



The recent Wayanad landslides have served as a wake-up call for Goa to prevent similar natural disasters from occurring in the State. The disaster indicates the outcome of ignoring ecological warnings and tampering with nature. The unchecked development and environmental degradation in Goa serves as a grim reminder of the consequences of destroying our hills, prompting urgent calls for action, writes **KARSTEN MIRANDA**

HILL CUTTING : TICKING TIME BOMB

In the aftermath of devastating landslides in Kerala's Wayanad district, Goa finds itself at a critical crossroads, facing widespread hill cutting and uncontrolled development that experts warn could lead to similar disasters. As pressure mounts from various quarters, the state government is scrambling to introduce measures to curb these activities, while activists and opposition leaders demand more stringent action.

Town and Country Planning (TCP) Minister Vishwajit Rane had announced plans to introduce three amendments to the existing Goa Town and Country Planning Act. These amendments, which may be implemented through an ordinance, aim to impose steeper fines and provide the department with more authority to crack down on illegal construction activities.

"We took a decision to bring in amendments to make sure that plotting on orchard land will not be allowed unless you convert the land into settlement. The fines will be established based on the size of the development," Rane said during a recent media address. He emphasised that amendments to the TCP Act are necessary to effectively halt hill cutting.

The proposed changes include increasing fines from the current Rs 10 lakh to a minimum of Rs 25 lakh for violations, based on the size of the affected area, prohibiting development on orchard land without proper land conversion, and implementing stricter enforcement mechanisms.

Rane revealed that the department has filed over 900 FIRs against individuals and construction companies for illegal plotting and hill cutting. However, these actions have failed to deter violators effectively.

"We have taken action, but by filing an FIR, nothing stops. We need to bring in an amendment to impose steep fines, only then will things remain in control," he explained.

The Minister also announced that the TCP board would consider draft norms for Indian Green Building Council (IGBC) Green certification, which will be mandatory for large projects.

"Without green certification, we will not permit big projects. IGBC is a must. Goa should go vertical," Rane stated. This move towards green certification is seen as a step towards more sustainable development practices in the state.

Rane also claimed that he resisted tremendous pressure to restore the permissions granted to Mangalam Builders for the Kadamba Plateau project, highlighting the challenges faced by officials in balancing development pressures with environmental concerns.

Incidentally, earlier this month, while taking note of the Wayanad disaster, Chief Minister Pramod Sawant chaired a high-level meeting of the State Disaster management committee to address the issue.

Several key decisions were made, including engaging the National Disaster Management Authority (NDMA) to identify vulnerable areas and develop early warning systems, empowering local talathis to monitor and report illegal hill cutting in their jurisdictions, and issuing guidelines to various departments to prohibit constructions in no-development zones, eco-sensitive areas, and other fragile locations.

The government has also decided to re-activate a two-year-old high-level committee to identify landslide-prone areas and upgrade the state disaster management committee to the State Disaster Management Authority, with dedicated year-round

officers. These measures aim to create a more robust system for disaster prevention and management in the state.

Sawant emphasised the need for these measures, stating, "We have woken up after the massive landslides in Wayanad. We have decided to take up measures to avoid such a tragedy in the state. We are reviving our machinery for the purpose."

The CM recalled previous landslide incidents in Goa, including major ones in 2022 in the forests of Satrem, Karanzol, and Mauxi villages of Sattari taluka, noting that smaller landslides have been reported in recent years across various talukas, including Bardez, Mormugao, Sattari, Bicholim, Pernem, and Salcete.

Incidentally in the last two months, during the heavy downpour Goa witnessed several landslides such as the one in Pernem, which saw three landslides occur within 48 hours on the national highway. The CM's meeting was aimed at responding to these issues as well.

It may be recalled that during the recently concluded assembly session, MLAs across party lines raised serious concerns about the risk of a Wayanad-like disaster in Goa due to rampant land use changes and hill cutting. They emphasised the urgent need for a new regional plan.

