

Report No. 39944

**India: Mumbai Urban Transport Project (IBRD Loan No. 4665-IN,
IDA Credit No. 3662-IN)**

Inspection Panel Progress Report

June 5, 2007

Summary

Inspection Panel Progress Report: Mumbai Urban Transport Project (MUTP)

1. On March 28, 2006, the Board of Directors considered the Inspection Panel Investigation Report of the India: Mumbai Urban Transport Project (MUTP) and the Management Report and Recommendation in response to the Panel Investigation Report. The Board decided that Management would submit a Progress Report to the Board in no less than six months, and the Panel would report on progress to the Board.
2. In the present document, the Inspection Panel presents to the Board its findings on progress as of March 31, 2007.¹ This report consists of major parts. The first part summarizes background events relating to the Inspection Panel investigation of the MUTP, general findings of Management's Progress Report submitted to the Board on March 1, 2007, and the Panel's findings regarding progress since the time of Board meeting on March 28, 2006. This is followed by a more detailed presentation of the Panel findings taking into account the complexity of the issues.

Background

3. The Inspection Panel received four successive Requests for Inspection related to the India: Mumbai Urban Transport Project (MUTP)². The first Request ("the First Request"³) for Inspection was received on April 28, 2004. Management submitted its Response to the First Request on May 27, 2004. The Panel received a second Request for Inspection (the "Second Request") on June 24, 2004, which related to the same Project.⁴ On July 28, 2004, Management submitted its Response to the Second Request.
4. On June 29, 2004, the Panel sent to the Board of Executive Directors a recommendation to approve the Panel submitting a single Report and Recommendation on whether or not an investigation of the issues raised in either the First or Second Requests or both was warranted. The Board approved the Panel's recommendation on a non-objection basis on July 13, 2004. The Panel found the Requests and Requesters eligible, and as

¹ The information contained in this report is as of March 31, 2007. However, the information relating to the shopkeepers has been updated to reflect the situation as of June 1, 2007.

² Referred to as either the "Project" or "MUTP", depending on the context.

³ Also referred to as "USOA Requesters".

⁴ On November 1, 2004, the Panel received a letter from the Aman Chawl Welfare Association asking that the Association be added to the second group of Requesters. The Association represents 118 Project affected people. On February 19, 2005, 21 more residents asked to be added to the Request. All parties of the Gazi Nagar Request will be called the Gazi Nagar Requesters.

previously approved by the Board, submitted one single report to the Board on September 3, 2004,⁵ which on September 24, 2004 recommended an investigation. On November 29, 2004, the Panel received another Request for Inspection (the “Third Request”), related to the Project. Shortly after, on December 23, 2004, the Panel received a “Fourth Request” for Inspection.⁶

5. On December 29, 2004, the Panel notified the Executive Directors, the President and Management that it had received the Third and Fourth Requests. On December 29, 2004, after careful review of the Third and Fourth Requests, the Panel recommended that, for reasons of economy and efficiency, these two Requests should be processed jointly with the two previous Requests as they all related to the same component of the Project. The Board approved the Panel’s recommendation on a non-objection basis on January 11, 2005.⁷
6. The Project consists of three components: improvement of Mumbai’s rail transport system; improvement and extension of the road-based transport system; and resettlement and rehabilitation of Project affected persons. According to the PAD, the objectives of the Project are to *‘facilitate urban economic growth and improve quality of life by fostering the development of an efficient and sustainable urban transport system including effective institutions to meet the needs of the users in the Mumbai Metropolitan Region’*.
7. All four Requests for Inspection pertain to the proposed construction and improvement of east-west connecting roads within the road-based transport component and to the proposed resettlement and rehabilitation of persons affected by the road component. The first three Requests concern the about 6 km long Santa Cruz-Chembur Link Road (SCLR), while the last Request addresses similar issues related to the 11 km Jogeshwari-Vikhroli Link Road (JLVR). The Requesters are economically diverse, and represent low and middle income shopkeepers and other affected residents of Mumbai.
8. The Requests similarly alleged that Bank Operational Policies and Procedures were violated and, as a result, the Requesters claimed that they would suffer adverse effects as the result of the Bank’s failure to follow its Operational Policies and Procedures with respect to their being relocated and rehabilitated. More specifically, the Requesters claimed that the Project had failed to provide for income restoration and, in particular the shopkeepers among the Requesters feared that they would suffer irreparable damage to their well-

⁵Report and Recommendation, India: Mumbai Urban Transport Project (IBRD Loan No. 4665-IN, IDA Credit No. 3662-IN), dated September 3, 2004. INSP/R2004-0006.

⁶ On January 24, 2005 the Inspection Panel received a letter from the Pratap Nagar Welfare Association, a non-governmental organization located in the area called Pratap Nagar, representing 41 residents and shopkeepers. For reasons of economy and efficiency, the Inspection Panel added the Association and members to the processing of the four Requests.

⁷ The Panel verified the eligibility of the Third and Fourth Requests during its visit to Mumbai in February 2005.

established businesses. The Requesters argued that their structures had not been surveyed properly. Furthermore, they expressed disagreement with the Project Resettlement and Rehabilitation (R&R) scheme that entitled them to an area of 225 square feet regardless of the actual area of their current premises consumed by the Project. The Requesters also asserted that the resettlement site would be unsuitable and too far away from their current location. They also complained about the environmental condition of the resettlement site in Mankhurd. They also challenged the affordability of the maintenance charges of the new buildings. Furthermore, the Requesters asserted that they had neither been informed nor consulted and that their grievances were not addressed.

9. On December 21, 2005, the Panel issued its Investigation Report.⁸ On February 27, 2006, Management submitted to the Board its Report in Response to the Panel's findings.⁹
10. The Bank suspended disbursement on the road and resettlement component of the Project on March 1, 2006 and the State of Maharashtra agreed to a ten condition strategy for lifting the suspension of disbursements.
11. On March 28, 2006 the Board of Executive Directors discussed the Inspection Panel Investigation Report and Management's Report and Recommendation in response to the Inspection Panel Investigation Report. During the Board meeting, the Executive Directors approved both Reports and endorsed the Action Plan. It was agreed that Management would submit a Progress Report to the Board in no later than six months and the Panel would report on progress to the Board.
12. On June 29, 2006, the Bank lifted the suspension of disbursement based on the fact that the State of Maharashtra had substantially met the conditions set by IBRD/IDA for lifting the suspension.
13. Bank Management submitted its Progress Report to the Board of Executive Directors on March 1, 2007.¹⁰

Management's Progress Report

14. Management believes that progress has been made on many of the actions contained in the Action Plan.¹¹ In its Progress Report, Management specifies

⁸ Investigation Report, India: Mumbai Urban Transport Project (IBRD Loan No. 4665-IN; IDA Credit No. 3662-IN), December 21, 2005, INSP/R2005-0005.

⁹ Inspection Panel, India: Mumbai Urban Transport Project, Management Report and Recommendation in Response to the Inspection Panel Investigation Report, dated March 7, 2006, INSP/R2005-0005/4.

¹⁰ India: Mumbai Urban Transport Project (Loan No.4665-IN; Credit No. 3662-IN); follow Up to the Meeting of the Executive Directors of the World Bank (March 28, 2006) on the Inspection Panel Investigation Report No. 34725 and Management Report and Recommendation; Progress Report on Implementation of the Action Plan, dated March 1, 2007.

that progress has been made in services for resettled PAPs, such as water supply, issuance of building manuals, transfers of interests and common facilities to the initial 48 housing cooperatives. Management considers that good progress has also been made regarding consultation and the grievance process. Management Progress Report also lists a number of improvements in MMRDA's institutional capacity. Management considers that as a result of the progress in implementing the Action Plan the "*quality of processes followed in implementing R&R*" has improved.¹²

15. However, Management acknowledges that progress has been '*slower than anticipated*' in several areas and that some challenges remain.¹³ According to Management, the focus of MMRDA after the Board meeting in March 2006 was on the actions required for the lifting of the suspension, thus some of the items in the Action Plan were not '*adequately attended to*'.¹⁴ For example, negotiations with the shopkeepers are proceeding slowly and Management states that "*this delay remains a major concern*".¹⁵ Management also states that the central issue of income restoration for medium-sized and large size shopkeepers "*has yet to produce significant numbers of resolved cases*".¹⁶ Other challenges that Management names are the coordination between civil works and timely implementation of land acquisition and relocation of affected religious and community structures and the registration process for the housing societies.

The Panel Review Process

16. To conduct its review and to ascertain the facts with respect to the progress made in the MUTP, the Panel met with Management and members of the Project team and reviewed and analyzed Project documentation. The Panel consulted with the Requesters and other affected people and hired an independent local consultant, Dr. Renu Modi, who attended a series of follow-up meetings in Mumbai, such as the Independent Monitoring Panel and meetings between Project authorities and the Requesters.
17. The Panel also has reviewed relevant documents and reports regarding the MUTP on an on-going basis. Panel Member Tongroj Onchan and Assistant Executive Secretary Anna Sophie Herken together with the independent consultant visited the Project area from March 7-11, 2007 and met with Requesters, other affected people, governmental authorities and Bank

¹¹ According to Management 1,821 households including both shops and residences have been resettled since February 2006. According to Management, as of the date of the Progress Report more than 80 % of the total households have received alternative houses/ shops; about 88 % of residential PAPs and 29 % of shopkeepers have been relocated. Management Progress Report, pg. 5 para 11.

¹² Management Progress Report, pg. 5, para 11.

¹³ Management Progress Report, pg. 6, para 15.

¹⁴ Management Progress Report, pg. 6, para 15.

¹⁵ Management Progress Report, pg. 6, para 16.

¹⁶ Management Progress Report, pg. 20, para 65.

Management. The Panel wishes to thank the Requesters and other PAPs, Bank Management and MMRDA officials for their helpful cooperation and support.

