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## Land use planning, dispossession and contestation in Goa, India

Solano Da Silva<sup>a</sup>, Kenneth Bo Nielsen<sup>b</sup> and Heather P. Bedi<sup>c</sup>

<sup>a</sup>BITS, Pilani, Goa, India; <sup>b</sup>Universitetet i Oslo, Oslo, Norway; <sup>c</sup>Dickinson College, Carlisle, United States

### ABSTRACT

This article seeks to understand the role of land use planning in India's neoliberal regime of dispossession. Analyzing the relationship between planning and land dispossession in the state of Goa, we view planning processes and documents as constitutive parts of state-specific regimes of dispossession. We argue that planning in Goa emerges as a terrain of struggle between a state-capital nexus seeking to dispossess and convert land, and an organized citizenry seeking to use planning for alternative purposes. We show how the long-term trend in regional planning is one in which planning documents function predominantly to assemble land for private investments.

### KEYWORDS

Land dispossession; land use planning; India; Goa; social movements; inscription devices

In 2015, the inhabitants of the small Goan coastal village of Tiracol were awakened by the arrival of men and machinery hired by Leading Hotels Pvt. Ltd, a five-star hotel company. The machines bulldozed a large part of the village orchard lands as part of Leading Hotels' plan to build a PGA standard golf course and resort. The villagers strongly opposed this project for several years, triggering Leading Hotels' attempt to sneak their men and machinery in at the dead of night, protected by 50 security guards.

Prior to the arrival of machines and security guards, the land in Tiracol had been contested for years. The village is home to a Portuguese fort and includes 16 different 'survey plots' of land according to the government land records. The fort itself falls in survey plot number one while the remaining land is mostly tenanted land, owned by a local landlord. While most of the village lands were for long shown in official land use maps as 'cultivable land or orchards', things changed dramatically – at least on paper – when the village in 2006 suddenly appeared in official maps as a 'settlement' area. The conversion of the land in Tiracol from cultivation to settlement made the value of the land increase dramatically and was in effect the outcome of 'requests' impressed upon state authorities by a private consultancy company to that effect. Anticipating the land use conversion and the concomitant increase in value, Magus Hotels and Real Estate – a subsidiary of Leading Hotels – moved swiftly to purchase most of the village lands from the landlord. The landlord, in turn, paved the way for Leading Hotels by getting rid of his tenants. In current official land use maps, most of Tiracol is now marked as an 'eco-tourism' zone.

**CONTACT** Kenneth Bo Nielsen  k.b.nielsen@sai.uio.no  Universitetet i Oslo, Oslo, 0316, Norway

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Local opposition from tenants notwithstanding, plans to build a hotel-cum-golf resort that will cover almost the entire village remain alive and well, with a course designed by golfing great Colin Montgomerie, a marina and 150 villas (Nielsen and Da Silva 2017; Siqueira and Da Silva 2015).

\*

As witnessed in Tiracol, land dispossession and 'land grabbing' are contentious public issues in most of the world (Levien 2018). Over the past decade, a large literature on what has been called 'the global land grab' interrogates how structural adjustments, neoliberal reforms and the opening of markets have been key drivers of land grabbing allowing corporate entities to gain control of land and/or its resources (Borras Jr and Franco 2012; White et al. 2012; Borras Jr et al. 2012). In this context, India is, as Levien (2018) points out, undoubtedly the global epicentre of land grab protests, as hugely controversial dispossession-driven projects in infrastructure, real estate, industry, mining and solar energy have triggered popular protest in many parts of India and have put land squarely back on the political agenda (Bedi 2019; Nielsen 2018; Nielsen and Oskarsson 2017).

The trouble with land is, as Li (2014) has succinctly put it, that it is not like a mat. It cannot be rolled up and carried away. It has a presence and a location, and a rich and diverse array of values, meanings and uses to which it can be put. In other words, and as our brief opening vignette indicates, work is required to render it investible, to assemble it as a resource available to private investors (see Polanyi 1944). In the Indian context, much such 'work' has been carried out through the state's exercise of eminent domain via the colonial land acquisition act from 1894. In a period marked by accelerated pro-business economic reforms (Kohli 2012), the act was seen to be invoked – and backed by force and violence when needed – by state governments to cater to corporate investors' desire for land. The act was used as a tool to dispossess small farmers and indigenous groups of land, often with only nominal compensation and little, if any, rehabilitation. Such abject misuse of the land acquisition act, coupled with the equally abject long-running failure on the part of successive central governments to put in place a legal regime that guarantees the right to resettlement and rehabilitation for displaced groups (Levien 2011; Nielsen and Nilsen 2015), turned the question of involuntary land dispossession via the 1894 act into a major source of agitation for civil society and subaltern movements, and led to the repeal of this act in 2013.

A key conceptual distinction within the Indian land dispossession literature has been made between dispossession as directly coercive upwards redistribution of landed wealth in which the state plays a key role, as distinct from the ongoing market-induced dispossession that results from the dull compulsions of economic relations (Levien 2018). While it has been suggested that one cannot draw any rigid distinction between the economic and the extra-economic in the Indian context (Vijayabaskar and Menon 2018), this distinction does provide a fruitful entry point for examining the mechanisms that are available to state actors seeking to render land investible for private actors. A growing literature maps this larger, flexible repertoire of measures that states draw on (Adnan 2015; Sud 2014) to show how they implicate a range of specific actors, mechanisms and imaginaries that work to facilitate land dispossession. As the Tiracol vignette demonstrates, these include machinery, security guards and coercive evictions, but also the police, politicians, investors, small-time land brokers (Levien 2015; Sud 2014), petty officials in control of land records or land conversion processes (Chandra 2015) and the

systematic manipulation of information (Oskarsson 2013). Land dispossession also relies on what Li (2014) calls inscription devices, that is, those devices that are mobilised to establish forms of exclusion, to distinguish legitimate from illegitimate users and to inscribe boundaries onto space. While Li acknowledges the importance of mundane and everyday inscription devices used on the ground – such as axes, spades and ploughs – she pays particular attention to statistical picturing devices and graphic forms that render land investible. These include maps, title deeds, tax registers, graphs and satellite images that enable land to be manipulated from a distance (see also Baka 2013; Bennike 2017; Nielsen 2017).

Unlike most other land conflicts in India, popular protest in Goa centred on land have specifically focused on the regional planning processes. Following Li, we view regional planning in Goa, and particularly the regional planning documents they produce, as inscription devices implicated in processes of land dispossession at the state level. As the Tiracol vignette demonstrates, land use maps and official land classifications or 'zonings', and the production, circulation and manipulation of these are a constitutive part of the multi-scalar processes that pave the way for land dispossession to take place in specific locations. Following Chakravarty and Negi (2016), we conceptualise plans and planning as microcosms of contested terrains and as condensations of society's complex contestations over space. In the Goan case, we argue, planning appears as a contested terrain, a terrain of struggle, between a state-capital nexus seeking to dispossess and convert land, and an organised citizenry seeking to use planning for alternative purposes. The maps, titles deeds, and other land-use planning documents are key inscription devices that both shape and respond to this contested terrain.

Central to our analysis of this terrain is the dialectic between manipulative planning 'from above' and popular mobilisation 'from below'. We map the evolution of regional planning in Goa and its consequences for land dispossession and land use in the state to highlight this dynamic. We show how the long-term trend in regional planning is one in which planning documents and processes have come to function predominantly as inscription devices which facilitate the assembling of land for private investments, even as the planning process has – especially when combined with popular mobilisation from below – provided important opportunities for citizens to contest and reshape land governance in accordance with popular demands. At times, such popular mobilisation has been spectacularly successful in exposing and putting an end to manipulative planning from above. And yet, by chronologically tracing the creation, evolution, contestation and unravelling of successive regional plans for Goa, we argue that although regional plans were originally introduced to sustainably manage the state's resources, powerful political and private interests have over time enlisted and undermined these intentions. The outcome has thus been a distinct regional planning process increasingly geared towards the production of inscription devices that facilitate dispossession and the assembling of land for private investments.

