

**The Goa, Daman and Diu Housing Board
Act, 1968 and Rules, 1969**

The Goa Housing Board Act, 1968 and Rules 1969

1. **The Goa Housing Board Act, 1968** (Act No. 12 of 1968) (18th September, 1968) published in the Govt. Gazette, Series I No. 30 dated 24-10-1968.
2. **The Goa Housing Board (Amendment) Act, 2001** (Act No. 32 of 2001) published in the Official Gazette, Series I No. 5 dated 7-5-2001 and came into force at once.
3. **The Goa Housing Board Rules, 1969** published in the Government Gazette, Series I No. 29 (Supplement) dated 18-10-1969.
4. **The Goa Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982 as amended by Regulations, 1994 & as amended by Regulation 2001.**
5. **The Goa Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1982 and as amended by Regulations, 1993 & as amended by Regulation 2001.**

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GOVERNMENT OF GOA

Law and Judicial Department

LD/2/32/68

The following Act passed by the Legislative Assembly of Goa, Daman and Diu received the Assent of the President of India on the 18th September, 1968, is hereby published for general information.

The Goa,¹ Housing Board Act, 1968

(Act No 12 of 1968) [18th September, 1968]

An Act to provide for the establishment of a Housing Board in the ²[State of Goa], and for matters connected therewith.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Nineteenth Year of the Republic of India as follows:

CHAPTER – I

Preliminary

1. Short title, extent and commencement.— (1) This Act may be called the Goa³ Housing Board Act, 1968.

(2) It extends to the whole of the [State of Goa].⁴

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Definitions.— In this Act, unless the context otherwise requires,—

(a) ‘adjoining area’ means such area as may be specified to be an adjoining area under section 29;

(b) ‘appointed day’ means such date as the Government may, by notification in the Official Gazette, appoint;

(c) ‘betterment charges’ means charges leviable under section 54;

(d) ‘Board’ means the Goa⁵ Housing Board, established under this Act;

(e) ‘Board premises’ means any premises belonging to or vesting in the Board or taken on lease or otherwise by the Board or entrusted to the Board under this Act for management and use for the purposes of this Act;

(f) ‘building materials’ means such commodities or articles as are specified to be building materials for the purpose of this Act by notification by the Government;

(g) ‘Chairman’ means the Chairman of the Board;

¹ The words & letters “Daman & Diu” omitted by Amendment Act 32 of 2001.

² For the expression “Union Territory of Goa, Daman and Diu” the expression “State of Goa” substituted by Amendment Act 32 of 2001.

³ The words “Daman & Diu” omitted by Amendment Act 32 of 2001.

⁴ Substituted in place of word “Union Territory of Goa, Daman & Diu” by Amendment Act 32 of 2001.

⁵ The words “Daman & Diu” omitted by Amendment Act 32 of 2001.

- (h) ‘competent authority’ means any person authorised by notification by the Government to perform the functions of the competent authority under section 60;
- (i) ‘co-operative society’ means a society registered or deemed to be registered under the law relating to co-operative societies for the time being in force in this territory;
- (j) ‘housing scheme’ means a housing scheme framed under this Act;
- (k) ⁶‘Government’ means the Government of Goa;
- (l) ‘land’ includes benefits arising out of land and things attached to the earth or permanently fastened to anything attached to the earth;
- (m) ‘member’ means a member of the Board and includes the Chairman;
- (n) ‘local authority’ means the area under the jurisdiction of a municipal council or a nagar panchayat or a panchayat constituted under any law for the time being in force in the territory;
- (o) ‘notification’ means a notification published in the Official Gazette;
- (p) ‘premises’ means any land or building or part of a building and includes—
- (i) gardens, ground and out-houses, if any, appertaining to such building or part of a building, and
- (ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;
- (q) ‘prescribed’ means prescribed by rules made under this Act;
- (r) ‘regulations’ means regulations made under section 129;
- (s) ‘rent’ means the amount payable to the Board in respect of the occupation of any Board premises and includes the charges for water and electricity used or consumed in the premises;
- (t) ⁷‘Secretary’ means the Secretary–cum–Managing Director of the Board;
- (u) ‘Territory’ means the Union Territory of Goa, Daman and Diu;
- (v) ‘year’ means the financial year.

⁶ Substituted by Amendment Act 32 of 2001.

⁷ Substituted by Amendment Act 32 of 2001.

CHAPTER - II

Establishment of Board

3. Establishment and incorporation of Board.— (1) On and from the appointed day, there shall be established a Board to be called the Goa⁸ Housing Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name and shall, subject to the provisions of this Act, be competent to acquire, hold and dispose of property both movable and immovable and to contract and do all things necessary for the purposes of this Act.

(3) For the purposes of this Act and the Land Acquisition Act of 1894 the Board shall be deemed to be a local authority.

Explanation:— The purposes of this Act referred to in sub-section (3) include the management and use of lands and buildings belonging to or vesting in the Board and the exercise of its rights over and with respect to such lands and buildings.

4. Constitution of Board.— (1) The Board shall consist of a Chairman, and eight other members, nominated by the Government by notification:

Provided that at least one of the members shall be an officer of the Government.

5. Term of office of Chairman and other members.— (1) ⁹[Every member shall hold office during the pleasure of the Government and shall be eligible for renomination].

(2) Any member may, by writing under his hand addressed to the Government, resign his office, but he shall continue to hold office until his resignation is accepted by the Government.

(3) Every member shall be entitled to receive such remuneration or allowances from the funds of the Board as may be prescribed:

Provided that if the Board so desires, he shall be entitled to receive both remuneration and allowances at such rates as may be prescribed:

Provided further that in the case of a member of the Legislative Assembly of Goa, Daman and Diu, he shall not be entitled to any remuneration other than the travelling allowance and daily allowance at rates not exceeding those admissible to him as a member of the Legislative Assembly under the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964.

⁸ The words "Daman & Diu" omitted by Amendment Act 32 of 2001.

⁹ Substituted by Amendment Act 32 of 2001.

6. Disqualification for appointment.— (1) A person shall be disqualified for being nominated as, and for being, a member of the Board—

- (a) if he holds any office of profit under the Board;
- (b) if he is of unsound mind and stands so declared by a competent court;
- (c) if he is an undischarged insolvent;
- (d) if he has, directly or indirectly, by himself or by any partner, any share or interest in any contract with, by or on behalf of the Board;
- (e) if he is a Director or Secretary, Manager or other salaried officer of any incorporated company which has any share or interest in any contract with, by or on behalf of the Board;
- (f) if he has been convicted by a competent court of an offence involving moral turpitude.

(2) A person shall not, however, be disqualified under clause (d) or clause (c) of sub-section (1), or be deemed to have any share or interest in any contract or employment within the meaning of the said clauses, by reason only of his or the incorporated company of which he is a Director, Secretary, Manager or other salaried officer, having a share or interest in—

- (i) any newspaper in which any advertisement relating to the affairs of the Board is inserted;
- (ii) any sale, purchase, lease or exchange of immovable property or any agreement for the same;
- (iii) any agreement for any security for the payment of money only.

(3) A person shall not also be disqualified under clause (d) or clause (c) of sub-section (1), or be deemed to have any share or interest in any incorporated company which has any share or interest in contract with, by or on behalf of the Board, by reason only of his being a shareholder of such company:

Provided that such person discloses to the Government the nature and extent of the shares held by him.

Explanation.— For the purposes of clause (a) of sub-section (1), the Chairman shall not be deemed to be an officer or employee of the Board.

7. Removal of Chairman and other members.— The Government may, by notification, remove from office the Chairman or any other member—

- (a) who is, or has become, subject to any of the disqualifications mentioned in section 6;
- (b) who is absent without the permission of the Board from all the meetings of the Board for three successive ordinary meetings;

(c) who has in the opinion of the Government been guilty of any misconduct or neglect of duty or has so abused his position as to render his continuance as member detrimental to the interests of the Board or of the general public, or is otherwise unfit to become a member;

(d) who has refused to act or has become incapable of acting:

Provided that no member shall be removed from office unless he has been given an opportunity to show cause against his removal.

8. Vacancy to be filled as early as practicable.— (1) Any vacancy of a member of the Board shall be filled as early as practicable.

(2) Notwithstanding anything contained in this Act, the continuing members may during such vacancy act as if no vacancy had occurred.

9. Proceedings presumed to be good and valid.— No disqualification of or defect in the appointment of any person acting as a Chairman or a member of the Board or any vacancy therein shall vitiate any act or proceeding of the Board if such act or proceeding is otherwise in accordance with the provisions of this Act.

10. Temporary absence of members.— If any member of the Board is by infirmity or otherwise rendered temporarily incapable of carrying out his duties or is absent on leave or otherwise not involving the vacation of his appointment, the Government may appoint another person to officiate for him and to carry out his functions under this Act or any rules or regulations made thereunder.

11. Leave of absence for Chairman.— The Government may grant to the Chairman such leave as may be prescribed.

12. Officers and other employees of Board.— (1) The Board shall have a Secretary, a Housing Engineer, a Chief Accounts Officer and such other officers and employees as may be necessary for the efficient performance of its functions.

(2) The appointment of the Secretary, Housing Engineer and Chief Accounts Officer shall be made by the Government, and the appointments of other officers and employees shall be made by the Board.

13. Conditions of service of officers and other employees of Board.— The remuneration and other conditions of service of the Secretary, Housing Engineer, Chief Accounts Officer and other officers and employees of the Board shall be such as may be laid down by regulations.

14. Promotions and punishments of Officers and other employees of Board.— (1) Subject to any regulations made under section 15, the power of making promotions to posts in the service of the Board, of granting leave to officers and other employees holding such posts, of censuring, imposing fines, withholding promotions from, reducing, suspending, removing or dismissing such officers and other employees for any breach of departmental rules or discipline or for carelessness, unfitness, neglect of duty or miscon-

duct, and of discharging such officers and other employees from the service of the Board for any other sufficient reasons, shall be exercised by such authority and in such manner as may be laid down by regulations:

Provided that an employee of the Central Government or State Government or of a local authority, whose services have been lent to the Board shall not be so punished except by an authority which would have been competent to do so if his services had not been so lent, but the Board shall be entitled to make an enquiry and to report against such employee to such authority.

(2) Any officer or employee of the Board who is aggrieved by an order passed under sub-section (1) other than an order under the proviso thereto may, within two months from the date of receipt by him of such order, appeal to the Government.

15. Service regulations.— Subject to the provisions of this Act, the Board shall, with the previous approval of the Government, make regulations—

(a) fixing the salary and allowances and conditions of service of the Secretary, Housing Engineer, Chief Accounts Officer and other officers and employees of the Board;

(b) fixing the amount and nature of security to be furnished by any officer or other employee from whom it may be deemed expedient to require security;

(c) for regulating the grant of leave of absence, leave allowances and acting allowances to the officers and other employees of the Board:

Provided that an employee of the Central Government or a State Government employed by the Board shall not be entitled to leave or leave allowances, otherwise than as laid down in the conditions of his service under the Central Government or State Government relating to transfer to foreign service;

(d) for establishing and maintaining a provident fund, for compelling all or any of the officers or employees other than the employees of the Central Government or State Government in respect of whom a contribution is paid under section 120 to subscribe to the fund at such rates and subject to such conditions as may be prescribed, and for paying into the said fund such portion of the contribution of the Board in such manner as the Government may determine;

(e) for determining the conditions under which the officers and other employees or any of them shall on retirement receive pension, gratuities and compassionate allowances and the amount of such pensions, gratuities and compassionate allowances.

16. Control and delegation by Chairman.— (1) The Chairman shall exercise supervision and control over the acts and proceedings of all officers and other employees of the Board, and, subject to the foregoing sections and subject also to such control, appeal and revision as may be prescribed, shall decide all questions relating to conditions of services of the said officers and employees.

(2) The Chairman may, by general or special order in writing, delegate to any officer of the Board, any of his powers, duties or functions under this Act or any rules or regulations made thereunder, except those under sections 17, 74, 107 and 110.

(3) The exercise or discharge by any officer of any powers, duties or functions delegated to him under sub-section (2) shall be subject to such restrictions and limitations as may be imposed by the Chairman, and shall also be subject to his control and revision.

* (4) Against any order of the nature referred to in sub-section (2) of section 14, passed by an officer to whom the powers of the Chairman in that behalf have been delegated, an appeal shall lie to the Chairman and if the Chairman has himself revised the orders of such officer, an appeal shall lie to the Board against the order of the Chairman.

CHAPTER - III

Conduct of business of Board and Committees

17. Meetings of Boards.— The Board shall make such regulations with respect to the day, time, place, notice, management and adjournment of its meetings as it thinks fit, subject to the following provisions, namely:—

(a) an ordinary meeting shall be held at least once every month;

(b) the Chairman may, whenever he thinks fit, call for special meetings;

(c) every meeting shall be presided over by the Chairman and in his absence by any member chosen by the members present at the meeting to preside for the said occasion;

(d) all questions at any meeting shall be decided by a majority of the votes of the members present and voting, and in the case of an equality of votes, the Chairman, or in his absence, the person presiding, shall have and exercise a casting vote;

(e) the minutes of the meetings shall be recorded in a book to be provided for the purpose and a copy of the minutes shall be forwarded to the Government within seven days of approval of the minutes;

(f) the remarks, if any, of the Government on the minutes of the meetings of the Board so received shall be communicated to the Board within two weeks from the date of receipt of such minutes, and if no remarks are communicated, it shall be deemed that the Government have no remarks to offer on the minutes.

18. Temporary association of persons with Board for particular purposes.— (1) The Board may associate with itself in such manner and for such purpose as may be laid down by regulations, any person whose assistance or advice it may desire for the purpose of carrying into effect any of the provisions of this Act:

Provided that the number of persons so associated shall not be more than five.

(2) A person associated with the Board under sub-section (1) for any purpose shall have the right to take part in the discussions of the Board relevant to that purpose, but shall not have the right to vote and shall not be deemed to be a member for any other purpose.

(3) The Government may, by order, depute one or more officers of the Government to attend any meeting of the Board and to take part in the discussions of the Board, but such officer or officers shall not have the right to vote.

19. Appointment and functions of Committees.— (1) The Board may appoint committees consisting of such number of persons as it may think fit for the purpose of discharging such duties or performing such functions and on such terms and conditions, as may be laid down by regulations.

(2) The Chairman or such other person as he may nominate in this behalf shall preside over the meetings of the committees and the committees shall observe such rules of procedure in regard to transaction of business at these meetings as may be laid down by regulations.

(3) All proceedings of the committees shall be subject to confirmation by the Board.

20. Members of Board or Committees or persons associated with Board not to take part in proceedings in which they are personally all interested.— (1) A member or a person associated with the Board or a member of any committee who —

(a) has, directly or indirectly, by himself or by any partner, any such share or interest as is described in sub-section (1) of section 6 in respect of any matter, or

(b) has acted professionally, in relation to any matter on behalf of any person having therein any such share or interest as aforesaid, shall not vote or take part in any proceedings of the Board or any committee relating to such matter.

(2) If any member or any person associated with the Board under section 18 or any member of a committee appointed under section 19 has, directly or indirectly, any beneficial interest in any land situated in an area comprised in any housing, improvement or building scheme framed under this Act, or in an area in which it is proposed to acquire land for any of the purposes of this Act,—

(i) he shall at a meeting, relating to such area, of the Board or any committee inform the person presiding of the nature of such interest; and

(ii) he shall not take part in any proceedings relating to such area at a meeting of the Board or any committee.

(3) Nothing in sub-section (2) shall prevent any member or any person associated with the Board under section 18 or any member of a committee appointed under section 19 from voting on, or taking part in the discussion, of any resolution or question relating to any subject other than a subject referred to in that sub-section.

CHAPTER-IV

Powers of Board and Chairman to incur expenditure on schemes and enter into contracts

21. Powers of Board and Chairman to incur expenditure.— Subject to budget provision and availability of funds, expenditure may be incurred on any single work or scheme for carrying out any of the purposes of this Act—

(1) by the Chairman, in case such expenditure does not exceed ¹⁰[three lakh rupees]; and

(2) by the Board, in other cases:

¹¹[Provided that the Board shall not, without the previous approval of the Government, incur any expenditure exceeding ten lakhs of rupees if the funds are linked to any Government Guarantee and one crore of rupees in other cases.]

Provided further that the Chairman shall report the expenditure incurred by him under this section to the Board at its next meeting.

22. Powers of Board and Chairman to approve estimates.— The Board or the Chairman may accord approval to estimates for incurring expenditure on any work or scheme for carrying out any of the purposes of this Act subject to the restrictions and conditions imposed on the Board or the Chairman, as the case may be, under section 21.

