

**BANK MANAGEMENT RESPONSE TO  
REQUEST FOR INSPECTION PANEL REVIEW OF THE  
INDIA – MUMBAI URBAN TRANSPORT PROJECT  
(IBRD LOAN No. 4665-IN; IDA CREDIT No. 3662-IN)**

Management has reviewed the Request for Inspection of the India – Mumbai Urban Transport Project (IBRD Loan No. 4665-IN; IDA Credit No. 3662-IN), received by the Inspection Panel on April 28, 2004 and registered on April 29, 2004 (RQ04/3). Management has prepared the following response.



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## **ABBREVIATIONS AND ACRONYMS**

ATC	Area Traffic Control
BEST	Bombay Electricity and Suburban Transport Corporation
CTS	Comprehensive Transport Study
EEH	Eastern Express Highway
GoI	Government of India
GoM	Government of the State of Maharashtra
MCGM	Municipal Corporation of Greater Mumbai
MHADA	Maharashtra Housing Area and Development Authority
MIG	Middle Income Group
MMR	Mumbai Metropolitan Region
MMRDA	Mumbai Metropolitan Regional Development Authority
MRCC	Mumbai Regional Congress Committee
MRVC	Mumbai Railway Vikas Corporation
MSRDC	Maharashtra State Roads Development Corporation
MUTP	Mumbai Urban Transport Project (the Project)
MVECS	Motor Vehicle Emission Control Strategy
NGO	Non-governmental organization
NSDF	National Slum Dwellers Federation
PAD	Project Appraisal Document
PAP	Project Affected Person
PIC	Public Information Centre
RAP	Resettlement Action Plan
RIP	Resettlement Implementation Plan
SATIS	Station Area Traffic Improvement Schemes
SCLR	Santa Cruz-Chembur Link Road
SPARC	Society for Promotion of Area Resources Centers
SRA	Slum Rehabilitation Authority
WEH	Western Express Highway

### **Currency Unit**

USD 1 = Indian Rupee (INR) 45

INR = USD 0.022

## I. INTRODUCTION

1. On April 29, 2004, the Inspection Panel registered a Request for Inspection, IPN Request RQ04/3 (hereafter referred to as “the Request”), concerning the Mumbai Urban Transport Project (hereafter referred to as “MUTP” or “the Project”), financed by Loan No. 4665-IN from the International Bank for Reconstruction and Development (IBRD) and Credit No. 3662-IN from the International Development Association (IDA), together referred to hereafter as “the Bank.”

2. The Requesters are shopkeepers whose premises will be partially or totally affected because of the widening of the Santa Cruz-Chembur Link Road under the Project, and who will be relocated to shops in a resettlement area at Mankhurd. The shopkeepers claim that they have not been properly consulted, the proposed resettlement site is too distant and the provisions for resettlement will not achieve restoration of their income. The Government and Bank staff are mid-stream in a process to assess and resolve the shopkeepers’ concerns, which were identified during supervision missions in March and early April 2004. The Resettlement and Rehabilitation Policy for the Project provides that “displaced persons are assisted in improving or at least restoring their former living standards, income earning capacity and production levels.” The Mumbai Metropolitan Region Development Authority (MMRDA) and Bank staff are following this matter closely, especially with regard to any remedial measures that may need to be put in place.

3. *Structure of the Text.* The document contains the following sections: Section II presents information regarding the Request and Section III provides background to the Project. Issues and next steps are discussed in Section IV. A summary of Management’s response is provided in Section V. Annex 1 presents the Requesters’ claims, together with Management’s detailed responses, in table format. Annex 2 provides information on Bank supervision missions and Annex 3 is a summary of consultations on resettlement.

## II. THE REQUEST

4. The Request for Inspection was submitted by members of the United Shop Owners Association, a non-governmental organization, on its own behalf and on behalf of 118 residents of Mumbai who claim to be adversely affected by the Project (hereafter referred to as the “Requesters”).

5. Attached to the Request are:

- (i) Letter from the United Shop Owners Association to the Commissioner, MMRDA, dated December 8, 2003, concerning a request for information regarding work on the Coorla-Santacruz Terminus Road, Kismat Nagar area, and status as project affected persons;

- (ii) Letter from the Joint Project Director, MMRDA to the President of the Kismat Nagar Welfare Association, dated January 30, 2004, regarding the area affected by the Santa Cruz-Chembur Link Road;
  - (iii) Letter from the United Shop Owners Association to the Chief Minister, State Government of Maharashtra, Mumbai, and the Honourable President, Mumbai Regional Congress Committee (MRCC), Mumbai, dated February 14, 2004, concerning a request to stay the notice (item ii above) issued by the MMRDA;
  - (iv) Letter from the United Shop Owners Association to the Chairman, MMRDA, dated March 9, 2004, concerning eviction, relocation and rehabilitation of project affected shop owners;
  - (v) Letter from the United Shop Owners Association to the External Affairs Advisor, World Bank, New Delhi, dated March 26, 2004, concerning misinformation by MMRDA and Government of Maharashtra and request for relocation and rehabilitation of project affected shop owners; and
  - (vi) Table showing list of United Shop Owners Association members with respective area in actual possession and area lost to Project.
6. No further materials were received by Management in support of the Request.
7. The Request contains claims that the Panel has indicated may constitute violations by the Bank of various provisions of its policies and procedures, including the following:
- |                |   |
|----------------|---|
| OP 4.01        | on Environmental Assessment, January 1999; <sup>1</sup>               |
| OD 4.30        | on Involuntary Resettlement, June 1990; <sup>2</sup>                  |
| OD/OP/BP 13.05 | on Project Supervision, January 1996 and July 2001, respectively; and |
| Disclosure     | World Bank Policy on Disclosure, January 2002.                        |

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<sup>1</sup> Management's examination of the Request has not revealed issues related to either OD 4.01, as cited in the Panel's notice of registration, or its subsequent revision, OP 4.01, which is applicable to this Project. The EA process commenced in 1994 with a Sectoral EA and subsequent EA documentation as described in the PAD, Section E 5 and Annex 12, disclosed prior to appraisal.

<sup>2</sup> The Project Concept Review for the Project took place in 1999; since OP 4.12 applies to projects for which the PCR took place after January 1, 2002, OD 4.30 applies.

### III. PROJECT BACKGROUND

8. **The Project.** The IBRD Loan and IDA Credit for the USD 945 million MUTP were approved by the World Bank Board on June 18, 2002 (GoI funding of USD 403 million; IBRD funding of USD 463 million; IDA funding of USD 79 million). Four legal agreements pertain to the Project: IBRD Loan Agreement, IDA Development Credit Agreement, Maharashtra Project Agreement and the Mumbai Railway Vikas Corporation Project Agreement, all signed August 5, 2002. The Project became effective on November 6, 2002. It is being implemented by the Mumbai Railway Vikas Corporation (MRVC); Municipal Corporation of Greater Mumbai (MCGM); Bombay Electricity and Suburban Transport Corporation (BEST); Maharashtra State Roads Development Corporation (MSRDC); Traffic Police of Mumbai; and MMRDA, on behalf of the Government of the State of Maharashtra (GoM) and the Borrower, the Government of India (GoI). The MMRDA is the coordinating agency and is responsible for implementation of the resettlement component on behalf of all the implementing agencies.

9. The MUTP is a major infrastructure project that entails resettlement of over 120,000 people, with commensurate risks. The Bank held the Project Concept review in 1999, after spending many years in dialogue with the Borrower. The Project's complexity is dictated by its challenging urban development context (see paras. 15-16 below). Both the Bank and GoI are well aware of the Project's risks as well as the potential positive outcomes for Mumbai. This Project could serve as a prototype for other urban development projects in large, congested Indian cities.

10. **Project Objectives.** The development objective of the MUTP is to facilitate urban economic growth and improve the quality of life of the citizens of Mumbai by developing an efficient and sustainable urban transport system, including effective institutions, to meet the needs of users in the Mumbai Metropolitan Region (MMR). See Map 1.

11. **Project Components.** There are three Project components.

