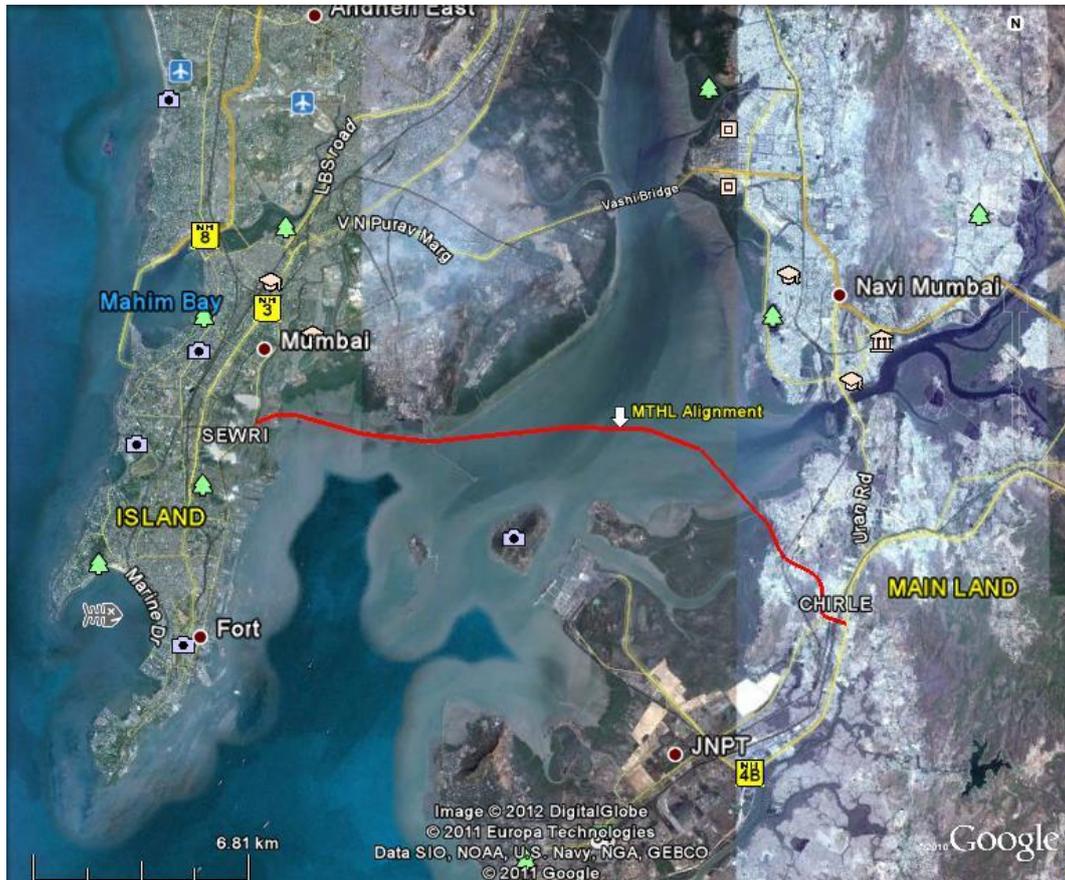


Mumbai Trans Harbour Link Project (MTHL): Sewri to Nhava

Social Impact Assessment Final Report



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Table of Contents

CHAPTER 1: INTRODUCTION	12
1.1 BACKGROUND.....	12
1.2 NEED OF THE PROJECT	12
1.3 PROJECT BENEFITS	13
1.4 PROJECT DESCRIPTION.....	14
1.5 MINIMISING RESETTLEMENT	16
1.6 LAND ACQUISITION AND RESETTLEMENT	16
1.7 OBJECTIVE OF RESETTLEMENT ACTION PLAN	16
1.8 JICA REQUIREMENTS.....	17
1.9 RATIONALE.....	17
1.10 THE REPORT	17
CHAPTER 2: STUDY APPROACH AND METHODOLOGY.....	18
2.1 INTRODUCTION.....	18
2.2 SIA AND RAP PREPARATION PROCESS.....	18
2.3 MOBILISATION	19
2.4 DESK RESEARCH	19
2.5 FIELD STUDIES.....	20
2.6 DATA ANALYSIS AND VERIFICATION OF DATA	25
CHAPTER 3: IMPACTS AND INVENTORY LOSS.....	27
3.1 BACKGROUND.....	27
3.2 OVERALL PROJECT IMPACTS	27
3.3 SEWRI SECTION	28
3.4 SEA LINK SECTION	32
3.5 NAVI MUMBAI SECTION.....	34
CHAPTER 4: SOCIO-ECONOMIC PROFILE	38

4.1	THE PROJECT AREA AN OVERVIEW.....	38
4.2	CENSUS DESCRIPTION OF THREE SECTIONS.....	38
4.3	PROFILE OF PROJECT AFFECTED FAMILIES	38
CHAPTER 5: STAKEHOLDERS CONSULTATION.....		46
5.1	BACKGROUND.....	46
5.2	OBJECTIVES OF THE CONSULTATION	46
5.3	APPROACH AND METHODS OF CONSULTATION	46
5.4	CONSULTATION FOR MTHL PROJECT.....	47
5.5	INFORMATION DISCLOSURE AND CONSULTATION	54
5.6	COMMUNITY PARTICIPATION DURING PROJECT IMPLEMENTATION	54
CHAPTER 6: RESETTLEMENT POLICY AND LEGAL FRAMEWORK.....		55
6.1	LEGAL FRAMEWORK	55
6.2	GAPS AND PROJECT-SPECIFIC ACTIONS	62
6.3	ELIGIBILITY AND ENTITLEMENT MATRIX	74
CHAPTER 7: INSTITUTIONAL ARRANGEMENT FOR R & R.....		82
7.1	BACKGROUND.....	82
7.2	MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY (MMRDA).....	83
7.3	SOCIAL DEVELOPMENT CELL (SDC) OF MMRDA	83
7.4	IMPLEMENTATION AND POST RESETTLEMENT PHASE.....	84
7.5	PUBLIC RELATION	84
7.6	GRIEVANCE REDRESS COMMITTEE (GRC).....	84
CHAPTER 8: RESETTLEMENT AND REHABILITATION		88
8.1	BACKGROUND.....	88
8.2	RESETTLEMENT	88
8.3	REHABILITATION	91
8.4	POST RESETTLEMENT SUPPORT	92
CHAPTER 9: IMPLEMENTATION SCHEDULE		94

9.1	BACKGROUND.....	94
9.2	R& R IMPLEMENTATION SCHEDULE.....	95
CHAPTER 10: RESETTLEMENT & REHABILITATION COST ESTIMATE		96
10.1	BACKGROUND.....	96
10.2	LAND ACQUISITION AND RESETTLEMENT	96
10.3.	LAND LEASE FOR CASTING YARD & OTHER FACILITIES.....	99
10.4	REHABILITATION ALLOWANCES.....	100
10.5	POST RESETTLEMENT SUPPORT.....	101
10.6	SUMMARY OF COSTS FOR LAND ACQUISITION AND R&R.....	102
CHAPTER 11: MONITORING AND EVALUATION.....		104
11.1	BACKGROUND.....	104
11.2	INTERNAL MONITORING.....	104
11.3	QUALITATIVE INDEPENDENT EVALUATION.....	106
11.4	REPORTING REQUIREMENTS.....	107
CHAPTER-12: DISCLOSURE OF CONSULTANTS.....		108
12.1	BUILDING ENVIRONMENT INDIA PVT LTD (BEIPL).....	108
12.2	PROJECT TEAM.....	109
12.3	SIA COORDINATOR & PROJECT MANAGER:.....	109

List of Tables

TABLE 2.1: SIA METHODOLOGY	18
TABLE 3.1: LAND OWNERSHIP AND LAND PROCUREMENT UNDERSTANDING	27
TABLE 3.2: OVERALL PROJECT IMPACTS	28
TABLE 3.3: IMPACT ON LAND RESOURCES IN SEWRI SECTION.....	29
TABLE 3.4: IMPACTS ON STRUCTURES	29
TABLE 3.5: TYPE OF AFFECTED & DISPLACED STRUCTURES	30
TABLE 3.6: IMPACT ON AFFECTED FAMILIES	30
TABLE 3.7: VULNERABLE POPULATION	31
TABLE 3.8: IMPACT ON COMMUNITY RESOURCES	31
TABLE 3.9 : CATEGORY WISE FISHER PAPS	34
TABLE 3.10: MTHL PROJECT LAND ACQUISITION DETAILS ON NAVI MUMBAI SIDE	35
TABLE 3.11: LAND AVAILABLE WITH CIDCO.....	35
TABLE 3.12 : DETAILS OF THE SCHOOL AT GAVAN VILLAGE	36
TABLE 4.1: SOCIO-DEMOGRAPHIC PROFILE.....	40
TABLE 4.2: FAMILY PATTERN.....	41
TABLE 4.3: EMPLOYMENT INFORMATION.....	42
TABLE 4.4: ANNUAL INCOME DETAILS OF PAPS	42
TABLE 4.5: ANNUAL EXPENDITURE DETAILS OF PAFS	42
TABLE 4.6: HOUSEHOLD ASSETS BASE.....	43
TABLE 4.7: DOCUMENTS AVAILABLE	43
TABLE 4.8: COMMERCIAL/SELF EMPLOYMENT ACTIVITIES.....	44
TABLE 4.9: PROJECT RELATED INFORMATION	44
TABLE 5.1: ISSUES DISCUSSED AND RESPONSE PROVIDED BY MMRDA.....	48
TABLE 5.2: ISSUES DISCUSSED AND RESPONSE PROVIDED BY MMRDA.....	49

TABLE 5.3 : COMPOSITION OF FCC	52
TABLE 5.4: MEETING BETWEEN MMRDA & DEPT. OF FISHERIES	52
TABLE.6.1: PROJECT SECTION SPECIFIC DETAILS OF MTHL	55
TABLE.6.2: KEY ELEMENTS OF LAA	56
TABLE 6.3: ALLOWANCES AS PER RFCTLARR ACT 2013	58
TABLE 6.4: JICA POLICIES ON INVOLUNTARY RESETTLEMENT AS PER OP 4.12, ANNEX A	61
TABLE 6.5: GAP ANALYSIS BETWEEN VARIOUS ACTS AND POLICIES AND JICA GUIDELINES.....	63
TABLE 6.6: MUTP R&R ENTITLEMENT MATRIX	75
TABLE 6.7: COMPARISON OF ESTIMATED VALUE	78
TABLE 6.8: REPLACEMENT COST OF RESETTLEMENT UNIT	78
TABLE 6.9 : DRAFT FISHER-FOLK COMPENSATION POLICY.....	79
TABLE-7.1 ROLE OF STAKEHOLDERS FOR IMPLEMENTATION OF SIA	86
TABLE 8.1: DETAILS ABOUT RESETTLEMENT SITE AT BHAKTI PARK WADALA	89
TABLE 8.2 : HEALTH AND EDUCATION FACILITIES NEAR BHAKTI PARK, WADALA	90
TABLE 9.1: IMPLEMENTATION SCHEDULE FOR SIA	95
TABLE 10.1: ESTIMATED VALUE OF EXISTING MPT STRUCTURE AT SEWRI SECTION	96
TABLE 10.2: COST OF CLEARING DEBRIS FROM SEWRI SIDE	97
TABLE 10.3: COST OF LAND ACQUISITION IN NAVI MUMBAI SECTION	98
TABLE 10.4 : COST OF CLEARING DEBRIS FROM GAVAN SCHOOL SITE.....	99
TABLE 10.5 : COST OF CONSTRUCTION FOR SCHOOL AT GAVAN VILLAGE	99
TABLE 10.6 : FISHER-FOLK COMPENSATION	100
TABLE 10.7: BUILDING MAINTENANCE FUND.....	101
TABLE 10.8: TRANSPORT ALLOWANCE FOR EMPLOYEES	102
TABLE 10.9: COSTS FOR LAND ACQUISITION AND RESETTLEMENT & REHABILITATION	102
TABLE 11.1: INDICATORS FOR MONITORING OF SIA PROGRESS.....	105
TABLE 11.2: INDICATORS FOR PROJECT OUTCOME EVALUATION.....	106

List of Figures

FIGURE 1.1: SATELLITE MAP OF THE PROPOSED MTHL	13
FIGURE 2.1: FIRST SITE VISIT OF JICA STUDY TEAM AS PER THE ROW OF MTHL AT SEWRI SECTION.....	20
FIGURE 2.2: PROJECT ALIGNMENT AND AFFECTED STRUCTURES	21
FIGURE 2.3: PHOTOGRAPHS OF BSES	22
FIGURE 2.4: GPS TRACK OF THE SITE VISIT AS PER THE ALIGNMENT OF MTHL SEA-LINK SECTION.....	23
FIGURE 2.5: PHOTOS OF THE FIRST BOAT SITE SURVEY ALONG THE SEA-LINK ALIGNMENT OF MTHL	23
FIGURE 2.6: BOAT GPS TRACK ON 2ND JULY 2015.....	24
FIGURE 2.7: PHOTOS OF THE FIRST BOAT SITE SURVEY ALONG THE SEA-LINK ALIGNMENT OF MTHL	24
FIGURE 2.8 : SURVEY WITH FISHER-FOLKS ON 23RD NOV 2015.....	25
FIGURE 2.9: GPS TRACK OF THE SITE VISIT AS PER THE ROW OF MTHL AT NAVI MUMBAI SECTION.....	26
FIGURE 2.10 : SCHOOL STRUCTURE AT GAVAN VILLAGE	26
FIGURE 3.1: ROW OF MTHL ALIGNMENT AT SEWRI SITE	29
FIGURE 3.2: ROW OF MTHL ALIGNMENT AT SEA-LINK SITE	32
FIGURE 3.3 : SCHOOL WITHIN ROW AT VILLAGE GAVAN.....	35
FIGURE 3.4: ROW OF MTHL ALIGNMENT AT NAVI MUMBAI SITE.....	37
FIGURE 5.1: 1 ST SIA STAKEHOLDERS MEETING ON 7 TH JULY, 2015.....	47
FIGURE 5.2: INVITATION NOTICE DISPLAYED FOR THE SECOND STAKEHOLDERS MEETING	51
FIGURE 5.3: MEMBERS PRESENT FOR THE SECOND STAKEHOLDERS MEETING	51
FIGURE 5.4: ISSUES RAISED DURING THE SECOND STAKEHOLDERS MEETING & RESPONSE GIVEN BY MR. V. PATIL	51
FIGURE 5.5 : MEETING WITH FISHER-FOLKS ON 23RD NOV 2015	53
FIGURE 7.1: COMBINED EIA + SIA STRUCTURE	82
FIGURE 7.2: INSTITUTIONAL FRAMEWORK FOR SIA IMPLEMENTATION.....	83
FIGURE 7.3: INSTITUTIONAL STRUCTURE OF MMRDA FOR IMPLEMENTATION OF R & R	84
FIGURE 7.4: ORGANISATIONAL STRUCTURE OF FLGRC/SLGRC	86
FIGURE 8.1: GOOGLE IMAGE & THE RESETTLEMENT STRUCTURE DETAILS	89

FIGURE 8.2: GOOGLE IMAGE & THE RESETTLEMENT STRUCTURE DETAILS	91
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List of Annexures

ANNEXURE 2.1: BASELINE SOCIO ECONOMY SURVEY (BSES) FORMAT.....	111
ANNEXURE 2.2: NOTICE FOR BSES SURVEY	119
ANNEXURE 3.1: LAND LEASE AGREEMENT BETWEEN CIDCO & MMRDA WITH INR 1 PER ANNUM FOR 99 YEARS.	120
ANNEXURE 5.1: MINUTES OF MEETING OF 1ST STAKEHOLDER'S MEETING HELD ON 7TH JULY 2015 AT SEWRI SITE.....	123
ANNEXURE 5.2: ATTENDANCE RECORD OF 1ST STAKEHOLDER'S MEETING HELD ON 7TH JULY 2015 AT SEWRI SITE.....	127
ANNEXURE 5.3: COMMUNICATION BETWEEN JICA STUDY TEAM & MMRDA	129
ANNEXURE 5.4: MINUTES OF MEETING FOR SECOND STAKEHOLDER'S MEETING/ CONSULTATION.....	130
ANNEXURE 5.5: ATTENDANCE RECORD OF OFFICIALS & PAPS PRESENT ON SECOND STAKEHOLDER'S MEETING.	133
ANNEXURE 5.6: COMMUNICATION BETWEEN MMRDA & DEPT. OF FISHERIES.....	135
ANNEXURE 5.7: MINUTES OF MEETING FOR DEPT. OF FISHERIES, MMRDA & JICA STUDY TEAM.....	136
ANNEXURE 6.1: GOVERNMENT OF MAHARASHTRA (GOM), REVENUE AND FOREST DEPARTMENT, NOTIFICATION ON 27TH AUG 2014	138
ANNEXURE 6.2: MUTP R & R POLICY 2000	141
ANNEXURE 6.3: READY RECKONER RATE OF BHAKTI PARK (96/436A) OF YEAR 2015.....	158
ANNEXURE 6.4: VALUATION OF EXISTING STRUCTURES	159
ANNEXURE 6.5: DETAILS ABOUT THE LAND ACQUISITION AT NAVI MUMBAI	160
ANNEXURE 6.6: COMPENSATION FOR 27.801 HA LAND ACQUISITION WITH 22.5% CIDCO POLICY	162
ANNEXURE 6.7: CIDCO 22.5% POLICY & ITS DETAILS ABOUT COMPENSATORY LAND	163
ANNEXURE 6.8: READY RECKONER RATE OF URAN TALUKA-	164
ANNEXURE 8.1: LAYOUT PLAN OF GROUND FLOOR	165
ANNEXURE 8.2: LAYOUT PLAN FOR 1ST TO 7TH FLOOR	166

ANNEXURE 10.1:COMMUNICATION BETWEEN MPT & MMRDA FOR LAND ACQUISITION & COMPENSATION167

ANNEXURE 10.2:REPLY OF MMRDA TO MPT FOR LAND ACQUISITION & COMPENSATION170

ANNEXURE 10.3: ANNUAL SCHEDULED RATES, MUMBAI 2015, GOM172

ANNEXURE 10.4: REPLACEMENT COSTING OF MPT STRUCTURES173

ANNEXURE 10.5 : VOLUME OF DEBRIS CALCULATION FOR SCHOOL AT GAVAN175

ANNEXURE 11.1:MONITORING OF SIA IMPLEMENTATION MMRDA ON MONTHLY BASIS176

ANNEXURE 11.2:TERMS OF REFERENCE FOR QUALITATIVE INDEPENDENT EVALUATION SPECIALIST/AGENCY178

List of Abbreviations

Abbreviations	Full form
BARC	Bhabha Atomic Research Center
BEIPL	Building Environmental India Pvt. Ltd.
BPL	Below Poverty Line
BSES	Basic Socio Economic Survey
CIDCO	City and Industrial Development Corporation Organization
COI	Corridor of Impact
CWPRS	Central Water and Power Research Station
DOF	Department of Fisheries
FCC	Fisher-folk Compensation Committee
FCP	Fisher-folk Compensation Policy
GoM	Government of Maharashtra
Ha	Hectare
HH	Households
IMP	Independent Monitoring Panel
JICA	Japan International Cooperation Agency
JNPT	Jawaharlal Nehru Port Trust
JPD	Joint Project Directors
Km	Kilometer
LA Act	Land Acquisition Act
LAO	Land Acquisition Officer
MMRDA	Mumbai Metropolitan Region Development Authority
MPT	Mumbai Port Trust
MTHL	Mumbai Trans Harbour Link
MUTP	Mumbai Urban Transport Project
NGO	Non-Government Organization
OCG	Oriental Consultant Global
PAFs	Project Affected Families
PAHs	Project Affected Households
PAPs	Project Affected Persons
PD	Project Director
PFP	Peter Frankael and Partners consultancy
PH	Physically Handicapped
PMC	Project Management Consultant
PMO	Prime Minister's Office
PSC	Project Steering Committee
QPR	Quarterly Progress Report
R & R	Resettlement and Rehabilitation
RAP	Resettlement Action Plan
RFCTLAA	Right to Fair Compensation & Transparency in Land Acquisition Act
ROW	Right of Way
SC	Scheduled Cast
SDC	Social Development Cell
SIA	Social Impact Assessment
SLAO	Special Land Acquisition Officer
Sq. ft.	Square feet
Sq. mt.	Square meter

ST	Schedules Tribes
TOR	Term of Reference
WHH	Women Headed Houses
WSHG	Women Self-Help Group

CHAPTER 1: INTRODUCTION

1.1 BACKGROUND

Mumbai's peculiar geographical spread imposes constraints on expansion; its great job potential has nevertheless attracted migrants from many parts of the country. The result has been severe housing shortages, lack of open spaces and civic amenities and transport bottlenecks. As per the 2011 census, the population of Mumbai is 12.25 Million.

The port, market, industries, offices and above all increasing population has considerably overloaded the rail and road transportation infrastructure of the city, causing innumerable commuting hardships as well as severe strain on the city's civic services resulting in extremely poor living conditions for the majority of residents.

The northern & north eastern parts of Greater Mumbai are likely to be saturated in the near future. In that event, the only location for expansion (apart from Navi Mumbai) will be in areas to the north of Greater Mumbai up to Virar at the northern limit of the Mumbai Metropolitan Region.

The pressure on the rail and road network can be relieved only by redirecting part of the movement into an east-west (towards Navi Mumbai) orientation. Having known the geography of the city, this can only be achieved by taking positive steps to encourage the development of residential areas on the mainland on the coast.

1.2 Need of the project

The need for the project arises from the undisputed fact that Greater Mumbai is already overcrowded and congested. The only solution to prevent the existing conditions from worsening is to expand on to the mainland, which to a limited extent, has already occurred in the northern half of Navi Mumbai. This is however, insufficient, and a major push to the development of the rest of Navi Mumbai can be given only by providing quick access to the southern half of Navi Mumbai.

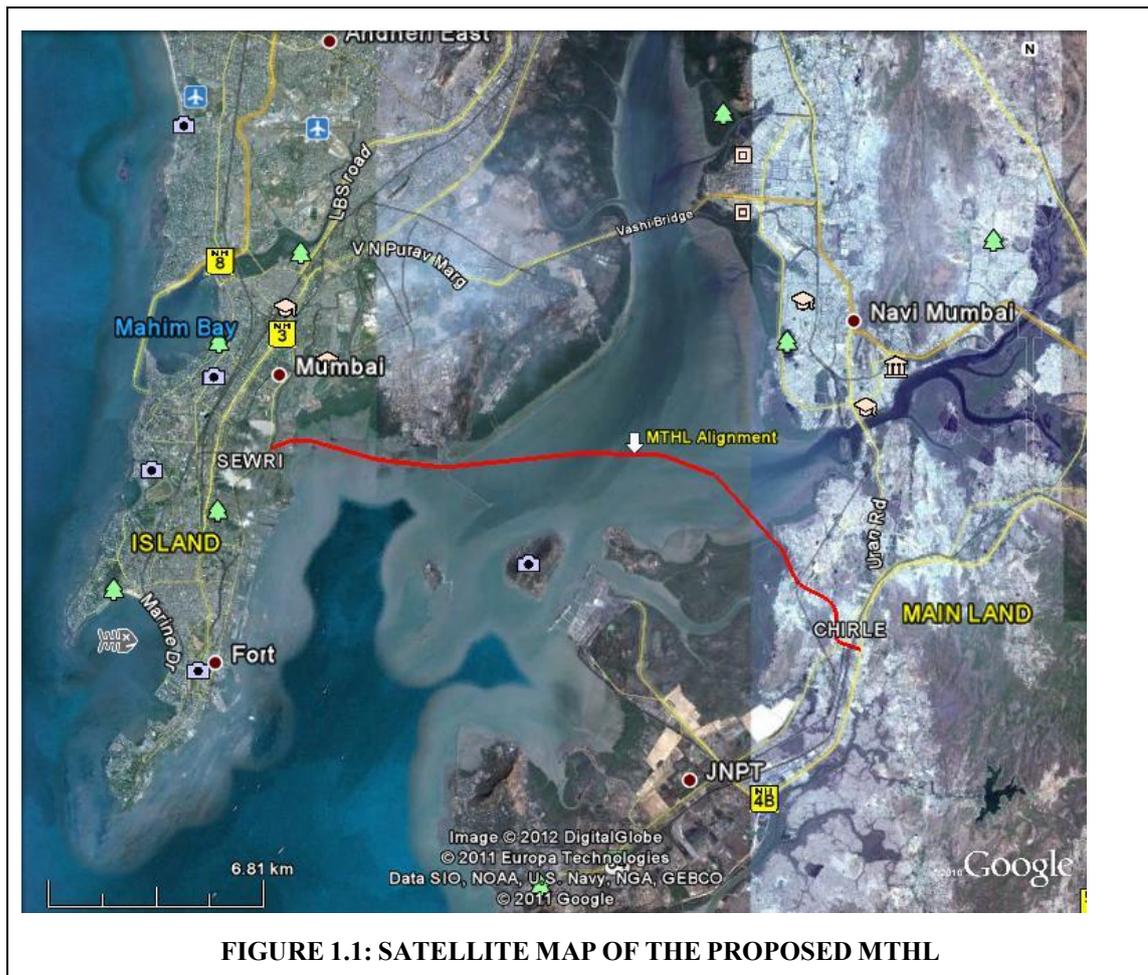
The southern half of Navi Mumbai is having 2,500 hectares of land, which will benefit most in terms of commuting time by the construction of the Link between mainland and south of Mumbai. When completed, Mumbai Trans Harbour Link project (MTHL) will reduce the distance between the island and the mainland and travel time.

At present, there are two road links connecting Mumbai to Navi Mumbai:

- Airoli bridge
- Vashi bridge

Both these links together are near saturation and are not equipped to meet the combined future projected traffic, thereby necessitating creation of additional links to meet traffic growth. In this context, the proposed Mumbai Trans Harbour Link has become a necessity for the state government.

MMRDA has carried out its own Comprehensive Transportation Study in July 2008 which has suggested the need of MTHL. Regional Plan for Mumbai Metropolitan Region also identifies MTHL as important aspect. From this perspective, the MTHL project will not merely provide the most efficient solution to Mumbai's acute accommodation problem, but will provide the most viable solution open to the city for its survival. The location of the MTHL alignment is shown in Figure 1.1.



1.3 Project Benefits

MTHL will directly and indirectly lead to the betterment of Mumbai Metropolitan Region, both from an economic and social perspective.

Direct Benefits from MTHL

- Savings in travel times for commuters from Mumbai to Navi Mumbai.
- Improved comfort and accessibility between the island and the mainland.
- Reduced operating costs of vehicles due to lesser congestion.
- Accelerated growth of Navi Mumbai.
- Smooth traffic flow from Navi Mumbai airport to Mumbai Island.

Indirect Benefits from MTHL

- Rationalization of real estate prices in Greater Mumbai
- Increased demand for and better utilisation of land in Navi Mumbai
- Accelerated economic development of Navi Mumbai and nearby regions
- Greater economic integration of Mumbai island with Navi Mumbai and extended regions of Pune, Panvel and Alibaug
- Decongestion of Mumbai Island and dispersal of population to Navi Mumbai region and beyond
- Environmental improvement and reduced pollution levels
- Improved safety due to reduction in accidents

- Improvement in trade and trade competitiveness through faster and improved logistics

The proposed Mumbai Trans Harbour Link will therefore serve not only as an economic gateway to Navi Mumbai but also a panacea for the problems being faced by Mumbai. Navi Mumbai would therefore emerge as a vibrant satellite city to Mumbai in the same way as Gurgaon and Noida have emerged as satellites to New Delhi.

A number of developmental initiatives have been proposed in the Navi Mumbai region that will not only give rise to additional traffic movement, but also accentuate the need for greater economic integration of Mumbai Island with Mainland Mumbai. Some of the key infrastructure facilities proposed and / or already developed are as follows.

- Navi Mumbai Integrated Special Economic Zone (SEZ)
- International airport at Navi Mumbai
- New container terminals at Jawaharlal Nehru Port Trust (JNPT) at NhavaSheva
- Thane Vashi, Thane-Nerul and Nerul-Uran Rail link
- Central Business District – Talaja-Khandeshwar-ring metro
- Trans Thane Creek Industrial Area

Navi Mumbai is also well connected through rail and road links with Pune, Nasik and Thane, indicating the potential for the region to develop into a satellite city.

In this context, the proposed Mumbai Trans Harbour Link (MTHL) connecting Sewri to Nhava Sheva is expected to be a key driver in the development of the city by decongesting it. The link would help reduce the problems of congestion and pollution in Mumbai Island.

1.4 PROJECT DESCRIPTION

Early Studies

The origin of Mumbai (Island City) - Uran (Main Land) transport link goes back to 1970, when it was first recommended in the Draft Development Plan. Subsequently, committees were formed in 1972 and 1978 to study the possible alternatives for establishing the Transportation Links across the harbour. The Committees identified alternative routes, a northern route linking Sewri with Nhava and a southern route linking Colaba with Uran, and suggested necessary engineering studies for the alternative routes.

A Steering Group was constituted in February 1981, under the Chairmanship of Mr. J.R.D. Tata. The Steering Group reviewed the earlier studies and recommended that priority should be given to the construction of a link between Sewri and Nhava.

In 1982, an International Consortium of Consultants led by Peter Frankael and Partners (PFP), UK, was appointed by the Steering Group to carry out a feasibility study and to prepare detailed project report for the proposed Mumbai Trans-Harbour Link (MTHL). PFP submitted their feasibility study report in 1983. Six alternative alignments between Sewri on Mumbai island and Nhava on the main land were identified and studied. All the alignments started from Sewri. Out of these, four were proposed to terminate to the north and two to the south of Jawahar Lal Nehru Port Trust (JNPT). The route length varied from 20 kms. to 23 kms.

The study recommended the northern most alignment for the preferred transportation link. The recommended alignment was 22.61 kms long and comprised interchanges at Sewri and Nhava, sections across the mudflats over embankments on both sides of Sewri & Nhava, creek portion over viaducts/bridges and Nhava approach at grade. The recommended northern alignment was modified

by the Expert Group by shifting it to south of the jetty head in order to satisfy Babha Atomic Research Center (BARC) requirements. This shifted alignment was approved by Prime Minister's Office (PMO) in 1984. This alignment is also as per the Regional plan of Mumbai – Metropolitan Region.

CES were appointed to review and update the feasibility study for the recommended northern alignment in 1996 taking into account the subsequent developments after completion of 1982 study. During the study, CES suggested further modifications to the alignments.

CWPRS Study

Central Water and Power Research Station (CWPRS, Pune) has studied the approved alignment and also the span arrangement proposed for MTHL. They have given the observations that the proposed line will not cause any erosion or siltation in the creek. Further no unfavourable currents will be formed due to construction of Jetty.

CES were appointed again in 2004 to review the earlier alignments and update with the latest project information.

CES 2004 Study

The study reviewed various recommendations made in the past on MTHL alignment and the approaches, the dispersal of traffic on Island side in Mumbai at Sewri and Main land side in Navi Mumbai at Chirle, obligatory requirements for passing over Pir Pau jetty and navigation across Thane and Panvel Creeks.

The Link was proposed to commence at grade from east side of Sewri Railway Station on the Harbour Line of Central Railway, proceed to Timber Pond Depot along Sewri Container Depot, cross the inter tidal zones at Sewri and Shivaji Nagar and encompass Thane Creek and Panvel Creek in between and terminate at the north of Chirle village near Nhava through an interchange to National Highway 4B on the mainland.

The study recommended the Mumbai Trans Harbour Link (MTHL) to be developed having six lane dual carriageway Road Bridge and separate rail bridge connecting Sewri on Mumbai side to Nhava on Navi Mumbai side.

Present Alignment

The MTHL will start from 3 level Interchange proposed at Sewri where the Eastern Freeway which is a north south 4 lane elevated road and the proposed Sewri-Worli East West connector would integrate with MTHL. From the interchange the alignment will follow the earlier approved alignment passing along Timber Depot Road and enter Sewri Mudflats and then continue towards east and traverses over Sewri mudflats, pir-pau jetty, Thane Creek Channel, Panvel Creek Channel and the intertidal zone before turning south to enter the main land at Shivaji Nagar in Navi Mumbai.

The alignment goes further south-east to meet the NH 4 B by keeping Shivaji Nagar and Selghar villages on the south and Kharkopar on the north before crossing SH-54 and Panvel-Uran railway line. Between Shivaji Nagar and SH 54, the link crosses existing local roads and proposed coastal Road of City and Industrial Development Corporation of Maharashtra (CIDCO), and SeawoodsUran rail link east of Kharkopar.

