

## Goa

### The Dynamics of Reversal

In 2006, Goa's Congress-led government introduced an SEZ policy for the state. The policy's preamble expressed optimism about the anticipated benefits: "The concept of SEZ is expected to bring large dividends to the State in terms of economic and industrial development and the generation of new employment opportunities. The SEZs are expected to be engines for economic growth."<sup>1</sup>

Even before Goa announced its state-level SEZ policy in mid-2006, India's national SEZ Act of 2005 had elicited a favourable response from investors. By early 2006, 19 applications had been submitted to establish SEZs in the state. The government of Goa acted quickly to assist the developers by allocating land for the proposed projects and elaborating terms and conditions. But civil society groups mobilized themselves in opposition to the policy and their movement intensified in 2007. The mounting political pressure led the state government to take the exceptional decision to cancel all SEZ projects in Goa. The same state government that had introduced the SEZ policy went on to revoke it—no other state underwent so radical a turnaround.

This chapter examines the trajectory of Goa's experience with its SEZ policy and provides an explanation for the state's unique experience. The manner in which the policy was initiated and implemented is addressed in the first section. The second section focuses on the

anti-SEZ movement that emerged in Goa, explaining why the proposed SEZs were opposed and how the movement was built and sustained. The third section deals with the ‘scrapping’ of the SEZ projects and identifies the factors that influenced the state government’s decision to reverse its SEZ policy. This is followed by a discussion of the reasons why a complete closure of the SEZ issue has proved elusive. The final section summarizes the conclusions of the chapter.

## INITIATING AND IMPLEMENTING THE GOA SEZ POLICY

To appreciate the manner in which Goa’s SEZ story unfolded, it is helpful to understand seven key features of the process by which the policy was introduced and the projects advanced. First, the land for several SEZ projects was allotted *prior* to the introduction of the state’s SEZ policy. In early 2006, several months before the notification of Goa’s SEZ Policy in July of that year, the Goa Industrial Development Corporation (GIDC) received applications from eight SEZ developers: Peninsula Pharma, Meditab Specialities, K. Raheja, Paradigm Logistics, Planetview Mercantile, Inox Mercantile, Atul Ruia Enterprises, and Maxgrow Finlease.<sup>2</sup> Each developer requested the GIDC to allocate land to its project and the GIDC quickly passed resolutions to allot land to the eight developers. This all took place before the Goa SEZ Policy came into effect.

All of the firms, except Peninsula Pharma,<sup>3</sup> clearly indicated that the purpose for which they required land was to develop SEZs. The application submitted by Atul Ruia Enterprises requested the GIDC to acquire a specific parcel of land that it had identified, and then transfer ownership of the land to the company for a proposed Leisure and Entertainment SEZ. The GIDC passed a resolution to acquire this land. The seven other developers were allotted land that the GIDC already possessed. Meditab Specialities was allotted land in the village of Keri, near the city of Ponda in North Goa district,<sup>4</sup> while Peninsula Pharma was allotted land in the village of Sancoale in South Goa district.<sup>5</sup> K. Raheja, Paradigm Logistics, Planetview Mercantile, Inox Mercantile and Maxgrow Finlease were allotted land in ‘Phase IV’ of the Verna Industrial Estate, less than 10 kms from Sancoale.<sup>6</sup>

The second feature of note was the speed with which land was allocated to the SEZ developers. It took GIDC just one day after

receiving applications from Meditab Specialities and Peninsula Pharma to grant approvals.<sup>7</sup> In the case of K. Raheja, Paradigm Logistics, Planetview Mercantile, and Inox Mercantile, resolutions were passed within a week.<sup>8</sup> In the case of Maxgrow Finlease, it took 12 days.<sup>9</sup> The GIDC passed a resolution to acquire the land on behalf of Atul Ruia Entreprises within two days of receiving the company's request.<sup>10</sup> The GIDC did not make public the selection criteria used in determining which applications would be approved. Previous experience in setting up an export-processing zone did not seem to be a necessary precondition for approval as two of the applicants were new enterprises. Peninsula Pharma's application stated that the company was under formation. Paradigm Logistics was registered on 21 September 2005, just eight months prior to the date of its application. The GIDC's procedure for scrutinizing the applications also appear to have been lax: six of the applications were incomplete. Planetview Mercantile and Inox Mercantile did not include required information, such as the date on which they were registered. Company seals were not affixed to the applications submitted by Peninsula Pharma, Paradigm Logistics, K. Raheja, Planetview Mercantile, Inox Mercantile and Maxgrow Finlease.

Third, the state government actively sought to acquire land on behalf of SEZ developers. Not only did the GIDC agree to acquire 988.42 acres for Atul Ruia Enterprises in the village of Allorna, near Pernem town in North Goa, but following the notification of the SEZ Policy, the GIDC approved the acquisition of land on behalf of three other SEZ developers: 218.34 acres in Betul for M/S Reteline; 324.14 acres in Quitol for Financial Technology India; and 17.54 acres in Pilerne for Crest Animation. As indicated in Table 3.1, the GIDC passed resolutions<sup>11</sup> to acquire a total of 1548.44 acres on behalf of these developers. (In two cases, the GIDC approved the acquisition of smaller acreage than requested by the SEZ developers.)

Though the GIDC initiated the process of acquiring the land, it did not reach the stage of actually allotting it to the developers.

The fourth notable feature of Goa's SEZ story was the passage of the state's SEZ Policy without publicity or debate. A 5 June 2006 cabinet meeting approved the Goa SEZ Policy 2006 and the policy came into effect when it was officially published in the state gazette the following month. There were no news reports or commentary concerning the policy in Goa's daily newspapers, nor did deliberation take place

TABLE 3.1 Land Acquired on Behalf of Four SEZ Developers

No.	SEZ Developer (Sector)	Amount of Land Requested	Amount of Land that GIDC Resolved to Acquire
1.	Atul Ruia Enterprises Pvt Ltd (Leisure and Entertainment SEZ)	988.42 acres 988.42 acres	988.42 acres 988.42 acres
2.	M/S Reteline Pvt Ltd (Food Park)	247.11 acres	218.34 acres
3.	Financial Technology India Ltd (Multi-product)	494.21 acres	324.14 acres
4.	Crest Animation (Animation Studio/SEZ)	17.54 acres	17.54 acres
<b>Total</b>			<b>1548.44 acres</b>

Source: Data held by the GIDC, obtained using the Right to Information Act, 2005.

in the state's legislative assembly. There was no mention of SEZs in the Goa legislative assembly's business of the house at any point during February to July 2006. Bharatiya Janata Party (BJP) Member of the Legislative Assembly (MLA) Manohar Parrikar, who was then serving as leader of the opposition, complained, as one local news report put it, that 'the opposition legislators were not taken into confidence'.<sup>12</sup> The language of Goa's SEZ policy suggested that it was a new government initiative, when in fact resolutions had already been passed to allocate land for SEZ projects.

