



Response of GOA-DC

Business Reform Action Plan 2017 by DIPP

Area :Land Allotment

Recommendation 210: **Define objective criteria, applicable for all industrial land, for evaluating land allotment application for industrial use.**

Response: Complied

Description: The guidelines for plot allotment and criteria for evaluating land allotment/transfer/sublease application is listed in the following Regulations published by Goa IDC and made available for download on official website <http://goaidc.com/> in the downloads section:

- 1) Goa-IDC Allotment Regulations, 2014 and Goa-IDC Transfer & Sub-Lease Regulations, 2014
- 2) Goa Industrial Development Corporation Allotment (First Amendment) Regulations, 2016

Supporting Documents:

- 1) Goa-IDC Allotment Regulations, 2014 and Goa-IDC Transfer & Sub-Lease Regulations, 2014 (<http://goaidc.com/pdf/Goa-IDC2014.pdf>)

(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 of 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.

(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
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)]:	

PRIORITY	MARES
(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 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.

2) Goa Industrial Development Corporation Allotment (First Amendment) Regulations, 2016.

PUBLISHED BY AUTHORITY

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Industries

Goa Industrial Development Corporation

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Notification

GOA-IDC/IE/BR/1568

In exercise of the powers conferred by clause (d) of sub-section (1) of section 51 read with sub-section (2) of section 29 of the Goa Industrial Development Act, 1965, the Goa Industrial Development Corporation, with prior approval of the Government of Goa, hereby makes the following regulations so as to amend the Goa Industrial Development Corporation Allotment Regulations, 2014, namely:—

1. *Short title and commencement.*— (1) These regulations may be called the Goa Industrial Development Corporation Allotment (First Amendment) Regulations, 2016.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of regulation 3.*— In regulation 3 of the Goa Industrial Development Corporation Allotment Regulations, 2014 (hereinafter referred to as the "principal Regulations") for clause (m), the following clause shall be substituted, namely:—

"(m) Commercial Operations or Date of Commercial Operations" shall mean and include the date as certified by a practicing Company Secretary or a Chartered Accountant or 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 alongwith a copy of bill of purchase or bill for the rental of the generator."

3. *Amendment of regulation 4.*— In regulation 4 of the principal Regulations, after item (1) of clause (a)(A), the following item shall be inserted, namely:—

"(1a) 20% of the earmarked area in item (1) above shall be reserved for the first time entrepreneurs."

4. *Amendment of regulation 5.*— In regulation 5 of the principal Regulations, in sub-regulation (2) (a), for items (vi) and (vii), the following items shall be substituted, namely:—

"(vi) Detailed Project Report for the project with the application.

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

* Entrepreneurs Memorandum/SSI Registration Certificate issued by the Directorate of Industries, Trade and Commerce, Government of Goa/Udyog Aadhar Memorandum (UAM) (As applicable).

* 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.”.

5. *Amendment of regulation 10.*— In regulation 10 of the principal Regulations, for the expression “30% of FAR of the land/plot area allotted”, the expression “30% of the land/plot area allotted” shall be substituted.

Umeshchandra L. Joshi, Managing Director, for and on behalf of the Goa Industrial Development Corporation.

Panaji, 21st December, 2016.

Notification

GOA-IDC/IE/BR/1569

In exercise of the powers conferred by clause (d) of sub-section (f) of section 51 read with sub-section (2) of section 29 of the Goa Industrial Development Act, 1965 (Act 22 of 1965), the Goa Industrial Development Corporation, with prior approval of the Government of Goa, hereby makes the following regulations so as to amend the Goa Industrial Development Corporation Transfer and Sub-Lease Regulations, 2014, namely:—

1. *Short title and commencement.*— (1) These regulations may be called the Goa Industrial Development Corporation Transfer and Sub-Lease (First Amendment) Regulations, 2016.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of regulation 3.*— In regulation 3 of the Goa Industrial Development Corporation Transfer and Sub-Lease Regulations, 2014 (hereinafter referred to as the “principal Regulations”),—

(i) in clause (f), for the expression “value of Rs. 300/- per sq. mts.,” the expression “value of Rs. 1,000/- per sq. mts.,” shall be substituted;

(ii) in clause (g), for the words “and the Occupancy Certificate is obtained for part or whole of the building”, the expression “to the extent of at least 30% of the land/plot area allotted and the Occupancy Certificate is obtained for the same” shall be substituted.

3. *Amendment of regulation 6.*— In regulation 6 (i) of the principal Regulations, clause (b) shall be omitted.

4. *Amendment of regulation 8.*— In regulation 8 of the principal Regulations, for the expression “penalty equal to 10% per year or part thereof, of the prevailing premium rate per sq. mts., for the plot area”, the expression “penalty equal to 10% of the transfer fee per year or part thereof” shall be substituted.