23. Emergency powers of Chairman.— The Chairman may, in cases of emergency, direct the execution of any work or the doing of any act which requires the sanction of the Board and the immediate execution or doing of which is, in his opinion, necessary for the service of safety of the public, and may also direct that the expenses of executing the work or of doing the act shall be paid from the funds of the Board:

Provided that—

(a) he shall not act under this section in contravention of any direction of the Board or the Government prohibiting the execution of any particular work or the doing of any particular act; and

(b) he shall report the action taken by him under this section and the reasons therefor to the Board at its next meeting and shall also submit a copy of his report to the Government, and the Board or the Government may issue such directions as it deems fit on such report.

24. Power to make contracts.— The Board may make and perform all such contracts as it may consider necessary or expedient for carrying out the purposes of this Act.

¹⁰ Substituted by Amendment Act 32 of 2001.

¹¹ Substituted by Amendment Act 32 of 2001.

25. Agreements and security deposits.— (1) Every contract shall be made on behalf of the Board by the ¹²[Secretary] , or any other person empowered by it in this behalf.

(2) The ¹³[Secretary] shall take sufficient security deposit for the due performance of the contract.

(3) Written agreements shall be executed for all contracts, the value of which exceeds five hundred rupees.

26. Further provisions as to execution of contracts and agreements.— (1) Subject to the provisions of sections 24 and 25, the contracts or agreements shall be made or executed in accordance with such rules as may be made.

(2) The provisions of sub-section (1) shall apply to every variation or abandonment of a contract or estimate as well as to an original contract or estimate.

(3) A contract or agreement made or executed in contravention of the provisions of this Act or the rules or regulations made thereunder shall not be binding on the Board.

27. Delegation of powers of Board to sanction contracts.— Subject to such rules as may be made, the Board may by order direct that the power conferred on it under sections 24 and 25 to sanction a contract shall be exercised by the Housing Engineer or any other officer specified by it in the order.

CHAPTER - V

Housing, improvement or building schemes

28. Power of the Board to undertake housing, improvement or building schemes and incur expenditure.— (1) Subject to the provisions of this Act, the Board may, from time to time, incur expenditure and undertake works for the framing and execution of such housing, improvement or building schemes as it may consider necessary.

(2) The Government may, on such terms and conditions as it may think fit to impose, transfer to the Board the execution of any housing, improvement or building scheme not provided for by this Act, and the Board shall thereupon undertake the execution of such scheme as if it had been provided for in this Act.

(3) The Board may, on such terms and conditions as may be agreed upon and with the previous approval of the Government, take over for execution any housing, improvement or building scheme on behalf of a local authority or a co-operative society and the Board shall execute such scheme as if it had been provided for in this Act.

29. Matters to be provided for in housing, improvement or building schemes.— Notwithstanding anything contained in any other law for the time being in

¹² In place of word "Chairman" the word "Secretary" substituted by Amendment Act 32 of 2001.

¹³ In place of word "Chairman" the word "Secretary" substituted by Amendment Act 32 of 2001.

force, a housing, improvement or building scheme may provide for all or any of the following matters, namely:—

- (a) the acquisition by purchase, exchange, or otherwise of any property necessary for or affected by the execution of the scheme;
- (b) the laying or re-laying out of any land comprised in the scheme;
- (c) the distribution or re-distribution of sites belonging to owners of the property comprised in the scheme;
- (d) the closure or demolition of dwellings or portions of dwellings unfit for human habitation;
- (e) the demolition of obstructive buildings or portion of buildings;
- (f) the construction and reconstruction of any type of buildings, their maintenance and preservation;
- (g) the sale, lease or exchange of any property comprised in the scheme;
- (h) the construction and alteration of roads, streets, back lanes, bridges, culverts and causeways;
- (i) the draining, water-supply and lighting of the streets included in the scheme;
- (j) the provision of open parks, playing fields and open spaces for the benefit of any area comprised in the scheme or any adjoining area and the enlargement of existing parks, playing fields, open spaces and approaches;
- (k) the provision of sanitary arrangements required for the area comprised in the scheme, including conservation and prevention of injury or contamination to rivers or other sources and means of water supply;
- (l) the provision of accommodation for any class of inhabitants;
- (m) the provision of facilities for communication and transport;
- (n) the collection of such information and statistics as may be necessary for the purposes of this Act;
- (o) the reclamation or reservation of lands for market, gardens, playing fields and afforestation;
- (p) the provision of schools, parks, dispensaries, hospitals, swimming pools, cinema houses, restaurants, shops, markets, fuel depots, laundries, hair dressing saloons and other amenities; and
- (q) any other matter for which, in the opinion of the Government, it is expedient to make provision with a view to providing housing accommodation and for the improvement of any area comprised in the scheme or of any adjoining area for the general efficiency of the scheme.

Explanation:— For the purposes of this section, the Government may, by notification, specify any area surrounding or adjoining the area included in a housing, improvement or building scheme to be an “adjoining area”.

30. Types of housing, improvement or building schemes.— Any housing, improvement or building scheme shall be of one of the following types, or combination of any two or more such types or of any special features thereof, that is to say—

- (a) a housing accommodation scheme;
- (b) a rebuilding scheme;
- (c) a rehousing or rehabilitation scheme;
- (d) a city or town or village expansion scheme;
- (e) a street scheme;
- (f) a deferred street scheme;
- (g) a land development scheme; and
- (h) a general improvement scheme.

31. Housing accommodation scheme.— (1) Whenever the Board is of the opinion that it is expedient or necessary to meet the needs for housing accommodation in any area, the Board may frame a housing accommodation scheme.

(2) Such scheme shall specify the layout of the area where the houses are to be constructed.

(3) Such scheme may provide for the construction of houses and for the sale, leasing out or sale on hire purchase basis of any house so constructed.

(4) The Board may provide in the area roads, streets, drainage, water-supply, street lighting and other amenities.

32. Rebuilding scheme.— (1) Whenever it appears to the Board that any area is an insanitary area, within the meaning of section 38 and that, having regard to the comparative value of the buildings in such area and of the sites on which they are erected, the most satisfactory method of dealing with the area or any part thereof is a rebuilding scheme, the Board may frame a rebuilding scheme for the whole area or any part of it in accordance with the provisions of this section.

(2) A rebuilding scheme may provide for—

(a) the reservation of roads, streets, lanes and open spaces and the enlargement of the existing roads, streets, lanes and open spaces to such extent as may be necessary for the purposes of the scheme;

(b) the re-laying out of the sites of the area upon roads, streets, lanes and open spaces so reserved or enlarged;

(c) the payment of compensation in respect of any such reservation or enlargement, and the formation of roads, streets, lanes and open spaces so reserved or enlarged;

(d) the reconstruction, alteration or demolition of the existing buildings and their appurtenances by the owners, or by the Board in default of the owners, and the erection of buildings in accordance with the scheme by the said owners, or by the Board in default of the owners, upon the sites as defined under the scheme;

(e) the advance to the owners, upon such terms and conditions as to interest, sinking fund and other matters as may be provided for under the scheme, of such sums as may be necessary to assist them to reconstruct or alter existing buildings or to erect new buildings in accordance with the scheme; and

(f) the acquisition by the Board of any site or building comprised in the area included in the scheme.

33. Rehousing or rehabilitation Scheme.— Whenever the Board is of opinion that it is necessary for persons who—

(a) are displaced by the execution of any housing, improvement or building scheme sanctioned under this Act, or

(b) are likely to be displaced by the execution of any housing, improvement or building scheme which it is intended to frame under this Act, or

(c) cannot be accommodated in any scheme area, the Board may frame a rehousing scheme for the construction, maintenance and management of such number of dwelling houses and shops as may be required, or may frame a rehabilitation scheme for providing such number of open plots with roads, streets and open spaces as may be necessary.

34. City, town or village expansion schemes.— (1) Whenever the Board is of opinion that it is expedient to control and provide for the future expansion or development of a city, town or village, the Board may frame an expansion scheme and specify the time limit for the execution of such scheme.

(2) The expansion scheme may be framed in respect of an area which lies wholly within or wholly outside the limits of the city, town or village or in respect of an area which lies partly within and partly outside the city, town or village.

(3) Such scheme shall specify the proposed layout of the area to be developed and the purposes for which particular portions thereof are to be utilized.

(4) After any such scheme has come into force, no person shall, without the previous permission of the Board, erect, re-erect, add to or alter any building or wall within the area comprised in the scheme.

(5) If the Board refuses to grant permission to any person to erect, re-erect, add to or alter any building or wall on his land in the area aforesaid and does not proceed to acquire such land within one year from the date of such refusal, the Board shall pay reasonable

compensation to such person, for any damage sustained by him in consequence of such refusal.

35. Street Scheme.— (1) Whenever the Board is of opinion that for the purposes of—

- (a) providing building sites, or
- (b) remedying defective ventilation, or
- (c) creating new or improving existing means of communication and facilities for traffic, or
- (d) affording better facilities for conservancy,

It is expedient to lay out new streets or alter existing streets (including bridges, causeways and culverts) in any area, the Board may frame a street scheme for such area.

(2) A street scheme may, within the limits of the area comprised in the scheme, provide for all or any of the following matters, namely:—

- (a) the acquisition of any land which, in the opinion of the Board, is necessary for the street scheme;
- (b) the re-laying out of all or any of the lands so acquired, including the construction and reconstruction of buildings by the Board or by persons authorised by the Board in that behalf, and the laying out, construction and alteration of streets and thoroughfares;
- (c) the draining, water-supply and lighting of streets and thoroughfares so laid out, constructed or altered;
- (d) the raising, lowering or reclaiming of any land vested in, or to be acquired, by the Board;
- (e) the provision of open spaces for the better ventilation of the area comprised in the scheme; and
- (f) the acquisition of any land adjoining any street thoroughfare or open space to be formed under the scheme.

36. Deferred street scheme.— (1) Whenever the Board is of opinion that it is necessary to provide for the ultimate widening of any street by altering the existing alignments of such street to improved alignment to be specified by the Board but that it is not necessary immediately to acquire all or any of the properties lying within the proposed improved alignment, the Board may frame a deferred street scheme specifying an alignment on each side of the street and the time limit for the execution of such scheme.

(2) A deferred street scheme shall provide for all or any of the following matters, namely:—

- (a) the acquisition of the whole or any part of any property lying within the street alignment within the time limit specified in the Scheme which may be extended by the Board;

Provided that such time limit including the extensions granted by the Board shall in no case exceed twenty years from the date of sanction of this scheme;

(b) the re-laying out of all or any such property including the construction and reconstruction of building by the Board or by any other person and the formation and alignment of the street;

(c) the draining, water-supply and lighting of the streets so formed or altered.

(3) After a deferred street scheme has been sanctioned by the Board,—

(a) no person shall, except with the written permission of the Board, erect, re-erect, add to or alter any building or wall so as to make the same project into the specified alignment of the street;

(b) if the Board fails to acquire or to institute proceedings for the acquisition of any property within the specified alignment of any street and within the time limit specified in the scheme or extended by it, the owner of such property may, at any time thereafter, give the Board notice requiring it to acquire the same or to institute proceedings for the acquisition of such property before the expiration of six months from the date of such notice and thereupon the Board shall acquire, or institute such proceedings and acquire, the property accordingly, and if the Board fails to do so, it shall pay reasonable compensation to the owner for any damage sustained by him in consequence of such failure;

(c) before instituting proceedings to acquire any property lying within a specified alignment of the street other than property regarding which it has received a notice under clause (b), the Board shall give six months' notice to the owner of its intention to acquire such property.

37. Land development scheme.— (1) Whenever the Board is of opinion that it is expedient to provide building sites in any area, the Board may frame a land development scheme.

(2) Such scheme shall specify the proposed lay out of the area to be developed and the purposes for which particular portions thereof are to be utilized.

(3) The Board may provided for roads, streets, open spaces, drainage, water supply and street lighting and other amenities for the scheme area.

(4) The Board may lease out or sell, by outright sale or on hire purchase basis, the building sites in the scheme area.

38. General improvement scheme.— Wherever it appears to the Board—

(a) that in any area, any buildings used or likely to be used as dwelling houses are unfit for human habitation, or

(b) that danger to the health of the inhabitants of buildings in any area, or to buildings in the neighbourhood of such area, is likely to be caused by—

(i) the narrowness, closeness, or bad arrangement or condition of streets or buildings or groups of buildings in such area, or

(ii) the want of light, air, ventilation or proper conveniences in such area, or

(iii) any other sanitary defects in such area, the Board may frame a general improvement scheme in respect of such area.

39. Preparation, publication and transmission of notice as to housing, improvement or building schemes.— (1) When any housing, improvement or building scheme has been framed, the Board shall cause the preparation of a notice to that effect and specify—

(a) the boundaries of the area comprised in the scheme, and

(b) the place or places at which particulars of the scheme, a map of the area, and details of the land which it is proposed to acquire and of the land in regard to which it is proposed to recover betterment charges, may be seen at reasonable hours,

and shall have the same published in the Official Gazette and also have a copy sent to the local authority concerned.

(2) If within two weeks from the date of publication of the housing, improvement or building scheme any person communicates in writing to the Board any suggestion or objection relating to the scheme, the Board shall consider such suggestion or objection and may modify the scheme.

40. Transmission to Board of representation by the concerned local authority as to housing, improvement or building scheme.— The local authority concerned to whom a copy of the notice has been sent under sub-section (1) of section 39 shall, within a period of sixty days from the receipt of the said copy, forward to the Board any representation which the local authority may wish to make regarding the scheme.

41. Abandonment, modification or sanction of a housing, improvement or building scheme.— (1) After considering the suggestions or objections received in pursuance of sections 39 and 40, the Board may either abandon or modify or sanction the scheme, or apply to the Government for sanction with such modifications, if any, as the Board may consider necessary if the cost of the scheme exceeds ten lakhs of rupees.

(2) The Government may sanction with or without modification, or may refuse to sanction, or may return for reconsideration any housing, improvement or building scheme costing over ten lakhs of rupees submitted to it under sub-section (1).

(3) If a scheme returned for reconsideration under sub-section (2) is modified by the Board, it shall be republished in accordance with section 39—

(a) in every case in which the modification affects the boundaries of the area comprised in the scheme or involves the acquisition of any land not previously proposed to be acquired; and

(b) in every other case, where the modification is, in the opinion of the Board, of sufficient importance to require republication.

42. Publication of sanction of housing, improvement of building schemes.— (1) Whenever the Board or the Government sanctions a housing, improvement or building scheme, it shall be published by notification.

(2) The publication of the notification in respect of any scheme shall be conclusive evidence that the scheme has been duly framed and sanctioned.

(3) Any person aggrieved by the decision of the Board sanctioning a housing, improvement or building scheme may, within fifteen days from the date of publication of the said scheme, appeal to the Government and the decision of the Government on such appeal shall be final.

(4) The scheme shall come into force and shall have effect,—

(a) where no appeal is preferred under sub-section (3), on and from the expiry of the said Fifteen days referred to in that sub-section; and

(b) where such appeal is preferred, on and from the date of the decision of the Government on such appeal.

43. Board to execute housing, improvement or building scheme soon after sanction.— As soon as may be after a housing, improvement or building scheme other than a deferred street scheme or expansion scheme has come into force, the Board shall proceed to execute the same.

44. Variation of housing, improvement or building schemes.— The Board may at any time vary any housing, improvement or building scheme or any part thereof included in the budget approved by the Government:

Provided that no such variation shall be made if it involves an expenditure in excess of ten per cent of the amount as included in the budget approved by the Government for the execution of any housing, improvement or building scheme or if it affects the scope or purpose of any such scheme.

45. Transfer to Board for purposes of housing, improvement or building scheme of building, or land vested in local authority.— (1) Whenever any building or land or any street or any part thereof, which is situated within the jurisdiction of a local authority and is vested in such local authority, is within the area of any housing, improvement or building scheme, the Board shall give notice accordingly to that local authority and such building, land or street or any part thereof shall thereupon vest in the Board.

(2) Where any land situated within the jurisdiction of a local authority vests in the Board under the provisions of sub-section (1), and the Board makes a declaration that such land will be retained by the Board only until it revests in the local authority as part of a street or any open space under section 47, no compensation shall be payable by the Board to the local authority in respect of that land.

