



A large number of people participate in a public meeting on Regional Plan 2021 in Panaji in 2011. | Photo Credit: By Special Arrangement.

The Great Goan Land Grab

How a recent amendment to land laws threatens the State's natural beauty and identity.

Published : Jul 27, 2023 11:00 IST - 11 MINS READ

[Anupama Katakam](#)

Verdant landscapes, a coastline dotted with sandy beaches and gentle surf, its *susegad* (easy-going) culture, and signature cuisine—this is the Goa the world knows. However, a recent amendment to Goa's land laws has the potential to ruin the State's physical and social fabric so drastically that the sunshine State may be in danger of losing its delightful uniqueness.

The downside began in March when the Town and Country Planning (TCP) Ministry amended a land law that put six crore square metres (1 sq m=0.0001 hectare) of no-development land on the block. This includes Eco-Sensitive Zones such as hillsides, mangroves, and forests. The Ministry added Section 17(2) to the Goa Town and Country Planning Act, 1974, which allows landowners to fill a simple form that asks for correction of "errors" in labelling land zones specified in Regional Plan 2021. For instance, a person can apply to change the "orchard land" he owns to settlement property or any other category. According to government records, within four months of the March notification, 1.82 lakh square metres of Goa's natural cover has been converted into settlement land on the pretext of corrections.

Pockets of Goa already resemble an ugly urban sprawl. Over the past few years, the State has witnessed rapid infrastructure development—high-speed highways and a new airport have been added. While some of the new infrastructure is needed, the quick growth has attracted a massive influx of people in search of Goa's well-known tranquillity and quality of life. This has led to a huge rise in demand for real estate. While a section of *Goenkars* see the positive side and argue that the money from real estate will boost the local economy, environmentalists and urban planners caution that this may be end of Goa as we know it unless the growth is handled responsibly and with foresight.

Explained: How a recent amendment to land laws may change Goa as we know it. | Video Credit: Text by Anupama Katakam; Edited and produced by Saatvika Radhakrishna.

“It is ironic that people come to Goa to get away from the madness of Indian cities,” said Andrea Fonseca, a resident and restaurant owner in Assagao. “And now because of them, this State will become one of those unplanned and chaotic concrete jungles. If this carries on, in a few years, the reason why they came will disappear and real estate value will fall. We are used to depending heavily on tourism and would wait for the season to make our money. However, now year-round, we have visitors. It became very popular during COVID times when many city people shifted to Goa. Of course, we can't complain. Progress but not at the cost of the State's natural environment.”

Also Read | [The Great Land Grab in Jammu and Kashmir](#)

Ramu Katakam, an architect living in Goa for three decades, said: “Converting any land to a settlement zone, at the discretion of the government, is making it possible for builders and settlers from other parts of India to build at will and build huge ‘palaces’ in the midst of the green landscapes of Goa. The newcomers want to settle in Goa to get away from the urbanisation of the rest of India, yet are creating the same densities of growth in this State, bringing huge pressures on the infrastructure and causing immense traffic jams already.”

[missing]

People stranded in one of Panaji's frequent traffic jams. | Photo Credit: Atish Pomburfekar

Katakam, who has worked on several Goa projects, believes that planners have the task of controlling the urban growth so that it does not cause complete failure to the infrastructure as has been done in other parts of the country.

Fight against amendment

Now a movement against the amendment is gaining momentum. Several leading environmentalists, architects, and urban planners, along with 26 NGOs, have come together to take on the State government. Additionally, a Public Interest Litigation (PIL) petition has been filed by the Goa Foundation, the Goa Bachao Andolan, and the Khazan Society of Goa. The petitioners shared a copy of the 135-page petition with *Frontline* and discussed their desperate attempt to save the State's green cover.

Section 17(2) is similar to Section 16B, a 2018 amendment of the Goa Town and Country Planning Act, 1974, which saw widespread protests. PILs challenging the constitutional

validity of Section 16B are pending final hearing before the Bombay High Court. Activists are hopeful that the courts will take similar cognisance of what is at stake with Section 17(2). Claude Alvares, director of the Goa Foundation, said: "Note that every proposal to convert is from orchard or agriculture to settlement. They are even allowing forests to be converted. How can a hundreds-of-years-old forest be an error on a land record? It is absurd. This makes it very clear that commercial interests are involved. Our PIL shows that almost every application made in the past four months has a link to a developer."