Fifth, the state government skirted procedural norms in the process by which it allocated land for SEZs. In the cases of Meditab Specialities and Peninsula Pharma, rather than using acquired land to establish industrial estates that could be divided into plots for lease to firms—which was standard practice under state law—the GIDC granted the entire contiguous land area for the two SEZs. In the case of the five SEZ developers allocated land in the Verna Industrial Estate, the state government deviated from the purpose for which this land had originally been acquired. The Verna Industrial Estate had been created under the central government's Inclusive Growth Centre (IGC) scheme, which attempted to promote industries in 'backward areas' by allotting land to

small and medium-scale enterprises. The five SEZs that were granted land in this estate were too large to fit this description.

The GIDC resolution authorizing the allocation of land in the Verna Industrial Estate specified that the amounts would be 791,732 sq metres (K. Raheja); 264,419 sq metres (Paradigm Logistics); 132,000 sq metres (Planetview Mercantile); 552,089 sq metres (Inox Mercantile),<sup>13</sup> and 200,000 sq metres (Maxgrow Finlease).<sup>14</sup> When the final lease agreements were executed, these amounts had been exceeded (Table 3.2).<sup>15</sup> The reason for this was to enable the developers to meet the central government's requirement of having *contiguous* land in their possession. Contiguity was provided by appending open spaces and roads to the industrial estate plots. This was a deviation from the GIDC's existing practice of allotting plots only within the confines of an industrial estate.

In the case of K. Raheja, in addition to meeting the contiguity requirement, the additional 2,74,651 sq metres that was allotted through the lease agreement enabled the company to meet the minimum land requirement (250 acres, or 1,011,714 sq metres<sup>2</sup>) for a 'Service SEZ'. On the day the lease agreement was signed, the GIDC's managing director issued a corrigendum stating that K. Raheja was establishing a 'Service SEZ' and not a 'Multi-Purpose SEZ', as the company's original application had stated.<sup>16</sup>

The sixth salient feature of the process by which Goa carried out its SEZ policy was the application of discounted land premiums. In February 2006, two months prior to receiving the applications from the five SEZ developers that were allocated land in the Verna Industrial Estate, the GIDC decided to revise the premium rates of plots in all 21 industrial estates under its jurisdiction due to a 'tremendous increase in maintenance costs...'<sup>17</sup> The GIDC thereafter resolved to increase the premium rates in 18 of the 21 industrial estates citing a 'constraint of land' and market rates in the surrounding vicinity. However, the Board ultimately *did not* change the premium in Phase IV of the Verna Industrial Estate. The five SEZs were, therefore, charged the older rate of Rs 600 per sq metre. The GIDC's reason for charging what amounted to a discounted rate was the lack of infrastructure in Phase IV. In August 2006, after 69 per cent of the land in Phase IV had been allotted to the five SEZs, the GIDC revised the premium in Phase IV to Rs 750 per sq metre. A March 2008 Report of India's Comptroller and Auditor General (CAG) calculated that

TABLE 3.2 Land Allotted to Five SEZ developers in Verna Industrial Estate (Phase IV)

No.	SEZ Developer	As per GIDC Board Resolution*	Additional Land Allotted through Final Lease Agreement**	Total
1.	K. Raheja	791,732 m <sup>2</sup>	274,651 m <sup>2</sup>	1,066,383 m <sup>2</sup> / 263.51 acres
2.	Paradigm Logistics	264,419 m <sup>2</sup>	125,703 m <sup>2</sup>	390,122 m <sup>2</sup> / 96.40 acres
3.	Planetview Mercantile	132,000 m <sup>2</sup>	103,331 m <sup>2</sup>	235,331 m <sup>2</sup> / 58.15 acres
4.	Inox Mercantile	552,089 m <sup>2</sup>	35,000 m <sup>2</sup>	487,089 m <sup>2</sup> / 120.36 acres
5.	Maxgrow Finlease	200,000 m <sup>2</sup>	3,445 m <sup>2</sup>	203,445 m <sup>2</sup> / 50.27 acres
Totals		1,940,240 m <sup>2</sup>	542,130 m <sup>2</sup>	2,482,370 m <sup>2</sup> / 613.41 acres

Sources: \* From respective GIDC resolutions.

\*\* From respective lease agreements: between GIDC and K. Raheja and Paradigm Logistics respectively executed on 25 July 2006, and between GIDC and Planetview Mercantile and Inox Mercantile respectively executed on 2 August 2006, and between GIDC and Maxgrow Finlease executed on 23 May 2007.

the GIDC's failure to apply the higher land premium from the outset resulted in a loss to the state government of Rs 369 million.<sup>18</sup>

Similarly, in the case of land allocated to Meditab Specialities and Peninsula Pharma in Keri and Sancoale, respectively, the GIDC used an approved formula to calculate premiums for non-industrial estate lands. This amounted to Rs 96 per sq metre for Meditab and Rs 934 per sq metre for Peninsula. However, when executing the lease deeds during March and April of 2006, the GIDC charged Meditab only Rs 80 per sq metre (a 20 per cent price reduction) and Peninsula Pharma just Rs 270 per sq metre (a nearly 70 per cent discount). According to the CAG, the differential between the premiums calculated using the approved formula and the premium actually charged resulted in a loss of Rs 154 million to the GIDC.<sup>19</sup> A summary of the differential premiums charged in all seven cases is presented in Table 3.3.

Another irregularity involved the GIDC's failure to charge any premium for the additional land allotted to the Verna Industrial Estate SEZs beyond the amount originally approved. The following year, following a series of protests against the SEZs, the lease deeds were amended to include a premium of Rs100 per sq metre for the additional land, which represented a huge discount over the Rs 750 per metre being charged for the other portions of land allotted to these projects. The CAG report found that, since the lands were contiguous, the discount was not warranted, and cost the GIDC an additional Rs 343 million in foregone premium charges.<sup>20</sup>

The GIDC also granted major, and recurring, rent concessions. Apart from the one-time premiums as discussed above, the GIDC also levies an Annual Lease Rent (ALR) on all its properties. In 2003 the GIDC began including relevant clauses in its standard lease agreement that allowed it to revise the ALR as the premium rates of the properties are revised. This clause was not included in the 30-year leases signed with the seven SEZs under discussion. The ALR would be fixed at a negligible level for three decades, as indicated in Table 3.4.

The seventh feature of the Goa SEZ process was the marked increase—*after* the allocation of SEZ land—in government-supplied infrastructure, and permissible Floor Area Ratio (FAR), for the developers. The GIDC had originally justified the heavily discounted land premiums by citing the substandard infrastructure in the project locations. Nevertheless, the lease agreements included a clause requiring the GIDC