(3) Where any land or building vests in the Board under the provisions of sub-section (1) and no declaration is made under sub-section (2) in respect of the land, the Board shall pay to the local authority as compensation, a sum equal to the market value of such land or building as on the date on which the scheme comes into force under section 42, and where any building situated on the land in respect of which a declaration has been made by the Board under sub-section (2) is vested in the Board under sub-section (1), like compensation shall be payable in respect of such building by the Board.

(4) If, in any case, where the Board has made a declaration in respect of any land under sub-section (2), the Board retains or disposes of the land contrary to the terms of the declaration, so that the land does not revert in the local authority, the Board shall pay compensation to the local authority in respect of such land in accordance with the provisions of sub-section (3).

(5) If any question or dispute arises as to whether compensation is payable under sub-section (3) or sub-section (4) or as to the amount of such compensation or as to whether any building, land or street, or any part thereof, is required for the purposes of the scheme, the matter shall be referred to the Government whose decision thereon shall be final.

46. Power of Board to turn or close public street vested in it.— (1) The Board may turn, divert, discontinue the public use of, or permanently close, any public street or any part thereof vested in it.

(2) Whenever the Board discontinues the public use of, or permanently closes, any public street or any part thereof vested in it, it shall as far as practicable provide some other reasonable means of access to be substituted in lieu of the use, by those entitled, of the street or part thereof and pay reasonable compensation to every person who is entitled, otherwise than as a mere member of the public, to use such street or part as a means of access and has suffered damage from such discontinuance or closing.

(3) In determining the compensation payable to any person under sub-section (2), the Board shall make allowance for any benefit accruing to him from the construction, provision or improvement of any other public street at or about the same time that the public street or part thereof on account of which the compensation is paid is discontinued for public use or closed.

(4) When any public street vested in the Board is permanently closed under sub-section (1), the Board may sell or lease so much of the same as is no longer required.

47. Transferring streets laid out or altered and open spaces provided by Board under a housing, improvement or building scheme.— (1) The Board may hand over any road or street to the local authority concerned after giving one month's notice, when—

(a) any such road or street, laid out or altered by the Board has been duly levelled, metalled, flagged, channelled, sewered and drained in the manner provided in the scheme sanctioned by the Board or the Government under section 41,

(b) lamp posts and other apparatus necessary for the lighting of such streets have been provided by the Board, and

(c) water and other sanitary conveniences have been duly provided in such streets.

(2) The local authority concerned may, after receiving notice from the Board under sub-section (1), declare the street to be a public street, and the street shall thereupon vest in the local authority and shall thenceforth be maintained, kept in repair, lighted and cleaned by the local authority.

(3) When any open space for the purpose of ventilation or recreation has been provided by the Board in executing any housing, improvement or building scheme, it shall, on completion, be transferred to the local authority concerned by resolution of the Board and it shall thereupon vest in the said local authority and thereafter be maintained by that local authority at its expense:

Provided that the local authority may require the Board, before any such open space is so transferred, to enclose, level, turf, drain and layout such space and provide footpath therein, and, if necessary, to provide lamps and other apparatus for lighting it.

(4) If any difference of opinion arises between the Board and the local authority in respect of any matter referred to in the foregoing provisions of this section, the matter shall be referred to the Government whose decision thereon shall be final.

48. Prevention or restriction of traffic in street vested in Board, during progress of work.— (1) When any work which may lawfully be done is being executed by the Board in any street vested in it, the Board may direct that such street shall, during the progress of such work, be either wholly or partially closed to traffic generally or to traffic of any specified description.

(2) When any such direction has been given, the Board shall put up, in a conspicuous position in or near the street, an order prohibiting traffic to the extent so directed, and fix such bars, chains or posts across or in the street as it may think proper for preventing or restricting traffic therein.

49. Provision of facilities when work is executed by Board in public streets vested in it.— (1) When any work is being executed by the Board in any public street vested in it, the Board shall, so far as may reasonably be practicable, make adequate provision for—

(a) the passage or diversion of traffic;

(b) securing access to all premises approached from such street; and

(c) any drainage, water supply, or means of lighting, which is interrupted by reason of the execution of the work.

(2) The Board shall pay reasonable compensation to any person who sustains special damage by reason of the execution of any such work.

50. Other duties of Board.— (1) It shall be the duty of the Board to take necessary measures to maintain, allot, lease and otherwise use plots, buildings and other properties of the Board or of the Government when required to do so and to collect rents, compensation and damages in respect thereof.

(2) The Board may,—

(a) provide technical advice to the Government and scrutinize projects under housing, improvement or building schemes when required by Government to do so;

(b) undertake research on various problems connected with housing in general and find out in particular the economical methods of constructing houses suited to local conditions;

(c) undertake comprehensive surveys of problems of housing;

(d) do all things necessary for—

(i) unification, simplification and standardisation of building materials;

(ii) encouraging pre-fabrication and mass production of house components;

(iii) organising and running workshops, garages and stores for manufacture, sale, stock-piling and supply of building materials, required for housing, improvement or building schemes;

(iv) securing a steady and sufficient supply of workmen trained in the work of construction of buildings.

(3) The Board may at any time, with the consent of the Government and upon such terms and conditions as may be agreed upon, undertake on behalf of any person any work relating to the development of housing or town improvement or town planning or any constructional activity whether as an agent or otherwise.

51. Power of Government to call for the records of Board and to modify housing, improvement or building schemes.— (1) Notwithstanding anything contained in the foregoing provisions of this chapter, the Government may, at any time, in the case of any housing, improvement or building scheme which is proposed to be framed or which has been framed by the Board or which is being executed by it, call for and examine the records of the Board relating to such scheme and if, after making the examination and after considering the representations, if any, of the Board and the local authority concerned, it appears to the Government that such scheme should be modified, annulled or remitted for reconsideration to the Board or that such scheme should be executed with modifications, it may pass orders accordingly.

(2) The Government may stay the execution of any such scheme pending the exercise of its powers under sub-section (1) in respect thereof.

(3) Any housing, improvement or building scheme which has already come into force but has been modified by the Government under sub-section (1) shall have effect as if it had been duly sanctioned by the Board or the Government, as the case may be, under

section 41. The scheme as modified shall be published in accordance with the provisions of section 42 and on such publication, the scheme so modified shall come into force and have effect accordingly.

52. Power to exempt.— The Government may, by notification, exempt either generally or subject to such conditions and restrictions as may be specified in such notification and for reasons to be recorded therein, any housing, improvement or building scheme, or class of housing, improvement or building scheme, from all or any of the provisions of this Chapter.

CHAPTER VI

Acquisition and disposal of land

53. Power to purchase or lease by agreement.— (1) The Board may enter into an agreement with any person for the acquisition from him by purchase, lease or exchange of any land which is needed for the purposes of a housing scheme, or any interest in such land, or for compensating the owners of any such right in respect of any deprivation thereof or interference therewith:

Provided that the previous approval of the Government shall be obtained in case of purchase or exchange involving land worth more than rupees twenty-five thousand or lease for more than five years.

(2) The Board may also take necessary steps for the compulsory acquisition of any land or any interest therein required for the execution of a housing, improvement or building scheme in the manner provided in the Land Acquisition Act, 1894, and the acquisition of any land or any interest therein for the purposes of this Act shall be deemed to be acquisition for a public purpose within the meaning of the Land Acquisition Act, 1894.

54. Betterment charges.— (1) When by the making of a housing, improvement or building scheme any land in the area comprised in the scheme will in the opinion of the Board be increased in value, the Board in framing the scheme may declare that betterment charges shall be payable by the owner of the land or any person having an interest therein in respect of the increase in value of the land from the execution of the scheme.

(2) Such increase in value shall be the amount by which the value of the land on the completion of the execution of the scheme estimated as if the land were clear of the buildings exceeds the value of the land prior to the execution of the scheme estimated in like manner and the betterment charges shall be one half of such increase in value.

(3) Such betterment charges shall also be leviable in respect of any land not comprised in the scheme but adjacent to the area comprised in the scheme.

(4) Notwithstanding anything contained in sub-sections (1) and (3), in respect of any land used for agricultural purposes at the time of the execution of the schemes, the betterment charges shall be leviable by the Board in accordance with such procedure as

may be prescribed, only after such land is used, or converted for use, for non-agricultural purposes.

55. Notice to persons liable for betterment charges.— (1) The Board shall give notice in the prescribed form to any person who is the owner of or has interest in the land in respect of which the betterment charges are to be levied and shall give such person an opportunity to be heard.

(2) After hearing such person or if such person fails to appear before the expiry of the period within which such person is required to appear before the Board without hearing such person, the Board shall proceed to assess the amount of betterment charges.

(3) Where the assessment of betterment charges proposed by the Board is accepted by the person concerned within the period prescribed, the assessment shall be final.

(4) If the person concerned does not accept the assessment proposed by the Board, the matter shall be referred to the Government.

(5) The Government shall, after hearing the person concerned and after holding an inquiry, if any, as may be necessary, assess the amount of the betterment charges payable by the person.

56. Agreement for payment of betterment charges.— (1) Any person liable to pay betterment charges in respect of any land may at his option, instead of paying the same to the Board, execute an agreement with the Board to leave the payment outstanding as a charge on his interest in the land, subject to the payment in perpetuity of interest at such rate not exceeding five per cent per annum as may be prescribed.

(2) Every payment due from any person in respect of betterment charges and every charge referred to in sub-section (1) shall, notwithstanding anything contained in, any other enactment and notwithstanding the execution of any mortgage or charge created whether before or after the commencement of this Act, be the first charge upon the interest of such person in such land.

57. Recovery of betterment charges.— All sums payable in respect of any land by any person in respect of betterment charges under section 54 or by any person under an agreement under section 56 shall, together with interest, due from the date of notification, be recoverable on behalf of the Board as an arrear of land revenue.

58. Power to dispose of land.— Subject to such rules as may be made by the Government under this Act, the Board may retain, lease, sell, exchange or otherwise dispose of any land, building or other property vesting in it and situated in the area comprised in any housing, improvement or building scheme sanctioned under this Act.

59. Disputes regarding reconstitution of plots.— (1) (a) Whereby the making of a housing, improvement or building scheme, any plots comprised in the area included in the scheme are reconstituted or any person is dispossessed, the Board shall, after making such inquiry as it thinks fit, award to the person affected by such reconstitution or dispossession such compensation as it deems reasonable.

(b) If the person is dissatisfied with the decision of the Board in the matter, he may inform the Board accordingly within one month.

(c) The Board shall within thirty days thereof refer the matter to the Government.

(2) The Government shall then after making an inquiry, if necessary, determine the amount of compensation and direct the Board to pay the same to the person entitled.

CHAPTER - VII

Power to evict persons from Board premises

60. Appointment of competent authorities.— The Government may, by notification, appoint an officer who holds or has held an office, which in its opinion is not lower in rank than that of Deputy Collector or an Executive Engineer, to be the competent authority for performing the functions of the competent authority under this Chapter in such area, or in respect of such premises or class of premises, as may be specified in the notification, and more than one officer may be appointed as competent authority in the same area in respect of different premises or different classes of premises.

61. Power to evict certain persons from Board premises.— (1) If the competent authority is satisfied—

(a) that the person authorised to occupy any Board premises has—

(i) not paid rent lawfully due from him in respect of such premises for a period of more than two months, or

(ii) sub-let, without the permission of the Board, the whole or any part of such premises, or

(iii) otherwise acted in contravention of any of the terms, express or implied, under which he is authorised to occupy such premises, or

(b) that any person is in unauthorised occupation of any Board premises.

the competent authority may, notwithstanding anything contained in any law for the time being in force, by notice served—

(i) by post, or

(ii) by affixing a copy of it on the outer door or some other conspicuous part of such premises, or

(iii) in such other manner as may be prescribed, order that person as well as any other person who may be in occupation of the whole or any part of the premises, to vacate them within one month from the date of the service of the notice:

Provided that no such order shall be passed unless the person has been afforded an opportunity to show cause why such order should not be made.

(2) If any person refuses or fails to comply with an order made under sub-section (1), the competent authority may evict that person from, and take possession of, the premises and may for that purpose use such force as may be necessary.

(3) If any property belonging to the evicted occupant is found deposited in the premises at the time of taking possession of the premises under sub-section (2), the competent authority shall take possession of such property, and after giving reasonable time to the owner to recover it, dispose it of by public auction and the Board shall not be liable to pay any compensation for the alleged loss on the property left behind by the evicted person. The net proceeds realised from disposal of the property belonging to the evicted occupant shall be returned to him.

(4) If a person, who has been ordered to vacate any premises under sub -clause (i) or sub-clause (iii) of clause (a) of sub-section (1) within thirty days of the date of service of the notice or such longer time as the competent authority may allow, pays to the Board the rent in arrears or carries out or otherwise complies with the terms contravened by him to the satisfaction of the competent authority, as the case may be, the competent authority shall, in lieu of evicting such person under sub-section (2), cancel its order made under sub-section (1) and thereupon such person shall hold the premises on the same terms on which he held them immediately before such notice was served on him.

Explanation.— For the purposes of this section and section 62, the expression “unauthorised occupation”, in relation to any person unauthorised to occupy any Board premises, includes the continuance in occupation by him or by any person claiming through or under him of the premises after the authority under which he was allowed to occupy the premises has been duly determined.

62. Power to recover rent or damages as arrears of land revenue.— (1) Subject to such rules as may be prescribed and without prejudice to the provision of section 61, where any person is in arrears of rent payable in respect of any Board premises, the competent authority may, by notice served—

(i) by post, or

(ii) by affixing a copy of it on the outer door or some other conspicuous part of such premises, or

(iii) in such other manner as may be prescribed, order that person to pay the same within such time not being less than thirty days as may be specified in the notice and if such person refuses or fails to pay the arrears of rent within the time specified in the notice, such arrears may be recovered as arrears of land revenue.

(2) Where any person is in unauthorised occupation of any Board premises, the competent authority may, in the prescribed manner, assess such damages on account of the use and occupation of the premises as it may deem fit, and may be notice served—

(i) by post,

(ii) by affixing a copy of it on the outer door or some other conspicuous part of such premises, or

(iii) in such other manner as may be prescribed, order that person to pay the damages within such time as may be specified in the notice and if any person refuses or fails to pay the damages, within the time specified in the notice, the damages may be recovered from him as arrears of land revenue.

(3) No order shall be made under sub-section (2) until after the issue of a notice in writing to the person calling on him to show cause, within such period as may be specified in such notice, why such order should not be made, and until his objections if any, and any evidence he may produce in support of the same, have been considered by the competent authority.

63. Rent to be recovered by deductions from salary or wages in certain cases.—

(1) Without prejudice to the provisions of section 61, any person who is an employee of a Government or a local authority and who has been allotted any Board premises may execute an agreement in favour of the Government or the local authority providing that the Government or the local authority, as the case may be, under or by whom he is employed, shall be competent to deduct from the salary or wages payable to him such amount as may be specified in the agreement and to pay the amount so deducted to the Board in satisfaction of the rent due by him in respect of the Board premises allotted to him.

(2) On the execution of such agreement, the Government or local authority, as the case may be, shall, if so required by the Board by requisition in writing, make the deduction of the amount specified in the requisition from the salary or wages of the employees specified in the requisition in accordance with the agreement and pay the amount so deducted to the Board.

64. Appeal.— (1) Any person aggrieved by an order of the competent authority under section 61 or section 62 may, within one month of the date of the service of the notice under section 61 or section 62, as the case may be, prefer an appeal to the Government:

Provided that the Government may entertain the appeal after the expiry of the said period of one month, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1) the Government may, after calling for a report from the competent authority, and after making such further inquiry, if any, as may be necessary, pass such orders as it thinks fit, and the order of the Government thereon shall be final.

(3) Where an appeal is preferred under sub-section (1), the Government may stay the enforcement of the order of the competent authority for such period and on such conditions as it thinks fit.

CHAPTER VIII

Finance, Accounts and Audit

65. Board's Fund.— (1) The Board shall have its own fund.

(2) The Board may accept grants, subventions, donations and gifts from the Government or a local authority, or any individual or body, whether incorporated or not, for all or any of the purposes of this Act.

(3) All moneys received by or on behalf of the Board by virtue of this Act, all proceeds of land or any other kind of property sold by the Board, all rents and all interests, and profits for works done to private and public agencies and other moneys accruing to the Board shall constitute the fund of the Board.

(4) Except as otherwise directed by the Government, all moneys and receipts specified in the foregoing provisions and forming part of the fund of the Board shall be deposited in the State Bank of India or any scheduled Bank or invested in such other form as may be approved by the Government:

Provided that the Board may invest any sums not required for immediate use in such securities or debentures as may be approved by the Government.