The PIL said: "The amendment vests arbitrary, uncanalised and untrammelled powers in the government respondents to effect changes in the zoning of plots within the statutory Regional Plan 2021, on the basis of individual requests from interested private parties claiming to be victims of errors in planning. The action of carving out new zones of individual plots is challenged as being contrary to the concept of zoning in town planning." Challenging the constitutional validity of the move, the PIL said: "The impugned section defeats the very purpose of planned development guaranteed to the citizens under Article 21 of the Constitution and is contrary to honest and transparent governance. In fact, it is wholly conducive to colourable exercise of power. It is wholly destructive of the scheme of planning that is part of the Town and Country Planning Act, 1974. It violates Article 21 and Article 14 of the Constitution."

The petitioners also challenged the rezoning of individual plots in established zoning areas as being violative of the process of planned development under the TCP Act. They said the arbitrary zonal changes had been enabled due to liberties taken with the definition of the term "zone" adopted by the Goa Land Development and Building Construction Regulations, 2010, Regulation 6.1.1(d), and they were challenging this as well, in order to ensure all loops were closed.

"The number of conversions and the kind of land being converted is staggering," Alvares told *Frontline*. "They look around for plots which are reasonable but unfortunately ecologically sensitive, like hill slopes or *khazan* land (low-lying), buy it cheap, and sell it at phenomenal rates or build gross construction once it becomes settlement." Alvares was among those who went to court over the Section 16B amendment of the TCP Act. Close to 7,000 applications were denied after the case went to court.

On whether Goans were inadvertently complicit in this situation, Alvares said: "Young *Goenkars* are beginning to realise they cannot afford to buy land. It is part of the culture to own a small property, particularly if you want to get married. For short-term gains, they will lose long term." Goa took off once the international real estate market got interested, he said. "It is this factor that is taking prices to skyrocketing levels. We have a Regional Plan to look at land development in a holistic manner. States such as Himachal and the north-east do not allow outsiders to buy land. Perhaps we should have gone down that path when we had a sensible government in place. Now it's too late," said Alvares.

Highlights

- A recent amendment to Goa's land laws has the potential to ruin the State's physical and social fabric so drastically that the sunshine State may be in danger of losing its uniqueness.

- The Ministry added Section 17(2) to the Goa Town and Country Planning Act, 1974, which allows landowners to fill a form that asks for correction of “errors” in labelling land zones specified in Regional Plan 2021.
- According to government records, within four months of the March notification, 1.82 lakh square metres of Goa’s natural cover has been converted into settlement land on the pretext of corrections.
- Environmentalists, architects, and urban planners, along with 26 NGOs, have come together to take on the State government. Additionally, a Public Interest Litigation petition has been filed.

Goa’s land history

Located between the Maharashtra and Karnataka coastlines, Goa is India’s smallest State with a land area of just 3,702 square kilometres. The Forest Survey of India estimates that 58 per cent of State land is under forest cover, and approximately 7 per cent is agricultural land. It boasts a beautiful 166-km coastline that is a draw for both domestic and international tourists. A Portuguese colony for 450 years, Goa’s heritage homes are in high demand from India’s wealthy, which has added to the real estate boom.

[missing]

People gathered at a cafe on Anjuna Beach, an area that has become a favourite of the new affluent migrants. | Photo Credit: By Special Arrangement.

Given the limited land availability, the State has a history of developing regional plans that served as blueprints for development and to ensure that natural cover, agriculture, and orchards remained proportionate to settlement areas. It began in 1981 when Goa’s policymakers and planners began drafting the first regional plan, called Regional Plan for Goa, 2001, which was influenced by a report from a task force on Goa’s eco-development set up by the Planning Commission under M. S. Swaminathan in 1981-82. The plan was made public in 1988 and taken to gram sabha meetings but there is no record of an assessment of its outcome.