TABLE 3.3 Rates at Which Land Was Allotted to SEZ Developers

No.	SEZ Developer	Location	Revised rate	Area and rate charged as per GIDC board resolution	Rate at which land was allotted	Additional area allotted and rate charged as per final lease agreement
1.	Meditab Specialities	Keri	Rs 95.50/ m <sup>2</sup> *	12,32,000 m <sup>2</sup> @ Rs. 80/ m <sup>2</sup>	-NA-	-NA-
2.	Peninsula Pharma	Sancoale	Rs 934.20/ m <sup>2</sup> *	2,04,000 m <sup>2</sup> @ Rs 270/ m <sup>2</sup>	-NA-	-NA-
3.	K. Raheja	Verna Ind. Est. (Ph. IV)	Rs 750/ m <sup>2</sup> **	7,91,732 m <sup>2</sup> @ Rs 600/ m <sup>2</sup>	2,74,651 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>	2,74,651 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>
4.	Paradigm Logistics	Verna Ind. Est. (Ph. IV)	Rs 750/ m <sup>2</sup> **	2,64,419 m <sup>2</sup> @ Rs 600/ m <sup>2</sup>	1,25,703 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>	1,25,703 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>
5.	Planetview Mercantile	Verna Ind. Est. (Ph. IV)	Rs 750/ m <sup>2</sup> **	1,32,000 m <sup>2</sup> @ Rs 600/ m <sup>2</sup>	1,03,331 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>	1,03,331 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>
6.	Inox Mercantile	Verna Ind. Est. (Ph. IV)	Rs 750/ m <sup>2</sup> **	5,52,089 m <sup>2</sup> @ Rs 600/ m <sup>2</sup>	35,000 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>	35,000 m <sup>2</sup> initially free and then @ Rs 100/ m <sup>2</sup>
7.	Maxgrow Finlease	Verna Ind. Est. (Ph. IV)	Rs 750/ m <sup>2</sup> **	2,00,000 m <sup>2</sup> @ Rs 600/ m <sup>2</sup>	3,445 m <sup>2</sup> @ Rs 600/ m <sup>2</sup>	3,445 m <sup>2</sup> @ Rs 600/ m <sup>2</sup>

Sources: \* As per GIDC's approved formula for computing lease premiums for its plots/properties outside industrial estates.

\*\* While increasing the rates/ m<sup>2</sup> of all the phases of the Verna Industrial Estate during the 285th GIDC board meeting held on 7 February 2006 the rates/ m<sup>2</sup> of Phase IV of the Verna Industrial Estate were left unchanged at a tentative rate of Rs 600/ m<sup>2</sup>. In August 2006 after land had already been allotted to SEZs, the rates were revised to Rs 750/ m<sup>2</sup>.



TABLE 3.4 ALR Charged to Six SEZs

No.	SEZ Developer	ALR (in Rs)
1.	Meditab Specialities	492,800
2.	Peninsula Pharma	274,928
3.	K. Raheja*	2,375,196
4.	Paradigm Logistics*	793,257
5.	Planetview Mercantile*	396,000
6.	Inox Mercantile*	1,454,496
<b>Totals</b>		<b>5,786,677</b>

*Source:* Data held by the GIDC, obtained using the Right to Information Act, 2005.

*Note:* \* Excluding additional land allotted at the time when the lease agreements were executed.

to improve the existing infrastructure connections—such as roads, water, and drainage—leading to the boundaries of the SEZs. To make good on this promise, the GIDC took a number of actions. In March 2007 it floated a tender to construct a road linking Peninsula Pharma in Sancoale to the National Highway.<sup>21</sup> In April 2006, the GIDC agreed to allocate two plots of land near Phase IV of the Verna Industrial Estate—each measuring 50,000 sq metres—for the construction of housing for workers on the estate.<sup>22</sup> Anti-SEZ activists alleged that this was intended for SEZ employees. In September, the GIDC floated a Rs 10 million tender for the construction of roads in Phase IV of the Verna Industrial Estate.<sup>23</sup> The GIDC was in effect subsidizing additional infrastructure facilities that benefited the SEZs.

Moreover, the state government modified the regulations governing the Goa Town and Country Planning Act 1974—again, *after* land had been allotted to the SEZs—to increase the permissible FAR, from 100 per cent to 150 per cent for SEZs in the information technology (IT)/IT-enabled services (ITES) and biotechnology sectors, while reducing setbacks to 5 metres.<sup>24</sup> These changes were initiated by the GIDC,<sup>25</sup> though formally promulgated by state government's town and country planning department.<sup>26</sup> Proposed changes to the model building by-laws, dating from November 2004,<sup>27</sup> would have assisted of developers seeking to build retail, leisure, and residential complexes in the Non-Processing Areas (NPA) of their SEZs.

In sum, the process by which SEZs applications were evaluated and approved, land allocated and extended, leasing arrangements negotiated and executed, and regulations skirted and amended, was characterized by a series of striking irregularities. Many of the key decisions were taken prior to the state government's announcement of its SEZ policy, which was itself approved stealthily. In 2007, many of the details outlined in this section were made public by activists who had used the Right to Information Act (RTIA) to obtain relevant government-held documents. The circulation of this information, including informed analysis of the anomalies contained therein, added fuel to the growing opposition to the SEZ projects. By this time, the GIDC had begun the process of acquiring properties on behalf of four SEZ developers, but the properties had not yet been formally transferred to the companies. The anti-SEZ movement sought to ensure that this eventuality was forestalled.

## CONTESTING SEZs

By mid-2007, the information that had begun to circulate about the proposed SEZs was turning local sentiment—among both activists and ordinary residents—against these projects. The movement that emerged included a range of actors in civil society, which coalesced into two main groups, the SEZ Virodhi Manch (SVM), or Campaign Against SEZs, and Goa's Movement Against SEZs (GMAS). The state's main opposition party, the BJP, also played a crucial role, particularly in the beginning of the movement. This section will explain why SEZs were opposed in the state and examine the dynamics of the movement, including how it was built and sustained.

### Articulation of Resistance

Using the RTIA, local residents of villages near the Verna Industrial Estate, concerned about the potential impact of the housing colony planned for workers from the industrial estate, stumbled upon information about the SEZs. They followed up with further RTI applications and collected many more documents pertaining to the SEZs. These included the applications for land, the minutes of GIDC board meetings, resolutions passed by the GIDC, and other relevant information.

This information was then shared with other activists and civil society organizations. Attention was largely drawn to two aspects of the information: the employment projections and the amount of land allocated.

The anti-SEZ movement latched onto the 'potential' job-creation figures cited by the developers in their applications. A total of 300,000 new jobs was projected. Some activists claimed that, given Goa's population of approximately 1.3 million,<sup>28</sup> and an estimated state-wide unemployment figure of 40,000,<sup>29</sup> the SEZs would inevitably result in a huge influx of workers from outside the state. This would inundate the Goan population. The leader of the opposition, Manohar Parrikar, spoke of 'a demographic invasion of Goa'.<sup>30</sup> As a result, 'Goans would become outsiders in their own land'.<sup>31</sup> An opinion piece in a local daily newspaper, using a different employment estimate, summarised this sentiment:

Into an environment that is crowded for space, short on infrastructure and struggling to meet health and education needs, the approved and pending SEZs could impose another 642,000 persons—if the claims of the SEZ developers are to be believed. For tacitly accepting this number alone the government of Goa should be interrogated. It is a ludicrous number for our state. Why so? For it is more than the total number of all people employed in Goa! The 2001 Census told us that 274,000 people were employed in rural Goa and 248,000 in urban which together is 522,000 workers... This alone reveals the recklessness of this administration in even considering the SEZ engine as one that is good for Goa.<sup>32</sup>

Opponents of the SEZs also highlighted the scale of the land involved. As one activist later recalled, the GIDC:

