announced that the present Scheme is closed and all applicants who did not get a plot/tenement may withdraw their deposit and that no waiting list

etc., shall be maintained to accommodate them in future.

9. Allotment of plots.

(1)After publication of allotment indicating serial number of the application and plot number allotted to the applicant, an offer of allotment shall be issued to him/her within a period of 8 days in Form "II".(2)On receipt of the offer of allotment, the allottee shall within a period of 8 days convey his or her acceptance of the plot in Form "III".(3)The order of allotment of plot shall be issued in Form "IV" as and when the plot is ready for allotment.(4)Failure to convey the acceptance within the period stipulated in clause (2) above the allotment shall be cancelled and 5% of the money deposited by the applicant shall be forfeited to the Board and the balance shall be refunded without any interest.(5)The decision of the Chairman in the matter of allotment of the plots shall be final and binding on the allottees.(6)The plot offered shall be on as in where in basis and the allottee shall not have any right to complain or raise any objection about nature, non-condition or planning etc., or to claim any damage or compensation on any account from the Board.(7)If an applicant withdraws from the scheme after depositing the initial deposit money, 5% of the money deposited by the applicant shall be forfeited to the Board and the Balance amount shall be refunded without any interest.

10. Cost calculation and construction of house, etc.

(1)The cost of the plot allotted shall be final and payment thereof made in one lumpsum within a period of 25 days of the receipt of the order of allotment under the foregoing regulations. Delayed payment shall be subject to penal interest at such rate as may be decided by the Board.(2)The allottee shall construct a house or flat or bungalow over the allotted plot within a period of three years from the date of allotment, failing which the plot shall be reverted to the Board and the cost refunded to the allottee without payment of any interest thereof:Provided that on an application made in this behalf and for reasons to be recorded in writing, the Secretary of the Board may extend the period to construct a house to a maximum period of 10 years on payment of composition fee/penalty for delayed construction as under:-

- (a) After 3 years and less than 5 years ½ % of the cost of the plot
- (b) After 5 years and less than 7 years 1% of the cost of the plot
- (c) After 7 years and less than 8 years 2% of the cost of the plot
- (d) After 8 years and less than 10 years 3% of the cost of the plot

If the allottee fails to complete the construction of house/bungalow within 10 years, the plot shall stand reverted to the Board and the initial deposit paid by the allottee shall be forfeited and the balance be paid to the allottee without any interest.(3)The allottee shall prepare the construction plan of the house/bungalow with minimum 30% ground coverage of the plot area, keeping in mind these aesthetic point of view, on the basis of ground coverage, control of height and roof, rather than on the basis of Floor Area Ratio as prescribed for such area by the Board and obtain a "No Objection Certificate" from Board before submission of plans to the Municipal Council or the Village Panchayat as the case may be:Provided that the Board may consider execution of sale deed towards

the transfer of the allotted plot after violation of the condition of obtaining "No Objection Certificate" from the Board before submission of plan to the Municipal Council or Village Panchayat, if the construction carried out is as per the approved building bye-laws, on payment of penalty of 5% of the cost of the plot.(4)The construction of house/flat/bungalow shall be in accordance with the plans approved by the Municipal Council or the Village Panchayat, as the case may be, under the Rules and Regulations in force in the locality concerned.(5)The allottee shall execute a conveyance deed towards the transfer of the allotted plot within 30 days of the construction of the house/flat/bungalow. Till such time as the conveyance deed is not executed, the allotment of plot shall for all intents and purpose, be allotment simplicitor for the purpose of construction of house.

11. Penalty for misrepresentation, suppression of facts or for breach or contravention of any of the conditions of the regulations.

- If it is found at any stage that the applicant has given false information or has suppressed any material facts or has committed breach or contravened any of the conditions of these regulations the application shall be rejected and the allotment of plot if already made shall be liable for cancellation and the amount deposited or paid by the applicant towards registration, allotment or purchase of a plot shall be liable for forfeiture to the Board without prejudice to the right of the Board to take any other action under the laws in force.

12. Other Conditions.

(a)The powers to relax and or to amend any of the provisions of these regulations shall rest with the Government.(b)The Board shall have the right to impose any terms and conditions not specifically covered by the aforesaid regulations, as may be decided in this behalf from time to time after obtaining prior concurrence of the Government.(c)The Board may devise a special scheme for allotment of plots to the Officers and other employees of the Board, Members of the Board, Journalists who are accredited to the Government and such other classes of persons as may be decided from time to time after obtaining prior concurrence of the Government.