The start of the alignment (km 0.0) has been considered from Sewri interchange where the MTHL connects the alignment of Eastern Freeway. The recommended alignment along Timber Depot Road

has been slightly modified considering the layout of proposed interchange at Sewri and its integration with Eastern Freeway and East-West Connector.

1.5 MINIMISING RESETTLEMENT

Attempts have been made during the detailed design of the project preparation to minimize the land acquisition, resettlement and adverse impacts on people in the project area through suitable engineering design. Steps have already been made to confine the project area in the government land and in available Right of Way (ROW) where feasible. The Sewri side alignment completely passes through the land of Mumbai Port Trust and thus avoids private land acquisition completely. On Navi Mumbai side, the ROW avoids all village settlements and thus avoids physical displacement. However, there will be some unavoidable land acquisition for which adequate compensation has been considered. For the proposed work the following specific measures are taken to minimize resettlement in this project.

- Selection of the project sites and its various components in the government land;
- Proper engineering design to avoid and minimize displacement and hence resettlement; and
- Prefer open land for alignment instead of habitation areas.

1.6 LAND ACQUISITION AND RESETTLEMENT

The project can be divided in to three sections as per land requirement which are Mumbai or Sewri section, Sea Link section and Navi Mumbai section. The land requirement on Mumbai side for right of way does not entail acquisition of private land, as the entire land belongs to Mumbai Port Trust (MPT) and the same shall be transferred to MMRDA for execution of project. However, there are encroachments on MPT land both in terms of residential and commercial structures, thus triggering the displacement and resettlement issues. As per the first survey carried out in 2013 the number of partially and fully affected structures by ROW is 317.

On Navi Mumbai side, about 96.368 hector of land is required for Right of Way and another 22.94-hectore for casting yard. Out of 96.368 hectares of land, CIDCO has already acquired 65.3 hectors of land as part of the development plan before the year 2000. Out of remaining 31.068 hectors 3.267 hectors is government land and 27.801 hector land is private which is being acquired by the CIDCO. The new land acquisition by CIDCO is being done under CIDCO's 22.5% scheme conforming to the RFCTLARR Act 2013 of Government of India. The land for casting yard would be required for the construction period and the same shall be leased from CIDCO by MMRDA. The details of these are provided in subsequent chapters.

1.7 OBJECTIVE OF RESETTLEMENT ACTION PLAN

The Social Impact Assessment (SIA) study includes R & R which is based on the principle that the population affected by the project will be assisted to improve or at least restore their existing living standards. Where displacement is unavoidable, people losing assets, livelihood or other resources, assistance is proposed to restore or improve their living standards. The rationale behind preparing RAP a part of SIA is to not only restore and improve the standard of living of Project Affected People (PAP) but also bring qualitative changes in their life. Considering that the ultimate aim of RAP to improve quality of life of the affected persons, it is important to assess the changes brought about by the project. Rehabilitation and Resettlement Policy of MMRDA for MUTP -2000 has been followed for the resettlement action plan. Since Japan International Cooperation Agency (JICA) will finance the project, the JICA guidelines on Environmental and Social Consideration have also been followed.

1.8 JICA REQUIREMENTS

According to JICA Guidelines for confirmation of Environmental and social Considerations, the proposed MTHL project is classified as 'Category A'. It includes projects in sensitive sectors or with sensitive characteristics and projects located in or near sensitive areas. The project is considered to have likely significant impacts on sensitive zones. MTHL is similar to the "Road, Railways and Bridge" category project which is indicated in the JICA guidelines as 'category A' project, which requires impact assessments of social settings of the project area.

JICA considers it important to have a dialogue with the partners (the host country, local governments, borrowers and project proponents) for its confirmation of social considerations. The active participation of key stakeholders (local residents, project affected families and local NGOs) in all stages of the project are also desirable.

1.9 RATIONALE

JICA funding agency is considering to provide the ODA loan assistance to the Govt. of India for the execution of MTHL project. MTHL project is been implemented through Mumbai Metropolitan Region Development Authority (MMRDA). JICA has appointed Oriental Consultant Global (OCG) Japan, for ensuring the quality of EIA as well as SIA study meeting the JICA guidelines. OCG, Japan along with MMRDA refereed QCI-NABET for the list of approved EIA consultants of Mumbai. QCI-NABET recommended few names of EIA agencies, for which OCG & MMRDA floated tender to the QCI-NABET accredited Environmental (EIA) Consulting firms of Mumbai, for bidding MTHL project in order to carry out the quality assessment of EIA & SIA meeting JICA standards. Through the Bidding process, Building Environment India Pvt. Ltd. (BEIPL) QCI-NABET accredited firm got selected as the firm which will assist the OCG, Japan as a local support for updating the Rapid-EIA & carrying out the SIA for the MTHL project.

1.10 THE REPORT

The Social Impact Assessment report is presented in 12 chapters. The **Chapter-1** is on Introduction of the Project. Benefits of the project, project description, scope of land acquisition and resettlement, minimize resettlement, objectives of R & R, JICA requirements. Study approach and methodology is given in **Chapter-2**. Impacts and Inventory Loss including details of land and structure and probable significant social impacts is presented in **Chapter-3**. An analysis of Socio-Economic profile of project area and project affected families/persons is presented in **Chapter-4**. Public consultation is presented in **Chapter-5**. Resettlement Policy, legal and Administrative Framework is given in **Chapter-6**. **Chapter-7** is on Institutional Arrangement for implementation of resettlement action plan. Relocation and Resettlement Site Plan is given in **Chapter-8**. Implementation Schedule is presented in **Chapter-9**. Resettlement Assistance Plan and Cost Estimates are presented in **Chapter-10**. Finally Monitoring and Evaluation is given in **Chapter-11**. Disclosure of consulting firm is mentioned in **Chapter-12**.

CHAPTER 2: STUDY APPROACH AND METHODOLOGY

2.1 INTRODUCTION

The objective of SIA is to prepare a complete inventory of structures, affected families and persons, to identify social impacts, and to prepare Resettlement Action Plan (RAP). In order to capture data for the present exercise, both primary as well as secondary sources were systematically tapped. As a part of SIA, socioeconomic survey was completed in the Right of Way (ROW) zone to identify the affected structures, families/persons and to list out the adverse impacts of the project. Secondary data were collected from a number of quarters such as from Census data, district information, concerned departments, and a host of other literature. Thus, the secondary sources information complemented the primary data elicited through field survey. Since the social impact assessment is the basis of resettlement plan preparation, various stages involved in the exercise is described in following sections.

2.2 SIA AND RAP PREPARATION PROCESS

Social impact assessment and resettlement action plan is required when the project results in either physical or economic displacement of the people. Resettlement plan must ensure that the livelihoods of people affected by the project are improved or at least restored to levels prevailing before inception of the project. While preparing an effective SIA and RAP, the consultant followed some essential components and steps which are (i) identification of socio-economic impacts of the project;(ii) public/community consultation;(iii) legal framework for land acquisition and compensation;(iv) entitlement policy and matrix;(v) organizational responsibilities;(vi) relocation and resettlement;(vii) income restoration; and (viii) implementation schedule;(ix) detail R&R budget; and (x) monitoring, evaluation and reporting.

The approach that was adopted to conduct social impact assessment and to prepare R&R is described below and is structured on the scope of work as mentioned in the Term of Reference (TOR). The SIA, which includes R&R, has been prepared with special reference to the guidelines of JICA and MMRDA R & R Policy for MUTP, 2000.

Table 2.1 presents approach and methodology of SIA study in the form of steps involved in the process have been described in detail in the following paragraphs.

- Study of relevant documents, reports and project alignment drawing;
- Site visits and information dissemination about the project;
- Enumeration of structures and mapping by plane table survey;
- Review and analysis of socio-economic survey data;
- Consultations and meetings with PAFs; and
- Community/Public Consultations

Table 2.1: SIA Methodology

Steps	Details
Step 1	Mobilisation <ul style="list-style-type: none"> • Discussion with MMRDA • Preparation of work plan

Step 2	<p>Desk Research</p> <ul style="list-style-type: none"> • Review of relevant literature, earlier reports of the same project, meetings with MMRDA, Fisheries Department, CIDCO officials. • Review of Acts, Policies and Guidelines • Data collection from secondary sources viz. Census, Fisheries
Step 3	<p>Field Studies</p> <ul style="list-style-type: none"> • Site visits for verifying the alignment on the ground & identifying the affected area • Meeting & Discussion with community people • Training of Investigators • Mapping and enumeration of structures • Baseline Socio-Economic Survey (BSES) • Stakeholder's/Community Consultation
Step 4	<p>Data Analysis</p> <ul style="list-style-type: none"> • Coding, Tabulation & Compilation of collected data • Analysis of Baseline Data • Analysis of social impacts and Discussion • Preparation of RAP
Step 5	<p>Report</p> <ul style="list-style-type: none"> • Submission of Draft Report • Submission of Final Report

2.3 Mobilisation

To build comprehensive understanding of the project, meetings were conducted with MMRDA. A detailed work plan was prepared for the project taking in to consideration the inputs required from the various agencies and time line associated with it.

2.4 Desk Research

The consultant reviewed the 1st EIA document prepared by MMRDA in 2005, the Rapid EIA document prepared in 2012, and the project alignment drawings for all three sections. Affected structures survey conducted by MMRDA in 2013 to identify PAPs in Sewri section was also referred. For conducting socio-economic survey, a verification exercise to identify the project areas based on alignment drawings and key stakeholders of the project was carried out. The information verified during this exercise formed the base for carrying out the detailed socio-economic survey.

Government Departments involved in the project were identified as MMRDA, Mumbai Port Trust, Fisheries Department, CIDCO, JNPT and Revenue Department of Government of Maharashtra. Meetings were conducted with these departments to gain understanding of the each agencies role and responsibilities in the project.

Secondary data was collected from government websites and Census Survey 2011 for the relevant project areas. Data about number of registered fishing boats was obtained from Fisheries Department.

MMRDA Act, MUTP R&R Policy, Mahul Creek Act, LA Act 1894, RFCTLARR Act 2013, CIDCO's 12.5 and 22.5 scheme etc. were studied to establish the legal context of the project.

2.5 Field Studies

All three parts of the project i.e. Sewri, Sea Link and Navi Mumbai part were visited to gain site understanding. While doing so, relevant government agencies help was sought.

2.5.1. Sewri section

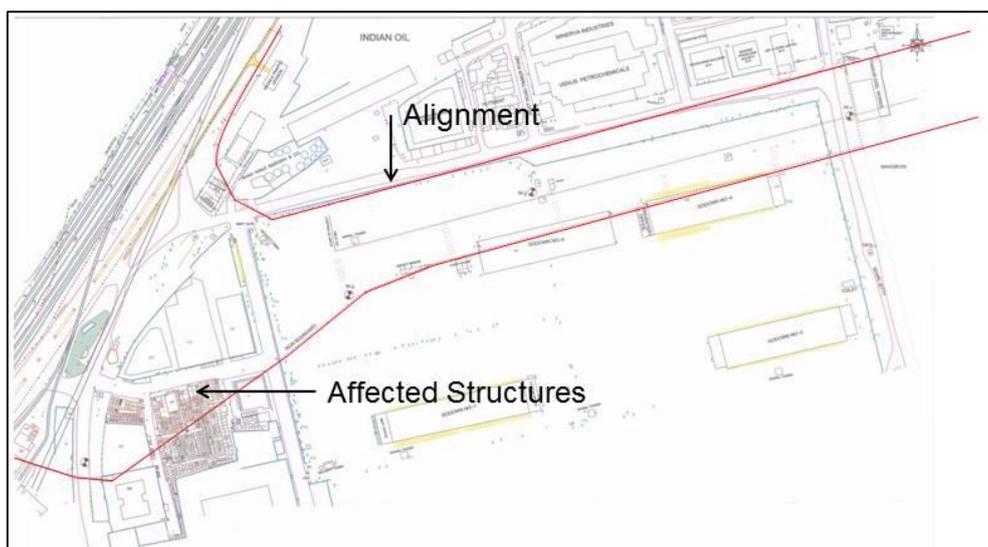
First site visit was carried out on 12th June 2015 at Sewri Section. The project ROW on land side was visited. The visit confirmed presence of PAPs on Sewri side. See Figure 2.1.



(Source – JICA study team)

FIGURE 2.1: FIRST SITE VISIT OF JICA STUDY TEAM AS PER THE ROW OF MTHL AT SEWRI SECTION

MMRDA had conducted a Property survey in 2013 to identify and register all the structures affected structures by the proposed alignment. See Figure 2.2 for the drawing showing affected structures. The survey gave identification numbers to the surveyed structures, photographed the occupants and collected legal documents which can prove that they are the occupants. The mapping and enumeration of the structures likely to be affected in the project area was taken from 2013 survey and the same was verified and covered in BSES survey of 2015.



(Source – MMRDA)

FIGURE 2.2: PROJECT ALIGNMENT AND AFFECTED STRUCTURES

2.5.1.1. Baseline Socio-economic Survey (BSES)

Based on the MMRDA property survey (2013), the BSES was conducted in July 2015. 31st July 2015 has been considered as the Cut-off date for the BSES in the Sewari section of alignment. The BSES survey format was based on MMRDA forms with additional items to collect detailed information required to prepare SIA document that meets the World Bank OP 4.12 and the JICA guidelines. JICA study team got the survey format approved by MMRDA and was translated in local language i.e. Marathi to make it easier for investigator to capture the nuances of the local term and response. Prior to commencement of social survey at household level, Social Development Experts of JICA study team provided one day training to the investigators on important aspect of the Questionnaire. Most part of the questionnaire was pre-coded except those reflecting the opinion and the views of PAP, which have been left open-ended. See Annexure 2.1 for the BSES survey format.

The questionnaire was used to collect detailed information on affected households and to document impacts on PAPs private assets, incomes and livelihood for a full understanding of impacts. The objective of the census survey was to generate an inventory of social impacts on the people affected by the project, the type of impact, type of ownership, market value of land and/or structure, social profile of the affected people, poverty status, and the presence of non-titleholders in the project area and views of the affected people about the project. A socio-economic survey covering affected households was also conducted in order to assess the overall socio-economic condition of the project affected people/affected area which is described in Chapter 4. Finally, the data collected through census and socio-economic survey will help in formulating a compensation and resettlement and rehabilitation strategy for the affected people. The major findings and magnitude of impacts are discussed in Chapter 3. List of Inventory of Losses (IOL) of each affected family is mentioned in **SIA Report (Volume-II)**.

Stakeholders and community leaders were informed about the survey in the 1st stakeholder's consultation on 7th July 2015. All the PAPs were informed about the survey through individual notice which is presented in **Annexure 2.2**. The BSES survey was conducted from 10th July to 14th July and again from 17th July to 11th August 2015. See Figure 2.3 for photographs of the survey.



MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY (MMRDA)									
MUMBAI TRANS HARBOR LINK PROJECT (part of the 1st and 2nd phases)									
Sr. No.	Name of Owner/Developer	Type	Floor	Width (Mtr)	Length (Mtr)	Area (Sq.Mtr)	Area (Sq.Ft)	Partly Affected Area in Sq.M.	Remarks
294	M.B.P. T. Sankar's Colony	Condom		7.75	4.75	36.56	394.43		Fully Affected
295	M.B.P. T. Sankar's Colony	Condom		1.50	1.38	2.05	21.73		Fully Affected
296	Weight Bridge	Condom		18.00	3.75	70.75	755.25	14.53	Partly Affected
297	M.B.P. T. Go-Down No.3	Condom		10.00	30.00	300.00	3228.00	3026.28	Fully Affected
298	M.B.P. T. Sankar's Colony	Condom		6.30	0.90	5.67	60.97		Fully Affected
299	M.B.P. T. Sankar's Colony	Condom		6.30	4.00	25.20	269.51		Fully Affected
300	M.B.P. T. Sankar's Colony	Condom		1.50	1.50	2.25	24.25		Fully Affected
301	Ticket	Condom		7.75	4.75	36.56	388.43		Fully Affected
302	Ticket	Condom		2.00	2.25	4.50	48.78		Fully Affected
303	M.B.P. T. Go-Down No.4	Godown		17.00	39.00	663.00	7127.78	120.42	Partly Affected
304	Haridas Maheshwari & Co.	Godown		14.30	7.50	107.25	1146.36		Fully Affected
305	IP T. Go-Down No.5	Godown		9.30	12.80	119.04	1283.87		Fully Affected
306	Prakash Colony	Condom		3.12	4.50	14.04	149.52		Fully Affected
307	CS. Chandigarh Company Ltd.	Godown		38.45	58.69	2248.69	24138.06		Fully Affected
308	Umeshchand Maheshwari & Company	Godown		12.52	38.47	479.66	5138.73		Fully Affected
309	Umeshchand Maheshwari & Company	Godown		5.67	23.17	130.11	1392.56		Fully Affected
310	BPT Chowk	Plot		25.10	24.2	608.62	6548.86	100.81	Partly Affected
311	40/2	Plot		8.25	6.20	51.14	546.25		Fully Affected
312	Milimum Trading Company	Condom		43.70	28.1	1228.11	13294.43	167.81	Partly Affected
313	Pravin Kadar Mugal	Godown		11.10	5.12	56.83	607.54		Fully Affected
314	Pravin Kadar Mugal	Godown		5.03	4.53	22.76	244.51		Fully Affected
315	Pravin Kadar Mugal	Godown		5.1	4.53	23.10	246.51		Fully Affected
316	Pravin Kadar Mugal	Godown		5.0	8.7	43.50	462.36		Fully Affected
317	Pravin Kadar Mugal	Godown		4.07	11.57	47.00	507.94		Fully Affected



(Source – JICA study team)

FIGURE 2.3: PHOTOGRAPHS OF BSES

2.5.2. Sea-link section

On 27th June 2015 the alignment passing through the sea section was visited by a boat. See Figure 2.4, where yellow line indicates the Boat Track whereas the Blue line is the MTHL Alignment. During the site visit presence of fishing activity on the sea link portion of the alignment was noticed (Figure 2.5). The sea link section was again visited on 2nd July 2015. See Figure 2.6. Where pink line indicates the Boat Track on 2nd July 2015, Yellow line indicates the Boat track on 27th June 2015 whereas the Blue line is the MTHL Alignment. During the second boat visit the type of traditional fishing & the kind of catch collected by fisher-folk was recorded (Figure 2.7).



(Source – JICA study team)

FIGURE 2.4: GPS TRACK OF THE SITE VISIT AS PER THE ALIGNMENT OF MTHL SEA-LINK SECTION



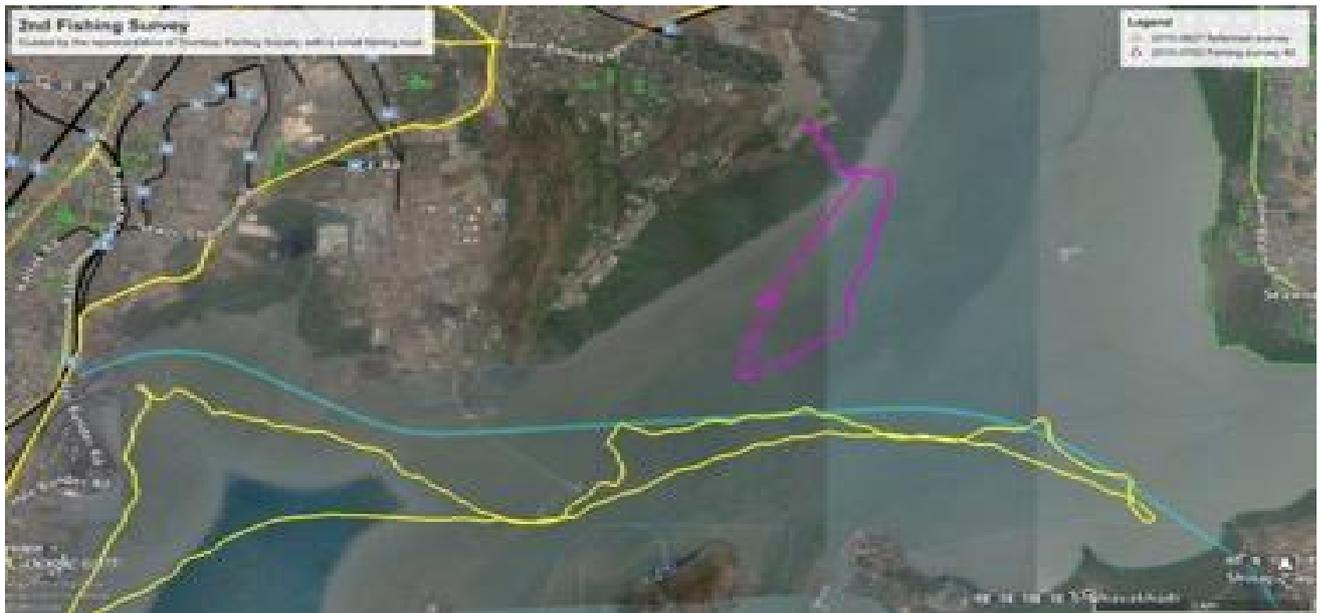
Fishing Boats Close to JNPT

Fishing Boat Around the Project Area

Fishing Net Marks (Black Buoys)

Placing Fishing Nets

FIGURE 2.5: PHOTOS OF THE FIRST BOAT SITE SURVEY ALONG THE SEA-LINK ALIGNMENT OF MTHL



(Source – JICA study team)

FIGURE 2.6: BOAT GPS TRACK ON 2ND JULY 2015



FIGURE 2.7: PHOTOS OF THE FIRST BOAT SITE SURVEY ALONG THE SEA-LINK ALIGNMENT OF MTHL

Second site visit to identify number of fishers getting affected by the alignment was conducted by JICA study team on 26th Nov 2015 with fisher-folks and representative of MMRDA. A boat was taken along the alignment to confirm presence of fisher-folks in the alignment mentioned in the site visit. Informal discussion were also held with fisher-folks to understand overall socio-economic situation during the visit. MMRDA has determined June 1st, 2016 as the cut-off date for consideration of impacts on stakeholders. See Figure 2.8 for alignment survey on boat.

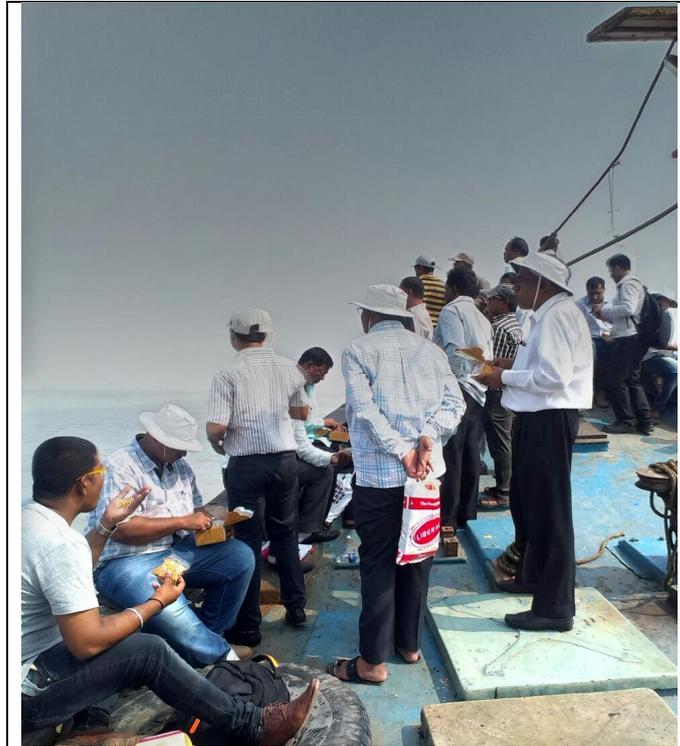


FIGURE 2.8 : SURVEY WITH FISHER-FOLKS ON 23RD NOV 2015

The Fisher-folk Compensation Committee (FCC) is monitoring the socio economic status survey of the fisher-folks and the list of PAPs along with the compensation package shall be completed by 25th March 2016. The fisheries department shall be validating this list and shall intimate the fisher-folk committees of each identified village and shall finalise the list by 30th April 2016. The fisher-folk compensation plan will be approved by the FCC by 10th May 2016. MMRDA shall give final approval by 20th May 2016 and submit to JICA by 25th May 2016.

2.5.3. Navi Mumbai section

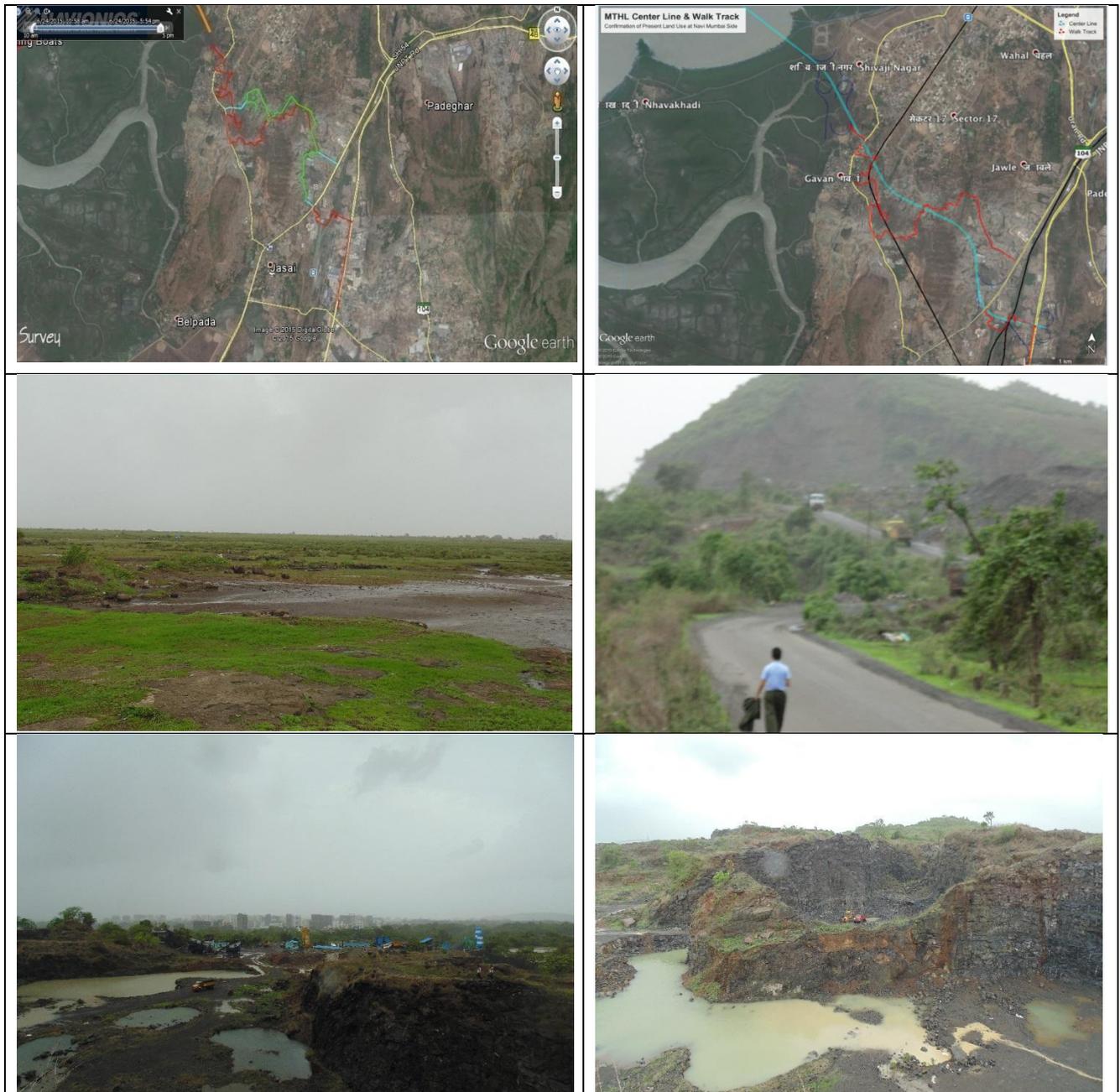
On 24th June 2015 the ROW on Navi Mumbai side was visited. See Figure 2.9 where red line indicates the Walk Track followed by JICA study team, whereas the blue line indicates the MTHL alignment. No residential or commercial structures were observed along the alignment during the visit. The activities observed were the Quarrying & the Container depo in and around the alignment.

After reviewing the drawings provided by earlier design consultant another site visit was conducted on 5th Dec 2015. The drawing marked probable impact on a school boundary and school structures in village Gavan. The school structure was visited and photographed in this visit. See Figure 2.10.

2.6 Data Analysis and Verification of Data

BSES forms duly filled were consolidated and entered in to data base. As suggested by head of Social Development Cell (SDC) of MMRDA, the forms and database was made available to the PAPs on 1st

and 2nd Sep 2015 for correction and verification so that all the errors are eliminated. After the corrections the data was again compiled and used for preparation of this report



(Source – JICA study team)

FIGURE 2.9: GPS TRACK OF THE SITE VISIT AS PER THE ROW OF MTHL AT NAVI MUMBAI SECTION



FIGURE 2.10 : SCHOOL STRUCTURE AT GAVAN VILLAGE .

CHAPTER 3: IMPACTS AND INVENTORY LOSS

3.1 BACKGROUND

The project alignment is divided into three sections viz; Sewri, Sea-link & Navi Mumbai because of different administrative authorities applicable in these sections. Similarly all the three sections have different geographical distribution, land ownership & water area. The same division is maintained in impact and inventory losses and socio-economic chapter for presentation of data and easy understanding. The logic behind presenting data in three different sections of the project is also linked to the facts that the land ownership is with different government agencies and MMRDA has separate understanding with each of these agencies for obtaining land for the project. The details of land procurement understanding are presented in Table 3.1.

Table 3.1: Land ownership and Land Procurement Understanding

MTHL link section	Length in km.	Land ownership	Area in Ha.	Remarks
Mumbai (Sewri)	16.5	Mumbai Port Trust	8.6	No acquisition of private land but non-titleholders on MPT land will be displaced.
Sea Link		Mumbai Port Trust, Jawaharlal Nehru Port Trust,	810	This section involves sea and mud flat area without habitation. The ownership is with MPT, JNPT and Govt. of India.
Navi Mumbai	5.5	CIDCO, Indian Railway, Forest Department, Jawaharlal Nehru Port Trust, Private Land	96.368	As per the agreement between CIDCO and MMRDA the land will be acquired by CIDCO and handed over to MMRDA for execution of project. About 70% of total requirement is already with CIDCO and the remaining 30% (27.801 hectore) is under process of acquisition.
Total	22		914.96	

Source – MMRDA & CIDCO

3.2 OVERALL PROJECT IMPACTS

Table 3.2 provides overall impacts of MTHL project. Out of 914.96 hectare of land required for the project, 85 Ha. of land is under private ownership and 829.6 Ha of land is under government possession. In total 322 structures will be affected in the project in Sewri and Navi Mumbai side. Based on the property identification, 282 residential and commercial structures consisting of 1272 persons are identified as affected persons in the project. All affected structures are non-titleholders on MPT land. Out of 282 affected families, 229 families will lose their residential structures and 53 families will lose commercial structures. In addition to the government structures affected, 10 community structures will be affected by the project. Sewri side impacted structure will be 25 along with 5 likely to be impacted school structures in Gavan village CIDCO at Navi Mumbai side. The project will impact about 58 vulnerable category families.

Table 3.2: Overall Project Impacts

S. NO.	IMPACT	Sewri	Sea Link	Navi Mumbai	Total Impact
1	Acquisition/ Transfer of Land (in Ha.)	8.6 Ha	Not applicable	96.36	96.36 Ha
1.1	Private Land (in Ha.)	Not applicable	Not applicable	85	85 Ha
1.2	Government Land (in Ha.)	8.6 Ha	810	11	829.6 Ha
2	Impact on Structure (no.)	317	Not Applicable	5	322
2.1	Loss of Residence (no.)	229		Data on number of title holder and non-title holders in not available as on today.*	229
2.2	Loss of Business(no.)	53	475**		53
3	Impact on PAFs/PAPs(no.)				
3.1	Total PAFs	282	Not Available***		282
3.2	Total PAPs	1272	244**		1272
4	Titleholder (no.)	Not applicable	Not Applicable		Not applicable
5	Non-Titleholder (no.)	282	Not Available***		282
6	Vulnerable PAFs(no.)	58			58
7	Impact on Community Resources(no.)	10	Not Applicable		10
8	Impact on government structures(no.)	25		5	30

Source – MMRDA, CIDCO & BSES data from JICA study team

*For Navi Mumbai section, as the past Land acquisition & In-process land acquisition meets JICA guidelines & CIDCO have appropriately cleared the land. The above mentioned process compensates the titleholder, vulnerable PAFs and community resources adequately. Data on title holders and non-title holders for the already acquired land is not available with CIDCO. As survey of the remaining 27.801 hectares of private land is not yet complete boundary showing ROW and land required for the project is not available hence number of title holders and non-title holders is not known at this moment.