...set a new record in terms of the area of land that was allotted to the 7 SEZs... from March 2003 to March 2008 the GIDC had allocated a total of 1709.48 acres of land. Of this, 949.13 acres were allocated to the seven SEZ developers. In other words, 55% of land which had been allotted over five years by the GIDC was allotted to seven SEZs within a period of only five months... Over the same period ... the GIDC acquired 1074.17 acres of land. When one compares this with the land acquired on behalf of four SEZ developers, the GIDC had within a few months resolved to acquire more land than it had done over 5 years.<sup>33</sup>

Some of these claims were confirmed by the CAG in its 2008 report, which included an indictment of the state government's decision-making.<sup>34</sup> Calling Goa's entire territory of 3,702 sq kms a 'meagre land area', the Council for Social Justice and Peace (CSJP) asked: 'Are the

People's representatives (MLAs) so naïve or so opportunistic that they permit new land-gobbling projects which are undeniably against the needs of and benefits for the majority of the common people?'<sup>35</sup> Anti-SEZ activists continually highlighted the issue of systemic corruption. One leading public intellectual commented that 'SEZs by any name are a mega land grab for real estate with the government clearing the title of the land.'<sup>36</sup>

Concerns about in-migration of 'non-Goans' and the takeover of land were frequently framed as a threat to 'Goan identity'. This garnered support for the movement by, perhaps, tapping into anxieties among the people of India's smallest and least populous state. Indeed, a number of recent agitations against industrial projects in Goa were articulated in terms of a loss of the state's unique 'identity'. These included opposition to various tourism development proposals<sup>37</sup> as well as the Konkan Railway (early 1990s), the Thapar-Dupont Nylon 66 facility (mid-1990s),<sup>38</sup> and the Meta Strips project (late 1990s).<sup>39</sup> At this writing, a campaign is being waged demanding 'special status' for Goa, which would prevent 'outsiders' from buying land in the state.

The movement supplemented these arguments with allegations that the entire exercise of setting up SEZs reeked of a scam, and that the SEZs would remain outside the control of the local bodies of governance. The activists claimed to have in their possession documentary evidence, collected using the RTIA, which indicated that land was allotted to the developers with undue haste, that procedures had been flouted, and that numerous unwarranted concessions had been granted. One call for resistance to the proposed projects argued that the GIDC had '... resolved to waive off the Transfer Fee, Sub-lease Fee etc., to these Companies ... without the matter being on the Agenda, thereby draining out the public Exchequer....' The plots, moreover, had been allocated based 'on the whims and fancies' of GIDC board members, without adhering to established regulations.<sup>40</sup> In another broadside, a GMAS member claimed that '...[the] SEZs are not an Industry... Their beneficiaries will be real estate developers, large corporate houses, film stars, politicians and bureaucrats... It is a massive fraud inflicted on the peace-loving people of Goa.'<sup>41</sup> The BJP held a press conference on 16 October 2007. Its organizers distributed documents that the party claimed as proof that the SEZs were a Rs 3 billion land scam.<sup>42</sup>

Movement leaders also alleged that, once operational, the SEZs would effectively remain outside the purview of locally elected government institutions, that is, the village panchayats, the municipal councils, and the state government. The parallel with Goa's industrial estates, which since 2001 had been placed outside the jurisdiction of local elected bodies, was cited.<sup>43</sup> Activists pointed to sections of the Goa SEZ policy that called for SEZs to be declared 'industrial townships' and autonomous self-governing municipal bodies.<sup>44</sup> The SEZs, it was claimed, would be like 'foreign territories' within the state: '...the diabolical SEZs...are a ploy to create 18 foreign nations within Goa that seek to displace Goans and destroy the environment of Goa.'<sup>45</sup>

Arguments made about the 'take over' of land and 'irregularities' in the process of approving the SEZs resonated with many people and helped to build the movement. This was partly because about seven months before the anti-SEZ agitations began to gather strength, another movement mobilized around similar themes. The 'Save Goa' movement campaigned successfully against the government's attempt to implement the Goa Regional Plan 2011, commonly known as 'RP 2011'. The Save Goa movement alleged that the RP 2011 had clandestinely altered the zoning regulations affecting large tracts of land to favour real estate and mining interests. Here, too, concerns over threats to the state's cultural heritage and natural landscape, as well as apprehensions over potential alterations to village demographics, were articulated as a loss of Goa's identity.<sup>46</sup> The RP 2011 was eventually abandoned ('de-notified') by the state government in January 2007. This entailed withdrawing construction permits that had previously been granted. Movement activists often linked the SEZ issue to the controversies surrounding the RP 2011. Parrikar, for instance, argued that the SEZs posed 'a threat bigger' than the RP 2011.<sup>47</sup> Following the anti-RP 2011 agitation, there was a significant increase in people's participation in Goa's gram sabhas (village assemblies). In many parts of the state, village forums and civic action groups were established. These have acted like 'guardians' in their respective localities, many using the RTIA to unearth evidence of wrongdoing.

## Creating and Sustaining a Movement

The initial information about the planned SEZs was first gathered by concerned residents of Loutolim village, which borders the Verna

Industrial Estate. These included Franky Monteiro, Alan Faleiro, and Charles Fernandes. Subsequently, they began organizing small meetings and drawing in other activists and ‘action groups’, including an NGO called SEZ Watch. A seminar on SEZs was held on 27 August 2007, which led to the formation of People’s Movement Against SEZ (PMAS), consisting of villagers from the areas where SEZs were proposed. Mathany Saldanha, a social activist and former MLA from Cortalim, where Peninsula Pharma’s SEZ was to be located, also took an interest in the PMAS.

In October 2007, the PMAS split to form two factions: the People’s Movement Against SEZs (PMAS) and the People’s Committee Against SEZs (PCAS).<sup>48</sup> (Subsequently each group re-named itself: the PMAS became the SVM, and the PCAS became the GMAS.) A major reason for the split was disagreement over how the group should be identified and with whom it wanted to be associated. The group that became SVM considered itself ‘a collective of people’s groups against SEZs’ and explicitly identified itself as being ‘apolitical’, meaning that it did not want to be associated with or share a platform with any politician or political party. The ‘apolitical’ tag was similar to the one used by the Goa Bachao Abhiyan (GBA), a federation of activists and groups that led the Save Goa Movement against the RP 2011. The SVM included village-level groups such as the Keri Nagrik Samiti and the Sancoale Action Committee, and received support from NGOs such as the CSJP) and Jagrut Goem, or ‘Alert Goa’.<sup>49</sup>

The GMAS did not fashion itself in any particular way, but its relations with political figures contrasted sharply with the position adopted by the SVM. The GMAS was led by Mathany Saldanha, the former MLA, who remained a member of the United Goan Democratic Party (UGDP). Saldanha was perceived as being ‘pro-BJP’ because of his support for the party when it had been in power.<sup>50</sup> The GMAS was willing to make common cause with political parties, including the BJP, the Shiv Sena, and the Goa Suraj Party. It also drew on the support of NGOs such as the Goa Peaceful Society and *Utt Goenkara*, or ‘Goans wake up’.