13. Savings.

- The repeal of the earlier regulations shall not affect:(1)The operation of any scheme actually taken up under any of the earlier regulations or anything duly done or suffered thereunder, or(2)Any right, privilege, obligation or liabilities acquired, accrued or incurred under any earlier regulation, or(3)Any penalty, forfeiture or punishment incurred in respect of any offence committed against any regulation, or(4)Any investigation, prosecution, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and any such investigation, prosecution, legal proceedings or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this regulation had not been made:Provided that anything done or any action taken including assessments or transfers made, orders, notices, warrants or proclamation issued or other records framed or confirmed, right acquired, liabilities incurred shall in so far as it is not inconsistent with the provisions of this

Regulation be deemed to have been done or taken under the corresponding provisions of this Regulation and shall continue to be done accordingly unless and until superseded by anything done or action taken under this Regulation. Form - I Form of application for registration of plot [See Regulation 6 (1)]

1. Applicant's full name (in block letters):

2. Address:

(a) Permanent: (b) Present:

3. Occupation:

(a) Name of the Establishment/Office. (b) Nature of job on which employed, if any

4. Present pay including allowances:

(b) Total annual income of the applicant for the last financial/calendar year (Certificate to be enclosed).

5. Category for which applied (Whether reserved, certificate in proof to be enclosed).

6. Amount of deposit made (Whether by cash or pay order/demand draft No. dated Challan No.)

7. Locality to which application relates:

8. Period of residency in the State of Goa (Certificate to be attached).

I, solemnly affirm and state: (a) I have satisfied myself that I fulfill the conditions laid down in Regulation 3 of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982, and as amended by Regulations 1994. (b) The statements made above are true to the best of my knowledge and belief. (Applicant's Signature) Form - II Offer of Allotment [See Regulation 9(3)] In pursuance of Regulation 9(3) of Goa Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982, and as amended by Regulations 1994 Shri/Smt./Kum. resident of is hereby offered plot No. admeasuring sq. mts. in land at under General/ /Reserved Category of at the cost of Rs. (Rupees only) as per calculation sheet attached.

2. The offer shall be subject to the condition that sum of Rs. is deposited with the Board within a period of 25 days of the receipt of the order of allotment of the plots.

3. In terms of Regulation 9(4) of the Regulations 1982 and as amended by Regulations 1994 Shri/Smt./Kum should convey his/her acceptance within a period of 8 days of receipt hereof failing which the offer will stand cancelled and 5% of the money deposited shall be forfeited to the Board and the balance refunded without any interest as provided in Sub-Regulation (4) of Regulation 9 of the Regulations, 1982, and as amended by Regulations, 1994.

Secretary/Managing Director
Form - III
Intimation of acceptance of offer of allotment [As prescribed in Regulation 9(2)]
To, The Chairman, Goa Housing Board, Alto-Betim, Porvorim, Bardez-Goa.
Sir/Madam, With reference to your offer of allotment made under No. dated I hereby convey my acceptance of the plot unequivocally and without any reservation or any complaint on my part in respect of the said plot. I hereby agree to abide by the Goa Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982 and as amended by Regulations, 1994, and the terms and conditions stipulated thereunder. Yours faithfully, ()
Dated: Form-IV
Order of Allotment [See Regulation 9(5)]
In exercise of the powers conferred by Regulation 9(5) of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982 and as amended by Regulations, 1994, Shri/Smt./Kum. is hereby allotted Plot No. admeasuring sq. mts. in land at under General/Reserved Category of Shri/Smt./Kum. should remit the cost of the plot within 30 days of the receipt of this order, as per calculation sheet appended to the offer of allotment made. The allottee should report to this office for taking possession of the plot and for completion of other formalities after remission of the cost.
Secretary/Managing Director
Form - V
Affidavit (Note: to be executed before a Competent Magistrate on a non-judicial stamp paper of Rs. 3/-)
I, Shri/Smt./Kum. son/wife/daughter of do hereby solemnly affirm and state as under:-

1. That I have applied for allotment of a plot in land at from the Goa Housing Board under General/Reserved Category of

2. That neither myself nor any other member of my family own a plot of land or any other dwelling unit or tenement under the Housing Board Scheme anywhere in the State of Goa.

I further affirm that what is stated hereinbefore is true to my own knowledge and belief and I know that to make a false affidavit is an offence. Deponent