We seek to make three contributions through this chronological review of the unfolding dialectic between contending social forces on the terrain of land use planning in Goa. First, we empirically demonstrate how the Goan state has sought to bend the planning process, through a series of shifting modalities of intervention from above, in a direction that is consonant with the interest of private investors and leading politicians. These modalities are: (A) The use of ad-hoc bureaucratic processes to change already established

land zonings under the first regional plan, Regional Plan 2001; (B) The rezoning of land by stealth during a short window of opportunity during the finalisation of Regional Plan 2011; (C) The illicit creation of entirely new zoning categories to diffuse public opposition under Regional Plan 2021; and (D), a more recent fourth modality, namely the introduction of entirely new legislative measures to circumscribe the efficacy of the planning process altogether.

Secondly, we propose to present Goa as a potentially diagnostic case. Goa is, in the broader Indian context, a statistical outlier. It is India's smallest state and has felt the intensifying pressure on land and nature more acutely than many larger states; it was an early mover and devised a land-use management policy involving integrated regional planning covering the entire area of the state already in the 1980s; and, it has a more resourceful and educated civil society than most other states, with a long history of mobilising around environmental issues. At the current conjuncture where the government of India (2013, 5, 13) is increasingly calling for the 'optimal utilisation of land resource' (*sic*) through 'systematic and integrated land use planning at national, state and regional level', the more than three decades of integrated planning in Goa diagnoses the multiple ways in which integrated land use planning can be aligned with elite interests, as well as what is required if popular movements and counterforces are to shape land governance in accordance with popular demands.

Lastly, we use our case to develop the emerging scholarship on regimes of dispossession (Kenney-Lazar 2018; Levien 2013, 2018), a concept Levien (2018) coined to refer to the political apparatus coercively redistributing landed wealth upwards. While Levien (2018, 17) uses the concept to 'highlight variation in the robbers and what they do with their loot' across states, in this article we rather foreground 'the means of looting' to argue for the central role of inscription devices such as land use planning within state-specific regimes of dispossession. We thus offer our account of the Goan experience as complementary to the larger literature on state-led land dispossession in India as we work towards a more detailed understanding of the intricate ways in which planning is used to facilitate dispossession.

We proceed to contextualise regional planning in Goa with reference to broader debates on the political economy of land and dispossession in contemporary India, and in Goa in particular. We then discuss the relationship between planning and dispossession before we move on to analyse the unfolding contestation over Goa's regional plans. Here we focus on the preparatory and implementation phases of each of the three regional plans (RP) that have so far been implemented in Goa, and on the response of citizens and popular movements. Establishing the key importance of Goa's regional plans to the fate of the state's land, we pay attention to the ways in which successive and shifting modalities of intervention from above have been deployed to enlist regional planning in a larger elite project of restructuring land use in the state, in spite of sometimes-strong mobilisation from civil society. To anticipate what is to come, we show, first, how legislative amendments made to the Town and Country Planning (TCP) Act, 1974, enabled thousands of piecemeal zonal changes to be made after the government finalised the state's first regional plan, RP-2001. We then analyse how government officials accommodated private sector interests during the preparatory stage of the second plan, the RP-2011. Lastly, we demonstrate that whereas attempts were also made in the most recent RP-2021 to accommodate private interests during both the preparatory and implementation

phases, new mechanisms were simultaneously being introduced from above to render planning largely irrelevant. In line with the comparative ambition of this special volume, we draw parallels to the Chinese experience when relevant.

We base our analysis on a diversity of inscription devices and related material artefacts such as draft and finalised planning documents, several thousand gazette notifications, news reports and other secondary sources. All three authors have done fieldwork in Goa over many years on related topics, but we draw only sparingly on original ethnographic material.

## Land dispossession in neoliberalising India and Goa

The liberalisation of the Indian economy over the past three decades has rendered land an increasingly scarce and sought-after commodity. As in China, where accelerating land commodification has been the foundation of the rise of capitalism since the 1990s (Zhang and Wu 2015), the price and use value of land has increased steadily in India, especially in urban and peri-urban areas, or areas that are rich in minerals. Consequently, contestations over land and its uses have multiplied (Bedi and Tillin 2015). As D'Costa and Chakraborty (2017) point out, there is today considerable pressure to transform land into a commodity to be bought and sold in the market for non-agricultural purposes. The motivation behind this is driven by India's contemporary economic development concerns centred on industrialisation, infrastructure, special economic zones and real estate expansion. Thus, while capitalist expansionary dynamics and accumulation are not entirely absent from agrarian Indian settings (Lerche 2013), land is increasingly commodified and directed towards non-agricultural development. The potential for profit and accumulation in non-agrarian sectors in turn drives the demand for land and pushes up prices (Chakravorty 2013). As Kohli (2012) argues, a close but narrow alliance between the state and big business has been central in pushing this pro-growth, pro-business policy. Such concerted attempts at accelerating land dispossession and commodification have, however, been accompanied by widespread resistance from dispossessed communities, sometimes amounting to outright land wars (Levien 2018). Thus, in contemporary India the centrality of land and the uses to which it should be put can hardly be exaggerated (D'Costa and Chakraborty 2017, 27).

Over the past decades, Goa has been home to several intense land contestations that reflect, and even anticipate these broader Indian land wars. Indeed, the pressure on land in Goa, including the pressure to alter the uses to which it can be put, has been particularly intense compared to much of India. Already more than three decades ago Newman (2001, 29) drew our attention to how capital in Goa came from the destruction of land, not from the careful use of it. Newman was writing in a context in which the rapidly expanding mining industry had led to a 'ravaging of Goa's splendid mountains and forests [and] the pollution of Goa's rivers' (Alvares cited in *ibid.*, 24; see also de Souza 2015; Human Rights Watch 2012), and where the surge in mass tourism had led to the alienation of land from traditional owners, the disruption of village life, and the destruction of the environmentally sensitive coastal areas.

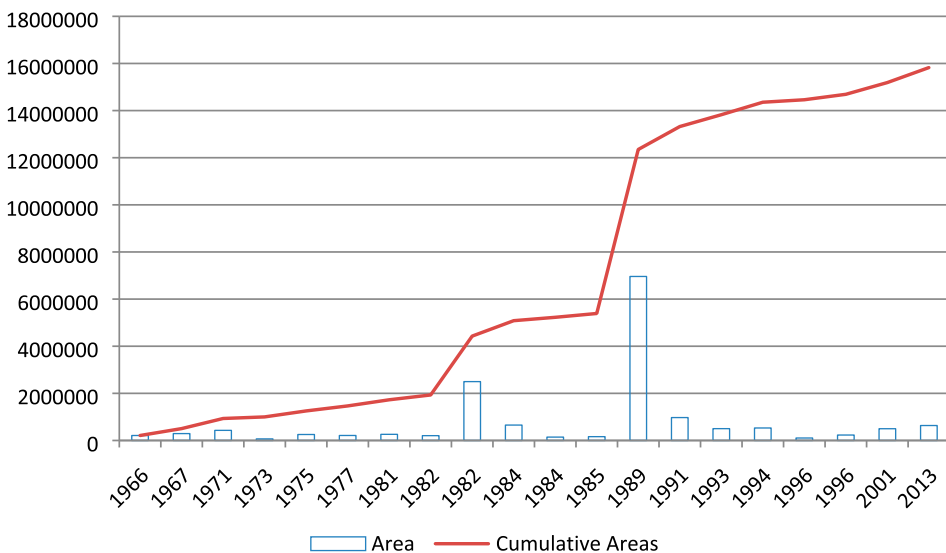
Goa's influential mining industry has been singularly important in terms of effectively dispossessing rural communities of their land and bringing about large-scale environmental degradation. At the time of Goa's integration into the Indian Union, the export

of manganese and iron ore accounted for a full 96 percent of the total export earnings of Goa. The ‘haphazard, unscientific and wasteful manner’ (Talukdar 1962) in which the industry operated had already been noticed, as had the negative environmental consequences. The export of iron ore from Goa grew from 14 megatonne in 1985 to 54 megatonne in 2011, and there is strong pressure from the state’s mining lobby – which has powerful political connections – to convert land to mining purposes in the interior regions.