** As preliminary estimate provided by Fisher-folks Compensation Committee

*** Data will be available after the Fisher-folk Compensation Committee completes its surveys.

3.3 SEWRI SECTION

Land Requirement

The proposed MTHL project shall require land for different purposes. Land resource is scarce commodity in Mumbai metropolitan area, therefore every effort has been made to keep land requirements to the barest minimum by selecting the alignments away from private property / human habitation.



FIGURE 3.1: ROW OF MTHL ALIGNMENT AT SEWRI SITE

(Source – MMRDA)

In Sewri section, the total land is belongs to MPT. The details of land requirement as per the ROW is presented in Figure 3.1 and Table 3.3

Table 3.3: Impact on Land Resources in Sewri Section

Figure Ref	Land ownership	Present use	Area in Sq.mt
A+B+C+D+E+I+H1	MPT	Official	79200
		Residential / Commercial	7410

Source – MMRDA

Inventory of Structure Loss

Table 3.4 indicates impact of the proposed project on the different types of structures i.e. residential, commercial, residential cum commercial and other. The total number of structures impacted in Sewari side of ROW is 317. Out of the total structures, 229 are residential, 53 are commercial, and remaining 35 are other structures, which includes Public religious place, structures owned by Women Self-help Group (WSHG), structures belong to MPT and a Public Toilet. All the structures are made of Reinforced Cement Concrete (RCC) type called as pukka type houses. Out of 229 residential and 53 commercial entities, the BSES survey could cover 224 residential and 47 commercial entities. The remaining entities were absent at the time of survey, so their details are not available.

Table 3.4: Impacts on Structures

Type of Structures	No. of structures	No. of BSES forms filled & received by JICA study team
Residential	229	224
Commercial	53	47
Temple	5	5
Mosque	1	1

Type of Structures	No. of structures	No. of BSES forms filled & received by JICA study team
Women Self-help Group (WSHG) ¹	3	3
MPT Structure	25	25
Public Toilet	1	1
Total	317	306

Source – BSES data from JICA study team

Table 3.5 provides the magnitude of project impact on the structures, which is categorized as partially or fully affected structures. Out of 317 total structures, 296 structures are fully affected and 21 structures are partially affected.

Table 3.5: Type of Affected & Displaced Structures

Type of Structures	Fully	Partially	Total
	No.	No.	No.
Residential	210	19	229
Commercial	52	1	53
Others	34	1	35
Total	296	21	317

Source – BSES data from JICA study team

Impact on Families and People

Table 3.6 shows the number of project affected families (PAFs) & project affected persons (PAPs) in Sweri section of the project. The data revealed that there are 1085 PAPs in 229 residential PAFs and 187 PAPs in 53 Commercial PAFs. All the 282 structures are present on the MPT land.

Table 3.6: Impact on Affected Families

Category	PAPs	
	No.	%
Non- Title holder Residential	1085 (229 PAF)	85
Non- Title holder Commercial	187 (53 Commercial establishments)	15
Total	1272	100

Source – BSES data from JICA study team

Although the project will affect 317 structures, in terms of displacement 282 residential and commercial families will be displaced.

Impact on Vulnerable Group of People

As per the JICA guidelines vulnerable group is defined as indigenous people, ethnic minorities, the poorest, women, the aged, the disabled and other socially/economically vulnerable groups who would be most significantly impacted than others. As per the R&R Policy for MUTP 2000, vulnerable households includes women headed households, handicapped, widow and divorcee. It does not cover the poorest (Below Poverty Line - BPL family), Scheduled Casts and Scheduled Tribes who are considered socially and economically

¹Women Self-help Group (WSHG) is women group, generally formed as self-help group to support each other.

backward as per the Indian Constitution. There are 58 PAFs falling under vulnerable group & their distribution details are represented in Table 3.7.

Although there are a wide variety of requirements for resettlement and recovery assistances, all ante-supports/assistances are same among project affected families, except special arrangement for vulnerable households. Special arrangement for the vulnerable households are preference in allotment for handicapped PAFs and preference in sanctioning of loans from the “Community operated fund”, which will be created for PAFs to provide seed capital and other loans. In addition, some vulnerable PAFs may require additional support or attention during the post-resettlement phase, the MMRDA shall provide necessary guidance and handholding support to those group of PAFs as per MUTP R&R Policy and other state/national safeguard programmes. Detailed descriptions of the post-resettlement support are described in section 8.4.1 (Post Resettlement Support) and 11.2 (Internal Monitoring).

In order to estimate at the number of BPL families affected by the project, criteria set by the Planning Commission of India has been adopted. As per the set criteria, individuals spending less than Rupees 1560 (in Urban area of Maharashtra) falls under the below poverty line category. In the BSES survey, monthly earning for each family has been collected and it may be noted that the family earning includes the earning of all members in a family. The key to arrive at the BPL status of a family has a direct linkages to the number of members in that family and the total monthly earning. The formula for arriving at BPL family is (total family members X 1560) = BPL threshold limit. For example, a 3-member family’s BPL threshold limit is (3 X 1560 = 4680). The family is above BPL if the monthly earning is more than Rs. 4680 and a BPL if the earning is below Rs 4680 per month.

Table 3.7: Vulnerable Population

Vulnerable category	No. of PAFs	%
Scheduled Cast (SC)	6	10
Scheduled Tribes (ST)	2	4
Below Poverty Line (BPL)* ¹	4	7
Widow Headed Household + Widows	28 (2 + 26)	48
Divorce Headed Household	5	9
Women Headed Household	10	17
Family with Handicap	3	5
Total	58	100

Source – BSES data from JICA study team

Impact on Community and Government Structures

Table 3.8 indicates the impact of the proposed project on community and government structures. Out of the 35 structures, 10 are community structures (5 temples, 1 mosque, 1 public toilet and 3 Women self-help group offices) and remaining 25 structures belongs to the Mumbai Port Trust.

Table 3.8: Impact on Community Resources

Type of community & other structure	No.	Total Area in Sq. m.
Temple	5	56.74
Mosque	1	159.29
Women self-help group (WSHG)	3	12.15

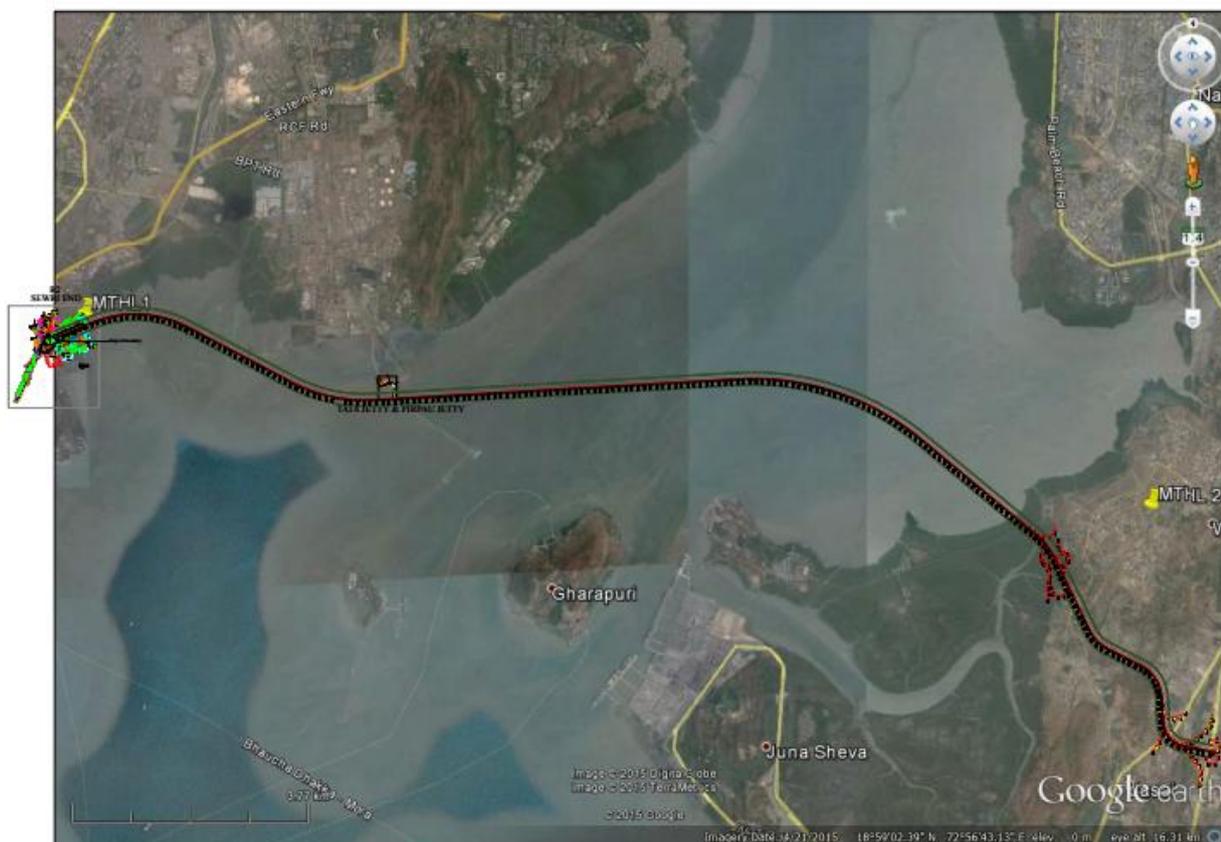
*¹According to poverty line in 2011-2012 based on the criteria determined by the India Planning Committee in 2014, the poverty line is 1,078 INR in agricultural area Maharashtra and 1,560 INR in urban area respectively.

MPT structure (government owned)	25	9198.93
Public Toilet	1	11.06
Total	35	9438.17

Source – BSES data from JICA study team

3.4 SEA LINK SECTION

The sea link section of the alignment traverses through mud flat including Mangroves at Sewri side, Sea area and mangrove area at Navi Mumbai side. Some part of the coast and sea is under the jurisdiction of MPT for management and maintenance of channel for uninterrupted movement of ships. The proposed alignment of the harbour link is traversing through the Mumbai port & Jawaharlal Port’s harbour jurisdiction. Figure 3.2 depicts the Sea-link alignment superimposed on Google map.



(Source – JICA Study Team)

FIGURE 3.2: ROW OF MTHL ALIGNMENT AT SEA-LINK SITE

Based on discussion with the Dept. of Fisheries and alignment survey conducted by JICA study team, there are fisher-folk with small fishing boats are engaged in fishing activity for their subsistence in the proposed MTHL alignment. As per the survey and discussion with fisher-folks following information was gathered.

Type of fishing

Commercial: They reside in the villages but do not fish in the creek area. They have large trawlers and take them for fishing in the deep sea.

Artisanal Fishing: These are traditional fisher-folks fishing in the area for generations. They have some sort of net like dol, gill or drift net that is used for fishing in particular seasons. Artisanal fishing in this area provides an important source of household income to households in the area. However, the fisher-folk tend to supplement their income from the catch by also working in Petrochemical companies, commerce, carpentry, and masonry especially during the non fishing months. Most of their catch is sold in the local markets. Only a small portion of the catch is placed in cold storage to ensure freshness and thus obtain a higher price.

Subsistence: These are daily fish catchers who catch the fish generally by hand picking. Large number of women are also involved in subsistence fishing. This group is highly unorganised and hence qualifies for utmost care during the compensation distribution.

Fishing Areas

Artisanal shoreline fishing in the Project area is conducted mainly by fisher-folk from 9 identified villages. These are Mahul, Trombay, Uran Koliwada, Belpada Koliwada, Hanuman Koliwada, Gavhan Koliwada, Belapur, Sarsole and Diwale.

Type of Impacts

The possible impacts of the project are envisaged to be of six basic types and coded from C1 to C6. They are as follows:

C1: Loss of fishing and livelihood due to removal of fishing stakes ('sus') and nets in the ROW. This is the permanent impact.

C2: Permanent decrease of revenue due to decline in fish catches and changed seawater currents. This permanent loss is considered for only sus/dol Nets that are dependent on current up to further 500 mts from the 250 m limit of ROW on Southern side of the alignment only. The basis for this calculation is based on the CWPRS study that shows overall insignificant impact on tidal strength in the area but some reduction of current strength up to 400 mts from the location of Bridge Piers. The affected area thus concluded as 500 mts from the 250 mtr limit of the ROW. This is a fair limit of compensation covering all the affected PAPs with Nets depending on currents.

C3: Loss due to restricted movement of subsistence level fisher-folks for hand picking of fishery organisms. This has been considered as the permanent impact. The impact zone is ROW and 250 meters on both sides of ROW boundary.

C4: Loss of fishing time and increased operating cost (fuel) to reach fishing grounds from their hamlets due to MTHL during construction phase. This impact, though temporary, has been considered as candidate for lump sum compensation as the compensation will be difficult to quantify on daily basis. The impact was considered for Commercial and Artisanal fisher-folks only. The Commercial trawlers, though have high maintenance, do not travel daily for fishing. Even the Artisanal fisher-folks do not travel for more than 15 days in a month. Based on activities and construction schedule and alignment, it was observed that the Mumbai Island side boats are more affected during the construction phase. Accordingly for commercial boats the basic compensation offered in the NGT order (Rs. 584,000 for a period of three years) has been retained as the thoroughfare of the boats will not be affected for more than 3 years. For Artisanal boats on Mumbai side the compensation has been worked out at 50% of the base value of the compensation as per NGT order. For Commercial Vessels on Navi Mumbai side (as the impacted area is less than half of Mumbai side) the compensation will be 50% of the base value as per NGT order. For Artisanal boats on the Navi Mumbai side, the compensation amount shall be 25% of the base value as per NGT order.

C5: Loss of fish due to increased turbidity during construction phase. This is a temporary impact. This category will also be considered for only those fisher-folks affected by increased turbidity due to MTHL construction activity beyond the 250 m limit of ROW on both sides. Fisher-folks already covered under other

compensation categories excepting C4 and C6. The mechanism of identification of this category includes two levels.

Level 1 : The affected Fisher-folks shall make a claim in writing to the Grievance Redressal Committee (GRC). GRC shall verify the claims based on proof submitted by the affected fisher-folk and tally with the monitoring reports by the environmental consultant to the Project Implementation Unit (PIU).

Level 2 : Regular water quality monitoring within impact zone of ROW of MTHL alignment will be carried out for parameters likely to be affected by construction activity. An environmental consultant shall be appointed by the PIU during construction activity. The consultant shall compare the ongoing data with the baseline and deviation will be reported to the PIU. In case of any abnormal mortality of fish recorded within the impact zone, the same shall be further investigated and the Root Cause Analysis shall be submitted to the PIU by the environmental consultant.

C6: Damage of fishing boats and nets due to movements of barges, vessels, machinery materials and men along the ROW, jetties, casting yards and labour sites during construction phase. This will be incidental and compensation will be offered only against an incident. The preliminary survey identifies following approximate number of PAPs for the above mentioned categories. See Table 3.9.

Table 3.9 : Category wise fisher PAPs

Category	Number
C1	48
C2	34
C3	512
C4	300 commercial and 175 artisanal crafts
C5	150 artisanal and 400 subsistence
C6	Assumed as 200 incidents in 5 years

Source – JICA study team and Fisher-folks Compensation Committee

3.5 NAVI MUMBAI SECTION

Land Requirement

The Navi Mumbai section of the alignment is about 5.5 km. in length. The project would require 96.368 hectares of land for the ROW in this stretch of project. Figure 3.3 shows the ROW alignment at Navi Mumbai site. As per the agreement between CIDCO and MMRDA, the land for the ROW will be acquired by CIDCO. Out of the 96.368 hectares of land, CIDCO is under possession of 65.3 hectares of land. The land under possession of CIDCO was acquired as per the Land Acquisition Act 1894 & 12.5% ¹CIDCO scheme for compensation and R&R. However, the remaining 27.801 hectares of land that is under process of acquisition will be acquired under the New Land Acquisition Act 2013 & 12.5% scheme OR 22.5%² CIDCO scheme. As per the understanding between CIDCO and MMRDA, the cost of acquisition of 27.801 hectare of land will be reimbursed by MMRDA to CIDCO. The arrangement of CIDCO acquiring the land and handing over to MMRDA has been devised keeping in view the ease of acquiring through the CIDCO's compensation policy of providing 22.5% of developed land to the owners, which is more acceptable to the land owners as compared to cash compensation.

The new CIDCO scheme of 22.5% is formulated to meet the requirements of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Government of India. Both

¹As per 12.5% CIDCO Scheme the PAFs will be compensated with money and developed land.

²As per 22.5% CIDCO Scheme the PAFs will be compensated with only developed land with 2 FSI

the 12.5 and 22.5 schemes are explained in detail in Chapter 6. Out of 96.368 hectares of land, 85.392 hectare is private land, 7.851 hectare is government land, 0.87 hectare is forest land, 1.99 hectare is JNPT land and 0.245 hectars is central railway land. Please refer Table 3.10 on land requirement for MTHL project.

Table 3.10: MTHL Project Land Acquisition Details on Navi Mumbai side

Sr. No.	Village Name	Type of land in hectare					Total In hectare
		Private	Govt.	Forest	JNPT	Central Railway	
1	Ghavan	49.080	2.298	0.87	-	-	52.248
2	Jasai	30.157	5.38	-	1.99	0.245	37.772
3	Chirle	6.175	0.173	-	-	-	6.348
4	Total	85.412	7.851	0.87	1.99	0.245	96.368

Source: CIDCO

The latest details of land under possession of CIDCO is provided in Table 3.11. See Figure 3.4.

Table3.11: Land Available with CIDCO

Sr. No.	Village Name	Land in hectare			Total Land Acquired
		Private Acquired	Land	Govt. Land Transferred	
1	Ghavan	41.42		2.136	43.556
2	Jasai	14.366		5.38	19.746
3	Chirle	1.825		0.173	1.998
4	Total	57.611		7.689	65.30

Source: CIDCO

It is understood that the MMRDA will only pay for the 27.801 hectares land and the remaining 68.567 hectares land would be CIDCO’s contribution in the project. Further, CIDCO will provide another 7.5 hectares of land to MMRDA on a 99 years lease for commercial development with an annual lease rent of Rs. 1/ per acre per annum (see **Annexure – 3.1**). In addition to the land required for RoW, the project would need about 22.94 hectare of land for use of casting yard for a period of 7 years. The land for casting yard will be made available by CIDCO on lease basis.

Inventory of Structure Loss

The drawings prepared by design consultants show a school plot boundary within the ROW at chainage 18.225 to 18.250. See Figure 3.3.

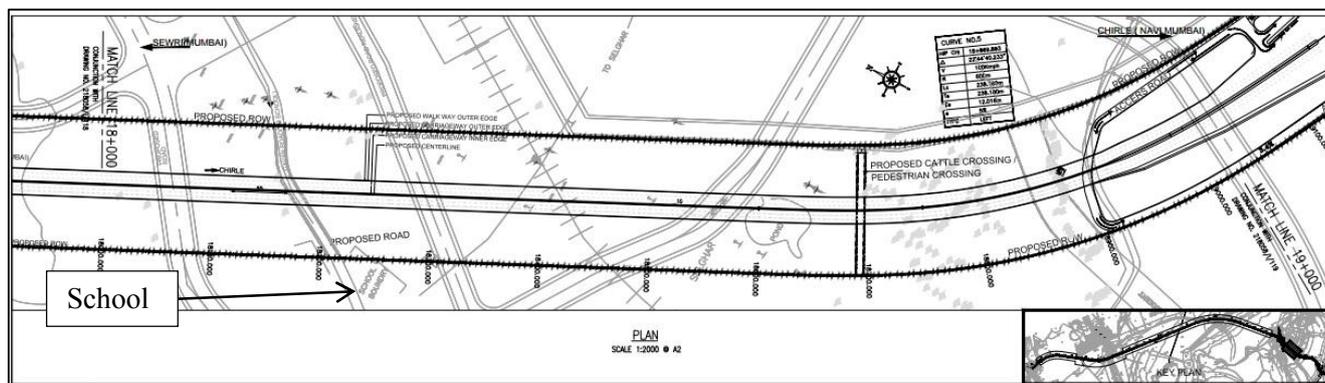


FIGURE 3.3 : SCHOOL WITHIN ROW AT VILLAGE GAVAN

It is a government school building built by District Administration. It has five structures which along with approximate areas are detailed in following Table 3.12. The ROW is passing through the school plot boundary

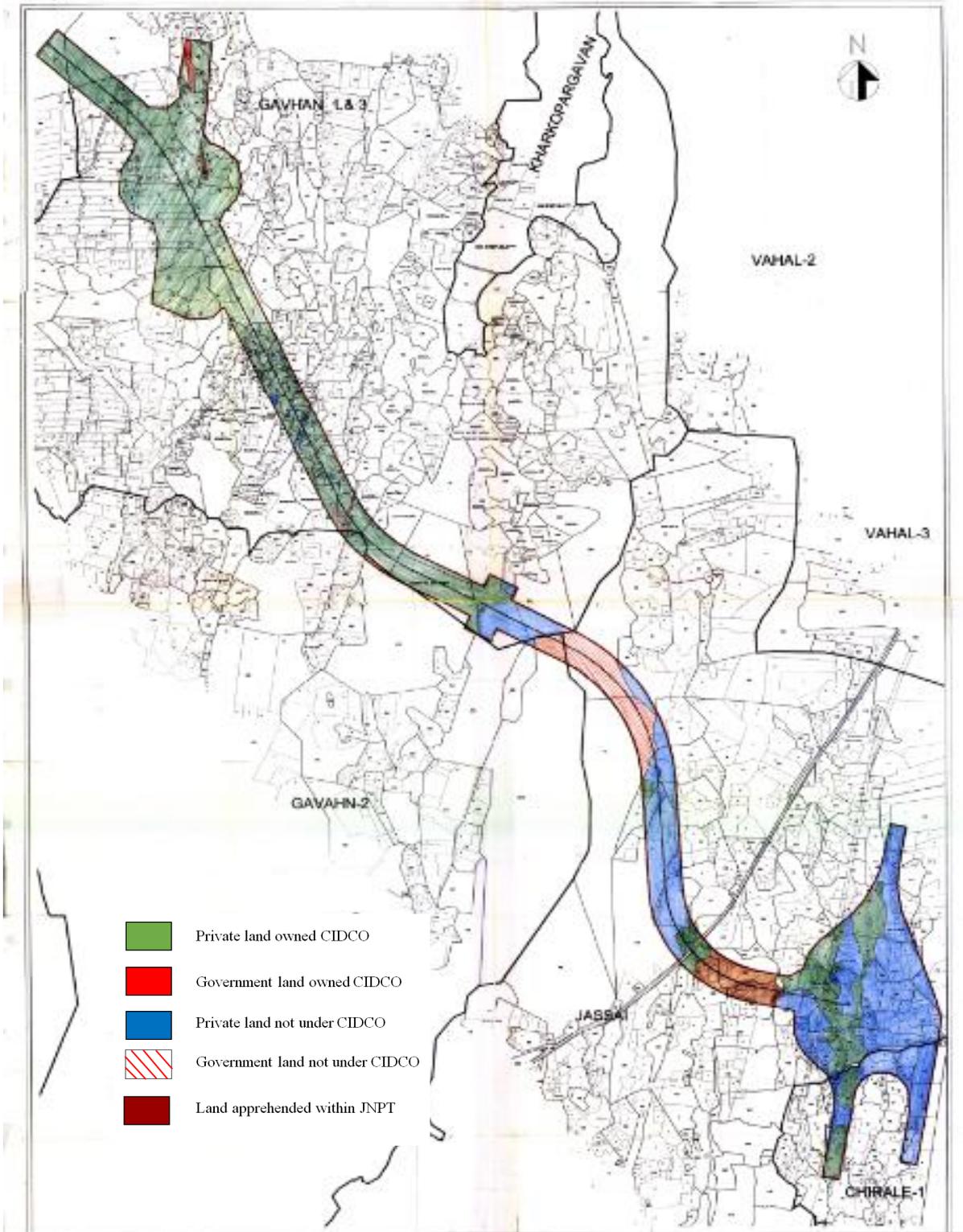
and at present it's not clear whether the school structures would be impacted or not. They are numbered and measured for eventuality if they are impacted and needs to be rehabilitated within the same premises or shifted to other suitable location.

Table 3.12 : Details of the school at Gavan Village

Structures	Configuration	Area(sq.mt)
A	Ground	208
B	Ground	92
C	Ground	274
D	Ground	384
E	Ground	237

Source : JICA study team

The past Land acquisition & In-process land acquisition meets JICA guidelines & CIDCO have appropriately cleared the land. The above mentioned process compensates the titleholder, vulnerable PAFs and community resources adequately. Data on title holders and non-title holders for the already acquired land is not available with CIDCO. As survey of the remaining 27.801 hectores of private land is not yet complete boundary showing ROW and land required for the project is not available hence number of title holders and non-title holders is not known at this moment. However, a comparative analysis of Acts and schemes of CIDCO and JICA guidelines which has been included in Chapter 6 of this report.



Source – CIDCO Land & Planning section

FIGURE 3.4: ROW OF MTHL ALIGNMENT AT NAVI MUMBAI SITE

CHAPTER 4: SOCIO-ECONOMIC PROFILE

4.1 THE PROJECT AREA AN OVERVIEW

Mumbai, the financial capital of India, has witnessed phenomenal growth in population and employment. The trend is expected to continue in future. Mumbai Metropolitan Region (MMR) is one of the fast growing metropolitan regions in India. It comprises of 8 municipal corporations, 9 municipal councils and more than 1000 villages and extends over an area of 4,335 sq.km. The total population of Greater Mumbai in 2001 was 119.14 lakh, which is double of the 1971 population of 59.7 lakh. Of the total population of Greater Mumbai, about 48.88 percent population are from slum area. The decadal growth in population during 1971-81 was around 38 percent and has remained around 20 percent during 1981-91 and 1991-2001 respectively. The sex ratio (female per 1000) is 811, which is low as compared to sex ratio of the State. The literacy rate of Greater Mumbai has gradually increased 68.16 percent in 1981 to 77.45 percent in 2001. 82.29% are male and 71.51% are females are literate. About one third of the population in Greater Mumbai is working during 1971-2001. Employment in this area has stagnated during 1980-1998 with growth rate just around 1 percent.

4.2 Census Description of Three sections

The entire MTHL project has three main section viz; Sewri, Sea-link & the Navi Mumbai section. A detail study of these three sections based on the 2001 & 2011 census and other data sources is presented for having a better understanding of the socio-economic condition of the people living in these sections.

4.3 PROFILE OF PROJECT AFFECTED FAMILIES

A detailed socio-economic survey was conducted in conjunction with the BSES of the project affected persons (PAPs) to profile the impacted population and provide a pedestal against which mitigation measures and support will be designed, implemented and measured. For this purpose, comprehensive information related to demographic, socioeconomic structure, employment, community resources and other information such as awareness about the project were collected.

4.3.1 Sewri section

Greater Mumbai houses the State Capital of Maharashtra and second largest city in India. This is an urban district with high population density of 20,038 persons/hectares, which is highest in the state and sex ratio of 838, which is lowest in the state as per 2011 census. Both factors can be linked to high immigration of population in Mumbai. In 2001, Mumbai had average literacy rate but as per 2011 census, it stands at the top of the list with 90.3% literacy rate

The Sewri section of the project falls in Ward F of Municipal Corporation of Greater Mumbai. Being part of Mumbai city, the area is well provided with social infrastructure viz. connectivity, schools, health facilities etc. This ward has five suburban railway stations on Harbour and Central line and one bus depot at Sewri. It has 16 Municipal Clinics and 2 Municipal Hospitals. It also has 26 private clinics and hospitals. The F ward has four police stations¹. The ward also has more than 120 primary and secondary schools. With two of three suburban train lines providing five stations, it is adequately connected with rest of Mumbai for other facilities. Although located in Maharashtra, Mumbai is a cosmopolitan city and hence both Marathi (local language) and Hindi (national language) is equally spoken and understood.

The socio-economic information was collected through a structured "Household Questionnaire". In all, five families were not available or were non-responsive during the survey. These could not be covered under BSES survey but while enumerating these families have been counted in the list of affected families.

¹Municipal Corporation of Greater Mumbai website www.mcgmov.in/irj/portal/anonymous/qlwardfs.g

Therefore, the analysis is based on the responses received from the PAPs. Data from earlier survey carried out by MMRDA in 2013 revealed that due to the proposed MTHL project about 317 numbers of structures will be affected; this includes residential, commercial and other structures. The BSES survey carried out by JICA team for this report verified the total 317 affected structures. Out of this, 229 are Residential, 53 are Commercial & 35 structures grouped under others category. For the purpose of analysis, socioeconomic data has been classified into two broad categories, i.e. (a) Residential (n=229) and (b) Commercial (n=53). The data has been compiled and presented in this chapter in tabular form.

Demographic and Social Conditions

The data on gender and sex ratio is an indicator to know the participatory share of male and female in the society, which is also an important indicator for human development index. Table 4.1 indicates that there are 43% Females & 57% Males amongst the total PAPs.

Religious and Social Groups

Data on religious groups were collected in order to identify people with the specific religious belief among the PAFs. The religious beliefs and social affiliation of the people is an indicator that helps in understand the cultural behaviour of the groups. The social and cultural behaviour will further help in understanding the desires and preferences of PAPs, which is a prerequisite to rehabilitate the affected people and their families. Table 4.1 shows that two major religions believes are followed in the study area viz., Hindu and Muslim. The number of families following Hindu religion are 64%, Muslims are 33.5% & others are 2.5%.

Information of social status (caste) was collected to appreciate the vulnerability status of the PAFs in the Indian social structure. In general, the families belonging to Scheduled Castes (SCs) and Scheduled Tribes (STs) under the provisions of Constitution of India get special support from the government because people belong to these are traditionally vulnerable. The survey results show that the majority of families did not respond to the question related to caste. Among the surveyed families, about 0.7% belong to other Scheduled tribe, 2.2% belong to Scheduled Castes, 30% belong to General & others comprised of 57.6% .

Mother Tongue and Place of Nativity

A majority of families (64.5%) speaks Hindi as their mother tongue, followed by 30% speaks Marathi, 3% speaks Gujarati, 1.6% speaks English & 0.7% speaks other language (refer Table 4.1).

Age Group

The PAPs have been grouped under two categories of age bracket, viz. below the age of 15 years & above the age of 15 years. Nearly 82% population of PAPs is above 15 years while 18% is below 15 yrs. (Table 4.1).

Marital Status

The marital status of the PAPs shows that majority of them (58.5%) are married, followed by 38.6% are unmarried and about 3% are in other types which includes widow/divorced/separated (refer Table 4.1).

Educational Attainment

Education is a basic need and the best indicator of socio-economic development of a region, society or a family. The educational data of PAPs reveals that there are about 20.9% are educated up to primary level, 41.1% are educated up to secondary level, 20.2% are graduate and about 0.6% have attained technical education. None of the PAP was reported to be with vocational skill education.

