



GOVERNMENT OF GOA

**The Goa Industrial Development Act, 1965.**

(Act No. 22 of 1965)

**The Goa Industrial Development Corporation  
Allotment Regulations, 2014**

**and**

**The Goa Industrial Development Corporation  
Transfer & Sub-Lease Regulations, 2014**



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## The Goa Industrial Development Act, 1965

1. **The Goa Industrial Development Act, 1965** (Act No. 22 of 1965), published in the Govt. Gazette Series I No. 35 dated 25-11-65 & came in to force at once.
2. **The Goa Industrial Development (Amendment) Act, 1988** (Act No. 10 of 1991), Published in the Official Gazette Series I No. 27 dated 16-4-1991 & came in to force at once, except in the amendment in section 19 which deemed to be amended from appointed date .
3. **The Goa Industrial Development (Amendment) Act, 1991** (Act No. 7 of 1992), published in the Official Gazette Series I No. 3 dated 16-4-92 & came in to force w.e.f.21-11-1991.
4. **The Goa Industrial Development (Amendment) Act, 1997** (Act No. 16 of 1997), Published in the Official the Gazette Series I No. 7 dated 6-5-1997.
5. **The Goa Industrial Development (Amendment) Act, 2006** (Act No. 10 of 2006), published in the Official Gazette Series I (Extraordinary No. 2) No. 4 dated 28-4-2006 & came in to force at once.
6. **The Goa Industrial Development (Amendment) Act, 2009** (Act No. 2 of 2009), published in the Official Gazette Series I No. 49 dated 05-3-2009 & come in to force at once.
7. **The GID (Amendment) Act, 2013 (Act 22 of 2013)**, published in the Official Gazette Series I No. 32 dated 08-11-2013 & come into force at once.

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THE GOVERNMENT OF GOA  
**Legislative Assembly of Goa, Daman and Diu**  
**Legislature Department**  
LA/3468/65

The following Act passed by the Legislative Assembly of Goa, Daman and Diu received the assent of the President of India on the 11th November, 1965 and is hereby published for general information.

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**Goa <sup>1</sup>Industrial Development Act, 1965**

(No. 22 of 1965) [11th November, 1965]

An Act to make special provision for securing the orderly establishment in industrial areas and industrial estates of industries in the <sup>2</sup>(State of Goa) and to assist generally in the organisation therefore, and for that purpose to establish an Industrial Development Corporation, and for purposes connected with the matters aforesaid.

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

CHAPTER I  
**Preliminary**

**1. Short title, extent and commencement.**— (1) This Act may be called the Goa <sup>3</sup>Industrial Development Corporation Act, 1965.

(2) It extends to the whole <sup>4</sup>(State of Goa).

(3) It shall come into force at once, except clause 8 which shall be deemed to have come into force from the appointed date.

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

(a) “amenity” includes road, supply of water or electricity, street lighting, drainage, sewerage, conservancy and such other convenience as the State Government may, by Notification in the Official Gazette, specify to be an amenity for the purposes of this Act;

(b) “building” means any structure or erection, or a part of a structure or erection, which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not;

(c) “Collector” means the Collector of a District, and includes any Officer specially appointed by the State Government to perform the functions of a Collector under this Act;

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<sup>1</sup> The words “Daman & Diu” omitted by the Goa Industrial Development (Amendment) Act 16 of 1997.

<sup>2</sup> Substituted in place of words “the Union Territory of Goa, Daman & Diu” by (Amendment) Act 16 of 1997.

<sup>3</sup> The words “Daman & Diu” omitted by the Goa Industrial Development (Amendment) Act 16 of 1997.

<sup>4</sup> Substituted in place of words “the Union territory of Goa, Daman & Diu” by (Amendment) Act 16 of 1997.

d) “Corporation” means the Goa Industrial Development Corporation established under section 3;

<sup>5</sup>[(e) “Development” with its grammatical variations and cognate expressions, means the carrying out of building, engineering, quarrying or other operations, in, on, over or under land, or the making of any material change of any building or land, and includes re-development and “to develop” shall be construed accordingly;]

(f) “Engineering operation” include the formation or laying out of means of access to a road or the laying out of means of water supply;

(g) “Industrial area” means any area declared to be an industrial area by the State Government by notification in the Official Gazette, which is to be developed and where industries are to be accommodated;

(h) “Industrial Estate” means any site selected by the State Government where the Corporation builds factories and other buildings and makes them available for any industries or class of industries;

(i) “Means of access” includes a road, wharf or any means of access, whether private or public, for vehicles or boats or for foot passengers;

(j) “Premises” means any land or building or part of a building and includes—

(i) The garden, grounds 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;

(k) “Prescribed” means prescribed by rules made under this Act;

(1) The expression “Land” and the expression “Person interested” shall have the meanings respectively assigned to them in section 3 of the Land Acquisition Act, 1894, (1 of 1894);

(m) “State Government” means the <sup>6</sup>(Government of Goa).

## CHAPTER II

### Establishment and Constitution of the Corporation

**3. Establishment and incorporation.**— (1) For the purpose of securing and assisting in the rapid and orderly establishment and organisation of industries in industrial areas and industrial estates in Goa<sup>7</sup> there shall be established by the State Government by notification in the Official Gazette a Corporation by the name of the Goa Industrial Development Corporation.

(2) The said Corporation shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name, and shall 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.

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<sup>5</sup> Substituted by (Amendment) Act 2 of 2009.

<sup>6</sup> Inserted by (Amendment) Act 10 of 1991.

<sup>7</sup> The words “Daman and Diu” omitted by Goa Industrial Development (Amendment) Act, 16 of 1997.

<sup>8</sup>**[4. Constitution.—** (1) The Corporation shall consist of the following <sup>9</sup>[twelve] Directors that is to say:—

- (a) Secretary (Industries);
- (b) Secretary (Finance) who shall be the Financial Advisor to the Corporation;
- (c) Chief Electrical Engineer;
- (d) Director of Industries;
- (e) President, Goa Chamber of Commerce and Industry;
- (f) President, Small Scale Industries Association;
- (g) An Architect or Environment Expert, to be nominated by the Government;
- (h) A person having shown capacity in industry or commerce, to be nominated by the Government;
- <sup>10</sup>(hh) Three persons having expertise in the fields of food processing/agriculture, bio-technology and pharma, to be nominated by the Government;
- (i) The Managing Director of the Corporation, who shall be the Chief Executive of the Corporation, shall also be the Ex Officio Secretary to the Corporation;

(2) The State Government shall appoint one of the Directors of the Corporation to be the Chairman of the Corporation.]

**5. Disqualification for <sup>11</sup>[Director].—** A person shall be disqualified for being nominated as a <sup>12</sup>[Director] of the Corporation, if he—

- (a) Is an employee of the Corporation, not being the <sup>13</sup>[Managing Director], or
- (b) Is of unsound mind, and stands so declared, by a competent court, or
- (c) Is an undischarged insolvent, or
- (d) Is convicted of an offence involving moral turpitude within a period of five years immediately before his being nominated as <sup>14</sup>[Director].

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<sup>8</sup> Substituted by (Amendment) Act 10 of 1991

<sup>9</sup> In place of words “Nine” substituted by (Amendment) Act 10 of 2006.

<sup>10</sup> Inserted by (Amendment) Act 10 of 2006

<sup>11,12,13 & 14</sup> Substituted by (Amendment) Act 10 of 1991.

<sup>15</sup>**[6. Terms of office and conditions of service of Directors.—** (1) The Chairman and directors of the Corporation nominated under clauses <sup>16</sup>[(g), (h), and (hh)] of sub-section (1) of section 4], shall hold office for a period of 3 years from the date of their nomination unless their term of office is terminated earlier by the State Government.

(2) The director of the Corporation nominated under clauses (e), (f), <sup>17</sup>[(g), (h) and (hh)] of sub-section (1) of section 4 shall be entitled to draw such honorarium or compensatory allowance for the purpose of meeting the personal expenditure in attending the meeting of the Corporation or of any Committee thereof or when appointed in connection with the work undertaken by or for the Corporation as may be prescribed.

(3) It is hereby declared that the office of Director or Chairman of the Corporation, in so far as it is an office of profit under the Government of India, or the Government of any State, or the Government of any Union Territory shall not disqualify the holder for being chosen as, and for being member of the Legislative Assembly of Goa].

**7. Meetings of Corporation.—** (1) The Corporation shall meet at such times and places, and shall subject to the provisions of sub-section (2) observe such rules of procedure in regard to the transaction of its business as may be provided by regulation made under this Act.

(2) A <sup>18</sup>[director], who is directly or indirectly concerned or interested in any contract, loan, arrangement or proposal entered into or proposed to be entered into by or on behalf of the Corporation shall at the earliest, possible opportunity disclose the nature of his interest to the Corporation when any such contract, loan, arrangement or proposal is discussed.

**8. Cessation of <sup>19</sup>[Director].—** (1) If a <sup>20</sup>[director]—

- (a) becomes, subject to any of the disqualifications mentioned in section 5, or
- (b) tender his resignation in writing to, and such resignation is accepted by, the State Government, or

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<sup>15</sup> Substituted by (Amendment) Act 10 of 1991.

<sup>16</sup> Substituted by (Amendment) Act 10 of 2006.

<sup>17</sup> Substituted by (Amendment) Act 10 of 2006.

<sup>18</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>19</sup> Substituted by (Amendment) Act 10 of 1991.

<sup>20</sup> Substituted by (Amendment) Act 10 of 1991.

<sup>21</sup> Substituted by (Amendment) Act 10 of 1991.

<sup>22</sup> Substituted by (Amendment) Act 10 of 1991.



(c) is absent without the Corporation's permission from three consecutive meetings of the Corporation, or from all meetings of the Corporation for three consecutive months, or

(d) is convicted of an offence involving moral turpitude,— he shall cease to be a <sup>21</sup>[director] of the Corporation.

(2) The State Government may by order suspend from office for such period as it thinks fit, or remove from office any <sup>22</sup>[director] of the Corporation, who in its opinion—

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(a) has refused to act, or

(b) has become incapable of acting, or

(c) has so abused his position as <sup>23</sup>[director] as to render his continuance on the Corporation detrimental to the interest thereof or of the general public, or is otherwise unfit to continue as a <sup>24</sup>[director]: —

(d) is otherwise unfit to continue as a member:

Provided that, a <sup>25</sup>[director] shall not be suspended or removed from unless he has been given reasonable opportunity to show cause against the order.

**9. Vacancies how to be filled.**— Any vacancy of a <sup>26</sup>[director] of the Corporation shall be filled as early as practicable, in like-manner as if the appointment was being made originally:

Provided that, during any such vacancy the continuing <sup>27</sup>[director] may act as if no vacancy had occurred.

**10. Temporary absence of <sup>28</sup>[directors].**— (1) If the Chairman or any other <sup>29</sup>[director] of the Corporation is by reason of illness or otherwise rendered temporarily incapable of carrying out his duties, or is granted leave of absence by the State Government, or is otherwise unable to attend his duties in circumstance not involving the cessation of his <sup>30</sup>[directorship], the State Government may appoint another person to act for him and carry out his duties and functions by or under this Act. Such person shall vacate office on the date when the <sup>31</sup>[director] for whom he is acting resumes his duties.

<sup>32</sup>[(2) In the absence of Chairman, the directors present shall choose the Presiding Officer to preside over the meeting].

**11. Proceeding presumed to be good and valid.**— No disqualification of, or defect in the appointment of any person acting as the Chairman or a <sup>33</sup>[Director] of the

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<sup>23</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>24</sup>Inserted by (Amendment) Act 10 of 1991.

<sup>25</sup>Inserted by (amendment) Act 10 of 1991.

<sup>26</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>27</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>28</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>29</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>30</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>31</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>32</sup>Inserted by (Amendment) Act 10 of 1991.

Corporation, shall vitiate any Act or proceeding of the Corporation if such Act or proceeding is otherwise in accordance with the provisions of this Act.

**12. Officers and servants of the Corporation.—** (1) The State Government shall appoint a <sup>34</sup>[Managing Director] and a Chief Accounts Officer of the Corporation.

(2) The Corporation may appoint, such other officers and servants, subordinate to the officers mentioned in sub-section (1), as it considers necessary for the efficient performance of its duties and functions.

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(3) The conditions of appointment and service of the officers and servants of the Corporation and their scales of pay shall—

(a) as regards the <sup>35</sup>[Managing Director] and the Chief Accounts Officer, be such as may be prescribed, and

(b) as regards the other officers and servants, be such as may be determined by regulations made under this Act.