The state’s tourist industry exerts a comparable pressure. In the 1980s, tourism emerged as the economic activity with the most potential for growth. Tellingly, the most important ‘obstacle’ to the capital-intensive development of tourism at the time was identified to be ‘the non-availability of land’. By bestowing the status of an industry on the tourism trade in 1987, the government arrogated to itself the power to intervene to acquire land for potential investors in the coastal region. The state currently receives almost 2.5 million visitors annually, i.e. far more than the resident population of 1.4 million. With the building of a brand new international airport in north Goa (Nielsen 2015; 2017) and current plans to relocate the state’s floating riverine casinos onto the mainland, the tourism-generated pressure on the land will increase further.

Industrialisation – first through the setting up of industrial estates and later via the (eventually cancelled) Special Economic Zone policy (Bedi 2013; Da Silva 2014) – has similarly sought to lay claim to land in Goa’s central regions. Figure 1 below shows the progression of areas acquired for setting up industrial estates with a sharp increase in land acquisition for estates in the early phase of economic liberalisation.

The booming real estate economy driven by the desire for a ‘second home’ in Goa among metropolitan Indian elites and Goan ex-pats has also had repercussions for land use. As is the case in India’s metropolises more generally (Searle 2016), speculative

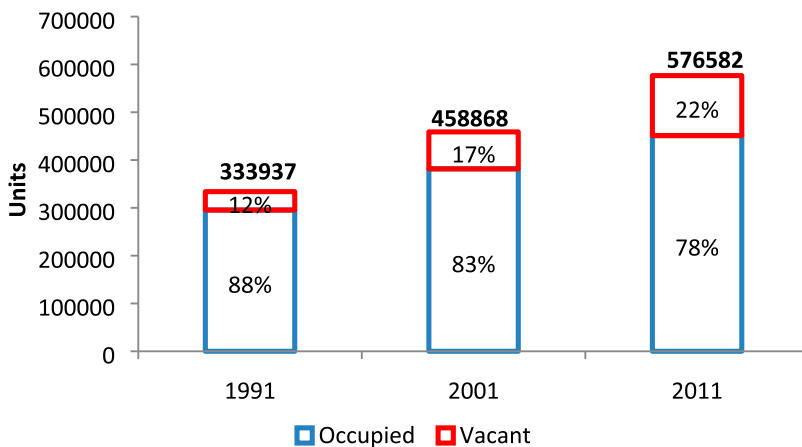


**Figure 1.** Cumulative Area transferred for Industrial Estates in Goa (1966-2013) area in m<sup>2</sup>. Sources: (Hugar 2015, pp. 100-105) and Goa Industrial Development Corporation (Goa IDC) website: <http://www.goaidc.com/indestsiteplan.php>.

gambles in real estate are transforming the state into a frontier of capitalism and a market for new buildings. A large number of holiday homes in Goa stand empty most of the year, but nonetheless drive up the real estate market and increase the demand for land (Sampat 2014). The proportion of vacant houses has grown steadily in Goa following economic liberalisation. Today more than 22 percent lie vacant (see Figure 2).

Like the narrow state-business alliance that underpins India's pro-growth policies (Kohli 2012), the state-business alliance in Goa is an intimate one and the distinction between the political and economic elite is blurred. Many political and bureaucratic careers in Goa are built on fortunes made in the real estate sector, or in more or less direct involvement in the mining industry (HRW 2012; Shah Commission 2012) – an industry that is also among the most generous sponsors of increasingly expensive electoral campaigns (Kapur and Vaishnav 2018). And, it is well documented that some of Goa's most important political families function as focal points for large networks that span across the government, the bureaucracy and industry, whose shared interests they both articulate and respond to (Parobo 2018).

In the Chinese context it has been argued that the 'visible hand of the state' (Zhang and Wu 2015, 101) is indispensable in commodifying land and determining the uses to which it can be put (Chen 2013; 2019). As the Goan experience indicates, the role of the state, elected politicians and bureaucrats in assembling land and making it investible similarly remains crucially important. With a geographical area of just 3,701 km<sup>2</sup>, 28 percent of the state is forestland while 61 percent is under cultivation, pastures, tree crops and groves. This, in theory, places severe restrictions on the supply of land to the private sector that can only be increased by releasing forestland controlled by the state; or by somehow converting land under cultivation to non-agricultural use. The fate of mining similarly rests firmly in the hands of the government which regulates the entry into mining through licences, and which may assist private investors across sectors in various other ways: a favourable interpretation here, a suitable amendment there, or a violation of a regulation elsewhere. The intervention of the state is thus



**Figure 2.** Occupied and Vacant houses in Goa (1991-2011). Source: Census of India (Goa Abstract) 1991, 2001 & 2011.



crucial, in practice rendering the state not just an *enabling* but also a *rent-seeking* entity (Parobo 2018).<sup>1</sup>

## Regimes of dispossession and planning

As in the global land grab debate more generally, the concepts of primitive accumulation and accumulation by dispossession have been mobilised in the Indian context. While we cannot revisit the full debate here, we follow Levien (2013; 2017; 2018) and Hall (2013) in seeing primitive accumulation as too ambiguous a concept at the current conjuncture. While Hall (2013, 1195) points to the conceptual challenges that arise when different authors define primitive accumulation in very different ways – variously foregrounding its characteristics, consequences, or intentions – Levien (2013; 2017) asserts that land grabbing at a stage of advanced capitalist development requires a distinct and altogether different set of concepts than what is offered by classical Marxism. Levien considers Harvey's (2004) work on accumulation by means other than expanded reproduction – as captured in the concept of accumulation by dispossession – a step forward, but critiques him for advancing an understanding of dispossession that is vague about mechanisms and overly capital-centric. To Levien, extra-economic coercion and a 'fundamental and transparent reliance on state force' (2017, 55) is the defining characteristic of the current land grab. In this sense, Levien foregrounds the centrality of state force in overcoming obstacles to accumulation.

To account for why a state is willing to dispossess certain populations for certain purposes at certain historical conjunctures and with reference to certain normative or ideological justifications (as well as the extent to which it succeeds or fails in doing so), Levien gives us the concept of regimes of dispossession, defined as a socially and historically specific constellation of state structures, economic logics tied to particular class interests, and ideological justification that generate consistent patterns of dispossession (Levien 2013, 383). India has, Levien argues, witnessed a transition from a developmentalist regime of dispossession under the aegis of Nehruvian state capitalism, to a neoliberal regime of dispossession that emerged through state-led economic reforms from the 1990s and under which land is primarily dispossessed to be commodified (Levien 2018, 32). While Levien broadly speaks of a new pan-Indian neoliberal regime of dispossession, his empirical work locates specific regimes of dispossession at the level of India's sub-national states, where regimes are constituted by historically distinct state-specific processes within the broader federal state system.<sup>2</sup> When scaled in this way, regimes of dispossession can be deployed comparatively to 'highlight variation in the robbers and what they do with their loot' (Levien 2018, 17) across both temporal and spatial axes. Or, to put it differently, to variously understand historical transitions between regimes, as well as similarities and differences across contemporaneously existing regimes. Although the concept has been criticised for being 'limited in its capacity to analyze differing dynamics

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<sup>1</sup>This holds true for the broader Indian pattern where land transactions on the scale required for industrial use are impossible to carry out without the active intervention of governments; or where the state and its administrative and judicial institutions and procedures, backed by the potential for punitive measures, are needed by investors (Nielsen and Oskarsson 2016; see also Chandra 2015).

<sup>2</sup>This focus on the sub-national scale aligns with other recent interventions in the Indian land grab debate that show how global trends play out unevenly, and how national policy directions are often largely normative (Sud 2014; Bedi and Tillin 2015; Nielsen and Bedi 2017).

of dispossession within such regimes' (Kenney-Lazar 2018, 683), we rather argue that the flexibility of the concept enables comparative and empirically grounded analyses of the differing mechanisms and dynamics within and across actually existing regimes of dispossession.