Panel Findings

18. The Panel acknowledges Management's efforts since March 2006. The Panel notes that the MUTP is a Project that poses a number of complex and difficult challenges.
19. The Panel appreciates Management's cooperative approach in the follow-up period and notes the considerable effort Management has made thus far to ensure that the Action Plan included in the Managements Report be implemented, and the significant staff efforts to bring the Project into compliance. The Panel observes that it is essential that these efforts continue.
20. During its site visit in March 2007 and in discussion with PAPs at the resettlement site, the Panel had the impression that PAPs have started to settle down at the resettlement sites and that the overall situation seemed to be improved. However, the Panel observes that a number of issues still need to be resolved and that many of the target dates listed in the Management Action Plan have not been met and essential activities have yet to be completed. This is not only highlighted by the high and unprecedented number of letters and complaints that the Panel continues to receive from Mumbai, but most importantly by the findings that the Panel gathered.
21. The Panel's specific findings on progress, as of March 31, 2007¹⁷, are summarized below:
 - **Situation of the Shopkeepers:** The Panel notes that the case of the shopkeepers is difficult and complex and observes Management's efforts to find acceptable solutions. During its field visit in March 2007, the Panel noted that views among the affected shopkeepers, MMRDA and Management regarding the possibility of re-development as well as possible resettlement options seemed to differ substantially. As of June 1, 2007 a final solution regarding the resettlement of the USOA had not been found. However, the Panel has been informed that there may be agreement between MMRDA and the shopkeepers on the Memorandum of Understanding (MoU) and that the parties may sign the MoU shortly. The Panel notes that the signing of the MoU could still leave some issues unresolved, such as the de-reservation and the solution for the Coastal Regulation Zone-zoning, because MMRDA claims that these matters are outside MMRDA's jurisdiction. The Panel is concerned about adequate solutions that are applied in case the re-development proposal can not be realized. The Panel is equally concerned, whether acceptable solution will be found for other shopkeepers, such as the Fourth Requesters.

¹⁷ The situation of the shopkeepers has been updated on June 1, 2007.

- **Institutional Capacity:** The Panel observes an increase in R&R capacity at MMRDA and also notes the important step that Management has taken by basing a social development consultant in Mumbai. The Panel notes with concern, however, that as of the time of its follow-up visit in March 2007, the post-resettlement agency had still not been appointed. Given the magnitude of the post-resettlement task, the paper work involved, the time needed for field work, and the consultations with PAPs etc, the Panel still remains concerned with regard to the institutional capacity for the process. Also, the Panel is concerned that MMRDA's capacity is mainly used for the shifting of PAPs from SCLR and JVLR to resettlement sites, so that little capacity remains for important post-resettlement activities.
- **The Database:** During its follow-up mission in March 2007, the Panel noted that the database still needs serious improvement. In light of the many cases that have been reported allegedly involving multiple allocations of structures and incorrect allocation of structures the Panel notes the importance of a well-functioning database which plays a central role in tracking the allotments and resettlement status of PAPs. The Panel also remains concerned about the quality of the data that is fed into the database. The Panel understands that the database is based on the information gathered in the BSES, which the Panel found in its Investigation Report was highly deficient. Thus, it is unclear to the Panel how a database can be reliable and functioning if it is based on insufficient and inadequate information.
- **Provision of Information to PAPs:** While PAPs seemed to be better informed in 2007 than at the time of the investigation in 2005, the Panel still notes that many PAPs are still not aware of their entitlements and the post-resettlement process.
- **Independent Monitoring Panel:** The Panel appreciates developments regarding the Independent Monitoring Panel (IMP), which since its constitution in 2006 has actively and regularly followed-up and addressed a large number of important resettlement issues and hence helped to deal with them.
- **Grievance Redressal Mechanism:** Though the Panel notes important improvements with regard to the grievance redressal mechanism, such as the publication of its procedures and the specification of a timeframe, it notes that PAPs repeatedly complain about a high number of pending grievances and claim that the process is too slow. PAPs also claim that the verification process of grievances is carried out by the same NGOs, who the PAPs claim have done the incorrect surveys which have caused the grievances.
- **Income Restoration:** PAPs claimed that even if their earnings have remained about the same since many of them continue working in their old work places, their spending capacity has decreased because of additional expenditure such

as transportation costs for their children and for themselves to travel to the work places and because of increased maintenance costs and other charges. In this context, the Panel notes the importance of paying the interest on the maintenance fund (Rs. 20,000,-) to PAPs for them to be able to cope with the high maintenance costs they are facing at the sites and hence to ensure compliance with OD 4.30.

- **Maintenance Funds, Transport Allowance, Conveyance Deeds :** The Panel can confirm Management’s statement that the transfer of the interest on the maintenance fund seems to be completed for the first 48 housing societies. It notes, however, that because most housing societies have not been registered yet, many of the PAPs still have not received the interest that should cover the maintenance costs. The Panel observes that serious efforts are needed to complete this action for additional 80 societies by July 2007 (as described in the Management Action Plan) because so far these societies have not even been registered. The Panel further notes that the transport allowance is paid through the housing societies, and as most societies have not been registered yet, payments have been delayed significantly. For the same reasons conveyance deeds have not been given to PAPs yet. The Panel also received information that the registration process for the housing societies might be further delayed if the post-resettlement agency does not get appointed soon.
- **Post-Resettlement Activities:** Despite an overall improvement and several actions taken by Management and MMRDA, the Panel notes that there is still need for further follow-up action regarding post-resettlement activities to ensure compliance with OD 4.30. As an example, though the Panel noted that maintenance manuals have been distributed, PAPs reported that without additional training this would not lead to major improvements. PAPs told the Panel “*Do you think by reading books PAPs can learn how to live here?*” The Panel also notes with concern that the post-resettlement agency has still not been appointed and that the process has been delayed substantially.¹⁸ The Panel notes the central and crucial role of the housing societies in addressing post-resettlement needs in light of OD 4.30, and is concerned that the process of registering these societies might continue to be delayed significantly. The Panel emphasizes that the registration of cooperative societies is a key requirement for the initiation of several post-resettlement activities.
- **Water Supply:** While the Panel notes that water supply has improved significantly at certain sites, it believes that follow-up activities are needed. The Panel was told that the Mankhurd and Anik sites do not have adequate water supply from the MCGM network, and PAPs expressed the need to double the current water supply of 15-25 minutes per day to enable them to also have water in the evening.

¹⁸ According to MMRDA, procurement process took long and the final candidate dropped out.

- **Waste Management:** Regarding waste management at the resettlement sites, the Panel confirms that since March 2006, some activities have commenced, such as the procurement of waste bins and the distribution of maintenance manuals. However, it seems that this has not made visible impact or improvement. The Panel noted that the spaces between the houses tend to be full of garbage and observes that PAPs still throw garbage in open drains and clog them. PAPs told the Panel that they needed more training.
- **Transport Connectivity:** The Panel, based on its field visit, acknowledges an increase and improvement in transport connectivity. PAPs in Mankhurd also emphasized the need for a pedestrian bridge to cross over the rail tracks to the Mankhurd station and suggested to add bus lines to main points in Mumbai.
- **Social Services:** Regarding social services, the Panel observes that the process of the construction of a new school has started at the resettlement site in Mankhurd. The Panel also noted a provisional school at the Mankhurd site that operates from about 6 rooms. However, the Panel was informed that the intake capacity is less than optimal and needs to be augmented to prevent drop outs from schools and to reduce travel expenses to the old schools.
- **Housing Societies:** The Panel is concerned about the delay in the registration of housing cooperatives, which is one of the most important steps for dealing with a series of important post-resettlement activities, including the payment of the maintenance interest and transport allowance. The Panel is especially concerned about the fact that while at the time of the Board meeting in March 2006, 48 out of an estimated total of 200 societies had been registered; this number has only increased by 10 to a total of 58 by March 2007. The Panel also notes that many of the PAPs interviewed did appear to have no knowledge about the procedure and time-frame for the registration of the societies.

Detailed Findings

Inspection Panel Progress Report: Mumbai Urban Transport Project (MUTP)

1. The background events leading to the Inspection Panel Progress Report are described in the summary in the first part of this report. This part presents the more detailed findings of the Panel regarding progress on the MUTP, in response to the request of the Board on March 28, 2006. The detailed information takes into account the special circumstances of the MUTP investigation, in particular the complexity of the issues and the large number of detailed findings in both the MUTP investigation and Management's Progress Report.
2. The discussion is organized as follows:
 - Key findings of the Panel in its Investigation Report, issued on December 21, 2005,¹⁹
 - Actions indicated in the Management Action Plan in response to the Panel Investigation Report, submitted on February 27, 2006,
 - Management's own assessment of progress in these areas in its Progress Report submitted on March 1, 2007,
 - The Panel's findings on progress with regard to the key findings of its Investigation Report as of March 31, 2007.²⁰

1. Institutional Capacity of MMRDA and Implementing NGOs

Panel Investigation Report Findings²¹

- Panel appreciates effort to involve NGOs in the Project, but is concerned about the transfer of main implementation responsibilities from State Government and Municipal Agencies to NGOs with insufficient institutional capacity and knowledge to deal with overwhelming magnitude of responsibilities transferred. NGOs lacked capacity to deal with task of such a large scale, and did not receive adequate training. This was not in compliance with OD 4.30.

¹⁹ This report will not refer to all Panel findings, but only to the findings that refer directly to the implementation of the Project. Also, this report will only refer to non-compliance findings included in the Panel Investigation Report. Please also note that for the purpose of this Report, the Investigation findings have been summarized.

²⁰ With the exception of the chapter about shopkeepers which has been updated on June 1, 2007. Also, the Panel's findings regarding the follow-up process will built on the findings regarding compliance/ non-compliance with Bank policies in the Panel's Investigation Report. Thus, the follow-up findings will not explicitly refer to the applicable Bank policies and procedures again.

²¹ Inspection Panel Investigation Report; India: Mumbai Urban Transport Project, dated December 21, 2005, INSP/R2005-0005.

