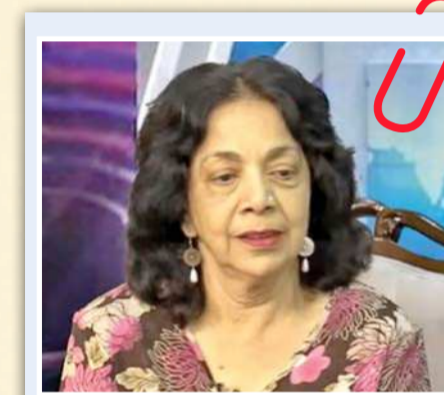


# The cruel reality of real estate mega projects threatens the existence of Goa and its people

**T**he people's fight to protect Goa's land is raging in its towns and villages, taken forward by Goans from different walks of life - from students to farmers, school teachers to lawyers, bankers and doctors. This is a flashpoint: the awakening of the people.

"The cause behind this is not new. It started with what was initiated between the time of the Regional Plan 2011, subsequent agitation, and scrapping of that plan. All the ambition, dubious plans, and schemes that were made back then in 2004 and 2005 are now coming to life. The only difference is the delay. If the Regional Plan 2011 was notified and implemented as designed, this destruction would have happened 10 to 15 years back. The only delay was due to the agitations that forced the government to scrap those plans, but now those things are coming again because the people in power remain the same," says Swapnesh Sherlekar, an activist who has taken on the crusade against illegal development using information gleaned through thorough study and painstakingly collated via RTI applications.



**“**This Bhutani project will consist of 720 units, all equipped with swimming pools. The immediate question that comes to mind is: where will we get the water for these swimming pools? Where will this stale water from the swimming pools go? Will it end up in our lakes, polluting the village's water bodies? Sancoale already faces water shortage. While it sounds grand and luxurious to have such a mega project, we must confront the ground reality — Alina Saldanha, former environment minister

In terms of percentage, almost 60-65% of what was in Regional Plan 2011 managed to creep into RP 2021, he adds. "Manohar Parrikar had committed to scrapping RP 2021 within 100 days of assuming power in 2012 but didn't. Instead, he put a check in place to verify permissions against Regional Plan 2001, ensuring settlement zones and ecological sensitive zones marked in RP 2021 remained untouched. However, Vijai Sardesai removed this check in 2018, and the entire Regional Plan 2021 was enforced," Serlekar says.

It's evident that rules and laws are being violated. "Documents show that certain areas in Sancoale village are sensitive, like survey number 257/1,

It is not just Sancoale. People's movements in Old Goa, in Reis Magos, in Chopdem, Dhargalim – these are not new issues, but a new energy infused into people's movements.

When it comes to land use, there are several documents - the State's Regional Plan, the CRZ map from 2011 and the current Coastal Zone Management Plan. Additionally, the Forest Department's map has statutory significance in the State

previously identified as a private forest. This means it's a sacred place that needs protection for plant and animal life. However, the State level expert committee's report from 2012-2018 declared it a private forest, but it was withdrawn from the list in 2018," Alina Saldanha, former environment minister, says.

"I question what environmental changes allowed this withdrawal, enabling construction activity and tree cutting. Did the forest department grant permission? It's contradictory to declare it a private forest and then withdraw the tag for construction and allowing a builder to take over the land. The natural state remains the same, one can see thick plantations, trees and springs - so how can it be reversed?" questions Saldanha.

"Most of the required conditions are not met, such as the access road width. The minimum requirement is 10 meters, but on-site, it's only 5 metres, she points out. "Yet, the government remains silent despite these violations," she rues.

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When it comes to land use, there are several documents - the State's Regional Plan, the CRZ map from 2011 and the current coastal zone management plan, says Congress vice president Tulio D'Souza. Additionally, the Forest Department's map has statutory significance in the State.