It is against this backdrop that we argue for the central role of inscription devices such as land use planning as 'a means of looting' within a state-specific regime of dispossession. Thus, while all spatial planning policies inevitably present land-use planning as a systematic and scientific technique that seeks the integrated management of the economic, social and physical resources of a spatially bounded area, we find good analytical and empirical reasons for seeing planning processes as implicated in regimes of dispossession that transfer landed wealth upwards. As a specific form of inscription device, planning documents and land use maps, and the classifications, graphs, charts and tables that constitute them, are not mere representations of space, nor are they simply descriptive. They are prescriptive to the extent that they hold a certain power to create and convey authority over territory (Wood and Fels 2008): they carry the weight of law and state machinery and have real effects. At the same time, as we show empirically below, they are contested terrains. Once made, plans can be challenged, recalibrated and rewritten multiple times in response to the working of contingent social forces (Fogelman and Bassett 2017) from both 'above' and 'below'.

Our argument that land use planning is integral to *state-specific* regimes of dispossession rests on an empirically observable general shift in the role and function of planning in India. From the time of independence and in accordance with the tenets of Nehruvian state capitalism, a Planning Commission was crucial in determining the goals of national development, ostensibly in isolation from the churning and squabbles of politics (Chatterjee 1997).<sup>3</sup> While the importance of the national Planning Commission began to decline already from the 1960s (Frankel 2005), urban development continued to be dominated by the state up until the 1990s. Public Housing Boards and various urban development authorities exercised strong control over residential construction, and regulations were in place to check land speculation and assure housing for the poor.

In contrast to China which retains and even expands a highly centralised form of land-use planning embedded in national land administration laws, long-term as well as annual land-use master plans, and intricate nationally scaled quota systems determining land-use changes (Chen 2013; 2019), India's model of state-led urban planning and development has crumbled after the liberalisation of the economy gathered momentum in 1991. Instead, the sub-national states (and municipalities) have become increasingly important in opening up land-based urban development to private corporations (Searle 2016, 29).<sup>4</sup> These empowered sub-national states benefit from land and land use planning being largely state subjects, and there are significant interstate variations in terms of the composition of the agencies associated with spatial planning, their respective functions, and the extent of their planning endeavours (Kulshrestha 2012, 28). For example, while a

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<sup>3</sup>The Planning Commission was dissolved in 2014 and replaced by a new institution called NITI Ayog.

<sup>4</sup>In spite of the more centralised and nationally scaled modality of land-use planning in China, the contrast to India should not be overdrawn. In China, local states are the most active force pushing forward rural land commodification, which is generally orchestrated and led by local states (Zhang and Wu 2015). In spite of centralisation, a good deal of land churning is enabled by collusion between township, subdistrict, and village officials with local bureaus of the Ministry of Land and Resources (Chen 2019, 340), which often adapt implementation rules to the specific needs and conditions of local governments (Chen 2013, 111).

majority of Indian states are strongly orientated towards urban planning, some states such as Maharashtra, Punjab and Karnataka have given some focus to rural and regional planning alongside town planning (Routra 1993, 64–67).<sup>5</sup> But only Goa has a planning policy that covers the entire state. Practically all states have State Planning Boards who are expected to formulate five-year and annual plans at the state level. For the purpose of managing land resources all states were expected to form State Land Use Boards in 1974. Thereafter they were requested by the Union government to prepare a Policy for Land Use in 1986, but in practice, only Uttar Pradesh and Kerala formulated a draft land-use policy (Bhat 2010, 292). The variation is considerable.

Studies have shown how the centralised and hierarchical distribution of quotas for planned farmland conversion, preservation, and replacement within the Chinese system of land-use planning has been important in assembling land and rendering it an abstract and spatially mobile commodity (Chen 2013; 2019; Zhang and Wu 2015). Within the centralised Chinese planning set-up, the quota system thus functions as an instrument of dispossession insofar as it ‘successfully divorces [land] from village livelihoods in a process of dispossession and enclosure’ (Chen 2013, 105) with highly disruptive local impacts. Comparably, the growing literature on land dispossession and conflict in India shows how planning, planning institutions, and planning documents transform into and operate as instruments of dispossession within state-specific regimes. Levien’s study of land dispossession for a SEZ in Rajasthan shows how the Jaipur Development Authority was rapidly transformed into a machine geared towards dispossessing land for urban expansion. This ‘machine’ relied not just on outright coercion at the point of dispossession, but also on the manipulation of advance information and bribes, and on a multitude of bureaucratic procedures and their attendant inscription devices such as illicit conversions, zoning exemptions, and various approvals that could be granted or withheld on a discretionary basis (Levien 2018). The trajectory of the Delhi Development Authority offers an even more illustrative example of these transformations in Indian urban planning. The dominant planning instrument in Delhi is the Delhi Master Plan, a legally enforceable document outlining the arrangement of land uses and attendant policies. Until the late 1990s, Delhi’s land was managed by a policy of socialised land but, as with the Jaipur Development Authority, the Delhi Development Authority have repositioned themselves as facilitators and regulators of private participation in urban development according to new aesthetic norms that foreground a world-class aesthetics over the interests of the poor and marginalised, who are routinely evicted (Bhan 2016; Chakravarty and Negi 2016; Ghertner 2015).<sup>6</sup> Comparable land dispossession patterns embedded in the planning process can be found across small and large Indian metros. In Bangalore, non-elected administrative bodies and para-statal agencies govern urban land planning, an approach other Indian cities seek to mimic despite its undemocratic nature (Goldman 2011). Here, land speculation and dispossession of those working and living in the rural periphery is now the main business of government, and the management of dispossessive practices the main source of revenue and wealth accumulation (Goldman 2011).

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<sup>5</sup>While there is a strong urban bias in planning the same is still limited: out of the 7,935 towns and cities enumerated by the 2011 Census only about 1,800 had master plans (Bedi and Mahavir 2013).

<sup>6</sup>Like the Jaipur Development Authority, the Delhi Development Authority has used the power of eminent domain to assemble thousand of acres from the hundreds of villages around the capital, making it the largest land-holding agency in the state.

In Goa, a nexus of private interests and government officials dominate land use decisions in the state. Some families hold both private stakes in land deals and elected office simultaneously, and Goan politicians actively use land as a resource to attract private capital investments. The ability to manipulate planning, we argue, is a key tool in this endeavour. As in other Indian states studied by Sud (2017), more or less informal networks connecting families, real estate ventures and government officials thus work to enlist the planning process in projects that aim to free up land for private capital investment.<sup>7</sup> Zooming in on the centrality of land use planning in enabling dispossession in Goa, in what follows we start by tracing the creation, evolution and unravelling of successive regional plans for Goa over time to show how regional planning processes that were originally introduced to sustainably manage the state's landed resources have, over time, been increasingly geared towards the production of inscription devices that facilitate dispossession and the assembling of land for private investments. We start by offering a brief background to the regional planning process.

## Regional planning in Goa

Within the broader Indian landscape, Goa is unique insofar as it is the only state to have a spatial plan that covers the entire state. It is also the only state in which the planning process and its outcomes have been so intensely contested through popular, broad-based mobilisation from below. Indeed, Goa has India's perhaps most vibrant civil society that has politicised land and the environment to a high degree.

In 1964, the Goan state established the Town and Country Planning (TCP) Department (Coelho 2009) to develop the state in a planned manner. Later, in 1974, the government passed the Goa, Daman and Diu Town and Country Planning Act, which empowered the government to create a regional plan for the state where development would be undertaken without compromising the state's natural resources. Under this act, the Chief Town Planner was required to prepare a socio-economic plan known as a Regional Plan for Goa, and to integrate this with a land-use plan (LuP) covering the entire surface of the state. The LuP was to functionally provide the spatial expression of the goals and objectives of the RP and took the form of a zoning plan demarcating areas for different human uses, including agriculture, forestry, industry, urban and rural settlements, etc. Once this demarcation exercise was complete and the LuP notified, the 'zoning' of land for these different uses was fixed, and development work carried out in contravention of the regional plan in force forbidden (Alvares 2002, 271). To ensure plan stability, no changes were allowed to the LuP for five years after its notification.