- **Component 1. Rail Transport – USD 654.27 million, of which USD 304.90 million financed by IBRD Loan:** The component aims to improve the capacity and performance of the suburban rail system through service efficiency improvements (increasing existing track capacity; converting from direct to alternating current; improving signaling, electrical and telecommunication systems), procurement of new rolling stock and upgrading of existing rolling stock, and expanding network capacity. The component also supports studies and technical assistance, to improve, amongst other things, the capabilities of Indian Railways for railway track and rolling stock maintenance, financial management and control systems, railway safety and quality assurance systems.
- **Component 2. Road-based Transport – USD 183.02 million of which USD 150.47 million financed by the IBRD Loan:** This component supports increases in the capacity, efficiency and safety of the road network; better facilities for pedestrians; improvements in the operating efficiency and quality of bus services; and reductions in motor vehicle emission levels. It also strengthens the capacity of the re-

sponsible agencies to plan, deliver, maintain and operate efficiently road based urban transport infrastructure and services. Subcomponents will: (a) support traffic management programs including Area Traffic Control (ATC) to optimize the functioning of traffic signals, pedestrian facilities, Station Area Traffic Improvement Schemes (SATIS) and parking control; (b) increase road network functionality by improving two east-west link roads and eliminating the main road level crossings of railway tracks; (c) improve the bus system through support of organizational reforms, efficiency measures and procurement of environment- and user-friendly buses; and (d) strengthen the capacity of transport agencies in Mumbai in traffic management, road maintenance, road safety, communication, and air quality monitoring, including provision of technical assistance for updating of the Comprehensive Transport Study (CTS, 1994), review of User Charges, and developing a Motor Vehicle Emission Control Strategy (MVECS).

- *Component 3. Resettlement and Rehabilitation – USD 100.08 million of which USD 79 million financed by the IDA Credit:* This component enables the GoM to implement the Resettlement Action Plan (RAP) to resettle those affected by investments under Components 1 and 2. It also provides assistance to those displaced to improve their overall living standards. This component, as described in the Project Appraisal Document (PAD), provides for procurement of houses and shops to resettle those affected by the Project. Other expenses under this component include the acquisition of a limited amount of land for civil works and reconstruction of basic amenities, such as water, electricity, sanitation and community facilities. The Project also provides for the establishment of cooperatives and community development funds to assure sustainable rehabilitation of those resettled. The technical assistance under this component includes consultancies for baseline surveys, preparation of Resettlement Implementation Plans (RIPs) for sub-projects, supervision consultants, NGO support for implementation, and training of Project staff/NGOs involved with implementation.

The balance of IBRD/IDA financing is accounted for by refinancing of a Project Preparation Facility advance (USD 3 million) and a front end fee (USD 4.63 million).

12. **Project Status.** The Project has been effective for approximately one and a half years. As of May 2004, 5.94 percent of the IBRD Loan and 33.75 percent of the IDA credit have been disbursed. Implementation progress, although behind schedule, is currently rated as satisfactory. The Project is scheduled to close on June 30, 2008.

13. **Bank Supervision.** Since Board approval in June 2002, Bank staff have conducted eleven supervision missions, including six focused technical missions. These are listed in Annex 2. In addition to Bank supervision, resettlement implementation is monitored through monthly and quarterly progress reports, and minutes of meetings of the Independent Monitoring Panel (IMP). In both this fiscal year and the previous one, the Bank allocated substantial resources to the supervision budget—USD 181,000 in FY 04 and USD 190,000 in FY 03—nearly three times the South Asia regional average and double the average for projects in India.



## PROJECT CONTEXT

14. **Importance of the MUTP to India's Urban Development Efforts.** Efficient and adequate urban transport is crucial for future economic development of the MMR. Improved transport increases access to opportunities, stimulates economic activities, and facilitates social interactions. At present, the inadequate transport system constrains economic growth and decreases opportunities for work, especially for the poor, by imposing excessive travel time. Indian cities are the key drivers of the country's economic growth; in this context, poverty reduction is closely linked to the efficiency, safety and reliability of their transport systems to move people and goods throughout the metropolitan area. This Project is the first major undertaking of its type in a large Indian city since the Bombay Urban Transport Project (Loan 1335-IN, carried out in the 1970s).

15. MMR is the largest urban agglomeration in India and one of the world's largest and most crowded. Its population is currently estimated at about 18 million, and is expected to reach 22 million by 2011. Within its 1,467 square kilometer area, population density is currently in excess of 12,000 people per square kilometer. Like most large cities in India, Mumbai is characterized by rapid population growth, much of which is in unplanned, informal settlements. Suburban rail services carry a total of over six million passengers per day. Buses carry over 4.5 million passengers per day, 60 percent of whom transfer to rail. Combined, the rail and bus services carry 88 percent of the region's motorized personal trips.

16. Rail and road network expansion has failed to keep pace with traffic growth; no major capital investment has been made in the last three decades in the city's public transport infrastructure. The inadequate road network coupled with substandard road maintenance has led to increasingly heavy congestion, thereby increasing motor vehicle emissions, a major source (60-70 percent) of air pollution. Motor vehicle pollution affects all income groups; the impact on the poor tends to be more severe because they live in the most congested areas and are more frequently exposed to the hazards. The CTS has recommended public transport and demand management as the preferred options to improve Mumbai's transport.

## RESETTLEMENT UNDER THE PROJECT

17. **Scope of Resettlement in the MUTP.** The Resettlement and Rehabilitation component originally provided for resettlement of about 19,200 households and businesses that would be affected by adding or upgrading railways, improving stations, widening key link roads and enhancing pedestrian safety. A key feature of the resettlement program is to accommodate the affected persons in high rise buildings (5-7 stories). The number of affected households and businesses subsequently increased to about 23,000 (approximately 20,000 houses and 3,000 shops, representing approximately 120,000 people) in April 2004 because of changes in the scope of some sub-projects and detailed assessments that updated the preliminary numbers. More than 99 percent of the affected households and businesses had no legal rights to the land they occupied; with the move to their new locations, the households and businesses receive ownership titles and support from cooperative societies.

18. ***Design of the Resettlement Component.*** Resettlement is a crucial factor for successful implementation of the MUTP. The Bank and the GoM spent many years on the design of the resettlement and rehabilitation component. Through a Policy and Human Resources Development grant (PHRD) of USD 720,000, from the Government of Japan, the Bank provided support for resettlement preparation activities. This was used for baseline surveys, institutional studies, resettlement planning and support of individual consultants/experts. Five Bank staff, including four international resettlement specialists, together with three international and local consultants, contributed to the resettlement and rehabilitation component. A Delhi-based Bank resettlement specialist has worked on this component for the past nine years and has provided continuity in oversight for resettlement.

19. ***Innovative Approach.*** The Project has implemented an innovative approach to resettlement to achieve the objectives of improving transport connectivity and raising the living standards of affected people. This approach entailed the involvement of the private sector and NGOs.

- ***Involvement of the Private Sector.*** To offset the costs of construction related to resettlement, the Government of Maharashtra developed an innovative financing mechanism to create incentives for the private construction industry to support and partially finance the resettlement program. Private real estate developers who agree to provide buildings at cost for resettlement purposes are given Transfer of Development Rights (TDRs).<sup>3</sup> This financing mechanism is making the resettlement program affordable for the Government.
- ***Involvement of NGOs.*** The Government also realized that the involvement of a grassroots organization in resettlement design and implementation could assist in the effort to mobilize a very large number of people to move into new accommodations. Thus, the Government contracted the Society for Promotion of Area Resources Centers (SPARC) and the National Slum Dwellers Federation (NSDF), which work together to implement the resettlement program. Both these experienced and respected NGOs have been active in the affected areas, and transparency and involvement of those affected in identifying and solving resettlement-related problems has been the norm for the overall Project. Some of the important support activities that the NGOs provide to MMRDA include: carrying out of baseline surveys and consultations; preparation of RIPs; assistance to Project Affected Persons (PAPs) in forming housing cooperatives, neighborhood commit-

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<sup>3</sup> Under the land use regulations in Mumbai, the Government has established maximum floor space intensity (FSI, floor space/land area) for each location in the city. Developers cannot exceed these maximum limits when constructing buildings. However, as an incentive for developers to construct low-cost housing, the Government has given the developers the rights to exceed these limits. The TDRs are especially valuable because the right to exceed the legal density can be transferred from slum areas to any area within the city and can be used for more intensive development of prime real estate. The developer may either use the TDRs to construct and sell the additional space generated from the higher FSI or sell the right to another user.

tees, public distribution centers and savings groups for women; and assistance in establishing and operating community revolving funds.

20. ***Resettlement Documents and Processes.*** The Resettlement and Rehabilitation Policy, adopted by the GoM on December 12, 2000, presents a framework for resettlement for the whole Project and covers all people affected, whether by Bank-financed components or not. The RAP (April 2002), adopted by the GoM and referred to in the legal documents (Section 1.02 (ff) of the Loan Agreement, and Schedule 2, para. 7, of the Maharashtra Project Agreement, both dated August 5, 2000) covers the resettlement requirements under the Project, in accordance with OD 4.30. Specific RIPs cover the particular requirements for each of the sub-projects. The agreed Resettlement and Rehabilitation Policy provides for displaced persons to be “assisted in improving or at least restoring their former living standards, income earning capacity and production levels.”