As this brief overview suggests, the SVM and the GMAS were both loose, ad hoc collectives—federations of various activists and groups that had come together to oppose the SEZs. Each was built around the networks and social bases of its affiliates. The GMAS was able to draw on the BJP’s organizational network, which is present in all 40 assembly

constituencies in the state. Similarly, the SVM was able to draw on the organizations that comprise the CSJP, which enjoys close connections with various Catholic parishes and village groups. The complementary way in which the SVM and the GMAS positioned themselves allowed each group to appeal to distinct sets of persons and organizations. An array of social affiliations was included in each group. Together, their combined constituencies represented a broad cross-section of political, and 'non-political', persuasions. This segmented form of organization explains how opposition against SEZs came to be comprised of diverse groups of people, thus creating a broad base for the movement.

While the BJP started expressing concern about the SEZs as early as the summer of 2007, it was during the run-up to a parliamentary by-election for the South Goa constituency that the issue began to become central to its political platform in the state. The BJP made SEZs the primary issue in its election campaign, which added visibility to the issue, raised public awareness, and boosted the anti-SEZ movement. Earlier in 2007, the MP for South Goa, Churchill Alemao, left the Congress Party and formed the Save Goa Front (SGF). Due to the 'anti-defection' provisions of India's electoral regulations, this shift of party allegiance triggered a parliamentary by-election for Alemao's seat. Voting was scheduled for 31 October 2007. During the election campaign, the BJP voiced its opposition to Goa's SEZ policy and the planned SEZs themselves. The party stressed the 'demographic invasion'<sup>51</sup> and 'land scam' aspects of its critique.<sup>52</sup> The BJP also argued that the state was unable to meet the SEZ's requirements of water and electricity.<sup>53</sup> These issues were voiced repeatedly at public meetings held throughout South Goa—in Margao (4 October), Sanguem (5 October), Curchorem (7 October), Ponda (9 October), Vasco (10 October), and Keri (12 October).

An analysis of newspaper articles reveals the SEZ issue gaining wide currency from October 2007 onward, largely a result of media coverage during the final stages of the by-election campaign. The Congress Party countered the BJP's allegations concerning the SEZ issue by referring to them as mere 'electioneering'. The BJP responded by daring the (Congress-ruled) state government to withdraw its approval for the SEZs, saying that the BJP candidate would withdraw from the by-election if the government did so. As the date of the election approached, the Congress appeared to change its stand on the issue. Francisco Sardinha, the Congress candidate, began his campaign by

announcing that the 'state will not provide electricity or water to the SEZs.'<sup>54</sup> The chief minister, who campaigned on Sardinha's behalf made a similar statement. He said that, while the state government could not countermand SEZ approvals already authorized by the central government, the state would not permit the approved SEZs to burden Goa's infrastructure.<sup>55</sup> As the voting day grew near, however, Sardinha changed his position, stating that he favoured just two SEZs, one in each parliamentary constituency, and that Goa's SEZ policy itself should be withdrawn with immediate effect.<sup>56</sup> Finally, on the eve of the election, the chief minister addressed a public rally in Margao, where he said that the government would cancel the SEZs if they were found to be detrimental to the state's interests.<sup>57</sup> The Congress leadership had changed its position, committing itself publicly to a review of the SEZ policy and its likely impacts. Although the BJP lost the by-election,<sup>58</sup> its campaign contributed to building opposition to SEZs and altering the ruling party's position on what had become a major issue in the state.

After the by-election, the BJP became less central to the anti-SEZ movement, which was largely sustained by the SVM and GMAS.

When the BJP in Goa first began questioning the state government on the SEZ issue, in August 2007, the party was not entirely against the policy, but was critical of the large number of SEZ projects that were being proposed. It favoured having only one or two SEZs in the state.<sup>59</sup> In October 2007, the leader of the GMAS—the group with links to the BJP and other parties—made statements warning of an agitation 'if the government failed to scrap the proposed SEZs.'<sup>60</sup> Some SVM activists interpreted this reference to 'proposed SEZs' as tacit support for exempting those SEZs that had already been 'notified', a position close to the one the BJP had adopted. The SVM's demand for all SEZs, including those already notified, to be scrapped, as was evident from a memorandum submitted to the chief minister on 9 November 2007, in the wake of the by-election result.<sup>61</sup> This may have galvanized the other anti-SEZ groups to follow suit, because subsequently the BJP, too, demanded the scrapping of the three notified SEZs.<sup>62</sup> By 23 November 2007 the GMAS was also calling for the cancellation of all SEZs.<sup>63</sup>

While united in their demand to cancel all SEZs, the groups employed different strategies in mobilizing public opinion. Rather than dissipating the movement's energies, this resulted in multiple sources of pressure on the state government. The BJP repeatedly claimed to



be planning to take legal action against the GIDC board on the basis of the alleged irregularities in allocating land for the SEZs. However, it was the SVM that filed a complaint with the police on 22 October 2007, alleging 'fraud' by the GIDC board. After a third SEZ was notified in November 2007, both the SVM and the GMAS set deadlines for the government to scrap the SEZs, on 17 November and 20 November, respectively.<sup>64</sup> When the government did not respond to the deadlines, beginning on 10 December the GMAS conducted two simultaneous week-long 'yatras' (roving awareness-raising campaigns), one in North Goa, the other in South Goa. The objective was to educate people about the 'implications of SEZs' for their localities and the state as a whole. Both the SVM and the GMAS conducted major public rallies—the SVM at Lohia Maidan in Margao on 14 December, and the latter at Azad Maidan in Panaji, the state capital, on 19 December 2007.

### 'SCRAPPING' THE SEZS

On 31 December 2007, Goa's chief minister, Digamber Kamat, announced that the state government would 'scrap' the previously approved SEZs. This section of the chapter explains the factors that led the government to reverse its earlier decisions on these projects and to alter its policies regarding SEZs in the state.

### Intensification of the Anti-SEZ Movement

On 6 November 2007, a week after the Congress candidate won the South Goa by-election, the Raheja SEZ was notified by the inter-ministerial SEZ board of approval in New Delhi. This provoked anger among anti-SEZ protestors, who charged the Congress-led state government of not being serious about its commitment to review the SEZs. The anti-SEZ movement soon began showing signs of radicalization. SVM-affiliated activists broke into some of the SEZ sites to stop construction work that they alleged was being carried out. On 7 December 2007, they entered the Meditab SEZ site in Keri and prevented approximately 400 labourers from carrying out their work assignments. On 11 December 2007, activists entered the Raheja SEZ in the Verna Industrial Estate in an attempt to stop work underway at the site. A deadline of 19 December 2007 had been set by the GMAS for the state government to

announce the scrapping of the SEZs. The GMAS's leaders warned the government that a 'Nandigram-like situation' would ensue if prompt action were not taken, referring to the bloodshed and disorder that had afflicted a proposed SEZ in the state of West Bengal earlier that year. The government did not comply with this deadline. On 24 December 2007, stating that the agitation could take 'an ugly turn'—strongly implying the possibility of violence—the GMAS issued a public appeal to tourists holidaying in Goa to leave the state by 28 December 2007.<sup>65</sup> The ostensible purpose was to put pressure on the government by threatening the viability of one of the state's major industries. Around the same time, the SVM warned the government that they would intensify their struggle using 'peaceful' means.<sup>66</sup> The chief minister had announced in mid-November that a committee would be formed to prepare a detailed note on the SEZ projects in the state and the future of Goa's SEZ policy. It was not until 12 December—almost a month later—that a committee was actually formed, after the anti-SEZ movement had intensified.