Given the small size of Goa, and its very limited landed resources, the need to judiciously manage land was felt more urgently and at an early stage compared to other parts of India. Thus, to address growing concerns related to land use and environmental degradation, the Government of Goa in 1981 started the process of creating the first actual regional plan, the 'Regional Plan for Goa 2001' (RP-2001). The LuP corresponding to RP-2001 framed the state's land-use vision for a period of approximately fifteen years. The RP-2001 and the LuP that specified zoning for the entire state was the first

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<sup>7</sup>According to Sud (2017, 88) such networks are invaluable 'conduits for the transfer of information, access to the state, capital, business experience, and more'.

of its kind in India (Chandra 2016, 119). Through such planning exercises Goa has had three regional plans: RP-2001 notified in 1986; RP-2011 notified in 2006 and RP-2021 notified in phases over 2010 (State Level Committee for RPG-2021, 2010) and 2011 (State Level Committee for RPG-2021, 2011a & 2011b). Once the government finalised the RP and its corresponding LuP was notified, it became legally enforceable. While all three regional plans had different sub-objectives, their overarching officially stated goal was consistent: to balance economic growth with environmental protection and the preservation of agricultural lands. In line with our view of planning documents – comprising of RP documents and LuP – as inscription devices, we draw from the experience of the three distinct regional planning exercises in Goa to trace the unfolding contestation over planning and to map out the successive modalities of intervention used to facilitate land dispossession. Indicatively, both the planning process when plans are prepared and the final plans themselves, as well as their implementation, have been mired in controversy and have evoked strong reactions from Goan civil society. RP-2011, for example, was eventually cancelled in 2007 following sustained social protests, while the RP-2021 was partially ‘frozen’, i.e. suspended (following popular protests) from 2012 to 2018.<sup>8</sup>

## Regional planning and the RP-2001

The government explicitly formulated the first regional plan, RP-2001 (Government of Goa 1986), to resolve conflicts between conservation and development (Alvares 2002, 277). Our analysis of its implementation illustrates how the political elite soon introduced legislative amendments to empower the government to make piecemeal zone changes to the finalised LuP.<sup>9</sup>

While the formal planning architecture in Goa had been developed during the era of Nehruvian state capitalism, the notification of the first operative regional plan, the RP-2001, occurred when India was accelerating the liberalisation of its economy and transitioning to a neoliberal regime of dispossession. Thus, while it was envisaged at the time of the notification in 1986 that the RP-2001 and its accompanying LuP would be frozen for a period of five years, the rapidly changing economic environment and the growing demands for land from investors in a neoliberalising order led to a provision being made within just two years of its notification to accommodate private requests for additional land-use changes in the regional plan. Specifically, the state-legislature made an amendment to the TCP Act in 1988 that empowered the TCP Board (and thereby the state government) to change the LuP ‘at any time after a regional plan has been published in the Official Gazette’<sup>10</sup> (Section 17), thus eliminating the ‘no changes for five years’ clause. Following this amendment, the modus operandi of enabling land use changes would be that private parties, individuals and institutions made applications for zone changes, which were then considered by the TCP Board who could accept or reject the application after studying the case. If the TCP Board approved the application, the

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<sup>8</sup>Although we do not engage it explicitly here, there is a large literature on social movements in India, e.g. Shah (2004); Ray and Katzenstein (2005); Nilsen and Nielsen (2016).

<sup>9</sup>The analysis in this and the following sections is based on co-author Da Silva’s doctoral research (Da Silva 2019). The only other full-length study that substantially engages planning in Goa is to our knowledge Puttaraju (2014), who writes from a more technical perspective.

<sup>10</sup>A Gazette prints official notices from the government.

'proposed' zone changes were made public through the government gazette; if the TCP Board received no objections, a second government gazette notification notified the zone change as 'final'. This is a modality of land use change by stealth that is well known from particularly urban contexts elsewhere in India, in which land use changes are quietly enabled through similar practices of 'informality from above' (Roy 2009, 84), that is, in ad hoc, discretionary ways that do not generate public attention. Thus, even if gazette notifications are technically in the public domain, few people in practice regularly read these gazettes, and even if they did, it would take considerable investigate work to piece together the many isolated notifications into a broader picture.

There is ample evidence to suggest that the amendment to the TCP Act was brought to satisfy the industrial lobby and, especially, the tourist and hotelier lobby. Among the first 28 zone changes made already in 1988 immediately after the amendment, eight were for industries and six for tourism related projects. This provision was also used to allow Thapar-Dupont to set up a hugely controversial Nylon 66 factory project in Goa (Alvares 2002, 271; see also Sampat 2015). During the period from November 1988 to February 2005 when zoning changes were made under the amended section, the TCP Board approved a full 2,241 requests for changing zones through which approximately 12.19 square km were re-zoned (see Table 1). A vast majority of the changes involved the conversion of agricultural land (71 percent) while another 21 percent has involved the conversion of natural cover. Most of the area was re-zoned for settlement and commercial uses (54 percent), while another 38 percent was re-zoned for industrial use.

Given the power of the TCP Department to convert land, it is widely regarded as a lucrative portfolio. The amendment that permitted the RP-2001 to be repeatedly changed gave enormous discretionary powers to the TCP Minister, the TCP Board, and the officials of the department. Land use changes to the regional plans were often used in a transactional manner by political parties and individual politicians, who used them to secure political allies, renew loyalties, extract rents, and command favours in

**Table 1.** Change made to LuP of RP-2001 through gazette notifications.

Year	No. of changes	Land-use/Zone changed to		
		Settlement	Industrial	Others
1988	28	7	8	13
1989	47	40	6	1
1990	86	67	8	11
1991	64	42	4	18
1992	81	43	4	34
1993	121	100	12	9
1994	138	69	6	63
1995	113	77	12	24
1996	137	92	8	37
1997	120	100	8	12
1998	146	116	26	4
1999	105	69	9	27
2000	237	178	7	52
2001	250	170	12	68
2002	260	173	12	75
2003	134	77	6	51
2004	165	108	5	52
2005	9	9	0	0
Totals	2241	1537	153	551

return for zoning 'exemptions'. While we return to this point later, what is important to note here is that while applications for land use changes were supposed to be permitted only after satisfying certain technical and environmental conditions, in practice these were carried out arbitrarily without justifications for the changes. As a result, private investors bought the land they wanted with confidence that they could – via their informal links to the TCP Department – have the zoning changed to regularise the new use to which they intended to put the land (Alvares 2002, 272), thus dispossessing erstwhile owners of the increase in land valuation. Additionally, a 'sons of the soil' argument was effectively used by Goan hoteliers to impress upon the TCP Department that the RP, and hence its corresponding zoning plan, should be used in ways that benefited Goan capital and native Goan entrepreneurs, rather than 'outsiders' from other Indian states. While the state-business nexus evidently operated at the level of planning and land use documents, it was supplemented on the ground by strong-arm tactics as local government officials collaborated with prospective investors to coerce, harass or bully unwilling sellers to part with their plots (Trichur 2013, 114–115). Thus, while the zoning of RP-2001 forbade constructions in low-lying coastal areas and on areas covered by ecologically sensitive sand dunes – a zoning that severely restricted the ability of hoteliers to expand their business – Goa's coastal areas in practice saw a rapid increase in the number of hotels and related services.

The practice of stealthily freeing up land for private investors by ad hoc discretionary changes to the regional plan through gazette notifications – coupled with the use of strong-arm tactics when required – continued for a full 17 years. Opposition was limited to small groups of informed social activists, but failed to spread into widespread public dissent. The practice of changing the zoning only came to a halt in February 2005 when Goa came under President's rule during a period of considerable political instability, with the governor ordering the practice to be stopped. Tellingly, the government that assumed office after President's rule sought to circumvent the Governor's decision by promulgating an ordinance to (re)enable the government to carry out the practice of effecting changes in the regional plan based on individual applications, but this was widely condemned by a recently mobilised citizenry in the state and the ordinance ultimately lapsed. In contrast, Goa's two subsequent regional plans would generate much wider popular dissent that would make it substantially more difficult for politicians and bureaucrats to use the above-described modality of making illicit land use changes. With RP-2011 that we turn to below, we thus arrive at another phase in which the confrontation between contending social forces in the domain of land use planning becomes more pronounced.