### CHAPTER III

#### Functions and Powers of the Corporation

**13. Functions.—** The functions of the Corporation shall be —

(i) Generally to promote and assist in the rapid and orderly establishment, growth and development of industries in the <sup>36</sup>[State of Goa].

(ii) In particular, and without prejudice to the generality of clause (i) to—

(a) establish and manage industrial estates at places selected by the State Government;

(b) develop industrial areas selected by the State Government for the purpose and make them available for undertakings to establish themselves;

(c) <sup>37</sup>[undertake mining and infrastructure for mining development and such other related activities within India subject to provision of law;]

<sup>38</sup>[(d) Undertake schemes or works either jointly or on agency basis with other corporate bodies or institutions, or with Government in furtherance of the purposes for which the Corporation is established and all matter connected therewith].

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<sup>33</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>34</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>35</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>36</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>37</sup>Inserted by (Amendment) Act 2 of 2009.

<sup>38</sup>Substituted by (Amendment) Act 10 of 1991.

**14. General powers of the Corporation.—** Subject to the provisions of this Act, the Corporation shall have power—

(a) to acquire and hold such property, both movable and immovable as the Corporation may deem necessary for the performance of any of its activities, and to lease, sell, exchange or otherwise transfer any property held by it on such conditions as may be deemed proper by the Corporation;

(b) to purchase by agreement or to take on lease or under any form of tenancy any land, to erect such buildings and to execute such other works as may be necessary for the purpose of carrying out its duties and functions;

(c) to provide or cause to be provided amenities and common facilities in industrial estates and industrial areas and construct and maintain or cause to be maintained works and buildings therefor;

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(d) to make available buildings on hire or sale to industrialists or persons intending to start industrial undertakings;

(e) to construct buildings for the housing of the employees;

(f) (i) to allot factory sheds or such buildings or parts of buildings, including residential tenements to suitable persons in the industrial estates established or developed by the Corporation;

(ii) to modify or rescind such allotments, including the right and power to evict the allottees concerned on breach of any of the terms or conditions of their allotment;

(g) to constitute advisory committee to advise the Corporation;

(h) to engage suitable consultants or persons having special knowledge or skill to assist the Corporation in the performance of its functions;

(i) subject to the previous permission of the State Government, to delegate any of its powers generally or specially to any its committees or officers, and to permit them to re-delegate specific powers to their subordinates;

(j) to enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of its functions; and

(k) to do such other things and perform such acts as it may think necessary or expedient for the proper conduct of its functions and the carrying into effect the purposes of this Act.

**15. Authentication of orders and documents of Corporation.—** All permissions, orders, decisions, notices and other documents of the Corporation shall be authenticated by the signature of the Managing Director of the Corporation or any other Officer authorised by the Corporation in this behalf.

**16. Directions by the State Government.—** The State Government may issue to the Corporation such general or special directions as to policy as it may think necessary or expedient for the purpose of carrying out the purposes of this Act, and the Corporation shall be bound to follow and act upon such directions.

## Finance, Accounts and Audit

**17. Application of Corporation's assets.**— All property, funds and other assets vesting in the Corporation shall be held and applied by it, subject to the provisions and for the purposes of this Act.

**18. Corporation's fund.**— (1) The Corporation shall have and maintain its own fund, to which shall be credited—

(a) all monies received by the Corporation by way of grants, subventions, loans, advances or otherwise;

(b) all fees, costs and charges received by the Corporation under this Act;

(c) all monies received by the Corporation from the disposal of lands, buildings and other properties movable and immovable, and other transactions;

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(d) all monies received by the Corporation by way of rents and profits, or in any other manner or from any other source including the proceeds of any loan authorised by Section 20.

(2) The Corporation may keep in current or in deposit account with the State Bank of India or any other Bank approved by the State Government in this behalf such sum of money out of its fund as may be prescribed and any money in excess of the said sum shall be invested in such manner as may be approved by the State Government.

(3) Such accounts shall be operated upon by such officers of the Corporation as may be authorised by it by regulations made in this behalf.

**19. Grants, subventions, <sup>39</sup>[loans, advances and capital contribution] to the Corporation.**— The State Government may, after due appropriation made by the State Legislature by any law in this behalf, make such grants, subventions, loans and advances <sup>40</sup>[and capital contribution] to the Corporation as it may deem necessary for the performances of the functions of the Corporation under this Act; and all grants, subventions, loans and advances <sup>41</sup>[and capital contribution] made shall be on such terms and conditions as the State Government may after consulting the Corporation determine.

**20. Power of the Corporation to borrow.**— The Corporation may, subject to such conditions as may be prescribed in this behalf, borrow money in the open market or otherwise with a view to providing itself with adequate resources.

**21. Deposits.**— The Corporation may accept deposits on such conditions as it deems fit from persons, authorities or institutions to whom allotment or sale of land, buildings or sheds is made or is likely to be made in furtherance of the objects of this Act.

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<sup>39</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>40</sup>Substituted by (Amendment) Act 10 of 1991.

<sup>41</sup>Substituted by (Amendment) Act 10 of 1991.

**22. Reserve and other funds.—** (1) The Corporation shall make provision for such reserve and other specially denominated funds as the State Government may, from time to time, direct.

(2) The management of the funds referred to in sub-section (1), the sums to be transferred from time to time to the credit thereof and the application of money comprised therein, shall be determined by the Corporation.

(3) None of the funds referred to in sub-section (1) shall be utilised for any purpose other than that for which it was constituted, without the previous approval of the State Government.

**23. Expenditure from funds.—** (1) The Corporation shall have the authority to spend such sums as it thinks fit for the purposes authorised under this Act from out of the general fund of the Corporation referred to in section 18 or from the reserve and other funds referred to in section 22 as the case may be.

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(2) Without prejudice to the generality of the power conferred by sub-section (1), the Corporation may contribute such sums as it thinks fit towards expenditure incurred or to be incurred by any local authority or statutory public undertaking in the performance, in relation to any of the statutory functions of such authority or undertaking, including expenditure incurred in the acquisition of land.

**24. Budget and programme of work.—** (1) The Corporation shall, by such date in each year as may be prescribed, prepare and submit to the State Government for approval an annual financial statement and the programme of work for the succeeding financial year.

(2) The annual financial statement shall show the estimated receipts and expenditure during the succeeding financial year in such form and detail as may be prescribed.

(3) The Corporation shall be competent to make variations in the programme of work in the course of the year provided that all such variations and reappropriations out of the sanctioned budget are brought to the notice of the State Government by a supplementary financial statement.

(4) A copy each of the annual financial statement and the programme of work and the supplementary financial statement, if any, shall be placed before the Legislative Assembly as soon as may be after their receipt by the State Government.

**25. Accounts and audit.—** (1) The Corporation shall maintain books of account and other books in relation to its business and transaction in such form, and in such manner, as may be prescribed.

(2) The accounts of the Corporation shall be audited by an auditor appointed by the State Government, in the prescribed manner.

(3) As soon as the accounts of the Corporation are audited the Corporation shall send a copy thereof with a copy of the report of the auditor thereon to the State Government.

(4) The State Government shall cause the accounts of the Corporation together with the audit report thereon forwarded to it under sub-section (3) to be laid annually before the Legislative Assembly.

**26. Concurrent and special audit of accounts.**— Notwithstanding anything contained in section 25 the State Government may order that there shall be concurrent audit of the accounts of the Corporation by such persons as it thinks fit. The State Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Corporation relating to any particular transaction or class or series of transaction or to a particular period.

(2) When an order is made under sub-section (1), the Corporation shall present or cause to be presented for audit such accounts and shall furnish the person appointed under sub-section (1) such information as the said person may require for the purpose of audit.

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## CHAPTER V

**7. Acquisition of land for the Corporation to be a public purpose.**— Any land required by the Corporation for carrying out any of its functions shall be deemed to be needed for a public purpose and may be acquired under the provisions of the Land Acquisition Act, 1894 or any other law for the time being in force.

**28. Disposal of land by the Corporation.**— (1) Subject to any directions given by the State Government under this Act, the Corporation may dispose of—

(a) any land acquired by the State Government and transferred to it, without undertaking or carrying out any development thereon; or

(b) any such land after undertaking or carrying out such development as it thinks fit, to such persons in such manner and subject to such terms and conditions, as it considers expedient for securing the purposes of this Act.

(2) the powers of the Corporation with respect to the disposal of land under sub-section (1) shall be so exercised as to secure so far as practicable, that—

(a) where the Corporation proposes to dispose of by sale any such land without any development having been undertaken or carried out thereon, the Corporation shall offer the land in the first instance to the person from whom it was acquired, if they desire to purchase it, subject to such requirements as to its development and use as the Corporation may think fit to impose;

(b) persons who are residing or carrying on business or other activities on any such land shall, if they desire to obtain accommodation on land belonging to the Corporation and are willing to comply with any requirements of the Corporation as to its development and use, have an opportunity to obtain thereon accommodation suitable to their reasonable requirements on terms settled with due regard to the price at which any such land has been acquired from them.

(3) Nothing in this Act shall be construed as enabling the Corporation without the approval of the State Government to dispose of land by way of gift, mortgage or charge,

but subject as aforesaid any reference in this Act to the disposal of land shall be construed as a reference to the disposal thereof in any manner, whether by way of sale, exchange or lease or by the creation of any easement, right or privilege or otherwise.

**29. Government lands.—** (1) For the furtherance of the objects of this Act, the State Government may, upon such conditions as may be agreed upon between that Government and the Corporation, place at the disposal of the Corporation any lands vested in the Government.

(2) After any such land has been developed by, or under the control and supervision of the Corporation, it shall be dealt with by the Corporation in accordance with the regulations made, and directions given by the State Government in this behalf.

(3) If any land placed at the disposal of the Corporation under sub-section (1) is required at any time thereafter by the State Government, the Corporation shall replace it at the disposal of the State Government upon such terms and conditions as may be mutually agreed upon.

## CHAPTER VI

### Supplementary and Miscellaneous Provisions

**30. Powers of Corporation in case of certain defaults by owner of land in industrial area.—** (1) If the Corporation after holding a local inquiry, or upon report from any of its officers or other information in its possession, is satisfied that the owner of any land in an industrial area has failed to provide any amenity in relation to the land which in the opinion of the Corporation ought to be provided or to carry out any development of the land for which permission has been obtained under this Act, the Corporation may serve upon the owner a notice requiring him to provide the amenity or carry out the development within such time as may be specified in the notice.

(2) If any such amenity is not provided or any such development is not carried out within the time specified in the notice, then the Corporation may itself provide the amenity or carry out the development or have it provided or carried out through such agency, as it deems fit:

Provided that, before taking any action under this sub-section, the Corporation shall afford reasonable opportunity to the owner of the land to show cause as to why such action should not be taken.

(3) All expenses incurred by the Corporation or the agency employed by it in providing the amenity or carrying out the development together with interest, at such rate as the State Government may by order fix, from the date when a demand for the expenses is made until payment, shall be recoverable by the Corporation from the owner.

**31. Order of demolition of building.—** (1) Where the erection of any building in an industrial estate or industrial area has been commenced, or is being carried on, or has been completed, or any existing building is altered, in contravention of the terms on which such building or the land on which it stands is held or granted by or under this Act, or any rules made there under any officer of the Corporation empowered by it in this behalf may, in addition to any prosecution that may be instituted under this Act, make an order directing that such erection shall be demolished by the owner thereof

within such period not exceeding two months as may be specified in the order, and on the failure of the owner to comply with the order, the officer may himself cause the erection to be demolished and the expenses of such demolition shall be recoverable by the Corporation from the owner:

Provided that, no such order shall be made unless the owner has been given a reasonable opportunity to show cause why the order should not be made.

(2) Any person aggrieved by an order under sub-section (1) may appeal against that order within thirty days from the date thereof to a Committee of the Corporation set up for the purpose by regulations made in this behalf. Such Committee may after hearing the parties to the appeal either allow or dismiss the appeal or reverse or vary the order or any part of it.

(3) The decision of the Committee on the appeal and subject only to such decision the order made by the officer under sub-section (1) shall be final.

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**32. Power to stop building operations.**— (1) Where the erection of any building in an industrial estate or industrial area has been commenced, or is being carried on, has been completed, or any existing building is altered, in contravention of the terms on which such building or the land on which it stands is held or granted under this Act or any rules made there under any officer of the Corporation empowered in this behalf may, in addition to any prosecution that may be instituted under this Act, make an order requiring the building operations in relation to such erection to be discontinued on and from the date of service of the order.