"While I'm aware that a government-appointed committee has established criteria for forest areas, including a minimum size and contiguity to existing private forests, I don't want to delve into the specifics of individual projects. However, I do want to emphasise that these government documents should be overlaid to provide a clear understanding of the State's situation. For instance, in Reis Magos, there's a project by DLF on the hill where rampant hill cutting is happening right now. I'm puzzled by the current party president's claim that these are old permissions, as I have records of permissions signed by the current Minister in 2022 and the



For years, life in Goa has revolved around land - from ancestral properties to eco-sensitive, highly sought-after coastal land, from the dusty red gashes in the mining belt to the fertile farmlands and unique khazans teeming with life. Today, the fate of Goa's land and the future of its people are at stake. The Western Ghats, one of the 36 Global biodiversity hotspots, has seen a 5% reduction in its evergreen cover and a 9% loss of agricultural area. Deforestation, mining, and infrastructure construction have led to landslides, floods, and droughts. The people of Goa are speaking out against the destruction of their land and the exploitation of laws that have allowed large-scale projects to devastate their soil and existence. In the weekly Herald TV debate Point-Counterpoint, **SUJAY GUPTA** delves into the battle to protect Goa's land with a knowledgeable panel of stakeholders who understand the issue intimately. They discuss how the land is being brokered by the government and how laws have been manipulated to facilitate mega projects, crushing the very existence of Goa and its people



To watch this debate on Herald TV's YouTube channel, scan this code or go directly to our YouTube channel



### PANELISTS

- Alina Saldanha, former environment minister
- Tulio D'Souza, vice president, Goa Congress
- Swapnesh Sherlekar, activist
- Lawrence Fernandes, activist from Sancoale

endorsement of departments like the Forest and Mamlatdar," he says.

Now that the people have mounted pressure, there has been sustained pressure from the local people, activists, and political parties, with the Congress party at the forefront to oppose this in Sancoale, he says.

"Suddenly, they have come up with a show cause notice by the PD, and yesterday the village panchayat issued another one. The show cause notice states that the road width is not as prescribed in the regulation, which is 10 metres, and there is only a 5-6-metre road. Furthermore, the entire Bhutani project is on a hill slope, and the accesses to the rear require cutting the hill, but they said that the permission for this was not obtained under Section 17A of the TCP Act, which is required. So, if these requirements were not met, why was the licence given in the first place?" the Congress Vice President says.

For context, M-Tech was a real estate company in 2006. On the same survey number, they applied for conversion of land, and the conversion was granted in 2007. In 2008, they obtained clearance from the Coastal Management Authority, and environment clearance was granted in 2009. In 2011, they obtained a construction license for the compound wall from the Sancoale Village Panchayat. However, due to pressure from locals, they did not proceed with the construction, despite having applied for the construction licence.

Lawrence Fernandes, a senior citizen and firebrand activists recalls how he, and his fellow Sancoale locals, fought tooth and nail to prevent the construction project from coming up.

Recalling their meeting with then-Chief Minister Manohar Parrikar, Fernandes says, "Four or five of us went to the CM and introduced ourselves as



**“**An investor coming to the State is now treated like a customer, with the government acting as a broker, trying to show that everything is smooth and green for development. Anyone, even a Goan looking to purchase property, would first check the title and the zone to see if it's developable. The same applies to any investor coming into Goa. But when your Outline Development Plan (ODP) doesn't show any contours or accurate details on the actual planning document, how can you blame the developer? — Swapnesh Sherlekar, activist

villagers of Sancoale. We had a similar problem; a marina was coming up in Sancoale, and Parrikar asked me to explain what this project was like. Then I explained, because I'm from the shipping sector, that when boats come and park there, oil will spill and marine life will be destroyed. Parrikar replied that he would not allow this destructive project to happen."

Fernandes says he then reminded Chief Minister Pramod Sawant that Parrikar was the one who brought him

to his position and expressed confidence that Sawant would listen to them, just as Parrikar used to.

Delving into the history of the controversial Bhutani project, Sherlekar points out that the company is claiming that they had a construction license in the past, but none of those licenses were utilised—there was no execution.