Meanwhile, developments in Goa's state legislature contributed to further political pressure on the state government. In the 40-member legislative assembly, the Congress-led coalition government headed by Chief Minister Kamat held 25 seats: the Congress had 16 members, the Nationalist Congress Party, three, the SGF, two, the UGDP, one, and there were independents. The BJP-led opposition had 16 seats: 14 BJP members and two from the Maharashtrawadi Gomantak Party (MGP). Goa has a history of unstable governments: between 1990 and 2005 there were 14 governments,<sup>67</sup> with 30 cases of political defections.<sup>68</sup> Soon after the by-election, the Nationalist Congress Party (NCP), a member of the Congress-led coalition, urged the chief minister to halt ongoing work on the SEZs.<sup>69</sup> In December, NCP leaders stated that they did not want even a single SEZ in the state.<sup>70</sup> Churchill Alemao, the leader of another coalition partner, the SGF, was already on record stating that all of Goa's SEZs 'should be scrapped forthwith.'<sup>71</sup> Alemao submitted a memorandum to Prime Minister Manmohan Singh during his December 2007 visit to Goa asking for the central government to withdraw its approval for the SEZs planned for Goa. The prime minister's response was '... that potential for industrialization in Goa was limited and it has to strike a balance between maintaining pristine natural beauty and the needs of industry.'<sup>72</sup> The opposition to SEZs in Goa was clearly growing stronger within the state's ruling coalition. Given the history of government

instability in the state, it is likely that the anti-SEZ sentiments expressed by the two coalition partners carried substantial weight and influenced the eventual policy reversal. The Congress Party needed the allies to form the government. Their sentiments could not be brushed aside.

### Review Studies Suggest SEZs Unsuitable in Goa

The committee appointed by the chief minister in December 2007 to review the SEZs included four members of the state cabinet, and was chaired by none other than the chief minister himself.<sup>73</sup> As noted above, the committee's formation was the result of pressure by the state's fast-radicalizing anti-SEZ movement. Even as the committee was undertaking its work, the chief minister also directed the members of a Task Force charged with preparing a new regional plan—in lieu of the controversial RP 2011—to prepare a report on SEZs in the state. Also around this time, the executive committee of the state-level Congress Party organization to appoint a panel to study the SEZ situation in Goa. The Congress panel report, presented on 29 December 2007, stated that 'SEZs in their present form were not viable in the state and were against the interests of the people', a formulation very close to the CAG conclusion cited earlier. The Congress panel added that the government should explore the possibility of 'de-notifying' those SEZs that had already been notified.

The review committee headed by the chief minister released a 'White Paper on SEZs in Goa State'. This was largely a descriptive document, but in response to the 'issues' raised by those opposing the SEZs, the White Paper contained a section listing the many positive aspects of SEZs. However, it also stated that Goa was not prepared to host all of the SEZs that had been approved or were in the pipeline. The White Paper singled out the Metitab SEZ for particular criticism, finding that it would require large volumes of water and electricity. The report concluded that the requirements of the other six SEZ projects could in fact be worked out.<sup>74</sup>

The report of the Task Force, released on 30 December 2007, gave many reasons before concluding that SEZs were detrimental to the state.<sup>75</sup> On the following day—on New Year's Eve 2007—the chief minister announced that the state government had decided to 'scrap' the SEZs.

## ELUSIVE CLOSURE: THE IMPEDIMENTS TO FULLY REVERSING THE SEZ POLICY

Despite the government of Goa's decision to reverse its stance regarding the SEZs planned for the state, a complete closure of the matter proved to be elusive. This section discusses the reasons why 'scrapping' the SEZs turned out to be more difficult than had originally been foreseen.

When announcing that the state government would be withdrawing its approval for the proposed SEZs—including the various land and other concessions granted by the GIDC—Chief Minister Kamat clarified that in the case of the three SEZs that had already been 'notified' by the board of approvals in New Delhi, the government of Goa did not possess the legal authority to take the requisite action. But he assured the protesters that 'the state would urge the centre to de-notify' these SEZs as well.<sup>76</sup> As it turned out, the Government of India—in the form of the commerce ministry, which had primary jurisdiction over SEZ policy—was extremely reluctant to acquiesce in the state government's urgings. The first response to the state's government request to de-notify the three SEZs came from the commerce secretary, who also chairs the SEZ board of approval. He announced that there was 'no provision under law to recommend de-notification'. Notified SEZs had 'become legal entities and cannot be de-notified'.<sup>77</sup>

The commerce secretary's statement received wide publicity in the local press and prompted Chief Minister Kamat to travel to Delhi and meet with Union Commerce Minister Kamal Nath, who provided words of reassurance. There was a 'provision in the SEZ Act for everything,' he stated. 'Goan people do not want SEZs. SEZs will not come to Goa. The Congress government will not go against the people.'<sup>78</sup>

However, the commerce ministry did not thereafter initiate the de-notification of Goa's SEZs. Instead, whenever the issue was raised, the ministry proposed various options short of de-notification. In February 2008, it suggested that the government of Goa should compensate the three SEZs for the withdrawal of the prior approvals.<sup>79</sup> This was repeated in June 2008, when officials from the commerce ministry claimed that 'the Goa government's stand of scrapping the three notified SEZs may cost the exchequer Rs 350–500 crores.' The Goa government, they added, should consider abandoning its demand for de-notification.<sup>80</sup>

In October 2008, another suggestion was floated by the commerce ministry: that the Goa government allow the SEZ promoters to take up alternate projects in state.<sup>81</sup> Finally, in January 2009, Kamal Nath himself advised the three SEZ developers to withdraw voluntarily from the state.<sup>82</sup> None agreed. The Congress Party in Delhi showed a reluctance to intervene in the matter. Party spokesperson Abhishek Singhvi stated that the de-notification discussion was ‘an issue between Union Minister Kamal Nath and the state government. The Congress stand is that decision on the SEZs have to be taken together between the two.’<sup>83</sup>

Subsequently, the Goa government and the SEZ developers became embroiled in a complex legal dispute, which is discussed below. The commerce ministry would not comment on the matter, ostensibly because it had become *sub judice*.

## RETURN OF LAND ALLOTTED TO SEZS STALLED

On 10 January 2008, after deciding to ‘scrap’ the SEZs, the Goa government issued stop-work orders to the three notified projects: K. Raheja, Meditab Specialities, and Peninsula Pharma. It was not until five months later, on 12 June 2008, that the state government directed the GIDC to revoke the land allotments that had been made to all SEZ projects in Goa. The GIDC duly issued notices to the seven SEZs, directing them to surrender the land back to the GIDC. This prompted the developers to seek judicial remedy at the Goa Bench of the Bombay High Court (BHC). The three notified SEZs acted first, challenging the ‘stop work’ orders. They argued that they had made substantial investments in the SEZs. Subsequently, all seven developers (included the three notified SEZs) approached the BHC, challenging the GIDC’s order to surrender the land that had been allotted to them. The petition argued that the SEZs were notified by the central government and that the state government did not possess the powers to interfere. In response, the Goa government argued that it possessed the power to revoke SEZs under Section 3(6) of the SEZA, 2005.