Table 4.1: Socio-Demographic Profile

SEWARI SECTION			
Sl. No	Description	No of PAFs/PAPs	Percentage (%)
1	Sex ratio (550 females per 722 males)		
	Females	550	43
	Males	772	57
	Total	1272	100
2	religious group		
	Hindu	177	63.9
	Muslim	93	33.5
	Others	7	2.5
3	Social Group		
	ST	2	0.7
	SC	6	2.2
	OBC	26	9.4
	General	83	30.1
	Others (Specify)	159	57.6
4	Mother Tongue/ Language spoken		
	Hindi	196	64.5
	Marathi	92	30.3
	English	5	1.6
	Guajarati	9	3.0
	Kokani	0	0.0
	Other	2	0.7
5	Age group		
	above 15 year	1045	82.2
	below 15 year	277	17.8
6	Marital Status		
	Married	740	58.5
	Unmarried	488	38.6
	Divorced	5	0.4
	Separated	2	0.2
	Widow/ Widower	30	2.4
7	Relationship with House Head		
	House Head	273	21.5
	Wife	189	14.9
	Husband	25	2.0
	Son	405	31.9
	Daughter	210	16.5
	Son-in low	3	0.2
	Daughter-in -low	50	3.9
	Grandfather	0	0.0
	Grandmother	2	0.2
	Grandson	37	2.9
	Grand Daughter	27	2.1
	Grandson - in -low	2	0.2
	Grand-daughter-in-low	1	0.1
	Brother	26	2.0
	Sister	0	0.0
	Brother-in-low	5	0.4
	Sister-in-low	2	0.2
	Father	3	0.2

SEWARI SECTION			
Sl. No	Description	No of PAFs/PAPs	Percentage (%)
	Mother	2	0.2
	Father-in-law	2	0.2
	Mother-in-law	1	0.1
	Uncle	0	0.0
	Aunt	0	0.0
	Cousin	1	0.1
	Nephew	0	0.0
	Niece	3	0.2
8	Education		
	Illiterate	211	17.3
	Primary (Class 5)	255	20.9
	Secondary (6-10)	502	41.1
	Higher (Graduate)	247	20.2
	Technical	7	0.6
	Vocational	0	0.0

Source – BSES data from JICA study team

Family Pattern and Family Size

Family pattern has been classified into five categories i.e. Nuclear, Joint, Extended, Sibling, Live –in. Table 4.2 shows that majority of families (81%) are Nuclear families, whereas about 19% families living in the Joint family pattern. The average household size of residential and commercial is 4.74 and 3.53 respectively.

Table 4.2: Family Pattern

Type of Family	Residential (R)	
	No.	Definition of type of family
Nuclear	186	Husband-wife & their children's living together
Joint	43	Parents with their children's & grandchildren's living together
Extended	0	Parents with their children's, grandchildren's along with the Cousin's & their family living together
Sibling	0	Brothers or sisters with their family living together
Live in	0	Male & female living together without marriage
Total	229	

Source – BSES data from JICA study team, NA – Not applicable

Employment Status

Employment and occupational pattern of the PAPs is recorded to assess their skill so that income and employment restoration plan can be devised accordingly. Secondly, occupational pattern helps in identifying dominating economic activity in the area and among the PAPs, if any. The survey results in Table 4.3 shows that about 58.8% of persons engaged in private service. About 2.3% of persons are engaged in government service. Another 23.6% are engaged in Business and trade, and the remaining 16.8% of persons are involved in occupation like Maid servants, fishing & others.

As regards PAPs location of work, about 19.7% works from home, another 34.9% have no fixed location and their location of work changes as per the work requirement. Nearly 45.4% persons work at a fixed location (Table .4.3). Distance to work place is a key factor in the city like Mumbai and relocation of families will affected their current setup of travel in terms of distance, money and time. About 45.5% of PAPs walks to their work place, followed by 39.4% travel by train and the remaining 15.1% uses bus services to reach their work place. While resettling the PAPs to new location this factors must be taken into account.

Table 4.3: Employment Information

Sr. No	Description	No of PAPs	Percentage (%)
1	Nature of Employment		
	Fishing	2	0.4
	Fishing Labour	0	0.0
	Non Fishing Labour	42	9.4
	Business /Trade	106	23.6
	Govt. Service	10	2.3
	Private Service	257	58.8
	Maid Servant	8	2.0
	Others	22	5.0
2	Location for work		
	At home	75	19.7
	All over	133	34.9
	Specific place	173	45.4
3	Distance of work		
	Walking	181	45.5
	Bus	60	15.1
	Train	157	39.4

Source – BSES data from JICA study team

Economic Conditions

The economic condition of PAPs describes income, and expenditure of the family. The family income includes income of all the earning members. The data for annual income of families are classified into four income ranges as provided in Table 4.4. Majority of the PAFs (58.9%) fall in the Rupees 50000 to 100000 income group, followed by 28.6% in the Rupees100000 - 500000 income group. About 11.3% PAFs are earning less than Rs. 50,000 per annum and another 1.2% PAFs have income above Rs. 5,00,000 per annum. The annual expenditure is presented in Table 4.5. The data shows that 50.5% PAFs have their annual expenditure between rupees one Lakh to three Lakh. Household expenditure below one lakh rupees per annum is reported by 45.9% PAFs, another 3.6% PAFs reported annual expenditure in the range of rupees 3 Lakh to 5 Lakh.

Table 4.4: Annual Income Details of PAPs

Annual Income (Rupees)	No.	Percentage
Below 1,00,000	174	70.2
1,00,000 – 5,00,000	71	28.6
5,00,000 Above	3	1.2
Total	248	100

Source – BSES data from JICA study team, data as per questions answered by PAPs

Table 4.5: Annual Expenditure Details of PAFs

Annual Expenditure	Number of PAF	Percentage
Below 1,00,000	105	46.8
1,00,000 to 5,00,000	119	53.2
5,00,000 above	0	0

Total	224	100
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Source – BSES data from JICA study team, data as per questions answered by PAPs

Household Assets

The household assets indicate the prosperity of the household. **Table 4.6** reveals the household assets of the surveyed families. Majority of the affected families owns the cooking gas, fan, music system, television, two wheeler, radio and refrigerator.

Table 4.6: Household Assets Base

Sl. No.	SEWRI SECTION	
	Assets	Household ownership in Percentage (%)
1)	T.V. Set	14.26
2)	Radio	2.3
3)	Sewing Machine	0.8
4)	Bicycles	1.8
5)	Motor Bick	1.9
6)	Refrigerator	5.7
7)	Fans	24.2
8)	Mobile	24.9
9)	Stove, Kerosene/ Gas	23.5
10)	Vehicle	0.4
11)	Other	0.2

Source – BSES data from JICA study team

Documents Available

The survey team has verified the documents available with the affected families. The documents available with families were ration card, election card, Aadhaar card, Driving Licence, Shop Licence, Saving Bank account, Pan Card etc. Out of the total surveyed families, 12.6% have ration card, 19.3% have election card, 44.2% have Aadhaar card, 0.3% showed Driving licence, 7% with Shop Licence, 0.8% with saving bank account, & 14.2% with Pan Card. Surprisingly, nearly half the PAFs have Aadhaar card, although this is a new initiative of government. This reflects the penetration of government effort in registering the citizens under the programme. Table 4.7 represents the details about the available documents with PAFs.

Table 4.7: Documents Available

Sr. No	SEWARI SECTION		
	Description	No. of PAPs	Percentage* (%)
	Please provide with an ID Proof (any one) Record the details		
1)	Ration Card	48	12.6
2)	Election Card	72	19.3
3)	Aadhaar Card	161	44.2
4)	Driving Licence	2	0.3
5)	Shop Licence	25	7.0
6)	Saving Account at Bank	3	0.8
7)	Pan Card	52	14.2
8)	Other	6	1.6

*Percentages are calculated for each ID proof against total surveyed PAFs, Source – BSES data from JICA study team

Commercial/Self Employment Activities in Sewri Section

In all, 47 commercial establishments have been covered under the BSES. The detailed breakup of type of commercial establishment and number of employees are provided in Table 4.8. In terms of percentages, about 17% of commercial establishments are of Grocery shops or General stores, 10.6% are Tea stalls, 14.9% are Pan Bidi shops, 10.6% are Lubricant shops, 6.4% are eating joints, 4.3% are Medical shops and 2.1% is STD Telephone booth. Another 29.8% of the shops are been grouped under the others category, these includes trash collector, handicraft etc. The proposed MTHL project shall have cumulative impacts on both the affected commercial establishments as well as persons employed in it. As recorded in BSES, about 40 employees will be impacted by way of closing down of the business. The project will have necessary provisions to address this section of affected group. In terms of license from competent authority to run the business, merely 8.5% of commercial establishments have it from the BMC.

Table 4.8: Commercial/Self Employment Activities

No.	Description	No. of Units	(%)	No. of employees
	Type of Shop			
1	Tea Stall	5	10.6	6
2	Grocery (Kirana)/ General Store	8	17.0	6
3	Pan/ cigarette shop	7	14.9	1
4	Lubricant shop	5	10.6	0
5	Waste Recycler (Kabari) shop	1	2.1	0
6	Hotel/ Restaurant/ Motel	3	6.4	0
7	Handicrafts	1	2.1	4
8	Medical Shop	2	4.3	3
9	STD/PCO	1	2.1	0
10	Others	14	29.8	12
	Total	47	100	40

Source – BSES data from JICA study team, NA – Not applicable

Awareness and Opinion about the Project

During the socio-economic survey, questions were asked regarding the awareness, source of information and opinion about the proposed MTHL project. The findings of the survey about awareness, source of information and opinion about the proposed project is presented in Table 4.9. Out of the total surveyed families, 97.4% families were aware about the proposed MTHL project, whereas 2.6% said that they had no information about the project. People who were aware about the project said that project information source was mainly from newspaper (41.2%), for 36.2% from government. Officials, 4.0% from Television & another 18.6% from other sources.

Table 4.9: Project Related Information

Sr. NO	DESCRIPTION	PERCENTAGE (%)
1	Awareness about the Project	
	Yes	97.4
	No	2.6
	Total	100
2	Source of Information	
	Television	4.0

Sr. NO	DESCRIPTION	PERCENTAGE (%)
	News Paper	41.2
	Government official	36.2
	Other Villagers/ City people	16.7
	Others	1.9
Total		100

Source – BSES data from JICA study tea

4.3.2 Sea-link section

The sea link section of the alignment would not entail impact in terms of loss of structures. However, there is fishing activities in the Sea-link section. Thus, to assess the impact on livelihood of the fisher-folk, a special Fisher-folk Compensation Committee (FCC) is formed under the chairmanship of Additional Metropolitan Commissioner II. The committee comprises members from Fisheries Department, Maritime Board, Revenue Department, Police, MMRDA and independent fishery expert. The FCC has approved the broad Fisher-folk Compensation Policy (FCP) and MMRDA is in process of submitting the same to JICA. The FCC is monitoring the socio economic status survey of the fisher-folks and the list of PAPs along with the compensation package shall be completed by 25th March 2016.

4.3.3. Navi Mumbai section

Raigarh district has a population density of 368 persons per sq. km., which almost matches with state average of 365 persons per sq. km.. The district Sex ratio is 955 females per 1000 males, which is higher than state average of 925. The higher sex ratio may be an indication of migration of male work force for jobs to the nearby urban centre of Mumbai. The literacy rate, though same as Mumbai in 2001, in 2011 it is 83.9%, which is slightly above state average of 82.9%. The overall Human Development Index of Raigarh district is at 0.759, which is close the state average of 0.752. Overall, the district is not only marked better than other districts in the state but also shows substantial progress if compared with 2001 data. The district is classified in High Human Development Index in 2001 and in 2011¹. Thus, as district it is well-developed.

During the site visit to ROW no structures were visible. The drawings by design consultant show presence of a government school plot boundary between chainages 18.225 to 18.250 within the ROW. During site visit to the school boundary was seen to have five structures. As survey of the remaining 27.801 hectares of private land is not yet complete boundary showing land required for the project is not available hence number or identification of title holders or non-title holders is not known at this moment.

¹Table 2A.1 , Table 2A.2, Human Development Report 2012

CHAPTER 5: STAKEHOLDERS CONSULTATION

5.1 BACKGROUND

Stakeholder's consultation is a continuous process throughout the project period, during project preparation, implementation, and monitoring stages. The sustainability of any development depends on the participatory planning in which Stakeholder's consultation plays major role. To ensure participation in the planning phase of this project, numbers of meetings were arranged at SIA preparation stage. Stakeholder's meeting aimed at promoting understanding and fruitful solutions to developmental problems, especially of displaced persons. The consultation process also covered government officials and community through formal and informal meetings, focus group discussions, and individual interviews through survey. The project thus ensures that the displaced population and other stakeholders are informed, consulted, and allowed to participate actively in the development process. This has been done in SIA preparation stage and will continue during SIA implementation, and monitoring and evaluation stages of the project.

Keeping in mind the significance of consultation and participation of the people likely to be affected or displaced due to the proposed project, consultation was used as a tool to inform and educate stakeholders about the proposed action. It assisted in identification of the problems associated as well as the needs of the population likely to be affected. This participatory process helped in reducing the stakeholders resistance to change and enabled the participation of the local people in the decision making process. Initial stakeholder's consultation has been carried out in the project areas with the objectives of minimizing probable adverse impacts and grievances and to achieve speedy implementation of the project through generating awareness among the community about the benefits of the project.

5.2 OBJECTIVES OF THE CONSULTATION

The objectives of consultation with affected people in project area as follows:

- Disseminate information about the project in terms of its activities and scope of work; and understand the views and perceptions of the people affected and local communities with reference to displacement, loss of property and expectation.
- Understand views of affected people on resettlement options and generate idea regarding the expected demand of the affected people.
- Identify and assess economic and social information and characteristics of the project area to enable effective social and resettlement planning and its implementation.
- Resolve issues related to impacts on community property and their relocation.
- Establish an understanding for identification of overall developmental goals and benefits of the project.

5.3 APPROACH AND METHODS OF CONSULTATION

Preliminary stakeholder's consultations and discussions were conducted by JICA study team with the help of MMRDA officials through community meetings with Project Affected Persons (PAPs). The consultation process involved various section of affected persons such as traders, women, squatters, kiosks and other inhabitants. During stakeholder's consultations, issues related to resettlement, compensation, income restoration, employment generation, grievance redressal, safety, role of administration etc. were discussed. The SIA addresses issues raised during stakeholder's consultation. The following methods were adopted for conducting stakeholder's consultation.

- Walk-through informal group consultation as per the MTHL main sections / locations.
- Stakeholder's meetings

- Focus Group Discussions (FGD) with different groups of affected people including residential groups, traders, and slum dwellers (squatters).
- In-depth individual interviews through Basic Socio Economic Survey.
- Discussions and interviews with key informants

The consultations have also been carried out with special emphasis on the vulnerable groups.

5.4 Consultation for MTHL Project

5.4.1. Sewri Section:

First Stakeholder's consultation meeting was organized at Shakha office, Sewri Gadi Adda, Haji-bundar road, Sewri (E), Mumbai - 400 015 with the affected families on 7th of July 2015 between 3:00 PM to 4:30 PM near Sewri section of the alignment. PAPs were consulted for understanding their views as well as explaining them the project related information. The stakeholder's meeting picture is depicted in Figure 5.1.



(Source – JICA study team)

FIGURE 5.1: 1ST SIA STAKEHOLDERS MEETING ON 7TH JULY, 2015

The number of participants in the consultation session were approximately 30, which mostly include the representatives from affected families. The minutes of the meeting held is provided in **Annexure-5.1** and the participants list with signature in **Annexure-5.2**. The details of the issues raised and discussed with the response provided by consultation team is presented in Table 5.1. A copy of communication between JICA study team and MMRDA for supporting consultation on Sewri section is also presented in **Annexure 5.3**.

Table 5.1: Issues Discussed and Response provided by MMRDA

Sr. No.	Issues Discussed	MMRDA Response
1	<ul style="list-style-type: none"> • Are all people affected by the project? 	<ul style="list-style-type: none"> • All people are not getting affected.
2	<ul style="list-style-type: none"> • Why not declared all people as PAPs who were surveyed in 2013 by JICA study team. 	<ul style="list-style-type: none"> • Structures coming in the ROW of MTHL will be declared as affected and persons occupying the affected structure are the PAPs.
3	<ul style="list-style-type: none"> • All the people should be resettled together in the vicinity of Sewri. 	<ul style="list-style-type: none"> • After the BSES survey MMRDA will take a call about whom & where to resettle. However, all possible effort shall be made to resettle together.
4	<ul style="list-style-type: none"> • The entire settlement should be provided with relocation option and not only the affected households as we have been staying here for more than 50 years. 	<ul style="list-style-type: none"> • Point noted.
5	<ul style="list-style-type: none"> • We have won 3 cases against Mumbai Port Trust and thus we have right for compensation. 	<ul style="list-style-type: none"> • Point noted.
6	<ul style="list-style-type: none"> • Are you going to survey everybody or just the affected structures? 	<ul style="list-style-type: none"> • We are going to survey only the affected structures and people occupying the structures.
7	<ul style="list-style-type: none"> • Why & what is the benefit of this BSES questionnaire? 	<ul style="list-style-type: none"> • The earlier survey carried out by JICA study team in 2013 was only of structures and eligibility. • Now in this survey as per JICA requirements we are going to collect information about people and their socio-economic status. • In this BSES questionnaire will be collecting the information about PAPs income, livelihood, vulnerability, lifestyle, education etc.
8	<ul style="list-style-type: none"> • In this settlement we have easy access to school, hospital and railway station. Thus in relocation these points should be considered. 	<ul style="list-style-type: none"> • Point noted.
9	<ul style="list-style-type: none"> • Please survey one society at one time 	<ul style="list-style-type: none"> • Point noted.
10	<ul style="list-style-type: none"> • Please do collect information about property and people both. 	<ul style="list-style-type: none"> • Point noted.
11	<ul style="list-style-type: none"> • What compensation package will be provided for Residential by MMRDA? 	<ul style="list-style-type: none"> • At present MUTP R&R compensation, policy will be applicable. If any progress happens in future then that might be implemented, but at present cannot say anything.
12	<ul style="list-style-type: none"> • What will be the compensation for commercial activity? 	
13	<ul style="list-style-type: none"> • Do we get the same land area what we lose as compensation? 	<ul style="list-style-type: none"> • No. • As per today's MUTP R&R policy you only get equivalent area of your present structure up to 20.91 sq.m. structure area

		free of cost. Maximum area available is up to 70 sq. m. However, you have to pay the cost of above 20.91 sq.m. as per the Ready Reckoner rates.
14	<ul style="list-style-type: none"> We should get the same benefits that are given to land owners on Nava Sheva Navi Mumbai side. 	<ul style="list-style-type: none"> If PAPs are losing land then they will get the same benefit. Since you don't own this land and it belongs to MPT the benefit cannot be availed.
15	<ul style="list-style-type: none"> When the project is likely to start? Also, how much time will be provided for the displacement? 	<ul style="list-style-type: none"> The project may start by next year or so but nothing can be promised right now. Also, MMRDA will surely give proper time gap & communicate in advance with PAPs for the relocation.

(Source – JICA study team)

The second Stakeholder's meeting was organized with the affected households on 25th August 2015 in Sewri Koli Samaz hall, Sewri east. The date of the notice publishing was discussed with the community representatives in regards to giving sufficient time for the PAPs to attend the meeting. As per the discussion the notice was made available on 10th Aug 2015 in the settlement. All the PAPs falling in the ROW of the MTHL alignment were invited for consultation. Figure 5.2 presents the Invitation Notice displayed in the Sewri affected area. The Chief Social Development Cell of MMRDA chaired the consultation session along with the JICA study team member. The number of participants in the consultation session were approximately 125, most of the participants were the project-affected persons. The minutes of the meeting is provided in **Annexure-5.4** and the attendance list with signature for the Officials & the PAPs present is presented in **Annexure-5.5**. The details of the issues raised and discussed with the response provided by MMRDA official & consultation team is presented in Table 5.2 & Table 5.4. Figure 5.3 & Figure 5.4 depicts the members present in the meeting. The members present on the dais were Chief SDC – MMRDA, Dy Team Leader- JICA Study team, Project Coordinator JICA Study Team, Social Expert JICA Study Team, Representative of PAPs of Sewri side.

Table 5.2: Issues Discussed and Response provided by MMRDA

ID. No.	Position/ Role played by Stakeholder	Questions asked by Stakeholders	Response Given by OCG/BEIPL or MMRDA	Response in detail
479	Commercial PAP	<ul style="list-style-type: none"> Is there any area for resettlement other than Bhakti Park ? Can they be resettled in nearby areas since all facilities are available there ? 	MMRDA response	<ul style="list-style-type: none"> The Bhakti Park resettlement site was suggested because it was the nearest site as compared to other sites and where all the PAPs could be accommodated due to availability of required no. of tenements. Other resettlement sites are located at farther locations such as Mankhurd, Mahul, Govandi, Oshiware etc. and it will be possible to resettle PAPs at such sites if so desired by the PAPs in writing. The MMRDA does not own any land or there are no resettlement sites in the nearby areas including in the MPT area. The resettlement sites are developed as per the applicable Development Control Regulations for Greater Mumbai and are accordingly provided various amenities and facilities as per such rules.

ID. No.	Position/ Role played by Stakeholder	Questions asked by Stakeholders	Response Given by OCG/BEIPL or MMRDA	Response in detail
486	Chairman, Om Sai Dutta Housing Society	<ul style="list-style-type: none"> Some PAPs are lessees of Mumbai Port Trust (MPT). The cases are in court. Will they be considered as legal title holders in deciding their resettlement entitlement ? 	MMRDA response	<ul style="list-style-type: none"> It is understood from the experience of the Eastern Freeway project that occupants of most structures on MPT land do not have legally valid claims. However, the concerned PAPs should submit to MMRDA the relevant documents, which will be scrutinized and verified for legal validity of such claims. Entitlements in such cases will be considered depending on the outcome of such scrutiny.
08	PAP	<ul style="list-style-type: none"> What are the details about other resettlement sites? When is the project implementation likely to start? Is Lallubhai Compound site for footpath dwellers ? What is the area of tenements at other resettlement sites? 	MMRDA response	<ul style="list-style-type: none"> The other resettlement sites are at Mankhurd, Mahul, Govandi, Oshiware etc. At present details of the project and its funding are being worked out and various arrangements are yet to be finalized. It is hence not possible to indicate accurate project commencement schedule. All resettlement sites are planned and developed under the same Regulations and most of the stock of tenements is of 225 sq.ft. carpet area.
48	Physician	<ul style="list-style-type: none"> Is JICA using Resettlement & Rehabilitation policy of the World Bank ? Is MUTP Policy also as per World Bank policy? What is the agreement between MPT and MMRDA? We are not encroachers we have lease agreement with MPT and our case with MPT is in court. 	JICA Study team, OCG, response - MMRDA response	<ul style="list-style-type: none"> Yes, JICA uses the World Bank Policy i.e. OP 4.12 as they have adopted World Bank Guidelines. Yes, the MUTP R&R Policy was formulated as per the requirement of World Bank, which had funded the MUTP. The final Policy was approved by Govt. of Maharashtra in 2000 after consulting the World Bank. The MUTP policy is proposed to be applied to this project. The execution of the project will be carried out as per the approval of MPT. The concerned PAPs should submit to MMRDA the relevant documents, which will be scrutinized and verified for legal validity of such claims. Entitlements in such cases will be considered depending on the outcome of such scrutiny.
104	Residential PAP	<ul style="list-style-type: none"> How will the occupants of partially affected structures resettled ? Can people staying in the same settlement but not affected by the project be resettled ? 	MMRDA response	<ul style="list-style-type: none"> In case of partially affected structures, the PAPs would have a choice of either shifting to resettlement site or surrendering the affected part of the structure without any entitlement and staying in the remaining unaffected part of the structure. The MMRDA is not required to shift the unaffected people. However, if unaffected people want to get resettled, they should together make a written request to MMRDA, the feasibility of which will be considered and a decision will be taken in consultation with all stakeholders.

(Source – JICA study team)



FIGURE 5.2: INVITATION NOTICE DISPLAYED FOR THE SECOND STAKEHOLDERS MEETING



FIGURE 5.3: MEMBERS PRESENT FOR THE SECOND STAKEHOLDERS MEETING



FIGURE 5.4: ISSUES RAISED DURING THE SECOND STAKEHOLDERS MEETING & RESPONSE GIVEN BY MR. V. PATIL

(Source – JICA study team)

5.4.2. Sea-link Section:

The meeting between MMRDA and Fisheries Department along with JICA study team was organized on 10th August 2015 to discuss the issues related to identification of potential impacts, impacted fisher-folk groups and compensation/assistance package for the potential losses. A Fisher-folk Compensation Committee is established with following constitution. See Table 5.3.

Table 5.3 : Composition of FCC

I	Additional Metropolitan Commissioner, MMRDA	Chairman
II	Commissioner, Fisheries (Marine)	Member
III	Chief Executive Officer, Maharashtra Maritime Board	Member
IV	Collector, Mumbai District	Member
V	Collector, Raigad District	Member
VI	Dy. Commissioner of Police, Seweri area	Member
VII	Dy. Commissioner of Police, Navi Mumbai Shivaji Nagar area	Member
VIII	Representative of Fisher-folks Societies from Fishing villages falling in the influence area of MTHL	Invitee
IX	Independent Fishery Expert	Member
X	Engineer – in – Chief / Chief Engineer, MMRDA	Member Secretary

This committee is carrying out their study & will submit the report to MMRDA. At present the committee meetings are in process, thus the inputs of the Stakeholders consultation for the Sea-link section will be updated in due course of the Project study period. The communication between MMRDA and Fisheries department and the minutes of the meeting is provided in **Annexure 5.6 and 5.7**, respectively. Table 5.4 shows the people who attended this meeting.

Table 5.4: Meeting between MMRDA & Dept. of Fisheries

Name, Date & time of the meeting	People who attended meeting	Issues raised by JICA study team	Response given by Dept. of Fisheries / MMRDA
Information required from the Dept. of Fisheries. Held on 10 th Aug 2015 by 11.00 am to 12.00 noon. Meeting was addressed by Additional Metropolitan Commissioner – I	Jt. Commissioner of Fisheries,(Marine) Mumbai	<ul style="list-style-type: none"> Information required from Fisheries Dept. about the applicable Fishing Act, Policy or regulation, as per Govt. of Maharashtra. Data fishing community those are fishing in the ROW of the MTHL Sea-link alignment. Report of Khaliya collision prepared by the Fisheries Dept. Yearly Statistical study report about the fishing activity, yield & types of aids used for fishing. Compensation mechanism for affected fishing community 	<ul style="list-style-type: none"> All the required data as well as the information will be shared by the Dept. of Fisheries to JICA study team. Regarding the Fisher-folk's Compensation policy, Jt. Commissioner of Fisheries suggested for forming a committee who will study & give a reasonable compensation policy of MTHL project.
	Asst. Commissioner of Fisheries, Mumbai City & Suburb district.		
	Asst. Commissioner of Fisheries, Thane &Palghar district.		
	Engineer – in – Chief – MMRDA		
	OCG, JICA study team		

	BEIPL, JICA Study team		
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(Source – JICA study team)

First meeting of the Fisher-folk Compensation Committee was held on 16 Oct 2015. Second meeting of the Fisher-folk Compensation Committee was held on 18th Nov 2015. On 23rd Nov 2015 meeting with fisher-folks was held at Taraporwala Aquarium, Department of Fisheries as stakeholder consultation meeting. Apart of representatives from 9 identified fishing villages JICA study team, Commissioner of fisheries and MMRDA representative were present in the meeting. See Figure 5.5.



FIGURE 5.5 : MEETING WITH FISHER-FOLKS ON 23RD NOV 2015

In the third meeting held on 1 Dec 2015 the draft Fisher-folk Compensation Policy was discussed which is included in the report in Chapter 6. MMRDA Additional Metropolitan Commissionaire II, Collector Raigarh, Collector Mumbai, representative of Maritime Board, representative of State Police Department, JICA study team and representatives of fishing communities at Mahul, Trombay, Uran Koliwada, belpada Koliwada, Hanuman Koliwada, Gavhan Koliwada, Belapur, Sarsole and Diwale villages were present.

5.4.3. Navi Mumbai Section:

For the Navi Mumbai Section, City and Industrial Development Corporation (CIDCO) a government of Maharashtra agency is acquiring the land for the project through land. It is understood from the discussion with MMRDA that for Navi Mumbai section land acquisition responsibility lies with CIDCO and MMRDA will compensate CIDCO for 27.801 hectares of land. As per the understanding between the two agencies providing 65.3 hectares of land for alignment and another 7.5 hectare land for commercial development to MMRDA will be CIDCO’s contribution to the project.

5.5 Information Disclosure and Consultation

During the stakeholder's meeting the details about the project, project features, the alignment of MTHL, need of Social Impact assessment & why & what is Basic Socio economic survey is comprised of were disclosed to the PAPs. For the benefits of PAPs and community in general, SIA will be disclosed by MMRDA.

In SIA implementation phase, MMRDA shall provide information related to various options to the PAPs and community through Social Development Cell. MMRDA will prepare an information brochure in local language, i.e., Marathi and Hindi, explaining the entitlements and the implementation schedule. The SIA will be disclosed to the affected persons and other stakeholders as part of information disclosure.

5.6 Community Participation during Project Implementation

The effectiveness of the SIA implementation is directly linked to the degree of continuing involvement of those affected by the project. Continuous engagement with PAPs will be required during SIA implementation. Consultations during resettlement plan implementation shall involve providing clarity on compensation, assistance options, and entitlement package and income restoration. The detailed schedule & implementation structure is described in subsequent Chapter. The following set of activities will be undertaken for effective implementation of the plan:

MMRDA will conduct information dissemination sessions in the project area, solicit the help of the local key stakeholder's, if needed to encourage the participation of the PAP's in SIA implementation.

- Carry out consultation with PAPs including vulnerable groups in an appropriate manner to disseminate necessary information and understand constraints in RAP implementation, as may be necessary.
- MMRDA will organize stakeholders meetings, and will appraise the communities about the progress in the implementation of project works, compensation and R & R benefits to be given under the MUTP R & R Policy. Regular update of the program of resettlement component of the project will be placed for stakeholders display at the project offices.
- Lastly MMRDA and SDC officers will maintain an ongoing interaction with PAPs to identify problems and undertake remedial measures.

CHAPTER 6: RESETTLEMENT POLICY AND LEGAL FRAMEWORK

6.1 LEGAL FRAMEWORK

This chapter describes the legal frameworks, the existing law and regulations of the country and state those are applicable to the proposed Mumbai Trans Harbour Link. In addition, JICA Guidelines 2010 is adopted since the Japanese ODA loan will be utilized for the implementation of the project. It is imperative to analyse the Acts and Policies to understand the legalities and procedures in implementing project and to identify the gaps and area where there is a need for strengthening to comply with JICA Guidelines for Environmental and Social Consideration of project affected people. Therefore, the legal framework in which the proposed MTHL project will be implemented with respect to social issues as well as JICA guidelines for environmental and social consideration has been summarized in this chapter. The MMRDA Act 1974 under which the implementing agency of this project (MMRDA) is formed is not considered applicable as land acquisition provisions of the act would not be applicable in this project. In case of sea link section it has been acknowledged that no policies exist in the Indian context for compensation of fisher-folks and hence, compensation offered by National Green Tribunal in the February 27, 2015 order for fisher-folk affected by the JNPT has been used as a base. The applicable laws on land acquisition and resettlement for the Mumbai Trans Harbour Link project are as follows.

6.1.1. Land Acquisition Act, 1894

6.1.2. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR), 2013, Govt. Of India.

6.1.3. CIDCO Land Acquisition document known as 12.5% & 22.5% Scheme.

6.1.4. Resettlement and Rehabilitation Policy for Mumbai Urban Transport Project (MUTP), 1997(Amended in 2000)

6.1.5. National Green Tribunal Judgment on 27th Feb 2015 in the ‘Ramdas Janardan Koli vs The State Of Maharashtra’ case

6.1.6. JICA Guidelines for Environmental and Social Consideration, April 2010

It is important to mention here that the proposed alignment is divided into three distinctive sections, viz. Mumbai side (Sewri) section, Sea Link section and Navi Mumbai section. There is no private land acquisition on Sewri and Sea link section of the alignment. Mumbai Port Trust owns the land required for construction of MTHL in Sewri. Both MPT & JNPT harbor limits comprises the sea link section. In Navi Mumbai Section, there would be acquisition of land for the project and the same is being dealt by CIDCO. As per the agreement between MMRDA and CIDCO, the latter will acquired the land on Navi Mumbai side and hand over the same to MMRDA for execution of project. Therefore, CIDCO policy/ Scheme is also discussed and its compatibility with JICA policy has been analyzed in gap analysis table. The following Table 6.1 brief about the three sections of MTHL with different policies being applicable as each section is under the jurisdiction of separate authority.