- Regarding involvement in post-resettlement actions, Panel was informed that contract was awarded on a sole source basis. NSDF indicated to the Panel that it does not generally keep receipts of or otherwise document expenditures.
- Bank did not ensure that requisite institutional capacity was in place for implementing and monitoring operational arrangements at the resettlement location after the PAHs have been resettled. This does not comply with OD 4.30.
- Bank failed to address lack of R&R capacity within MMRDA to deal with complex, case-by-case tenure. This is not consistent with OD 4.30.

Actions Described in Management Action Plan

- Day-to-day R&R management (with delegated administrative and financial authority) will be undertaken by a Chief Officer (R&R) reporting to the Project Director. The R&R Chief will be supported by 12 officers with backgrounds in R&R management and community development, database management, land acquisition, environmental management, estate management, public relations, registration of societies, legal, etc. Functions and responsibilities of key officers will be documented soon. Requirements for other support staff will be assessed and provided accordingly. The Bank Task Team will work closely with MMRDA to ensure that effective and efficient management systems are put in place. (Target date: April 30, 2006).
- MMRDA will review and assess the NGOs' capacity and future role (Target date: to be determined by the Bank).
- MMRDA will prepare and implement a training program for the sensitization and skills improvement of R&R staff, NGOs, and others concerned with R&R implementation. May 31, 2006 (Target date: training to be completed by August 31, 2006).
- MMRDA will further define procedures in R&R Implementation Manual. (Target date: May 31, 2006)
- MMRDA will improve on timely reporting and the submission of progress reports. The Bank task team will work with MMRDA on report content and frequency (Target date: March 10, 2006 – 1st monthly report).

Management Progress Report

3. In its Progress Report, Management claims that MMRDA has strengthened its R&R capacity with a new Project Director and five additional staff, all of whom have experience in R&R implementation. However, Management acknowledges that the position of the social scientist has not been filled at MMRDA as of the date of its own Progress Report, March 1, 2007. Management's Progress Report also acknowledges delays in the selection of consultants for post-resettlement activities but claims that MMRDA has completed the process for selection of consultants.
4. Regarding the involvement of NGOs, Management states that MMRDA has identified activities that will continued to be carried out by NGOs, such as consultations, management of the Public Information Centers (PICs) and baseline surveys. According to Management, the NGOs will be phased out with regard to the management of post-resettlement activities, payment of

allowances, issuance of allotment letters and identity cards, training of PAPs and assistance in the registration of housing societies.

5. With regard to training programs, Management states that the action is still in progress and has revised its target date. In its Progress Report, Management states that a training program schedule has been prepared by MMRDA and that three training programs related to data base management, the documentation process, and resettlement implementation have been conducted with MMRDA staff, other implementing agencies and NGOs to upgrade their skills in these areas. Management expects the remaining programs to be conducted as part of the training schedule during 2007.

Panel's Findings on Progress

6. The Panel observes an increase in R&R capacity at MMRDA and also notes the important step that Management has taken by basing a social development consultant in Mumbai. During the Panel's follow-up visit in March 2007, MMRDA claimed that several new R&R staff has been added last year. The Panel notes, however, that in March 2007 the relevant position of social scientist was still vacant.²² Also, the Panel is concerned about the changes in the Chief R&R position and possible delays that this could in the implementation process.
7. The Panel also notes with concern that as of the time of its follow-up visit in March 2007, the important appointment of the post-resettlement agency had still not been completed but has been delayed substantially.²³ The Panel notes the importance of appointing such an agency in order to meet the resettlement needs of PAPs and fears that otherwise the registration process of housing societies as well as other important post-resettlement activities might be delayed significantly.
8. PAPs informed the Panel about the need for more field staff that would help them with daily issues related to resettlement. The Panel hopes that the post-resettlement agency will ameliorate the situation at the resettlements sites. In addition, PAPs are of the opinion that a further increase in institutional capacity would help an effective implementation of post-resettlement activities.
9. With regard to the NGOs, the Panel notices that they are still involved in various activities. However, the Panel was unable to obtain a clear picture of their current role. Moreover, the Panel remains concerned about the NGOs' capacity to deal even with the remaining tasks identified by MMRDA. During

²² However, the Panel was informed later that a social scientist joined MMRDA in the end of April 2007.

²³ The Panel was informed in May 2005 by MMRDA, that the post-resettlement consultants would start work in June 2007.

its follow-up visit the Panel noted doubts among PAPs regarding SPARC's and SRS' capacity to deal with the tasks.

10. The Panel can confirm that the training program for resettlement staff and NGOs has been started. However, based on interviews with PAPs and MMRDA, the Panel believes that a lot still has to be done with regard to training.
11. Given the magnitude of the post-resettlement task, the paper work involved, the time needed for field work, consultation with PAPs etc., the Panel still remains concerned that there is sufficient institutional capacity to complete the resettlement in line with OD 4.30. Also, the Panel is concerned that MMRDA's capacity is mainly used for the shifting of PAPs from SCLR and JVLR to resettlement sites, so that little capacity remains for important post-resettlement activities.²⁴

2. Baseline Socio-Economic Surveys / Data Issues

Panel Investigation Report Findings

- Methodology used for population counts from early phases of preparation was structurally imprecise and flawed. This resulted inevitably in inexact physical data and in highly conflicting demographic estimates.
- Flaws in gathering data appear to have resulted in major misstatements about overall size of displacement, and eventually loss of control by Bank staff over aggregate proportions of displacement under Project.
- Panel observes an imprecision and variability of population data in this Project that exceeds any normal degree, and does not comply with OD 4.30.
- Surveys of affected population, immovable assets affected by resettlement, and income of PAPs were significantly deficient and did not provide reliable baseline data, which does not comply with OD 4.30.
- Surveys did not appropriately cover employees of middle income shopkeepers.
- Socio-economic situation of distinct group of middle-income and lower-middle-income inhabitants, in particular shopkeepers and other commercial PAPs, was not adequately recognized in preparation and planning. This fails to comply with OD 4.30.

Actions Described in Management Action Plan

- MMRDA is in the process of procuring state-of the art-software for the management of all the R&R related data. (Target date: May 15, 2006)
- Systems will be put in place for providing inputs, updating, using and retrieving various types of information related to R&R and post-resettlement implementation. The database will be linked with family photo IDs to facilitate tracking and management of the process. The resettlement support consultants will conduct hands-on training for MMRDA staff. (Target date: June 30, 2006).

²⁴ Besides, the Panel was informed that the same MMRDA team that deals with the MUTP is also responsible for the rehabilitation of the PAPs affected by the Mithi River widening.

- Strengthen database capability for effective management of resettlement and post-resettlement. (Target date: May 15, 2006)
- Road project impacts on community assets will be assessed and their relocation and reconstruction will be synchronized with the timetable for civil works. (Target date: Ongoing)

Management Progress Report

12. Management claims that MMRDA has completed the updating of the baseline survey and does not envisage further action. Regarding the survey of community assets, Management asserts that MMRDA has identified major religious buildings and sites along the JVLR and SCLR that will be affected by the Project and has held meetings with the concerned stakeholders to discuss suitable alternative sites. Management states that because of the sensitivity of the issue in view of religious and linguistic minorities involved, no time limit can be set for the negotiations and it expects that this action will take several months more to be resolved. An indicative action plan with a tentative time frame for relocation of community assets was expected from MMRDA by February 2007.
13. **Database:** With regard to the management of resettlement-related data, Management's Progress Report states that MMRDA has installed the Oracle software, data entry has been completed in part, and a user manual has been prepared. A professional has been employed for the management of the database. According to Management, the system can generate, for example, eligibility lists, identity cards, baseline socio-economic information, allotment letters, and relocation status for one sub-project (JVLR-II). However, Management acknowledges that only limited reports on simple queries can be prepared and reports on queries involving multiple variables cannot yet be generated.
14. Overall, Management believes that MMRDA has essentially met the targets for data base improvements; however it acknowledges problems and delays. It states that a *'considerable amount of data is yet to be inputted'* and that *"programs need to be refined to respond to queries based on multiple variables."*²⁵ Management acknowledges that the application will have to be made more user-friendly and will need further refinement to make it an effective tool for tracking R&R activities. However, it acknowledges that more time is needed to complete the process of entering all PAP-related data and make use of the data base for decision making. Management explains the delays by referring to, *inter alia*, inadequacies of the system, different formats of data, lack of focused attention and staff turnover at MMRDA.²⁶

²⁵ Management Progress Report, pg. 16. para 51.

²⁶ According to Management, activity is substantially completed- revised target date: May 2007.

15. Management also addresses the issue of multiple allotments of identity cards and states that the Independent Monitoring Panel (IMP) and MMRDA are looking into the issue. A Task Force has been constituted to undertake a desk review and Management expects the IMP to undertake field verifications based on the findings of the review if required. At the time of its Progress Report, Management expected this process to be terminated by the end of March 2007.

Panel's Findings on Progress

16. The Panel was informed that, for the JVLR, the BSES was updated by SRS and submitted in September 2006. SPARC submitted an updated BSES in December 2006. The Panel hopes that the updated BSES will avoid the flaws from the past, which are outlined in the Panel Investigation Report.
17. The Panel also notes that the issue of religious structures poses difficulties. The numbers of pending cases concerning religious and community structures at the JVLR and SCLR that have been reported to the Panel differ, but are around 15.²⁷ The Panel was informed that the process is difficult and time consuming.
18. **Database:** The Panel is concerned about the situation described by recent media reports and by PAPs and Management according to which several instances have been detected in which multiple ID cards had been allotted to PAPs. For example, one case was reported in 2006 in which a PAP had received a high number of allotments on the JVLR. At that time, the Panel was informed that, by January 30, 2007, a fact finding body constituted by MMRDA would submit its findings of the case. The Panel was not able to get information regarding the outcome and the necessary actions taken. PAPs also claim that some community leaders received additional IDs from NGOs involved as an incentive to mobilize their communities. In light of this situation the Panel notes the importance of a well-functioning database which plays a central role in tracking the allotments and resettlement status of PAPs.
19. Also, the Panel continues receiving letters and e-mails from PAPs that complain about unfair or incorrect allotments. Hence, the Panel believes that a functioning and correct database is an important step to ensure a fair and transparent allotment process and compliance with OD 4.30.
20. During its follow-up mission in March 2007, the Panel noted that the database still needs serious improvement. For example, MMRDA informed the Panel that it has still not transferred the data from the old excel database into the new oracle based database. MMRDA also explained that the NGOs that had gathered the data had used different formats for the data collection, which caused difficulty in the data-input into the database.