### **Accommodating private interests in RP-2011**

The government initiated the preparation of the second Regional Plan, RP-2011 in 1997–1998. Government officials outsourced the task to a Delhi-based private firm, Consultancy Private Services, who submitted a draft of the RP-2011 in 2005. This *draft* version of the RP-2011s LuP was open for public comment from November 2005 to August 2006. Subsequently notified as the *final* RP-2011, the plan represents a new modality of intervention from above, one that is comparable to yet different from that described above. Rather than attempting to stealthily change the plan once it had been finalised, politicians

and bureaucrats sought to use the much shorter window of opportunity between the presentation of the *draft* plan and the notification of the *final* plan to rezone land in response to 'requests' made by investors. Zoning changes were thus woven into the drafting process, but kept out of public view. In the Tiracol vignette detailed earlier, the consultancy Handsell Goa Pvt. Ltd. was directly involved in 'requesting' that several survey numbers be converted from orchard to settlement, as well as in several similar zoning changes under RP-2011. This practice would, as shown later, ultimately be exposed and obstructed by popular mobilisation from below.

As indicated, under RP-2011 the TCP Board approved en-masse land conversions during the nine months window of opportunity when the draft LuP was open for public scrutiny. The *draft* RP-2011 had itself proposed to increase the area zoned for settlement purposes by 11.53 percent when compared to its predecessor, RP-2001. However, when the plan came to be notified (i.e. the final RP-2011) it was found that there was an *additional* 21 percent increase in the total area zoned as settlement. These included conversions of prime real-estate locations such as picturesque areas, hill slopes, and agricultural land and seaside areas. In addition, the *final* regional plan also envisaged a fourfold increase in mining areas. This was stated in the policy document but *not* depicted in the land-use map of the RP-2011.

However, in light of the growing public awareness of how RP-2001 had been manipulated, within weeks after the RP-2011 was notified and made operational a number of civil society groups and individuals began studying the corresponding LuP and raised apprehensions that large-scale zone changes appeared to have been made in the final version of RP-2011. Indeed, a main difference between the manipulation of RP-2001 and RP-2011 that appears to have enabled a more broad-based mobilisation from below around the latter, is that whereas changes were stealthily made to RP-2001 in a piecemeal way over nearly two decades, changes to RP-2011 were made en-masse and within a span of less than a year. These changes were thus potentially easier to detect and analyse.

Several different civil society groups alleged that these zone changes were done in a clandestine manner. News regarding illicit conversions soon spread and concerned citizens in many different localities started to undertake more local studies to detect and expose such rezoning by stealth. They identified real estate developers and the tourism lobby as the main culprits and argued that these had exercised discretionary influence with the TCP Department (Sampat 2015, 774–775). The fact that the plan also envisaged a dramatic increase in mining pointed to the influence of the mining industry on the zoning process. Importantly, while the mobilisation around opposition to RP-2011 was started by a small group of professionals and activists, it soon evolved into a broader social movement as different groups and individual activists coalesced into a federation called the Goa Bachao Abhiyan (GBA), convened by Dr Oscar Rebello. The GBA spearheaded a movement against the RP-2011 known as the 'Save Goa Movement', which has been described as an 'alliance across caste, class, gender and community difference' (Sampat 2015, 767). Unlike what had been the case with RP-2001, the GBA could thus successfully mobilise large sections of the public to demand the cancellation of RP-2011, and call for a Central Bureau of Investigation enquiry to be initiated with regard to the massive zoning changes 'made without public knowledge'. GBA demanded that a new plan be prepared by first amending the Goa TCP Act, 1974, to incorporate the provisions of the 73rd and 74th Constitutional Amendments pertaining to empowering decentralised



institutions of local government in both rural and urban areas, and vowed to empower the *gram sabhas* to plan their own villages by conducting training workshops. Several *gram sabhas* passed resolutions demanding that RP-2011 be scrapped. The Save Goa Movement intensified in December 2006, and in January 2007, the state government decided to withdraw the RP-2011 and revoke all construction permissions issued on the basis of the plan.

In addition to illustrating the capacity of popular mobilisation from below to undermine the efficacy of planning as a tool of dispossession, the controversy surrounding RP-2011 exposed the ways in which political parties and individual politicians in Goa used the TCP Department to extract rents, secure allies, and form governing coalitions. We see this most clearly in the political career of Atanasio Monseratte who was elected to the state legislative assembly in 2002 from the United Goans Democratic Front. After the election, his party provided vital support to the incumbent Bharatiya Janata Party (BJP) government, allowing it to remain in office. Monseratte was, in turn, rewarded with the TCP Ministry. However, in 2004 he was stripped of his portfolio following allegations of corruption and rent seeking. Soon after, Monseratte engineered a series of defections of BJP legislators to the main opposition party, the Congress (Sastry 2005). By 2005, the BJP government had been reduced to a minority, was forced to resign, and was replaced by a Congress government who promptly reinstated Monseratte as TCP Minister. While overseeing the finalisation of RP-2011 in 2006, Monseratte – according to later Income Tax Department investigations – received kickbacks worth a quarter of a billion Indian Rupees from land sharks to convert large chunks of land in prime locations into settlement or commercial zones (Times of India 2012).<sup>11</sup>

With RP-2011 thus repealed in 2007, the former RP-2001 once again became the law of the land. In the Tiracol case, this had the effect that the zoning of the land acquired by Leading Hotels now reverted back to the zoning specified in RP-2001, that is, it reverted from ‘settlement’ back to cultivable land/orchard, zoning categories that from the point of view of hotel and real estate developers rendered the land useless.

## RP-2021 and the circumvention of planning

As the GBA’s convener, Dr Oscar Rebello, would note, the Save Goa Movement managed to ‘create awareness towards environmental sensitivity in the minds of the masses’ (Coelho 2009, 114). By the time the development of RP-2021 was set in motion in 2007, this awareness had been further bolstered by a strong, statewide popular movement against the setting up of SEZs in Goa. Higher awareness and enhanced public scrutiny thus shaped the development of the RP-2021. In an attempt to avoid controversy akin to that which erupted around RP-2011, the government constituted a Task Force comprised of town planners, architects, and representatives from the local chamber of commerce and civil society. On the one hand, the voice of social movements thus in theory

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<sup>11</sup>A comparable example of the use of the TCP Ministry in stitching together governing coalitions occurred after the 2017 state assembly election. Having failed to win a majority on its own, the BJP formed a coalition government with the Goa Forward Party by offering its party leader the TCP Ministry. In 2019, when the government was on the verge of losing its majority in the assembly, ten opposition MLAs defected and joined the BJP, thus ensuring government stability. As part of the deal, the incumbent TCP Minister from the Goa Forward Party was stripped of his portfolio which was instead handed over to the leader of the defectors.

found their way into the very heart of the planning process. On the other hand, as we elaborate below, the issue of whether GBA activists should agree to be included in the Task Force led to fractures within the movement.

The Task Force had the responsibility to prepare a draft regional plan that would provide a set of guidelines for the RP-2021 formulation. The case of RP-2021 that we turn to below illustrates a new phase in the contestation over planning, a phase in which government officials would eventually seek to enable land dispossession through the creation of new zoning categories alongside creating the *impression* of increased public participation in the planning process during the preparatory phase of the plan. Subsequently, a new modality of intervention from above was adopted during the plan's implementation phase when popular mobilisation once more threatened to derail the entire process. This modality involved the passing of legislative instruments that enabled select projects and parties to override adherence to the notified LuP, thus rendering planning irrelevant and circumventing Task Force or broader public scrutiny.

The Task Force prepared a *draft* regional plan in October 2007 (Task Force for RPG-2021, 2008). It included a future socio-economic and environmental vision for the state, and draft versions of high quality zoning plans for each *panchayat* and the municipalities. The draft was prepared by collating information from various government departments and other imaging sources such as land surveys, topographical charts and satellite imagery. As part of the guidelines, popular participation was ensured by sharing the zoning plans with every *panchayat* and municipality who would constitute committees that would verify the plans through ground level inspections and provide inputs about requirements and future land-uses for the respective villages.