(2) Where such building operations are not discontinued in pursuance of the requisition under sub-section (1), the Corporation or the officer empowered as aforesaid may require any police officer to remove the person by whom the erection of the building has been commenced and all his assistants and workmen from the place of the building within such time as maybe specified in the requisition and such police officer shall comply with the requisition accordingly.

(3) After a requisition under sub-section. (2) has been complied with, the Corporation or the officer empowered as aforesaid may depute by a written order a police officer or an officer, or employee of the Corporation to watch the place in order to ensure that the erection of the building is not continued.

(4) Any person failing to comply with an order made under sub-section (1) shall, on conviction, be punished with fine which may extend to two hundred rupees for every day during which such non-compliance continues after the service of the order.

(5) No compensation shall be claimable by any person for any damage or loss which he may sustain in consequence of any order made under this section.

**33. Penalty for construction or use of land and buildings contrary, to terms of holding.**— (1) Any person who whether at his own instance or at the instance of any other person undertakes or carries out construction of or alterations to any building in an industrial estate or industrial area contrary to the terms under which he holds such building or land under this Act or any rules made there under shall, on conviction be



punished with fine which may extend to ten thousand rupees, and in the case of a continuing contravention with a further fine which may extend to five hundred rupees for every day during which such offence continues after conviction for the first commission of the offence.

(2) Any person who uses any land or building in an industrial estate or industrial area contrary to the terms under which he holds such land or building under this Act or any rules made thereunder or in contravention of the provisions of any regulations made in this behalf shall, on conviction, be punished with fine which may extend to five thousand rupees.

**34. Power to lay pipe lines etc.—** (1) Within any area taken up for development under paragraph (b) of clause (ii) of section 13 the Corporation, or any person empowered in this behalf by the State Government by notification in the Official Gazette (hereinafter in this section referred to as “the authorised person”), may for the purposes of (a) carrying gas, water or electricity from a source of supply to the said area or (b) constructing any sewers or drains necessary for carrying off the workings and waste

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liquids of an industrial process through, any intervening area, lay down, place, maintain, alter, remove or repair any pipes, pipe lines, conduits, supply or services lines, posts or other appliances or apparatus in, on, under, over, along or across any land in such areas.

(2) The Corporation or the authorised person may at anytime enter upon any land in any such area and in such event the provisions of section 35 shall *mutatis mutandis* apply.

(3) While exercising the power conferred by sub-section (1), the Corporation or the authorised person shall cause as little damage as possible to property. Full compensation to all persons interested for any damage sustained by them in consequence of the exercise of such power as aforesaid shall be paid, as the case may be, by the Corporation or, in the case of the authorised person, by the State Government.

(4) Nothing herein shall authorise or empower the Corporation or the authorized person to lay down or place any pipe or other works into, through or against any building or in any land not dedicated to public use without the consent of the owners and occupiers thereof, except that the Corporation or such person may at any time enter upon and lay or place any new pipe in the place of an existing pipe in any land wherein any pipe has been already lawfully laid down or placed in pursuance of this Act, and may repair or alter any pipe so laid down:

Provided that, nothing in the aforesaid provision shall be construed to mean that the Corporation or other person is forbidden from having the said land acquired at any time by the State Government in the normal course.

**35. Powers of entry.—** Any officer of Government, any <sup>42</sup>[director] of the Corporation, and any person either generally or specially authorised by the Corporation

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<sup>42</sup> Substituted by (Amendment) Act 10 of 1991.

in this behalf may enter into or upon any land or building with or without assistants or workmen for the purpose of—

- (a) making any inspection, survey, measurement, valuation or enquiry or taking levels of such land or building;
- (b) examining works under construction and ascertaining the course of sewers and drains;
- (c) digging or boring into the sub-soil;
- (d) setting out boundaries and intended lines of work;
- (e) marking such levels, boundaries and lines by placing marks and cutting trenches;
- (f) doing any other thing necessary for the efficient administration of this Act:

Provided that,—

- (i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier to the owner of the land or building;
- (ii) sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or building;

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- (iii) 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 land or building entered.

**36. Officers of the Corporation may be vested with other powers.—** The State Government may, by notification in the Official Gazette, nominate any officer of the Corporation to be a controller or licensing authority under any law for the time being in force relating to the procurement or distribution of any commodity in respect of the industrial undertakings established or to be established in the industrial estates or industrial areas entrusted to or developed by the Corporation and no such nomination shall be called into question merely on the ground that such officer is not an officer of the State Government.

**37. Overriding powers of Government to issue directions to local authorities.—** Notwithstanding anything contained in any other law, or in any licence or permit if the State Government is satisfied either on a recommendation made in this behalf by the Corporation or otherwise, that the setting up of an industrial undertaking (whether within an industrial area or outside) is impeded by a local authority's refusal to grant, or by such authority's insistence on conditions which the State Government considers unreasonable for the grant of, any amenity, the State Government may direct the local authority to grant the said amenity on such conditions as it may consider fit; and thereupon the amenity shall be granted:

Provided that, the charge to be paid for granting or continuing such amenity to the local authority concerned is not less than the cost to the local authority or licensee concerned for providing such amenity:

Provided further that, no such direction shall be issued by the State Government unless the local authority shall have been given a reasonable opportunity to show cause why any such direction should not be made.

<sup>43</sup>[37A]. **Declaration as industrial area.**— (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, the State Government may, by notification in the Official Gazette—

(a) declare an industrial area which is—

(i) earmarked as industrial estate; and

(ii) having adequate facilities in respect of power, roads, water supply, to be notified area;

(b) appoint the Corporation or any Officer or Committee thereof for the purpose of the assessment and recovery of any taxes when imposed as per the provisions made thereof;

(c) declare that the provisions of any law relating to local authorities providing for control or erection of buildings, levy and collection of taxes, fees and other dues to the local authority which is in force in that area shall cease to apply and thereupon such provisions shall cease to apply thereof;

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*“37B. Development of areas.*— (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, once a notification is issued under sub-section (1) of section 37A declaring an industrial area as a notified area the State Government, may, by notification in the Official Gazette, appoint a Committee consisting of— (i) the Managing Director of the Corporation— Chairperson; (ii) Under Secretary (Revenue) to the Government of Goa— Member; (iii) One member nominated by the Corporation from amongst the Directors of the Corporation having knowledge in the field of engineering, architecture, industry, etc.— Member; (iv) Deputy Town Planner in the Town and Country Planning Department to be nominated by the Government— Member Secretary; to decide and dispose of all applications for land development, permissions, No Objection Certificate, construction of building under all local or special laws including Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) and rules framed thereunder (hereinafter in this section referred to as the “said Act”).

(2) The Committee shall discharge all the functions of the Chief Town Planner, Town and Country Planning Department in a non planning area, and functions of the Planning and Development Authority in a planning area, under the laws in force.

(3) The Committee shall have regard to the provisions of all local laws including any regional plan, outline development plan, comprehensive development plan or other plans prepared under the said Act.

(4) Notwithstanding anything to the contrary contained in any other law for the time being in force, permissions for any development in an Industrial area shall be governed by the regulations framed by the Corporation.

(5) Any person aggrieved by the decision or order made by the Committee, may prefer an appeal to the Goa Town and Country Planning Board. The provisions of

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<sup>43</sup> Inserted by (Amendment) Act 10 of 1991.

section 45 of the said Act, and the rules framed thereunder, shall, *mutatis mutandis*, apply to such appeal.”

<sup>44</sup>[Provided that the Municipalities and the Village Panchayats which were receiving house tax from the occupants in the industrial estates under their respective laws, shall be compensated by the Government to the extent of the last financial year’s collection of taxes for such period as may be determined by the Government which shall not be less than five years].

(d) Make other provision as is necessary for the purpose of the enforcement of the provision so provided to that area.

(2) Before the publication of a notification under sub-section (1), the Government shall cause to be published in the Official Gazette and also in at least one newspaper published in a language other than English and circulating in the area to be specified in the notification, and inviting all persons who entertain any objections to the said proposal to submit the same in writing with reasons therefor to the Government within two months from the date of publication of the proclamation in the Official Gazette.

(3) No such notification under sub-section (1) shall be issued by the Government, unless the objections, if any, so submitted under sub-section (2) are in its opinion insufficient or invalid.

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**38. Recovery of sums due to the Corporation as arrears of land revenue.**— All sums payable by any person to the Corporation or recoverable by it by or under this Act and all charges or expenses incurred in connection therewith shall, without prejudice to any other mode of recovery, be recoverable as arrears of land revenue on the application of the Corporation.

**39. Service of notices, etc.**— (1) All Notices, orders and other documents required by this Act or any rule or regulation made thereunder to be served upon any person shall, save as otherwise provided in this Act or such rule or regulation be deemed to be duly served—

(a) where the person to be served is a company, the service is effected in accordance with the provisions of section 51 of the Companies Act, 1956 (1 of 1956);

(b) where the person to be served is a firm, if the document is addressed to the firm at its principal place of business identifying it by the name or style under which its business is carried on, and is either—

(i) sent under a certificate of posting or by registered post, or

(ii) left at the said place of business;

(c) where the person to be served is a statutory public body or a corporation or a society or other body, if the document is addressed to the secretary, treasurer or other chief officer of that body, corporation or society at its principal office and is either—

(i) sent under a certificate of posting or by registered post, or

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<sup>44</sup>Proviso substituted by (Amendment) Act 7 of 1992.

(ii) left at that office;(d) in any other case, if the document is addressed to the person to be served and—

(i) is given or tendered to him, or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates, or

(iii) is sent under a certificate of posting or by registered post to that person.

(2) Any document which is required or authorised to be served on the owner or occupier of any land or building may be addressed to “the owner” or “the occupier” as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served—

(a) if the document so addressed is sent or delivered in accordance with clause (d) of sub-section (1); or

(b) if the document so addressed or a copy thereof so addressed, is given or tendered to some person on the land or building or, where there is no person on the land or building to whom it can be delivered, is affixed on some conspicuous part of the land or building.

(3) Where a document is served on firm in accordance with this section, the document shall be deemed to be served on each partner.

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(4) For the purpose of enabling any document to be served on the owner of any property, the occupier (if any) of the property may be required by notice in writing by the State Government or the Corporation as the case may be, to state the name and address of the owner thereof.

**40. 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 over the signature of the officer concerned and shall be widely made known in the locality to be affected thereby affixing copies thereof in conspicuous public places, within the said locality, or by publishing the same by beat of drum or by advertisement in a local newspaper, or by any two or more of these means, and by any other means that the officer may think fit.

**41. Notices, etc. to fix reasonable time.**— Where any notice, order or other document issued or made under this Act or any rule or regulation made thereunder requires anything to be done for the doing of which no time is fixed by this Act or the rule or regulation, the notice, order or other document shall specify a reasonable period of time for doing the same or complying therewith.

**42. Furnishing of returns etc.**— (1) The Corporation shall furnish to the State Government such returns, statistics, reports, accounts and other information with respect to its conduct of affairs, properties or activities or in regard to any proposed work or scheme as the State Government may from time to time require.

(2) The Corporation shall in addition to the audit report referred to in section 25 furnish to the State Government an annual report on its working as soon as may be after the end of each financial year in such form and detail as may be prescribed, and a copy of the annual report shall be placed before the Legislative Assembly as soon as may be after it is received by the State Government.

**43. Withdrawal of area or estate or part thereof.**— Where the State Government is satisfied that in respect of any particular industrial estate or industrial area, or any part thereof, the purpose for which the Corporation was established under this Act has been substantially achieved so as to render the continued existence of such estate or area or part thereof under the Corporation unnecessary, the State Government may, by notification in the Official Gazette, declare that such industrial estate or industrial area or part thereof has been removed from the jurisdiction of the Corporation. The State Government may also make such other incidental arrangements for the administration of such estate or area or part thereof as the circumstances necessitate.

**44. Default in performance of duty.**— (1) If the State Government is satisfied that the Corporation has made a default in performing of any duty or obligation imposed or cast on it by or under this Act, the State Government may fix a period for the performance of that duty or obligation and give notice to the Corporation accordingly.

(2) If in the opinion of the State Government, the Corporation fails or neglects to perform such duty or obligation within the period so fixed for its performance, it shall be lawful for the State Government to supersede and reconstitute the Corporation, as it deems fit.