²⁷ According to the RIP 23 religious/ community structures on SCLR and JVLR have to be relocated

21. The Panel also remains concerned about the quality of the data that is fed into the database. The Panel understands that the database is based on the information gathered in the BSES, which the Panel found in its Investigation report was highly deficient. Thus, it is unclear to the Panel how a database can be reliable and functioning if it is based on insufficient and inadequate information.

3. Disclosure of Information

Panel Investigation Report Findings

- Public Information Centers (PICs) did not operate. Dissemination of substantive information about Project was neither timely nor effective. Disclosure of information on MUTP has been inadequate and does not comply with Bank Policies.
- Information process is inadequate and there is general lack of responsiveness to Requesters' inquiries for information. Disclosure of information on MUTP has been insufficient and not in compliance with Bank Policies.

Actions Described in Management Action Plan

- MMRDA will enhance communication with PAPs and improve documentation (Target date: ongoing)
- MMRDA will make separate space arrangements for a PIC at MMRDA. It will also ensure the timely availability of relevant documents and brochures. (Target date: March 31, 2006)

Management Progress Report

22. According to Management, the key project related documents are now available in PICs and also uploaded on MMRDA's website. Also, a new PIC has been created at MMRDA.
23. Management believes that no further action with regard to information and disclosure is required. Management asserts that the R&R Implementation Manual has been revised and updated to define the procedures for implementation of various R&R activities. The Implementation Manual has been disclosed in the PICs, and uploaded on MMRDA's website.

Panel's Findings on Progress

24. The Panel notes that in its Progress Report, Management considers its actions regarding the disclosure of information as completed. Though the Panel can confirm the actions described by Management, the Panel, during its follow-up visit, still noted a widespread lack of information among PAPs regarding their specific entitlements and the process. While PAPs seemed to be better

informed than at the time of the investigation in 2005, the Panel still notes that the information process is still not fully effective.

25. According to PAPs, the staff at the PICs is ill equipped and not very helpful. PAPs also complain that there are no facilities for them to photocopy the map alignments or BSES against payments. In order to achieve effective disclosure of information, the Panel considers it important that PAPs, who often prefer to copy documents and take them back to their places so that they may receive assistance in translating or analyzing them, have the ability to do so.
26. While the Panel acknowledges the efforts made with regard to the Implementation Manual, it notes that PAPs would prefer this to be complemented by more “on the ground” information activities. PAPs informed the Panel that it would be useful to have more staff in the field dealing with the post-resettlement process and explaining the process and the various entitlements to PAPs.

4. Consultation

Panel Investigation Report Findings

- Neither shopkeepers nor other PAPs were consulted about resettlement sites. The shopkeepers were not consulted about any possible alternatives to the resettlement sites for their shops. This does not comply with OD 4.30 and OP 4.01.
- Lack of meaningful consultation on other elements of Project, such as alternative alignments of the road.
- Certain consultation did take place subsequent to selection of sites with regard to characteristics of buildings and shops, which led to increased height for certain shops or space on the ground level for a limited number of shops. This is consistent with OD 4.30 and OP 4.01. But not all the shopkeepers entitled to consultation were included.
- Almost no discussion of the social and socioeconomic effects of using TDRs for land acquisition in PAD or RAP. Panel is concerned that use of TDRs in the MUTP has limited availability of sites that were considered. Panel is also concerned that choice of possible resettlement sites was strongly influenced by finding sites that suited the developers.

Actions Described in Management Action Plan

- MMRDA will enhance communication with PAPs and improve documentation (Target date: ongoing)
- MMRDA will make separate space arrangements for a PIC at MMRDA. It will also ensure the timely availability of relevant documents and brochures. (Target date: March 31, 2006)
- The Bank Task Team will work with MMRDA to assess and implement training needs in public consultation and communications (Target date: March 31, 2006).

Management Progress Report

27. The Management Progress Report asserts that MMRDA has improved communication and recently held meeting with shopkeepers of SCLR, JVLR, and Jogeswari (RoBs), and residents of MAHADA buildings at SCLR.
28. Management believes that MMRDA has improved communication with PAPs and has held several meetings with them. The Bank organized a one day session on public consultation and communications for the staff of MMRDA and NGOs in February 2006. The Bank's local consultant is providing orientation in consultations and communications on a day-to-day basis.²⁸

Panel's Findings on Progress

29. The Panel observes that consultation have increased and understands that several consultations have been held with PAPs. In particular, the Panel notes that the some of the Requesters, e.g. the USOA, have been involved more substantially in the process by MMRDA. However, PAPs claim that they feel left out of the consultation process.

5. Grievance Mechanism

Panel Investigation Report Findings

- Grievance system lacks clear responsibilities, procedures and rules and has not been independent. Many PAPs have learned only recently about existence of grievance system and were not aware of details of the process.
- Bank has not ensured that the grievance mechanism is independent and objective. The Panel notes that Requesters and other PAPs complain that there is no independent person on the grievance system when the initial complaint is determined, and they do not accept the members of the Independent Monitoring Panel as independent persons.
- No clear understanding about the role of the Independent Monitoring Panel (IMP).

Actions Described in Management Action Plan

- The GoM will fill the post of Chairman, IMP and will elaborate on and clarify the IMP's role. Secretarial assistance will be provided to the IMP (Target date: April 30, 2006).
- MMRDA will provide support staff to the Field Level GRC to expedite the hearing and disposal of cases and to improve recording and reporting of decisions (Target date: March 31, 2006).
- A separate one-page-brochure on the updated grievance redress process will be prepared, circulated, and posted on the Project website (Target date: March 31, 2006).
- The Bank Task Team will work closely with MMRDA staff to evaluate the current status of the system, support its revision, and facilitate its effective implementation. (Target date: March 15, 2006).

Management Progress Report

²⁸Management considers its action as "s substantially completed".

30. In its Progress Report, Management states that the updated grievance redress process has been incorporated in the Implementation Manual, disclosed in PICs, and uploaded on the MMRDA website. Management considers that the main improvement in the process is the specification of a clear timeframe for registering a grievance, and confirmation that the resettlement of a petitioner will not be carried out before the grievance process is completed. According to Management, brochures in English and Marathi have been printed and are being attached to the allotment letters /eviction notices.
31. As to the process itself, Management claims that MMRDA has provided secretarial assistance and computers to the field level GRC to improve the hearing and disposal of cases. Management believes that the process is now streamlined and slowly improving.²⁹ Management states that the new Oracle software will establish full coordination between grievance management and resettlement.
32. Management states that a new Independent Monitoring Panel (IMP) was constituted in mid-March 2006. According to Management, the new IMP is actively involved in following up key resettlement implementation aspects. Management is of the opinion that no further action is required, but indicates that the Bank will follow up on the implementation of IMP decisions.

Panel's Findings on Progress

33. The Panel acknowledges the positive steps taken regarding the IMP. Since it was constituted in 2006, the IMP has been actively involved in following up and addressing a number of resettlement issues.
34. Though the Panel notes important improvements with regard to the grievance redressal mechanism, such as the publication of its procedures and the specification of a timeframe, PAPs emphasize the need for further improvement. During the site visits, PAPs repeatedly complained about a high number of pending grievances and claimed that the process was too slow. The Panel was told that several cases that were filed more than 6-12 months ago are still pending. In some cases hearings were held, but final outcomes had been delayed significantly. The NGO SRS informed the Panel expert that grievances relating to the ROB South have been pending for over a year. The USOA Requesters claimed that they still have problems with a number of missing IDs that were not included in the BSES and they asserted that they had approached the grievance committee a long time ago and even though some hearings have been conducted by the Grievance Mechanisms in August 2006, they claim that the outcome has never been communicated.

²⁹ Management reports that the number of cases disposed of by the field level GRC increased from 1,594 as of June 30, 2006 to 2,068 as of December 2006, while the proportion of pending cases decreased from 27 percent to 17 percent in the same period.

Shopkeepers among the PAPs also told the Panel that one of the reasons for the delays in grievances related to commercial structures is the paucity of commercial structures at resettlement sites.

35. The Panel was also informed that many delays in the process could be reduced if the FLGRC and SLGRC would receive additional support staff such as stenographers. PAPs still question the composition of the FLGRC and SLGRC and suggest that they should also include a representative from neutral NGOs or external observers to ensure fairness. PAPs claimed that representatives of SPARC and SRS have to validate their complaints and they feel that this hampers the independence and objectivity of the process. More specifically, PAPs explained that the verification process of grievances is carried out by the same NGOs who the PAPs claim have done the incorrect surveys which have caused the grievances.

6. Special Case of the Shopkeepers

Panel Investigation Report Findings

- Bank overlooked middle income shopkeepers in planning for resettlement and failed to notice differences in their situation from that of others to be resettled. This does not comply with OD 4.30.
- Panel is concerned that unless further actions are taken, shopkeepers will be put in significantly worse conditions as a result of the relocation. This would not comply with Bank Policy.
- Panel found it difficult to find coherent and sufficiently detailed numbers of shopkeepers and shops needed for them. With regard to shopkeepers, the Panel found different estimates in different documents of the number of commercial units that need to be constructed, without recognition or explanation of the discrepancy in estimates.
- Given the weak economic situation of the PAPs living at the resettlement sites, Panel is concerned about lack of potential customers for a number of shopkeepers, particularly for more specialized shopkeepers.
- Many of the shops at resettlement sites are located in rather small corridors inside the housing complexes, away from main streets. Low purchasing power of the PAP population, in combination with a non-strategic location, will lead to severe losses in business.
- Entitlement of 225 sq. ft. regardless of actual size of the Requesters' structures does not comply with Bank Policies. This approach neglects the fact that many of the Requesters' current shops are much bigger than 225 sq. ft. and that under the aforesaid scheme these enterprises cannot restore their business to pre-project levels due to limited availability of space.
- Inventory of fixed investments on shop interiors has not been included in the BSES. Neither expenses for acquiring new licenses nor application of high assessment taxes on new licenses have been considered.
- It will be important to ensure that licenses are transferred on time before PAPs are moved.