21. During Project preparation, the GoM constituted a task force headed by a former Chief Secretary of Maharashtra and composed of stakeholder representatives to prepare the Resettlement and Rehabilitation Policy. Based on its recommendations, the GoM issued a Government Order in March 1997. The Bank requested changes to the Resettlement and Rehabilitation Policy to bring it in line with OD 4.30 on Involuntary Resettlement; the modified Policy, endorsed by the Bank, was issued through a modified Government Order in December 2000. An important feature of the Policy is two-stage shifting, whereby affected persons may be shifted to temporary accommodations and, subsequently, to permanent locations in order to respond to the tight time schedules set by the High Court to relocate those people residing in the railway track safety zone. A detailed RAP was prepared based on this Policy framework. Sub-project designs were not finalized by the time of Bank appraisal and their impacts could not be determined. As a result, separate sub-project RIPs are required, prior to Bank approval of corresponding bid documents. RIPs detail the extent of land acquisition, resettlement impacts, proposed resettlement sites, the role of NGOs, specific time schedules and cost estimates.

22. ***Implementation of the Resettlement Program.*** Implementation of the resettlement and rehabilitation component has generally proceeded well. Some 4,000 affected families have obtained new housing, formed small savings groups, and are in the process of forming cooperative societies. The cooperative societies are designed to support income-generation for members and to assure sustainability of new housing by taking on responsibility for some management functions. Another 7,000 families have been shifted to transit housing and are due to be settled in permanent housing in the next six months, commencing in May-June 2004. This has allowed the Project to start the civil works without waiting for completion of permanent housing, while enabling affected people to gain better access to basic amenities, such as water supply, electricity, sanitation. Nevertheless, as described in Section IV, concerning issues raised by the Requesters, the resettlement documents and the processes put in place could not have anticipated all the specific issues associated with the relocation of middle-sized businesses. These middle-sized businesses differ from the small household-based shops for which resettlement requirements are similar to those of a household.

23. **Grievance Process.** The current grievance process, as set out in the Resettlement and Rehabilitation Policy and the RIP, gives principal responsibility to the NGO managing the resettlement activity. Problematic issues that cannot be resolved by the NGO are referred to the MUTP Community Development Officer with support from the Executive Engineer, if required. If a mutually satisfactory outcome is not achieved, issues are referred to a higher management level (Joint Project Director, Chief Engineer and Team Leader of NGO). The grievance process generally worked effectively during resettlement of the initial 4,000 households, as acknowledged in an independent impact assessment (An Impact Assessment of the Initial Phase of R&R Implementation for the MUTP, November 2003). However, recent supervision missions have identified measures to strengthen the grievance process (see paras. 35-37), especially in view of a new wave of resettlement to occur in mid-2004.

24. **Supervision of Resettlement.** The resettlement component of the Project has been intensively supervised by the Bank (see para. 13 above and Annex 2) through Delhi-based supervision led by both the Project co-task manager and a senior resettlement specialist, complemented by assistance from headquarters. The mission aide-memoires and other communications between the Bank and the GoM attest to the active engagement of Bank staff with the Project authorities. The April 2004 supervision mission identified and advised MMRDA (confirmed in its follow up letter of May 12, 2004 to the Chief Secretary) of several issues needing urgent attention and requiring follow-up during a planned June supervision mission: (a) swift transfer of those with three years in transit sites to permanent housing units; (b) establishment of cooperatives and other post resettlement activities in the permanent housing areas; (c) strengthening of implementation capacity in MMRDA, especially regarding the role of NGOs; (d) improved dialogue and a focus on problem-solving with middle-sized shopkeepers; (e) strengthening of the grievance redress process; and, (f) reconstituting/replacing members of the Independent Monitoring Panel (IMP) who have indicated that they could no longer serve for personal reasons.

#### IV. RESETTLEMENT ISSUES ON THE SCLR ROAD AND NEXT STEPS

##### RESETTLEMENT ISSUES

25. **The Santa Cruz–Chembur Link Road (SCLR)**, with a total length of about 6.45 kilometers, is a critical link in improving connectivity in the city for the movement of people from east to west and vice-versa (see Maps 1 and 2). Civil works include a major bridge crossing over the Central Railway, approach roads and junction improvements at the Western Express Highway (WEH) and Eastern Express Highway (EEH). The subject of the Request by the United Shop Owners Association is a small portion (0.6 kilometers) of the SCLR (see Map 3). The SCLR is planned in two phases:

- *Phase I*, funded by the Bank, extends from the Mithi River to the EEH (3.45 kilometers). This road passes through congested commercial and residential areas. Section 1 of Phase I consists of two non-contiguous portions: (a) Mithi River to Middle Income Group (MIG) area (1.3 kilometers); and (b) Maharashtra Housing

Area and Development Authority (MHADA) to Amar Mahal Junction (0.6 kilometers). Section 2 (1.5 kilometers) of Phase I lies between the two parts of Section I, within the overall 3.4 kilometer length. The Requesters' shops are located in Section 1 of Phase I; and

- *Phase II*, funded by MMRDA's own funds, extends from the WEH to the Mithi River (3 kilometers). A separate RIP for Phase II is being prepared in compliance with the agreed Resettlement and Rehabilitation Policy.

26. **Resettlement Implementation Plan.** Following Bank review and no-objection, MMRDA issued the RIP for Phase I in April 2003. The RIP details impacts on affected people and sets out proposed mitigation measures, a budget, timetable, monitoring and evaluation arrangements, etc. The Phase I RIP addresses the resettlement needs of 3,273 households and 668 shops. Details about affected shops, including those belonging to the Requesters, are provided in RIP Annex III. This information was updated in April 2004 to include the complete measurements of affected shop space and space remaining under road widening to 45.7 meters (see below).

27. **Status of SCLR Civil Works.** The civil works contract for Section 1 was signed on September 29, 2003 and awarded for an amount under NCB of USD 7.514 million equivalent. The contract for Section 2 is scheduled to be awarded for USD 18 million; the contract has been signed, but the letter of award has not been issued. The Bank gave a no-objection to the commencement of the works contracts for Section I and Section II of Phase I with an agreed schedule for implementation of the RIP and related relocation of the affected persons from the construction site to their resettlement site. The contract allows the contractor to work only in sections of the construction site where affected persons have already been relocated. The original schedule called for affected persons to be relocated by May 2004, but a delay in the availability of completed new resettlement sites has led to a delay in relocation of affected persons and in road construction. Overall progress for civil works on SCLR Section I is currently about 2 percent against a scheduled target of 8 percent. At the time of the Bank's no-objection to the Phase I RIP, the delay in availability of resettlement sites was not anticipated.

28. Currently, the contractor has commenced excavation and abutment works for the flyover. Shopkeepers who will lose all of their shops will be left intact until their relocation site is available. Concerning shops with partial loss of space, the MMRDA met with the shopkeepers on November 24, 2003 and again on January 20, 2004 to discuss advancing the Project works prior to the monsoon season. The shopkeepers were requested to move back from the affected portion of their shops. MMRDA issued a letter on January 30, 2004 to the partially affected shopkeepers asking them to shift back within seven days; alternative shops would be allotted once the relocation scheme had been approved and the shops had been moved back. Details of consultations on resettlement are summarized in Annex 3. The MMRDA also held consultations on May 7, 2004, in which it shared details about affected versus unaffected portions of the shops with the shopkeepers and responded to the individual queries of the shopkeepers regarding specific problems. MMRDA, through SPARC, is working closely with the shopkeepers in this area to resolve problems on a case by case basis.

29. **Road Widening.** The originally agreed and planned road width for the SCLR civil works was 39 m, based on an analysis of economic feasibility, engineering, and resettlement factors. MMRDA now proposes to uniformly widen the right of way to 45.7 m, as specified for roads of this type in the Mumbai Urban Development Plan. The Bank was informed of this proposal to widen both the SCLR and the Jogeswari-Vikroli Link Road during a March 2004 mission. The rationale for the proposed widening at this time is to benefit from the economies of current construction, prevent future encroachments and avoid a future widening that would affect the same people twice. MMRDA has not yet determined how to finance the additional civil works, possibly through their own finances or with Bank financing, subject to availability. The Bank has not given a no-objection to this proposal and has informed MMRDA that, irrespective of the source of financing for the increased scope of civil works, resettlement impacts must be mitigated using the agreed Resettlement and Rehabilitation Policy for the Project. Additional resettlement costs could be met from the Bank's credit proceeds, if available; if not available, MMRDA would need to provide financing. An addendum to the Phase I RIP to cover the additional impacts must be prepared by MMRDA. Bank staff discussed this issue at length with MMRDA during recent supervision missions. The need for an addendum to the RIP in advance of commencing any civil works to widen the right of way was recorded in the aide-memoire of the March 2004 supervision mission.