The plan made significant steps to protect vulnerable lands. It suggested that, in order to address the pressure to convert land, ecologically sensitive areas should be protected by listing certain land uses where no development was allowed. This included forests, mangroves, water bodies and paddy fields that were marked as Ecologically Sensitive Zones-1 (ESZ-1) where development was prohibited. The plan used the category ESZ-2 for lands where limited development was permitted, including orchards, cultivable land, salt pans, fish farms and mud flats. ESZ-1 and ESZ-2 protected close to two lakh hectares and one lakh hectares respectively. In addition, the plan delineated a one kilometre 'no development zone' as a buffer around wildlife sanctuaries and national parks.

Soon, however, bureaucrats attempted to undermine these categories by introducing new zoning categories and shifting land from one category to another. Notably, a new zoning category called 'natural cover' was created within the ESZ-2 by reallocating land from orchard land and private forests, general tree cover and social forests. Government officials moved more than 10,000 hectares from ESZ-1 to the less protected ESZ-2 category. Officials also modified the land use policy to permit several additional land uses in ESZ-2 areas. These included eco-tourism projects in cultivable, orchard or natural cover zones and agro-based eco-tourism in cultivable lands akin to farmhouses (State Level Committee for RPG-2021 2010, 26–27). These changes represents a significant deviation from the objective of the RP regarding participation and transparency as no explanation was given for how officials created a new zoning category or how the government prioritised the eco-tourism projects and the six specific sites marked out for these on the zoning maps. In fact, it appears that using natural cover zoning and assigning eco-tourism

sites was a way of reintroducing projects that had been stalled when the RP-2011 was repealed. For example, in Tiracol, the land acquired by Leading Hotels now appeared as an eco-tourism zone; this enabled the group to push ahead with its plans to convert Tiracol into a hotel and golf resort.

Additionally, officials introduced two other new land use zones: 'Institutional' and 'Micro Industrial Zones'. Educational and religious organisations are permitted to introduce zone changes in Institutional Zones. As for Micro Industrial Zones, RP-2021 proposed to reserve areas of up to five hectares in each village *panchayat* with a projected population of 10,000 by 2021 (State Level Committee for RPG-2021 2010, 29–30). In contrast, the plan admits general negligence in several other fields of intervention: no initiative was taken on several key issues such as surveying and mapping agricultural fields; no critical area plans for high density coastal tourist areas were commissioned; proposed growth centres were not set up nor was hinterland connectivity enhanced by new road networks (State Level Committee for RPG-2021 2010, 2); and surveys to pave the way for affordable housing were not carried out. While selective changes to the ESZ1 and ESZ2 categories were thus made to open up new spaces for private actors to acquire land, selective inaction in other spheres made sure that no comparable efforts were made to preserve agriculture, limit the impact of unsustainable tourism or ensure affordable housing.

The finalisation of the plan involved receiving and processing participatory inputs from the village *panchayats*. However when the RP-2021 was finalised the TCP Department admitted also receiving more than 8,500 requests from individuals in addition to comments from local bodies (State Level Committee for RPG-2021 2010, 6). While the TCP Department had an established procedure for changing or not changing the zoning, the case-by-case details explaining the basis on which applications for zone change were accepted or rejected was never made public. Repeated attempts by activists to obtain this information using Right to Information applications also failed to elicit a response from the TCP Department. Thus, while the RP-2021 allowed citizens to provide inputs for the regional plan, discretionary power was retained by the government (Fernandes 2003) and TCP Department with regard to whether to incorporate or discard inputs from below.

Like its predecessor the RP-2011, the RP-2021 also faced opposition from civil society and party political activists, albeit on a somewhat lesser level of coordination. Civil society groups compared the notified zoning plans under RP-2021 for their respective villages with the ones prepared by them as part of the participatory planning process and alleged that many of their inputs and suggestions had not been incorporated. Further, they claimed that there were many zoning changes made in their villages that had never been recommended by the Village Level Committees or *gram sabhas*. These, they alleged, were generally done to favour real estate companies. There was also popular opposition to the creation of new zoning categories like 'natural cover' and 'Micro Industrial Zone', as well as – in the case of Tiracol, for instance – new eco-tourism and agro-tourism zones which had never been deliberated upon by local bodies but rather appeared out of the blue. However, popular opposition to RP-2021 was more fragmented than earlier. For example, when the GBA early on in the process decided to withdraw its members from the Task Force, the convener resigned and many members left the organisation in protest. Civil society was also divided on the question of whether the flaws in RP-2021 could be corrected and the plan salvaged, or whether the plan was fundamentally flawed in design so that it should be outright rejected. While

the latter view was articulated most forcefully by a group called Goencho Awaz (Voice of Goa), it never led to a mass-movement on the scale of the Save Goa Movement. Moreover, the plan was finalised in four phases spanning two years, something that prevented civil society actors from getting a comprehensive view of the zoning changes in their entirety. Lastly, the fact that a newly elected BJP-led government that assumed office in 2012 soon ‘suspended’ RP-2021 ostensibly in order to ‘correct’ it meant that sections of civil society adopted a ‘wait and watch’ attitude. Several factors thus combined at this juncture to partially dampen, partially fragment popular mobilisation from below.

In light of the controversy – generated by activists and popular movements – surrounding all three regional plans, the ability of political elites and private sector interests to free up land through the manipulation of regional planning had clearly, at this juncture, become not only more contentious, but also more difficult. At the same time, the demand for land from the sectors we identified at the beginning of this article showed no signs of abating. This registered, we argue, in new strategies from above that proceeded along two tracks. On the one hand, ministers and bureaucrats continued to seek new ways of retaining land use planning as a key tool within the current regime of dispossession. On the other hand, the same actors simultaneously sought, via new legislative means, to render the increasingly contested planning process less relevant for determining the uses to which land in Goa could be put. In this unfolding phase, we thus encounter an evolving fourth modality of intervention from above, one that works both with and against planning by simultaneously co-opting and selectively bypassing it, and by enhancing the scope for dispossession by force and fiat.

### Dispossession beyond planning

Within the domain of the planning process proper, and even as the government finalised the RP-2021, an amendment was made in 2008 inserting section 16A to the TCP Act, 1974 – the act that underpins the planning process – which permitted government projects to be exempted *entirely* from the provisions of the regional plan. Projects, schemes, or development works that are undertaken by the government ‘either by himself or’ through his servant or agent or any other person, as the amendment vaguely states, were henceforth exempt from the provisions of the regional plans which were thus effectively bypassed. As a result, more than 70 government projects have been approved causing the conversion of orchard, agriculture, forested and even specifically designated ‘no development zones’ (i.e. ESZ-1) into settlements or institutional land uses.<sup>12</sup> Thus, the amendments have allowed the government to effectively override the policy and zoning provisions of the regional plans. Towards a similar end, the TCP Minister in 2018 introduced a new section 16B to the TCP Act that empowers the Chief Town Planner to consider requests ‘from any person for change of zone of his land in the Regional Plan.’ This, in effect, constitutes a return of earlier modalities of dispossession by stealth associated with the very first regional plan, RP-2001, under which authorities could effect land use changes at their own discretion and on a case by case basis. Both amendments are, we argue, attempts from above at *working with* the planning framework so as to retain it as a useful tool within the current regime of dispossession.

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<sup>12</sup>Response given in Goa Legislative Assembly to Unstarred Question No. 18 ‘Change of Zone’, 24 July 2017.