Leader of Opposition Yuri Alemoa warned that Goa lacks the carrying capacity for mega projects, likening them to a "destructive tsunami for locals." He cited an alarming increase in 16B cases, with 7,800 cases translating to 1.40 crore square meters of converted land, referencing environmental expert Madhav Gadgil's warnings about potential disasters.

Congress Aldona MLA Carlos Ferreira demanded accountability, suggesting that "talathis should be held responsible for not reporting illegal hill cutting" and urged the initiation of a new Regional Plan. Supporting this call, BJP Curchorem MLA Nilesh Cabral pointed out discrepancies in Floor Area Ratio (FAR) between the 2011 and 2021 plans, highlighting the need for a comprehensive review of planning policies.

AAP Velim MLA Cruz Silva presented statistics showing increased construction activity, with TCP earning Rs 2.39 crore in technical clearance fees in 2023-24, up from 83 lakhs the previous year. He noted a surge in applications for zone changes and corrections, indicating a rapidly changing landscape in Goa.

Independent MLA Aleixo Reginaldo Lourenco proposed designating hills, marshy areas, and natural water bodies as "no

STATE OF GOA'S HILLS

➤ 54 cases of properties with steep slopes (above 25%) being changed to settlement under section 17(2)

➤ The total area changed amounted to 662,138 square meters, although the exact area of steep slopes removed is not provided by the TCP department

➤ 33 of these sites are in Bardez Taluka alone, indicating a concentration of development in certain areas

➤ The laterite geology of Goa means that a steep portion will be surrounded by a moderately steep area (10% to 25%), which is not mapped in the Regional Plan but still needs TCP permission before cutting as it is still a sensitive area

➤ This suggests that the actual area of sensitive land opened to development could be significantly larger than the official figures indicate

Source: Tahir Noronha, urban planner and architect

development zones" to protect natural resources, while Margao BJP MLA Digambar Kamat called for a comprehensive development plan for areas with ODPs to address development-related issues.

RGP St Andre MLA Viresh Borkar criticized the lack of local involvement in land use changes, expressing concern over the "real estate lobby from outside the state" creating second homes and limiting land availability for locals. This sentiment reflects growing tensions between development interests and the preservation of local communities and ecosystems.

Coming to the present scenario and in wake of the measures announced by the TCP Minister, there have been mixed reactions to the same.

Activist Swapnesh Sherlekar for instance, while welcoming the move to implement corrective measures, expressed scepticism about the effectiveness of the proposed fines. He argued that a fine of up to Rs 25 lakh would not significantly deter wealthy real estate companies selling plots for over Rs 1 crore. Sherlekar feared that instead of being viewed as a deterrent, the fine might be seen as a premium, allowing companies to continue hill cutting by simply paying the penalty.

Sherlekar, who has been holding public awareness programmes on the recent TCP amendments, proposed more stringent

measures, including reviewing all permissions granted for hill cutting since 2022 under sections 17(A), 17(2), and 39A, particularly those yet to be executed. He suggested recalling granted permissions following investigation and implementing a proactive response from TCP and Forest Department to complaints of hill cutting, tree felling, or land filling.

Importantly, Sherlekar advocated for locking affected land for 25 years, during which restoration measures should be initiated, even if this means restoring private forests. He proposed using funds for social forestry and restoration to preserve the land and deter future violations. This long-term approach aims to create a lasting deterrent against environmental degradation.

Senior High Court Advocate Cleofato Almeida Coutinho commented on the political implications of the proposed TCP amendments. He noted that putting TCP approvals beyond court jurisdiction had become socially and politically untenable after the Wayanad disaster. Coutinho argued that the flattening of hills is not due to permissions but rather authorities turning a blind eye to destruction, with buildings and swimming pools making areas more fragile.

Moving forward, some felt that studying data at hand would also be important while deliberating about what needs to be done.