Up until this point, the court case involved the SEZ developers against the government. This changed in July 2008, when groups from the villages of Sancoale, Keri, and Verna, where seven of the SEZs had been allotted land, intervened. They were suspicious that

the state was not serious about scrapping the SEZs and that the court case would be compromised. The villagers, supported by the SVM, filed three separate Public Interest Litigation (PIL) suits in the BHC, claiming that both the state government and the SEZ developers had engaged in procedural violations. The legal briefs alleged that the GIDC lacked the legal authority to allot land for the purpose of establishing SEZs, that the allotment of land was carried out in an arbitrary manner, and that some of the applicants were not registered corporate entities. They annexed to their petition the CAG's 2007–08 report, which contained an account of the losses incurred by the state due to irregularities in the allotment of land. Their petition also alleged that the SEZ developers had committed many 'violations', such as undertaking work on their sites without obtaining the necessary permissions. The BHC clubbed all of the petitions pertaining to the SEZs together for joint hearings. On 15 June 2009, the government formally withdrew the state's SEZ policy. The BHC then allowed the petitioners to amend their respective petitions 'to incorporate the fresh developments on the SEZ policy.' In their revised petition, the SEZ developers argued that the state's revocation of its SEZ policy should not retroactively affect the land allotments that had already been made. The BHC issued its ruling on 26 November 2010, striking down the GIDC's allocation of land to the developers. The court observed that 'huge lands which are public properties were allotted to the said companies in a manner opposed to public policy.' The ruling declared, further, that: '[t]he allotment of lands to the companies has been made in undue haste without proper scrutiny of their applications. The allotment has been made arbitrarily. Procedure adopted in the allotment is not fair and transparent. The allotments made by GIDC do not stand the test of reasonableness.'

The BHC directed the SEZ developers and the GIDC to maintain the *status quo* for a period of four months. That is, the developers were prohibited from creating third party rights, and the GIDC could not allot the land to any other party. The court did, however, permit the developers to submit fresh land allotment applications to the GIDC.<sup>84</sup> Six of the seven developers—Meditab Specialities, K. Raheja, Paradigm Logistics, Planetview Mercantile, Inox Mercantile, and Peninsula Pharma—subsequently challenged the BHC's ruling in the Supreme Court of India.<sup>85</sup> The Supreme Court issued an order on 10 January 2011 requiring all

parties to maintain the *status quo* until the petition is disposed. At this writing, the judgement of the SC is awaited, and the re-possession of the land allotted to the SEZs has been stalled.

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The Goa government received several applications to establish SEZs prior to the adoption of the state's SEZ policy. Land was hastily allotted to SEZ developers and anomalous concessions were granted. The result, as the CAG and other analysts have pointed out, was a substantial amount of foregone revenue for the state's exchequer.

The emergence of a civil society-led movement opposing SEZs in the state led the Goa government to reverse course: it not only withdrew permission for existing SEZs, but revoked its entire policy framework relating to SEZs. The movement argued that the SEZs were a threat to Goa's identity: they would lead to the influx of large numbers of migrant workers. These were perceived as a threat given the state's small size and population. The campaign against Goa's SEZ policy benefited from the state's history of successful movements opposing the allocation of land for industries and large infrastructure projects. Allegations of malpractices in the allocation of land to developers, and concerns that the SEZs would be outside the purview of local governance, added further fuel to the movement. Civil society groups, such as the SVM and the GMAS, operated separately from one another and, paradoxically, this allowed them to appeal to distinct sections of Goan society, and thus build a broad base for the movement.

Amid signs that the anti-SEZ agitation was radicalizing, and that its tactics and strength might impinge on electoral considerations, the state's Congress-led government felt compelled to 'scrap' the SEZs. A key factor was the role of the BJP, which made the government's approach to SEZs a major issue in a closely watched parliamentary by-election campaign. The Congress had begun to face opposition on the issue from its coalition allies as well. Moreover, policy reviews, initiated by the Congress Party and the government, found that SEZs were unsuitable to Goa's social, economic, and ecological conditions.

The process of recovering the allotted land, and denotifying the SEZs that had previously received both state and central government approval, has eluded closure. The matter is currently pending in the

Supreme Court. As in many movements across India, the lines between legal contestation and political conflict have blurred.

## NOTES AND REFERENCES

1. Goa SEZ Policy, 2006 in *Government of Goa Official Gazette*, 13 July 2006.

2. Application dates: Peninsula Pharma 2 March 2006; Meditab Specialities 27 March 2006; K. Raheja 12 April 2006; Paradigm Logistics 12 April 2006; Planetview Mercantile 12 April 2006; Inox Mercantile 12 April 2006; Atul Ruia Enterprises 17 April 2006; and Maxgrow Finance 2 May 2006.

3. Peninsula Pharma stated that it was interested in setting up a 100 per cent export-oriented Biotechnology Park in Sancoale and, therefore, requested the GIDC to give it the status of an Export Processing Zone. However the GIDC Board *suo moto* felt that it could be an SEZ and resolved to allocate land for 'setting up R&D Centre/Biotechnology Park/SEZ.' GIDC (28 March 2006), Minutes of the 286th GIDC board meeting.

4. In December 1989, the Goa government notified that 1,232,000 sq metres of land was to be acquired in Keri for an industrial estate. The land was to be allotted to Thapar-Dupont, which was planning to set up the Nylon 66 project. On 27 August 1992, the GIDC took possession of the land, and in October 1993 allotted the land to Thapar-Dupont. The GIDC repossessed the land on 21 August 1997, following a public agitation against the project.

5. This land was acquired by the Goa government through a notification dated 24 June 1998. It was initially acquired with the intention of allocating the land to Bharat Petroleum Corporation Ltd. Bharat Petroleum was subsequently allotted land in the Verna Industrial Estate. As a result, the GIDC repossessed the land on 28 August 2001.

6. Acquisition of 3,587,134 sq metres of land was notified for acquisition in January 2002 for the purpose of extension of the Verna Industrial Estate. It was acquired by the GIDC on 8 March 2004 and designated as Phase IV of the Verna Industrial Estate.

7. GIDC Resolutions dated 28 March 2006.

8. GIDC Resolutions dated 19 April 2006.

9. GIDC Resolutions dated 6 July 2006.

10. GIDC Resolutions dated 19 April 2006.

11. GIDC resolutions to acquire land: 1 August 2005 (M/S Reteline Pvt. Ltd), 19 April 2006 (Atul Ruia Enterprises), 19 September 2006 (Crest Animation) and 12 December 2006 (Financial Technology Pvt Ltd). In the case of Atul Ruia Enterprises, within two days of receiving the application, the GIDC had resolved to acquire land on its behalf.



12. 'Parrikar's Clarion Call to Oppose Proposed SEZs', *Navhind Times*, 11 October 2007.

13. GIDC (19 April 2006). Minutes of the 287th GIDC board meeting. Resolution No. 47/2006.

14. GIDC (6 July 2006). Minutes of the 288th GIDC board meeting. Resolution No. 62/2006.

15. This was done by attaching an additional schedule ('Schedule I-B') to Schedule I-A in the lease deeds of K. Raheja, Paradigm Logistics, Planetview Mercantile, and Inox Mercantile. In case of the Maxgrow Finlease, since the lease deed was executed much later than the other four SEZs, the additional land was allotted by including it directly in Schedule I-A of the lease deed.

