

**CALLING ATTENTION MOTION TABLED BY HON'BLE MLA S/SHRI
CRUZ SILVA, VIJAI SARDESAI, CARLOS FERREIRA, ALEIXO
LOURENCO**

“Fear and anxiety in the minds of the people of Goa with regard to road access to their houses. There are thousands of houses in Goa which do not have motorable road access and instead use the traditional (kaccha) road access through private property. The survey department failed to show access to many properties on the survey maps. This has resulted in an increase in conflict in the villages where landlords have been blocking road access to the affected people's homes by constructing compound walls. As a result, it is almost impossible for emergency services to access such houses in case of an accident or weather-related disaster. The steps the Government has taken to initiate a State-wide exercise to identify such landlocked properties and modify the survey maps to reflect existing access to such plots”.

Speaker Sir

I rise up to reply to the Calling Attention motion raised by my colleagues.

The Survey in the State of Goa had first commenced in the year 1968-72 as per the Goa Land Revenue Code and Record of Right i.e. Form I & XIV plus the Survey Plans were prepared. **In fact our State is the only State having attributes such as cart track, footpath, road with bridge, railway line with station, nullah etc etc. being duly depicted on the Survey Plans with proper symbol.** In fact, there are 43 **types** of symbols duly mentioned on the Survey plan.

Over the period of years people have constructed houses on lands which have been planned or unplanned. Thus it is incorrect to suggest that this problem is on account of Survey department to show these accesses on survey maps. Thus the Survey Plan cannot be used as a tool to reflect accesses and roads that have cropped up post 1972. The Goa (Regulation of Land Development and Building Construction) Act 2008 and The Goa Land Development and Building Construction Regulations, 2010 has sufficient power to take care of part of this problem including acquisition of land for providing access but however has not been completely able to tackle the problem.

Further Government of Goa has enacted the Goa Mamlatdars Court Act 1966 in order to protect and safeguard the traditional access / roads existing in the State of Goa. Although there are 213 pending cases which is not an alarming figure but it certainly shows that there lies a problem. Under the said legislation, the applicants are approaching the Taluka Mamlatdars under **Section 4 of the Mamlatdar Court Act** for redressing their grievance regarding blockage of traditional access / road. The Mamlatdar after receiving the application, conduct summary proceeding in the matter, obtain factual report from the Talathi of concerned village and pass appropriate order after considering all the material facts and documentary evidence relied by the parties in the matter.

The Revenue Department is also concerned with the grant of Conversion Sanad for conversion of plots under **Section 32 of Goa LRC, 1968**. Before granting the conversion Sanad, verification is done on whether there is a proper access to property sought to be converted. Similarly reports from TCP are obtained wherein a check is maintained for adequate access, without which technical clearance / approvals are not issued to properties proposed for construction.

Apart from the Mamlatdar Court Act, the Revenue authorities are not empowered under any other Acts to take action against the blocking of traditional pathway/ roads in the State. There is an option for aggrieved persons to approach competent civil court for relief. Due to the complexities of the problem, the matter needs to be examined at various levels, by various departments. Therefore, we are exploring the possibility for bringing an amendment to relevant acts or to come up with a special legislation, if required. Looking at the complexity of this issue it would be appropriate to constitute a committee with members of Revenue, TCP, PWD, Panchayat, Municipality, DSLR, who would then suggest a solution to mitigate such problems.