(5) Notwithstanding anything contained in sub-section (4), the Board may deposit in the Reserve Bank of India or in any scheduled Bank any amount not exceeding such sum as may be prescribed for the operation of an account with such bank and such account shall be operated upon by such officers of the Board as may be authorised by the Board and in such manner as may be prescribed.

Explanation:— For the purposes of this sub-section, the “Reserve Bank of India” shall mean the Reserve Bank of India constituted under the Reserve Bank of India Act, 1934 (Central Act 2 of 1934) and a scheduled Bank shall mean a bank included in the second schedule to the said Act.

66. Subventions and loans to Board.— The Government may make subventions or advance loans to the Board for the purposes of this Act on such terms and conditions as the Government may determine.

67. Power of Board to borrow and lend.— (1) The Board may, with the previous sanction of the Government and subject to the provisions of this Act and to such conditions as may be prescribed in this behalf, borrow any sum required for the purposes of this Act.

(2) Whenever the borrowing of any sum of money has been approved by the Government, the Board may, instead of borrowing such sum or any part thereof from the public, take credit from any bank or any corporation owned or controlled by the Central Government or a State Government on a cash account to be kept in the name of the Board of the extent of such sum or part thereof, and may, with the previous sanction of the Government, grant mortgages of all or any of the properties vested in the Board by way of security for such credit.

(3) Subject to such conditions and limitations as may be prescribed and with the previous approval of the Government, the Board may, for the promotion and execution of any housing, improvement or building scheme under this Act, enter into financial arrangements with any banks or other financial institutions approved by the Government or with the Life Insurance Corporation of India established under section 3 of the Life Insurance Corporation Act, 1956 (Central Act 31 of 1956).

(4) Subject to the provisions of this Act and to such conditions and limitations as may be prescribed, the Board may out of its funds grant loans and advances on such terms and conditions as it may determine to any co-operative society for the construction or improvement of houses.

68. Guarantee by Government of loans.— The Government may guarantee in such manner as it thinks fit, the payment of the principal and interest of any loan proposed to be raised by the Board on debenture or of either the principal or the interest:

Provided that the Government shall, so long as any such guarantees are in force, lay before the Legislative Assembly of Goa, Daman and Diu in every year during the budget session, a statement of the guarantees, if any, given during the current year and an up-to-date account of the total sums, if any, which have been paid out of the Consolidated Fund of the Territory by reason of any such guarantees or paid into the said Fund towards repayment of money so paid out.

69. Repayment of loans taken under section 67.— Every loan taken by the Board shall be repaid by the Board within the period agreed upon by the Board and subject to the provisions of sub-section (2) of section 84 by such of the following methods as may be approved by the Government, namely—

(a) from a sinking fund established under section 70 in respect of the loan; or

(b) by paying equal yearly or half-yearly instalments of principal or principal and interest, throughout the said period; or

(c) if the Board has, before borrowing money on debentures, reserved, by public notice, a power to pay off the loan by periodical instalments and to select by lot the particular debenture to be discharged at particular periods, then, by paying such instalments at such periods; or

(d) from money borrowed for the purpose; or

(e) partly from the sinking fund established under section 70 in respect of the loan and partly from money borrowed for the purpose.

70. Establishment and maintenance of sinking fund.— (1) Whenever a loan has to be repaid from sinking fund, the Board shall establish such a fund and shall pay into it every year until the loan is repaid, a sum so calculated that if regularly paid, throughout the period agreed upon by the Board, it would, with accumulations by way of

compound interest, be sufficient after payment of all expenses, to pay off the loan at the end of that period.

(2) The rate of interest on the basis of which the sum referred to in sub-section (1) shall be calculated shall be such as may be prescribed:

Provided that the rate so prescribed shall not exceed five per cent per annum.

71. Power to discontinue payments into sinking fund.— Notwithstanding anything contained in section 70, if at any time the sum standing at credit of the sinking fund established for repayment of any loan is of such amount that if allowed to accumulate at the rate of interest prescribed under sub-section (2) of that section, it will be sufficient to repay the loan at the end of the period agreed upon by the Board, then, the Board may discontinue further annual payment into such fund.

72. Investment of sinking fund.— All moneys paid into a sinking fund shall, as soon as possible, be invested by the Board—

(a) in Government securities; or

(b) in securities guaranteed by the Central Government or a State Government.

73. Annual examination of sinking fund.— (1) The Government shall cause the said sinking fund to be examined every year and ascertain whether the cash and current value of the securities at credit of such fund are actually equal to the amount which would have accumulated, had investments been regularly made and had the rate or interest as originally estimated been obtained therefrom.

(2) The Board shall forthwith pay into the sinking fund any amount which Government may certify to be the deficiency therein after examination as aforesaid, unless the Government specially sanctions a gradual readjustment.

74. Estimates of income and expenditure to be laid annually before Board.— (1) The Chairman shall, at a special meeting to be held in the month of February in each year, lay before the Board an estimate of the income and expenditure of the Board for the next ensuing year.

(2) Every such estimate shall make provision for the due fulfilment of all the liabilities of the Board, and for the efficient administration of this Act.

(3) Every such estimate shall differentiate capital and revenue funds, and shall be prepared in such form, and shall contain such details, as may be prescribed.

(4) Every such estimate shall be completed and printed and a copy thereof sent, by post or otherwise, to each member at least ten clear days before the date of the meeting at which the estimate is to be laid before the Board.

75. Sanction of Board to estimates.— The Board shall consider every estimate so laid before it and shall sanction the same either without modification or with such modification as it may think fit.

76. Approval of Government to estimates.— (1) Every such estimate, as sanctioned by the Board, shall be submitted to the Government who may, at any time within one month after receipt of the same,—

(a) approve the estimate; or

(b) disallow the estimate or any portion thereof and return the estimate to the Board for amendment.

(2) If any estimate is so returned to the Board, it shall forthwith proceed to amend it and shall resubmit the estimate as amended to the Government who may then approve it.

77. Supplementary estimate.— (1) The Board may, at any time, during the year for which any estimate has been sanctioned, cause a supplementary estimate to be prepared and laid before it at a special meeting.

(2) The provisions of sub-section (3) and (4) of section 74, and of sections 75 and 76 shall apply to every supplementary estimate.

78. Adherence to estimate and maintenance of closing balance.— (1) No sum shall be expended by or on behalf of the Board unless the expenditure of the same is covered by a current budget grant or can be met by reappropriation or by drawing on the closing balance.

(2) The closing balance shall not be reduced below such limit as may be prescribed.

(3) The following items shall be exempted from the provisions of sub-section (1) and (2), namely:—

(a) refund of moneys belonging to contractors or other persons held in deposit, and of moneys collected by, or credited to, the Board by mistake;

(b) payments due under a decree or order of a Court;

(c) sums payable under a compromise of any suit or other legal proceedings or claim effected under this Act;

(d) sums payable under this Act by way of compensations; and

(e) payments required to meet any emergency.

(4) Whenever any sum exceeding rupees ten thousand is expended under clause (c) of sub-section (3), the Chairman shall forthwith report the circumstances to the Board explaining how it is proposed to cover the expenditure.

79. Definition of cost of management.— For the purposes of this chapter, “cost of management” means—

(a) the allowances and remuneration of the Chairman and the members of the Board;

(b) the salaries, fees and allowances and contributions paid in respect of officers and other employees of the Board, except employees who are paid by the day or whose pay is charged to temporary work; and

(c) all office expenses incurred by the Board.

Explanation:— For the purposes of clause (c), the expression “office expenses” means expenses incurred for carrying on office work, and includes the rent of office buildings, the provision of furniture therefor, charges for printing and stationery, postage, electricity, telephones and telegrams, conservancy charges, catering charges incurred in connection with meetings and conferences held by or on behalf of the Board and contributions towards welfare and recreation of the staff of the Board.

80. Capital account and revenue account.— (1) The Board shall keep a capital account and a revenue account.

(2) The capital account shall show separately all expenditure incurred by the Board on each housing, improvement or building scheme.

81. Credits to capital account.— There shall be credited to the capital account—

(a) all sums (except interest) received by way of betterment fees under this Act;

(b) all moneys received on account of loans taken by the Board in pursuance of this Act;

(c) all moneys received as grants by the Board for purposes of this Act from the Government;

(d) all moneys received by the Board on account of repayment of loans and advances granted under sections 32 and 67;

(e) the proceeds of the sale of any land belonging to the Board which was purchased out of any loans or grants;

(f) where any land was purchased out of advance from the revenue account the portion of the proceeds of the sale of such land which remains after crediting to the revenue account the amount of such advance;

(g) the proceeds of the sale of any movable property (including securities for money invested from the capital account) belonging to the Board;

(h) all lumpsums received from any Government in aid of the capital account;

(i) all moneys received by the Board in connection with leases;

(j) all sums, if any, which the Government directs under sub-section (2) of section 84 to be credited to the capital account; and

(k) all moneys realised from the sale of securities by direction of the Government under section 85.

82. Application of capital account.— The moneys credited to the capital account shall be held by the Board in trust and shall be applied to—

- (a) meeting all costs of framing and executing housing, improvement or building schemes;
- (b) meeting the cost of acquiring lands for carrying out any of the purposes of this Act;
- (c) meeting the cost of constructing buildings required for carrying out any of the purposes of this Act;
- (d) the repayment of loans from money borrowed in pursuance of this Act;
- (e) granting of loans and advances under sections 32 and 67;
- (f) making payments in pursuance of section 118 otherwise than for interests or for expenses of maintenance or working;
- (g) making or contributing towards the cost of surveys in pursuance of section 116;
- (h) meeting such proportion of the cost of management as may be directed by the Board; and
- (i) temporarily making good the deficit, if any, in the revenue account at the end of any year.

83. Credits to revenue account.— There shall be credited to the revenue account—

- (a) all interest received in pursuance of section 56 or section 57;
- (b) all annually recurring sums received from the Government in aid of the funds of the Board;
- (c) all compensation received by the Board under section 102;
- (d) all rents of land vested in the Board;
- (e) all rents of buildings vested in the Board;
- (f) all interest of loans and advances granted by the Board under sections 32 and 67; and
- (g) all other receipts by the Board which are not required by section 81 to be credited to the capital account.

84. Application of revenue account.— (1) The moneys credited to the revenue account shall be held by the Board in trust, and shall be applied to—

- (a) payment of all charges or payments towards interest or sinking fund due on account of any loan taken in pursuance of this Act, and all other charges incurred in connection with such loans;
- (b) payment of all sums due from the Board in respect of rates and taxes imposed by the local authority concerned, upon the land vested in the Board;

(c) payment of cost, if any, of maintaining a separate establishment for the collection of rents and other proceeds of land vested in the Board;

(d) payment of all sums which the Government may direct to be paid to any auditor under section 91;

(e) payment of the cost of the management excluding such proportion thereof as may be debited to the capital account under clause (h) of section 82;

(f) payment of all other sums due from the Board, other than those which are required by section 82, to be disbursed from the capital account.

(2) The surplus, if any, remaining after making the payments referred to in sub-section (1) shall, subject to the maintenance of a closing balance as required by sub-section (2) of section 78, be invested in the manner laid down in section 72 towards the service of any loans outstanding after the expiry of thirty years from the commencement of this Act, unless the Government otherwise directs.

85. Power to direct sale of securities in which any surplus of the revenue accounts is invested.— If at any time after any surplus referred to in sub-section (2) of section 84 has been invested, the Board is satisfied that the investment is not needed for the service of any loan referred to in that sub-section, it may, with the approval of the Government, sell the securities held under the investment.

86. Advance from revenue account to capital account.— (1) Notwithstanding anything contained in section 84, the Board may advance any sum standing at the credit of the revenue account to the capital account for the purpose of meeting capital expenditure.

(2) Every such advance shall be refunded to the revenue account as soon as may be practicable.

87. Advance from capital account to revenue account.— (1) Any deficit in the revenue account at the end of any year may be made good by an advance from the capital account after obtaining the approval of the Government.

(2) Every such advance shall be refunded to the capital account in the following year.

88. Submission of abstracts of accounts to Government.— At the end of every year, the Board shall submit to the Government an abstracts of the accounts of its receipt and expenditure for such year, in such form and in such manner as may be prescribed.

89. Audit of accounts.— The accounts of the Board shall be examined and audited once every year by such auditor as the Government may appoint in this behalf.

90. Powers of auditor.— The auditor may—

(a) by summons in writing require production of any document, the perusal or examination of which he believes necessary for the elucidation of the accounts;

(b) by summons in writing require any person who has the custody or control of any such document or who is accountable therefor to appear in person before him; and

(c) require any person so appearing to make and sign a declaration with respect to such document or to answer any question or to prepare and furnish any statement relating thereto.

91. Remuneration of auditor.— The Board shall pay to the auditor such remuneration as the Government may direct.

92. Reports and information to be furnished by auditor to Board.— (1) The auditor shall—

(a) report to the Board and to the Government any material impropriety or irregularity which he may observe in the expenditure, or in the recovery of moneys due to the Board, or in the accounts;

(b) furnish to the Board such information as it may require concerning the progress of his audit;

(c) report to the Chairman any loss or waste of money or either property owned by or vested in the Board caused by neglect or misconduct, with the names of persons directly or indirectly responsible for such loss or waste; and

(d) submit to the Chairman a final statement of audited accounts, together with a report on the result of the audit and duplicate copies thereof to the Government, within a period of three months from the end of the year or within such further period as the Government may allow in the behalf.

(2) (a) The auditor may disallow every item contrary to law and surcharge the same on the person making or authorizing the making of the illegal payment; and may charge against any person responsible therefor the amount of any deficiency or loss incurred by the negligence or misconduct of that person or of any sum which ought to have been, but is not, brought into account by that person and shall, in every such case, certify the amount due from such person.

(b) The auditor shall state in writing the reason for his decision in respect of every disallowance, surcharge or charge and furnish a copy thereof by registered post to the person against whom it is made.

(c) If the person to whom a copy of the decision is so furnished refuses to receive it, he shall be deemed to have been duly furnished with the copy, within the meaning of clause (b); and the period of fourteen days fixed in sub-section (4) and (5) shall be calculated from the date of such refusal.

(3) For the removal of doubts it is hereby declared that it shall not be open to any person whose negligence or misconduct has caused or contributed to any such deficiency

or loss to contend that, notwithstanding his negligence or misconduct, the deficiency or loss would not have occurred but for the negligence or misconduct of some other person.

(4) Any person aggrieved by a disallowance, surcharge or charge made under sub-section (2) may, within fourteen days after he has been furnished with a copy of the decision of the auditor, appeal to the Government who shall pass such orders as it thinks fit.

(5) Every sum certified to be due from any person by the auditor under this Act shall be paid by such person to the Board within fourteen days after he has been furnished with a copy of the decision of the auditor unless within that time such person has appealed to the Government against the decision under sub-section (4); and such sum if not paid, or such sum as the Government shall declare due, shall be recoverable on an application made by the Board to the Government as if it were an arrear of land revenue.

(6) Notwithstanding anything contained in this section, the Government may at any time direct that the recovery of the whole or any part of the amount certified to be due from any person by the auditor under this Act shall be waived if in its opinion, such a course is necessary considering all the circumstances of the case.

93. Auditor's report to be sent to each member and considered by Board.— The Chairman shall cause the report of the auditor to be printed and shall forward a printed copy thereof to each member and shall bring such report before the Board for consideration at the first meeting to be held immediately thereafter.

94. Board to remedy defects pointed out by auditor.— It shall be the duty of the Board to remedy forthwith any defects or irregularities that may be pointed out by the auditor and to submit a report thereon to the Government.

95. Statements of accounts and audit report to be forwarded to Government.— (1) The statement of accounts of the Board as certified by the auditor together with the audit report thereon shall be forwarded annually to the Government and the Government may issue such instructions to the Board in respect thereof as it deems fit and the Board shall comply with such instructions.

(2) The Government shall—

(a) cause the statement of accounts of the Board together with the audit report thereon to be laid annually before the Legislative Assembly of Goa, Daman and Diu; and

(b) cause the statement of accounts of the Board and the audit report to be published in the prescribed manner and make available copies thereof on sale at a reasonable price.

96. Valuation of assets and liabilities of Board.— The Board shall have valuation of its assets and liabilities every five years made by a valuer appointed with the approval of the Government:

Provided that it shall be open to the Government to direct a valuation to be made at any time it may consider necessary.

CHAPTER IX

Penalties and procedure

97. Penalty for removing bar, chain or post.— If any person, without lawful authority, infringes any order given, or removes any bar, chain or post fixed, under subsection (2) of section 48, he shall be punishable with fine which may extend to fifty rupees.