Table.6.1: Project Section specific details of MTHL

MTHL Project sections →	Sewri	Sea-link	Navi Mumbai
	<ul style="list-style-type: none"> Resettlement and Rehabilitation Policy for Mumbai Urban Transport Project 	<ul style="list-style-type: none"> Fisher-folk Compensation Policy based on National Green Tribunal Judgment on 	<ul style="list-style-type: none"> Land Acquisition Act, 1894 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Applicable Laws	(MUTP), 1997(Amended in 2000)	27 th Feb 2015 in the 'Ramdas Janardan Koli vs The State Of Maharashtra' case, Application number 19/2013, before the western zone bench of NGT.	Resettlement Act (RFCTLARR), 2013, Govt. of India <ul style="list-style-type: none"> • CIDCO document known as 12.5% & 22.5% Scheme. • Resettlement and Rehabilitation Policy for Mumbai Urban Transport Project (MUTP), 1997(Amended in 2000)
Governing Authority	Mumbai Metropolitan Region Development Authority (MMRDA)	<ul style="list-style-type: none"> • Mumbai Port Trust (MPT) • Jawaharlal Nehru Port Trust (JNPT) • Mumbai Metropolitan Region Development Authority (MMRDA) 	<ul style="list-style-type: none"> • City and Industrial Development Corporation of Maharashtra (CIDCO) • Mumbai Metropolitan Region Development Authority (MMRDA)

Source – JICA study team

The following section deals with these policies with a comparison and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.

6.1.1 LAND ACQUISITION ACT, 1894⁷

The most relevant Indian regulation for facilitating resettlement and rehabilitation is the Land Acquisition Act, 1894. This Act is the principal document for procedures to be followed for acquisition of private land by the Government for public purposes and for determining compensation. The Act ensures that no person is deprived of land under this Act and entitles PAPs to a hearing before the actual acquisition. While this Act does not per se provide for mitigation measures, Section 23 of the Act discusses compensation at market price, the market value of land being determined at the “date of publication of the notification”. However, for land acquisition, this Act will not be applicable for displacement of temporary huts. Procedures set out include: (i) Preliminary notification (Section 4); (ii) Declaration of Notification (Section 6); (iii) Notice to persons interested (Section 9); (iv) Enquiry and award (Section 11); (v) Possession (Section 16). Key features/elements of LAA are presented in Table.6.2. After the passing of RFCTLARR Act 2013, the Act has lost its relevance. However, the acquisition of land in Navi Mumbai section is notified under LA Act 1894.

The key elements of the LAA are:

- Land identified for the purpose is placed under Section 4 of the LAA for notification. Objections must be made within 50 days to the District Collector (DC, is the highest administrative officer of the concerned District). Once the land has been notified Section 4, no further sale or transfer is allowed.

Table.6.2: Key Elements of LAA

SECTIONS OF LA ACT, 1894	DESCRIPTION
3	Definition
4	Power ⁸ of officers to enter for survey work
5	Payment for damage

⁷Applicability: The Land Acquisition Act 1894 was applicable for the land acquisition carried out by CIDCO before declaration of RFCTLARR Act 2013. Out of 96 Ha land required for the ROW 65 Ha. was acquired under this act.

⁸Whenever it appears to the appropriate government that land in any locality is needed or is likely to be needed for any public purposes a notification to that effect shall be published in local newspaper(at least one in local language of the region) which empowers project proponent to enter in land[4(1)] for survey and any project related work

5A	Hearing of Objections ⁹
6	Declaration that is required for a public purpose ¹⁰
7	After declaration, Collector to take order for acquisition
8	Land to be marked out, measured and planned
9	Notice to persons interested ¹¹
11	Enquire and award by Collector ¹²
12	Award of Collector when to be final
13A	Correction of Clerical Errors, etc.
16	Power to take possession ¹³
17	Special power in cases of urgency
18	Reference to court ¹⁴

- The land is then placed under Section 6 of the LAA. This is a declaration that the Government intends to acquire the land. The DC is directed to take steps for the acquisition, and the land is notified Section 9. Interested parties are then invited to state their interest in the land and the price. Under Section 11, the DC will make an award within two years of the date of publication of the declaration. Otherwise, the acquisition proceedings shall lapse.
- In case of disagreement on the price awarded, within 6 weeks of the award, the parties (under Section 18) can request the DC to refer the matter to the Courts to make a final ruling on the amount of compensation.
- Compensation for land and improvements (such as houses, wells, trees, etc.) is paid by the project authorities to the State Government, which in turn compensates landowners.
- In case of delayed payments, after placement under Section 9, an additional 9 percent amount per annum is to be paid for the first year and 15 percent for subsequent years.

6.1.2. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR), 2013, Govt. of India

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 has been effective from January 1, 2014 after receiving the assent of the President of Republic of India, repealing the Land Acquisition Act, 1894. The new Act extends to the whole of India except the state of Jammu and Kashmir. The aim of the new act is to minimize displacement and promote, as far as possible, non-displacing or least displacing alternatives and also aims to ensure adequate compensation including rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of those affected. The Act also recognizes the need for protecting the weaker sections of the society especially members of the scheduled castes and scheduled tribes.

The aims and objectives of the Act include: (i) to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution of India, a humane, participative, informed and transparent process for land acquisition for industrialization, development of essential infrastructural

⁹ Any person interested in any land which has been notified under Section 4(1) within thirty days from the date of publication of the notification, object to the acquisition of land in writing to District Collector.

¹⁰ When the appropriate Government is satisfied that any land is needed for public purposes; a declaration shall be made to that effect under the signature of secretary to such Government or of some officer duly authorised to certify its orders.

¹¹ The District Collector shall then cause public notice to be given at convenient places on or near the land to be acquired. Such notice shall state the particulars of the land so needed and require serving all entitled persons.

¹² The Collector if satisfied with the LA proceedings under said Act; may declare award which shall cover true area of land, compensation amount and other provisions of the Act.

¹³ When Collector has made award under Section 11, he may take possession of the land, which shall there upon vest absolutely with the Government free from all encumbrances.

¹⁴ Section 18 to Section 28 deals with intervention of court in land acquisition processes.

facilities and urbanization with the least disturbance to the owners of the land and other affected families; (ii) provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition; (iii) make adequate provisions for such affected persons for their rehabilitation and resettlement; (iv) ensure that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.

The key features of the new land acquisition act are as follows: Schedule I outlines the proposed minimum compensation based on a multiple of market value. Schedule II and III outline the resettlement and rehabilitation (R&R) entitlements to land owners and livelihood losers, which shall be in addition to the minimum compensation per Schedule I. The Schedules IV lists out other land acquisition acts, which will be repealed with 1 year after LAAR is effective.

6.1.2.1 Allowances

Government of Maharashtra (GOM), Revenue and Forest Department through Notification on 27th Aug 2014 provides the following entitlement to the PAPs as per section 108 of RFCTLARR Act 2013. See **Annexure 6.1**. All monetary value (allowances) shall be entitled to be increased by 5% on the 1st January of each year unless the rate of inflation index is less than 5 % for that year. For allowances see Table 6.3.

Table 6.3: Allowances as per RFCTLARR Act 2013

Allowance	Amount in INR	Remark
Transportation Allowance	50,000	One time grant
Employment Allowance	500,000	One time grant for each affected family with eligible candidate.
Subsistence Allowance	3,000	Per month till one year after displacement for each affected family
	50,000	additional For SC/ ST affected family
Grant for artisans and small traders	50,000	One time grant for small traders

Loss of House in urban area

If a house is lost in urban area a constructed house shall be provided of 50 s.m. plinth area as per Public Works Department norms or Rs. 550,000 in lieu of house.

6.1.3. CIDCO ASSISTANCE KNOWN AS 12.5% & 22.5% SCHEME ¹⁵

CIDCO was established to develop Navi Mumbai in 1970. The first step was to identify all the land that needed to be acquired for Navi Mumbai. By February 1970, the government notified for acquisition of privately owned land covering 86 villages and measuring 159.54 km² within the present limits of Navi Mumbai under Maharashtra Regional and Town Planning Act (MR & TP Act), 1966. Land belonging to nine other villages, measuring 28.70 km², was additionally designated in August 1973 for inclusion in the project area. While acquiring this land CIDCO realised that apart from the present Land Acquisition Act 1894 some additional compensation is essential to ensure the living standard of affected people is maintained. Thus at first 12.5 scheme was announced which was later modified as per RFCTLARR Act, 2013 in to 22.5 scheme.

12.5 Scheme

The Govt. vide its order dated 6.3.1990 announced the 12.5% Scheme and extended it to all land owners. In this scheme, the land owner losing land is given back developed land which is 12.5% of the land acquired

¹⁵Applicability: Land as per ROW in Navi Mumbai section is being acquired by CIDCO using these scheme for compensating PAPs.

from him which is over and above the compensation the land owner will be receiving as per LA Act 1894 or RFCTLARR Act, 2013 as applicable. Out of the 12.5% entitlement, 30% is reserved for social facilities and public utilities. Thus net allotment would be 8.75% of the land acquired from him. The plot allotted to the individual has 1.5 FSI and 15% commercial component permissible on the plot. The land owner can develop the plot himself or enter into an agreement with the developer for development. The 12.5% Scheme became fully functional in 1994.

22.5 Scheme

As a response to RFCTLARR Act, 2013 the Government of Maharashtra using the 108 section of the act declared the 22.5 scheme especially for the Navi Mumbai Airport Project affected land owners. In this scheme the land owner has a choice to choose either cash compensation as per RFCTLARR Act, 2013 and the above mentioned 12.5 scheme OR no compensation and 22.5 scheme. In this scheme, land owners will be provided with compensatory developed land which is 22.5% of the land acquired. Out of it, 15.75% of the developed land is directly provided to land owner and 6.75% is used to provide civic amenities. The land comes with effective Floor Space Index of 2 out of which 15% can be used for commercial purposes.

6.1.4. RESETTLEMENT AND REHABILITATION POLICY FOR MUTP, 1997, AMENDED IN 2000¹⁶

The R&R policy for Mumbai Urban Transport Project is the outcome of the project implemented by MMRDA through the World Bank funding. Government of Maharashtra had appointed a task force in 1995 under the chairmanship of a former chief secretary to the state of Maharashtra consisting of members from the Government, private sector, NGOs and civil society to prepare a policy framework for resettlement and rehabilitation of persons affected by the project. Based on the recommendations of the committee, GOM had issued a Government Resolution (GR) adopting the policy in March, 1997 which was later amended to incorporate certain changes suggested by the World Bank to bring the policy in line with the World Bank's OP 4.12, Annex A, on involuntary resettlement. This policy is called Resettlement and Rehabilitation for Mumbai Urban Transport Project, 1997 (as amended in December, 2000).

The main objectives of the policy as mentioned in section 2 of the policy are:

- To minimize the resettlement by exploring all viable alternative project designs, and to prioritise various elements of the project by treating this as one of the important considerations
- Where displacement is unavoidable, to develop and execute resettlement plans in such a manner that displaced persons are compensated for their losses at replacement cost just prior to the actual move, displaced persons are assisted in their move and supported during the transition period in the resettlement site and displaced persons are assisted in improving or at least restoring their former living standards, income earning capacity and production levels; and to pay particular to the needs of poor resettlers in this regard.
- To accord formal housing rights to the PAPs at the resettlement site. Such rights shall be in the form of leasehold rights of the land to the co-operative society of the PAPs and occupancy rights of built floor space to the members of the society. The membership of the co-operative society and the occupancy rights will be jointly awarded to the spouses of the PAP household. The documents in this respect will be the leasehold agreement with the co-operative society, which will include a list of its members and description of dwelling unit allotted to each member. The members of the co-operative society will receive a share certificate signifying the membership of the society.
- To develop and implement the details of the resettlement programme through active community participation by establishing links with the community based organisation, and

¹⁶Applicability: Section 2 of MUTP R & R Policy, 2000 says that this policy would be applicable to all the sub-projects described in the Borrower's Project Implementation Plan for the MUTP.

- To make efforts to retain existing community network in the resettlement area, wherever this is not feasible to make efforts to integrate the resettled population with the host community, and to minimize the adverse impact, if any, on the host community.

The policy ensures meaningful consultations with stakeholders in planning and implementation of the resettlement program in order to suitably accommodate their inputs and make rehabilitation and resettlement plan more participatory and broad based. The policy ensures benefits of R&R to PAPs including non-title holders if they are enumerated during baseline survey for lost assets at replacement value. The policy also ensures payment of compensation and resettlement assistance prior to taking over the possession of land and commencement of any construction activities.

The policy offers two resettlement options to the affected community. First is township option wherein a fully developed plot of 25 sq.m in a green field site is allotted and second option is a tenement of 20.91 sq.m in multi-storeyed buildings. Vulnerable households such as women headed households, handicapped and the aged will be given special attentions for rehabilitation packages.¹⁷ Each project affected families shall be provided with cost of shifting allowance or for the PAPs the free transport arrangements will be made available for moving to the resettlement site. Shifting allowance is one time grant.

The Government of Maharashtra and the MMRDA found the usefulness and fairness of the MUTP policy in implementing the R&R component involved in the projects. Since then, the MMRDA has adopted this policy to address R&R issues in MUIP and Mithi River project. In Mumbai Metro III project, JICA confirmed the MUTP, 1997 (2000) policy meets JICA guidelines & thus the same is adopted for the MTHL project by MMRDA. The MUTP R & R Policy 2000 is provided in **Annexure 6.2**.

6.1.5 National Green Tribunal Judgment on 27th Feb 2015 in the ‘Ramdas Janardan Koli vs The State of Maharashtra’ case

As per the petition, due to widening and deepening of the sea for fourth additional berth at the port of JNPT and inter-tidal sea water exchanges, flow of the sea water in Nhava creek will be substantially affected. Destruction of mangroves alongside beaches and other project-related activities caused loss to spawning and breeding grounds of fish, affecting their livelihood.

The petitioner had claimed that the JNPT had also narrowed down the mouth of the creek, which previously was of larger width allowing free egress and ingress of traditional boats in the seawater with free tidal currents. With the result, their traditional boats are unable to navigate freely as usual within the area of seawater around proposed project of Berth No. 4. Traditional boats find difficulty and hindrance to return route due to presence of wet grass rocks, when the tide recede in the area and the water level goes down.

The bench relied on an affidavit filed by the Maharashtra Coastal Zone Management Authority (MCZMA), which reportedly showed that there, indeed, was mangroves degradation on Gavhan-Nhava road. It also made it clear that a clarification needed to be sought from JNPT on these issues. The photographs appended to the report also showed destruction of mangroves, untreated effluent flowing into creek, obstruction caused to tidal exchange in the creek, bund without maintenance at Belpada and near parking terminal.

The NGT bench has directed the three firms to pay Rs 95.19 crore to 1630 fisher families. They are additionally required to deposit Rs 50 lakh with the Raigad district collector as restoration cost for the environmental damage.

¹⁷ 12. Compensation for Economic Losses (c).MUTP R & R Policy 2000.

6.1.6 JICA's GUIDELINES ON INVOLUNTARY RESETTLEMENT¹⁸

The JICA guidelines for environmental and social considerations¹⁹ are applicable to this project subject to provisions in this SIA report. The SIA has been developed in accordance with the requirements of the JICA on Involuntary Resettlement. The involuntary resettlement as per JICA guidelines based on OP 4.12 Annex A is presented in table may cause severe long-term socioeconomic hardships, impoverishment and environmental damages unless appropriate measures are carefully planned and carried out. The JICA requires that involuntary resettlement should be avoided where feasible, or minimize exploring all viable alternative project designs. In cases, it becomes unavoidable, then the affected persons should be meaningfully consulted providing them an opportunity to participate in planning and implementing the resettlement programme. They should be assisted in their efforts to improve their livelihoods and standard of living or at least to restore these, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. This approach endorses the eligibility of all the categories of persons, whether with formal legal rights or without these rights, in a project, but occupying project area prior to the cut-off date established by the borrower and acceptable to the Bank. Table 6.4.

Table 6.4: JICA Policies on Involuntary Resettlement as per OP 4.12, Annex A

The key principle of JICA policies on involuntary resettlement is summarized below.

Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.

When, population displacement is unavoidable, effective measures to minimize the impact and to compensate for losses should be taken.

People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.

Compensation must be based on the full replacement cost²⁰ as much as possible.

Compensation and other kinds of assistance must be provided prior to displacement.

For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. It is desirable that the resettlement action plan include elements laid out in the World Bank Safeguard Policy, OP 4.12, Annex A.

In preparing a resettlement action plan, consultations must be held with the affected people and their communities based

¹⁸Applicability : It would be JICA funded project.

¹⁹The Guidelines for Environmental and Social Considerations (hereafter, JICA Guidelines”) and the Objection Procedures based on the Guidelines for Environmental and Social Considerations (hereafter, the new “Objection Procedures”) were put into effect on December 1, 2000.

²⁰ Description of “replacement cost” is as follows.

Land	Agricultural Land	The pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
	Land in Urban Areas	The pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
Structure	Houses and Other Structures	The market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.

on sufficient information made available to them in advance. When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people.

Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.

Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.

Above principles are complemented by World Bank OP 4.12, since it is stated in JICA Guideline that “JICA confirms that projects do not deviate significantly from the World Bank’s Safeguard Policies”. Additional key principle based on World Bank OP 4.12 is as follows.

Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advantage of such benefits.

Eligibility of Benefits include, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying.

Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.

Provide support for the transition period (between displacement and livelihood restoration).

Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.

For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared.

In addition to the above core principles on the JICA policy, it also laid emphasis on a detailed resettlement policy inclusive of all the above points; project specific resettlement plan; institutional framework for implementation; monitoring and evaluation mechanism; time schedule for implementation; and, detailed Financial Plan etc.

Source: JICA Env. Guidelines 2010

6.2 GAPS AND PROJECT-SPECIFIC ACTIONS

The provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013; JICA’s guidelines for Environmental and Social Consideration are consistent with each other and meet the policy requirements. The detailed analysis of the new Indian land acquisition act and JICA’s guidelines for Environmental and Social Consideration is provided in Table 6.5. Since LA Act 1894 and CIDCO 12.5 scheme are offered together to the PAPs they are highlighted with light grey colour.

Table 6.5: Gap Analysis between various Acts and policies and JICA Guidelines

Sr. No.	JICA Guidelines 2010	LA Act 1894 + MMRDA Act	CIDCO 12.5 Scheme	GAP	RFCTLARR Act 2013	CIDCO 22.5 Scheme	GAP	MUTP Policy 2000 with additional conditions
1	Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.	No such provision of minimization of resettlement effect.	No such provision but CIDCO while acquiring avoids settlement part of the village.	No Gap	Only the minimum area of land required for the project to be acquired. The appropriate government shall examine to ensure minimum displacement of people, minimum disturbance to the infrastructure, ecology and minimum adverse impact on the individuals affected. No irrigated multi-cropped land shall be acquired under this Act.	No such provision but CIDCO while acquiring avoids settlement part of the village.	No Gap	Minimize the resettlement by exploring all viable alternative project designs
2	When population displacement is unavoidable, effective measures to minimize impact and to compensate for losses should be taken.	Only compensation is paid for the lost assets. No provision for minimization of impacts.	Compensation paid as per LA Act 1894. CIDCO tries to reduce impacts by minimizing land acquisition in settlement areas.	No Gap	Whenever the appropriate Government intends to acquire land for a public purpose, it will carry out a Social Impact Assessment study in consultation with affected people. A Rehabilitation and Resettlement Scheme shall be prepared including the particulars of the rehabilitation and	CIDCO tries to reduce impacts by minimizing land acquisition in settlement areas. Compensation paid in the form of developed plots.	No Gap	Where displacement is unavoidable, develop and execute resettlement plan in such a manner that displaced persons are compensated for their losses at replacement cost just prior to actual move.

					resettlement entitlements of each landowner and landless whose livelihoods are primarily dependent on the lands being acquired and where resettlement of affected families is involved.			Displaced persons are assisted in their move and supported in their transition period in the resettlement site and displaced persons are assisted in improving or at least restoring their former living standard.
3	People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels.	Only compensation is paid at market value. No provision for livelihood restoration, income opportunities and restoration of standard of living.	PAPs will be provided with compensatory developed land which is 12.5% of the land acquired. 8.75% of the developed land is directly provided to PAP and 3.75% is used to provide civic amenities.	No Gap	Adequate provisions for affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status.	PAPs will be provided with compensatory developed land which is 22.5% of the land acquired. 15.75% of the developed land is directly provided to PAP and 6.75% is used to provide civic amenities.	No Gap	PAPs should be assisted in their efforts to improve their former living standards, income earning capacity, and production levels, or at least to restore them.
4	Compensation must be based on the full	Only compensation is paid at	Additional to the compensation	No Gap	Payment of compensation at market value multiplied by	The scheme provides for 7.0% developed land is	No Gap	The policy ensures benefits of R & R to

	replacement cost as much as possible.	market value.	provided in LA Act 1894 the 8.75% developed land is provided with 1.5 FSI of which 15% can be used as commercial. This provides more value than replacement cost to the PAPs.		factor determined by the government. Additional payment of solatium of one hundred percent of compensation amount. Additional compensation in case of multiple displacements. If the land is acquired for urbanisation then developed land of 20% as per point 3 of 2 nd schedule	provided with 2.5 FSI and 8.75 land with 1.5 FSI of which 15% can be used as commercial. This provides more value than replacement cost to the PAPs.		PAPs for lost assets at replacement value. PAPs should be compensated for their losses at replacement cost.
5	Compensation and other kinds of assistance must be provided prior to displacement.	Compensation is paid prior to acquisition but there is no provision for assistance.	Compensation is paid prior to acquisition. Assistance is provided in the form of scholarships to students, vocational training, reserved jobs which continues lifelong.	No Gap	Possession of land after ensuring that full payment of compensation as well as rehabilitation and resettlement entitlements are paid or tendered to the entitled persons within a period of three months for the compensation and a period of six months for the monetary part of rehabilitation and resettlement entitlements.	Compensation is paid prior to acquisition. Assistance is provided in the form of scholarships to students, vocational training, reserved jobs which continues lifelong	No Gap	Where displacement is unavoidable, develop and execute resettlement plan in such a manner that displaced persons are compensated for their losses at replacement cost just prior to actual move.

6	For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public	No provision of preparation of Resettlement Action Plan.	<p>Master plan for entire development and total land acquisition was prepared by CIDCO in 1973. The scheme is part of the resettlement and rehabilitation efforts by CIDCO.</p> <p>The scheme widely published and is open for public comments and has been updated from time to time as per inputs provided by PAPs. The scheme was first published in 1987 and was modified as per public demand in 1990 and again in 1994.</p> <p>The scheme documents are available in local language (Marathi) and are made easily</p>	No Gap	<p>The Act ensures participation of affected stakeholders in various stages of SIA and development of R&R package.</p> <p>The act also ensure that public hearing is held at the affected area, after giving adequate publicity about the date, time and venue for the public hearing, to ascertain the views of the affected families to be recorded and included in the Social Impact Assessment Report.</p> <p>Social Impact Assessment study report and the Social Impact Management Plan are made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of the District Collector the Sub Divisional Magistrate and the Tehsil, and shall be published in the affected areas' in such manner and uploaded</p>	<p>Master plan for entire development and total land acquisition was prepared by CIDCO in 1973. The scheme is part of the resettlement and rehabilitation efforts by CIDCO.</p> <p>The scheme widely published and is open for public comments and has been updated from time to time as per inputs provided by PAPs. The scheme was first published in 1987 and was modified as per public demand in 1990 and again in 1994.</p> <p>The scheme documents are available in local language (Marathi) and are made easily accessible through publication of small booklets and availability on internet.</p>	No Gap	To minimize the resettlement by exploring all viable alternative project designs, and to prioritise various elements of the project by treating this as one of the important considerations
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			accessible through publication of small booklets and availability on internet.		on the website of the appropriate Government.			
7	In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance.							
8	When consultations are held, explanations must be given in a form, manner, and							

	language that are understandable to the affected people.							
9	Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans.							
10	Appropriate and accessible grievance mechanisms must be established for the affected people and their communities.	No provision for Grievance Redressal Mechanism.	CIDCO Grievance Redressal System is an online system through which complaints are registered.	No Gap	The act has elaborate provision of grievance redress mechanism.	CIDCO Grievance Redressal System is an online system through which citizens will be able to register complaints and seek redressal.	No Gap	A senior level officer at local level to consider any grievance of PAPs. If not satisfied final appeal could be made to GRC.

11	Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advantage of such benefits. (WB OP4.12 Para.6)	No provision of baseline survey.	The scheme decides eligibility based on census data and give rights to the officials to take decision based on availability of documents to prove eligibility.	No provision of baseline survey may be considered as a gap but it is compensated by using Census survey of India.	Provision of social impact assessment at early stage to ascertain project impact and census and socioeconomic survey to identify affected families and person with interest for preparation of rehabilitation and resettlement package.	The scheme decides eligibility based on census data and give rights to the officials to take decision based on availability of documents to prove eligibility.	No Gap	Baseline Socio Economic Survey of affected people should be carried out at the initial stage of the project. The policy ensures benefits of R&R to PAPs including non-title holders if they are enumerated during baseline survey
12	Eligibility of benefits includes, the PAPs who have	Non-title holders are not eligible.	The scheme provides 40 sq. m. developed plots to all farm	Gap exists in identification of PAP but CIDCO	(1) a family whose land or other immovable property has been acquired; (ii) a family	The scheme provides 40 sq. m. developed plots to all farm workers	Gap in RFCTLARR Act 2013, with	The policy will confirm identification of PAPs who are

	<p>formal legal rights to land (including customary and traditional land rights recognized under law), the PAPs who don't have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying. (WB OP4.12 Para.15)</p>		<p>workers and village craftsman who do not have formal legal rights.</p>	<p>provides plots as well as vocational training for non title holders.</p>	<p>which does not own any land but a member or members of such family may be agricultural labourers, tenants including any form of tenancy or holding of usufruct right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land, whose primary source of livelihood stand affected by the acquisition of land; (iii) the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights recognised under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Righ6) Act, 2006 due to acquisition of land (iv) family whose primary source of livelihood for three years prior to the acquisition of the land is dependent on forests or water bodies and includes gatherers of forest produce, hunters, fisher-folk and boatmen and such livelihood is.</p>	<p>and village craftsman who do not have formal legal rights.</p>	<p>condition of three year for recognition of non-titleholders. CIDCO provides plots as well as vocational training for non title holders.</p>	<p>present on the site at the time of baseline survey which will act as a cut of date for identification of PAPs whether title holder or not.</p>
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					affected due to acquisition of land; (v) a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition; (vi) a family residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land or whose primary source of livelihood for three years prior to the acquisition of the land is affected by the acquisition of such land.			
13	Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. (WB OP4.12 Para.11)	No provision of land for land option.	The scheme provides developed land for agricultural land. The developed land is provided with 1.5 FSI which includes 15% commercially development permission. These aspects provide potential for land based	No Gap	Land for Land - In the case of irrigation project, as far as possible and in lieu of compensation to be paid for land acquired, each affected family owning agricultural land in the affected area and whose land has been acquired or lost.	The scheme provides for 7.0% developed land is provided with 2.5 FSI and 8.75 land with 1.5 FSI of which 15% can be used as commercial. These aspects provide potential for land based income PAPs.	No Gap	The policy offers two resettlement options to the affected community. First is township option wherein sites and services project developed by R&R agency on a green field site owned by the agency. A fully developed plot

			income.					of 25 sq.m is allotted one year in advance of target date of relocation and second option is a tenement of 20.91 sq.m in multi-storeyed buildings.
14	Provide support for the transition period (between displacement and livelihood restoration). (WB OP4.12 Para.6)	No provision for transition period.	CIDCO provides assistance in many forms viz. Scholarships are provided to all PAP students till 12th standard. Vocational training institutes are provided to improve skill set of PAPs. CIDCO also provides reservations in CIDCO jobs for all the PAPs as way of livelihood restoration.	No Gap	Offer for Developed Land - In case the land is acquired for urbanisation purposes, twenty per cent. of the developed land will be reserved and offered to land owning project affected families, in proportion to the area of their land acquired and at a price equal to the cost of acquisition and the cost of development:	The scheme has provision for monetary support as lump sum payment for displacement and transition allowance.	No Gap	The policy provides for providing cost of shifting to PAPs or free transport arrangements. For those who permanently lose their jobs, the rehabilitation package shall include access to employment information through employment exchange and training facilities.
15	Particular attention must be paid to the needs of the vulnerable groups among	There is no provision for vulnerable group.	There is no provision for vulnerable group.	Special treatment to vulnerable is gap.	Vulnerable group such as SC and ST are provided with additional provisions under the Act.	There is no provision for vulnerable group.	Gap because of limited definition of vulnerable group in the RFTCLARR	Vulnerable households such as women headed households, handicapped

	<p>those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc. (WB OP4.12 Para.8)</p>						<p>Act 2013.</p>	<p>and the aged will extended an additional package of rehabilitation services to help them overcome the difficulties on account of resettlement. This will include preference in allotment of dwelling units on the ground floor for handicapped. Any further assistance required for vulnerable PAPs will be determined during SIA preparation.</p>
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6.3 ELIGIBILITY AND ENTITLEMENT MATRIX

PAPs entitled for compensation and rehabilitation are (i) PAPs losing land and other assets with legal title/traditional land rights will be compensated, and PAPs will be rehabilitated (ii) tenants (iii) owners of buildings, or other objects attached to the land; (iv) PAPs losing business, income, and salaries; (v) assistance to the non-title holders (squatters, etc.). Compensation eligibility is limited by a cut-off date as per the BSES conducted under the MMRDA's assistance for the MTHL project.

Navi Mumbai side land acquisition may have impact on title holder and non-title holders. CIDCO does not have data on title holders or non-title holders for the already acquired 65.3 hectares. For the remaining 27.801 hectares the land survey is under progress. Hence land required and ROW are not marked on ground because of which identification of title holder and non-title holders is not possible as on this date.

For land acquisition, generally the MMRDA may offer two options to the land owners. These include (i) cash compensation, (ii) award of TDR.

The non-resident landowners are eligible for market value of the land and building according to MUTP R & R Policy 2000, entitlement matrix. As per the RFCTLARR Act 2013, market value of the land is determined on the rates prevailing at the date of the publication of the notice plus multiplying factor as applicable. In addition to the market value of the land, an amount of 12% per annum on such market value for the period commencing on and from the date of the publication of the notification under Act, in respect of such land to the date of the award or the date of taking possession of the land, whichever is earlier and a solatium of 100% on such market value in consideration of the compulsory nature of acquisition is also payable.

The people who do not have legal title, affected by this project and losing houses are entitled to free of cost structure area equivalent of the structure lost maximum up to area measuring 20.91 sq.m. The affected shopkeepers are entitled to an equivalent structure area, if affected area is less than 20.91 sq.m. If the affected area is more than 20.91 sq.m. the owners would be provided commercial unit up to 20.91 sq.m. area free of cost and they would be entitled for maximum area up to 70 sq. m. However, they have to pay the cost of above 20.91 sq.m. In addition, there is a provision for providing compensation to those whose travel distances to place of work increases. The entitlement matrix provides category wise details regarding the entitlements in relation to the R&R principles enumerated above. The table 6.6 presents the entitlement matrix for the proposed MTHL project.

The facility of Transferable Development Rights (TDRs)¹ will be available as an alternative, as per Development Control Regulations (DCRs) for Greater Mumbai 1991.

In case of resident landlords, who opt for cash supplement in lieu of 20.91 sq.m. of structure in a resettlement colony, the cash supplement will be offered as per the market price for similar typologies of affected structures.

¹ The TDR is available as an alternative to compensation under the LA Act. TDRs are especially valuable because the right to exceed the legal density can be transferred from slum areas to suburb areas and can be used for more intensive development. The developer may either use the TDRs to construct and sell the additional space generated from the higher FSI or sell the right to another user.