- With regard to middle-income shopkeepers, no appropriate assessment of employee PAPs was undertaken. Employees who are not resident in area but rather support family in rural areas have not been adequately addressed. This does not comply with OD 4.30.

Actions Described in Management Action Plan

Negotiations with each eligible shopkeeper will be held on the basis of the options listed below when applicable. Agreements reached will be recorded and implemented:

- Complete negotiations / resettlement with all affected shopkeepers of SCLR. (Target date: May 31, 2006)
- Complete negotiations / resettlement of affected shopkeepers of other sub-projects (non-SCLR). (Target date: October 31, 2006)

Options for resettling shopkeepers who are losing more than 225 square feet as a result of resettlement or who have special locational needs:

Option 1: Expanded choice of R&R sites and option to acquire additional space.

Previously only one R&R site option was offered to all shopkeepers. Except for the sites mentioned in Options 2 and 3, MMRDA has opened the entire inventory of MUTP and MUIP R&R sites, about 15 locations, to all larger shopkeepers and those smaller units with special location needs.

- Except as mentioned in Option 2, shopkeepers will be offered a choice to purchase additional area beyond 225 square feet up to a total of 750 square feet at construction cost according to their eligibility, per the R&R policy. The construction cost at each site would be determined by MMRDA and communicated to the PAPs at the time of offering.
- MMRDA will facilitate the transfer of service connections (such as telephones, etc.) and licenses to all new locations.

Option 2: Offer private redevelopment schemes, highly desired by shopkeepers: Motilal Nehru Nagar Slum Rehabilitation Scheme (SRS) at Bandra Kurla Complex (BKC) for SCLR shopkeepers and the Hiranandani SRS for JVLR shopkeepers.

- At Motilal Nehru Nagar, SCLR shopkeepers will be offered up to 225 square feet. However, if the shopkeeper is entitled to receive an additional eligible area, he/she would be offered up to 750 square feet in any other resettlement site under Option 1, excluding the Hiranandani complex at Powai, which is reserved for JVLR. MMRDA has already facilitated with the developer the inclusion of 55 eligible SCLR shopkeepers in the Motilal Nehru Nagar scheme.
- The same process as that for SCLR shopkeepers at Motilal Nehru Nagar will be followed for JVLR Phase II shopkeepers at Hiranandani

Option 3: Wadala Truck Terminal: MMRDA will offer commercial and warehousing units to shopkeepers engaged in automobile-related activities, which require market access and an industrial environment. This offer includes constructed units and / or serviced plots within the Wadala Truck Terminal if sufficient numbers of eligible shopkeepers, including industrial businesses that have special space requirements, are willing to accept the offer.

Option 4: Partially-affected structures on public land.

- Where commercial structures are partially affected and the concerned shopkeepers do not wish to adopt other options, the MCGM will allow such structures to continue operation and will allow construction of a second floor on condition that the height of the remaining structure does not exceed 17 feet.

- Shopkeepers whose structures are partially affected will be allowed to continue at the present location, provided that they do not avail themselves of any benefits under the R&R policy (a letter of undertaking shall be obtained in these cases).
- MCGM will issue a letter to assure the status quo on the remaining portion, explaining that the structure's status will remain as it was before permission was granted for repairs/reconstruction and additional height.

Option 5: Allowing immediate salability of titles.

- The GoM will waive the restriction regarding the transfer or sale of shops allotted under the MUTP for a minimum period of 10 years on a case-by-case basis. Consideration for waiving the restriction will be given to those shopkeepers who can demonstrate that none of the above options will restore their livelihood.

Option 6: Allotment of commercial units in municipal markets of MCGM on a long-term lease basis for shops affected by SATIS.

- The MCGM will offer commercial units in the municipal markets of MCGM specifically to shopkeepers affected by SATIS (public areas around 4 railway stations).
- The MCGM will allot such units on a long-term lease basis

With regard to affected employees

- MMRDA will publicize the R&R policy, which provides one year's income on a one-time basis to those employees who are not re-employed as a result of Project resettlement. (Target date: March 31, 2006)
- MMRDA will process such cases of assistance as and when formal requests are received. The amount of income will be determined by a valuation committee, per the R&R policy. (Target date: Ongoing)
- Funding for this assistance will come from the Bank-financed portion of MUTP. (Target date: Ongoing)
- Employees will be issued identity cards prior to displacement of the business unit. (Target date: Ongoing)

Management Progress Report

36. According to the Management Progress Report, the actions regarding the shopkeepers are still in progress and Management acknowledges that negotiations with the shopkeepers are proceeding slowly.³⁰ Out of the 800 large shopkeepers that have premises larger than 225 sq. ft. about 10 %³¹ have been resettled. Management states that *“this delay remains a major concern”*.³²
37. Management's Progress Report states that according to MMRDA, the delay is due to the *“complex and intensive nature of the negotiating process, which has been hampered by the need for MMRDA to address monsoon flooding*

³⁰ Management introduces a revised target date Sept. 2007.

³¹ 84 larger shopkeepers have been resettled. (10.51 %) among them 48 large shopkeepers along the SCLR.

³² Management Progress Report, pg. 6, para 16.

risks ...”³³ Management adds that this coincided with a period of administrative and personnel changes at MMRDA.

38. Management claims that about 31% of the SCLR shopkeepers have been resettled or received keys, including 48 medium-large sized shops³⁴. Negotiations have been completed with another 40 shopkeepers. In December 2006, MMRDA issued a letter to over 300 shopkeepers, initiating a process of resettlement in case of failure of negotiation.
39. More specifically with regard to the shopkeepers that initiated the Request for Inspection, the USOA, Management’s Progress Report describes that MMRDA met the USOA in June 2006 and MMRDA did not only discuss the resettlement options but also confirmed its willingness to consider the USOA’s proposal for in-situ redevelopment, under the condition that the USOA would present a specific plan and meet all legal requirements.
40. In its Progress Report Management claims that MMRDA has responded to USOA’s in situ proposal that it is not feasible due to reservations for cemetery and recreation and zoning due to the Coastal Regulation Zone (CRZ) and Mithi River development. Management states that the IMP will facilitate a last meeting before the offer of MMRDA-determined most suitable option is made to those who fail to come forward for negotiations.
41. Regarding affected shopkeepers that are not situated at the SCLR, Management revises its target date to March 2007 for JVLR and to March 2008 for SATIS/ROBs. According to Management, 29 % of the affected shopkeepers have been resettled of whom 36 have medium-or large shops.³⁵ Management asserts that MMRDA is in consultation/negotiations with shopkeepers of different sub-components. It claims that MMRDA and the shopkeepers along JVLR I and II have reached agreement to provide an equivalent area in lieu of compensation and resettlement is expected to be substantially completed in March 2007.
42. **Employees:** As to the affected employees, Management states that the provisions of the R&R policy that refer to compensation for employees are described in the Implementation Manual which is disclosed at PICs and on the MMRDA website. MMRDA has not received any requests from affected employees for assistance. Management adds that the issuance of identity cards has been initiated.

Panel’s Findings on Progress

³³ Management Progress Report, pg. 6, para 16.

³⁴ 229 out of 745 Shopkeepers.

³⁵ 523 out of 1,824 shopkeepers.

43. **USOA:** The Panel notes that a final solution that resolves policy-based issues and requirements in the resettlement of the USOA shopkeepers at SCLR had not been found as of June 1, 2007. However, the Panel has been informed that there may be agreement between MMRDA and the shopkeepers on the Memorandum of Understanding (MoU) and that the parties may sign the MoU shortly. The Panel notes that the signing of the MoU could still leave some issues unresolved, such as the de-reservation and the solution for the CRZ zoning, because MMRDA claims that these matters are outside MMRDA's jurisdiction.
44. MMRDA and the USOA shopkeepers have been discussing a proposal for in-situ redevelopment for several months. Major issues that were still being discussed between the USOA and MMRDA at the time of the follow-up visit in March 2007 were, *inter alia*, the de-reservation of the land needed for development for a cemetery, CRZ-II, and land acquisition. PAPs told the Panel that MMRDA agreed to provide support to the USOA's proposal by issuing a no-objection certificate (NOC) for de-reservation to MCGM. In discussions with the Panel, both Management and MMRDA considered the proposal for redevelopment unfeasible. After several meetings with the shopkeepers, MMRDA has made the signing of the MoU conditional on the vacation of a part of the area by June 1, 2007. It seems that the PAPs are willing to accept that condition.
45. At the IMP meeting on April 20, 2007, the IMP members expressed dissatisfaction regarding the USOA's "*lack of seriousness*". The shopkeepers asked for another 20 days to finalize their agreement with the builder and stated that afterwards they would be able to sign the MoU. The shopkeepers state that the process has been delayed by MMRDA, because in the beginning MMRDA did not provide them with accurate maps of the area and the proposed changes, hence they asserted that they were unable to deliver a re-development proposal. They also claimed that still a number of IDs are missing and asserted that many of their grievances were still pending.
46. The Panel notes that the case of the shopkeepers is difficult and complex and observes Management's efforts to find acceptable solutions. However, during its field visit in March 2007, the Panel noted that views among the affected shopkeepers, MMRDA and Management regarding the feasibility of the re-development scheme proposed by the shopkeepers and regarding other alternative options seemed to differ substantially. While PAPs seemed to assume that MMRDA would have the ability to accept their proposal for re-development and to remove reservations on the land, MMRDA explained to the Panel that this would not be in MMRDA's jurisdiction.
47. The Panel also noted disagreement regarding a number of additional issues related to the re-development proposal, such as the responsibility for land acquisition, responsibility for transit arrangements and the question whether

the land for re-development would fall under the CRZ-II. The Panel also noted concerns regarding the role of the developer in the re-development scheme and noted that some sources expressed concerns that once the scheme is approved, the developer would disregard the rights of smaller shopkeepers and try to exclude them from the scheme.