98. Penalty for building within street alignment or building line without permission.— If any person, without the permission of the Board, erects, re-erects, adds to or alters any wall or building so as to make the same project into the street alignment or beyond the building line specified in any deferred street scheme, development scheme or town expansion scheme, he shall be punishable—

(a) with fine which may extend, in the case of a wall or masonry building, to five hundred rupees and, in any other case, to fifty rupees; and

(b) with further fine which may extend, in the case of a wall or masonry building, to one hundred rupees and, in any other case, to ten rupees for each day after the first during which the projection continues.

99. Penalty for failure to comply with requisition made by auditor.— If any person fails to comply with any requisition made by the auditor under section 90, he shall be punishable—

(a) with fine which may extend to one hundred rupees;

(b) in case of a continuing failure, with further fine which may extend to fifty rupees for each day after the first during which the failure continues.

100. Penalty for obstructing contractor or removing mark.— If any person—

(a) obstructs or molests any person with whom the Chairman has entered into a contract on behalf of the Board, in the performance or execution by such person of his duty or of anything which he is empowered or required to do by virtue of or in consequence of this Act or any rule or regulation made thereunder; or

(b) removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorised by this Act or any rule or regulation made or scheme sanctioned thereunder, he shall be punishable with fine which may extend to two hundred rupees.

101. Penalty for breach of the provisions of the Act.— Whoever contravenes any of the provisions of the Act or of any rule or regulation made or scheme sanctioned thereunder, shall, if no other penalty is provided for such contravention, be punishable—

(a) with fine which may extend to one hundred rupees; and

(b) in case of a continuing contravention, with further fine which may extend to fifty rupees for each day after the first during which the contravention continues.

102. Compensation to be paid by offenders.— (1) When any person is convicted of any offence under this Act or any rule or regulation made thereunder, the magistrate convicting such person may, on application made in this behalf by the Board or by its officer or other employee authorised by it in this behalf, call upon such person forthwith to show cause as to why he should not pay compensation to the Board for the damage caused by his act or omission in respect of which he is convicted.

(2) The magistrate shall record and consider any cause which such person may show and if the magistrate, after making such inquiry as he may think fit, is satisfied that such person is liable to pay compensation, may direct that compensation of such amount not exceeding one thousand rupees as he may determine, be paid by such person to the Board.

(3) The amount of compensation directed to be paid under sub-section (2) shall, if it is not paid forthwith, be recovered as if it were a fine imposed by the magistrate on such person.

103. Punishment for acquiring share or interest in contract, with Board.— If any member or any officer or other employee of the Board acquires, directly or indirectly, by himself or by any partner, otherwise than as such member, officer or other employee, any share of interest in any contract with, by or on behalf of the Board (not being a share of interest which, under section 6 it is permissible for a member to have without being thereby disqualified for being appointed a member) he shall be deemed to have committed the offence made punishable by section 168 of the Indian Penal Code.

104. Cognizance and trial of offences.— (1) No court shall take cognizance of any offence punishable under this Act or any rule or regulation made thereunder unless complaint of such offence is made within six months next after the commission thereof.

(2) No court inferior to that of a Magistrate of the First Class shall try any offence punishable under this Act, or any rule or regulation made thereunder.

105. Duty of Police Officers.— It shall be the duty of every police officer—

(a) to co-operate with the ¹⁴[Secretary] for carrying into effect and enforcing the provisions of this Act or any rule enforcing the provisions of this Act or any rule or regulation made thereunder;

(b) to communicate without delay to the proper officer or servant of the Board any information which he receives of a design to commit or of the commission of any offence against this Act or any rule made thereunder; and

(c) to assist the ¹⁵[Secretary] or any officer or other employee of the Board reasonably demanding his aid for the lawful exercise of any power vesting in the

¹⁴ In place of word "Chairman" the word " Secretary" substituted by Amendment Act 32 of 2001.

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¹⁶[Secretary] or in such officer or other employee under this Act or any rule made thereunder.

106. Arrest of offenders.— (1) Any police officer not below the rank of a head constable may arrest any person who commits in his presence any offence against this Act or any rule or regulation made thereunder, if the name or address of such person be unknown to him, and if such person on demand declines to give his name or address, or gives a name or address which such officer has reason to believe to be false.

(2) No person so arrested shall be detained in custody after his true name and address are ascertained, or for any longer time than is necessary for bringing him before a Magistrate, and in no case shall such detention exceed twenty-four hours from the time of arrest without the orders of a Magistrate.

107. Powers of ¹⁷[Secretary] as to institution and composition of legal proceedings.— The ¹⁸[Secretary] may, subject to the control of the Board,—

(a) institute, defend or withdraw from legal proceedings under this Act or any rules or regulations made thereunder;

(b) compound any offence against this Act or any rules or regulations made thereunder which, under any law for the time being in force, may lawfully be compounded;

(c) admit, compromise or withdraw any claim made under this Act or any rules or regulations made thereunder; and

(d) obtain such legal advice and assistance as he may think it necessary or expedient to obtain, or as may be desired by the Board to obtain, for any of the purposes referred to in the foregoing clauses or for securing the lawful exercise or discharge of any power or duty vested in or imposed upon the Board or any officer or other employee of the Board.

108. Protection of action taken in good faith.— No suit, prosecution or other legal proceeding shall lie against the board or any committee thereof or any officer or other employee of the Government or of the board for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or regulation made thereunder.

109. Notice of suit against Board.— No suit shall be instituted against the Board, or any member or any officer or other employee of the Board, or any person acting under the direction of the Board, or of the Chairman or of any officer or other employee of the Board, in respect of any act done or intended to be done under this Act or any rule or regulation made thereunder until the expiration of sixty days next after written notice has been delivered or left at the office of the Board or the place of abode of such officer, employee or person, stating the cause of action, the name and place of abode of the intending plaintiff, and the relief which he claims, and the plaint must contain a statement that such notice has been so delivered or left.

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110. Proof of consent of Board or Chairman or officer or other employee of Board.— Whenever, under this Act or any rule or regulation made thereunder, the doing or the omission to do anything or the validity of anything depends upon the approval, sanction, consent, concurrence, declaration, opinion, or satisfaction of—

(a) the Board or the Chairman, or

(b) any officer or other employee of the Board, a written document signed by the Chairman, in case of item (a) and by the said officer or other employee in the case of item (b), conveying or setting forth such approval, sanction, consent, concurrence, declaration, opinion or satisfaction, shall be sufficient evidence of such approval, sanction, consent, concurrence, declaration, opinion or satisfaction.

111. Power of ¹⁹[Secretary] to direct removal of unauthorised erection, within street alignment.— (1) The ²⁰[Secretary] may, by a written notice, require the owner for the time being of the wall or building referred to in section 98 to stop further work on such wall or building and alter or demolish the same in such manner and within such time as may be specified in the notice.

(2) Where the alteration or demolition directed by any such notice is not carried out as directed therein, the ²¹[Secretary] may cause the wall or building or portion thereof to be altered or demolished, as the case may be, and he may recover the expenses incurred in so doing from the owner for the time being in such manner as may be prescribed.

112. Power of Board to pay compensation.— In any case not otherwise expressly provided for in this Act, the Board may pay reasonable compensation to any person who sustains damage by reason of the exercise of any of the powers vested by or under this Act in the Board or the Chairman or any officer or employee of the Board.

113. Public notices how to be made known.— Every public notice given under this Act or any rule or regulation made thereunder shall be in writing and under the signature of the Chairman or any person authorised by him in this behalf and shall be widely made known in the locality to be affected thereby, by affixing copies thereof in conspicuous public places within the said locality, or by publishing the same by beat of drum or by advertisement in leading daily newspapers, or by any two or more of these means, and by any other means that the Chairman may think fit. Every such notice shall also be published by affixture in the notice board of the office or sub-offices of the Board.

114. Stamping signature on notices or bills.— Every notice or bill, which is required by this Act or by any rule or regulation made thereunder to bear the signature of the ²²[Secretary] or any other member or of any officer or other employee of the Board, shall be deemed to be properly signed if it bears a facsimile of the signature of the ²³[Secretary] or of such other member or of such officer or employee, as the case may be, stamped thereupon.

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115. Service how to be effected.— When any notice, bill or other document is required by this Act or any rule or regulation made thereunder to be served upon or issued or presented to any person, such service, issue or presentation shall be effected—

- (a) by giving or tendering such document to such person; or
- (b) if such person is not found, by leaving such document at his last known place of abode, or by giving or tendering the same to some adult member or servant of his family;
- (c) if his address elsewhere is known, by forwarding such document to him by registered post under cover bearing the said address; or
- (d) if none of the means aforesaid be available, by causing a copy of such document to be affixed on some conspicuous part of the building or land, if any, to which the document relates.

116. Power to make surveys, or contribute towards their cost.— The Board may—

- (a) cause the survey of any land to be made, whenever it considers that a survey is necessary or expedient for carrying out any of the purposes of this Act; or
- (b) contribute towards the cost of any such survey made by any other local authority.

117. Power of entry.— (1) The ²⁴[Secretary] or an person either generally or specially authorised by the ²⁵[Secretary] in this behalf may, with or without assistants or workmen, enter into or upon any land, in order—

- (a) to make any inspection, survey, measurement, valuation or inquiry,
 - (b) to take levels,
 - (c) to dig or bore into the sub-soil,
 - (d) to set out boundaries and intended lines of work,
 - (e) to mark such levels, boundaries and lines by placing marks and cutting trenches,
- or
- (f) to do any other thing,

whenever it is necessary to do so for any of the purposes of this Act or any rule or regulation made or scheme sanctioned thereunder or any scheme which the Board intends to frame thereunder:

Provided that—

- (a) no such entry shall be made between sunset and sunrise;
- (b) no dwelling house, and no public building or hut which is used as a dwelling place, shall be so entered, except with the consent of the occupier thereof, without

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²⁵ In place of word "Chairman" the word " Secretary" substituted by Amendment Act 32 of 2001.

giving the said occupier at least twenty-four hours, previous written notice of the intention to make such entry;

(c) sufficient notice shall, in every instance, be given even when any premises may otherwise be entered without notice, to enable the inmates of any apartment appropriated to women to remove themselves to some part of the premises where their privacy will not be disturbed;

(d) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.

(2) Whenever the ²⁶[Secretary] or a person authorized under sub-section (1) enters into or upon any land in pursuance of that sub-section, he shall, at the time of such entry, pay or tender payment for all necessary damage to be done as aforesaid; and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the Board, whose decision thereon shall be final.

CHAPTER X

Miscellaneous

118. Powers of Board for facilitating movement of the population.— With a view to facilitating the movement of the population in and around any city, town or village, the Board may—

(a) subject to any condition it may think fit to impose—

(i) guarantee the payment, from the funds at its disposal, of such sums as it may think fit, by way of expenditure on the construction, maintenance or working of means of locomotion; or

(ii) make such payments as it may think fit from the said funds, by way of subsidy to persons undertaking to provide, maintain and work means of locomotion; or

(b) either singly or in combination with any other person, construct, maintain and work any means of locomotion, under the provisions of any law applicable thereto; or

(c) construct or widen, strengthen or otherwise improve bridges:

Provided that no guarantee or subsidy shall be made under clause (a), and no means of locomotion shall be constructed, maintained or worked under clause (b), without the sanction of the Government.

119. Members, officers and other employees of Board and committees deemed to be public servants.— All members, officers and other employees of the Board, the members of committees, and all other persons entrusted with the execution of any functions under this Act, shall be deemed, when acting or purporting to act in pursuance

²⁶ In place of word "Chairman" the word "Secretary" substituted by Amendment Act 32 of 2001.

of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

120. Contributions towards leave, allowances and pensions of employees of the Central Government or a State Government.— The Board shall be liable to pay such contributions for the leave salary, pension or provident fund of any employee of the Central Government or State Government employed as Chairman or as an officer or other employee of the Board as may be required by the conditions of his service under the Central Government or a State Government to be paid by him or on his behalf.

121. Board and ²⁷[Secretary] to exercise powers and functions of local authority.— In any area in respect of which a housing, improvement or building scheme is in force, the Government may, by notification, declare that for the period during which such scheme remains in force and subject to such restrictions and modifications, if any, as may be specified in the notification, the powers and functions exercisable by a local authority or its executive authority under the enactment constituting such local authority shall be exercised by the Board or the ²⁸[Secretary], as the case may be.

122. Supply of documents and information to Government — The ²⁹[Secretary] shall, if so directed by the Government, forward to it a copy of all the papers which were laid before the Board for consideration at any meeting and furnish any return, statement, estimate, statistics or other information regarding any matter under the control of the Board, a report of any such matter and a copy of any documents in charge of the ³⁰[Secretary].

123. Submission of administration report to Government.— (1) As soon as may be after the first day of April in every year or such later date as may be fixed by the Government, the Board shall submit to the Government a detailed report of the administration during the preceding year in such form as the Government may direct.

(2) The Chairman shall prepare such report and the Board shall consider the report and forward the same to the Government with its remarks thereon.

124. Power of Government to give directions to Board and local authorities.— The Government may give the Board or any local authority such directions as in its opinion are necessary or expedient for carrying out the purposes of this Act. And after giving an opportunity to the Board or, as the case may be, to the local authority to state its objections, if any, to such directions and after considering the said objections, the Government may, if it considers it necessary so to do, modify such directions and it shall thereupon be the duty of the Board or the local authority to comply with such directions or the directions so modified, as the case may be.

²⁷ In place of word "Chairman" the word " Secretary" substituted by Amendment Act 32 of 2001.

²⁸ In place of word "Chairman" the word " Secretary" substituted by Amendment Act 32 of 2001.

²⁹ In place of word "Chairman" the word " Secretary" substituted by Amendment Act 32 of 2001.

³⁰ In place of word "Chairman" the word " Secretary" substituted by Amendment Act 32 of 2001.

125. Supersession of Board.— (1) If the Government is of opinion that the Board is unable to perform, or has persistently made default in the performance of the duty imposed on it by, or under this Act or has exceeded or abused its powers, it may, by notification, supersede the Board for such period as may be specified in the notification:

Provided that before issuing a notification under this sub-section the Government shall by notice require the Board to show cause within such period as may be specified in the notice why it should not be superseded and shall consider the explanations and objections, if any, of the Board.

(2) Upon the publication of a notification under sub-section (1) superseding the Board,—

(a) the Chairman and all the members of the Board shall, as from the date of supersession vacate their offices as such;

(b) all the powers and duties which may, by or under the provisions of this Act, be exercised or performed by or on behalf of the Board and the Chairman, shall during the period of supersession be exercised and performed by such authority or person as the Government may direct;

(c) all funds and other property vested in the Board shall, during the period of supersession, vest in the authority or person referred to in clause (b); and

(d) all liabilities, legally subsisting and enforceable against the Board, shall be enforceable against the authority or person referred to in clause (b) to the extent of the funds and properties vested in it or him.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Government may—

(a) extend the period of supersession for such further period as it considers necessary; or

(b) reconstitute the Board in the manner provided in section 4.

126. Dissolution of Board. — (1) If the Government is of opinion that the Board has failed to carry out its functions under this Act or that for any other reason it is not necessary to continue the Board, it may, by notification, dissolve the Board from such date as may be specified in the notification.

(2) Upon the publication of a notification under sub-section (1) dissolving the Board,—

(a) the Chairman and all the members of the Board shall, as from the date of dissolution vacate their offices as such;

(b) all the powers and duties which may, by or under the provisions of this Act, be exercised and performed by or on behalf of the Board and the Chairman shall, as from the date of dissolution, be exercised and performed by the Government or such authority or person as it may appoint in this behalf;

(c) all funds and other property vested in the Board shall vest in the Government; and

(d) all liabilities, legally subsisting and enforceable against the Board, shall be enforceable against the Government to the extent of the funds and properties vested in it.

(3) Nothing in this section shall affect the liability of the Government in respect or debentures guaranteed under section 68.

127. Power to remove difficulties. — (1) If any difficulty arises in giving effect to the provision of this Act, in consequence of the transition to the said provisions from the provisions of the Acts in force immediately before the commencement of this Act, the Government may, by notification, make such provisions as appear to it to be necessary or expedient for removing the difficulty.

(2) If any difficulty arises in giving effect to the provisions of this Act (otherwise than in relation to the transition from the provisions of the Acts in force before the commencement of this Act), the Government may make such order, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.