Table 6.6: MUTP R&R Entitlement Matrix

Sr. No.	Category of PAP	Legal Compensation	Rehabilitation		
			Monetary Supplement	Type of Shelter related Rehabilitation	Price to be Charged
1.	Non-resident land owners (Including farmers and horticulturists)	Market value of land and buildings according to LA Act.	Nil	Nil	
	Non-resident lessees	Apportionment of compensation for the unexpired period of lease according to LA Act.	Nil	Nil	
2.	Resident landlord (land and building) (including farmers and horticulturists)	As in 1 above,	Nil	Cash supplement equivalent to cost of construction of floor space (subject to a max. of 20.91 sq.m.) occupied prior to resettlement. OR Floor space equal to self occupied floor area, subject to maximum of 70 sq.m., irrespective of use of floor space	First 20.91 sq.m. of floor space free of cost and at actual cost for the area in excess thereof.
	Resident lessee of land and building	Apportionment of compensation for the unexpired period of lease according to LA Act.	Nil	Floor space equal to self occupied floor area, subject to maximum of 70 sq.m., irrespective of use of floor space	First 20.91 sq.m. of floor space free of cost and at actual cost for area in excess thereof.
3.	Resident lessees, tenants or sub-tenants of buildings	Shifting charges according to LA Act.	Nil	Floor space equal to self-occupied floor area, subject to a maximum of 70 sq., irrespective of use of floor space.	Free of cost on ownership basis up to 20.91 sq.m. of floor space and at actual cost for area in excess thereof.
4.	Squatters				
	Non-Resident structure owners (The status to be established by documentary evidence which is admissible in law.)	Nil	Replacement cost of lost structure	Nil	

Sr. No.	Category of PAP	Legal Compensation	Rehabilitation		
			Monetary Supplement	Type of Shelter related Rehabilitation	Price to be Charged
	Resident structure owners	Nil	Replacement cost of lost structure	Township option Plot of 25 sq.m. Plot in excess of 25 sq.m.	Free of cost At cost of excess area.
			Nil	PH/HD/SRD Option: Residential: floor space of 20.91 sq.m.	Free of cost.
				Shops & business Area equivalent to existing area with a maximum of 70 sq.m. Out of which 20.91 sq.m. will be free of cost. Area in excess of 20.91 sq.m.	Free of cost At actual cost for the excess area
	Tenants	Nil	Nil	Township option	
				Plot of 25 sq.m. Plot in excess of 25 sq.m.	Free of cost. At cost for the excess area.
				PH/HD/SRD Option: Residential: floor space of 20.91 sq.m.	Free of cost
				For shops & business Area equivalent to existing area with a maximum of 70 sq.m. out of which 20.91 sq.m. Area in excess of 20.91 sq.m.	Free of cost At actual cost for the excess area
5.	Pavement dwellers	Nil	Replacement cost of lost structure	Township option	
				Plot of 25 sq.m. Plot in excess of 25 sq.m.	Free of cost. At cost for the excess area
			Nil	PH/HD/SRD Option: Residential :	Free of cost.

Sr. No.	Category of PAP	Legal Compensation	Rehabilitation		
			Monetary Supplement	Type of Shelter related Rehabilitation	Price to be Charged
				floor space of 20.91 sq.m.	
				For shops & business: Area equivalent to existing area with a maximum of 70 sq.m. Out of which 20.91 sq.m. Area in excess of 20.91 sq.m.	Free of cost At actual cost for the excess area.
6.	Employees and entrepreneurs				
	(a) Employees residing in the affected community and working at some other place	Nil	Amount equivalent to the fare of twelve quarterly season tickets for excess distance by suburban railway.	Nil	
	(b) Non-resident employees	Nil	Same as above.	Nil	
	(c) Employees and entrepreneurs who permanently lose their source of livelihood.	Nil	A lump sum compensation equivalent to one year's income, determined by the R & R Agency's valuation committee.	The rehabilitation package shall include access to employment information through employment exchange, and training facilities for appropriate skills be provided through on going government programs, and credit through, community operated fund.	

6.3.1 Consideration of Specific Entitlements in Sewri Section

As per the above MUTP R&R Entitlement Matrix (Table 6.6) MMRDA have two options available for the PAPs

- a) Either Bhakti park as the Resettlement houses or
- b) Cost of replaced structures along with 25 Sq.mt. of area in Township.

MMRDA have Ready Resettlement houses available at Bhakti Park. Thus MMRDA need not to spend replacement cost of housing for MTHL PAPs. At present Township option is not feasible in view of the non-availability of land nearby, thus MMRDA doesn't have any Township plan ready for MTHL, so it is not possible to evaluate the cost of 25 Sq. mt. of land mentioned in above option (b).

Value of Compensatory Structures at Bhakti Park Site

The PAPs displaced from Sewri side will be provided with houses and shops/ commercial spaces in Bhakti Park area where the house are already built by MMRDA. PAPs losing residential units shall be offered floor space equal to lost structure up to floor area of 20.91 sq.m. irrespective of use of floor space. PAPs losing commercial units shall be offered area equivalent to existing area with a maximum of 70 sq.m. Out of which 20.91 sq.m. will be free of cost and area in excess at actual cost. To assess the market value of the compensation offered ready reckoner rates for Bhakti Park were obtained (see **Annexure 6.3**). These rates show the value of residential building as 188,800 Rs. per sq.m. and shop/ commercial building as 302,300 Rs. Considering the value mentioned in ready reckoner rates the residential structure of 20.91 sq.m.would value 3,945,920 Rs. or around 4 Million Rupees. Considering the ready reckoner value the shop/ commercial structure of 20.91 sq.m.would value 6,321,093 Rs. or around 6.5 Million Rupees.

Comparison

Following Table 6.7 shows the comparison of the value of existing structure and provided structure. See **Annexure 6.4** for the value estimation of existing structures.

Table 6.7: Comparison of estimated value

Type	Estimated Structure Value (Rs.)	Value of fully built option at Bhakti Park (Rs.)
Residential	130,000	3,945,920
Commercial/ Shop	100,000	6,321,093

It is clear that the value of fully built residential/ commercial structures is more than replacement cost of structures and hence the higher value is considered for the calculation purpose. The total compensatory value provided for all displaced PAPs is rupees 1,239,065,961 or around 1,239 Million Rupees. See Table 6.8.

Table 6.8: Replacement cost of Resettlement Unit

Property type	Rate per Sq. mt. in Rs.	Cost of free area as per MMRDA policy (20.91 sq. mt.)	No. of units	Total cost in Rs.
Residential	188,800	3,947,808	229	904,048,032
Commercial	302,300	6,321,093	53	335,017,929
Total				1,239,065,961

Source: Ready Reckoner Rate of Bhakti Park (96/436A) of year 2015

Income Restoration Programme at Sewri section

MMRDA will carry-out assessment for loss of livelihood of the PAPs to understand the impact of the resettlement and consider necessity of additional support for PAPs within 6 months from the resettlement. If necessary MMRDA will undertake measures as prescribed in MUTP R&R Policy. It is important to highlight that the vulnerable PAFs are given benefits at par with other and they are not put to any additional disadvantageous position.

6.3.2 Consideration of Specific Entitlements in Sea-Link Section

Based on the NGT order mentioned in 6.1.5 and the categories of impacts identified in section 3.4 following draft compensation policy is prepared by the Fisher-folks Compensation Committee which not yet finalised. See Table 6.9.

Table 6.9 : Draft Fisher-folk Compensation Policy

Comp. Code	Type of loss	Nature of Loss	Explanations for loss	Compensation
C1	Permanent	Loss of fishing and livelihood due to removal of fishing stakes ('sus') and nets in the ROW	The fisher-folks practicing 'dol' net fishing have permanent fixtures of stakes ('sus') in the creek that are in vicinity of MTHL piers (ROW) which will have to be displaced permanently from their traditionally owned places. The stakes can neither be re-fixed at the same place or relocated elsewhere as the fishing area is already overcrowded.	Onetime payment of Rs. 5,84,000/- per *Unit as per the survey conducted under Clause nos. 2.3 to 2.7
C2	Permanent	Permanent loss of revenue due to decline in fish catches and changed seawater currents.	The dol-net is a passive fishing gear which filters seawater against the ebbing tidal currents and retains fish. The nets are able to operate efficiently at certain current velocities and operate only during spring tides (<i>Udhan</i>) for about 18-20 days in a month but not during neap tides (<i>Bhang</i>). The construction of piers of MTHL would impede the currents and slow them down in some places (10% reduction in the shadow region of piers (CWPRS Report)). Owing to reduced velocity of the current, efficiency of dol-nets would be weakened resulting in reduction of number of days of fishing and reduction in the quantum of fish caught leading to permanent loss of revenue.	50% of the amount provided per Unit in Code C1
C3	Permanent	Loss due to restricted movement of subsistence level fisher-folks for hand picking of fishery organisms	The subsistence level fisher-folks (mostly women) in inshore or inter-tidal zones hand pick crabs, oysters, bivalves and fish without using boats. Owing to construction of 'land-ward' part of the MTHL, casting yards and labour camp and access roads for transport of materials, equipment, machinery and men would prevent such fisher-folks from having an access to their rightful fishing grounds and thereby depriving them of	Onetime payment of Rs. 5,84,000/- per family as per the survey conducted under Clause nos 2.3 to 2.7

Comp. Code	Type of loss	Nature of Loss	Explanations for loss	Compensation
			their livelihood significantly. Similarly, those using 'barrier' nets ('vana') in such intertidal mudflats will be losing their fishing area for erecting the nets in future.	
C4	Permanent.	Loss of fishing time and increased operating cost (fuel) to reach fishing grounds from their hamlets due to MTHL during construction phase.	The fisher-folks living near the landing part of MTHL would have to travel a long distance and detour to reach their regular fishing grounds as well as marketing at wharfs in Mumbai (New ferry wharf and Sassoon docks).	<p>For Commercial Trawlers Rs. 5,84,000 as one time compensation for Mahul & Trombay.</p> <p>Artisanal from Mahul & Trombay will be compensated at 50% amount of Full compensation.</p> <p>Commercial Trawlers from Navi Mumbai shall be compensated at 50% amount of Full Compensation Value.</p> <p>Artisanal Fisher folks from Navi Mumbai shall be covered for 25% amount of Full Compensation.</p>
C5	Temporary	Loss of fish due to increased turbidity during construction phase	During construction of MTHL drilling and piling works and constant movement of barges carrying heavy machinery and materials would cause disturbances to the sea bottom and thereby increase the turbidity of the ambient water. Most fish species are sensitive to turbidity (suspended solids TSS) due to the fact that they cause irritation to their gills and respiratory system. If the TSS levels in the water are continuously high, it may result in many fish species permanently migrating to clearer waters. This would in turn mean reduction in fish availability to fisher-folks in the affected area during construction phase.	Equal to the loss of average catch as compared to the period before construction and as determined in during construction survey.

Comp. Code	Type of loss	Nature of Loss	Explanations for loss	Compensation
C6	Incidental	Damage of fishing boats and nets due to movements of barges, vessels, machinery materials and men along the ROW, jetties, casting yards and labour sites during construction phase.	The gill netter boats have fishing areas close to the MTHL use drift gill nets which are set during high tide at night and allowed to drift along the surface seawater currents for 6-8 hours for catching pelagic fishes. These nets may get damaged due movements of barges and vessels.	The actual cost of damages to Boats, Gear, etc. and for the loss of time as evaluated by the Evaluation Committee with the Office of the Commissioner of Fisheries/MMB.

Source : Fisher-folk Compensation Policy

*One Unit is considered for the single or collective families per single Dol Net.

6.3.3 Consideration of Specific Entitlements in Navi Mumbai Section

Land

As mentioned in previous section the 65.3 hectares of land had been acquired by CIDCO before the year 2000 and will be handed over to MMRDA for 99years lease at the rate of one rupees per year. In addition, CIDCO will provide 7.5 hectares of land to MMRDA for commercial use for free of charge. MMRDA will only bear the cost of remaining 27.801 hectares of land, which is being acquired by CIDCO. The total Land requirement from CIDCO side is provided in **Annexure 6.5**

As described in section 6.1, CIDCO will apply the combination of either “12.5% scheme and cash compensations based on RFCTLARR Act 2013” or “22.5% scheme without cash compensation” depending on the land owner’s preference for acquisition of 27.801 Ha (See **Annexure 6.6**). Out of the 22.5% entitlement, 30% is reserved for social facilities and public utilities. Thus, net land area in developed land is 15.75% of acquired land (1,575 sq. m. of net developed land for every 1 Ha of acquired land). A land owner can build 3,062.5 sq.m. of floor spaces in the (as floor area ratio or floor space index) 1575 sq. m. of the compensated for every one hectore of acquired land (See **Annexure 6.7**).

Considering the cost of land acquisition for the 27.801 hectares, it is assumed that the value of the net compensated buildable land equals costs of land acquisition by CIDCO and transferred to MMRDA. The ready reckoner rates of Uran Taluka¹, in Raigarh District are used to estimate the values of the compensated buildable land (**Annexure 6.8**). The ready reckoner sheet provides Rs. 2430 rate for 1 sq.m. of developed land². The total private land to be acquired is 27.801 hectore. As per above-mentioned 22.5 scheme, this will translate in to 43,786.57sq. mt. of developed land. Using the ready reckoner rate mentioned above the effective compensation would come to 106,400,000 Rs. or 106 Million Rupees.

School at Gavan Village

MMRDA will ensure appropriate construction and rehabilitation of the school at Gavane village (See Section 3.5, Figure 3.3 and Table 3.12) as per CIDCO’ policy OR if required as per MMRDA policy.

¹It is understood from CIDCO that the affected owners will be provided with develop land as compensation in Uran Taluka as against land acquired for MTHL project.

²In city like Mumbai, the price of land is linked to the permissible floor space index on that particular land. Therefore, the government ready reckoner does consider this factor while fixing the rate for a particular area.

CHAPTER 7: INSTITUTIONAL ARRANGEMENT FOR R & R

7.1 Background

The implementation of Social Impact Assessment (SIA) requires involvement of various institutions at different stages of project cycle. This section deals with roles and responsibilities of various institutions for a successful implementation of the SIA. The institutions to be involved in the process of SIA implementation are as follows.

- Mumbai Metropolitan Region Development Authority (MMRDA)
- Social Development Cell (SDC) of MMRDA
- Grievance Redress Committee(GRC)
- CIDCO, MPT, JNPT, Revenue Department, Department of Fisheries, Govt. of Maharashtra.

The role of different stakeholders for the project is given in Table 7.1. The organisational structure for implementation of EIA and SIA is presented in Figure 7.1. Institutional framework for SIA implementation is presented in Figure 7.2.

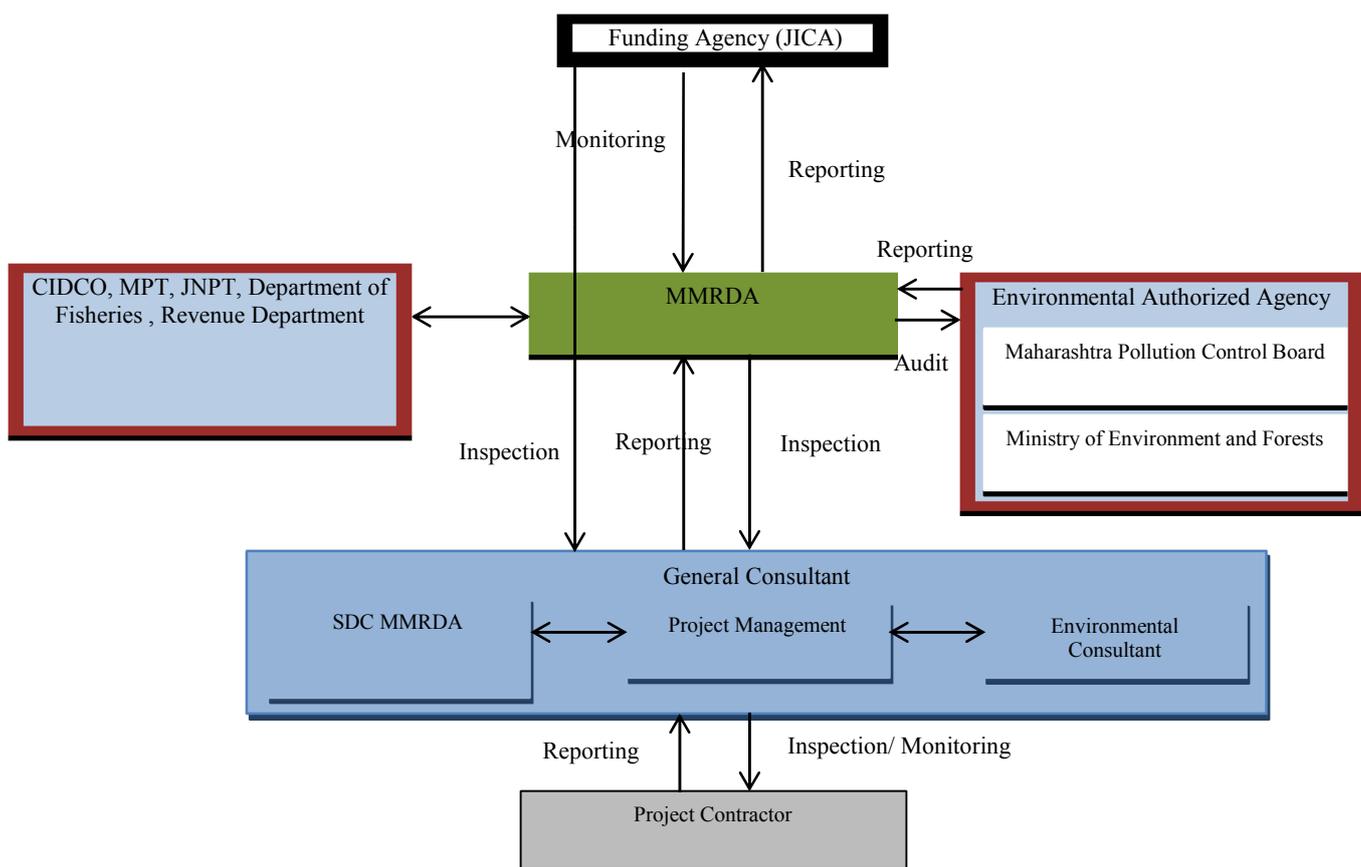


FIGURE 7.1: COMBINED EIA + SIA STRUCTURE

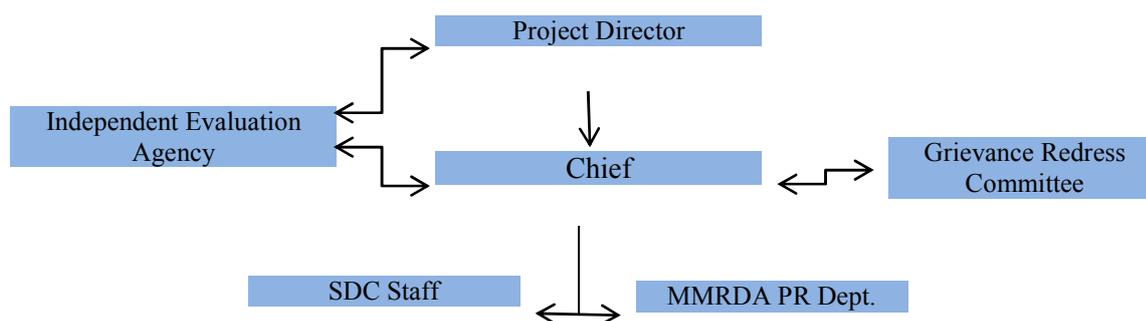


FIGURE 7.2: INSTITUTIONAL FRAMEWORK FOR SIA IMPLEMENTATION

7.2 Mumbai Metropolitan Region Development Authority (MMRDA)

MMRDA is responsible for planning and implementation of resettlement and rehabilitation component of the proposed MTHL project. MMRDA will coordinate with all implementing agencies and monitoring the progress of the project. The MMRDA is also responsible for the delivery of entitlements, shifting of PAFs, resettlement of PAFs etc. It will generate Quarterly Progress Report (QPR) for effective management decision. The MMRDA will be responsible for overall planning, supervision of all activities related resettlement and rehabilitation of the proposed project with active support from Social Development Cell of MMRDA during preparation, implementation and post implementation phase. If necessary, MMRDA will coordinate with NGO/CBO for implementation of all R&R activities.

7.3 Social Development Cell (SDC) of MMRDA

MMRDA has a Social Development Cell (SDC), which shall look the resettlement and rehabilitation activities. The SDC, will provide technical support for effective implementation of resettlement and rehabilitation activities of the project. The SDC shall work closely with other agencies and MMRDA's other wings for better coordination and implementation of R&R activities. The SDC shall ensure that all issues related to resettlement and rehabilitation are handled according to the policies/guidelines as it is laid down in this report. The overall responsibility of SDC is planning, supervision, implementation of all components of R&R. It would also coordinate with the respective JPDs to ensure implementation of various R&R activities that require the inputs of the respective officers from the environment, finance, legal and PR section of the MMRDA. Figure 7.3.

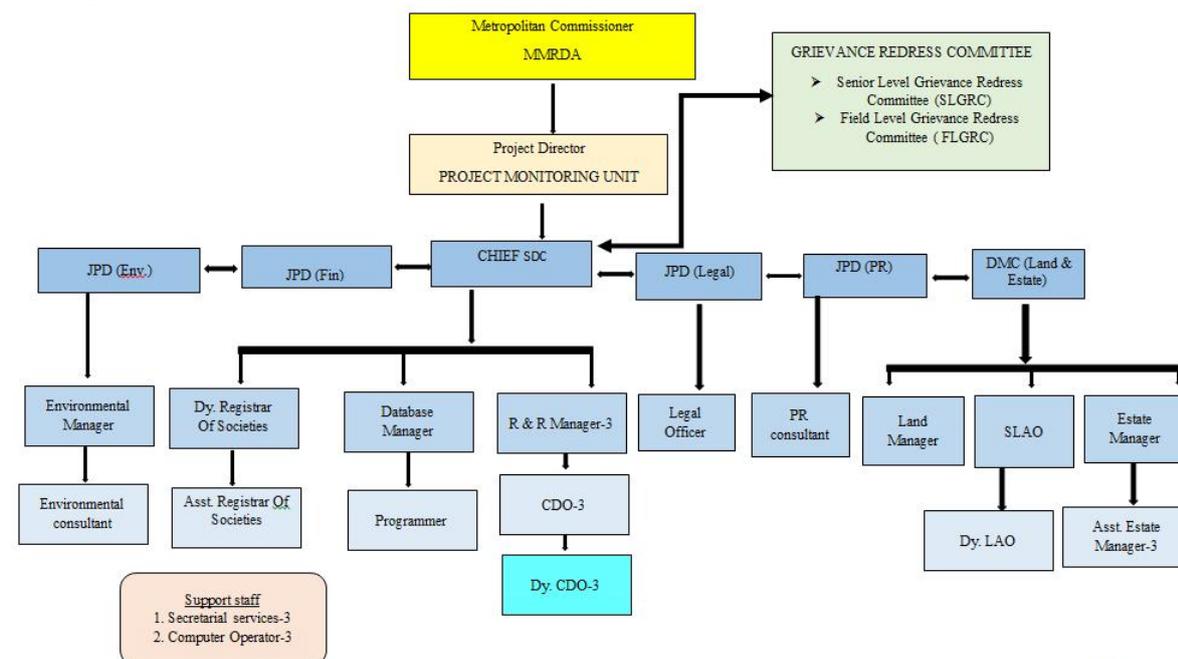


FIGURE 7.3: INSTITUTIONAL STRUCTURE OF MMRDA FOR IMPLEMENTATION OF R & R

7.4 Implementation and Post Resettlement Phase

SDC of MMRDA will play a very crucial role in implementation of resettlement and rehabilitation activities. The responsibilities of SDC will be in conducting regular consultations, survey, issue of identity cards, assisting affected families/persons during and post resettlement phase, formation of co-operative societies, providing training for managing the societies etc.

SDC services are also required during post resettlement phase. The SDC will provide support to enable the resettled PAFs to self- manage their Cooperative Housing Societies (CHS), Community Revolving Fund (CRF), public infrastructure, and improve healthy environment in R&R colonies. The activities during post resettlement include (i) Situational Assessment (ii) Development of Action Plan, (iii) Implementation of Action Plan and (iv) Evaluation of Post Resettlement Activity. The Chief SDC of MMRDA will supervise the operation during the entire period of its engagement.

7.5 Public Relation

MMRDA has a Public Relation unit headed by a Joint Project Director to support in public relation and to ensure availability of information to the affected families/persons, traders and concerned third parties to create an environment that is supportive of the process of Resettlement and Rehabilitation. The Public Relation Unit of MMRDA in coordination with SDC will plan information sharing on the R&R activities of the proposed MTHL project and coverage in the R&R activities in the print and electronic media.

7.6 Grievance Redress Committee (GRC)

The most common reason for delay in implementation of projects is grievance of people losing their land and residential, commercial and common structures. Considering this, Grievance Redress Committee (GRC) will be formed in order to address the grievances of project affected persons.

MMRDA shall designate a senior office at local level to consider any grievance of PAPs, give his decision in writing within a stipulated time, and keep record of such decision. If the aggrieved party is not satisfied with the decision, final appeal could be made to Grievance Redress Committee appointed by MMRDA and representatives from NGO.

The GRC will be formed at field level and senior level. Field Level Grievance Redress Committee (FLGRC) and Senior Level Grievance Redress Committee (SLGRC) are one person committee headed by an independent Chairperson with representatives from MMRDA and assisting NGO, PAP, his or her representatives as respondents. An organizational set up of FLGRC and SLGRC is presented in Figure-7.4. FLGRC addresses grievances relating to individual eligibility and entitlement, whereas SLGRC reviews decisions of FLGRC on grievance petitions filed by affected families/persons not satisfied with the FLGRC verdict. Both FLGRC and SLGRC follow the procedure of carrying out record and field verification and holding meeting with the concerned PAP after informing him/her about specific location, date, and time of such meetings.

Persons appointed for FLGRC and SLGRC are chosen who are not associated with the resettlement work of the concerned project. They are also selected based on their experience in Land Acquisition, Resettlement & Rehabilitation and legal matters associated with it.

As per draft policy provided by Fisher-folks Compensation Committee a separate section of SLGRC will take up the task of addressing fisher-folk grievances. The cell shall be chaired by the Social Head of MMRDA and officials from Fisheries Dept and Collector Office shall be the members of the committee with Superintendent Engineer, MMRDA as Member Secretary.

I	Chief Social Development Cell, MMRDA	Chairman
II	Assistant Commissioner, Fisheries (Marine) Mumbai Suburb	Member
III	Assistant Commissioner, Fisheries (Marine) Thane and Raigad District	Member
III	Dy. Collector, Mumbai District	Member
IV	Dy. Collector, Raigad District	Member
V	Superintending Engineer, MMRDA	Member Secretary

The role of Grievance Redressal Committee shall be as follows:

- The SLGRC (Fisher-folks) will consider the written grievances only.
- The GRC shall conduct hearing scrutinize the documents submitted and issue written orders of decision based on the Fisher-folks Compensation Policy.
- The decision of GRC shall be final and binding on all, PIA shall take action accordingly
- The complainant if not satisfied by the decision of GRC can challenge the same in the appropriate court of law.

CIDCO has vigilance officer post which acts as central grievance cell which directs the complaints to the relevant department. The vigilance officer can direct the complaints about MTHL to SLGRC structure of MMRDA depending upon the mutual agreement between CIDCO and MMRDA.

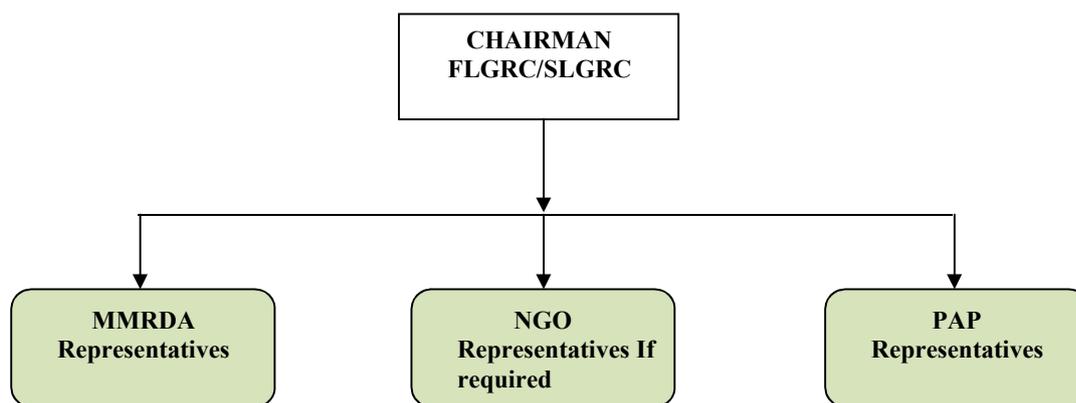


FIGURE 7.4: ORGANISATIONAL STRUCTURE OF FLGRC/SLGRC

PAPs are expected to approach the court of law after exhausting the remedy of GRC mechanism. However, establishment of grievance redress committee does not bar any one from approaching the court of law.

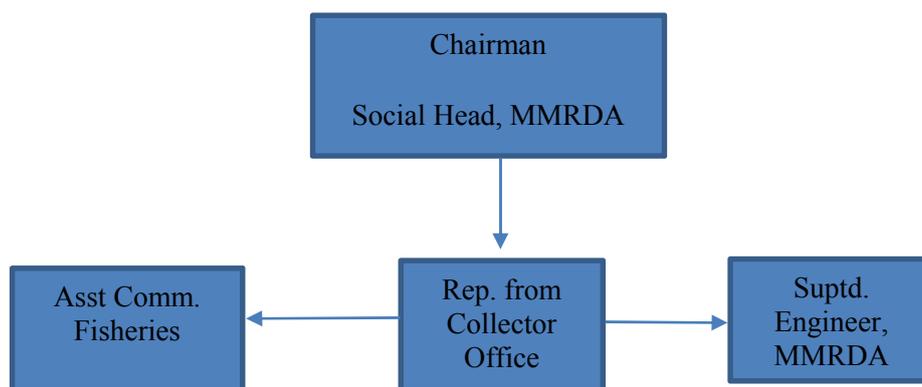


Fig. 7.5 Organisation Structure of Fisher-folk GRC

Table-7.1 Role of Stakeholders for Implementation of SIA

Position	Responsibilities
MMRDA	<ul style="list-style-type: none"> • Overall planning and supervision of all project activities; • Exercise of administrative approval for finance & execution related activities; • Coordination with JICA, Govt. of India, Govt. of Maharashtra and other concerned agencies.

Position	Responsibilities
SDC, MMRDA	<ul style="list-style-type: none"> • Planning, supervision and implementation of R&R components; Report to MMRDA; • Supervision and control over the Managers, Officers and support staff in SDC; • Liaison and coordination with MMRDA Land and Estate Management Cell, Department of Fisheries, Maharashtra Maritime Board, Engineering Cell, PR cell, NGOs, PAPs & other stakeholders; • Prepare and submit all reports and communication to MMRDA; The administrative domain of SDC include: <ul style="list-style-type: none"> ✓ Approval of eligibility list ✓ Approval of Progress Reports ✓ Procurement of Consultancy services for R&R components; ✓ Disclosure of information to requesters and external agencies • Verification of database through field survey; • conducting public consultation, survey, issue of identity cards, • Organize meeting with PAPs assist them during relocation; • Explain the entitlements and R&R policy provisions; • Acting as catalysts between PAPs and project authorities; • Regular follow up implementation activities and other relevant activities. • Serve as initial step to redress grievances; • Assist the PAPs in redressing grievances with Project Authorities; • Provide support for post resettlement activities such as registration of Cooperative Societies and training related to maintain the building etc.
Public Relation Unit, MMRDA	<ul style="list-style-type: none"> • Coordinate with SDC in information sharing on R&R activities of the project; • Ensure availability of information to PAPs and other stakeholders; • Coverage of progress of R&R activities in the print and electronic media.
Grievance Redress Committee	<ul style="list-style-type: none"> • FLGRC address grievances by scrutinizing documents and giving hearing relating to individual eligibility and entitlement; • SLGRC review decisions of FLGRC on grievance petitions filed by PAPs
Independent Evaluation	<ul style="list-style-type: none"> • Independent Evaluation will be carried out at Mid-term and End term • Evaluate the implementation of the various provisions and activities planned in the SIA; • Review the plan implementation in light of the targets, budget and duration that had been laid down in the plan as a part of mid and end term review.

CHAPTER 8: RESETTLEMENT AND REHABILITATION

8.1 Background

As per the R&R Policy of MUTP, the site for resettlement shall be selected out of the feasible options in consultation with the affected community as a part of the SIA preparation. The principal criteria for site selection shall include access to employment opportunities, infrastructure and social services.

As per the project pattern and its impact areas the sections in this chapter is divided in three main sections viz; Sewri section, Sea-link section & the Navi Mumbai section.

8.2 RESETTLEMENT

8.2.1. Sewri section:

During preliminary Stakeholder's consultation at Sewri section, it was noted that most of the residential and commercial PAFs prefer to resettle near their existing place of residence and business. Based on the census and BSES survey, there are 229 residential and 53 commercial PAFs are to be rehabilitated. MMRDA has indicated probable resettlement sites developed in Mumbai. Out of many resettlement sites for rehabilitation of residential and commercial PAFs of Sewri site, "Bhakti Park", Wadala, is the nearest resettlement site with the required no. of residential and commercial structures available with MMRDA. Figure 8.1 depicts the map & the details about the resettlement structures of the relocation area. The layout plans of ground floor and 1st floor to 7th floor of the buildings are given in Annexure 8.1 & Annexure 8.2 respectively. However, finalization for selection of Resettlement site would be taken in consultation of PAFs, MMRDA officers and other concerned Departments.