30. **Location Issues.** Resettlement arrangements for the shopkeepers who have made the Request are difficult, chiefly because of their current prime retail location along a well-traveled road. The central problem is finding an alternative location that would satisfy their preferences and commercial needs; Mumbai real estate is characterized as a sellers' market—prices are very high. Resettlement is financed through TDRs, which take advantage of this market (see para. 19 above). In this context, the Mankhurd location was considered one of the best options available to MMRDA, because it had good supporting physical infrastructure and was close to the Mankhurd railway station (see Map 2). The proposed site at Mankhurd was selected following an open advertisement to developers seeking offers of land for Project resettlement purposes.

31. The affected shopkeepers have taken their requests to local political leaders who are actively engaged in discussing this issue with MMRDA. The shopkeepers had suggested they be relocated in a Slum Rehabilitation Authority (SRA) scheme near Mohammed Estate, close to the Bandra-Kurla Complex. (See Annex 1, Item 6, concerning this and requests to move to Bandra-Kurla.) The proposed SRA scheme, which is not part of MUTP, has not yet been approved. Therefore, MMRDA cannot be assured of getting space in this SRA scheme for MUTP. The shopkeepers have also petitioned the High Court on the matter, seeking a stay on Project construction. The petition from the shopkeepers was heard by the vacation judge of the Bombay High Court on May 12, 2004 and adjourned until June 14, 2004 to be heard by the regular bench.

32. **Shopkeeper Characteristics.** As the resettlement progressed, MMRDA and the Bank became aware that shopkeepers are not a homogeneous group. Small, typically household-based shopkeepers are generally well-served by the provisions of the policy and the subsequent RAP and RIPs. Supervision mission findings have indicated few problems with this group. The resettlement and income restoration needs of medium-

sized shopkeepers, however, who typically have larger and more specialized premises and benefit from strategic commercial locations in the city, may not be fully served by the package offered to shopkeepers (see Annex 1, Item 1). Restoration of their living standards, income earning capacity and production levels is the focus of the Request from the United Shop Owners Association.

33. **Space Needs.** Shopkeepers have expressed the need for ground floor shops only. Based on the outcome of consultations in January 2004, the shopping complex design at Mankhurd was changed from ground level plus one story to a ground floor structure only. The height of the shops was also increased from 9 feet to 13-14 feet and provisions made for additional access. About 30 shopkeepers were taken to visit the Mankhurd site in January 2004. Shopkeepers will receive shops of graduated sizes, depending on their losses, up to 225 square feet and will receive titles. Those who are partially affected will be able to maintain their current storefront along the SCLR. Restrictions on space available in Mumbai<sup>4</sup> and the need for ground floor only structures has constrained the ability of MMRDA to offer additional area at the shopkeepers' own cost, as originally provided for in the RIP. MMRDA and SPARC are actively seeking solutions to bridge the gap between availability and requirements.

34. **Resettlement Issues.** The issues raised in the Request are specifically addressed in more detail in Annex 1. These issues were identified during Bank supervision in March 2004 and further pursued by a special resettlement mission in April 2004. With regard to resolution of issues arising from this group of affected, middle-sized merchants, the supervision team is engaged in an active dialogue with MMRDA on an appropriate strategy, as documented in a recent May 12, 2004 letter to the Chief Secretary for Maharashtra and e-mail communications with the Project director. The next steps in this process are described below.

## NEXT STEPS

35. **Actions Underway.** During the mission in April 2004, Bank staff agreed with MMRDA as confirmed in an e-mail of May 12, 2004 to the Project Director, that MMRDA would carry out the following actions:

- A summary of entitlements and documentation of the process being followed in the case of affected and partially-affected shopkeepers will be widely shared with the affected persons; and
- An information kiosk will be established in the shopkeepers' vicinity. Such a kiosk, the PIC, has now been established and inaugurated (see Annex 1, Item 9).

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<sup>4</sup> For the Project as a whole, there is a current shortage of approximately 2,000 business relocation units, which will ultimately need 3,000 units to satisfy requirements fully.

36. Recent communications from SPARC state that they and MMRDA are engaged with the shopkeepers in discussions and negotiations to determine whether other suitable options are available and are holding hearings on the baseline socioeconomic survey.

37. **Future Actions.** MMRDA has planned meetings for early June to consult with representatives of affected shopkeepers so that their concerns can be fully aired and solutions discussed. All parties are aware that the specific needs of the medium-sized merchant group must be considered and solutions found that satisfactorily address income restoration. The Bank will continue to supervise the resettlement component with the aim of ensuring an outcome compliant with OD 4.30 for this category of affected people. SPARC will consult with affected merchants to determine how many businesses may or may not remain viable after affected portions are removed, i.e., to what extent the remaining storefront/floor space suffices to provide an acceptable income stream. Based on these consultations, initiate appropriate actions consistent with the Resettlement and Rehabilitation Policy.

38. Future supervision missions will also attend to these other aspects of resettlement:

- Synchronization of construction of civil works with availability of permanent housing and the judicious use of transit housing as a method to facilitate advancement of the MUTP;
- Close follow-up on progress in post resettlement activities, registration of co-operatives, transfers of maintenance funds, establishment of community revolving funds for economic rehabilitation and other measures for sustainable income restoration;
- Strengthened implementation capacity with additional professional and community development staff in MMRDA and the NGOs;
- Follow-up on remedial measures recommended by the initial Resettlement Impact Assessment Study (April 19, 2004); and
- Preparation and completion of the RIPs by MMRDA for the remaining sub-projects.

39. The Bank plans to carry out the next resettlement supervision mission during the last week of June 2004; another supervision mission is planned for August/September, 2004. Resettlement supervision will be carried out on a quarterly basis. In addition to routine supervision missions, the Bank will continue to monitor resettlement implementation through monthly and quarterly progress reports, and the minutes of the IMP. The Bank's consultant architect will continue to conduct regular monthly reviews with MMRDA on housing construction and provide guidance.

40. This Request to the Panel comes at a time when MMRDA and Bank staff are mid-stream in a process to assess and resolve the issues raised by the Requesters and other shopkeepers affected by this sub-project. The Project has adequately resolved resettlement



ment issues during its history, giving the Bank reasonable confidence that MMRDA will be able to respond to the affected shopkeepers in a manner compliant with the Bank's resettlement policy. The Resettlement and Rehabilitation Policy for the Project provides that "displaced persons are assisted in improving or at least restoring their former living standards, income earning capacity and production levels." While the specific case of the medium sized shopkeepers may not be sufficiently addressed in the implementation details, compliance with the objective of the Policy will ensure that shopkeepers' needs are satisfactorily addressed. The Government is in the process of discussions with the affected shopkeepers to ensure that their living standards are maintained. MMRDA and Bank staff are following this matter closely, especially with regard to any remedial measures that may need to be put in place for this group.

## **V. MANAGEMENT'S RESPONSE**

41. The Requesters' claims, accompanied by Management's detailed responses, are provided in Annex 1.

42. Management believes that the Bank has made every effort to ensure compliance with its policies and procedures in the context of an extremely large and complex Project. With respect to OD/OP/BP 13.05, supervision of the Project has been frequent and intensive. Concerning OD 4.30, supervision missions have revealed the issues raised in this Request. The Bank is pursuing these issues with the Borrower so that the Requesters' rights and interests are not, nor will be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.



**ANNEX 1**  
**CLAIMS AND RESPONSES**

No.	Claim/Issue	OD/ OP/BP	Response
<b>Resettlement</b>			
1.	<p><b>Income Restoration.</b> We claim that our rights and interests would be adversely affected due to [the] Bank's violation of its policies and procedures on involuntary resettlement... [...]n particular, we claim that the failure to provide income restoration would result in significant harm. This failure would destroy our livelihoods, causing us to dismantle our productive sources and cause our supporting networks and kin groups to disperse...</p>	<b>4.30</b>	<p>A Resettlement and Rehabilitation Policy (December 2000), adopted by the GoM for MUTP, contains provisions for PAPs whose livelihoods are affected. The RAP (April 2002), describes measures for economic rehabilitation (paras. 43 and 44) that are consistent with the provisions of the Policy. The specific RIP (April 2003) for the SCLR sub-project details the income restoration provisions for PAPs (paras. 3.13 to 3.17). All 668 businesses in the SCLR sub-project whose shops are affected by the road improvements are offered alternative shops, in accordance with the provisions in both the RAP (Appendix 1, pages 63-64) and RIP, as set out below in Item 3.</p> <p>Shopkeepers who lose all or part of their space will receive an ownership title to a new shop in the identified resettlement location at Mankhurd. Those who lose only part of their space will be able to continue to operate in the unaffected portion of the premises at the current location. If affected persons lose their source of livelihood permanently, they will be offered lump-sum compensation equivalent to one year's income.</p> <p>Income restoration needs of medium-sized shopkeepers, who typically have specialized premises and benefit from strategic commercial locations, may not be sufficiently addressed in the implementation details. MMRDA is in dialogue the medium-sized shopkeepers who submitted the Request, to discuss solutions. The extent to which restoration of income is achieved will be monitored by consultants to MMRDA through impact assessment surveys, planned to be carried out by consultants one year after the allotment of alternative shops, as required by the Project Agreement, Schedule 2, para. 12 (e), which calls for a resettlement impact evaluation study to be conducted at the end of a one-year period following relocation of PAPs under each sub-project. Remedial measures will be undertaken if and as needed.</p>
2.	<p><b>Consultation.</b> We further claim that our rights to participation and consultation were effectively denied and that our attempts to raise our concerns were not successful.</p>	<b>4.30</b>	<p>The MMRDA held eight focused meetings between November 2003 and February 2004 with the affected shopkeepers, including the United Shop Owners Association. These were chaired by the Senior Ministers. MMRDA reports that at the January 20, 2004 meeting, the partially affected shopkeepers agreed verbally to move back from the affected portions of the shops voluntarily, while continuing to practice business in the remaining premises. On January 21, the shopkeepers submitted a list of partially affected shops to MMRDA, among which were a number of the 118 shops listed in the Request. In response, MMRDA issued a letter on January 30, 2004 to the shopkeepers asking them to shift back the affected portions within seven days; the letter also noted that alternative shops would be allotted to them once the relocation scheme had been approved and the shops had been moved back.</p> <p>Consultations are being held on an ongoing basis by SPARC, one of two NGOs engaged by MMRDA to provide implementation support. PAPs were consulted at the time of household surveys and preparation of the RIPs. Details of consultations held are outlined in the RIP, para. 3.21</p> <p>Also, as part of Project preparation, consultations were held during which the resettlement entitlements and impacts were discussed. Both NGOs and PAPs participated in those consultations, the details of which are summarized in the PAD (page 95).</p>