48. Both Management and MMRDA told the Panel that they questioned the size of the proposed re-development scheme that would house about 1,100 people, while there would only be a group of about 250 MUTP-affected PAPs at the SCLR to be housed. MMRDA officials emphasized that they are only responsible for relocating the PAPs of the SCLR and that the shopkeepers' large re-development proposal including 1,100 persons would reach beyond MMRDA's responsibilities.³⁶
49. The USOA told the Panel that in case their proposal for re-development would not be accepted, Management and MMRDA had not come up with acceptable solutions. As many of them operate medium-sized and larger shops, they consider the options contained in the Management Action Plan unsuitable.
50. MMRDA has informed PAPs in December 2006 that it has started the "*procedure in the event of failed negotiations*" and that in case re-development does not take place, the shopkeepers will be resettled in accordance with the options provided in the Action Plan. MMRDA has informed the Panel that it believes that the best suitable option is that fully affected PAPs get 225 sq.ft in Motilal Nehru Nagar and can purchase extra space up to 750 sq. ft in another MUTP/MUIP site. Partially affected structures can retain their structures. In the PAPs view this is unacceptable because it does not address their concerns, such as lack of customer base and location. They also emphasized the need for one large shop at one site and objected to the idea of dividing their structures between two sites.
51. Regarding the **Bharati Nagar Requesters ("Third Requesters")**, during the Panel visit to Mumbai in 2006, MMRDA explained to the Panel that due to a re-alignment of the SCLR the Requesters would not be affected anymore. The Requesters requested a written confirmation that they will not be affected by the MUTP from MMRDA, which they have not received so far. In March 2007 the Panel was unable to receive information that confirms that the Requesters are not affected anymore.
52. During its follow-up visit to Mumbai in March 2007, the Panel visited the spokesperson of the Bharati Nagar Requesters at the Requesters' site. He informed the Panel that recently, three of the Requesters had been informed by MMRDA that they are affected by the SCLR-road widening. The affected structures include two shops and one residence. However, the Requesters fears

³⁶ The Panel was informed that the re-development scheme would also include about 800 people affected by the Mithi River Development Project.

that more than 35 shops might be affected. They would like to receive clarification on that issue from MMRDA.³⁷ The Panel raised the issue with MMRDA but was unable to get a confirmation regarding the situation.

53. With regard to the **Fourth Requesters** (non-SCLR shopkeepers that are affected by MUTP³⁸), the Panel notes that a solution that the shopkeepers deem acceptable has not been found. The Requesters are concerned about their relocation to the Asgoankar resettlement site. They believe that they will not be able to generate any income with their shops at the site due to poor design and bad location of the shops. Instead, they have asked to re-develop open land near the resettlement site. MMRDA has objected to this and claims that the open land is reserved for a hospital. The Requesters confirm that the land is reserved for a hospital, but claim that part of the land was already de-reserved for the resettlement site; hence they believe the other part of the land should be re-deserved for their re-development scheme. The Requesters informed the Panel that MMRDA has objected to their proposal for re-development.
54. In March 2007, the Panel visited the Asgoankar site. While the Panel noted that the site looked clean and well-maintained, the Panel observed that the site poses significant problems for shopkeepers. Many of the shops are located far away from the main street, in the back of the site. Some of the shops face back alleys that are too narrow to walk through, thus it is unlikely that customers will visit the shops (see pictures below). Also, the shops are not located on the ground level, but are elevated about 1 meter and one has to climb up narrow steps to enter the shops. This does not only reduce the possibility to use the space in front of the shops for transactions with customers, but also makes it difficult for customers to access the shops.

Pictures 1 and 2: Shops at the Rear Site at the Asgoankar Site (Fourth Requesters)



³⁷ The Requester and other PAPs also showed the Panel a 50-60 year old temple that would be affected in their area.

³⁸ The Requesters, who are located at the JVLR, are affected by the ROB (South) component under the MUTP.

55. At the time of the Panel visit only 2 out of about 100 planned shops had opened their shops at the site. The shopkeepers complained about a significant loss of income and stated that while they had lost their customer base, they faced increased costs for the shops. They expressed concern that their situation would even decline once all 100 shops would move in and create competition, decreasing the already small customer base.
56. Based on its site visit to Mankhurd and on interviews with shopkeepers at the resettlement sites, the Panel also is concerned that no adequate provisions have still been made for facilities for the commercial structures. At some sites shops do not have water supply and shopkeepers have to bring water from other places. At some sites, shopkeepers also reported that they have to use common toilets in the buildings. At Mankhurd, shopkeepers complained about the lack of facilities. Some of them state that they have to use the BMC pay toilets located outside the compound. They claim that they also lack water supply and hence have to bring it from other areas.

Employees

57. The Panel confirms that the R&R policy has been posted on the website and is also explained in the Implementation Manual. PAPs also reported to the Panel that the issuance of ID cards to employees has been initiated in fall 2006. However, the IDs for employees have been provided for the first time and only for those affected by the Thane Kurla line. Employees of shops that have been shifted from JVLN to Powai Plaza or from Kismet Nagar to Motilal Nehru Nagar in 2007 stated that they have not received their ID cards yet.
58. However, the Panel did not note any cases of employees asking for the one-year income compensation that have been submitted to MMRDA. PAPs interviewed by the Panel stated that they were not aware of this option. Because of the inadequacies of the data gathered in the BSES, as found by the Panel Investigation Report, the Panel also questions the existence of adequate data regarding employees. Hence, the Panel is concerned that employees might face difficulties in proving their claims.

7. Income Restoration

Panel Investigation Report Findings

- Bank paid scant attention to income restoration. Evidence demonstrates, however, that income loss and impoverishment risks are major problems in this resettlement action. This particularly applies to shopkeepers. It also is expected to be the case of other PAPs from road component as they are relocated, unless significant changes are made.
- Field research indicates that majority of rail PAPs have experienced and will face significant financial hardship as a result of relocation.

- Project has failed to address appropriately needs of PAPs with home-based commercial activities in residential-plus-commercial (R+C) structures.
- Combination of lesser incomes and higher costs is having major effects on living standards. Some PAPs are forced to rent out their flats. Some are pulling children out of school; others are losing water and electricity connections due to inability to make payments. These problems apply especially to most vulnerable.
- Panel is concerned that PAPs will not be able to deal with increased transportation costs related to relocation. Increased travel costs will not only be necessary to reach work places but also social services.
- Project has taken some steps in relation to these problems, including providing for travel allowances funds. Panel notes these efforts, but its investigation indicates that they are falling far short of what is needed to meet provisions of OD 4.30, and that there are significant delays in implementation.
- Panel notes importance to adequately assist PAPs with the costs of shifting to the resettlement sites.
- As of the date of the Report the Bank has not demonstrated that the maintenance funds have been transferred or that the transfer of funds has been accelerated. The earned interest of the maintenance fund only covers certain taxes that PAPs have to pay, but does not help them to deal with the high maintenance costs that PAPs have to pay in the new buildings.
- Panel notes that housing cooperatives must be legally approved and registered before they are eligible to receive funds. As of November 1, 2005, the Panel finds that most cooperatives have not been registered.
- Formation of Community Revolving Funds for economic rehabilitation has been difficult and that the Funds are not distributed.
- RAP promised to provide equivalent of one year's income during transition to PAPs who lose their livelihoods permanently. Panel is not aware that any such payment has been made as of November 2005. Because of the difficulty of finding jobs at or near the resettlement sites, Panel is concerned that such payment will not sufficiently address PAPs' lack of income at the resettlement sites.
- If income and living standard restoration had been adequately considered, PAD and RAP could have included requirements that contractors should employ and train large numbers of affected people, which would have helped them to acquire new skills and sources of earnings. This would have been in line with OD 4.30. Panel has not been able to find evidence that PAPs have been offered training programs as stated in RAP.
- Failure to address income and living standard restoration for PAPs in road component does not comply with OD 4.30. This problem, particularly for shopkeepers and their employees and for vulnerable individuals whose livelihoods are not at risk due to relocation, needs urgent attention by the Bank.

Actions Described in Management Action Plan

- MMRDA will facilitate, through the GoM, the transfer of maintenance funds from SRA (Rs. 20,000 per PAP) to MMRDA. These funds will be transferred to the co-operative societies that have been established. If there is a delay, interest on the maintenance funds will be transferred within 3 months of the end of the financial year (Target date: April 30, 2006 for first 48 societies; Target date: July 31, 2007 for 80 societies).
- Transfer of conveyance deeds to first 48 co-operative societies. (Target date: July 3, 2006)

- Transfer of conveyance deeds to next 80 co-operative societies. (Target date: December 31, 2007.)
- MMRDA will expedite timely issuance of identify cards and payments of shifting allowances for PAPs shifting to new resettlement sites. (Target date: ongoing).

Management Progress Report

59. **Impact Assessment:** Management states that MMRDA has commissioned an impact assessment for some of the resettlement sites including Mankhurd. This assessment is to be carried out by the Tata Institute of Social Sciences, which has submitted an inception report. According to Management, the purpose of the study will be to assess the impact of resettlement implementation and the changes of living standards of PAPs with regard to, *inter alia*, housing conditions, income and access to basic amenities. Management expects MMRDA to take remedial measures based on the findings.³⁹
60. **Maintenance Fund:** According to the Management Progress Report, the transfer of interest on maintenance funds has been completed for 46 cooperative societies.⁴⁰ Two societies are believed to have organizational difficulties and are not yet ready. For additional 80 societies, the process will be initiated after completion of society registration.
61. **Conveyance Deed:** Management states that with regard to conveyance deeds no action has been taken and acknowledges delays for the transfer of conveyance deeds even for the societies where the registration progress has been completed. Management also acknowledges that “*little attention has been paid to this issue by MMRDA*”. Management revises its target date to December 2007.
62. **Shifting allowance:** With regard to the shifting allowance, Management states that it is paid as PAPs are shifted and that the Bank will continue to monitor the progress on this issue.