If the PAFs formally desire to relocate elsewhere the MMRDA can consider their resettlement in other sites as Mankhurd, Mahul, Govandi, Oshiware etc depending on availability of tenements.

Bhakti Park, Wadala

The residential and commercial PAFs of Sewri shall have the option to shift to residential and commercial tenements at Bhakti Park, Wadala. The details about resettlement site of Bhakti Park, Wadala are given in **Table 8.1**.

Bhakti Park Wadala is well connected site with rest of Mumbai through Metro Rail and road connections. It also has access for school and health facility as shown below. See Table 8.2



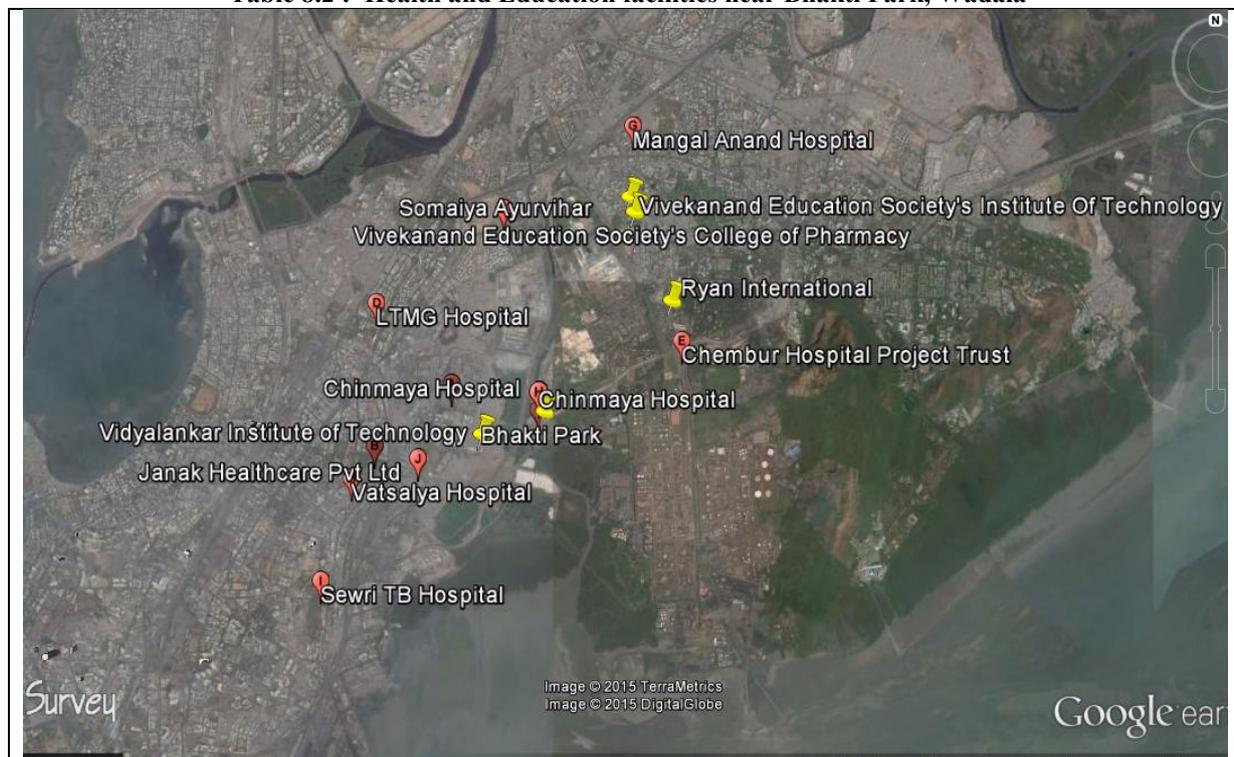
(Source – Google maps 2015 & JICA study team)

FIGURE 8.1: GOOGLE IMAGE & THE RESETTLEMENT STRUCTURE DETAILS

Table 8.1: Details about Resettlement Site at Bhakti Park Wadala

1	Total Area of the Plot	34249.60 Sq. mt.
2	No. of Buildings constructed	11
3	Type of Construction	G+7
4	Total number of Residential Tenements	1540
5	Carpet area each of residential tenement	225 Sq. Ft.
6	Cost per residential tenements	Land & Buildings procured from private developer against TDR. Estimated Land & Building cost of tenements as per Read Reckoner, 2015 is Rs. 39,45,920/-
7	Total number of shops constructed	193
8	Cost per commercial tenements	Land & Buildings procured from private developer against TDR. Estimated Land & Building cost of tenements as per Read Reckoner, 2015 is Rs. 63,21,093/-

9	Social amenities	A society office, Balwadi & Welfare center for 100 tenements.
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Table 8.2 : Health and Education facilities near Bhakti Park, Wadala

Aditya Jyot Eye Hospital	Approx. 4.70 Km
Mumbai Port Trust Hospital	Approx. 4.70 Km
Chinmaya Hospital	Approx. 0.50 Km
Shobha Maternity & Surgical Home	Approx. 5.00 Km
Chembur Hospital Project Trust	Approx. 4.50 Km
Manav kalyan Seva Trust	Approx. 3.10 Km
LTMG Hospital	Approx. 3.50 Km
Abhyankar Hospital	Approx. 2.50 Km
Chunabhathi Municipal Hospital	Approx. 3.80 Km
Adarsha Hindi High School & Kanisht Mahavidyalaya	Approx. 1.90 Km
Ryan International School	Approx. 5.00 Km
Vivekanand Education Society's College of Pharmacy	Approx. 3.50 Km
Vivekanand Education Society's Institute Of Technology	Approx. 4.50 Km

8.2.2. Sea-link section:

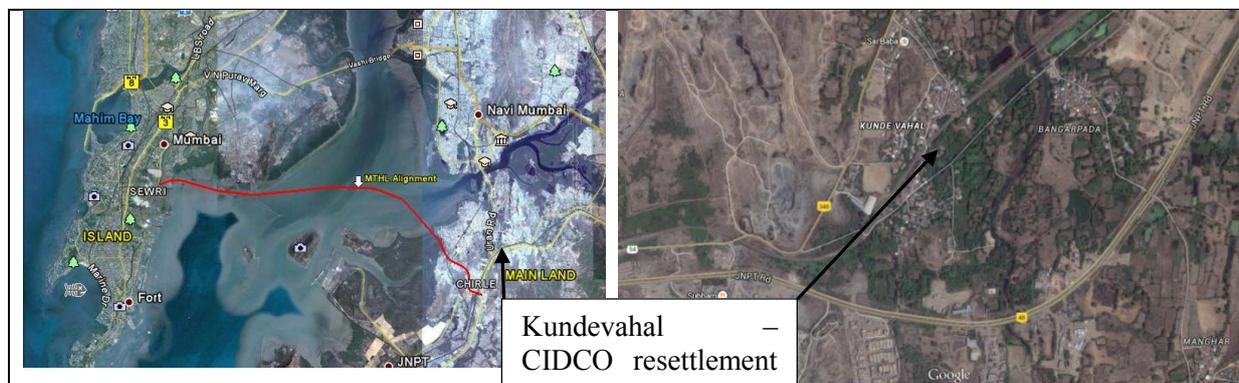
The Sea-link section of alignment does not involve displacement of any family.

8.2.3. Navi Mumbai:

The land in Navi Mumbai section is acquired by CIDCO through its compensation and R&R policy. Out of the 96 Ha land about 69 Ha land is under possession of CIDCO and the compensation for those land has been paid to the affected families. The remaining 27.801 hectares that is under process of acquisition shall be carried out by applying CIDCO 22.5% policy OR RTFCLAA 2013 Act & 12.5%

scheme. By these policies the PAPs who opted for Money & Land or Land to Land compensation were given the Relocation & Resettlement to “Kundevahal” village. Figure 8.2 represents the google map of the relocation area.

The impacted school at Gavan village will be constructed on government/CIDCO land available in Gavan village or nearby area.



(Source – Google maps 2015 & JICA study team)

FIGURE 8.2: GOOGLE IMAGE & THE RESETTLEMENT STRUCTURE DETAILS

8.3 REHABILITATION

The project may have adverse impact on the income and sources of livelihood of PAFs, as the alignment is passing through the commercial area and the affected people are from comparatively lower economic profile. The focus of restoration of livelihood will be to ensure that the Project Affected Persons (PAPs) are able to at least “regain their previous living standards” with overall objective to improve their life in better ways.

8.3.1. Sewri section:

The entitlement matrix proposed for this project has adequate provisions for restoration of livelihood of the affected families, as covered in chapter 6.

8.3.2. Sea-link section: income

The fisher-folk compensation is a sensitive issue as far as MTHL is concerned. Most of the fisheries in the impact zone is subsistence or artisanal fishery and there are no records of the fish landings. Hence, quantification and determination of income is very difficult. In addition, there is no policy for compensation of fisher-folks in similar conditions.

The approach, therefore, has been multi-level. There will be full scale socio-economic study of the Fisher-folks from the affected villages. There will also be field surveys to count the yield per fisher-folk category. Accordingly, the list of beneficiaries will be prepared and in consensus with the affected fisher-folks the compensation shall be provided.

The MMRDA Social Development Cell shall also carry out capacity building programs for the fisher-folks for managing their own business or allied training. A sum of INR. Ten Million has been proposed for these capacity development programs.

8.3.3. Navi Mumbai:

For this section the land owners whose land is acquired will be provided with various schemes in addition to the applicable compensation. These schemes are run by CIDCO for the Rehabilitation of the land owners. Few of the schemes are mentioned below.

- 1) Financial help to affected people for construction of home
- 2) Affected families entitled for total conveyance allowance
- 3) Financial assistance for transport to affected people for shifting charges
- 4) Permission to take old structure articles
- 5) Well planned & developed rehabilitation complexes will be provided to the PAPs.
- 6) Provision of essential facilities like school, colleges, playground, public transport, market, crematory etc. will be provided by CIDCO.

MMRDA will ensure school is appropriately rehabilitated as per CIDCO's policy OR if required as per MMRDA Policy.

8.4 POST RESETTLEMENT SUPPORT

8.4.1. Sewri section:

The project affected families are placed in multi-storied vertical structures along all facilities as members of Cooperative Housing Society (CHS). It is their responsibility to manage properly their buildings, assets and other facilities like balwadi, welfare centre etc. They have also to manage their cooperative societies, and revolving funds, which involve financial as well as organisational management needs. To address all these challenges, they need to assess and enhance their resources, knowledge, skills, and capacities.

MMRDA provides post resettlement assistance to PAPs in following ways.

- forming the Cooperative Housing Society and registering it.
- the basic training to PAPs for awareness about the society running and maintaining the building.
- providing Rs. 20,000 per PAF as maintenance fund which is locked for the period of 10 years in a joint bank account shared by MMRDA and the Cooperative Housing Society. The interest earned by the fund is utilised for building maintenance.
- provision of community revolving fund (CRF), provision of such fund will be made as may be considered necessary by MMRDA.

In addition, field level officers of Social Development Cell (SDC), MMRDA will pay special attentions to the PAPs for the status of the livelihood recovery. In case either written requests from PAPs or SDC officers recognise the necessity of the further support for livelihood recovery, SDC and/or other department of MMRDA will play key roles to coordinate state and national organizations/agencies to effectively address the difficulties of those who need further assistances. If MMRDA finds that resettled PAPs need livelihood restoration it would extend such support as provided under the MUTP R&R Policy and further, if necessary, it will assist such PAPs in obtaining benefits of any Government welfare programmes applicable to them.

8.4.2. Sea-link section:

Since all of the fisher-folks shall be switching over to new fishing grounds in the same area, there will not be any specific programs for the fisher-folks. The capacity development programs shall be carried out as an extra benefit to the fisher-folks.

8.4.3. Navi Mumbai:

CIDCO has number of schemes for support in the post resettlement stage¹.

- PAPs will be given work under contractor
- Professional training to project affected people through institute at Dronagiri started in 2009.
- PAPs and their next generation have a reservation in jobs at CIDCO
- PAPs and their next generation have access to free vocational training at two vocational training centres operated by CIDCO
- Students are entitled for free education till the 10th standard. For Higher Education, scholarship schemes are available.
- PAPs get short terms contracts, viz. building of footpath, roadside drain from CIDCO from time to time.

¹22.5% CIDCO Scheme

CHAPTER 9: IMPLEMENTATION SCHEDULE

9.1 BACKGROUND

The implementation schedule for SIA will be linked to the overall project implementation programme. All activities related to the land acquisition and resettlement shall be planned to ensure that compensation and R&R component is completed or at advance stages of completion prior to commencement of civil works.

It is important to mention here that the project has distinct advantage in implementing the SIA. Out of the three sections of the project, the only section with significant resettlement effect is in Sewri section. Sea Link section may have effect on the fishing community by way of movement restriction of Fisher-folk's boats into the water due to upcoming temporary jetty that will be used during the construction period. Apart from this, the impact of the bridge piles on the water current & thereby on the fish population is being studied by the Department of Fisheries. In Navi Mumbai section, 70% land is available with the CIDCO, which can be transferred to MMRDA for the project. Therefore, the project construction would not be delayed for want of right of way, at least in sea link and major part of Navi Mumbai section of alignment.

The R&R activities of proposed project is divided under four broad categories based on the stages of work and process of implementation. The details of activities involved in these four phases are Draft SIA stage, final SIA preparation phase, R&R implementation phase and Monitoring and Evaluation (M&E) phase.

Project preparatory stage involves the draft SIA and final SIA preparation activity. The major activities performed in this period include consultation with the stakeholders, Census and Socio-economic survey, to identify the PAPs and their socio-economic status prior to implementation of project, preparation of budget, and institutional arrangement for implementation of SIA. The SIA, at this stage, needs to be approved and disclosed to the PAPs. Upon the approval of RAP, the payment of compensation and allowances R & R benefits will be disbursed as per the approved SIA.

Once the staff for implementation are in place, the process of ID card distribution to APs, allocation of alternate house or commercial unit in resettlement colony to APs, notice and preparation of APs to relocate to new location, transfer of benefits to APs, setting up of community revolving fund, assessment of economic rehabilitation needs and registration of housing societies etc. In the monitoring and evaluation phase, MMRDA Social Development Cell shall do the concurrent monitoring of the progress of the SIA implementation. The independent agency recruited for external evaluation shall carry out the mid-term, end term and final

9.2 R & R IMPLEMENTATION SCHEDULE

RAP implementation schedule for R&R activities in the proposed project including various sub tasks and time line matching with civil work schedule is prepared and presented in Table 9.1.

Table 9.1: Implementation Schedule for SIA

Task No.	Task Designation	Start Date	Completion Date
1	Preparation of Draft SIA	June, 2015	September, 2015
1.1	Conduct Public consultations	July, 2015	August 2015
1.2	Census and Socio-economic survey	July 2015	2 nd September 2015
1.3	Preparation of Draft SIA	July 22, 2015	September 10, 2015
1.4	Review by MMRDA, JICA	September 10, 2015	September 30, 2015
2	Preparation of Final SIA	October, 2015	December, 2015
2.1	Incorporation of Comments on Draft SIA	October 1, 2015	December 10, 2015
2.2	Update of Draft SIA – Fisheries Committee Report	October 15, 2015	December 20, 2015
2.3	MMRDA Approval	October 22, 2015	January 9, 2016
2.4	JICA Approval	November 12, 2015	January 30, 2016
2.5	Posting of project information on MMRDA web sites	November, 2015	January, 2016
2.6	Translation and disclosure of entitlement policy in local language to all APs	December 5, 2015	January 15, 2016
3	LARP Implementation		
3.1	Grievance redress mechanism established	Feb 1, 2016	Feb 10, 2016
3.2	Staff deployment SIA implementation	Feb 5, 2016	Feb 31, 2016
3.3	Staff deployment for Public Relation	Feb 5, 2016	Feb 31, 2016
3.4	Hiring of Independent Evaluation Agency	March, 2016	April, 2016
3.5	Preparation and issue of ID card to APs	March 10, 2016	April 30, 2016
3.6	Notice to APs for shifting (Sewri Section)	April 1, 2016	May 10, 2016
3.7	Allotment of dwelling units to APs	April 15, 2016	May 29, 2016
3.8	Shifting of APs to resettlement Colony	May 15, 2016	June 15, 2016
3.9	Transfer of compensation/allowances/assistance to APs	June 17, 2016	June 30, 2016
3.10	Creation of Community Revolving fund (within 3 months post handing over)	July 1, 2016	Sep 15, 2016
3.11	Assessment of economic rehabilitation needs by individual household (within 3 months after handing over).	July 1, 2016	Oct 15, 2016
3.12	Registration of co-operative housing societies, transfer of maintenance funds. (6 months period).	July 1, 2016	Dec 15, 2016
3.13	Signing of Civil Contract		Sep, 2016
3.14	Notice for Civil works to proceed		Nov, 2016
4	Monitoring & Evaluation		
4.1	Internal Monitoring – Monthly/Quarterly progress report	Feb, 2016	Dec, 2016
4.2	Independent Evaluation Mid-term and End term evaluation	July, 2016	Jan, 2018

CHAPTER 10: Resettlement & Rehabilitation COST ESTIMATE

10.1 Background

This chapter presents an overview of budget and the cost estimates for SIA. MMRDA will bear the cost of land acquisition throughout the alignment including tidal and port area. Given the conditions of the agreement between MMRDA and jurisdictional agencies for each section to make land available for the project, MMRDA will also bear the costs of resettlement and rehabilitation for PAPs along the alignment of MTHL.

Due to the on-going process of negotiation between MMRDA and port authorities as well as finalizing the land acquisition in Navi Mumbai, the estimated cost has been taken with the most updated information. Since the estimated cost for land and property is based on Ready Reckoner Rates 2015, some cost may increase based on the Ready Reckoner Rates at the time of the contracts.

Since there is likelihood of price escalation, the budget should be considered as “Indicative.” All costs shall be reconfirmed and updated at the time of project commencement. If it is necessary, the costs shall be also adjusted to address the inflation of costs and personnel expenses over the four years of construction period.

10.2 Land Acquisition and Resettlement

10.2.1. Sewri section

Compensation for MPT

As all ROW in Sewri section is the jurisdiction of MPT, costs of land transfer will be paid to MPT. Since there are some administrative buildings and storehouse within the ROW, such structures would be paid based on the contract between MMRDA and MPT. Based on the latest negotiation records between MMRDA (#MMRDA/MTHL/MbPT/Land charges/Rev/2015 dated SEP9/2015) and MPT (#CE.MTHL/92/2460 (G) dated 27AUG/2015), some corrections are still necessary for MPT’s instruction on 27 August (**Annexure 10.1 & 10.2**)

As the most updated information, we assumed the land acquisition and resettlement costs as follow:

(INR)

ROW (including land & water area)	3,595,900,000	30years
	+ some contract charge	
Resettlement	884,800,000	Jetty & STP Sheds

During the BSES survey, 25 project affected MPT structures are confirmed which are mostly godowns except one residential building. The overall area of the structures is estimated to be around 2980 sq.m. The value of the land is not considered as that is being taken care of in the earlier paragraphs. The value of Mumbai Port Trust’s Structures is calculated as per the DSR rules & the assumptions applicable (see **Annexure 10.4**) as per the discussion with Contractor’s in Sewri area. See following Table 10.1 for estimated value of MPT structures.

Table 10.1: Estimated value of existing MPT structure at Sewri section

Components	Area or Volume	Unit	Unit Rate As Per DSR including Labour Rates (INR)	Total Cost in INR
Concrete Floor	2971.54	Cubic M.	3,164	9,401,955
Floor Finishing	2971.54	Sq.m.	510	1,515,485

Components	Area or Volume	Unit	Unit Rate As Per DSR including Labour Rates (INR)	Total Cost in INR
Brick Wall	2628.77	Cubic M.	3,346	8,795,880
Painting	15916.03	Sq.m.	64	1,018,625
Roof	17766.23	Sq.m.	3776	60,826,737
Services	22062.55	Sq.m.	2152	42,631,705
Foundation value	16151.12	Sq.m.	4304/Commercial & Go-downs 2152/Residential	68,058,747
Total				192,249,137

Compensation for Titleholders in Sewri Section

Although BSES did not identify any legal titleholders including official lessees of MPT properties in Sewri section, some PAPs have claimed official lessee right at the 1st and 2nd SIA consultation meetings. MMRDA will consider such lessee right and has requested PAPs to provide such legal documents. As of September in 2015, MMRDA has not received any official claims. Thus, we tentatively assume no costs for titleholders in Sewri section at this moment.

Compensation for Non-Titleholders in Sewri Section

Although all residential and commercial structures are on MPT land, rehabilitation costs of residential and commercial non-titled PAPs will be borne by MMRDA in accordance with MUTP R&R policy 2000. All PAPs are entitled to receive resettlement benefits specified in the updated entitle matrix in the chapter 6.

As mentioned in Chapter 6 and Chapter 8 the PAPs are likely to be getting residential and commercial structures at resettlement site at Bhakti Park, Wadala. The notional costs of the replacement structures in mentioned in Table 6.8 in chapter 6.

Cost of clearing the land

The land under structures needs to be cleared before it is handed over to contractor. Once vacated, the empty structures will be demolished with earth mover and the debris would be disposed using truck to the designated dumping site as per the Municipal Corporation of Greater Mumbai's guidelines. The present market rate for an earth mover is around 1,000 Rs. / Hr. Similarly a truck carrying 22.5 cubic meter of debris would charge 3,000Rs. per trip (a trip is assumed to be 40 kms for dumping the debris from Sewri site). The earth mover is assumed to be required for 12 days i.e. 96 hours to remove all the structures. It will cost 96,000 Rs. See Table 10.2. Volume of debris is considered to be increased by 100% than the material once it is demolished.

Table 10.2: Cost of clearing debris from Sewri side

Structures	No.	Volume of Material for one structure (Cubic Meter)*	Volume of Debris for one structure (Cubic Meter)**	Total Volume	No of Trips	Cost of one trip (Rs.)	Total cost (Rs.)
Residential	229	20.54	41.08	9407.32	408	3000	12,24,000
Commercial	53	12.63	25.26	1338.78	60	3000	1,80,000
Earth Mover for 12 days							96,000
Total							1,500,000

Source: JICA Study team

* Volume of structures is worked out in Annexure 6.3

** Volume of debris is calculated assuming bulk density of 0.5 for the debris

Thus the total cost of clearing land of the structures would be 1,500,000 Rs.

10.2.2. Sea-link section

There is no physical resettlements in sea-link section while rehabilitation/mitigation measures may be considered for people engaged in fishing activity. Such mitigation measures for fisher-folk are under consideration by the Fisher-folks Compensation Committee.

10.2.3. Navi Mumbai section

Compensation for Land in Navi Mumbai Section

As described in section 6.1, CIDCO will apply the combination of either “12.5% scheme and cash compensations based on RFCTLARR Act 2013” or “22.5% scheme without cash compensation” depending on the land owner’s preference for acquisition of 27.801 Ha. Comparing the expected costs, 22.5% scheme is higher than cash compensation and 12.5% scheme.

Thus, it is assumed that the compensation costs for 27.801 Ha. based on 22.5% scheme. Out of the 22.5% entitlement, 30% is reserved for social facilities and public utilities. Thus, net land area in developed land is 15.75% of acquired land (1,575 sq. m. of net developed land for every 1 Ha of acquired land). A PAP can build 3,062.5 sq.m. of floor spaces in the (as floor area ratio or floor space index) 1,575 sq. m. of the compensated for every one hector of acquired land (See **Annexure 6.4**).

Considering the cost of land acquisition for the 27.801 Ha, it is assumed that values of the net compensated buildable land equals costs of land acquisition by CIDCO and transferred to MMRDA. The ready reckoner rates of Uran Taluka¹, in Raigarh District are used to estimate the values of the compensated buildable land (Rs. 2430/sqm of developed land²). Estimated hypothetical costs of the 27.801Ha acquisition are shown in Table 10.3.

Table 10.3: Cost of Land Acquisition in Navi Mumbai Section

A) Land in hect.	B) Net developed land as per 22.5 scheme per hect. In sqm	C) Total developed land in sqm (A x B)	D) Ready reckoner rate per sqm of dev. land	Total land cost in Rs. (C X D)
27.8015	1,575	43,786.57	2,430	106,400,000

Source – CIDCO/State Ready Reckoner/JICA Study Team

Compensation for title holder structure loss is covered under the 22.5 scheme. Compensation for non-title holder structure loss cannot be calculated as survey of the remaining 27.801 hectares of private land is not yet complete and hence boundary showing ROW and land required for the project is not available.

Cost of clearing the school land

The land under structures needs to be cleared before it is handed over to contractor. Once vacated, the empty structures will be demolished with earth mover and the debris would be disposed using truck to the designated dumping site as per the local government guidelines. The present market rate for an earth mover is around 1,000 Rs. / Hr. Similarly a truck carrying 22.5 cubic meter of debris would charge 3,000Rs. per trip (a trip is assumed to be 40 kms for dumping the debris from Gavan village site). The earth mover is assumed to be required for 12 days i.e. 96 hours to remove all the structures. It will cost 96,000 Rs. See Table 10.4. Volume of debris is considered to be increased by 100% than the material once it is demolished.

¹It is understood from CIDCO that the affected owners will be provided with developed land as compensation in Uran Taluka as against land acquired for MTHL project.

²In city like Mumbai, the price of land is linked to the permissible floor space index on that particular land. Therefore, the government ready reckoner does consider this factor while fixing the rate for a particular area.

Table 10.4 : Cost of clearing debris from Gavan school site

Structures	No.	Volume of Material for one structure (Cubic Meter)*	Volume of Debris for one structure (Cubic Meter)**	Total Volume	No of Trips	Cost of one trip (Rs.)	Total cost (Rs.)
A	1	67.0	134.0	134.0	6	3000	17,867
B	1	31.5	62.9	62.9	3	3000	8,387
C	1	79.8	159.6	159.6	7	3000	21,280
D	1	106.3	212.6	212.6	9	3000	28,347
E	1	47.0	94.0	94.0	4	3000	12,533
Earth Mover for 12 days							96,000
Total							1,84,413

Source: JICA Study team

* Volume of structures is worked out in Annexure 10.5

** Volume of debris is calculated assuming bulk density of 0.5 for the debris

Cost of reconstruction of school

Construction of school will be on government/ CIDCO land which will not cost extra amount. The construction cost of school is estimated below based on ready reckoner rates for Uran Taluka for commercial structures. See Table 10.5. Ready reckoner rate reference is provided in **Annexure 6.8**.

Table 10.5 : Cost of construction for school at Gavan village

Structures	Configuration	Area(sq.mt)	Cost As per Ready Reckoner Rate Raigarh
A	Ground	208	7,869,960
B	Ground	92	3,480,246
C	Ground	274	10,367,028
D	Ground	384	14,534,100
E	Ground	237	8,963,892
Total			45,215,226

Source – State Ready Reckoner/JICA Study Team

The overall construction cost of the school would be around 45.2 million rupees.

10.3. Land Lease for Casting Yard & other facilities

10.3.1. Sewri section

Based on the latest negotiation records between MMRDA (#MMRDA/MTHL/MbPT/Land charges/Rev/2015 dated SEP9/2015) and MPT(#CE.MTHL/92/2460(G) dated 27AUG/2015), some corrections are still necessary for MPT's instruction on 27 August.

As the most updated information, it is assumed that the land acquisition and resettlement costs as follow:

(INR/year)

Construction Yard Lease	332,336,835/year + 15% contract charge 2years deposits at first 4% escalation/year	(Annual)
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10.3.2. Sea-link section

It is not clear at this moment, but we assumed there are no water area lease for construction yards.

10.3.3. Navi Mumbai section

As described in section 6.1, as per the agreement between CIDCO and MMRDA, CIDCO will provide 1) previously acquired land, 2) MMRDA's commercial land, and 3) construction yard (only during the construction period) for one INR/year for 99years. As it is already assumed that the said cost of land acquisition is included in section 10.2.3, hence, no additional costs for the lease land is considered. (see **Annexure 3.1**)

10.4 Rehabilitation Allowances

10.4.1. Sewri section

Livelihood Restoration Allowance

If it turnout to be impossible to continue present occupation or where workers/employees/entrepreneurs permanently lose their source of livelihood because of their displacement, a lump compensation equivalent to one year's income be given such workers/employees/entrepreneurs at the rate to be determined by R&R implementing agency.

Shifting Allowance

Cost of shifting will be paid to the PAPs or free transport arrangements be made available to be PAP for moving to the resettlement site.

Community Revolving Fund

The R&R policy provides for cash compensation for increased travel distance because of relocation. Individual housing co-operative societies will be given the option of setting up a Community Revolving Fund (CRF) instead of travel compensation, as the latter is a long-term solution. A Community Revolving Fund will be created through community savings and a project grant @ Rs.1000 or as appropriate per households to finance those who are in need of money for starting various business and other activities. Access will also be provided to government self-employment schemes like Swarna Jayanti Swayam Rozgar Yojana (SJSRY) and where needed, training facilities for self-employment. The total amount to be paid towards CRF is Rs. 282,000.

10.4.2. Sea-link section

As per the FCP following costs is estimated for the rehabilitation of impacted fisher-folks. See Table 10.6.

Table 10.6 : Fisher-folk compensation

Compensation Code	Nature of Impacts *	Comp Amount	basic	No. of PAP	Type of PAP			Compensation Amount
					Commercial	Artisanal	Subsistence	
C1	P	5,84,000		48		48		28,032,000
C2	P	2,92,000		34		34		9,928,000
C3	P	2,92,000		512			512	149,504,000
C4	T				300	175		226,300,000
C5	T	2,92,000 for S				150	400	100,000,000

Compensation Code	Nature of Impacts *	Comp basic Amount	No. of PAP	Type of PAP			Compensation Amount
				Commercial	Artisanal	Subsistence	
		5,84,000 for A					
C6	I						30,000,000
Capacity Building Funds							10,000,000
Sub Total							553,764,000
Contingency @ 20%							110,752,800
Sub Total							664,516,800
Inflation @ 20%							132,903,360
Total							797,420,160

Source : Fisher-folk Compensation Committee

* P – Permanent Impact, T – Temporary Impact, I – Incidental Impact

10.4.3. Navi Mumbai section

As same as land acquisition costs in Navi Mumbai, it is assumed 22.5% scheme for MTHL without any cash compensation including rehabilitation. As the basis of the land use condition for the rest of the 27.801 Ha at this moment, rehabilitation is not applicable for land owners.

10.5 POST RESETTLEMENT SUPPORT

10.5.1. Sewri section

As covered in section 8.4 of chapter 8, the following post-resettlement support offered to the PAFs in order to help them to restore to their previous livelihood. As per the MUTP policy building maintenance fund Rs. 20,000 per PAF will be provided by the MMRDA & this amount will be provided to Bank account with a locking period of 10 yrs¹. Table 10.7.

Table 10.7: Building Maintenance Fund

Property type	No. of PAFs (A)	Additional allowance per PAF (B)	Total cost in Rs. (A) X (B)
Residential + Commercial	229+53 = 282	20,000	5,640,000
Total		20,000	5,640,000

Source: BSES study by JICA team

As per the MUTP R & R Policy if the worker/ employees results in an increase in travel distance to the original place of work or new place of work a lump sum compensation not exceeding twelve quarterly season tickets for such excess distance by sub urban railway at the time of resettlement shall be paid. The project will displace 335 residential as well as commercial based employees in Sewri section of the alignment. Table 10.8 represents the transport allowance for employees. Since extra travel distance is not known excess travel on the harbour line is assumed between Kurla to Shevri station for working out the lump sum compensation.

¹ As per the MUTP Policy

Table 10.8: Transport Allowance for employees

Property type	No. of employees (A)	Transport allowance as per quarterly Railway pass (B)	Total cost in Rs. (A) X (B)
Residential + Commercial	335	11,520	3,859,200
Total		11,520	3,859,200

Source: <http://mumbailocaltraintimetable.net/Mumbai-Local-Train-Fare-Calculator.aspx>

10.5.2. Sea-link section

The Sea link Section is not covered under this program as there is no physical displacement caused and after the construction phase, the life of fisher-folks shall be restored, excepting the minor displacement along the ROW.