(3) After the supersession of the Corporation and until it is reconstituted in the manner laid down in Chapter II, the powers, duties and functions of the Corporation

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under this Act shall be carried on by the State Government or by such officer or officers or body of officers as the State Government may appoint for this purpose from time to time.

(4) All property vested in the Corporation shall, during the period of supersession, vest in the State Government.

**45. Dissolution of Corporation.**— (1) Where the State Government is satisfied that the purposes for which the Corporation was established under this Act have been substantially achieved so as to render the continued existence of the Corporation in the opinion of the State Government unnecessary, the Government may by notification in the Official Gazette declare that the Corporation shall be dissolved with effect from such date as may be specified in the notification, and the Corporation, shall be deemed to be dissolved accordingly.

(2) From the said date —

(a) all properties, funds and dues which are vested in, or realisable by, the Corporation shall vest in, or be realisable by, the State Government;

(b) all liabilities which are enforceable against the Corporation shall be enforceable against the Government.

**46. Authority for prosecution.**— Unless otherwise expressly provided, no Court shall take cognisance of any offence relating to property belonging to, or vested by or under this Act in, the Corporation, punishable under this Act, except on the complaint of,

or upon information received from the Corporation or some person authorised by the Corporation by general or special order in this behalf.

**47. Composition of offences by Corporation.—** (1) The Corporation or any person authorised by the Corporation by general or special order in this behalf may, either before or after the institution of the proceedings, compound any offence made punishable by or under this Act.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.

**48. Offence by companies.—** (1) Whenever an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, or was responsible to the company for the conduct of, the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of,

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any director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.—* For the purposes of this section—

(a) “company” means any body corporate, and includes a firm or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.

<sup>45</sup>**[49. Penalty for obstruction.—** (1) Any person who obstructs the entry of a person authorised under section 35 or any person with whom the Corporation has entered into a contract in the performance and execution by such person, to enter into or upon any land or building or molests such person after such entry or who obstructs the lawful exercise by him of any power conferred by or under this Act shall, on conviction by a competent court be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) If any person removes any mark setup for the purpose of indicating any level, boundary line, or direction necessary to the execution of works authorised under this Act, he shall, on conviction be punished with imprisonment for a term which may extend to three months or with fine which may extend to Rs. 1000/- or with both].

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<sup>45</sup>Substituted by (Amendment) Act 10 of 1991.

**50. Power to make rules.—** (1) The State Government, after consultation with the Corporation in regard to matters concerning it, may, by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Provided that, consultation with the Corporation shall not be necessary on the first occasion of the making of rules under this section, but the State Government shall take into consideration any suggestions which the Corporation may make in relation to the amendment of such rules after they are made.

(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) under section 6, the salary and allowances and honorarium of members of the Corporation;
- (b) under section 12, the conditions of appointment and service and the scales of pay of the Managing Director and Chief Accounts Officer of the Corporation;
- (c) under section 18, the sums of money to be kept by the Corporation in current and deposit accounts;
- (d) under section 20, the condition subject to which the Corporation may borrow;
- (e) under section 24, the date by which the annual financial statement and programme of work shall be submitted by the Corporation to the State Government and the form and manner of preparing such statement;

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- (f) under section 25, the manner of maintaining accounts;
- (g) under section 42, the form of, and the details to be given in, the annual report;
- (h) the fees which may be charged by the Corporation;
- (i) any other matter which has to be, or may be, prescribed by the rules.

(3) All rules made under this section shall be laid for not less than fourteen days before the Legislative Assembly as soon as possible after they are made, and shall be subject to such modifications as the Assembly may make during the session in which they are so laid, or the session immediately following.

**51. Power to make regulations.—** (1) The Corporation may, with the previous approval of the State Government, make regulations consistent with this Act and the rules made thereunder to carry out, the purposes of this Act, and without prejudice to the generality of this power such regulations may provide for:—

- (a) under section 7, the time and place of meeting of the Corporation and the procedure to be followed in regard to the transaction of business at such meetings;
- (b) under section 12, the conditions of appointment and service and the scales of pay of officers and servants of the Corporation, other than the Managing Director and the Chief Accounts Officer;
- (c) under section 18, the officer of the Corporation who may operate its accounts;
- (d) under section 29, the manner in which Government lands shall be dealt with by the Corporation after development;



(e) under section 31, the committee of the Corporation to hear appeals under that section and the procedure to be followed by it;

(f) under section 33, the additional terms and conditions subject to which lands and buildings in industrial estate and industrial areas may be held or used;

(g) any other matter which has to be, or may be, provided by regulations.

(2) All regulations made under this section shall be published in the Official Gazette and shall be laid for not less than fourteen days before the Legislative Assembly as soon as possible after they are made, and shall be subject to such modifications as the Legislature may make during the session in which they are so laid, or the session immediately following.

**52. Protection of action taken in good faith.**— No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule or regulation made thereunder.

<sup>46</sup>**[52A. Notice to suit and limitation of suits against Corporation, Committees, Officers and servant for acts done in pursuance of execution of this Act.**— (1) No suit shall lie against the Corporation or against any committee constituted under this Act, or against any Officer, or servant of the Corporation in respect of any act done in pursuance or execution or intending execution of this Act, or in respect of any alleged neglect, or default in the execution of this Act,—

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(a) unless it is commenced within six months after the accrual of the cause of action; and

(b) until the expiration of two months after the notice in writing has been in the case of the Corporation or its Committee, delivered or left at the Corporation's office and in the case of an officer or servant of Corporation, delivered to him or left at his office or place of abode; and all such notices shall state with reasonable particulars the cause of action and the name and place of abode of the intending plaintiff and of his advocate, pleader, or agent, if any, for the purpose of the suit.

(2) If the defendant in any such suit is an officer, or servant of the Corporation, payment of any sum or part thereof payable by him in or in consequence of the suit may, with the sanction of the Corporation, be made from the Corporation funds].

**53. <sup>47</sup>[directors], officers and staff of Corporation to be public servants.**— All <sup>48</sup>[directors], officers and servants of the Corporation shall when acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

**54. Power to remove doubts and difficulties.**— If any doubt or difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, make provision or give such direction not inconsistent with the express provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty, and the order of the State Government, in such cases, shall be final.

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<sup>46</sup> Inserted by (Amendment) Act 10 of 1991.

<sup>47</sup> Inserted by (Amendment) Act 10 of 1991.

<sup>48</sup> Substituted by (Amendment) Act 10 of 1991.

<sup>49</sup>[**55. Act to have overriding effect.**— The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in <sup>50</sup>[the Goa Municipalities Act, 1968 (Act 7 of 1969) and the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994)].

Secretariat

P. B. VENKATA SUBRAMAANIAN

Panaji-Goa

Secretary to the Government of Goa

November 22, 1965.

Daman and Diu.

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## **GOVERNMENT OF GOA**

### **Department of Industries**

Goa Industrial Development Corporation

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#### **Notification**

GOA-IDC/IE/BR/1568

#### **Goa-IDC Allotment Regulations, 2014**

In exercise of the powers conferred by clause (d) of sub-section (1) of section 51 of the Goa Industrial Development Act, 1965, the Goa Industrial Development Corporation, with prior approval of the Government, hereby make the following regulations, namely:—

1. These regulations may be called as the Goa Industrial Development Corporation Allotment Regulations, 2014.

2. These regulations shall apply to all Industrial Estates and Industrial Areas in the State of Goa and/or owned/developed by the Corporation, as well as to the Land, Plots, Sheds, Kiosk, Galas, Office premises, Godowns etc., allotted by the Corporation and shall come into force with immediate effect.

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<sup>49</sup>Inserted by (Amendment) Act 10 of 1991.

<sup>50</sup>Inserted by (Amendment) Act No. 7 of 1992 and further substituted by (Amendment) Act No. 16 of 1997.

3. In these Regulations unless the context otherwise requires,—

(a) “Corporation” shall mean the Goa Industrial Development Corporation.

(b) “Industrial Estates/Areas” means the industrial areas developed by the Corporation or vested with it where the Land, Plots, Sheds, Kiosk, Galas, Office premises, Godowns etc. are available for allotment including undeveloped land owned or held by it.

(c) “Managing Director” means the Managing Director of the Corporation and also includes the official having additional charge or acting in the said post.

(d) “Allottee” means an individual, a company, a trust, Hindu undivided family, a society, an incorporated body, a group of individuals (Partnership firm) or any other legal entity to whom any Land, Plot, Shed, Kiosk, Gala, Office premise, Godown etc. has been allotted by the Corporation or has been acquired by way of transfer duly approved by the Corporation.

(e) “Government” means the Government of Goa.

(f) “Website” means the official website of the Goa Industrial Development Corporation.

(g) “Local Person” means a person born in the State of Goa or a person residing in the State of Goa for the past 10 years or a person having at least one of the parents born in the State of Goa.

(h) “Industrial Undertaking” for the purpose of these regulations shall mean and include:

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(i) Manufacturing Industry related to manufacture of all types of goods except liquor and tobacco products;

(ii) Captive warehousing means warehousing required for storage of its own raw material or finished goods by a manufacturing unit, provided such a manufacturing unit is located within the State of Goa;

(iii) Information Technology, Units including ITES & BPO Services employing a minimum of 50 persons;

(iv) Research & Development Centre’s employing a minimum of 25 persons;

(v) Automobile repair & services with showroom area not exceeding 10% of the built up area;

(vi) Solid Waste Management & treatment facilities including hazardous waste management facilities as per the directives of the Government;

(vii) Scrap yards as per the directives of the Government;

(viii) Any other Special Project approved for land allotment as per the directions of the Government of Goa or the Investment Promotion Board other than those defined under clauses 3 (i), (j), (k) & (l).

(i) “Institutions” for the purpose of these regulations shall mean and include:—

(i) Hospitals belonging to Government of India or Government of Goa or organizations managed and/or controlled by them;

(ii) Government offices;

(iii) Industries Associations such as Goa Chambers of Commerce and Industry (GCCCI), Goa branch of Confederation of Indian Industry (CII), Goa State Industries Association (GSIA) or any other association of Industries recognized by the Government of Goa;

(iv) Training Schools for Skill Development approved by the State Government;

(v) Associations and/or professional bodies formed under the Central or State Legislation.

(j) “Service Industry” for the purpose of these regulations shall mean and include Logistics and Warehousing other than captive warehousing.

(k) “Utilities” for the purpose of these regulations shall mean and include:—

(i) Canteens set up and/or promoted by the Corporation;

(ii) Electricity sub-station;

(iii) Water treatment plant and sewage/Waste water treatment plant and other common infrastructure/facilities requirement of the Industrial Estate.

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(l) “Commercial activity” for the purpose of these regulations shall mean and include:—

(i) Hotels;

(ii) Kiosks;

(iii) Canteen/Restaurant other than those promoted or set up by the Corporation;

(iv) Bank;

(v) All other activities not falling under definitions 3(h), (i), (j), (k) and (i) to (iv) of (l).

(m) “Commercial Operations or Date of Commercial Operations” shall mean and include the date of the first sale bill along with the first electricity bill of the allottee or in case a generator is fitted, NOC from the Electricity department for the generator along with a copy of bill of purchase or bill for the rental of the generator.

(n) “Relative” for the purpose of these regulations shall mean and include—

(i) spouse of an individual;

(ii) brother or sister of an individual;

(iii) brother or sister of the spouse of an individual;

(iv) brother or sister of either of the parents of an individual;

(v) any lineal ascendant or descendant of an individual;

(vi) any lineal ascendant or descendant of the spouse of an individual;

(vii) spouse of the person referred to in sub-clauses (i) to (vi).

**4. Creation of Plots and Preparation of Site Plans.**— (a) For any new industrial estate/area being developed by the Corporation or for any vacant area in the existing industrial areas, the Corporation shall ensure that a detailed survey and measurement is done and a site plan is prepared in accordance with applicable planning guidelines in force from time to time, with proper provision of land for open spaces, roads, utilities etc. After this provisioning the balance available area shall be sub-divided/earmarked as per following guidelines:

(i) 10% of the area will be earmarked for allotments to institutions, service industry and commercial activity. This area will be sub-divided into plots and distribution of these plots among sub-categories (institutions/service industry/commercial activity) will be based on current and anticipated demand from the applicants in these sub-categories as decided by the Board of Directors of the Corporation.