16. GIDC managing director (25 July 2006). Letter from MD of GIDC vide letter no. IDC/PARKS/VERNA PH-IV/9704.

17. GIDC (7 February 2006). Minutes of the 285th GIDC board meeting.

18. CAG (2008). Audit Report (Civil), Goa for the Year 2007–08, p. 132.

19. CAG (2008). Audit Report (Civil), Goa for the Year 2007–08, p. 135.

20. CAG (2008). Audit Report (Civil), Goa for the Year 2007–08, p. 134. (Since the deed for the Maxgrow Finlease was executed at a later stage than for the other four SEZs, the additional land was charged at the higher rate of Rs 600 per sq metre.)

21. GIDC (9 March 2007). Minutes of the 295th GIDC board meeting.

22. GIDC (19 April 2006). Minutes of the 287th GIDC board meeting.

23. 'Advertisement', *Navhind Times*, 28 September 2007.

24. Direct beneficiaries would have included Biotechnology SEZs (Peninsula Pharma and Inox Mercantile) and IT/ITES SEZs (Paradigm and Maxgrow).

25. GIDC (27 February 2007). Letter by GIDC to TCP vide letter no: GOA IDC/MD/S(I)/12904.

26. TCP Department Goa (1 March 2007). Letter vide letter no. 27/13/TCP-07/871

27. TCP Department Goa (1 March 2007). 'Reply by TCP to GIDC vide letter no: 27/13/TCP-07/Pt.file/877'.

28. Provisional results of the 2011 Census project Goa's population to be approximately 1.5 million.

29. The total number of persons registered in the Employment Exchanges in Goa was 101,425 in 2005–06, according to the government of Goa (2006) *Statistical Handbook of Goa: 2005–06* (Panaji: Directorate of Planning, Statistics and Evaluation), p. 182. However, it has been argued that this figure greatly overestimates unemployment in the state. Some claim that Goa predominantly has a problem of underemployment—cf. Government of Goa (2008) *Economic Survey 2007–08* (Panaji: Directorate of Planning, Statistics and Evaluation), pp. 7–9.

30. 'SEZs in state would force demographic invasion: BJP', *Navhind Times*, 28 August 2007.
31. Statement made at a BJP rally in the town of Curchorem on 7 October 2007.
32. Rahul Goswami, 'Opinion: How the SEZ numbers don't add up', *Gomantak Times*, 8 October 2007.
33. Interview with Franky Monteiro, activist from Loutolim.
34. Cf. CAG (2008). Audit Report (Civil), Goa for the Year 2007–08, pp. 127–9.
35. Council for Social Justice and Peace (2 December 2007), SEZs are not viable in Goa in NO to SEZ .... YES to PEZ, <http://amkanakasez.blogspot.in/2007/12/sezs-not-viable-in-go-a-csjp.html>, accessed 25 January 2011].
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40. Anonymous, 'Role of GIDC, in NO to SEZ .... YES to PEZ', 6 December 2007, <http://amkanakasez.blogspot.in/2007/12/fraculent-role-of-gidc.html> (accessed 25 January 2011).
41. Fr. Lino Florindo, 'More on SEZs', 27 November 2007, <http://lists.goanet.org/pipermail/goanet-goanet.org/2007-November/151704.html> (accessed 25 January 2011). Florindo is a member of member of GMAS.
42. BJP press conference held on 16 October 2007 in the city of Panaji.
43. This was done through an amendment made to the Goa Industrial Development Act, 1965 in 2001. See provision 37A(c).
44. The state government was to take appropriate steps to declare the SEZs as industrial townships, which would enable them to function as self-governing, autonomous municipal bodies [5, xii].
45. Sabnis Pravin, 'Goa wants PEZ', in NO to SEZ .... YES to PEZ, 15 December 2007, [http://amkanakasez.blogspot.com/2007\\_12\\_01\\_archive.html](http://amkanakasez.blogspot.com/2007_12_01_archive.html) (accessed 25 January 2011).
46. 'Goa Plan: People's Protests' (editorial), *Economic and Political Weekly*, vol. 41, no. 51 (23–29 December 2008), p. 5205.

47. 'SEZs in state would force demographic invasion: BJP', *Navhind Times*, 28 August 2007.
48. Rahul Goswami, 'The Konkan Packaging Company of Goa', *Economic and Political Weekly*, vol. 43, no. 6 (9–15 February 2008), pp. 10–11.
49. Translated as 'Alert Goa'. The group was launched in April 2007 prior to the state assembly elections to 'identify the most corrupt and the worst among the candidates put up by the Congress and other non-BJP political parties and make efforts to ensure their defeat,' while actively working 'for the defeat of candidates put up by communal parties like the BJP.'
50. From October 2000 to March 2005.
51. Statement made at a BJP rally in the town of Curchorem on 7 October 2007.
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53. Statement made at a BJP rally in the town of Sanguem on 5 October 2007.
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71. 'Aleixo, Kavlekar, Luizinho involved in SEZ land scam, alleges Churchill', *Navhind Times*, 25 October 2007.

72. 'Two memorandums opposing SEZs submitted to PM', *Navhind Times*, 28 December 2007.

73. Headed by chief minister, Ravi Naik (home minister), Dayanand Narvekar (finance minister), Jose Phillip D'Souza (revenue minister), and Vishwajeet Rane (health minister).

74. 'Govt unprepared to host SEZs, reveals report', *Herald*, 30 December 2007.

75. 'SEZs detrimental to Goa: Task Force', *Navhind Times*, 31 December 2007.

76. 'Govt scraps SEZs', *Navhind Times*, 1 January 2008. Subsequently, the Goa government sent an official communication to the board of approvals informing the ministry of commerce and industry that they wished to withdraw all the SEZs that the state government had recommended, to cancel those formally approved, and to de-notify the three notified SEZs. Office of Secretary (Industries) Government of Goa (7 January 2008). Letter to Union Commerce Ministry vide letter no. SI/SEZ/2007.

77. 'Three notified SEZs in Goa can't be de-notified: Centre', *Navhind Times*, 3 January 2008.

78. 'Centre not to impose SEZs on Goa', *Herald*, 4 January 2008.

79. 'Centre to hear Goa SEZ developer's views', *Navhind Times*, 26 February 2008.

80. 'SEZ decision may cost govt Rs 500 crore', *Herald*, 18 June 2008.

81. 'SVM condemns Kamal Nath's statements on SEZ', *Navhind Times*, 6 October 2008.

82. 'SVM to intensify agitation if police fail to register FIR', *Navhind Times*, 9 January 2008.

83. 'Congress says Centre and state can decide on SEZs', *Navhind Times*, 5 January 2008.

84. High Court of Bombay at Goa (26 November 2010). Judgement Pronounced in Writ Petitions: 349, 501, 507, 380, 436, 437, 438, 263, 310, 314, 316, of 2008 and 391 of 2009, pp. 1–195.

85. Maxgrow Finlease did not approach the Supreme Court, but made a fresh application to the GIDC requesting land to establish an industry in the Verna Industrial Estate. Its application is currently pending before the GIDC.