128. Power to make rules.— (1) the Government may after previous publication make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) remuneration and allowances of the Chairman and other members under section 5;

(b) leave of absence for the Chairman under section 11;

(c) control and revision by the Chairman under section 16;

(d) provisions as to execution of contracts and agreements under section 26;

(e) delegation of powers of the Board to sanction contracts under section 27;

(f) form of notice and the period for acceptance of assessment under section 55;

(g) disposal of land under section 58;

(h) other manner of service of notice under sections 61 and 62;

- (i) manner of assessment of damages under section 62;
- (j) maximum sum to be deposited in the manner of operation of accounts under sub-section (5) of section 65;
- (k) conditions and limitations to be laid down under section 67;
- (l) forms and details relating to estimates of income and expenditure under section 74;
- (m) form and manner of abstracts of accounts to be submitted to the Government under section 88;
- (n) any other matter which is required to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly of Goa, Daman and Diu while it is in sessions for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following the house agrees in making any modification in any such rule or the house agrees that the rules should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

129. Power to make regulations.— The Board may, by notification, make regulations not inconsistent with this Act and the rules made thereunder, for the purpose of giving effect to the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following purposes, namely:—

- (a) conditions of service of officer and other employees of the Board under section 13.
- (b) service regulations under section 15;
- (c) day, time, place, notice, management and adjournment of meetings of Board under section 17;
- (d) manner in which and the purposes for which persons may be associated with the Board under section 18;
- (e) matters relating to appointment and functions of committees under section 19;
- (f) any matter which is required to be, or may be, laid down by regulations.

(3) No regulation or its cancellation or modification shall have effect until the same shall have been approved and confirmed by the Government.

Law and Judicial Department,
Secretariat, Panaji.

Dated 16th October, 1968.

R. L. SEGEL
Law Secretary,
Government of Goa, Daman and Diu

GOVERNMENT OF GOA, DAMAN AND DIU
Development Department 'B'

—
Notification

HS-8-9/68-I

In exercise of the powers conferred by section 128 of the Goa, Daman and Diu Housing Board Act, 1968 (No. 12 of 1968) the Government of Goa, Daman and Diu hereby makes the following rules, after having the same pre-published namely:—

The Goa, Daman and Diu Housing Board Rules, 1969

1. Short title and commencement.— (i) These rules may be called the Goa, Daman and Diu Housing Board Rules, 1969.

(ii) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires,—

a) “Act” means the Goa, Daman and Diu Housing Board Act, 1968;

b) “Form” means a form appended to these rules;

c) “Section” means a section of the Act;

d) The words and expressions used but not defined in these rules shall have the same meaning assigned to them in the Act.

3. Remuneration, allowances and leave etc. of the Chairman, members and persons associated with the Board.— (1) The Chairman of the Board shall be entitled to—

a) a salary of Rs. 1,000/- per month, or such honorarium not exceeding Rs. 500/- per month as the Government may in each case specify;

aa) a telephone at residence;

b) a travelling allowance admissible to the Head of a Government Department. The Chairman shall be entitled to travel by the highest class on railways including air-conditioned class, the additional fare that he can draw shall be reduced at 2 paise per mile as in the case of senior officers of Government;

c) the Chairman shall be entitled to leave on full pay on the basis of one month per year of service.

(2) Notwithstanding anything contained in sub-rule (1), where the Chairman receives an honorarium or holds office in an honorary capacity he shall receive such of the following concessions as the Government may in each case specify in this behalf, namely:—

a) furnished residential accommodation without payment of rent or any assessment, tax, rate or cess due to the Government or any local authority or where such residential

accommodation is not made available, a monthly allowance of such amounts as may be fixed by the Government;

b) use of the Board's motor car and such allowances for the maintenance and running of the motor car as may be fixed by the Government or in lieu of such allowance, the actual charges for the maintenance and running thereof;

c) a telephone at residence;

d) a daily allowance in accordance with rule, when on tour;

e) a travelling allowance at the rate admissible to the Head of a Government Department;

f) leave on the basis of one month per year of service but the Government may relax the provisions of this clause in any particular case:

Provided that while the Chairman is on leave, he shall be entitled to such of the aforesaid concessions as the Government may in each case specify in this behalf.

(3) A non-official member of the Board other than the Chairman shall be entitled to—

a) an allowance of ³¹["Rs. 200/-"] for every day of a meeting of the Board that he attends; and

b) travelling allowance at the maximum rate admissible to Grade I Officer under the Government.

(4) An official member of the Board attending any meeting of the Board of any of its committees shall be entitled to receive travelling allowance admissible to him under the Government.

(5) A person associated with the Board for any particular purpose under section 18 or appointed on any committee under section 19 shall be entitled to such allowances as may be determined by the Government from time to time:

Provided that in the case of a member of the Legislative Assembly he shall not be entitled to any remuneration other than the travelling allowance and daily allowance at the rates not exceeding those admissible to him under the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964.

4. Control and delegation by the Chairman.— The Chairman with the prior approval of Government may, by order in writing delegate his powers, duties and functions under section 16 to the Secretary, Housing Engineer or Chief Accounts Officer of the Board, to such extent as may be specified therein and shall be subject to such control, appeal and revision as may be specified by him.

³¹ The letters and figures "Rs. 200/-" have been substituted for the letters and figures "Rs. 50/-" vide (2nd Amendment) Rules, 1999, published in the Official Gazette, Series I No. 10 dated 3-6-1999.

5. Manner and form of Control.— (1) Every contract for the execution of any work or the supply of any building material or goods which involves an expenditure exceeding five hundred rupees shall be in writing and shall be sealed.

(2) The common seal of the Board shall remain in the custody of the Secretary and shall not be affixed to any contract or other instrument except in the presence of a member (other than the Chairman) who shall attach his signature to the contract or instrument in token that the same was sealed in his presence.

(3) The signature of the said member shall be in addition to the signature of any witness to the execution of such contract or instrument.

(4) If forms for contract are prescribed in the Central Public Works Department Manual or Code, the said forms may, as far as practicable, be adopted for like contracts of the Board provided that the Board shall have power to make additional conditions in the form of contract if the Board desires to do so.

(5) In according sanctions, inviting tenders and entering into contracts for the execution of its works, the Board shall as far as possible follow the principles laid down in the Central Public Works Department Manual or Code.

6. Delegation of Powers of Board to sanction contracts.— The Board may delegate the power to sanction the contracts to the Secretary and Housing Engineer under section 27 subject to the following limits, namely:—

(a) the maximum limit of one lakh of rupees for any contract where delegation of power is to the Secretary of the Board;

(b) the maximum limit of Rs. 50,000/- for any contract, where the delegation of power is to the Housing Engineer.

7. Form of notice and the period for acceptance of assessment.— A notice under sub-section (1) or section 55, shall be in accordance with the form in schedule 'A' appended hereto. The period with which a person is required to appear before the Board under sub-section (2) of section 55 shall be of thirty days.

8. Power to dispose off property.— The Board shall not lease, sell, exchange or otherwise dispose off any immovable property vesting in it without the prior approval of Government. Such transfer shall be subject to such terms and conditions as the Government may determine in each case in that behalf:

Provided that no such approval shall be required—

(i) for allotment of tenements and premises according to the regulations made by the Board in that behalf; and

(ii) for sale or demolition of any building or structure which is in a dangerous condition or beyond repair.

9. Form of Notice.— A notice—

(a) under sub-section (1) of section 61 shall be in accordance with the form in schedule 'B' appended hereto;

(b) under proviso to sub-section (1) of section 61 shall be in accordance with form in schedule 'C' appended hereto;

(c) under sub-section (1) of section 62 shall be in accordance with form in schedule 'D' appended hereto;

(d) under sub-section (2) of section 62 shall be in accordance with form in schedule 'E' appended hereto; and

(e) under sub-section (3) of section 62 shall be in accordance with form in schedule 'F' appended hereto.

10. Mode of service of notice.— A notice under sub-section (1) of section 61 or sub-section (1) of section 62 may be served by any officer or employee in the service of the Board by giving it or tendering it to the person to whom it is addressed in manner prescribed under section 113 to 115.

11. Manner of assessment of damage.— In assessing damages for unauthorised occupation of any Board premises under sub-section (2) of section 62 the competent authority shall take into consideration the following matters, namely:—

(a) the purpose and the period for which the Board premises were under unauthorised occupation;

(b) the nature, size and standard of accommodation available on such premises;

(c) the economic rent of the premises for the period of unauthorised occupation such rent being calculated in accordance with the formula decided by the Board from time to time;

(d) any material damage done to the premises during the period of unauthorised occupation; and

(e) any other matter which in the opinion of the competent authority is relevant for the purpose of assessing the damages.

12. Maximum sum to be deposited in the matter of operation of accounts.— The maximum sum to be deposited in the Reserve Bank of India or in any scheduled bank in India under sub-section (5) of section 65 shall not exceed Rs 15.00 lakhs at any time.

13. Power of Board to borrow.— The Board may borrow any sum subject to the prior approval of Government and on such terms and conditions as may be prescribed by Government in each case.

14. Power of Board to lend.— The Board may lend or advance money under section 67 to the extent of Rs. 50,000/- without the prior approval of Government. The Board may lend or advance under section 32, money exceeding Rs. 50,000/- with the prior approval of Government and subject to such terms and conditions as may be prescribed by Government in each case.

15. Form and details relating to estimates of income and expenditure.— The Board shall maintain its accounts in commercial form. The estimates of income and expenditure under section 74 shall be prepared in accordance with the forms in schedule 'G' appended hereto.

16. Abstract of accounts.— The abstracts of accounts to be submitted to the Government under section 88 shall be prepared in accordance with the forms in schedule 'H' appended hereto.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

FORM 'A'

(See rule 7)

To

Shri/Shrimati/Kumari residing at in taluka of District.

Whereas by Government Notification No..... dated 19 it was notified under section 42 of the Goa, Daman and Diu Housing Board Act, 1968 that a scheme has been duly framed by the Goa, Daman and Diu Housing Board.

And whereas, it was decided by the Board under section 54 to levy a betterment charge on all lands adjoining the said scheme area on account of increase in value of land from execution of the scheme.

And whereas, you are owner of one of such lands shown in plan No. attached to the scheme file.

Now therefore, in exercise of the powers conferred on me under sub-section (1) of section 55 of the said Act, I hereby give you notice that a betterment charge of Rs.... is leviable on you in respect of the said Land.

Notice is also given for you to appear before the undersigned on ... 19 ... at the office of the Board. Failure to appear before me on scheduled day will be deemed as acceptance by you of the betterment charge assessed by the Board.

A plan of the said scheme indicating land in respect of which the betterment charges are to be levied, can be inspected at the office of Board.

By order and in the name of the Goa, Daman and Diu Housing Board.

Panaji, dated ...

FORM 'B'
(See Rule 9)

To,

Shri/Shrimati/Kumari residing at in taluka of..... District.

Whereas I, the undersigned, am satisfied—

- i) that you have not paid rents lawfully due from you for more than two months commencing from ... in respect of the premises in the Schedule appended hereto;
- ii) that you have sub-let, without the permission of the Board the whole or part of the premises described in the Schedule appended hereto;
- iii) that you have ... and thereby have acted in contravention of the terms under which you were authorised to occupy and use the premises described in the Schedule appended hereto;

Now therefore, in exercise of the powers conferred on me under sub-section (1) of section 61 of the Goa, Daman and Diu Housing Board Act, 1968.

I order you (as well as who is/are in occupation of the whole/a part of the said premises) to vacate the said premises within one month from the date of service of this notice.

SCHEDULE

...
...

Panaji, dated... 19 ...

Competent Authority

Form 'C'
(See Rule 9)

To

Shri/Shrimati/Kumari residing at in taluka of..... Distict.

Whereas I, the undersigned, am satisfied—

- i) that you have not paid rent lawfully due from you for more than two months commencing from in respect of the premises described in the Schedule appended thereto;
- ii) that you have sub-let, without the permission of the Board, the whole or part of the premises described in of the Schedule appended thereto;
- iii) that you have..... and thereby acted in contravention of the terms under which you were authorised to occupy and use the premises described in the Schedule appended thereto;

And whereas, in exercise of the powers conferred on me under sub-section (1) of section 61 of the Goa, Daman and Diu Housing Board Act, 1968, I propose to order you (as well as who is/are in occupation of the whole/a part of the said premises) to vacate the said premises within one month from 19 on the grounds aforesaid (hereinafter referred to as the proposed order);

Now therefore, as required by the proviso to sub-section (1) of the said section 61, I call upon you to tender an explanation and produce evidence, if any, and show cause within fourteen days from the date of service of this notice why the proposed order should not be made.

SCHEDULE

Panaji, dated ... 19 ...

Competent Authority

FORM 'D'

(See Rule 9)

To

Shri/Shrimati/Kumari residing at in taluka of....
District.

Whereas you are in occupation of premises described in the Schedule hereto appended;

And whereas a sum of Rs..... being the arrears of rent from..... uptoin respect of the said premises is due and payable by you to the Board;

Now therefore, in exercise of the powers conferred on me under sub-section (2) of section 62 of the Goa, Daman and Diu Housing Board Act, 1968, I hereby order you to pay the said sum within thirty days from the date of service of this notice, failing which the said sum will be recovered as arrears of land revenue.

SCHEDULE

Panaji, dated 19

Competent Authority

FORM 'E'

(See Rule 9)

To

Shri/Shrimati/Kumari residing at in taluka of
..... District.

Whereas you are in unauthorised occupation of the premises described in the Schedule appended hereto;

And whereas in exercise of the powers conferred on me under sub-section (2) of section 62 of the Goa, Daman and Diu Housing Board Act, 1968, I have assessed Rs. as damages payable by you on account of the use and land occupation of the said premises, I hereby

order you to pay the said amount of damages within ten days from the date of the service of the notice.

If the said amount is not paid within the period specified above, it will be recovered as arrears of land revenue.

SCHEDULE

Panaji, dated 19

Competent Authority

FORM 'F'

(See Rule 9)

To

Shri/Shrimati/Kumari residing at in taluka of District.

Whereas, you are in unauthorised occupation of the premises described in the Schedule appended hereto;

And whereas, in exercise of the powers conferred on me by sub-section (2) of section 62 of the Goa, Daman and Diu Housing Board Act, 1968, I have assessed Rs. as damages payable by you to the Board on account of the use and occupation of the said premises;

And whereas, I propose to order you to pay the said damages to the Board within ten days from 19....

Now therefore, as required by the provisions of sub-section (3) of the said section, I call upon you to tender an explanation and produce evidence, if any, and show cause within ten days from the date of service of this notice why the proposed order should not be made.

SCHEDULE

Panaji, dated 19

Competent Authority

FORM 'G'

(See Rule 15)

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II Budget at a Glance

	Accounts (Actuals of financial year)	Revised estimates (previous year)	Budget estimates (current year)
	(1)	(2)	(3)

Revenue Account.
 Opening balance.
 Receipts.
 Expenditure.
 Surplus (+) or Deficit (-).
 Capital Account.
 Opening balance.
 Receipts.
 Expenditure.
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 Deposit and Advance Account.
 Opening balance.
 Receipts.
 Expenditure
 Closing balance.

III Introductory Note

IV Abstract of Capital Account

Receipts		Expenditure	
I. Loans	Rs.	1. Loans	Rs.
II. Grants	Rs.	2. Advances	Rs.
III. Advances	Rs.	3. Works	Rs.
IV. Sale of properties	Rs.	A. Land acquisition & Development Scheme	Rs.
V. Rental Income and premia on lease.		B. Low Income Group Housing Scheme	Rs.
		C. Middle Income Group Housing Scheme	Rs.
VI. Miscellaneous	Rs.	D. Slum Improvement Scheme	Rs.
VII. Betterment fees	Rs.	E. Subsidised Industrial Housing Scheme	Rs.
VIII. Ancilliary services scheme fund	Rs.	F. Land Development Scheme	Rs.
		G. Union Govt. Rental Housing Scheme for Low paid employees of State Govt.	Rs.
		H. Ancilliary Services Scheme	Rs.
		I. Other Miscellaneous Schemes	Rs.
		4. Special tools and Plant	Rs.
		5. Ordinary Tools and Plant	Rs.
		6. Suspense	Rs.
Total	Rs.	Total	Rs.

V Abstract of Revenue Accounts

Receipts		Expenditure	
I. Grants	Rs.	1. Interest	Rs.
II. Advances	Rs.	2. Contributions to Reserve & other funds	Rs.
III. Supervision charges	Rs.	3. Advances	Rs.
IV. Interest	Rs.	4. Establishment	Rs.
V. Rental Income (Interest portion)	Rs.	5. Investigation and Research	Rs.