(ii) Balance 90% of the area will be earmarked for Industrial Undertakings as follows:

(A) 50% of the area will be earmarked for allotment to small scale industry/MSME as under:—

(1) Up to 10,000 sq. mts. (depending on anticipated demand) will be reserved for setting up a Gala type plug and play Industrial Estate. The Gala type plug and play Industrial Estates will be set up either directly by the Corporation or in

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with private parties. The process and modalities for allotment of this plot/setting up of industrial estates will be decided by the Board of Directors of the Corporation.

(2) The balance area will be sub divided into small size plots having area less than or equal to 3,000 sq. mts.

(B) 40% of the area shall be earmarked for allotment to Special Projects with minimum area requirement of more than 3,000 sq. mts. as per the directions of the Investment Promotion Board (IPB) as and when the same is constituted by the Government. Until the formation of IPB this area will be allotted to Special Projects under the directions of the Government:

Provided any land allotted for development by the Board of Directors of the Corporation in lieu of the cost of development of the facilities/infrastructure/other amenities in the industrial estate shall be carved out from the land earmarked under any of the categories as defined under a (ii) (A) & (B) proportionately; and shall be excluded from the scope of these regulations completely. The same will be allotted by the Board of Directors of the Corporation as per the development scheme approved by the Government:

Provided further that the land allotted by the Board of Directors for Kiosks of size of not exceeding 5 sq. mts. as per the directions of the Government or under any of its welfare schemes or any of the schemes of the Government, Corporations/Undertakings shall be excluded from the scope of these regulations and will be allotted as per the respective scheme of the Government:

Provided further, that the 40% land for allotment to Special Projects as per the directions of the Investment Promotion Board or as per the directions of the Government

under Clause 4 (a) (ii) (B) above can be carved out by combining land available in various Industrial Estates of the Corporation. However the total land carved out for the Special Projects shall not exceed 40% of the total land available as on date for allotment in all the industrial estates.

(b) The Board of Directors of the Corporation reserves its right to modify the plans of any Industrial Estate from time to time including amalgamation, sub-division, re-locating of plots/open spaces etc. in accordance with the applicable planning Regulations, after taking into account the difficulties relating to topography of the landsite, demand before the Corporations, provided such changes does not result in a variations beyond plus or minus 10% in the earmarking sub-divisions stated in the categories specified above.

(c) If any area earmarked to a particular category remain vacant for a period of 2 years from the date of publication of advertisement, the Board will have the discretion to transfer such vacant areas to another categories where there is a demand.

**5. Detailed Procedure for Allotment of Plots.—** (1) This procedure shall apply to all categories stipulated under clause 4 above except for plots created and earmarked for Special Projects specified under sub-clause (a) (ii) (B) of the said clause:

(a) In order to make allotment of the plots under Clause 4 sub-clause (a) (i) & (ii) (A), advertisement will be released in at least 3 local news papers (one each in

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Konkani, Marathi and English language), be put up on the notice boards of Corporation's head office and all the existing industrial estates, copy be made available to Goa Chambers of Commerce and Industry (GCCCI), Goa branch of Confederation of Indian Industry (CII), Goa State Industries Association (GSIA) and be put on the official website of the Corporation.

(b) The procedure for allotment of land/plots to Special Projects specified under Clause 4 sub-clause (a) (ii) (B) shall be as per the provisions of the statute enacting the Investment Promotion Board as and when the same comes into force. Pending the formation of the Investment Promotion Board, the Corporation shall issue advertisement as proposed above inviting applications from the interested parties, short list the same through the Scrutiny Committee constituted by the Government for the purpose and propose the same to the Government.

**(2) Application for allotment.—** (a) Application for allotment of land in the Industrial Estate/Area shall be made in the prescribed format to the Managing Director within the time specified in the advertisement which shall not be less than 7 (seven) working days. The applicant shall furnish an interest free Security Deposit of Rs. 20/- (Rupees twenty only) per sq. mts. (refundable and non-interest bearing) and a Processing fee of Rs. 5/- (Rupees five only) per sq. mts. or Rs. 15,000/- (Rupees fifteen thousand only) whichever is higher (non-refundable) by means of Demand Draft or Pay Order drawn in favour of the Goa Industrial Development Corporation, payable at Panaji. The applicant should also enclose the following self-attested documents (wherever applicable) along with the application form.

(i) Photocopy of the identity proof such as voters identity card, driving license, passport of the applicant in case of individual proprietorship.

(ii) PAN Card/Income Tax returns filed by the assessee/assesseees for the last three financial years. (I.T. Returns only if applicable).

(iii) Copy of the Certificate of Registration of Firm and Partnership Deed. (As applicable).

(iv) Copy of Certificate of Incorporation and Memorandum and Articles of Association in case of Limited Companies and a copy of resolution authorizing the applicant to apply on behalf of the company (As applicable).

(v) In the case of Co-operative Societies/Societies registered under the Societies Registration Act, 1860, the copy of proof of registration.

(vi) Detailed Project Report for the project with the application in the format, as prescribed by the Corporation.

(vii) Copies of the following Certificates should be enclosed:

\*Entrepreneurs Memorandum/SSI Registration Certificate issued by the Director of Industries, Trade and Commerce, Government of Goa.

\*Proof of financial strength/support certified by a Chartered Accountant or Bank/financial institution, as the case may be.

\*Technical Education/Qualification of the Entrepreneurs/Promoters.

(viii) Approval from the High Powered Co-ordination Committee or the Investment Promotion Board. (As applicable).

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(ix) Birth Certificate and/or Residence Certificate in case of applicants who wish to avail the benefits of scores of the priority ranking.

(x) Residence Certificate/Voters ID to support claim under clause 5 (4) (d) (i) A (a) (b) and (c).

(xi) A letter by the applicant or its authorized personnel confirming the non-applicability of any of the documents listed (i) to (x) above in his/her or its case.

(b) Any applications received after the last day as mentioned in the advertisement shall not be considered for the advertised vacancy.

(c) Separate application for each industrial unit and for expansion of the existing industrial unit shall be submitted.

(d) The application duly filled in along with enclosures and the prescribed Security Deposit and Processing Fee must be submitted in the Corporations' Head office at Panaji.

(3) **Registration of Application.**— (a) The Corporation shall record all the applications received, in the Application Register maintained for the purpose and issue in writing registration number to each application.

(b) All the applications received shall be Scrutinized in accordance with the check list by a Scrutiny Committee constituted for that purpose by the Managing Director. The said Scrutiny Committee will categorize the applications into complete applications and incomplete applications. Applicants with incomplete applications will be notified and granted a period of 7 working days to submit all the listed documents as applicable. However applications which are not accompanied by the Project Report and/or proof of financial strength and/or the prescribed Security Deposit and/or Processing Fee shall be

rejected outright. After the expiry of the specified period of 7 working days granted for the incomplete applications, the Scrutiny Committee shall submit all the completed applications along with check list and the documents to the Screening Committee for further processing.

(c) The Corporation shall publish the details of the applications received and the registration number on the official website of the Corporation and also on the notice board of the Corporation within a period of 3 working days from the last day specified for receipt of the application.

(4) **Screening Committee.**— (a) The following Committee shall be constituted for screening the applications and the quorum shall be of four members present with at least one of the members present being among the two specified under (v) and (vi):—

- (i) Any one Director nominated by the Board.
- (ii) Chief General Manager of the Corporation.
- (iii) Chief Accounts Officer of the Corporation.
- (iv) General Manager (Engineering) of the Corporation.
- (v) Nominee Goa State Industries Association.
- (vi) Nominee of Goa Chambers of Commerce and Industry.

The meetings of the Screening Committee shall be chaired by the Director nominated by the Board and the Chief General Manager of the Corporation shall be the member convener.

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(b) The Screening Committee shall screen the completed applications received from the Scrutiny Committee with an objective to establish the genuineness of the applicant, the viability of the project, employment and revenue generation to the State. For this assessment the committee may form a set of guidelines and may take assistance of any expert in the field. The Committee will be free to interview any or all applicants for this purpose. The guidelines will be recorded in writing and will form part of the minutes. The said guidelines shall be subject to modification as and when necessary, in case of difficulties, but within the permissible parameters of these regulations.

(c) As far as possible the Screening Committee shall make attempts to accommodate all the applicants whose credentials and viability is established as above. For this purpose the committee may reduce the area applied for by the applicant by mutual discussion and consent. In case the final number of applicants is higher than the available plots the committee shall proceed as follows:—

(i) **Special priority for existing unit having contiguous boundary to the plot/s available for allotment.**— Special priority will be given to those applicants who have an existing unit whose plot boundary is contiguous to any of the plot advertised. Such applications will score first among all applicants and shall be offered preferential allotment before considering any of the other applications. In case there are two or more applications from the industries having boundary contiguous with the plot advertised, selection shall be done either by dividing areas with mutual consent or by draw of lots in case of disagreement.

(d) **Priority Ranking.**— (i) After those eligible under sub-clause (4) (c) (i) above, the remaining applications will be ranked for priority allotments based on a priority score



card as defined and stipulated below:—

PRIORITY	MARKS
A For “local person/s”:	
[an applicant can score marks only under one of the below mentioned categories (a), (b) and (c)]	
(a) A local person/s residing in the Village Panchayat in which the Industrial Estate is located.	30
(b) A local person/s residing in the Taluka in which the Industrial Estate is located.	15
(c) Other local person/s.	10
B Expansion/diversification of the existing unit:	
[an applicant can score marks only under one of the below mentioned categories (a) and (b)]	
(a) Within the State.	40
(b) Within the Industrial Estate.	50

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PRIORITY	MARKS
C A person/s whose land and/or the land belonging to his/her relative have been acquired by the Government for the Corporation or acquired by the Corporation.	
[an applicant can score marks only under one of the below mentioned categories (a), (b) and (c)]:	
(a) Area of land acquired is less than the area applied for by the applicant.	10
(b) Area of land acquired is more than the area applied but less than or equal to 3 times the area applied for by the applicant.	20
(c) Area of land acquired is more than 3 times the area applied for by the applicant.	30

\*If the applicant is a partnership firm or a limited liability partnership or a limited company which is claiming a priority under A or C above, it would be mandatory that the person/s whose is a “local person/s” or a person/s whose land and/or the land

belonging to his/her/their relative has been acquired, should have at least 51% cumulative ownership of the such a firm or a company as the case may be.

\*Under category C, priority allotment can be availed by an applicant only once on the basis of NOC from the other co-owners and in an event of any dispute the decision of the Board of Directors of the Corporation shall be final and binding.

Each application will be evaluated as per the above score card and ranked for priority with the applicants having higher score being ranked for higher priority for allotment.

(ii) In case of a tie between two or more applicants by way of same priority score wherein the number of such priority applicants exceeds the plots available, the selection will be done by way of draw of lots amongst such tied applicants.

(iii) After completing the priority selection as above, all the balance applicants will be ranked equally and plots allotted to them based on availability. Should this available applicants exceed the plots available selection shall be done by draw of lots.

(iv) The Screening Committee may recommend to the Corporation modification and sub-division/amalgamation of plots for increase or decrease of their respective areas with the objective of accommodating maximum number of applicants.

(v) The Screening Committee after completing the selection process shall draw minutes and a list of selected applicants in line with the above guidelines with corresponding plot numbers and forward the same to the Managing Director for concluding the process of allotment.

**(5) Offer of allotment and allotment order.**— (a) Based on the acceptance of the recommendation of the Screening Committee by the Managing Director of the Corporation, the applicant shall be first issued an offer of allotment giving thirty days

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time period for effecting payment towards the lease premium, rent and other fees prescribed from time to time. Subject to the applicant making the said payment within the stipulated time the Managing Director of the Corporation shall issue a letter of allotment to such applicants.

(b) The Managing Director shall exercise his authority for issue of offer of allotment and allotment order subject to the following limitation:

(i) For plots of more than 1,200 sq. mts. and galas of more than 100 sq. mts. prior approval of the Board of the Corporation shall be taken.

(c) All allotment orders shall be issued with a draft lease deed and the allottee shall also be notified of the value of non-judicial stamp paper on which the lease deed to be executed.

**(6) Physical possession.**— A time period of 90 days will be stipulated in the allotment order for the successful allottee to take physical possession of the plot. If the allottee fails to take the possession within the stipulated period, the allotment order issued by the Corporation shall stand terminated/cancelled. In such an instance the security deposit paid by the allottee shall stand forfeited and the balance amount shall be paid to the allottee without any interest.