No.	Claim/Issue	OD/ OP/BP	Response
			<p>The resettlement documents related to the SCLR sub-project are available at the Public Information Centres (PICs) at MMRDA and Mankhurd. Annex 2 provides additional information on consultations. See also Item 9 concerning the establishment of a new PIC in the sub-project area.</p> <p>Management is aware that the act of consultation itself may raise expectations, while at the same time it cannot ensure that all concerns expressed will be addressed according to the specific wishes of each affected party.</p>
3.	<p><b>Income Restoration – Area.</b> We are unable to understand... how and in what manner our standard of living and means of livelihood are going to be improved by entitling each of us [to] an area [measuring] 225 sq.ft. each as rehabilitation compensation irrespective of the area consumed by the Project, whereas the scheme provides for the actual area alone..."Every PAH losing a commercial structure shall be eligible for an alternate place of commercial use of equivalent area."</p> <p>[W]e request... that an investigation... be carried out... to provide us with the equivalent area actually consumed, under the Project in question to the respective affected structures and to permit us to retain the remaining portion of structures occupied individually with necessary authorization.</p>	4.30	<p>According to the resettlement documentation, shopkeepers are entitled to an alternative shop of equivalent size up to 225 square feet, and the option to pay for additional space up to 750 square feet. This maximum was set because of the significant constraints on land availability and high land costs in Mumbai. Shopkeepers who do not have title, which is the case for the majority of the shopkeepers concerned, will receive ownership title to the alternative shops. Title to the new shop will provide the shopkeepers with a measure of security that they did not previously have and will also allow them to use the shop as collateral to obtain loans. There will be a restriction on re-sale for 10 years to preclude speculation.</p> <p>As noted above in Item 1 and para. 33, affected shopkeepers losing only part of their shops can continue to run their establishments from the unaffected portions of their current shops and also receive a new shop in compensation for the affected portion.</p> <p>The Mankhurd shopping complex, which will be ready for allotment in September/October 2004, will contain 239 shops, in standard sizes, ranging from a minimum size of 54 square feet up to a maximum available size of 231 square feet. Because of the severe constraints on land availability in Mumbai, as noted above, larger shops are not available in the complex to allow purchase of additional space.</p> <p>Shopkeepers were provided information on the resettlement options during various consultations (see Item 2 and Annex 3). In January 2004, MMRDA consultations were held regarding the shopping complex, which was designed with two stories. The shopkeepers requested that the design be modified to ground floor only, with a higher ceiling (from 9 to 13-14 feet). They also requested additional access, which will be provided. About 30 shopkeepers visited the Mankhurd site. Bank staff, based on recent supervision missions are pursuing the issue with MMRDA to ensure that the shopkeepers' living standards, income earning capacity and production levels are restored as required in the Resettlement and Rehabilitation Policy.</p>
4.	<p><b>Income Restoration – Survey.</b> We fail to understand how this aspect of the scheme will be implemented when [to] date, the actual area [has not been] surveyed.</p>	4.30	<p>The 118 shopkeepers listed in an Annex to the Request have their businesses in the stretch of road between Mithi River and the LBS Junction road. This stretch constitutes Section 1 of Phase I of the SCLR sub-project, for which construction has now begun. See Maps 2 and 3.</p> <p>Annexes to the RIP prepared in April 2003 contain the list of affected shopkeepers, including details such as nature of activity, turnover, number of employees and year of establishment. An on-the-ground survey to measure the size of affected shops was conducted by the NGOs as part of the baseline socio-economic data collected during preparation of the RIP. This information was updated in April 2004 to confirm details such as total shop area, affected portion and remaining portion of the shop for those affected in the Phase I – Section 1 stretch of the road.</p>

No.	Claim/Issue	OD/ OP/BP	Response
5.	<p><b>Relocation – Mankhurd.</b> [MMRDA] advised [the Bank's External Affairs Advisor] that we would be relocated at Mankhurd just 6 kms away... whereas its distance is nearly 15 kms [away].</p>	4.30	<p>The proposed relocation site at Mankhurd (see Map 2) is 8 kilometers from the current location of the concerned businesses with direct access via a pedestrian bridge over the railway at Kurla. At present, access by road entails travelling a distance of about 15 kilometers. Once the SCLR is completed in mid-2006, the direct distance by road will be about the same as that by pedestrian bridge, or 8 kilometers.</p>
6.	<p><b>Relocation – Bandra-Kurla Complex.</b> [W]e request... that an investigation... be carried out with respect to...{r]relocation and [r]rehabilitation of our affected structures in the open plots of land available at Bandra-Kurla Complex area which is the nearest possible open space available without affecting much of our business interests and network as well as the employment of the local residents. And also because the above area falls under the jurisdiction of the MMRDA.</p>	4.30	<p>The Bandra-Kurla Complex is a high-value, commercial location. The land in the complex is being sold through an open auction in which anyone can participate, although it is anticipated that the complex will be occupied primarily by large commercial establishments and corporate business headquarters.</p> <p>The businesses in which the Requesters are engaged are smaller and deal in commodities or services, such as plywood, vehicle parts and repair, scrap metal, plastics. This type of commerce is not the type for which the Bandra-Kurla Complex is designed. Property prices in the complex are expected to be too high for these merchants.</p> <p>Mankhurd is a settlement site for about 5,000 families affected by the Project. The alternative shops to be provided to the resettled shopkeepers are in a new shopping complex currently under construction within the resettlement colony (housing area). The families to be resettled are anticipated to have substantial need for goods and services that could be provided by the relocated shopkeepers. The Mankhurd location is accessible and well situated within the urban area. The site was selected following an open advertisement to developers seeking offers of land for Project resettlement purposes. Mankhurd was considered one of the best options available to MMRDA, because it had good supporting physical infrastructure and is only about 1 kilometer from the Mankhurd railway station. The site was shown to those likely to be resettled there, including about 30 shopkeepers, and its selection was explained.</p> <p>In a letter to the Chief Minister submitted with the Request, the Requesters make note of other possible relocation sites, such as the area near the Mohammed Estate SRA. This is a slum area near the Bandra-Kurla Complex, consisting of about 1,100 families. These slum dwellers have submitted a proposal through a developer to the SRA. The availability of any additional space will not be known until the scheme is approved. The proposed scheme is not part of MUTP and, therefore, MMRDA cannot be assured of obtaining space there.</p>
7.	<p><b>Road Width.</b> [W]e request... that an investigation... be carried out with respect to restor[ing] the widening of the road from 45.7 meters to its original width of 39.0 meters.</p>	4.30	<p>At the time of Project appraisal, the proposed road width (for all sections of Phase I and Phase II) was 39.0 m. However, MMRDA informed the Bank in March 2004 of its intention to increase the width up to 45.7 meters in accordance with the provisions of the Development Plan for the city. Widening the road to the maximum amount now would preclude additional future disruption.</p> <p>The Bank has not yet given a no-objection to this proposal, but has clarified to MMRDA that any resulting, additional resettlement requirements must be undertaken in compliance with the agreed Resettlement and Rehabilitation Policy for the Project and an amendment to the RIP must also be submitted to the Bank for no-objection. (See para. 29 above.)</p>