VI. Premia on leases	Rs.	6. Miscellaneous	Rs.
(Interest portion)	Rs.	7. Tools and Plant	Rs.
		(ordinary)	
VII. Miscellaneous		8. Repairs and Maintenance	Rs.
Deduct.		9. Suspense	Rs.
Refunds			
Total	Rs.	Total	Rs.

VI Abstract of Deposit and Advance Account

	Receipt	Outgoings
	(1)	(2)

A. Deposit Account

- I. Provident Fund Deposits.
- II. Deposits of contractors and subordinates.
- III. Other deposits.

B. Advance Account.

- I. Advances bearing interest.
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C. Suspense Account.

Total

VII Capital Accounts – Receipts

Head of Account	Accounts	Revised estimates	Budget estimates
(1)	(2)	(3)	(4)

I. Loans

- A. Loans from Government.
- B. Loans from Banks.
- C. Repayment of loan by Co-op. Societies and other persons.

II. Grants.

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- C. Advance from Local Bodies, etc. for Low Income Group Housing Scheme.
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 - B. Miscellaneous.
- VII. Betterment fees.
- A. Betterment fees.
 - B. Deduct amount credited to the schemes concerned.
- VIII. Ancilliary Services Schemes fund.
- Total — Capital Account Receipt.

VIII Capital Account — Expenditure

Head of Account	Accounts	Revised estimates	Budget estimates
(1)	(2)	(3)	(4)

- I. Loans.
- A. Repayment of loan to Government.

- B. Repayment of loan to Banks.
- C. Loans to Co-operative Societies and other persons.

II. Advances.

- A. Advance to Revenue Account.
- B. Refund of advance to Revenue Account.

III. Works.

- A. Land acquisition and Development Scheme.
 - 1. Land acquisition.
 - 2. Development.
- B. Low Income Group Housing Scheme.
 - I. Plan
 - i) Land Development.
 - ii) Hire purchase building.
 - iii) Rental building.
 - II. Non-Plan.
 - i) Land Development.
 - ii) Hire purchase building.
 - iii) Rental building.
- C. Middle Income Group Housing Scheme.
 - i) Hire purchase building.
 - ii) Rental building.
- D. Slum Improvement Scheme.
 - i) Open Development Plot.
 - ii) Tenement.
- E. Subsidised Industrial Housing Scheme.
- F. Land Development Scheme.
- G. Union Government Rental Housing scheme for Low paid Employees of State Government.
- H. Ancilliary Services Scheme.
- I. Other Miscellaneous Scheme.
- J. Slum Improvement Scheme undertaken on behalf of Local Bodies.
- K. Low Income Group Housing Scheme undertaken on behalf of Local Bodies.
- L. Middle Income Group Housing Scheme undertaken on behalf of Local Bodies.

IV. Special Tools Plant.

- A. Cost of purchase.
- B. Maintenance and Repairs.
- C. Deduct — Recoveries from contractors' work.

V. Ordinary Tools and Plant.

- A. Cost of purchase.
- B. Deduct amount transferred to Revenue Account.

VI. Suspense.

Debit

- A. Stock.
- B. Purchases.
- C. Miscellaneous Advances.

Credit

- A. Stock.
- B. Purchases.
- C. Miscellaneous Advances.
- Net Debit to Suspense.

Total — Capital Account Expenditure.

IX Revenue Account — Receipts

Head of Account	Accounts	Revised estimates	Budget estimates
(1)	(2)	(3)	(4)

I. Grants.

- A. Grant from Government for maintenance of Industrial colonies.
- B. Grant from Government for maintenance of Government colonies.
- C. Grant from Government for maintenance of Slum Improvement Scheme.
- D. Other Grants from Government.
- E. Grant from Local Bodies others.

II. Advances.

- A. Advance from Government.
- B. Advance from Capital Account.
- C. Refund of advance from Capital Account.

III. Supervision charges.

- A. Supervision charges.
 - (a) Slum Improvement Scheme.
 - (b) Other Schemes.

IV. Interest.

- A. Interest on investment.
- B. Interest on sale proceeds.

- C. Interest on loans and advances by the Board.
- D. Miscellaneous.

V. Rental Income.

- A. Ancilliary Services Scheme.
- B. Low Income Group Housing Scheme.
- C. Middle Income Group Housing Scheme.
- D. Lower Middle Class Housing Scheme.
- E. Slum Improvement Scheme.
- F. Other Schemes.
- G. Deduct Refunds.
- H. Deduct Principal portion transferred to Capital Account.

VI. Premia of Leases.

- A. Low Income Group Housing Scheme.
- B. Middle Income Group Housing Scheme.
- C. Non-Gazetted Government Officers' Housing Scheme.
- D. Other Schemes.
- E. Deduct Refunds.
- F. Deduct Principal portion transferred to Capital Account.

VII. Miscellaneous.

- A. Fees, fines and forfeitures.
- B. Sale of plans, tenders, etc.
- C. Leave salary and pension contribution.
- D. Recoveries of expenditure.
- E. Lapsed deposits.
- F. Contage charges for collection of rent in Industrial Housing colonies.
- G. Miscellaneous.
- H. Deduct Refunds.

Total—Revenue Account—Receipts.

X Revenue Account — Expenditure

Head of Account	Accounts	Revised estimates	Budget estimates
(1)	(2)	(3)	(4)

- I. Interest.
 - A. Interest on loans and Advances.
- II. Contributions to Reserve and other funds.
 - A. Contribution to pension fund.
 - B. Contribution to depreciation Reserve fund.
- III. Advances.
 - A. Advances to Capital Account.
 - B. Refund of advance to Capital account.
 - C. Refund of advance to Government.

IV. Establishment.

- A. Pay of officers.
- B. Pay of Establishment.
- C. Leave salary.
- D. Cost of special staff.
- E. Allowances and Honoraria.
 - 1. Dearness allowance.
 - 2. House rent allowance.
 - 3. Compensatory allowance.
 - 4. Travelling allowance.
 - 5. Conveyance allowance.
 - 6. Medical attendance.
 - 7. Education allowance.
 - 8. Travelling and other allowances to members.

F. Contingencies.

- 1. Pay of Menials.
- 2. Books and periodicals.
- 3. Telephones.
- 4. Electricity and water.
- 5. Advertisement.
- 6. Clothing and uniform.
- 7. Stationery and Printing.
- 8. Rent/rates/taxes.
- 9. Postage/Telegrams.
- 10. Furniture/Fixtures.
- 11. Other items.

G. Other charges.

- 1. Contribution to leave salary and pension.
- 2. Fees to Auditor.
- 3. Low charges.
- 4. Compensation.
- 5. Expenditure on payment of pension/gratuity.
 - Less amount transferred from Pension fund.

V. Investigation and Research.

- A. Investigation and Survey of schemes.
- B. Research on House building.
- C. Deduct preliminary expenses transferred to the sanctioned scheme.

VI. Miscellaneous.

- A. Contribution to staff Welfare and recreation.
- B. Miscellaneous grants and contributions.
- C. Publicity expenses.
- D. Losses and write off.

VII. Tools and Plant.

- A. Cost of Tools and Plant charged to Revenue Account.
- B. Amount transferred from Capital Account.
- C. Maintenance, Repairs and carriage.

VIII. Repairs and Maintenance.

- A. Office buildings.
- B. Rental buildings.
- C. Industrial colonies.
- D. Government colonies.
- E. Slum Improvement Scheme.

IX. Suspense Account.

- A. Water and Electricity charges recoverable from occupants.
- B. Deduct Recoveries from occupants.

Total — Revenue Account Expenditure.

Deposit and Advance Account						
Head of Account	Receipts			Outgoings		
	Amount (Actuals)	Revised Estimates	Budget Estimates	Account (Actuals)	Revised Estimates	Budget Estimates
1	2	3	4	5	6	7

A. Deposit Account.

- I. Depreciation Reserve Fund.
- II. Pension Fund.
- III. Provident Fund deposit.
 - (1) Provident funds.

Deposits of contractors and other subordinates—

 - (1) Contractors Deposits.
 - (2) Sums due to contractors on closed accounts.
 - (3) Security deposits of subordinates.

- V. Other deposits—
 - (1) Housing deposits.
 - (2) Deposit for conveyance of sale deed.
 - (3) Rental deposit.
 - (4) Rent collected in Industrial colonies.
 - (5) Miscellaneous deposit.
- B. Advance Account.
 - I. Advance bearing interest—
 - (1) Advance for purchase of motor cars.
 - (2) Advance for purchase of motorcycles/scooters.
 - (3) Advance for purchase of other conveyances.
 - (4) Loan to Board Employees to meet deposits and excess over ceiling cost.
 - II. Advance not bearing interest.
 - (1) Advance of pay on transfer.
 - (2) Advance of T. A. on transfer.
 - (3) Festival advance.
 - (4) Permanent Advance.
 - (5) Other Advance.
- C. Suspense Account.
 - (1) Unclassified Suspense.

Investment Account

- | | |
|---|-----|
| 1. Depreciation Reserve Fund. | Rs. |
| a) Opening balance. | |
| b) <i>Add</i> investments during the year. | |
| c) <i>Deduct</i> amount realised on sale of investment. | |
| d) <i>Add</i> Cash balance. | |
| Total | |
| 2. Pension Fund. | |
| a) Opening balance. | |
| b) <i>Add</i> investments during the year. | |
| c) <i>Deduct</i> amount realised on sale of investment. | |
| d) <i>Add</i> Cash balance. | |
| Total | |
| 3. Provident Fund. | |
| a) Opening balance. | |
| b) <i>Add</i> amount invested during the year. | |

- c) *Deduct* amount realised on sale of investment.
d) *Add* Cash balance.

Total

4. Cash balance.
a) Opening balance.
b) *Add* amount invested during the year.
c) *Deduct* amount realised on sale of investment.
d) *Add* Cash balance.

Total

XII Details of Works

Description of work	Amount of estimate	Expenditure to end of (previous year)	Revised Budget estimate (current year)	Budget estimate (next year)
1	2	3	4	5

XIII Summary of loans and advances taken from the Government and outstanding on 31st March

A. LOANS

Serial No. and name of the scheme	No. and date of Govt. order	Date of drawal of the loan	Loan amount	Outstanding balance on 31st March....
1	2	3	4	5

B. ADVANCES

Serial No. and name of the scheme	No. and date of Govt. order	Date of drawal of the loan	Loan amount	Outstanding balance on 31st March....
1	2	3	4	5

Schemewise details will be indicated according to the Budgetary classification.

XIV Statement showing various posts under the Board with scales of pay

Serial No. and category of post	Scale of pay	No. of posts sanctioned	No. of posts filled up	No. of posts kept in abeyance
1	2	3	4	5

Board's Secretariat.

- (i) Non-Technical.
1. Chairman.
2. Secretary.

3. Chief Accounts Officer.
4. Office Supdt.
5. Accountants.
6. Upper Division Clerks.
7. Lower Division Clerks-cum-Typists.
8. Peon.
9. Watchman.
10. Scavenger.

ii) Technical.

1. Housing Engineer.
2. Executive Engr.
3. Dy. Asst. Engr.
4. Architect.
5. Supervisors/Section Officers
6. Surveyor.
7. Draughtsman.
8. Driver.
9. Mechanic.
10. Electrician.
11. Plumber.
12. Cleaner.
13. Watchman.

XV Statement showing special pay attached to various posts

Serial No. and category of post	Special pay
1. Cashier	Rs. 15 or Rs. 25 as the case may be.

XVI Statement showing conveyance allowance attached to the various posts

Serial No. and category of post	Conveyance Allowance
1. Housing Engineer.	
2. Executive Engineer.	
3. Deputy/Assistant Engineer.	
4. Architect.	
5. Supervisors/Section Officer.	
6. Surveyor.	
7. Electrician.	

FORM H

(See Rule 16)

Capital Account for the year 19 19

Debits	Expenditure upto 31st March, 19	Expenditure during the Year	Sales or write off during the Year	Total expen- diture upto end of 31st March, 19 ...
1	2	3	4	5

I. Expenditure on capital works.

A. Land Acquisition and development.

B. L.I.G.H. Scheme.

C. M.I.G.H. Scheme.

D. Slum Improvement Scheme.

E. Housing for Industrial workers.

II. Interest capitalized.

III. Establishment capitalized.

IV. Suspense.

V. Tools and Plant.

Total

Credits	Amount Received upto 31st March, 19 ...	Amount received during the year	Amount re-paid during the year	Total net receipt upto 31st March, 19 ...
1	2	3	4	5

1. Loans borrowed from Government.

2. Subsidy from Government.

3. Advance received from Government not bearing interest.

4. Capital Surplus.

a) Net profit on sale of properties/Govt. securities.

b) Lapsed deposits purchase items, profit on stock etc.

Total

Revenue Account for the year 19.... 19....

To Rs. Rs. Rs.

A. Properties.

i) Repairs and maintenance—

a) Current repairs.

- b) Special repairs.
 - ii) Municipal taxes, rent and taxes.
 - iii) Ground rent.
 - iv) Miscellaneous.
- B. Establishment and other charges.
Less Recoveries of expenditure.
Less Establishment charges capitalised.
- C. Provision for depreciation and other Reserve funds.
- i) Depreciation Reserve fund.
 - ii) Pension fund.
 - iii) Interest on Reserve funds.
- D. Redemption of loans.
- E. Special charges.
- i) Insurance.
 - ii) Bad debts written off.
 - iii) Leave salary and pension contribution.
- F. Interest paid on Government loans.
Add interest payable upto 31st March, 19 ...
- G. Revenue surplus.

Total

By	Rs.	Rs.	Rs.
----	-----	-----	-----

- A. Rent of properties and service charges.
Add Arrears of rent and service charges.
- B. Subsidy due from Government.
- C. Contage charges on deposit contribution works.
- D. Management charges.
- E. Miscellaneous receipts.
- i) Fines and forfeitures.
 - ii) Sale of produce.
 - iii) Other receipts.

Total		F.	
-------	--	----	--

Net Revenue Account for the year 19-19

- | | | | |
|----|-----|-----|-----|
| To | Rs. | Rs. | Rs. |
|----|-----|-----|-----|
- A. Balance brought forward from Revenue Account.
- B. Balance carried over to balance sheet.
- Total

By

- A. Balance brought forward from Revenue Account.
 B. Interest on money at deposit received during the year.
 Add accrued as on 31st March, 19 ...
 Less accrued as on 31st March, 19 ...
 Total

Depreciation Reserve Account for the year 19.... -19

To Rs.

- A. Expenditure debited to the Reserve
 (withdrawal in respect of buildings sold or demolished)
 B. Balance carried over to Balance Sheet.
 Total

By Rs.

- A. Balance brought forward from last year's account.
 B. Amount brought forward from Revenue Account.
 Total

Pension Fund Account for the year 19 - 19....

To Rs.

- A. Expenditure debited to the fund on account of pension and other retirement benefits.
 B. Balance carried over to Balance Sheet.
 Total

By Rs.

- A. Balance brought forward from last year's Account.
 B. Amount brought forward from Revenue Account.
 Total

Balance sheet as on 31st March, 19

Liabilities.

- A. Capital Account.
 Amount received as per Capital Account.
 B. Sundry creditors.
 a) Hire purchase scheme.
 i) balance as per last balance sheet.
 ii) amount received during the year.
 Less expenditure during the year.
 b) Other deposit contribution works.
 i) balance as per last balance sheet.
 ii) amount received during the year.
 Less expenditure during the year.
 c) Deposits from tenants.
 i) balance as per last balance sheet.
 ii) amount received during the year.
 Less amount repaid during the year.

- d) Deposits from contractors, etc.
 - i) balance as per last balance sheet.
 - ii) amount received during the year.
Less amount repaid during the year.
 - e) Management of
 - i) balance as per last balance sheet.
 - ii) amount received during the year.
Less expenditure during the year.
 - C. Depreciation Reserve Fund Account.
 - D. Pension fund Account.
 - E. Loan redemption account.
 - a) For S. I. H. S. loans as per last balance sheet.
Add for the year.
 - b) For L. I. G. H. S. loans as per last balance sheet.
Add for the year.
 - c) For M. I. G. H. S. loans as per last balance sheet.
Add for the year.
 - F. Ad-hoc provision on account of land Revenue payable for Govt. lands.
As per last balance sheet.
Add for the year.
 - G. Provision for unliquidated liabilities.
 - i) Electricity
 - ii) Water charges.
 - H. Revenue surplus as per last balance sheet.
Add as per net Revenue Account.
- Total
Assets
- A. Capital Account.
Amount expended as per Capital Account.
 - B. Sundry debtors.
Govt. of Goa, Daman & Diu on account of
 - a) Subsidy
as per last balance sheet.
Add due for the year as per Revenue Account.
Less amount received during the year.
 - b) Sale price of developed plots.
 - c) Sale price of tenements.
 - C. Tenants on account of
 - i) Rents.
 - ii) Electricity/water.
 - iii) Cost of suits.
 - iv) Other items.
Less provision for bad debts as per last balance sheet.
Add amount written off now realised during the year.
Less bad debts written off now realised during the year.