**(7) Execution of Lease Deed.**— (a) The allottee shall execute the lease deed with the Corporation within a period of 180 (one hundred eighty) days from date of taking over possession of the plot. Should the allottee fail to execute the lease deed within the stipulated time frame, the allotment order shall stand automatically terminated/cancelled. In such an instance the amount equal to the security deposit paid by the allottee shall stand forfeited and the balance amount shall be paid to the allottee without any interest. This condition will not apply in instances of procedural delay caused on the part of the Corporation and in such an instance the period of 180 days will be extended for a period equivalent to the delay so caused, with the approval of the Board of the Corporation.

In the event of any dispute or applicability or otherwise of this clause, the decision of the Board of Directors of the Corporation shall be final and binding.

**6. Price of the Industrial Plots.**— The land rate per square meter and the lease rent of a plot in the Industrial Estate shall be fixed by the Corporation every year, in the month of March, and the Corporation may alter the land rate from time to time with reference to the prevailing market rates.

For any plot allotted by the Corporation under special priority as stipulated under clause 5 (4) (c) (i) above, an additional premium of 50% shall be applicable over and above the land rate applicable at the time of allotment.

**7. Allotment by Auction.**— (1) Allotment of plots for purposes other than for Industrial Undertaking, and/or to the Government of India or Government of Goa or organizations managed and/or controlled by them and/or those allotments done as per the directions of the Government under section 16 of the Goa Industrial Development Act, 1965, from time to time, shall be done through auction process wherein plots would be allotted on lease basis to the highest bidder.

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(2) The base price for auction of the plot on lease basis shall be twice the rate per sq. mts. fixed by the Corporation in the respective Industrial Estate/Area from time to time.

8. The allotment done by the Corporation shall be generally in consonance with the Investment Policy of the State of Goa and norms prescribed under the environmental guidelines issued by the Government from time to time. Accordingly allotment in Industrial Estates will be restricted to Industries in the Green and Orange categories only. Further, no new allotment for liquor manufacturing industry or tobacco product industry will be allowed in the Industrial Estates of the Corporation.

**9. Incentive for early completion.**— (a) an allottee is expected to complete the project and go into commercial operations within a period of 3 years from the date of taking over possession and except those allotments by auction by the Corporation covered under Clause 7 above, shall be given incentive as under:

(i) The allottee shall be entitled for refund of the 20% of the amount paid by him to the Corporation towards the premium of the land in the event the allottee completes the project and goes into commercial operation within two years.

(ii) The refund of the amounts to be made as per Clause 9 (a) (i) above shall be subject to the verification and report of the Screening Committee of the Corporation constituted as per Clause 5 (4) (a) above.

(b) In case of delay beyond 3 years maximum relaxation of one additional year shall be granted subject to the allottee paying a penalty of 25% of the prevailing land premium rate per sq. mts. calculated on the total plot area leased.

(c) If the allottee fails to start construction after 2 years or fails to implement the project and go into commercial operations even after the period of 4 years after the date of taking over possession, the allotment made shall stand terminated, the plot along with the buildings and appurtenances standing thereon shall stand reverted to the Corporation and the amounts paid by the allottee to the Corporation shall stand forfeited. The Corporation shall resume the land with all development on it and evict the allottee. The Corporation reserves its right to grant any further extension based on merit of each case and on such terms and conditions as may be imposed.

Notwithstanding anything contained above the allottee shall be free to exercise the options available under the Goa Industrial Development Corporation Transfer and Sub-Lease Regulations as in force within a period of 4 years from the date of taking over the possession of the plot. Provided that the transferee shall have to start commercial operations within a period of 3 years from the date of the transfer order issued by the Corporation and shall not be entitled for any incentives.

**10. Utilization of Plot.—** The allottee within a period of 3 years from the date of these regulations coming in to force or within a period of 5 years from the date of taking over possession whichever is later, shall compulsorily utilize to the extent of at least 30% of FAR of the land/plot area allotted, for construction of factory or other building. In case of the failure on part of the allottee to utilize the minimum prescribed area for built-up,

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the Corporation shall levy 50% additional lease rental on the permissible but unutilized area of the said plot. However, any relaxation, indulgence granted by the Board of Directors of the Corporation in deserving cases should not be treated as waiver on behalf of the Corporation and will not prejudice or effect its rights to initiate action against the defaulting allottees.

In case of the failure of the allottee to comply with the above plot utilization norms, the Corporation will have the right to repossess the unutilized portion of the land without any compensation to the allottee, subject to guidelines approved by Board from time to time.

**11. Grievance redressal.—** any applicant affected by the decision of the Corporation in the matter of allotment of plot or its refusal, shall approach the Grievance Redressal Authority appointed by the Board of Directors of the Corporation. In an event the Grievance Redressal Authority is satisfied that the grievance is genuine, he may recommend a remedial measure to the Board of the Corporation for a final decision. The decision of the Board of the Corporation shall be final and binding. Pending such appointment, the Managing Director of the Corporation shall be the Grievance Redressal Authority.

12. The Board of Directors of the Corporation reserves its right to revise the Payment, Fees, Charges, Taxes, Deposits etc. as stipulated and the allottee shall be bound to pay the Payment, Fees, Charges, Taxes, Deposits etc. on demand by the Corporation.

13. **Repeal and savings.**— (a) The Goa Industrial Development Corporation Allotment Regulations, 2012, is hereby repealed.

(b) The repeal of the Goa Industrial Development Corporation Allotment Regulations, 2012 under sub-clause (a) shall not—

(i) Revive anything not in force or existing at the time at which the repeal takes effect, or;

(ii) Affect the previous operation of the repealed regulations or anything duly done or suffered there under, or;

(iii) Affect any right, privilege, obligation or liability acquired, accrued or incurred under the repealed regulations, or;

(iv) Affect any fees, interest, penalty as are due or may become due or any forfeiture or violation committed under the provisions of the repealed regulations.

(c) Notwithstanding any thing contained herein, these regulation shall not affect the mutually agreed terms and conditions of the lease deed and other documents executed in between the Corporation and the allottee prior to these regulation coming into force and the same shall be effective and binding.

14. The Corporation reserves the right of utilizing vacant portions of the allotted land at any time for laying pipe lines, cables, underground drainage or drawing overhead electric lines without paying any compensation other than rectifying the damage caused

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due to such activity to the allottee for such use.

15. Should a decision on any allotment done previously is pending due to lack of clarity in the regulations existing prior to these regulations coming into force, the Board of the Corporation shall decide upon such cases as per the provisions of these regulations provided that the case being decided is not under any litigation or proceeding before any Court of Law.

16. The allotments done by the Corporation shall be made in terms and in consonance with the General Policy of the Government including the Policy on Environmental issues and siting guidelines.

17. Notwithstanding anything contained herein, these regulations shall not affect and/or have bearing over any directions issued to the Corporation by the Government in terms of Section 16 of the Goa Industrial Development Act, 1965.

18. The Board of the Corporation with prior approval of the State Government shall be entitled for taking appropriate measures for removal of difficulties if any, that may arise at any stage in the performance of its lawful functions, so as to give full effect to the Regulations.

By order and in the name of the Goa Industrial Development Corporation.

Shri S. V. Naik, Managing Director.

Panaji, 30<sup>th</sup> July, 2014.

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**Notification**

GOA-IDC/IE/1569

**Goa-IDC Transfer & Sub-Lease Regulations, 2014**

In exercise of the powers conferred by clause (d) of sub-section (1) of section 51 of the Goa Industrial Development Corporation Act, 1965, the Goa Industrial Development Corporation, with prior approval of the Government, hereby make the following regulations, namely:—

1. These regulations may be called as the Goa Industrial Development Corporation Transfer and Sub-Lease Regulations, 2014.

2. These regulations shall apply to the properties in all Industrial Estates/Areas owned and controlled by the Corporation for granting lease or sub-lease in the State of Goa and Union Territories of Daman and Diu, in the interest of its primary objectives envisaged under the Goa Industrial Development Act, 1965 and shall not apply to the properties commercially acquired by it.

**3. Definitions.**— In these regulations unless the context otherwise requires.—

(a) The terms “Corporation”, “Industrial Estates/Areas”, “Managing Director”, “Allottee”, “Government”, “Industrial Undertaking”, “Institutions”, “Service Industry”, “Utilities”, “Commercial activity”, “Commercial Operations or Date of Commercial Operations”, “Relative” shall have the meaning as defined under the Goa Industrial Development Corporation Allotment Regulations as in force.

(b) “Formal Transfer” shall mean and include all acts as specified under Schedule IA and Schedule II.

(c) “Non Formal Transfer” shall mean and include an act whereby an allottee conveys the lease hold rights over the plot allotted to him by the Corporation to any third party.

In this clause “third party” shall mean and include an Individual, a company, a partnership firm or a limited liability partnership, Hindu undivided family, a society, a trust or associations or body of individuals, whether incorporated or not, or any other bonafide entity other than the allottee.

(d) “Sub-Lease” shall mean an act by which an allottee leases the built up area constructed over the plot allotted to him by the Corporation to any third party.

(e) “Plot without building construction” shall mean a barren plot with or without a compound wall and/or a security cabin constructed thereon.

(f) “Plot with Partial building Construction” shall mean a plot where the cost of the building constructed on it (other than the cost of a compound wall and/or a security cabin) as per the approved plans shall not be less than the threshold value of Rs. 300/- per sq. mts. of the gross plot area duly certified by a Certified Valuer.

However the Board may increase the above threshold value once a year, if it so desires with prior approval of the Government.

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(g) “Plot with Substantial Building Construction” shall mean a plot where building construction has been completed as per the approved plans and the Occupancy Certificate is obtained for part or whole of the building.

(h) “Holding Company” shall mean a holding company as defined under the Companies Act in force.

(i) “Subsidiary Company” means a subsidiary company as defined under the Companies Act in force.

(j) “Associate/Sister Companies” for the purpose of these Regulations are companies which are owned by the same parent company or where the same Group of Shareholders or their relatives controls a minimum of 26% stake. Such shareholding could be direct holding or indirect holding through a holding company.

(k) “Associate/Sister firms” for the purpose of these Regulations are such proprietorship firms which are owned by the same proprietor or such partnership firms (including limited liability partnerships firm) in which the same group of partners or their relatives control a minimum of 26% stake.

(l) “Plot Rate” shall mean and include the prevailing premium rate per sq.mt. as on the date of receipt of the application by the Corporation.

**4. Transfer of plots.**— (i) The allottee shall have no right to transfer or assign its rights in the allotted Land/Plot/Shed/Kiosk/Gala/Office premises, Godown etc. or sublet his built up premises or any part thereof, without obtaining prior permission from the Corporation.

(ii) Land/Plot allotted to the allottee for a Kiosk under any schemes of the Government shall not be permitted to be transferred except to those legal representatives listed under Schedule I-A.

(iii) In an event a transfer or sub-lease is at all created by an allottee without having obtained the prior permission of the Corporation, then such a transfer or sub-lease shall not be recognized by the Corporation for any purpose and/or such transfer or sub-lease shall not confer any rights of whatsoever nature on the transferee or the sub-lessee.

## CHAPTER-I

### Transfer

**5. Procedure for Transfer.**— (i) Upon receipt of an application in the prescribed form alongwith all the mandatory documents as specified under Schedule IV, the Corporation shall communicate the deficiency if any within a period of 21 working days or if the application is complete in all respects take a decision in respect of the permission referred to under clause 4 above and communicate by certificate of posting or registered A/D within a period of 45 working days failing which the permission shall be deemed to be granted. However, party shall be bound to pay all necessary fees and charges to the Corporation as per the prevailing rates and these regulations. The date of the dispatch of the letter shall be the date of the communication.

The application would be treated as complete in all respects only after all the documents listed under Schedule IV are submitted by the applicant.

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The deeming provision shall not apply to the transfers prohibited under clause 6 (i).

(ii) All the applications received shall be verified by a Scrutiny Committee constituted for that purpose by the Managing Director to ensure that the applications are complete in all respect and each application shall be processed and placed before the Screening Committee alongwith a duly filled up check list.

(iii) The following Screening Committee shall be constituted for screening the applications and the quorum shall be of four members present with atleast one of the members present being among the two specified under (e) and (f):—

- (a) Any one Director nominated by the Board.
- (b) Chief General Manager of the Corporation.
- (c) Chief Accounts Officer of the Corporation.
- (d) General Manager (Engineering) of the Corporation.
- (e) Nominee of Goa State Industries Association.
- (f) Nominee of Goa Chambers of Commerce and Industry.