No.	Claim/Issue	OD/ OP/BP	Response
<b>Supervision</b>			
8.	We claim that our rights and interests would be adversely affected due to [the] Bank's violation of its policies and procedures on... project supervision.	<b>13.05</b>	Supervision is being carried out regularly, with a high level interdisciplinary team of Bank staff. To date, eleven supervision missions—five regular supervision missions and six focused technical missions—have been carried out since Board approval in June 2002; field visits are undertaken regularly during the supervision missions. In addition, a focused resettlement mission was carried out in April 2004 to review the key resettlement implementation issues. The outcomes of the mission's observations and discussions are reflected in the aide-memoires and subsequent technical e-mails to the MUTP Project Director and regular follow-up is being undertaken. The Bank has assigned a much higher than average supervision budget because of the complex nature of the Project, particularly with respect to resettlement. (See para. 13 above and Annex 2.)
<b>Disclosure of Information</b>			
9.	<p><b>Access to Information.</b> [The Bank requested MMRDA] to set up an information center at the earliest in their office... [to] date [the] information center [has not been] built..</p> <p>We request... that an investigation... be carried out to provide us with proper information regarding the affected portions of our individual commercial premises by the project in question.</p>	<b>17.50</b>	<p>PICs were established in the offices of MMRDA at Bandra (East) and in the field at Mankhurd. The PIC at MMRDA is about 3 kilometers by road from the area where the Requesters have their shops on the SCLR; the PIC at Mankhurd, managed by SPARC, is about 8 kilometers away. The PICs house SCLR sub-project-related information, including the RAP, RIP and list of shopkeepers. In response to the findings of the March 2004 Bank supervision mission, MMRDA has established a new and separate PIC in a location about 1 kilometer southwest of the Requesters location, in the office of the Project Management Consultant on site. See Map 2.</p> <p>On May 7, 2004, the MMRDA conducted a meeting at the SCLR PIC to explain the opening of this center. Formal invitations were sent to the United Shop Owners Association, the Kismat Nagar Welfare Association and the Parigh Khadi Citizen Welfare Association. The sub-project map, RIP and other documents were displayed. These documents are available at the PIC, which is being staffed by the Project Management Consultant.</p> <p>At the meeting, representatives of the various associations requested copies of the list of shopkeepers, which were sent to them by a separate letter. A representative inquired about names that were not listed. A MUTP representative replied that 37 such inquiries have been answered and remaining responses to inquiries are in process. The participants were also informed that shopkeepers are encouraged to contact the MMRDA office regarding any questions they may have. MMRDA sent the details in a letter dated May 10, 2004 to the shopkeeper associations requesting them to review the details and indicate any questions they might have.</p>

**ANNEX 2**  
**MUTP SUPERVISION MISSIONS**

Date of Visits	Key Members of the Team
August 19 to 30, 2002 1 <sup>st</sup> supervision mission	<ul style="list-style-type: none"> <li>• Co-task leader/Senior Transport Specialist</li> <li>• Highway Engineer</li> <li>• Senior Social Development/Resettlement Specialist</li> <li>• Environmental Specialist</li> <li>• Consultant Railway Specialist</li> </ul>
November 13 to 23, 2002 2 <sup>nd</sup> supervision / project launch mission	<ul style="list-style-type: none"> <li>• Both task leaders (Senior Urban transport specialist and Senior transport specialist)</li> <li>• Senior Social Development /Resettlement Specialist</li> <li>• Environmental Specialist,</li> <li>• Highway Engineer</li> <li>• Senior Urban Specialist</li> <li>• Lead Procurement Specialist</li> <li>• Senior Financial Management Specialist.</li> <li>• Senior Communications/External Affairs Officer</li> </ul>
March 25 to 28, 2003 Limited resettlement mission	<ul style="list-style-type: none"> <li>• Senior Social Development /Resettlement Specialist</li> <li>• Consultant Architect</li> </ul>
April 16 – 19, 2003 Limited environment mission	<ul style="list-style-type: none"> <li>• Environmental Specialists</li> </ul>
May 12 to 28, 2003 3 <sup>rd</sup> supervision / technical visit	<ul style="list-style-type: none"> <li>• Co-task leader/Senior Urban Transport Specialist</li> <li>• Senior Urban Specialist</li> <li>• Financial Management Specialist</li> <li>• Social Development /Resettlement Specialist</li> </ul>
June 23 to 28, 2003 Limited environment mission	<ul style="list-style-type: none"> <li>• Environmental Specialists</li> </ul>
July 22 to 25, 2003 Technical visit	<ul style="list-style-type: none"> <li>• Highway Engineer</li> </ul>
September 22 to October 1, 2003 4 <sup>th</sup> supervision mission	<ul style="list-style-type: none"> <li>• Both task leaders (Lead Urban Transport Specialist and Senior Transport Specialist)</li> <li>• Senior Social Development /Resettlement Specialist</li> <li>• Environmental Specialist</li> <li>• Highway Engineer</li> <li>• Senior Urban Specialist</li> <li>• Senior Procurement Specialist</li> <li>• Financial Management Specialist</li> <li>• Senior Communications/External Affairs Specialist,</li> <li>• Consultant Railway Specialist,</li> <li>• Consultant Architect</li> <li>• Consultant Bus Specialist</li> </ul>
November 18-19, 2003 Limited environment mission	<ul style="list-style-type: none"> <li>• Environment specialist</li> </ul>
March 5 to 26, 2004 5 <sup>th</sup> supervision mission	<ul style="list-style-type: none"> <li>• Co-task leader (Senior Transport Specialist)</li> <li>• Senior Social Development /Resettlement Specialist</li> <li>• Environmental Specialist</li> <li>• Highway Engineer</li> <li>• Urban Specialist</li> <li>• Senior Procurement Specialist</li> <li>• Financial Management Specialist</li> <li>• Senior Communications/External Affairs Specialist</li> <li>• Consultant Railway Specialist</li> <li>• Consultant Architect</li> <li>• Consultant Vehicle Maintenance &amp; Inspection Specialist</li> </ul>
April 7 and 8, 2004 Resettlement and rehabilitation specific mission	<ul style="list-style-type: none"> <li>• Senior Safeguard Adviser</li> <li>• Lead Sociologist</li> <li>• Senior Social Development /Resettlement Specialist</li> </ul>

### ANNEX 3 SUMMARY OF CONSULTATIONS ON RESETTLEMENT ASPECTS

1. Public consultations have provided important input into the process of planning and designing the MUTP. Concerning resettlement issues, consultations were carried out on an ongoing basis. In case of the SCLR, SPARC and NSDF<sup>1</sup> are engaged by the implementing agency to provide implementation support including the work of consultations.

2. During Project preparation, as part of Environmental Assessment, a series of consultations were organized targeting the audience of NGOs, affected persons, civil society, general public, implementing agencies etc. to disseminate information about the resettlement provisions, implementation mechanism, etc. The minutes of these consultations are well documented and are described on page 95 of the PAD.

3. In the case of SCLR, the PAPs, including the affected shopkeepers, were consulted during the household surveys and consultations about alternative sites, site design, principles of allotment, planning of services, etc. during October-December, 2002. The details of the consultations are described in para. 1.9-1.12 and para. 3.21 of the RIP dated April 2003. Details about the socio-economic make-up of all affected families are available in the Annexes to the RIP.

4. MMRDA has confirmed that it held eight focused consultations with the affected shopkeepers (including the United Shop Owners) on various issues, such as the alternative shopping complex, resettlement and voluntary demolition of affected portions of the shops, etc. These meetings were held on November 24, 2003, December 23, 2003, December 30, 2003, January 20, 2004, January 29, 2004, February 25, 2004, February 26, 2004 and March 04, 2004. These meetings were chaired by Honorable Speaker of the Lok Sabha, GoI), Guardian Minister of Mumbai City District and Minister of State for Housing and Slums, GoM and State Minister of Civil Supplies, GoM, all of whom represent the affected areas of SCLR. The consultations were attended by the concerned officers from the implementing agencies and the affected shopkeepers. Subsequent to the meeting of January 20, 2004, the affected shopkeepers, including the United Shop Owners, provided a list of partially affected shopkeepers who expressed their willingness to take back the affected portion of their shops voluntarily to enable construction of the road.