However, the declining efficacy of planning as a tool of dispossession in a context characterised by a growing demand for land led to new initiatives from above that *worked against* the planning framework. In 2014, the Government of Goa passed the Investment Promotion Act, 2014, with the objective of ‘kick-starting investments’ in the state. An Investment Promotion Board was set up in order to make the process of investment simple and quick, and was empowered to declare areas for ‘investment promotion’ to exempt them from the provisions of the regional plans and its related zoning regulations. In fact, the act enables the Investment Promotion Board to override *all* state, town and village-level laws related to clearing industrial growth. Investment promotion projects include undertakings by private as well as government agencies. In only three years, more than 100 projects have been cleared using this mechanism.<sup>13</sup>

A comparable purpose has been served by the recent passing of new laws governing land use to dilute or supersede existing laws and regulations. While the emergence of these laws must be understood in light of the state-specific trajectory of regional planning, it is important to note that at this juncture, the introduction of the national Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (LARR), 2013, in place of the 1894 Land Acquisition Act, had considerably undermined the states’ capacity for exercising the right of eminent domain.<sup>14</sup> As a result, many state governments soon tabled new bills seeking to circumvent and/or dilute LARR (Kohli and Gupta 2017). In Goa, these include the Goa Requisition and Acquisition of Property Bill, 2017,<sup>15</sup> and the Goa Compensation to the Project Affected Persons and Vesting of Land in the Government Act, 2017. Formally, the former seeks to provide for the speedy acquisition of immovable property for certain public purposes (Government of Goa 2017a, 12), while the latter purports to provide the right of compensation to persons affected by a land acquisition, and to ensure that they are adequately compensated (Government of Goa 2017b, 6). Yet it is clear that the main reason for introducing the two bills in tandem is first and foremost to make land acquisitions and transfers swifter and cheaper, and to reduce the many administrative and legal complications that often accompany them (Nielsen, Bedi, and Da Silva 2017), including those embedded in the regional planning process. Towards this end, both bills operate with very expansive definitions of ‘public purpose’ that can, in principle, cover a range of purposes, including transport, communication, irrigation, drainage, tourism promotion, slum clearances, industrial estates, medical and educational institutions, mining, bus stands, airports and truck terminals (Government of Goa 2017a, 2–3). In line with pan-Indian developments (Kohli and Gupta 2017), the two new Goan bills further expand the notion of public purpose; in effect vest acquired land in the government encumbrance free irrespective of whether that land actually has encumbrances or not (Almeida 2017); and omit any discussion of consent and participation by people who stand to lose their land. Crucially, while the High Court and Supreme Court are allowed to entertain disputes relating to land acquisition, no court is empowered to grant injunction. This represents a return to

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<sup>13</sup>Response given in Goa Legislative Assembly to Unstarred Question No. 10 ‘Projects Approved by Investment Promotion Board’, 7 August 2017.

<sup>14</sup>At the same time, land pooling schemes under town planning laws that had been proposed in other states as a less ‘coercive’, more voluntaristic alternative to outright land acquisition were unable to entirely eliminate controversy and contestation over land. See e.g. Sampat (2016) and Kolstø (2019) for critical case studies, and ASCI (2016) for a general assessment.

<sup>15</sup>This bill has not yet been passed as an act.

the spirit (if not the letter) of the 1894 Land Acquisition Act. And, in combination, these new legislative instruments effectively bypass many of the provisions of the regional planning process and reduce the scope for popular mobilisation from below to influence land use decisions.

## Conclusion

We began this article with Li's (2014) observation that land is not like a mat that can simply be rolled up and carried elsewhere. Land has not only a particular location, but also a rich set of values, meanings and uses to which it can be put. Our aim in this article has been to analyse the work performed by planning in transforming land into an increasingly valuable commodity by assembling it as a resource available to private investors. Drawing on Li's notion of inscription devices, we have mapped out the mechanisms used by politicians and bureaucrats to enlist the planning process to facilitate the dispossession of land in Goa. Nascent laws, Gazette notifications, various forms of zoning and rezoning, maps, and draft and finalised plans became devices wielded by government officials to shape land use and land dispossession in accordance with the interests of private investors. Planning in the Goan context thus stands out as a key instrument used to convert rural land into private real estate and attract investors, a process that has played out across India in recent decades, albeit in uneven ways (Levien 2018; Sud 2017). In this sense, planning has been an integral part of the evolution since the late 1980s of a distinct, neoliberalising Goan regime of dispossession. Although Goa's planners crafted the state's planning architecture during the era of a more 'developmentalist' regime of dispossession under Nehruvian state capitalism, the workings of the actual inscription devices that eventually flowed from this architecture could be effectively aligned with the interests of state and private capital in a neoliberalising context through successive modalities of intervention from above. As such, the Goan regional planning process has been increasingly geared towards the production, circulation, and grounding of inscription devices that facilitate land dispossession and commodification under a neoliberal regime of dispossession.

Whereas land use planning has not been consistently politicised nationally, Goans have explicitly enlisted the planning process to contest land-use changes. The statewide attention paid to the small land war in the remote Tiracol village exemplifies the contested nature of regional planning and its attendant forms of dispossession. As such, our empirical evidence highlights the capacity of civil society to politicise procedures and decisions in the domain of land use: The planning process offers possibilities for citizens and movements to engage and potentially contest and reshape land governance from below. Doing so, however, requires access to significant resources, knowledge and literacy – elements that are far from always readily accessible to popular anti-dispossession movements elsewhere in India.

The unfolding dialectic between contending social forces on the contested terrain of land use planning within a particular regime of dispossession gives rise to shifting modalities of intervention from above in the planning process. These shifting modalities were shaped by the nature and contents of earlier plans; by the capacity of bureaucrats and politicians to enlist the plans and the planning process in a larger elite project of altering land use in the state; by the degree of mobilisation of counterforces in civil society, and by the larger political economy of land in India. Although

planning inscription devices begin by manipulating land from afar, there are always tangible local implications. Within the span of just a few years, the Tiracol backwater went from comprising largely tenanted cultivated land and orchards, to becoming a prime real estate and golf location targeted by global investors. Then, overnight, it reverted to cultivable land of little value to investors, before it re-emerged, phoenix-like, as a prime eco-tourism site that was made physically transformable by a large team of security guards and heavy machinery.

While we thus acknowledge the crucial role of popular mobilisation from below in shaping the planning process, it is striking to note the ability of economic, political and bureaucratic elites to introduce successive modalities of intervention and new inscription devices that, in spite of temporary setbacks and concessions, ensured that the uneven trajectory of regional planning generally aligned with the interests of elites. Given that land (and related environmental questions) are politicised to a very high degree in Goa, and that the state has a highly organised and vibrant civil society, the ability of elite interests to effectively manage dispossessive practices raises broader questions about the capacity of India's democratic institutions to manage and mediate contested land use practices. In China, the state responded to the contradictions and failures of the rural enclosures during the 'development zone fever' of the 1990s with much more strident forms of centralised regulation of rural land resources. Yet as Chen (2013, 108) notes, new forms of regulation have paradoxically created a system under which there are now *more* rather than fewer economic and policy incentives for enclosure and displacement. In India, policy makers at both state and national levels now claim that the solution to the contradictions and contestations that arise from multiple and often conflicting claims to scarce land can similarly be found in more comprehensive and systematic spatial planning. While such a new planning set-up is yet to emerge, the cumulative results of the Goan experience with spatial planning spanning three decades may indicate that the outcome of such an endeavour is unlikely to be a resolution of India's land question. It may rather produce new forms of dispossession and contestation in the years to come.

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**Solano Da Silva** is Assistant Professor at BITS-Pilani, Department of Humanities & Social Sciences, Goa Campus where he teaches Development Studies and Political Theory. His research has looked at electoral politics and land-use planning. He recently completed his doctoral thesis on The Dynamics of Land Use Planning: A Case Study of Goa.

**Kenneth Bo Nielsen** is Associate Professor of Social Anthropology at the University of Oslo, and the Coordinator of the Norwegian Network for Asian Studies. He is interested in the political economy of development in contemporary India, and works particularly on land dispossession, social movements, and popularly politics. He is the author of *Land Dispossession and Everyday Politics in Rural Eastern India* (Anthem Press 2018), and the co-editor of several books on Indian politics and democracy, including *Indian Democracy: Origins, Trajectories, Contestations* (Pluto Press 2019), and *Social Movements and the State in India: Deepening Democracy?* (Palgrave MacMillan 2016).

**Heather Plumridge Bedi** is an Assistant Professor of Environmental Studies at Dickinson College. Since 2001, her research has examined land and energy transitions and related social movement organising in South Asia. As a Fulbright-Nehru Research and Academic Excellence Fellow, she researched India's energy transition. Her work has been published in *Contemporary South Asia, Development and Change, Energy Research and Social Science, Environment and Planning A, Geoforum, Journal of Contemporary Asia*, and *Oxford Development Studies*.