The meetings of the Screening Committee shall be chaired by the Director nominated by the Board and the Chief General Manager of the Corporation shall be the member convener.

(iv) The Screening Committee shall scrutinize the applications and the project report furnished by the applicants on the basis of these regulations and submit its recommendations to the Managing Director of the Corporation who shall decide upon the said applications.

**6. Prohibited transfers and exception therein.**— (i) Transfer is prohibited in following cases:—

- (a) Plot without building construction;
- (b) Plot with partial building construction;
- (c) For the purpose of starting a new liquor or tobacco industry;
- (d) Transfer with change in use in the descending order, amongst the categories (1), (2), (3), (4) and (5) listed below:—
  - (1) Industrial Undertaking;
  - (2) Institutions;
  - (3) Service Industry;
  - (4) Utilities;
  - (5) Commercial activity.

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(ii) Exceptions to prohibited transfers under clauses 6 (i) above:—

- (1) Formal transfers specified under Schedule-IA;
- (2) Formal transfers specified under Schedule II; and
- (3) Transfers under sub-clause 5, 6 & 7 of Schedule III.

(4) Transfer involving existing liquor or tobacco manufacturing units strictly subject to the decision and direction of the Government.

**(iii) Action in the event the possession is handed over in categories covered under prohibited transfers.**— In an event the allottee hands over the possession of the plot to a third party under the category of prohibited transfers specified under clause 6 (i) above, the Corporation shall summarily re-enter upon and resume the possession of the plot.

**7. Permissible transfers and transfer fees therein.**— (i) Permissible transfer entailing Nil transfer fees:—

- (a) All transfers covered under Schedule IA and Schedule II;

(b) All transfers wherein the original plot or land was allotted under the auction process of the Corporation.

(ii) Permissible transfer entailing a non-refundable transfer fee.—

(a) All cases listed under Schedule III.

(b) All transfer within the same category and/or all transfers amongst the categories (1), (2), (3), (4) and (5) listed below in the ascending order:—

(1) Industrial Undertaking;

(2) Institutions;

(3) Service Industry;

(4) Utilities;

(5) Commercial activity.

(iii) Any case which does not fall under the category of prohibited or permissible transfers as per these regulations shall be placed before the Board for a decision and the decision of the Board with approval of the Government shall be final and binding.

(iv) Processing fees prescribed under clause 21 would be applicable in the cases covered under clause 7 (i), (ii) & (iii) above.

**8. Penalty in the event of unauthorized handing over of possession in categories covered under permissible transfers.—** (i) In the event an allottee hands over the physical possession of the land/plot to a third party, it will be deemed to be an unauthorized transfer which shall not be recognized for any purpose, and the Corporation shall levy a penalty equal to 10% per year or part thereof, of the prevailing premium rate per sq. mts. for the plot area from the date of such unauthorized transfer,

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for having violated these regulations in addition to the applicable transfer fees. Should the allottee fail to regularize the unauthorized transfer by payment of fees and penalty within a notice period of 30 days the Corporation shall re-enter upon and resume the possession of the plot.

(ii) All cases wherein the allottees have entered into agreements/Memorandum of understanding to transfer their lease hold rights over the allotted plot prior to the notification of these regulations shall be also processed in accordance with these regulations;—

Provided that such allottees approach the Corporation with necessary documentation for processing their cases within a period of one year from the date of these regulations coming into force. After expiry of the specified one year period, all such cases shall be deemed to be unauthorized transfers which will attract penalty as prescribed under sub-clause (i).

(iii) Penalty to be charged under clause 8 (i) & (ii) shall not exceed an amount equal to 100% of the prevailing rate per sq. mts.

9. Any transfer on account of auction by the financial institutions pursuant to the issue of letter under clause 20 (b), shall be only for use under a category permitted by the Corporation and the fees prescribed under sub-clause 6 of Schedule III would be applicable.

## CHAPTER-II Sub-Lease

**10. Procedure for Sub-lease.—** (i) Upon receipt of an application in the prescribed form along with all the mandatory documents as specified under Schedule IV, the Corporation shall communicate the deficiency if any within a period of 21 working days or if the application is complete in all respects take a decision in respect of the permission referred to under clause 4 above and communicate by certificate of posting or registered A/D within a period of 45 working days failing which it shall be deemed to be granted. However, party shall be bound to pay all necessary fees and charges to the Corporation as per the prevailing rates and these regulations. The date of the dispatch of the letter shall be the date of the communication.

The application would be treated as complete in all respects only after all the documents listed under Schedule IV are submitted by the applicant.

The deeming provision shall not apply to the sub-leases prohibited under clause 11 (i).

(ii) All the applications received shall be verified by a Scrutiny Committee constituted for that purpose by the Managing Director to ensure that the applications are complete in all respect and each application shall be processed and placed before the Screening Committee along with a duly filled up check list.

(iii) The following Screening Committee shall be constituted for screening the applications and the quorum shall be of four members present with atleast one of the members present being among the two specified under (e) and (f):—

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- (a) Any one Director nominated by the Board.
- (b) Chief General Manager of the Corporation.
- (c) Chief Accounts Officer of the Corporation.
- (d) General Manager (Engineering) of the Corporation.
- (e) Nominee of Goa State Industries Association.
- (f) Nominee of Goa Chambers of Commerce and Industry.

The meetings of the Screening Committee shall be chaired by the Director nominated by the Board and the Chief General Manager of the Corporation shall be the member convener.

(iv) The Screening Committee shall scrutinize the applications and the project report furnished by the applicants on the basis of these regulations and submit its recommendations to the Managing Director of the Corporation who shall decide upon the said applications.

**11. Prohibited sub-leases and exceptions therein.**— (i) Prohibited sub-leases.—

(a) Sub-lease of plot/land.

(b) Sub-leases which result in change in use of the plot in the descending order of the categories listed under (1), (2), (3), (4) and (5) below:—

(1) Industrial Undertaking;

(2) Institutions;

(3) Service Industry;

(4) Utilities;

(5) Commercial activity.

(c) Sub-lease of building without occupancy certificate issued by the Corporation.

(d) Sub-lease from any of the categories (1), (2), (3), (4), (5) listed above to a new liquor or tobacco manufacturing products.

(ii) Exceptions to the prohibited leases:

(a) Sub-leases for categories listed under Schedule–IB.

(b) Sub-lease of an existing liquor industry or tobacco industry to another liquor industry or tobacco industry.

(iii) Action in the event the possession is handed over in categories covered under prohibited sub-leases.— In an event the allottee hands over the possession of the plot to a third party under the category of prohibited sub-leases specified under clause 11 (i) above, the Corporation shall summarily re-enter upon and resume the possession of the plot.

**12. Permissible sub-lease and fees therein.**— (i) Permissible sub-leases with Nil sub-lease fees:—

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(a) All sub-leases listed under Schedule I-B.

(b) All sub-leases wherein the original plot was allotted under an auction process of the Corporation.

(c) All sub-leases to and amongst the institutions and entities owned and/or controlled by Government of India/Government of Goa.

(ii) Non-refundable one time processing fee of Rs. 5/- per sq. mts. of the plot area shall be payable by the allottee in respect of the permissible sub-leases under clause 12 (i) above. This fee shall apply at each instance of a new sub-lease being sought to be created by the allottee.

(iii) Permissible sub-leases entailing sub-lease fees:

All sub-leases within the same category and/or all sub-leases involving change in use amongst the categories (1), (2), (3), (4) and (5) listed below in the ascending order:—

(1) Industrial Undertaking;

(2) Institutions;

- (3) Service Industry;
- (4) Utilities;
- (5) Commercial activity.

(iv) Any case which does not fall under the category of prohibited or permissible sub-leases as per these regulations shall be referred to the Board for a decision and the decision of the Board shall be final and binding.

(v) Processing fees prescribed under clause 21 would be applicable in the cases covered under clause 12(iii) above.

**13. Sub-leasing fee.**— Sub-lease permitted under these regulations and approved by the Corporation will entail the following fees:—

(i) For all sub-leases given after starting of commercial operations by the allottee:- 6% of the prevailing premium rate per sq. mts. per year, calculated on the total plot area allotted upto a sub-leasing period of 10 years.

(ii) For all sub-leases given prior to starting of commercial operations by the allottee:- 8% of the prevailing premium rate per sq. mts. per year, calculated on the total plot area allotted upto a sub-leasing period of 10 years.

(iii) For any sub-leases beyond the period of 10 years upto a maximum of 15 years:- 10% of the prevailing premium rate per sq. mts. per year, calculated on the total plot area allotted.

Provided however that any extension of sub-lease beyond the period of 10 years upto a maximum of 15 years shall be permitted only with the prior approval of the Chairman of the Board.

(iv) For any sub-leases beyond the period of 15 years shall be decided by the Board on case to case basis considering the merits of each case and entail fees equal to 10% of the prevailing premium rate per sq. mts. per year, calculated on the total plot area allotted.

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(v) The total sub-lease period, during the tenure of the original or extended lease period granted by the Corporation to an allottee or subsequent allottees created by transfer of lease hold rights, shall not exceed 15 years without prior approval of the Board. However, in case of small scale and micro industries where the unit has been into commercial operations for more than 10 years, the Corporation may permit sub-lease for the remainder period of the lease granted and the extended period thereon subject that the allotted plot area does not exceed 1200 sq. mts. sub-lease fees for such extended period shall be 10% of the prevailing premium rate per sq. mts. per year, calculated on the total plot area allotted.

**14. Penalties for unauthorized handing over of the possessions.**— (i) In the event allottee sub-leases or hands over the physical possession of the land/plot to a third party, it will be deemed to be an unauthorized sub-lease which shall not be recognized for any purpose, and the Corporation shall levy a penalty equal to 20% per year or part thereof of the prevailing sub-lease fees, calculated from the date of such unauthorized sub-lease, for having violated these regulations in addition to the applicable sub-lease fees. Should the allottee fail to regularize the unauthorized sub-lease by payment of fees and penalty

within a notice period of 30 days, the Corporation shall re-enter upon and resume the possession of the plot.

(ii) Any cases of unauthorized sub-lease prior to the Notification of these regulations shall be placed before the Board of the Corporation for a decision and in case the Board decides to regularize or approve such sub-lease, the same shall be subject to the allottee paying a penalty fee amount equal to 20% per year or part thereof of the prevailing sub-lease fees, calculated from the date of such unauthorized sub-lease, for having violated the terms and condition of the lease in addition to the applicable sub-lease fees. The Board shall not be authorized to approve/regularize any cases which fall under the category of prohibited sub-leases specified under clause 11 (i). However based on the merits, the Board may decide to refer any such case to the Government for a decision:

Provided that the total penalty to be charged under clause 14 (i) & (ii) above shall not exceed an amount equal to 3 times the prevailing sub-lease fees, calculated on the basis of annual sub-lease fees.

### CHAPTER-III

#### **Surrender of plots**

**15. Surrender of plots.—** Following surrender charges shall be deducted by the Corporation in the event an allottee intend to surrender his land/plot allotted to him:

(i) 1% of the prevailing total premium amount of the plot.

(ii) In addition to the surrender charges specified under clause 15 (i), the amounts paid by the allottee towards the lease rent, interest on premium, penal interest, processing fees, service tax to the Corporation, shall stand forfeited.

(iii) Any amount pending towards dues on account of lease rent, penal interest, interest on premium, processing fees, service tax or any other dues shall be recovered from the premium amount and any shortfall after adjusting the premium amount shall be recovered as land revenue arrears.

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### CHAPTER-IV

**16. Change in name or change in trade/use/addition of product to be manufactured.—** (i) Any allottee which undergoes change in name of the allottee entity without changing the constitution or its shareholding structure of the allottee entity shall apply to the Corporation with a request to register the change in name in the records of the Corporation. The application should be accompanied with the following documents:—

(a) Certificate issued by the Registrar of Companies in case of Limited liability Companies, or Certificate issued by the Registrar of Firms in case of Partnerships or an affidavit in case of a proprietor.

(b) PAN Card of the allottee entity with the change in name.

(c) EM Part I or EM Part II as applicable with the change in name.

(d) Certificate issued by the Pollution Control Board.

(e) NOC from the financial institution in case permission is granted by the Corporation to the allottee to mortgage the lease hold rights.

(f) Copy of the latest partnership deed/shareholding structure certificate from a Company Secretary and the latest Memorandum and articles of association of the Company.

(g) Any other documents as required by the Corporation.