D. Officers of the Board on account of

- i) permanent advance.
- ii) advance to staff.

E. Banks for interest accrued as per net Revenue Account.

F. Loans to participants of

- i). L. I. G. H. S.
- ii) M.I.G.H.S.
- iii) Co-operative Societies.

G. Investments in Govt. loans.

I. Cash with Bank on deposits.

J. Cash with Bank in current account.

K. Cash in Hand.

Total.

GOA HOUSING BOARD

(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 as amended by Regulations, 1994, and as amended by Regulation, 2001.

(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 person 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 any where 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 alongwith 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 | 1/2 % 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

Goa Housing Board**(Regulations governing Registration, Allotment and Sale of Tenements constructed under any 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 and in supersession of all other regulations, in this regard thereby 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 Tenements) Regulations, 1982 and as amended by Regulations, 1993, and as amended by Regulation, 2001.

(2) They shall apply to the registration of intending purchasers of houses, flats and bungalows constructed by Goa Housing Board under Low Income Group, Middle Income Group and Higher Income Group Schemes, Scheme for Economically Weaker Section of the Society or under any other Scheme approved by the Government for the purpose of these regulations in the State of Goa.

(3) They shall come into force at once.

2. Definitions.— In these regulations, unless the context otherwise requires:-

(i) “Act” means the Goa Housing Board Act, 1968 (Act 12 of 1968);

(ii) ‘Allotment Committee’ means a Committee constituted under regulation 7 for the purpose of allotment of a tenement under sub-section (i) of Section 19 of the Act;

(iii) “Allottee” means a person to whom allotment of a tenement is made;

(iv) “Applicant” means a person who has applied to the Board for allotment of a tenement under any of the Scheme specified in these regulations;

(v) "Blind and Physically Handicapped" means those who are blind or those whose permanent physical disability/impairment of either upper or lower limbs is 50 % and above as certified by the competent authority of Goa Medical College;

(vi) "Board" means the Goa Housing Board;

(vii) "Economically Weaker Section of the Society" means such class of people whose monthly income does not exceed the limit fixed by the Board for each scheme or such norms as may be followed by HUDCO, from time to time;

(viii) "Ex-servicemen" 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;

(ix) "Family" in relation of applicant means the applicant and if married, wife or husband as the case may be dependent brothers, unmarried sisters actually dependent upon the applicant and widowed sister if dependent on applicant;

(x) "Form" means a form appended to the regulations;

(xi) "Freedom Fighter" means a person who has been recognised as such by the Government;

(xii) "Government" means the Government of Goa;

(xiii) "Higher Income Group" means such class of person whose monthly income exceeds Rs. 5,000/- and above or such amount or such norms as may be followed by HUDCO from time to time.

(xiv) "Income" in relation to allottee or applicant means the total annual income regularly derived by him/her from occupation, trade, business, employment or any calling or source constituting normal means of livelihood during the preceding financial/calendar year.

(xv) "Low Income Group" means such class of people whose monthly income does not exceed the limit fixed by the Board for the respective scheme or such norms as may be followed by HUDCO from time to time;

(xvi) "Middle Income Group" means such class of people whose monthly income does not exceed the limit fixed by the Board for the respective scheme or such norms as may be followed by HUDCO from time to time;

(xvii) "Other Backward Classes" are those communities which have been notified as such by the Government from time to time;

(xviii) "Para-Military Forces" includes personnel of Border Security Forces, Indo-Tibetan Police Force, 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 and their families on production of a certificate from Defence or similar Authorities, as the case may be;

(xix) "Scheduled Castes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968.

(xx) "Scheduled Tribes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;

(xxi) "Tenement" means a house, flat or bungalow built by the Board or by Agencies entrusted by the Board.

3. Conditions of eligibility:— (1) The applicant must be a domicile of the State of Goa, with a residency period of not less than ten years or a person whose parents or grand-parents are of the origin of the Goa State. Further, the applicant should 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 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, and for the schemes to which he or she is entitled as per his or her declared income group.

(3) The applicant shall have attained the age of majority at the time of application.

(4) No applicant shall be eligible for allotment of a tenement on the second occasion by the Board.

4. Reservation of Tenements.— (1) The reservation of tenements for the 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 tenements for each of the above reserved categories shall be one, irrespective of the number of tenements in the scheme.

(2) The Housing Board may place 10% of the tenements at the disposal of the Government, on payment, for allotment to dispose off 10% of the tenements reserved thereto within a period of six months then the Goa Housing Board may sell the unsold tenements subject to the provision of regulation 3.

(3) The eligibility criteria for the disposal of the remaining tenements shall be the income of the applicants who shall be categorised as follows:—

- (i) economically weaker sections,
- (ii) low income groups,

- (iii) middle income groups,
- (iv) higher income groups.

(4) The percentage of allotment amongst the aforesaid categories may be decided by the Board.

(a) Where there are no applicants from any particular reserved category, the quota earmarked for such category shall be added to the general category;

(b) The following income certificates may be considered admissible:-

- | | |
|--|--|
| (i) Higher income group and middle income group | Income certificates from employer/copy of income-tax return/ /tax assessment order. |
| (ii) Low income group/ /economically weaker sections | Income certificates from the employer or from any Revenue Authority prescribed to issue such certificate under the Rules in force. |

5. Notice of Registration:— (i) The Board shall issue an advertisement in the form of a notice in the local newspapers with circulation inviting applications for registration of tenements by such date which shall not be less than 15 days from the date of issue of the advertisement.

(ii) The notice shall include the reserved percentage for scheduled caste/scheduled tribe, other backward classes, Freedom Fighters, ex-servicemen and blind and physically handicapped and shall also specify the location, size, cost, eligibility, etc. of tenements available for allotment both for general and reserved categories as specified in regulation 4 and of the amount of initial deposit, subsequent amount payable etc. and the particulars of the Co-operative Banks/Commercial Banks where application form, pamphlets and other relevant information may be obtained and where such application form with chalangans are to be handed over. All applications alongwith one copy of the chalan in token of the necessary deposit made in bank and so received by registered post acknowledgement due shall be entertained by the Board. After receipt of such application each applicant shall receive a post card indicating a serial number allocated to his/her application. All applications from persons belonging to the reserved categories shall be superscribed as "Reserved" indicating the category on the cover and on the top of applications.

6. Applications for Registration.— (1) The application for registration of a tenement in pursuance of a 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 payable shall be Rs. 8,000/- for Low Income Group, Rs. 10,000/- for Middle Income Group, Rs. 15,000/- for Higher Income Group and Rs. 800/- for Economically Weaker Sections of Community provided that in case of schemes financed

with the assistance of HUDCO, the said deposit will be Rs. 500/- if the applicant belongs to the Middle Income Group, Rs. 250/- for Low Income Group, and Rs. 100/- for Economically Weaker Sections of community or as may be specified by HUDCO from time to time.

Explanation.— “HUDCO” means the Housing and Urban Development Corporation of India Ltd.

7. Allotment Committee:— The Allotment Committee shall consist of the following:—

- | | |
|---|----------|
| 1) Housing Board Chairman or in his absence any one member of the Board present | Chairman |
| 2) The Collector of the concerned District of his subordinate Officer who is not lower in rank than Deputy Collector | Member |
| 3) Secretary of the Housing Board or in his absence the Housing Engineer of the Board. The Allotment Committee may co-opt any one member from the Board | Member |

8. Drawal of lots of the purpose of Allotment:— (1) Every application on receipt shall be given a serial number and shall be entered in the register alongwith the name of the applicant, address, income and occupational status. This serial number shall be communicated by post card to the applicant by the Board within 7 days of receipt of the applications.

(2) Within 10 days after the expiry of the last date for the receipt of the application, a draw shall be held, wherein the serial numbers given to the applications shall be fed in a draw/lottery machine.

(3) The 1st draw of serial numbers shall be equal to the number of tenements to the allotted minus the percentage/numbers which is covered by reservation for Scheduled Castes/Scheduled Tribes, 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 category-wise. Separate lots shall be drawn category-wise if sufficient 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 would scrutinize the applications from the first list and for every application that is rejected, take up the top-most serial

number/application from the second list as a substitute and scrutinize the same till the first list and corresponding total number of tenements is exhausted. That is to say, if 10 applications in the first list were rejected, these 10 shall be substituted by the first 10 or more serial numbers/applications in the second list after the 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 applicant from the main list, withdrawing from the scheme.

(7) The scrutiny shall as far as possible be held immediately after lots are drawn on the basis of 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. 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 he shall not be eligible for the second drawal of lots as laid down under regulation 8(8).

(8) On the working day following the day of announcement of eligible serial numbers, these eligible serial numbers inclusive of those of the 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 a 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 tenement No. 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 tenements and that these serial numbers shall be merged with the rest. This final allotment indicating serial number of application and tenement number so allotted is to be published on notice board and by announcement in the press. Within 30 days of publication of this final result, it will be separately announced that present scheme is closed and all applicants who did not get a tenement may withdraw their deposit and that no waiting list, etc. shall be maintained to accommodate them in future.

9. Allotment of tenements:— (1) After publication of allotment indicating serial number of the application and tenement number allotted to the applicant, an offer of allotment shall be issued to him or 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 tenement in Form "III".

(3) The order of allotment of tenement shall be issued in Form "IV" as and when the tenement is ready for allotment.

(4) Failure to convey the acceptance within the period stipulated in clause (2) above, the allotment made 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 tenements shall be final and binding on the allottees.

(6) 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, etc. of tenement:— (1) The cost of the tenement allotted shall be provisional in the first instance and shall be subject to variation after settlement of the account of the work.

(2) The allottee shall make payment within a period of 25 days of 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.

(3) The mode of payment of tenement allotted shall be either on outright purchase basis or on hire purchase basis, as the case may be, depending upon the option exercised in the application form - Provided that it shall be open for the allottee who opted for hire purchase to pay the cost earlier than due otherwise, but would not be allowed to change the option from outright to hire purchase under any circumstances.

(3) (a) The Board shall determine the number of tenements which may be allotted on outright purchase basis or on hire purchase basis, and shall also determine the method of incentives for purchase on outright basis which may include preferential cost calculation and also the house numbers in every scheme that may be set apart.

(4) Allotment of tenement on hire purchase basis shall be subject to execution of an agreement agreeing to buy the tenement on hire purchase basis, within a period of 8 days from the date of payment of 30% of the provisional cost after receipt of the order of allotment under the foregoing regulations.

(5) The tenement offered on hire purchase basis shall be subject to execution of hire purchase agreement on finalisation of the cost of the tenement. It shall also subject to payment of difference if any in the 30% of the cost and payment of compound interest at such rate as may be fixed by the Board from time to time. The amount of equated monthly instalments will be worked out on the basis of the rate of interest so fixed.

(6) The allottee under hire purchase category shall punctually pay to the Board the whole of the equated monthly instalments on or before 10th of every month. Failure to pay by the due date, a penal interest at 10% shall be charged on the unpaid amount till it is paid. The minimum amount of penal interest collected shall not be less than a month's interest notwithstanding the period of default being less than a month.

(7) The hire purchaser shall not be entitled to subject either the whole or any part of the tenement whatsoever.

11. Penalty for misrepresentation/suppression of facts or for breach of 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 fact or has committed breach or contravened any of the conditions of these Regulations, the application shall be rejected and the allotment of tenement if already made shall be liable for cancellation and the amount deposited or paid by the applicant towards registration,

allotment or purchase of tenement shall be liable for forfeiture to the Board without prejudice to the right of the Board to take any other action under the law in force.

12. Other conditions:— (a) The powers to relax 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) Board may devise a special scheme for allotment of tenements 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 a persons as may be decided from time to time, after obtaining prior concurrence of the Government.

13. Savings:— The supersession of any earlier regulation shall not affect:—

(1) The operation of any of the schemes actually taken up under the earlier regulations or anything duly done or suffered thereunder; or

(2) Any right, privilege, obligation or liabilities actually acquired, accrued or incurred under any earlier regulations; or

(3) Any penalty, forfeiture or punishment actually declared in respect of any offence committed against any regulations; or

(4) Any investigation, prosecution, legal proceedings or remedy in respect of any such rights, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid.

And any such investigation, prosecution, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as of this regulation had not been made:

Provided that anything done or any action taken including assessments or transfer made, orders, notices, warrants of proclamation issued or other records framed or confirmed, right acquired, liabilities incurred shall in so far as it is not inconsistent with 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 Tenement

[See Regulation 9(1)]

1. Applicant's full name (IN BLOCK LETTERS)
2. Address: (a) Permanent.
(b) Present.
3. Occupation: (a) Name of Establishment/Office
(b) Nature of job on which employed, if any

4. (a) Present pay including allowances:
(b) Total annual income of the applicant for the last financial/calendar year (certificate to be enclosed).
5. Income Group to which the applicant belongs: (whether LIG, MIG, HIG, or EWS):
6. Category for which applied (whether Reserved or General, if reserved certificate in proof to be enclosed):
7. Amount of deposit made by Challan No.:
8. Mode of payment of tenement is allotted (whether outright or hire purchase, shall be as fixed by the Board.
9. Locality to which application relates:
10. Period of residence in the State of Goa (Certificate to be attached):

I solemnly, affirm and state that:

- (a) I have satisfied myself that I fulfil the conditions laid down in regulation 3 of the Goa Housing Board (Registration, Allotment and Sale of Tenements, Regulations, 1982, and as amended by Regulation, 1993.
- (b) The statements made are true to the best of my knowledge and belief

Date:

(Applicant's signature)

FORM II

Offer of Allotment

[See Regulation 9(1)]

In pursuance of Regulation 9(1) of the Goa Housing Board (Regulation, Allotment and Sales of Tenements) Regulations, 1982, Shri/Smt./Kum. resident of is hereby offered Tenement No. in Scheme at on basis under General/Reserved Category of..... at the provisional cost of Rs. (Rupees only) as per calculation sheet attached.

The offer shall be subject to the following conditions:—

- (1) The provisional cost of the tenement will be subject to revision after settlement of account of the work.
- (2) A sum of Rs. is deposited with the Board within period of 25 days of receipt of the order of allotment of the tenements as per calculation sheet.
- (3) In case the tenement is allotted on hire purchase basis, 30%, of the cost after deducting the initial deposit made plus the interest accrued thereon together with first instalment of Rs. shall be payable as per details furnished in the calculation sheet.

In terms of Regulation 9(1) of the aforesaid Regulation Shri/Smt./Kum. should convey his or her acceptance within a period of 8 days of receipt hereof failing which the offer shall stand cancelled and 5% of the money deposited shall be forfeited to the Board and the balance refunded without any interest as provided in Clause (4) of Regulation 9 of the Regulations, 1982.

Yours faithfully,
Secretary/Managing Director

FORM III

Intimation of acceptance of offer of allotment

[As prescribed in Regulation 9(2)]

To,
The
Goa Housing Board,
.....

Sir/Madam,

With reference to your offer of allotment made under No. date
I hereby convey my acceptance of the tenement unequivocally and without any reservation or any complaint on my part in respect of the said tenement.

I hereby agree to abide by the Goa Housing Board (Registration, Allotment and the Sale of Tenements) Regulations, 1982, and the terms and conditions stipulated thereunder.

Yours faithfully,

FORM IV

Order of Allotment

[See Regulation 9(3)]

In exercise of the powers conferred by Regulation 9(3) of the Goa Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1982, Shri/Smt./Kum. hereby allotted Tenement No. in Scheme at on basis under General/Reserved Category of

Shri/Smt./Kum. should remit the cost of the tenement within 25 days of 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 tenement 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. 2/-).

I, Shri/Smt./Kum. son/daughter ofdo hereby solemnly affirm and state as under:-

(a) That I have applied for allotment of a tenement in Scheme of the Goa Housing Board at on basis under General/Reserved Category of

(b) That neither myself nor any other member of my family owns a residential house or plot 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 knowledge and belief, I know that to make a false affidavit is an offence.

Deponent