In 1997-98, the government hired a private firm in New Delhi to draft a second Regional Plan. RP 2011 was released to the public in 2005 and notified in 2006. The plan was slammed by activists and led to massive protest rallies, including a gathering of around 10,000 in Panaji. Under public pressure, the government eventually scrapped the plan. A new committee was constituted led by the late Charles Correa, reputed architect and urban planner, and Edgar Riberio, the Government of India’s former chief town planner. This committee produced a draft of the Regional Plan 2021, or RP 2021, in 2008 and it was finalised and notified by 2011 after inputs from the public and local bodies. It was the first one to promote a bottom-up approach to the issue of land usage.

Alvares and other activists said the government could not interfere with such influential and senior people and RP 2021 was an impediment to real estate sharks. So, these sharks found other ways to tamper with the land laws. The PIL states: “They in effect destroy the statutory Regional Plan 2021 in force, render wholly worthless the provisions of the Town and Country Planning Act, 1974 itself.”

Favourites with migrants

North Goa, in particular Assagao, Moira, Morjim, Saligao, and Anjuna are favourites with affluent migrants. Assagao, which was once an innocuous village between Mapusa and Anjuna, has become so popular with people from Delhi that there are over 100 fine-dining restaurants in the area. Calangute-based real estate broker Reginald Lobo said that houses were selling for a base price of Rs.3 to 4 crore. He said a one-acre property, which cost Rs.3 lakh in Assagao in the late 1980s, today sells for Rs.24 crore. The increase has been 1,000 times in 30 years. “Everyone wants to not only sell but jump on the real estate gravy train,” said Lobo.

[missing]

Assagao is a favourite with affluent migrants. | Photo Credit: By Special Arrangement.

Official records, which the PIL quoted, showed that a majority of applications for land conversion were for properties in Assagao, Morjim, and Anjuna. Furthermore, most applicants had purchased the land recently. At the time of buying, they would be fully aware of the plot’s zone as per the regulations of the Regional Plan 2021. “Thus, the idea that the plot has been zoned “erroneously” is difficult to sustain,” said the PIL.

The PIL cited two strong examples when making the case for the dubious agenda behind Section 17(2): “An applicant bought a property in Anjuna for Rs.74 lakh in December 2022. It was zoned ‘Orchard’ in the RP. The party files for conversion in March 2023. By April, the plot becomes settlement. The party sells the same plot for Rs.6.8 crores to a builder in June 2023. In another case, a 4.82-hectare plot in Assagao was zoned ‘Natural Cover’ in the RP 2021. In fact, it was identified as private forest. In February 2023, the plot was sold to a builder for Rs.60 crore. The new owner applied for change of zone to ‘Settlement’ in March 2023. It was approved for conversion in June 2023.”

Also Read | [New forest laws and ‘development’ push: A prelude to a ‘land grab’ in India’s north-east?](#)

As per land records accessed by the petitioners, the 1,82,563 square metres of converted land has been carved out of natural cover (45.67 per cent), orchard land (44.21 per cent), and paddy fields/*khazan* (low-lying) land (10.11 per cent). None of the land was taken from settlement but it was converted to settlement. The courts are hearing the case and the petitioners are hopeful that they will get a decision in their favour.

Rane’s views

Vishwajit Rane, Goa’s Minister for Town and Country Planning, has reportedly been absent from the State ever since the land issue hit the Assembly and became a heated subject. Sources said Rane was determined to get the land conversion ball rolling. *Frontline’s* attempts to reach the Minister failed.

A tweet from Rane provided an insight into his views on the land issue. “There are several discrepancies in the RP-21, through which our people have been put through hardships,” Rane wrote. “Large properties and settlement lands, some belonging to poor people, have

been converted from settlement to natural cover, orchards, and non-development slopes in the name of rationalization, depriving them of their right to put their land to developable use.” Rane said an expert committee comprising environment bodies, architects, engineers, and government officials would scrutinise the applications and ensure complete transparency.

Many Goans remain unconvinced and continue to be worried about the future of the State.