(ii) On scrutiny of the above documents and payment of the processing fees prescribed under clause 21, the Corporation will confirm in writing having changed the name of the allottee entity in its records.

(iii) Any allottee intending to change the trade/use or add a product to be manufactured shall submit an application along with the project report, Certificate or EM Part I/II with necessary amendments as issued by the Director of Industries, Trade and Commerce, to the Corporation.

(iv) On scrutiny of the above documents and payment of the processing fees prescribed under clause 21, the Corporation may grant its permission to the allottee for change in use or trade or for the addition of product to be manufactured. Provided change in use/trade amongst the categories (1), (2), (3), (4) and (5) listed below would be permitted only in the ascending order:—

- (1) Industrial Undertaking;
- (2) Institutions;
- (3) Service Industry;
- (4) Utilities;
- (5) Commercial activity.

## CHAPTER –V

**17. Change in Constitution/Shareholding Structure.**— (i) Any allottee which undergoes in a change in constitution or change in shareholding structure within limits under sub-clauses (ii), (iii) and (iv) below, shall have to inform the Corporation within a year of effecting such change or along with certificate issued by the Company Secretary detailing the nature of such changes. The Corporation will make necessary changes in its record on payment of the processing fees specified under clause 21. However in the event any of such changes in the constitution or shareholding structure result in breaching the limits stipulated under (ii) and (iii), the lease hold rights over the plots will be deemed as transferred and the Corporation will process the case in accordance with these regulations.

Existing allottees which have undergone change in constitution or change in shareholding structure within limits under sub-clauses (ii), (iii) & (iv) shall inform the Corporation within a year of notifying of these regulations.

(ii) Change in constitution in case of a proprietary or a partnership firm (including limited liability partnership firm) which does not result in the original/existing proprietor or partner and their relatives diluting their share of ownership in such firm below 51%.

(iii) Change in shareholding structure in case of a private limited company which does not result in the original/existing promoter shareholders diluting their share of ownership in such firm below 26%.

(iv) Change in constitution or shareholding structure of a firm or a company only amongst the relatives, which does not result in transfer of ownership.

**Explanation:—** Original shareholding of the Promoters for purposes of sub-clause (iii) above shall be the shareholding as on the date of starting the commercial operations.

**18. Change in shareholding structure in case of Public Limited Company.—** (i) Public Limited Companies which undergoes continues changes in shareholding structures will be exempted from informing the Corporation unless any such changes result in change in management control of such companies and in the event of such change in management control, the lease hold rights over the plot will be deemed as transferred and the Corporation will process the case in accordance with these regulations.

**19. Permitting more than one industrial unit in a shed.—** (i) Every request seeking permission to set up more than one industrial unit in a shed shall be considered on merits and placed before the Board of the Corporation for consideration and decision.

(ii) Processing fees prescribed under clause 21 would be applicable.

### **Mortgage**

**20. Grant of permission for mortgage of leased plots/premises.—** (a) Upon receipt of an application the Board of the Corporation or any official authorized to that effect and extent, may decide in respect of permitting an allottee to mortgage the lease hold rights over the plot allotted, over the machinery installed/to be installed and the factory building constructed on the said plot, to any Financial Institution for raising funds for setting up the project.

(b) Pursuant to the decision referred to under clause 20 (a) above a letter conveying no objection shall be issued to the Financial Institution for financing the allottee for setting up the project, to have the First, Second or pari passu charge over the lease hold rights of the plot allotted, over the machinery installed/to be installed and the building constructed on the said plot provided the allottee regularly remits the annual lease rent fixed.



(c) On behalf of the Corporation the letter to the financial institutions will be issued by the Managing Director or any other officer authorized by the Corporation within a period of 15 days from the receipt of the application and/or from the date of payment of any outstanding dues by the allottee whichever is later.

(d) Processing fees prescribed under clause 21 would be applicable.

(e) In case of any unforeseen circumstances if the movable or immovable assets of the allottee are attached by the Financial Institution for recovery of dues and the said assets are put to auction then the financial institution shall also recover the outstanding dues if any of the Corporation by the allottee and remit the same to the Corporation.

(f) No transfer shall be eventuated unless and until the outstanding dues of the Corporation are deposited with the Corporation either by the financial institution or the bidder parties. It would be incumbent upon the bidder parties and/or financial institutions to check the outstanding dues of the Corporation if any, against the said assets before bidding so as to avoid further complication to get the plot transferred in their names.

(g) Auction of the allottees assets attached by the Financial Institution shall be only for use under category permitted by the Corporation to be set up by the prospective bidders.

21. For processing the applications in all the above categories a processing fee of Rs. 5,000/- shall be charged. Processing fees shall also be applicable to the application of the allottees who have taken the plots/land etc. under auction.

22. The Corporation reserves its right to revise the Payment, Fees, Charges, Taxes, Deposits etc. as stipulated and the allottee shall be bound to pay the Payment, Fees, Charges, Taxes, Deposits etc. on demand by the Corporation.

23. Applications submitted and/or pending prior to the 18th day of June, 2012, shall be processed and dealt with under these regulations. However in such cases, the transfer fees charged by the Corporation as per the present regulations shall be in accordance with the premium plot rate prevailing as on the day of the application received by the Corporation.

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24. Any transfer or sub-lease effected between 18th day of June, 2012 and the date of the notification of these regulations, shall be processed and dealt with under these regulations. However in such cases, the transfer fees charged by the Corporation as per the regulations shall be in accordance with the premium plot rate prevailing as on the date of notification of these regulations.

25. **Grievance redressal.**— Any applicant affected by the decision of the Corporation or its refusal, shall approach the Grievance Redressal Authority appointed by the Board of Directors of the Corporation. In an event the Grievance Redressal Authority is satisfied that the grievance is genuine, he may recommend a remedial measure to the Board of the Corporation for a final decision. The decision of the Board of the Corporation shall be final and binding. Pending such appointment the Managing Director of the Corporation shall be the Grievance Redressal Authority.

26. **Repeal and savings.**— (i) The Goa Industrial Development Corporation Transfer and Sub-Lease Regulations, 2013, is hereby repealed.

(ii) The repeal of the Goa Industrial Development Corporation Transfer and Sub-Lease Regulations, 2013, under sub-clause (i) shall not—

(a) Revive anything not in force or existing at the time at which the repeal takes effect, or;

(b) Affect the previous operation of the repealed regulations or anything duly done or suffered thereunder, or;

(c) Affect any right, privilege, obligation or liability acquired, accrued or incurred under the repealed regulations, or;

(d) Affect any fees, interest, penalty as are due or may become due or any forfeiture or violation committed under the provisions of the repealed regulations.

(iii) Notwithstanding anything contained herein, these regulations shall not affect the mutually agreed terms and conditions of the lease deed or other documents executed in between the Corporation and the allottee, prior to these regulations coming into force and the same shall be effective and binding.

27. The transfers and sub-leases done by the Corporation shall be made in terms and in consonance with the General Policy of the Government including the Policy on Environmental issues and siting guidelines.

28. Notwithstanding anything contained herein, these regulations shall not affect and/or have bearing over any directions issued to the Corporation by the Government in terms of section 16 of the Goa Industrial Development Act, 1965.

29. The Board of the Corporation with prior approval of the State Government shall be entitled for taking appropriate measures for removal of difficulties if any, that may arise at any stage in the performance of its lawful functions, so as to give full effect to the Regulations.

#### SCHEDULE-IA

Conveyance of the lease hold rights over the plot/land initiated due to death; or permanent disability or serious health condition certified by the Goa Medical College, of the proprietor, partner, key person or promoter listed in the application for allotment of plot, to his/her/their legal representatives such as:

(a) Father.

(b) Mother.

(c) Husband.

(d) Wife.

(e) Son.

(f) Daughter.

## SCHEDULE –IB

**Exceptions in case of prohibited Sub-Leases.**— (i) Sub-leases initiated due to death; or permanent disability or serious health condition certified by the Goa Medical College, of proprietor, partner, key person or promoter listed in the application for allotment of plot;

(ii) Sub-leases from holding company to the subsidiary company and vice versa;

(iii) Sub-leases between sister companies or Associate/sister firms as defined under section clauses 3 (j) and 3 (k) above;

(iv) Sub-leases between Central, Union Territories or State Government owned companies, joint sector companies and associate companies promoted by the Central, Union Territories or State Government;

(v) Sub-leasing arising out of attachment of property by Financial Institution.

## SCHEDULE II

(i) Change in constitution or shareholding in case of a partnership firm (including limited liability partnership or a company) amongst the relatives.

(ii) Conveyance of the lease hold rights over the plot/land due to amalgamation or mergers and demergers of companies taking place as per orders of the High Court under the Companies Act, as in force.

(iii) Conveyance of the lease hold rights over the plot/land from a holding company to its subsidiary company and vice versa.

## SCHEDULE–III

Sub- Clause	Status of applicant and the plot sought to be transferred	Non-Refundable Transfer	Processing fees
1	2	3	4
1.(a)	Bonafide applicants where the construction on the plot has exceeded the definition of partial construction but is not coming under the definition of substantial construction.	60% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-
(b)	Applicants of all plots other than manufacturing and permissible transfer of alcohol and tobacco products as per clause 6 (ii) (4).		
(c)	All other cases of transfer permissible but not falling under 1 to 8 of this		

1	2	3	4
	Schedule.		
2.	Bonafide applicants where construction on the plot falls under the definition of Sub-substantial Construction.	40% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-
3.	Bonafide applicants who have completed construction as per the plans approved by the Corporation, the occupancy certificate is obtained for full or part occupancy, the unit has gone into commercial operation but has operated for less than 5 years.	30% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-
4.	Bonafide applicants who have completed construction as per the plans approved, the occupancy certificate is obtained for full or part occupancy and the unit has gone into commercial operation for more than 5 years but less than 10 years.	20% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-
5.	Bonafide applicants who have initiated transfers due to death; or permanent disability or serious health condition certified by the Goa Medical College, of the proprietor, partner, key person or promoter listed in the application for allotment of plot, to his/her/their relatives, legal representatives, except those specified under Schedule IA.	5% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-
6.	Bonafide applicants where transfers are initiated due to auction by any institution by any financial institution.	15% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-
7.	Application for transfer in between or to the Central, Union Territories or State Government owned companies, joint sector companies and associate companies promoted by the Central, Union Territories or State Government.	15% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-
8.	Bonafide applicants who have completed construction as per plans approved, the Occupancy Certificate is obtained for full or part occupancy and the unit is into commercial operation and successfully functioning for more than 10 years.	10% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5000/-

\* Commercial operation shall be duly certified by a Chartered Account on the basis of the annual accounts of the allottee for the preceding 5 years and in case of any doubt the Corporation reserves its right to investigate in the matter prior to the grant of permission for sub-lease.

#### SCHEDULE IV

(See Clause 5)

1. Detailed project report along with the flow chart.
  2. Term loan sanction letter from the Financial Institution or CA's certificate regarding promoter's financial capability.
  3. The arrangements made for procurement of plant and machinery and marketing the products (attach relevant documents).
  4. Bio-data of the Promoter/Directors/Shareholders/Partners.
  5. PAN cards.
  6. In case of companies:- Memorandum & Articles of Association along with incorporation certificate from the Registrar of Companies and a certified copy of Resolution passed by the company for setting up of project and the person empowered to act on behalf of the company and the shareholding pattern of the company.
  7. In case of partnership Firm:- Registered copy of Partnership deed along with the certificate from Registrar of Firms.
  8. EM Part I in case of Micro/Small & Medium unit and approval of the High Powered Co-ordination Committee in case of a large scale unit.
  9. NOC from the Goa State Pollution Control Board from the pollution point of view, if applicable.
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10. NOC from the Directorate of Health Services, Panaji-Goa, if applicable.
  11. NOC from the Chief Controller of Explosives, if applicable.
  12. NOC from the Inspectorate of Factories & Boilers, Panaji, if applicable.
  13. NOC from the Directorate of Drug Administration, Government of Goa, if applicable.
  14. A copy of the letter of intent from the Government of India, Ministry of Industries, New Delhi or SIA acknowledgment, if applicable.
  15. Annual report of the company for the last three years, if applicable.
  16. License under Fruit Products Order, if applicable.

17. A letter by the allottee or its authorized personnel confirming the not applicability of any of the documents listed at 9 to 16 above, in his/her or its case.

By order and in the name of the Goa Industrial Development Corporation.

Shri S. V. Naik, Managing Director.

Panaji, 30<sup>th</sup> July, 2014.