"I remember in 2023, before this agitation started, a company called ANS Constructions began building the compound wall at the site. That's when we filed a complaint, which led the panchayat to issue a stop-work notice to ANS Constructions, not to Bhutani or Paramesh. That was in 2023. After that, ANS Construction sold the property to Paramesh, who then acquired a new set of permissions," Sherlekar says.

"Now, regarding the conversion sanad, Paramesh claims they have one from 2007. That sanad was related to a settlement zone. However, the zone for this specific parcel of land—Plot 257/1 in the ODP—was changed to a C1 (Commercial 1) zone with a 200 FAR. To increase the FAR from 80% (S1 zone) to 200%, they needed a commercial conversion sanad," he explains.

What the Revenue Department did was issue a conversion amendment to the old sanad. While issuing conversions, they are supposed to seek reports from multiple departments, including the Forest Department. But instead of treating it as a fresh case and thoroughly deliberating on it, they simply amended the old conversion. They relied on the 2007 report from the Forest Department, without obtaining a fresh one, adds Sherlekar.

In 2012, when Alina Saldanha was the Forest Minister, she appointed the Thomas and Araujo Committee to assess forests. This committee identified several survey numbers, including this one, and many others. In just three villages in Mormugao - Sancoale, Cortalim, and Dabolim—the committee managed to identify over five square kilometres of private forest land.

However, this committee was abruptly dismantled in 2018. After the death of Manohar Parrikar, a new review committee was constituted by the current government. By 2021, this new committee had managed to eliminate approximately 3.5 square kilometres from these three villages, determining that they did not qualify as private forests," added Sherlekar.

Alina Saldanha laments that the times have changed - when she was in the Forest Department, even if a single tree had to be cut in a private compound, a site inspection was conducted to assess



**“**500 hectares of land belonging to Zuari Agro-Chemicals has been fraudulently grabbed, and the issue was also raised in the Assembly by Fatorda MLA. This land was supposed to be on a 99-year lease, with the administration of South Goa at the time signing the sale deed. It's important to note that you cannot sell Comunidade land outright; you can only have a lease agreement for it. The revenue minister stated that he would conduct a legal review and get back to me. However, the legal advisor later informed me that the case is very weak and that we would likely not win, as the land has already been sold to Zuari — Lawrence Fernandes activist from Sancoale

various factors related to that one tree or two trees. "And now, we are ready to fell an entire private forest to make way for a concrete jungle," she laments.

Saldanha reveals that survey number 257/1 in the village of Sancoale has two private owners besides Bhutani, who we now consider the owner of the land. One owner is Mrs. Succorina Vales, whose father-in-law, Francis Vales, purchased a piece of land in survey number 257/1 through a deed of sale dated 21st August 1969, which is still valid. Similarly, the Naik family also owns a portion of the land in survey number 257/1, she explains.

"However, Bhutani has constructed a compound wall around the entire property, including these two privately owned patches of land, preventing the families from accessing their land. For years, these families have been going to the area to collect fruits, harvest cashew, and extract cashew juice. Now, they are unable to do so because Bhutani's compound wall has enclosed their land. The families have protested against this, and I believe it's now up to the government to take a stand on the matter," she stresses.

Touching on another crucial topic, Saldanha adds, "This Bhutani project will consist of 720 units, all equipped with swimming pools. The immediate question that comes to mind is: where will we get the water for these swimming pools? Furthermore, this water cannot remain stagnant; it needs to be



drained and replaced with fresh water at regular intervals. So, where will this excess water from the swimming pools go? Will it end up in our lakes, polluting the village's water bodies? Has any care been taken to assess this? While it sounds grand and luxurious to have a building with 720 units and swimming pools, we must confront the ground reality. Most importantly, we need to consider the locals. The village of Sancoale is already facing significant water supply issues."

If one were to play devil's advocate, Bhutani, or any other developer might argue that they came to Goa, sought all the necessary permissions, and at this point, every required permission has been granted. They may argue that they are proceeding based on the approvals given by the authorities.