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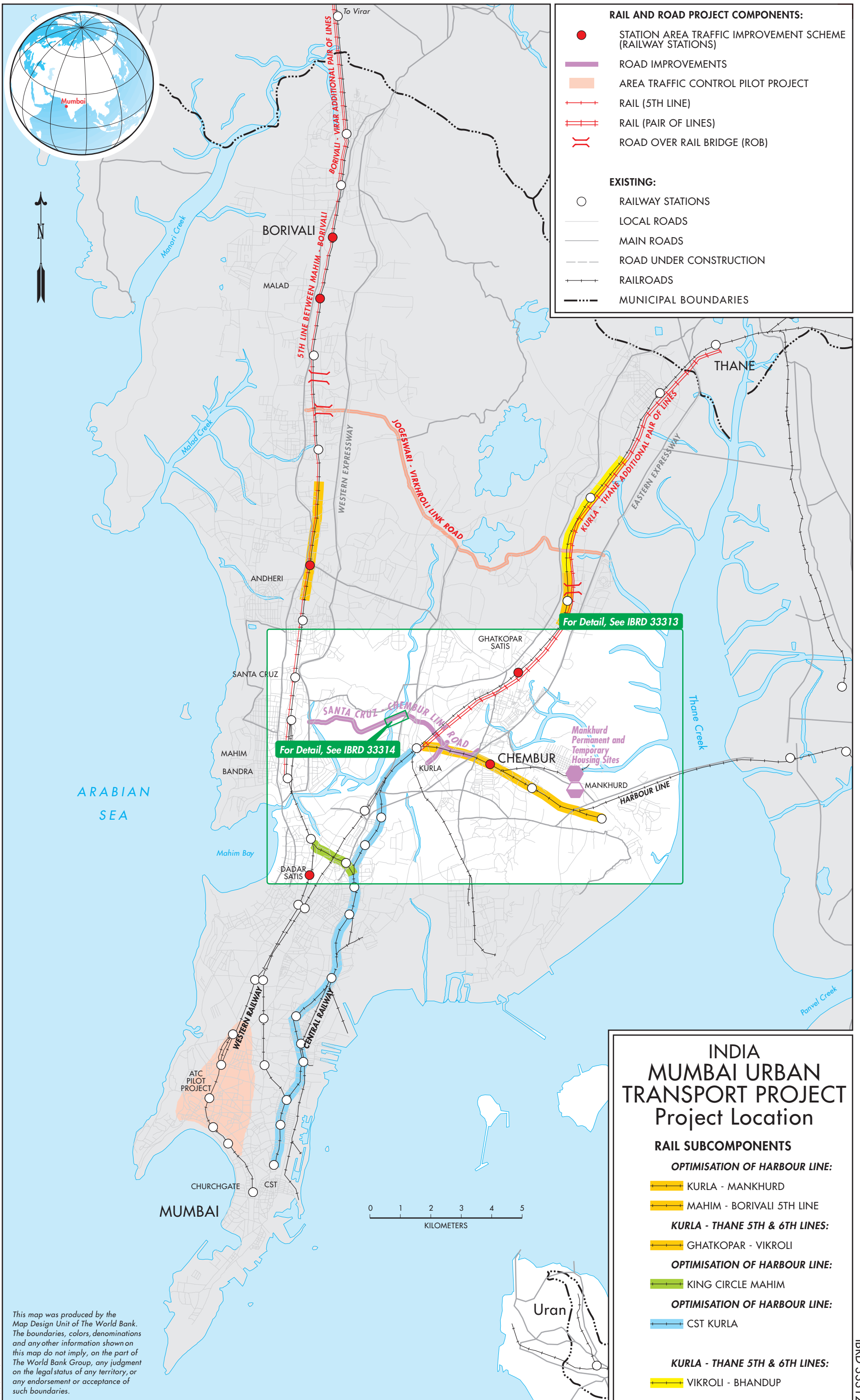
<sup>1</sup> SPARC is a Mumbai based NGO that was registered as a trust in 1984. Its mission is to create an institution which would work with the organizations of the poor to devise ways by which the priorities and strategies devised by those who are poor could produce inclusive solutions to address problems in the cities in India. NSDF was set up by the leaders of slum communities in cities to sharpen and define the voices of the poor to impact urban policy. Leaders of informal settlements, who had defended their settlements against demolitions, sought to move from reactive behavior to design and execute strategies that would work for the poor and for the city. It is currently working in 52 cities in 9 Indian states.



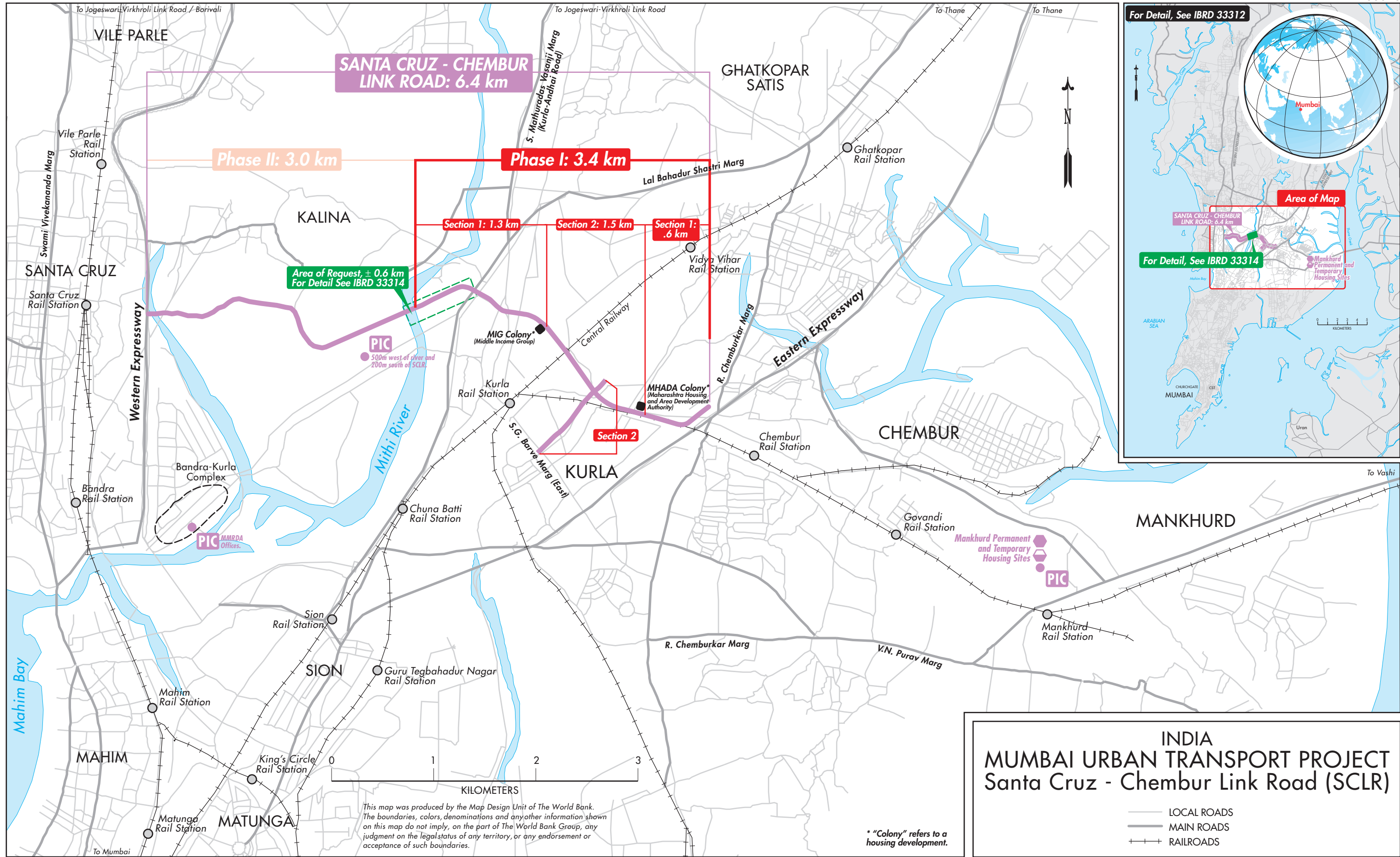
5. An Independent Monitoring Panel (IMP), consisting of eminent citizens of Mumbai, meets periodically to review the resettlement implementation progress including the outstanding complaints and grievances. To date, six IMP meetings were held (April 23, 2001, October 24, 2001, April 26, 2002, July 9, 2002, May 2, 2003, and November 7, 2003). The minutes of these meeting are available in the Project files.

6. **Public Information Centre (PICs).** Two PICs, one at MMRDA (in Bandra East) three kilometers from the site of SCLR and another PIC at Mankhurd (managed by SPARC) have been operative since the beginning of the Project. All the relevant documents and reports including the resettlement related documents, brochures, copies of resettlement policy, etc. are available for general public use. In response to the Bank's March 2004 supervision mission, an additional PIC was opened in April 2004 about 1 kilometer southwest of the Requesters' location.