Panel’s Findings on Progress

63. **Income :** Many of the PAPs interviewed at the resettlement site in Mankhurd (mainly men) told the Panel that they are traveling back to the old places for employment and stated that their earnings have remained about the same. Several of the female PAPs interviewed in Mankhurd said that they had kept their jobs as domestic helps at the old places and were commuting back and forth. However, many women claimed that they had lost their jobs as domestic helps because they were unable do commute the long distance (often women with small children or older women).

³⁹ Management Progress Report, Pg. 13, para 37.

⁴⁰ Management Progress Report, Pg. 11, para 32.

64. Particularly PAPs who previously worked in tailoring and embroidery shops claimed that they were too far away from the old places and thus did not receive any orders anymore. Many PAPs reported that their profits were too small to pay for the bus trip to the former places. Some of the small shopkeepers among the PAPs stated that “*business is not so good*” and reported a decline in income. According to estimates based on PAP interviews, it seems that about 20 % of the shops at the Mankhurd site have been rented out.
65. Some of the PAPs told the Panel that at their old places they had generated additional income by renting out small “hutments” or extra structures which has become impossible now and which decreases their income.
66. In sum, even the PAPs who claimed that their earnings have remained about the same, stated that their spending capacity has decreased, because of additional expenditure such as transportation costs for their children and for themselves to travel to the work places and because of increased maintenance costs. The Panel was told that at some sites, e.g. Anik, many families are unable to pay the maintenance charges regularly. PAPs also mentioned that vegetables and other goods sold at the sites were more expensive than at the old places. They also complained about the lack of ration shops.
67. **Residential+Commercial Structures:** During its site visit in March 2007, the Panel interviewed a number of shopkeepers at the resettlement sites. A number of the shops seemed to be rented out to non-PAPs. Some of the shop owners claimed that they had operated from R+C structures at the old sites and had only received a commercial structure at the resettlement site in which they can not live. Thus, they claimed, they have to live with family and friends at the old places.
68. **Maintenance Fund:** The Panel got the impression that the transfer of the interest on the maintenance fund has been completed for the first 48 housing societies. However, as most housing cooperatives have not been registered yet, many of the PAPs interviewed by the Panel stated that they had not received the interest rate that should cover the maintenance costs. It seems that serious efforts are needed to complete this action for additional 80 societies by July 2007 – as described in the Management Action Plan, because so far these societies have not even been registered. The Panel also received information that the registration process might be further delayed, if the post-resettlement agency does not get appointed on time.
69. PAPs also emphasized the importance to revise the interest rate to the current rates to reflect that interest rates have gone up from about 6 % to 9-10%.

70. **Conveyance Deeds:** PAPs interviewed by the Panel in March 2007 stated that they had not received conveyance deeds (legal title to their structures). MMRDA informed the Panel that the deed will be transferred through the housing societies once registration is completed for all societies at a particular site. The Panel notes with concern that in light of the slow registration process for the housing societies, delays will be likely with regard to the conveyance deeds.
71. **Transport Allowance:** Many of the PAPs interviewed by the Panel stated that they have not received the transport allowance (1000 Rs.). As is the case for the payment of interests on the maintenance fund and the conveyance deed, the transport allowance is paid through the housing societies. Hence, further delays in the registration process for housing societies affect and delay the payment of the transport allowance.
72. **Shifting Charges:** Many PAPs interviewed at the Mankhurd resettlement site stated that they had received shifting charges (300,- Rs.). However, PAPs affected by the JVLR works claimed that PAPS that had been relocated after late 2005 had not received the shifting charges.
73. The Panel noted that many PAPs are still unaware of their exact entitlements and the modalities of the payments. In this context, the Panel stresses the importance of functioning housing societies to facilitate post-resettlement activities, such as payments, which are done only after housing societies have been registered.

8. Concerns Related to the Resettlement Sites and Living Conditions

Panel Investigation Report Findings

- As of November 2005, the Implementation Manual was still not complete, even though people have already been moved to the resettlement sites.
- Sewerage and water connections are not working properly and there are no collections of garbage and waste. The Panel finds that this does not comply with OD 4.30.
- Panel notes need for sufficient parking space for commercially-related vehicles to meet needs of resettled people with commercial businesses.
- Little attention has been given to provision of social services in resettlement sites. As of time of Panel investigation, resettlement sites lacked adequate access to schools, medical facilities and religious sites, and maintenance costs for buildings and utility services were high.
- As of November 2005, most housing cooperatives have not been registered, and no PAH payments had been transferred to any housing cooperative community fund.
- Panel could not get uniform view or clarification on concrete legal status of the property rights of PAPs at resettlement sites. It is not clear to Panel whether PAPs receive only right of occupancy or ownership of shops and apartment. There seem to be different views about this among Management, Project authorities and PAPs.

- While Bank documents indicate considerable effort to communicate that it is important for tenement residents to have effective on-site waste management, the issue urgently still needs to be addressed with the PAPs that have been or will be resettled.
- To protect quality of life of people being resettled to Mankhurd and to improve aesthetics of site, a frequent, deliberate and planned maintenance schedule for storm drains is needed. Similarly, on-site and municipal sewers must be connected and efficiently maintained to prevent overflow of sewage to storm water drains.

Actions Described in Management Action Plan

- Independent resettlement impact assessments will be carried out as and when due for each resettlement site. Remedial measures, if required, will be implemented. (Target date: Ongoing. Anik and Majas by August 31, 2006).
- Training and building facilities maintenance manuals and brochures will be provided to co-operative societies' committee members to support proper management of the societies, maintenance of lifts and provision of services, such as water supply, sewerage, solid waste management, etc. The Bank is following up with MMRDA on specific additional measures to assure sustainable self-management of co-operative societies in the longer term. (Target date: June 30, 2006).
- The Bank is pursuing measures with GoM and MMRDA to improve transport connectivity to resettlement colonies. (Target date: Ongoing).
- MMRDA will strengthen the R&R management system and engage additional staff for the timely completion of the registration process of the co-operative societies. This includes the complete registration of an additional 80 housing co-operative societies (Target date: May 31, 2006) and the Implementation of co-operative management action plan (Target date: June 30, 2006).
- MMRDA will assist the ad hoc co-operative housing societies to survey repairs needed to rectify construction defects, such as water and sewerage networks, plumbing and civil works before expiration of the contractors' liability period. Ongoing
- Consultations, preparation and substantial completion of action for construction of social services at R&R sites. (Target date: July 31, 2007)
- MMRDA has prepared maintenance manuals which will be handed over to each registered co-operative society. Ongoing (until registration process is complete)
- MMRDA is liaising with MCGM to provide necessary community facilities, including tree plantation. (Ongoing)
- Concerned Ward Offices will be asked to route solid waste collection vehicles to the resettlement sites for the timely collection and disposal of waste. (Ongoing)
- MMRDA will finalize the Implementation Manual in consultation with the Bank, GoM, and consultants. The MMRDA will then identify procedures specified in the Implementation Manual that will be used for the balance of R&R activities and notify the relevant agencies regarding its implementation:
 - Revise and amend Implementation Manual to include R&R and environmental procedures (April 30, 2006)
 - Finalization of Implementation Manual (May 31, 2006)
 - Operationalization of the Implementation Manual (June 30, 2006)

Management Progress Report

74. Management claims that maintenance manuals have been distributed to 100 cooperative society management committees. Additionally, a brochure on the society guidelines outlining the management of society premises and internal works of the apartment, and key messages on how to deal with emergency situations, child safety, respect for all residents, responsibility for maintenance of the property, etc. was printed and is being distributed widely among the PAPs. Management states that MMRDA is finalizing procurement of services for assisting the PAPs in the self-management of the cooperative societies.
75. Management further states that the Tata Institute of Social Sciences will carry out impact assessments in Mankhurd, Majas and Anik resettlement sites. According to Management, the original target date was revised to March 2007. The Bank will review the study findings and subsequent remedial measures proposed by MMRDA based on the study findings.
76. Regarding the cooperative management action plan mentioned by Management, it is stated that the target date had to be revised to June 2008, because as of the date of the Management Progress Report, MMRDA was still in the process of hiring a consultant.
77. **Water Supply, Waste Management, and Environmental Situation:** In its Progress Report, Management asserts that “*significant progress*” has been made with regard to water supply at the resettlement sites.⁴¹ It claims that problems of inadequate water supply in Anik and Mankhurd have been addressed by MMRDA. According to Management, water supply in Mankhurd has increased from 69 lpcd in May 2005 to 70-125 lpcd. All buildings that are occupied by PAPs in the resettlement sites have been connected with the piped distribution network. According to Management, there are no recent complaints about water supply.⁴²
78. Regarding the issue of waste disposal at the resettlement sites, Management notes that a transport plan for regular pick up of waste from R&R sites has been submitted and that MMRDA will put in place garbage bins and will address solid waste collection and disposal based on a waste disposal needs assessment report. MMRDA has submitted a proposal to the Bank for procurement of dust bins. Management states that it will continue to monitor the progress on this issue. MMRDA held training sessions on waste management in September 2007.
79. According to Management, MMRDA is in the process of appointing Environment Management Capacity Building (EMCB) consultants who will undertake an assessment and prepare an action plan for training of NGOs on

⁴¹ Management Progress Report, pg. 12, para 34.

⁴² Management Progress Report, pg. 12, para 34.

environmental issues such as solid waste management. Management acknowledges that procurement for the consultants has been substantially delayed.