From their perspective, they are investors, project proponents, and they're proceeding with everything in order. They might say that if the government and political parties want to argue about who's at fault, that's their problem. D'Souza answers, "I'm sure the current owners of that property have done



**“**I believe there are no established agencies or reports that have determined the State's carrying capacity; how much tourism Goa can sustainably accommodate. The government keeps creating tourism master plans and consultants, but where is the data? What is the actual road-map for tourism in terms of benefiting locals and supporting their livelihoods? Without adequate primary checks, the government could exceed the carrying capacity of the State, leading to a huge influx of people from outside, who may replace Goans — Tulio D'Souza, vice-president, Goa Congress

their due diligence and investigated why the previous licenses lapsed and what the background was. Lawrence has given us a clear understanding of the situation, and I'm confident they would have looked into whether the project was altered or stopped due to objections from the local community."

"When you apply for permissions, you need to understand that there are restrictions on hills. While it's generally not advisable to cut into hills, the regulations allow development on slopes up to 25%, provided you obtain permission from the Chief Town Planner under Section 17A, with certain conditions. In this case, they are falling short of that permission. Additionally, they haven't met the required road width of 10 meters, as the existing road is only 5 or 6 meters wide. So, how can they claim they have all the necessary permissions?" he asks.

"If the slope of the hill is beyond 25%, then there's no scope for development. So, there's no basis for even considering such a response. This is where the government's policies are flawed. The first basic check, when granting permission on a hill or in a potentially forested area, should be to determine whether that parcel of land has any development potential at all before granting any sort of permission," explains D'Souza.

Sherlekar chimes in, and remarks that the government is acting as a broker, inviting these investors without properly evaluating the real development potential of the project.

"An investor coming to the State is now treated like a customer, with the government acting as a broker, trying to show that everything is smooth and green for development. The key issue I'm highlighting here is the ODP of Vasco, the ODP 2030. In that ODP, this parcel of land is marked as developable—not just that, it's classified as a C1 zone," he says.

"Now, anyone, even a common Goan, when looking to purchase property, would first check the title and the zone to see if it's developable. The same applies to any investor coming to Goa. But when your ODP doesn't show any contours or accurate details on the actual planning document, which is the Outline Development Plan, how can you blame the developer?" questions the activist.

"I believe there are no established agencies or reports that have determined how much tourism Goa can sustainably accommodate. The government keeps creating tourism master plans and appointing new agencies and consultants, but where is the data?"

Where the specifics, and what are is the actual roadmap for tourism in terms of benefiting locals and supporting their livelihoods?" he asks.

While Goa's precious land is under stress, it's not just the land that is affected. The next most important natural resource, water, is also under tremendous stress. Our rivers, lakes, and seas are suffering from encroachment and pollution. The government advises the public not to throw garbage into water bodies, yet we see casinos violating every law in place.

It may happen that, without adequate primary checks, the government could exceed the carrying capacity, leading to a significant influx of people who will claim that the carrying capacity has been achieved. However, this would result in the land being inhabited by newcomers rather than Goans.

When asked whether there is here any data on the amount of land that has actually been converted, Sherlekar says, "From March 2023 until today, over 22

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lakh square metres of land has been changed from ecologically sensitive areas to settlement zones."

"In the run-up to the preparation of the ODPs for Calangute, Candolim, Arpora, and Parra, 16 lakh square metres of land has been converted. That's 16 lakh square metres in a relatively small area. When such massive conversions are taking place—especially in ecologically sensitive zones and coastal settlements—how can we expect any form of environmental consciousness in the State?" asks D'Souza.

"The State of Goa is the smallest state in the country. To put it in perspective, Karnataka is about 62 times bigger, and Maharashtra is over 80 times larger than Goa. There's simply no comparison. So, what are we doing? Is this what we call planning? Shouldn't there be proper planning in place for development?" he queries.

According to Sherlekar, change can be affected only if there is a grassroots movement of competent people who can defeat the deep-rooted corruption in the system.

"We need to understand what loopholes and systems have been put in place to allow those in power to grab land and steal from the people. We need people who will keep checks over all the control mechanisms - starting from the government to the Opposition and the media and if these three are not working, one should be able to drag all of them to court. This is a set up that every village should have," Sherlekar says.