5. *Substitution of regulation 13.*— For regulation 13 of the principal Regulations, the following regulation shall be substituted, namely:—

“13. *Sub-leasing fee.*— (1) Sub-lease permitted under these regulations and approved by the Corporation shall entail the following fees:—

(i) For all sub-leases given after starting of commercial operations by the allottee— 8% of the prevailing premium rate per square meter per year, calculated on the total sub-leased 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— 10% of the prevailing premium rate per square meter per year, calculated on the total sub-leased area allotted upto a sub-leasing period of 10 years.

(iii) For any sub-leases beyond the period of 10 years:— 2% above the rates mentioned under regulation (i) and (ii) above:

Provided, however, that any extension of sub-lease beyond the period of 10

years shall be permitted only with the prior approval of the Chairman of the Goa Industrial Development Corporation.

(2) The sub-lease fees shall be paid in yearly instalments calculated on the premium rate per square meter prevailing on the due date of the payment. However, if the applicant pays the sub-lease fees in lump sum for a period of five years and above, a rebate of 10% of the fees shall be allowed.

(3) In case of delay in payment of yearly instalment of sub-lease fees, a penalty of 1% per month shall be charged for delay in payment beyond 15 days of the due date.

(4) Failure to pay the yearly instalment beyond a period of 12 months, the sub-lease shall be deemed as unauthorized sub-lease.”.

6. *Amendment for regulation 14.*— In regulation 14 of the principal Regulations, for the figures “20%”, the figures “30%” shall be substituted.

7. *Amendment of regulation 15.*— In regulation 15 of the principal Regulations,—

(i) for the expression “land/plot,” the expression “land/plot/shed/shop/godown” shall be substituted;

(ii) clause (i) shall be omitted;

(iii) in clause (ii), the expression “In addition to the surrender charges specified under clause 15 (i)” shall be omitted.

“SCHEDULE-III

Sl. No.	Status of applicant and the plot sought to be transferred	Non-Refundable Transfer fees	Processing fees
(1)	(2)	(3)	(4)
1(a)	Bonafide applicants where the construction on the plot has met 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. 5,000/-
(b)	Applicants of all plots other than manufacturing and permissible transfer of alcohol and tobacco products as per 6 (ii) (d).		

8. *Amendment of regulation 19.*— In regulation 19 of the principal Regulations, for the expression “Board of the Corporation”, the expression “Screening Committee constituted under regulation 5 (iii)” shall be substituted.

9. *Substitution of Schedule IA.*— For Schedule IA to the principal Regulations, the following shall be substituted, namely:—

“SCHEDULE - IA

Conveyance of the lease hold rights over the plot/land initiated due to,—

(i) attaining the age of 60 years or above;

(ii) death; or

(iii) permanent disability or serious health condition, certified by the Goa Medical College; of the proprietor, partner, key person or promoter specified in the application for allotment of plot, shall be made to his/her/ /their legal representatives in the following order of preference, namely:—

(a) spouse and children;

(b) father and mother;

(c) brother and sister.

10. *Amendment of Schedule IB.*— In Schedule IB to the principal Regulations,—

(i) clause (i) shall be omitted;

(ii) for clause (ii), the following clause shall be substituted, namely:—

“(iii) Sub-leases between Associate/ /Sister Companies and Associate/Sister firms;”

11. *Substitution of Schedule III.*— For Schedule III of the principal Regulations, the following shall be substituted, namely:—

(1)	(2)	(3)	(4)
(c)	All other cases of transfer permissible but not falling under items 1 to 8 of this Schedule.		
2.	Bonafide applicants where construction on the plot falls under the definition of Substantial Construction but the unit has not gone into commercial production.	40% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5,000/-
3.	Bonafide applicants who have completed construction as per the plans approved by the Corporation and the occupancy certificate is obtained for full or part and 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. 5,000/-
4.	Bonafide applicants who have completed construction as per the plans approved and the occupancy certificate is obtained for full or part 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. 5,000/-
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 I-A and conveyance of the lease hold rights over the plot/land due to amalgamation or merger and demergers of Companies taking place as per Orders of the High Court under the Companies Act as in force.	5% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5,000/-
6.	Bonafide applicants where transfers are initiated due to auction by any Bank or by any financial institution.	15% of the prevailing plot rate per sq. mts. of the plot area.	Rs. 5,000/-
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. 5,000/-
8.	Bonafide applicants who have completed construction as per plans approved and the Occupancy Certificate is obtained for full or part 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. 5,000/-*

Umeshchandra L. Joshi, Managing Director, for and on behalf of the Goa Industrial Development Corporation.

Panaji, 21st December, 2016.

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