80. **Transport:** According to Management, accessibility and availability of bus service from the resettlement colonies is comparable to that of other areas of Mumbai. It states that BEST has added 43 buses to MUTP/MUIP sites in the last year and is now operating 293 routes to 20 MUIP and MUTP sites, using about 3,400 buses and covering just fewer than 20,000 trips a day. Two new bus routes, one each in Mankhurd (with 3 buses) and Anik (4 buses) were introduced in July, which ply inside the resettlement colonies at 15-20 minute intervals. In its Progress Report, Management also claims that since February 2006, SPARC has operated 8 special bus trips per day from the resettlement sites to Gazi Nagar and Buddha Colony to provide for about 250 school children whose families were relocated mid-year.⁴³
81. **Social Services:** Management has revised its target date to June 2008. In its Progress Report, it states that construction of a secondary school has commenced at the Mankhurd resettlement site and that another site has been identified in Anik. Also, MMRDA has handed over 48 housing units at Mankhurd and Anik in December 2006 to house temporary schools until new school buildings are built.⁴⁴ Management expects that these schools will commence at the start of the academic session in June 2007. MMRDA is yet to undertake the assessment of need for other services. Management announces that the Bank is willing to support financing under IDA credit for construction of any additional social services in R&R sites, if proposals are received from MMRDA.
82. Management also states that a rapid survey of children has been carried out by MMRDA and NGOs indicating a 4 % of the total school children dropping out of school.⁴⁵
83. **Leakages, Defects, and Repairs:** Management informs that MMRDA wrote to all PAP housing societies and asked them to report on the defects in their building for one time repairs. Management states that defects were reported to MMRDA by several housing societies and that MMRDA takes care of them. The IMP is following up closely with regular reviews during its periodic meetings. Compliance with IMP suggestions for improvement of asset management at R&R sites is being monitored with the help of an “*Action Taken Matrix*,” which is regularly provided by MMRDA to the Bank project team for review.

⁴³ Management Progress Report, pg. 12, para 36.

⁴⁴ Management Progress Report, pg. 11, para 31.

⁴⁵ Equals 230 dropped out children, Management Progress Report, pg. 11, para 31.

84. According to Management, MMRDA has completed a comprehensive survey of all buildings at resettlement sites, which shows leakage defects in 5-10 percent of the buildings, and these are being attended to by MMRDA on a priority basis. Management states that it will continue to monitor progress on this issue.
85. **Housing Cooperatives:** Management states that the process of registration of housing cooperatives is still in progress. As of the date of Management's Progress Report, 58 societies have been registered (ca. 29 %) and proposals for another 30 societies have been received and are in an "advanced stage".⁴⁶ Management expects to have registered 130 societies by June 2007 and to achieve full registration of all societies by March 2008.⁴⁷ Management expects the process to advance because a Deputy Registrar has been seconded to MMRDA.

Panel's Findings on Progress

86. During its site visit in March 2007 and in discussion with PAPs at the resettlement site, the Panel got the impression that PAPs have started to settle down at the resettlement sites and that the overall situation seems to be improved.
87. However, despite an overall improvement and several actions taken by Management and MMRDA, the Panel notes that there is still need for further follow-up action regarding R&R implementation to ensure compliance with OD 4.30. As an example, though the Panel noted that maintenance manuals have been distributed, PAPs reported that without additional training this would not lead to major improvements. PAPs told the Panel: "*Do you think by reading books PAPs learn how to live here*"? The Panel also notes with concern that the post-resettlement agency had still not been appointed at the time of the Panel visit in March 2007 and that the process has been delayed substantially.⁴⁸ The Panel also stresses the central and crucial role of the housing societies and is concerned that the process of registering these cooperatives might continue to be delayed significantly. The Panel emphasizes that the registration of housing societies is a key requirement for the initiation of several post-resettlement activities, in line with OD 4.30.
88. **Water Supply, Waste Management, and Environmental Situation:** With regard to water supply, most of the residential households that the Panel interviewed in March 2007 confirmed that the water supply had improved and stated that they received water once a day for about 15-20 minutes. They informed the Panel that they did not need to buy drinking water outside the resettlement site anymore and that the tanker supply services were

⁴⁶ Management Progress Report pg. 11, para 30.

⁴⁷ Management expects a total of 200 societies at the end of Project implementation.

⁴⁸ According to MMRDA, procurement process took long and the final candidate dropped out.

discontinued. However, many PAPS expressed the need to increase water supply to about 130 lpcd to enable them to have water for about 15-20 minutes twice a day.

89. While the Panel notes that water supply has improved significantly at several sites, it remains concerned with regard to the situation in Mankhurd and Anik. The Panel was told that the Mankhurd and Anik sites do not have adequate water supply from the MCGM network.
90. The Panel confirms that MMRDA is in the process of procuring dust bins. However, the Panel was informed that this process is lengthy and has been in the pipeline for more than 6 months. The Panel also confirms that maintenance manuals in Marathi have been distributed at the resettlement sites. However, it does not seem to have made visible impact or improvement. The Panel noted that the spaces between the houses tend to be full of garbage. PAPS explained that PAPS that live in the upper floor tend to throw garbage out of the windows. PAPS also complained that garbage is still thrown in open drains and clogs them. The Panel observed that some open drains were filled with garbage. This issue was also raised at an IMP meeting, where the IMP recommended to MMRDA to use stickers with do's and don'ts. Overall, PAPS stated that they needed more training.
91. Also, at the Anik site, PAPS told the Panel expert that MCGM does not collect garbage from inside the compound; hence PAPS have to collect the garbage at one or two central places and have to hire people to shift the garbage to the nearest MCGM collection point along the main road.
92. PAPS at the Asgoankar resettlement site also complained about constantly clogged drainages. During its site visit in March 2007, the Panel observed municipal workers that were trying to clean the drains. However, PAPS told the Panel that the repair works were unlikely to resolve the problem as the main BMC drains were inadequate for the large number of PAPS that are resettled.
93. **Transport:** The Panel shares Management's conclusion that there is an increase and improvement in transport connectivity. The Panel noted that Mankhurd has a new bus to Kurla which leaves every 30 min between 6 am to 9 pm. PAPS at Mankhurd stated that they were quite content with the transport connectivity but still expressed concerns about the increase in distances. They also expressed the need for additional direct bus lines to connect other parts of the city, mainly the city center, Churchgate and Victoria Terminus, where many offices are located as well as to other distant places. During the Panel's site visit many PAPS informed the Panel that the private school buses that have been put in place are too expensive and are only serving few children.

94. PAPs in Mankhurd also emphasized the need of a pedestrian bridge over the rail tracks to cross over and reach the Mankhurd station, because they, including school children, still have to walk over rail tracks which is unsafe (or otherwise spend 5 Rs/ way to take bus or rickshaw to the train station).
95. **Social Services:** During its site visit in March 2007, the Panel was informed that school construction started 3 months ago and is expected to take 12-18 months. The Panel found a provisional school at site that operates from about 6 rooms. The school runs in two shifts because of the lack of space. Teachers complained to the Panel about insufficient room and capacity. Many PAPs still send their children back to old schools. The intake capacity of the school at the site is limited and PAPs believe that it needs to be augmented to prevent drop outs from schools and to reduce travel expenses.⁴⁹

Picture 3: Provisional School at Mankhurd Resettlement Site



96. At Mankhurd, many PAPs complained about the health situation at the site. Most PAPs complained about “*too many mosquitoes*”, Malaria, Tuberculosis and other diseases since they shifted to the sites. Some of the older PAPs asserted that their health had deteriorated after moving to the site and, as a consequence, they had lost their jobs.
97. The Panel noted some private doctor offices in Mankhurd but did not note any public health facilities on the site. PAPs claimed that the doctors in the private offices are not well-qualified and many of them stated that they would visit the nearby municipal hospital. However, several PAPs interviewed claimed that the municipal hospital lacked adequate capacity for the PAPs.

⁴⁹ The Panel was later informed that a municipal school would be started in June 2007 at the Mankhurd and Anik resettlement sites in 24 rooms.

98. **Religious Sites:** Several of the PAPs complained about the lack of religious structures at the resettlement sites. During its site visit, the Panel did not note any religious structures. MMRDA informed the Panel that this would be left to the PAPs' initiative.
99. **Elevators/ Electricity:** During the site visits in March 2007, a large number of PAPs complained that the elevators were still not working, because PAPs can not pay the electricity bills. PAPs also claimed that the problem of electricity bills that were pending for the time before the PAPs had been shifted had not been solved.
100. **Leakages, Defects, and Repairs:** A significant number of PAPs in Mankhurd complained about leakages of various sources, e.g. from the floors above. The Panel also observed that several of the pipes outside the building leaked. PAPs also complained about seepages in the bathrooms and through cracks in the roofs and poor quality of construction.
101. PAPs informed the Panel that a list of leakages has been prepared based on IMP site visits and that PAPs can register their complaints with the NGOs at the sites. However, while NGOs claim that PAPs have too high expectations, PAPs state that the quality of construction of the new homes is poor and that the repairs are not lasting and that the problems usually re-occur. More than 30-40 % of PAPs interviewed in March 2007 complained about leakages. Complaints about poor quality of construction are common at most resettlement sites. In particular, the Gazi Nagar Requesters that live at the Kanjurmarg resettlement site expressed discontent with the quality of the new buildings. While it seems that MMRDA is following up on the repairs, the Panel is particularly concerned with the poor quality of construction and materials used at this specific site.

Picture 4: Requesters Explain their Problems at the Resettlement Site to Panel Member.



102. **Safety:** Many of the PAPs complained about the lack of street lights on the site.
103. **Housing Societies:** At the time of its follow-up visit, the Panel was unable to get a list of the 58 societies that management claims have been registered and can thus not confirm the number. However, the Panel was later informed that this number is correct. The Panel appreciates the recent appointment of a Deputy Registrar and hopes that this will accelerate the process. However, the important appointment of the post-resettlement agency was still not completed at the time of the Panel follow-up visit and has been delayed substantially. Thus, the Panel notes that the registration process still ongoing. The Panel is especially concerned about the fact that while at the time of the Board meeting in March 2006, 48 societies had been registered; this number has only increased by 10 to a total of 58 societies by March 2007. The Panel also notes that many of the PAPs interviewed did appear to have no knowledge about the procedure and time-frame for the registration of the housing societies.