

(3)

V. P. Kirti Khandekar
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Government of Goa,
Directorate of Panchayats,
Junta House, 3rd floor, 3rd lift,
Panaji - Goa.

Dated: 10.7.2000.

C I R C U L A R

The illegal constructions has become a chronic disease as the complaints are increasing day by day. It is observed that the Panchayats are not taking seriously the complaints on illegal constructions although they are fully empowered to demolish/remove the same after holding the necessary enquiry, as a result of which the illegal constructions are mushrooming.

(2) It is, therefore, necessary that timely action is required to be taken by the Panchayat on receipt of the complaints. In this regard, the following guidelines/directions are issued:

1. The Panchayat shall maintain the register of all the complaints of illegal constructions indicating therein the date of the receipt of the complaint, name and address of the complainant, name and address of the person doing illegal construction, nature of construction, occasion of construction, action taken.
2. The complaint shall be acknowledged within two days.
3. Immediately, on receipt of the complaint, site inspection be carried out to verify the contents of the complaints with due notice to the parties.
4. In case Panchayat finds that the contents of the complaints are true, the Panchayat shall draw Panchanama and also the sketch giving the details of the illegal construction such as length, breadth, height, nature of construction, location and also the date of commencement of construction.

5. The Sarpanch shall immediately issue the notice to the person doing illegal construction to stop the construction forthwith and simultaneously also issue Show Cause Notice as to why the said construction should not be demolished.
6. On receipt of reply to Show Cause Notice, Sarpanch shall place the matter before the Panchayat body alongwith complaint, Panchanama, Site Inspection Report, reply of the party, etc., for appropriate decision. The Complainant may also be asked to furnish the documents to substantiate his complaint.
7. In case, the Panchayat decides to demolish the illegal construction, the decision of the Panchayat shall be communicated to the affected persons directing him to demolish the illegal construction within a reasonable period (a time may be specified by the Panchayat depending upon the nature of the construction).
8. In case, the Panchayat decides not to demolish the construction, the decision of the Panchayat be communicated to the Complainant as well as to the concerned person.
9. In case the said person fails to demolish the illegal construction, the Panchayat shall request the Block Development Officer in the prescribed form for requisitioning demolition squad.
10. As and when the demolition squad is provided, the Panchayat shall carry out the demolition.

(3) The above instructions shall be strictly followed by the Panchayats. They shall note that in terms of the explanation to Section 66 of the Act, failure to take action amounts remiss in the discharge of duties which may ultimately attract the provisions of Section 50 of the Act.

(4) The Block Development Officer shall also immediately stop the constructions as and when the complaints are filed to the Block Development Officer and take further action. The Block Development Officer shall also direct the Panchayat to take action for Demolishing and in the event, the Panchayat fails to take action, submit the report to the Deputy Director of Panchayat.

(5) The Deputy Director of Panchayats shall verify the complaints and obtain the report from the Panchayat through the Block Development Officer and after holding enquiry, pass an appropriate order. It is observed that some persons directly approach the Directorate without making any application to the Panchayat. Such person should be clearly informed that they shall file their complaints to the Panchayat and it is only when Panchayat fails to take action within a specified period, they may approach the Deputy Director of Panchayat.

(6) All the Block Development Officers are also directed to review all the complaints filed before the Panchayats as well as before them in fortnightly meeting of the Village Panchayat Secretaries and a monthly report be obtained from the concerned Village Panchayat Secretaries under their jurisdiction. The Block Development Officer in turn shall submit the information to this Directorate in the following proforma.

P R O F O R M A

Sr. No.	Name of the Panchayat	No. of complaints received.	No. of complaints disposed off.	No of illegal construction demolished/regularised.	No. of complaints rejected.
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(G. G. KAMBLI)
Director of Panchayats,
Panaji - Goa.

To

All the Sarpanchas/

(through concerned Block
Development Officer)

Copy to:

(1) Block Development Officer