

OFFICIAL GOVERNMENT OF GOA GAZETTE



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EXTRAORDINARY

GOVERNMENT OF GOA

Department of Industries

Goa Industrial Development Corporation

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 (1) 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 (j)” shall be omitted.

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 (iii), 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:—

“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) (4).		

(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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