7. **Disclosure.** The draft RAP was first disclosed in country on October 16, 2001 and in the Bank's Infoshop on November 9, 2001; an updated draft RAP was again disclosed on February 22, 2002, before the appraisal mission. The draft RAP was replaced with the final RAP in country on April 4, 2002 and in the InfoShop on April 30, 2002. The RAP was also disclosed in the PIC of the Bank's New Delhi Office. It was disclosed by the MMRDA locally at the PICs at MMRDA in Bandra (East) and Mankhurd. The executive summaries are also available in local languages (Hindi and Marathi). Copies of the RIP (April 2003) for the SCLR were also disclosed in the PIC offices by MMRDA. The records of individual information about the affected persons (Annexes to the RIP) are also available in the PIC for verification and reference by the PAPs and others.



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For Detail, See IBRD 33312



Area of Map

SANTA CRUZ - CHEMBUR LINK ROAD: 6.4 km

For Detail, See IBRD 33314

Mankhurd Permanent and Temporary Housing Sites

0 1 2 3 4 5 KILOMETERS

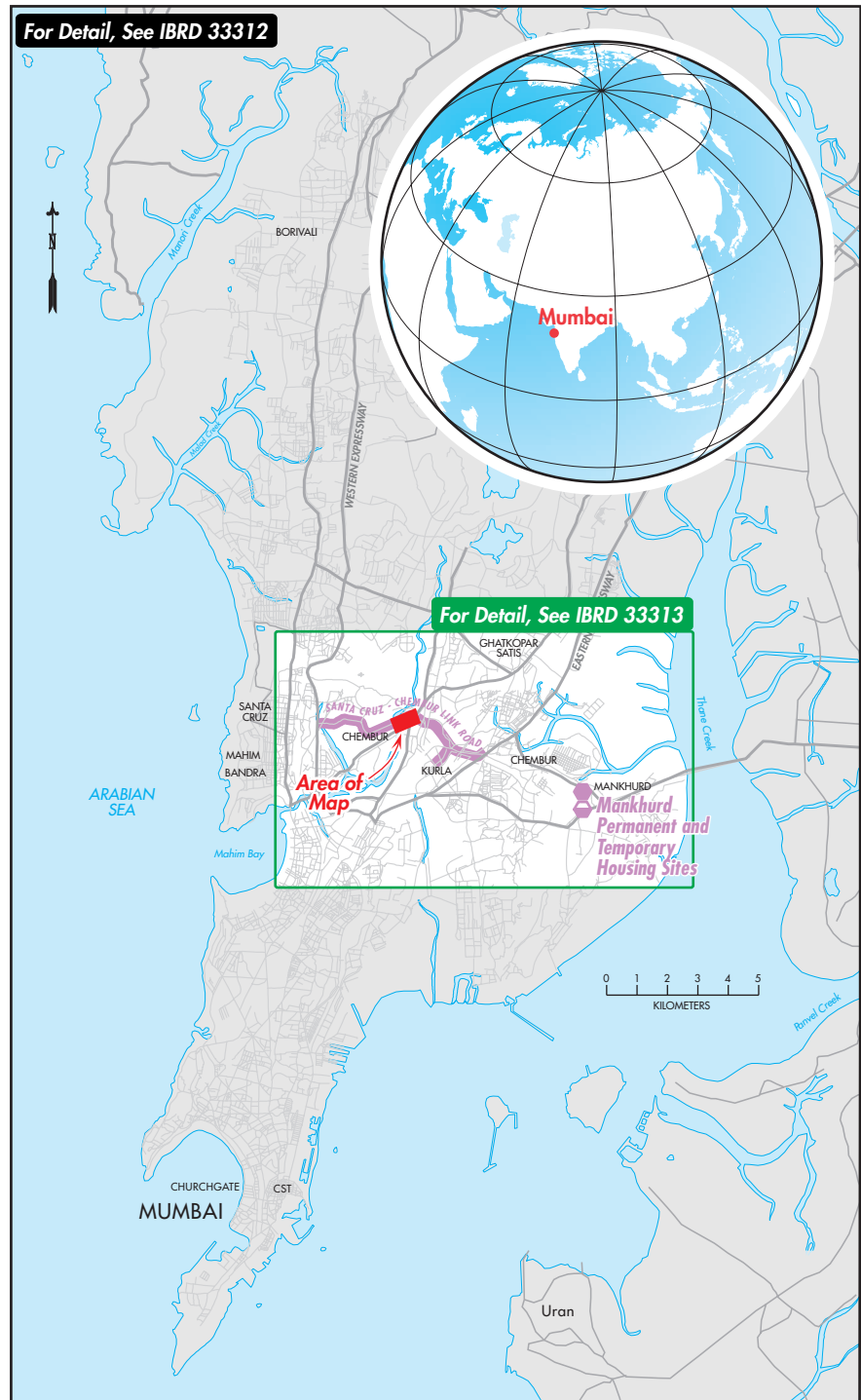
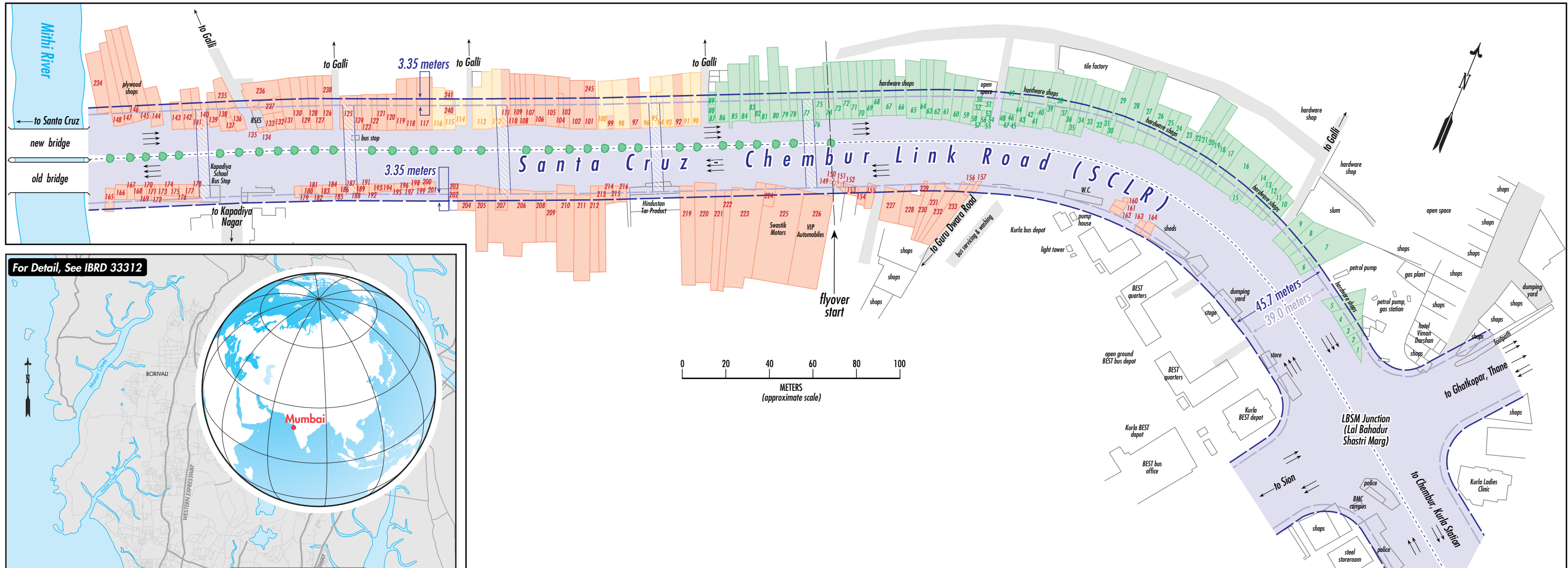
**INDIA**  
**MUMBAI URBAN TRANSPORT PROJECT**  
**Santa Cruz - Chembur Link Road (SCLR)**

- LOCAL ROADS
- MAIN ROADS
- RAILROADS

\* "Colony" refers to a housing development.

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INDIA  
**MUMBAI URBAN TRANSPORT PROJECT (MUTP)**  
 Santa Cruz - Chembur Link Road (SCLR)  
 Shopkeeper Locations

- Mumbai Urban Transport Project (MURTP):
- Santa Cruz - Chembur Link Road (SCLR), Road Improvement Component
  - SCLR 39.0 Meter Right of Way (ROW)
  - SCLR 45.7 Meter Right of Way (ROW)
  - Pedestrian Crossings (bridges over SCLR)
  - SCLR Centerline
  - Trees
- 92 United Shop Owners Association Members
  - 89 Kismat Nagar Welfare Association Members
  - 90 Members of both Associations
  - Existing Roads
  - Existing Structures
  - Mithi River

Sources: MMRDA Revised Alignment & Strip Map, dated March 27, 2004, Sheets 1 and 2 of 7. Identification numbers from Sheets 1 and 2, and Consolidated BSES of SCLR, Table A4. Association membership from lists of Kismat Nagar Welfare and United Shop Owners Associations, dated January 21, 2004, as correlated to identification numbers.

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