On that note, Urban Planner and Architect Tahir Noronha provided crucial data on the extent of the problem, revealing 54 cases of properties with steep slopes (above 25%) being changed to settlement under section 17(2). The total area changed amounted to 662,138 square meters, although the exact area of steep slopes removed is not provided by the TCP department. Noronha pointed out that 33 of these sites are in Bardez Taluka alone, indicating a concentration of development in certain areas.

Noronha also highlighted that the laterite geology of Goa means that a steep portion will be surrounded by a moderate steep area (10% to 25%), which is not mapped in the Regional Plan but still needs TCP permission before cutting as it is still a sensitive area. This suggests that the actual area of sensitive land opened to development could be significantly larger than the official figures indicate.

The recent events in Goa have reignited discussions about the Madhav Gadgil-led Western Ghats Ecology Expert Panel report from 2011. This report had specifically warned against indiscriminate quarrying and construction activities in Ecologically

Sensitive Areas (ESAs), including regions like Meppadi in Wayanad, where the recent landslide occurred.

The Gadgil report proposed categorizing Ecologically Sensitive Areas and Zones across the Western Ghats, with clear restrictions on construction activities in ESZ-I and ESZ-II regions. However, both state and central governments were reluctant to implement these recommendations, opting instead for measures that diluted the proposals.

Coming back to the Goa scenario, the Goa Bachao Abhiyan (GBA), a prominent environmental organisation, has been at the forefront of efforts to protect Goa's ecology, welcomed the government's decision to withdraw the controversial Town and Country Planning (Amendment and Validation) Bill, 2024, crediting the people of Goa for raising their concerns with MLAs.

GBA convener Sabina Martins stated, "It is praiseworthy that several MLAs from the ruling and Opposition raised people's concerns in response to the GBA's call. This is proof that the people's power prevails in democracy." The organisation has called for vigilance regarding land conversions and urged the government to upgrade its mechanisms to prevent illegalities.

Martins expressed shock at TCP Minister Vishwajit Rane's admission in the assembly that he had not read the important Gadgil report, and his apparent downplaying of concerns that Goa could face a fate similar to Wayanad. GBA has called for immediate action, including starting the process for a new Regional Plan as per the Constitutional mandate, withdrawing Sections 17(2) and 39A of the TCP Act and reverting changes made under these provisions, and updating the TCP department website with all minutes and data, which have not been uploaded since August 2023.

A GBA delegation also met with Governor P D Sreedharan Pillai to discuss planning issues in the state and sought his intervention to oversee the implementation of constitutional mandates for planning as per Section 243 ZD. This move highlights the growing involvement of civil society in pushing for sustainable development practices in Goa.

Finally, this issue of hill cutting has also gained significant political traction. Based on a complaint filed by Congress leader Sunil Kawthar, the Ministry of Environment and Forests (MoEF) has directed the Principal Chief Conservator of Forests Goa (PCCF) to take appropriate action and submit a report on illegal hill cutting. Kawthar stated that the party will continue their fight to save Goa's environment and ecology for future generations, with "zero tolerance to destruction of our hills."

As Goa grapples with these complex issues, several challenges and potential solutions emerge. While new laws and increased fines are proposed, effective enforcement remains a significant challenge. The government must ensure that local authorities have the resources and mandate to implement these measures strictly.

It was the view of various activists who have been fighting on these TCP issues including hill cutting that there is a clear need for a new, holistic Regional Plan that takes into account environmental concerns, local needs, and sustainable development principles. Goa must find a way to manage its growth while preserving its unique ecology. This may involve promoting vertical development in appropriate areas while strictly protecting sensitive zones.



Leader of Opposition Yuri Alemoa warned that Goa lacks the carrying capacity for mega projects, likening them to a "destructive tsunami for locals." He cited an alarming increase in 16B cases, with 7,800 cases translating to 1.40 crore square meters of converted land, referencing environmental expert Madhav Gadgil's warnings about potential disasters