10.5.3. Navi Mumbai section

CIDCO has many schemes and support program for the resettled population, which are elaborated in section 8.4.3. The measures are continuous efforts of CIDCO for all the resettled population affected by its development plan hence a separate cost for MTHL is not calculated.

10.6 SUMMARY OF COSTS FOR LAND ACQUISITION and R&R

The cost for implementation of Resettlement and Rehabilitation Plan is given in **Table 10.9**. The total cost for R&R implementation plan is roughly INR. **9,062,669,696**.

Table 10.9: Costs for Land Acquisition and Resettlement & Rehabilitation

	Description	Quantity	(Unit)	Rate (INR)	Cost	
					(INR)	(INR/Year)*
1	Land Acquisition (Total)				5,392,381,413	1
1	Sewri		sqm		3,595,900,000	
1.1	Demolition / Land Clearing cost				1,500,000	
2	Sea-Link				1,688,400,000	
3	Navi Mumbai	43,786.57	sqm	2,430	106,400,000	1
3.1	Demolition/ Land Clearing cost				1,81,413	
2	Resettlement/ Replacement (Total)				237,464,363	
1.1	Sewri-Residential	NA**	sqm	0	0	
1.2	Sewri-Commercial	NA**	sqm	0	0	
1.3	Sewri-MPT structures				192,249,137	
2	Sea-Link	0	sqm	0	0	
3	Navi Mumbai	0	Sqm	0	0	
3.1	Construction of school				45,215,226	
3	Land Lease Total (5 years)				1,800,043,497	
1	Sewri				1,800,043,497	332,336,835
2	Sea-Link			NA **		0
3	Navi Mumbai			NA ***		0
4	Allowances (Total)				801,279,360	
1	Sewri					
	Livelihood restoration allowance					TBD
	Shifting Allowance					TBD

	Transport Allowance (tentative)	335		11520	3,859,200	
2	Sea-Link	594			797,420,160	
3	Navi Mumbai	0			0	
5	Contribution towards Community Revolving Fund***** (Total)				282,000	
1	Sewri	282		1000	282,000	
6	Construction Stage Monitoring (Total)				1,700,000	
1	Implementation Cost			Lump Sum	500,000	
2	Cost for Monitoring & Evaluation			Lump sum	700,000	
3	Cost of Public Relation			Lump sum	500,000	
7	Post Resettlement Activity	282		20,000	5,640,000	
	Sub-Total (1 to 7)				8,238,790,633	
	Miscellaneous items @ 10% of sub total				823,879,063	
	GRAND TOTAL				9,062,669,696	
	In USD (INR 66 = 1 USD)				137,313,177	

* Annual escalation of 2% or 4% is expected.

**Not applicable as for the Sea-link section the cost of acquisition is already considered as per the Agreement between both the Govt. Organizations.

***Not applicable as the Navi Mumbai land will be cleared by CIDCO & handed over to the MMRDA.

**** For Livelihood recovery employees are provided with Railway fare transport on yearly basis, as per the MUTP Policy.

***** Revolving fund is as per the MUTP policy

TBD – To Be Defined

Rate of USD with Rs. 66 per U.S. Dollar is as on 03.09.2015 from RBI website

Source: JICA Study Team

CHAPTER 11: MONITORING AND EVALUATION

11.1 Background

Monitoring & Evaluation are critical activities in involuntary resettlement. Monitoring involves periodic checking to ascertain whether activities are progressing as per schedule while evaluation is essentially to assess the performance of R&R implementation outcome vis-à-vis baseline status based on the key indicators of the BSES. For this purpose, a monitoring and evaluation (M&E) program will be carried out by MMRDA, which will help keep the programs on schedule and make them successful. Monitoring and Evaluation of R&R gives an opportunity to the implementation and the funding agency to reflect broadly on the success of the basic R&R objectives, strategies and approaches. However, the objective of conducting M&E is to assess the efficiency and efficacy in implementation SIA activities, impact and sustainability, drawing lessons as a guide to future resettlement planning.

Monitoring will give particular attention to the project affected vulnerable groups such as scheduled castes, scheduled tribes, BPL families, women headed households, widows, old aged and the disabled. SIA implementation will be monitored internally. MMRDA will be responsible for internal monitoring through their field level officers of SDC and will prepare quarterly reports on the progress of SIA implementation. A qualitative assessment through an Independent Evaluation Consultant may be hired by MMRDA for mid and end term evaluation of SIA implementation.

11.2 Internal Monitoring

The internal monitoring for SIA implementation will be carried out by MMRDA. The main objectives of internal monitoring are to:

- measure and report progress against the SIA schedule;
- verify that agreed entitlements are delivered in full to affected people;
- identify any problems, issues or cases of hardship resulting from the resettlement process, and to develop appropriate corrective actions, or where problems are systemic refer them to the management team;
- monitor the effectiveness of the grievance system
- periodically measure the satisfaction of project affected people.

Internal monitoring will focus on measuring progress against the schedule of actions defined in the SIA. Activities to be undertaken by the MMRDA will include:

- Liaison with the Land Acquisition team, construction contractor and project affected communities to review and report progress against the SIA;
- Verification of land acquisition and compensation entitlements are being delivered in accordance with the SIA;
- Verification of agreed measures to restore or enhance living standards are being implemented;
- Verification of agreed measures to restore or enhance livelihood are being implemented;
- Identification of any problems, issues, or cases of hardship resulting from resettlement process;
- Through household interviews, assess project affected peoples' satisfaction with resettlement outcomes;
- Collection of records of grievances, follow up that appropriate corrective actions have been undertaken and that outcomes are satisfactory;

Monitoring is a continuous process and will be carried out by field level officers of SDC on regular basis to keep track of the SIA implementation progress. For this purpose, the indicators suggested have been given in Table 11.1. Although monitoring is a continuous process until the completion of the resettlement, around

sixth (6th) month of the resettlement, SDC will conduct a monitoring specially given attention to the livelihood recovery of the PAPs, particularly project affected vulnerable groups. If SDC officers recognize further needs for PAPs to recover the livelihood or stabilize the new job and environment, SDC or/and other department of MMRDA will play key roles to coordinate state and national organizations/agencies to effectively address the difficulties of those who need further assistances.

Table 11.1: Indicators for Monitoring of SIA Progress

Indicators	Parameters Indicators
Physical	Number identity card prepared and distributed Number of structures dismantled Number of owners paid compensation Number of families affected Number of PAPs receiving assistance/compensation Number of PAPs provided transport facilities/ shifting allowance Number of residential families shifted to resettlement colony Number of commercial families provided with shops in resettlement colony Number of PAPs whose land is acquired Number of PAPs received developed land
Financial	Amount of compensation paid for land/structure Amount of allowances paid to PAPs Transfer of community revolving fund Number of fisher-folks received compensation for permanent loss Number of fisher-folks received compensation for temporary loss
Social	Area and type of house and facility at resettlement site PAPs knowledge about their entitlements Benefits to Vulnerable population Number of housing societies registered
Economic	Entitlement of PAPs-land/cash No. of PAPs provided with skill training No. of PAPs provided with support for soft loan for income restoration
Grievance	Number of community level meeting Number of GRC meetings Number of cases disposed by MMRDA to the satisfaction of PAPs Number of grievances referred and addressed by GRC

Socio-economic survey and the land acquisition data provide the necessary benchmark for field level monitoring. A format for monitoring of SIA implementation is presented in **Annexure 11.1**.

11.3 Qualitative Independent Evaluation

As mentioned earlier, an Independent Evaluation Agency (IEA) will be hired by MMRDA for mid and end term evaluation. A detailed Terms of Reference for IEA is presented in **Annexure 11.2**. The external evaluation will be carried out to achieve the following:

- Verify results of internal monitoring,
- Assess whether resettlement objectives have been met, specifically, whether livelihoods and living standards have been restored or enhanced,
- Assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement policy making and planning, and
- Ascertain whether the resettlement entitlements were appropriate to meeting the objectives, and whether the objectives were suited to affected persons' conditions,
- This comparison of living standards will be in relation to the baseline information available in the BSES. If some baseline information is not available then such information should be collected on recall basis during the evaluation.

The following aspects are suggested to be considered in evaluation of R&R implementation in the project. The list of impact performance indicators suggested to monitor project objectives is delineated in Table 11.2. However, this does not bar the evaluation agency to add additional indicator for evaluation of project.

Table 11.2: Indicators for Project Outcome Evaluation

Objectives	Risk Factor	Outcomes and Impacts
<ul style="list-style-type: none"> - The negative impact on persons affected by the project will be minimized. - Persons losing assets to the project shall be compensated at replacement cost. - The project-affected persons will be assisted in improving or regaining their standard of living. - Vulnerable groups will be identified and assisted in improving their standard of living. 	<ul style="list-style-type: none"> - Resettlement plan implementation may take longer time than anticipated - Institutional arrangement may not function as efficiently as expected - Implementing agency may not perform the task as efficiently as expected - Unexpected number of grievances - Finding a suitable rehabilitation site for displaced population - PAPs falling below their existing standard of living 	<ul style="list-style-type: none"> - Satisfaction of land owners with the compensation and assistance paid - Type of use of compensation and assistance by land owners - Satisfaction of structure owner with compensation and assistance - Satisfaction of PAPs with the new relocation site, facilities there in - Impact of relocation on employment and income of families - Impact of relocation on studies of students - Evaluation of safety in living in apartment as compared to slum - % of PAPs adopted the skill acquired through training as only economic activity - % of PAPs adopted the skill acquired through training as secondary economic activity - % of PAPs reported increase in income due to training - % PAPs got trained in the skill of their choice - Role of implementing agency in helping PAPs in selecting trade for skill improvement - Type of use of additional assistance money by

		<p>vulnerable group</p> <ul style="list-style-type: none"> – Types of grievances received – No. of grievances forwarded to GRC and time taken to solve the grievances – % of PAPs aware about the GRC mechanism – % of PAPs aware about the entitlement framework mechanism – PAPs opinion about MMRDA approach and accessibility
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11.4 Reporting Requirements

MMRDA will be responsible for supervision and implementation of the SIA. MMRDA will prepare quarterly progress reports on resettlement activities and the same shall be shared with the JICA. The internal monitoring and reporting structure shall be followed as:

- The field level officer of SDC will submit monthly progress report to SDC chief within the first week of each following month.
- SDC office will check and review the monthly report submitted by the field officer and compile the monthly progress report and prepare quarterly progress report.
- Quarterly progress report prepared by SDC will be submitted to JICA by MMRDA.

MMRDA will engage an independent agency for Qualitative Independent Evaluation of &R implementation of MTHL project. The Consultant will submit two reports in the lifetime of their assignment to MMRDA, determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored or enhanced, and suggest suitable recommendations for improvement. The first report will be submitted after half way through the R&R implementation and the second report will be submitted six months after the implementation of R&R activities. The qualitative report prepared by the independent agency shall have the following aspects covered, however, this is just a recommended structure of the report.

1. Introduction
2. Purpose of the report
3. Impact Assessment
4. Entitlements(Matrix)
5. Institutional arrangements
6. RP implementation Process
7. Mitigation measures
8. Grievance Redress Mechanism
9. Capacity building
10. Corrective actions
11. Lessons learned
12. Recommendations

CHAPTER-12: DISCLOSURE OF CONSULTANTS

12.1 BUILDING ENVIRONMENT INDIA PVT LTD (BEIPL)

This report is released for the purpose of Study on the Social Impact Assessment for the **Mumbai Trans Harbor Link (MTHL) Project**. This dream project of India is being implemented by Mumbai Metropolitan Region Development Authority (MMRDA), Mumbai, Maharashtra. This project is going to be funded by JICA. In order to accomplish the evaluation of MTHL project JICA headquarters have appointed Oriental Consultant Global (OCG), Japan, as their local Environment Consultant. OCG will ensure the quality of the data provided as well as the JICA guidelines are getting fulfilled by the PIU.

OCG, Japan, appointed Building Environment India Pvt. Ltd. (BEIPL), Mumbai based QCI-NABET accredited Environmental Consultant, as a local support in Mumbai, India. BEIPL will submit the Draft SIA report to OCG, Japan. Information provided (unless attributed to referenced third parties) is otherwise copyrighted and shall not be used for any other purpose without the written consent of **Building Environment India Pvt Ltd.**

Report	Draft SIA Report on MTHL					
Project Details						
Name of the Report	Mumbai Trans Harbor Link Project (MTHL): Sewri to Nhava Social Impact Assessment Draft Report					
Client	Oriental Consultant Global (OCG), Japan					
Prepared by	Building Environment India Pvt Ltd.					
Contact Details Building Environment India Pvt Ltd						
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NABET Accreditation NO. – 69th MOM, 7 February 2012						
Date October 2015	Building Environment India Pvt Ltd.					OCG, Japan
	Originated by		Checked by		Approved by	
	Name	Signature	Name	Signature	Name	Signature
	1) Dr. Nilambari Bhingarde-Daripkar		1) Mr. Pravash Mishra 2) Mr. Hrushikesh Kolatkar		Mr. Shinya Nagaoka, (From OCG)	
Disclaimer						
Building Environment India Pvt Ltd. has taken all reasonable precaution in the preparation of this report as per its auditable quality plan. Building Environment India Pvt Ltd. also believes that the facts presented in the report are accurate as on the date it was written. However, it is impossible to dismiss absolutely, the possibility of errors or omissions. Building Environment India Pvt Ltd. Therefore specifically disclaims any liability resulting from the use or application of the information contained in this report. The information is not intended to serve as legal advice related to the individual situation.						

12.2 PROJECT TEAM

Nature of Work	Person Responsible	Name of the person(s) responsible	
Actively involved with OCG, Social expert to carry out SIA study for the three main sections of the project	Project manager	Dr. Nilambari Bhingarde-Daripkar	
Site Visit, BSES survey at Sewri section, Fisheries survey, SIA Stakeholder's meetings etc.	SIA Coordinator	Mr. Pravash Mishra	
	Project Manager & Team Members	Mr. Hrushikesh Kolatkar Dr. Nilambari Bhingarde-Daripkar Mr. Vivek Kulkarni Ms. Prachi Mumbaikar	
Preparation of SIA report			
Originator	Dr. Nilambari Bhingarde-Daripkar	Checker	Mr. Hrushikesh Kolatkar
Approval of Report	Client	Mr. Shinya Nagaoka	

Declaration by Experts contributing to the preparation of Draft SIA report for MTHL project.

I, hereby, certify that I was a part of the Draft SIA report for MTHL project team in the following capacity that developed the above Draft SIA report.

12.3 SIA COORDINATOR & PROJECT MANAGER:

SIA Coordinator		
Name	Mr. Pravash Mishra Mr. Hrushikesh Kolatkar	
Signature and Date		
Period of Involvement	May 2015 to Till Date	
Contact Information	Address: Building Environment India Pvt Ltd, SaiSangam, Office No. 603, Plot No. 85, Sector 15, CBD Belapur, Maharashtra - 400614, India	Contact Number Tel. No.: 91-22-41237073 hkolatkar@beipl.co.in
Project Manager		
Name	Dr. Nilambari Bhingarde - Daripkar	
Signature and Date		
Period of Involvement	May 2015 to Till Date	

Contact Information	Mumbai Office: 512, "C" Wing, Trade World, Kamala Mill Compound, Lower Parel(W), Mumbai-400013 Contact No.: M - 9820499240 Off - 022 4023 1980 Email - nilambari@beipl.co.in / nilambarib6@gmail.com Web: www.beipl.co.in
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Declaration by the Head of the Accredited Consultant Organization:

I, Hrushikesh Kolatkar, hereby confirm that the above mentioned experts prepared the “**Draft Social Impact Assessment (SIA) Report for Mumbai Trans Harbor Link Project (MTHL): Sewri to Nhava**”. I also confirm that I shall be fully accountable for any misleading information mentioned in this statement.

Signature:

Name: Hrushikesh Kolatkar

Designation: Managing Director

Name of EIA Consultant Organization: Building Environment India Pvt Ltd.

NABET Certificate Number & Issue Date: 69th MOM, 7 February 2012

ANNEXURES

Annexure 2.1: Baseline Socio Economy Survey (BSES) Format

Census/Socio Economic Survey Questionnaire
सामाजिकआर्थिकसर्वेक्षणप्रश्नावली

Date of Survey सर्वेक्षणाचीतारीख										Start		End		Village / Town ID			Side	Schedule (House) Number		
				2	0	1	5													

Name of Project प्रकल्पाचेनाव	
Investigator Name तपासकाचेनाव	
Name of Agency संस्थेचेनाव	
Supervisor Name पर्यवेक्षकाचेनाव	
Name of Interviewer मुलाखत्काराचेनाव	
Respondent Name (one that can provide the maximum information about the family)	
Name of Owner of Structure घरमालकाचेनाव	
Name of the Present Structure holder सध्याराहत असलेल्या व्यक्तीचेनाव	
Year of Construction बांधकामसुरु झालेले वर्ष	
Type of Construction बांधकामाचा प्रकार	
No. of years in the Settlement किती वर्षांपासून राहत आहेत	
Year of Establishment कोणत्या वर्षी राहायला आलात	
Whether Licenced by BMC	

वृ. म. पा. परवानाधारकआहे ?	
Usage of structure / Type & nature of activity	

Type of Use (वापरचाप्रकार)

Residential	1	Commercial	2	Residential cum Commercial	3
Open Land/Plot	4	Plantation/ Orchard	5	Graveyard	6
School	7	PHC/Hosp./Dispensary.	8	Industrial	9
Mazar	10	Temple	11	Masjid	12
Church	13	Shrine	14	Vill Com/ Panchyat/Govt. Land	15
Agriculture	16	Waste/ Grazing/ Barren	17	Others (specify)	99

No of Storeys	
G	1
G+1	2
G+2	3
More than G+2	4

A. IDENTIFICATION (ओळख)

A.1 General Identification.											
State			<i>District</i>			Block / Ward			Town/Village		
A.2 Type of Property											
Private		<i>Government</i>		Trust		Community			Others		
1		2		3		4			9		
A.3.1 Ownership											
Owner	1	Tenant	2	Non-Titleholder	3	Lease	4	Sub-lease	5	Others (Please Specify)	9
A.3.2: If Non-Titleholder:			1. Encroacher			2. Squatter					
A.3.3 Occupiers Name:						Son/Wife of:					
A.3.4 Name, Address, Phone Number and Landmark (easily located)											
A.3.5 If Tenant; Name, Address and Phone Number of the Owner											
A.3.6 Please provide with an ID Proof (any ONE) Record the details:											
ID Proof details	Ration Card – 1	Election card – 2	Adhar card – 3	Driving Licence – 4	Shop Licence – 5	Saving Account at Bank – 6	Pan card – 7	Other – 9			
ID Proof No.											

A.4 Utilities on the Property (मालमत्तेवर असलेल्या सोयीसुविधा)

Sl.No	Utilities	Total	Impacted	Sl.No	Utilities	Total	Impacted
1.	Trees			8.	Water supply pipeline		
2.	Dug wells			9.	Boundary wall		
3.	Tube wells			10.	Electricity pole		
4.	Water Tap			11.	Telephone pole		
5.	Water Tank			12.	OFC (Optical Fibre Cable)		
6.	Hand Pump			13.	Under Ground Sewerage line		
7.	Cattle Shed			99.	Others (Specify)		

A.5 What are the types of trees that are likely to be affected? (कोणत्यापध्दतीची झाडे बाधित होतील?)

Tree type										
Number										

B.1 ASSET DETAILS (For Legal Owners or Lease Owners) (मालमत्तेविषयी माहिती)

B.1.1 Measurement of the Land: (In mts.) (जमीन)

Length:		Breadth		Area		Distance from centre of the Road
Total	Affected	Total	Affected	Total	Affected	

B.1.2 ASSET DETAILS OF STRUCTURES (For Legal Owners or Lease Owners) (घराविषयी माहिती)

Details/Measurement of the Structures: (In mts.)										
Age of Structure	Area Details			Type of construction			Typology of structure		No. of Rooms	Distance from centre of the Road
	Total	Affected	Not affected	Roof	Wall	Floor	Pukka	Kuccha		
							1	2		
Typology of the Structure :										
Roof (छत)		Wall (भित)			Floor (जमीन)			Boundary (सीमारेषा)		
RCC/RBC	1	Brick		1		Concrete	1	Brick	1	
Thatched	2	Wood		2		Mud	2	Barbed Wire	2	
Mud	3	Mud		3		Stone	3	Wood	3	
GI / Asbestos	4	Asbestos		4		Wood	4	Others (specify)	9	
Bamboo	5	Plastic		5		Others (specify)	9			
Others (Specify)	9	Others (specify)		9						

B.1.3. Use of Area for Non-residential use (बिन-रहिवासी कारणासाठी जागेचा वापर)

In / Around house	Code used	Approx. Area in Sq. mt. used	No. of Employees working		Total Turn over	Source of Investment	Types of finished goods/ raw materials	Where Marketed
			Permanent	Temporary				
Storage of material	1							
Production	2							
Petty vending	3							
Shop	4							
Any other	99							

B.1.4. Have you taken Loan	Construction		Purchase		Repair		Other	
	Y	N	Y	N	Y	N	Y	N
		1		2		3		99
Amount of Loan in Rs.								
If Yes (Y), then repayment made up to what extent								

B.2. In case of commercial use, details of business						
Tea Stall	1	Kabari Shop	9	Blacksmith	17	
Grocery (Kirana)/General Store	2	Educational Institution	10	Butcher/meat	18	
Vegetables/ Fruits	3	Hotel/Restaurant/Motel	11	Barber Shop	19	
Cloth/Garments	4	Electrical	12	Medicine Shop	20	
Tailor shop	5	Furniture	13	Wine Shop	21	
Pan/ Cigarette Shop	6	Petrol Pump	14	STD / PCO	22	
Garage/	7	Handicrafts	15	Photocopy shop	23	
Lubricant Shop	8	Video parlour/Cyber café	16	Any other, please specify	99	
B.2.1 - Ownership		Yes	1	No	2	
B.2.2- If No, how many partners (भागीदार)? (In Numbers)						
B.2.3 - How many people actually employed?(numbers)		0 – 5	6 – 10	11 – 30	31 – 50	51 – 100
B.2.4 – What is the Income earned by them? At individual level						More than 100
B.2.5: Where would you prefer to move from here? (Residential/Commercial/Agriculture) (कोणत्याठिकाणी स्थलांतर करावयास चालेल?)						
S.No.	Place	Where (Specify)			Distance from Current Location	
1	Within Village /Town					
2	Outside Village/Town					

B.2.6 Do you have alternative land/structure apart from the one which is affected under this project? पर्यायी जागा अथवा घर ?													
Land (in Acre)	Y	1	N	2	Type of land	Residential	1	Non-Residential	2	Waste land	3		
Structure (in sq.mtr.)	Y	1	N	2	Typology of Structure	Pukka	1	Kuccha	2				
B.2.7 Details of the assets in the house		T. V. Set		Radio	Sewing Machine	Bicycles	Motor Bick	Refrigerator	Fans	Mobile	Stove, kerosene /Gas	Vehicle	Other
Codes	1A	1B	2	3	4	5	6	7	8	9	10	99	

B.3: LIVESTOCK DETAILS (गायी-गुरांबद्दलमाहिती)								
Type	Cows	Buffalo	Sheep	Goat	Pig	Poultry	Others	
Numbers								

C.1. HOUSEHOLD DETAILS (घरमालक आणि इतर सदस्यांबद्दलमाहिती)

C.1.1. Religion	Hindu – 1	Muslim – 2	Sikh - 3	Christian - 4	Others - 9		
C.1.2.Caste	ST	SC	OBC	General	Others (Specify)		
	1	2	3	4	9		
C.1.3 Name of Tribe (as necessary)							
C.1.4. Vulnerability Status	BPL	1	WHH	2	Different Abled	3	
C.1.5. Type of Family	Nuclear	Joint	Extended	Sibling		Live in	
	1	2	3	4		5	
C.1.6. No. of Persons in HH	Above 15 yrs (number)		Below 15 yrs (number)				
C.1.7. Mother Tongue / Language spoken	Hindi – 1	Marathi – 2	English – 3	Guajarati - 4	Konkani – 5	Other – 99	
C.1.8. No. of years in the settlement							
C.1.9. Are you Owner/tenant/sub-tenant?							

C.2. Family Profile. (Start from Head of the Household)

Member Number	1	2	3	4	5	6	7	8	9	10	11	12		
C.2.1 Name														Write names of all persons who live and eat together in this household
C.2.2 Relationship	HH													Codes given below
C.2.3 Sex	1	1	1	1	1	1	1	1	1	1	1	1	1	Male
	2	2	2	2	2	2	2	2	2	2	2	2	2	Female
C.2.4 Age														Age on last birthday
C.2.5 Marital Status	1	1	1	1	1	1	1	1	1	1	1	1	1	Married
	2	2	2	2	2	2	2	2	2	2	2	2	2	Unmarried
	3	3	3	3	3	3	3	3	3	3	3	3	3	Divorced
	4	4	4	4	4	4	4	4	4	4	4	4	4	Separated
	5	5	5	5	5	5	5	5	5	5	5	5	5	Widow/Widower
C.2.6 Education	1	1	1	1	1	1	1	1	1	1	1	1	1	Illiterate
	2	2	2	2	2	2	2	2	2	2	2	2	2	Primary (class 5)
	3	3	3	3	3	3	3	3	3	3	3	3	3	Secondary (6 - 10)
	4	4	4	4	4	4	4	4	4	4	4	4	4	Higher (graduate)
	5	5	5	5	5	5	5	5	5	5	5	5	5	Technical
C.2.7 Health	1	1	1	1	1	1	1	1	1	1	1	1	1	Handicap by birth
	2	2	2	2	2	2	2	2	2	2	2	2	2	Handicapped later
	3	3	3	3	3	3	3	3	3	3	3	3	3	Chronic illness
	4	4	4	4	4	4	4	4	4	4	4	4	4	No illness/ healthy
C.2.8. Disability अपंगत्व														Y / N
C. 2.9. Description of disability														Kind of Disability

Codes for Relationship

Head of the House Hold	HH	Wife	2	Husband	3	Son	4
Daughter	5	Son-in-law	6	Daughter-in-law	7	Grandfather	8
Grandmother	9	Grandson	10	Grand daughter	11	Grandson-in-law	12
Grand daughter-in-law	13	Brother	14	Sister	15	Brother-in-law	16
Sister-in-law	17	Father	18	Mother	19	Father-in-law	20
Mother-in-law	21	Uncle	22	Aunt	23	Cousin	24
Nephew	25	Niece	26	Any other (specify)			

D.1.EMPLOYMENT STATUS OF THE FAMILY MEMBERS (घरातील सदस्यांच्या उत्पादनाची माहिती)

D.1.1 Employment Status	1	1	1	1	1	1	1	1	1	1	1	1	1	Yes
	2	2	2	2	2	2	2	2	2	2	2	2	2	No
D.1.2 Occupation (Main occupation)	1	1	1	1	1	1	1	1	1	1	1	1	1	Fishing
	2	2	2	2	2	2	2	2	2	2	2	2	2	Fishing Labour
	3	3	3	3	3	3	3	3	3	3	3	3	3	Non Fishing Labour
	4	4	4	4	4	4	4	4	4	4	4	4	4	Business/Trade
	5	5	5	5	5	5	5	5	5	5	5	5	5	Govt. Service
	6	6	6	6	6	6	6	6	6	6	6	6	6	Private Service
7	7	7	7	7	7	7	7	7	7	7	7	7	Maid Servant	

	9	9	9	9	9	9	9	9	9	9	9	9	Others
D. 1.3 Exact Location for work	1	1	1	1	1	1	1	1	1	1	1	1	At home
	2	2	2	2	2	2	2	2	2	2	2	2	All over
	3	3	3	3	3	3	3	3	3	3	3	3	Specific place
D. 1.4 Distance of work	1	1	1	1	1	1	1	1	1	1	1	1	Walking time
	2	2	2	2	2	2	2	2	2	2	2	2	Bus time
	3	3	3	3	3	3	3	3	3	3	3	3	Train time
D.1.5 Non-Working Status main (Give reason)	1	1	1	1	1	1	1	1	1	1	1	1	No work available
	2	2	2	2	2	2	2	2	2	2	2	2	Seasonal inactivity
	3	3	3	3	3	3	3	3	3	3	3	3	Household duties
	4	4	4	4	4	4	4	4	4	4	4	4	Old
	5	5	5	5	5	5	5	5	5	5	5	5	Handicapped
	6	6	6	6	6	6	6	6	6	6	6	6	Student
D.1.6 Income per month / Per week	9	9	9	9	9	9	9	9	9	9	9	9	Others
	1	1	1	1	1	1	1	1	1	1	1	1	Less than Rs.4000
	2	2	2	2	2	2	2	2	2	2	2	2	Rs.4001 – 6000
	3	3	3	3	3	3	3	3	3	3	3	3	Rs. 6001 - 8000
D.1.7 Income per annum	4	4	4	4	4	4	4	4	4	4	4	4	Above Rs. 8001
	1	1	1	1	1	1	1	1	1	1	1	1	Less than 50 K
	2	2	2	2	2	2	2	2	2	2	2	2	50 K – 1 Lac
	3	3	3	3	3	3	3	3	3	3	3	3	1 Lac – 5 Lac
D.1.8 Other / Secondary Source of Income	4	4	4	4	4	4	4	4	4	4	4	4	5 Lac & above
	1	1	1	1	1	1	1	1	1	1	1	1	Rent
	2	2	2	2	2	2	2	2	2	2	2	2	Interest
	3	3	3	3	3	3	3	3	3	3	3	3	Agricultural
D.1.9 Skills / Nature of work	4	4	4	4	4	4	4	4	4	4	4	4	Part time Employment
	9	9	9	9	9	9	9	9	9	9	9	9	Any other
D.1.10. Distance from place of residence to employment													This may have Multiple answers
D. 1.11. No. of years in the employment													

D.2 HAVE YOU AVAILED ANY BENEFIT UNDER CENTRAL OR STATE GOVT. SCHEME? 1. Yes 2. No

Scheme	Central or State Government Scheme	Purpose	Amount Availed	Training
MMRDA				
CIDCO				
Others (Specify)				

D.3: A) INCOME AND EXPENDITURE (Per Month) (मासिकजमा-खर्च)

Income		Expenditure			
Sources	In Rupees	Items	In Rupees	Items	In Rupees
Fishing		Food		Electricity/Utilities	
Commercial		Cooking fuel		Water	
Service (Pvt./Govt.)		Clothing		Social events/ Entertainment	
Livestock		Transport		Agriculture (labour/tools)	
Remittance (money order, etc)		Healthcare Medicines/ Sanitation		Seeds/fertilizers/pesticides	
Others (Specify)		Remittance to Dependents outside Bombay		Others (specify)	
		Education			
Total		Rent		Total	

D.3. B) Periodic/Occasional Expenses last 12 months & Average Monthly Savings (मासिकआणिवार्षिकजमा-खर्च)

Expenditure (Annually)		Average Monthly Savings
Items	In Rupees	
Purchase of Durables		
Clothing		
Medical Treatment		
Repair of house		
Festivals		
Travel (Outside)		
Marriages / Ceremonies		
Any other		

D.4 PROJECT RELATED INFORMATION (प्रकल्पसंबंधितमाहिती)

D.4.1 Are you aware of the proposed project	Yes	I	No	2	
D.4.2 If yes, what is the source?	TV - 1	Newspaper - 2	Govt. officials - 3	Other villagers - 4	Other (specify) - 9
D.4.3 What is the positive or negative impact of the project development? (Indicate as provided below).					
Positive impacts perceived		Negative Impacts Perceived			
Increase in employment opportunities	1	Loss of land		1	
Increase in movement	2	Loss of income		2	
Increase in economic and business opportunities	3	Pressure on existing infrastructure		3	
Increase in land prices	4	More influx of outside population		4	
Improvement in the real estate sector	5	Conflict with outsiders		5	
Better reach /access to larger towns (health /education)	6	Increase in road accidents		6	
Others (specify)	9	Others (specify)		9	

D.5. Ask for the permission and take picture of all family members present during the survey with structure/asset on back ground and survey ID number clearly showing by the AP.

E. COMMUNITY PROFILE (THIS PART WILL BE FILLED BY M/S KOMAL ENG AS PER THE OLD SURVEY DATA)

E.1. Is map of the location attached? Yes / No

E.2. Ward Municipal No. _____

E.3. Estimated No. of Structures (As per attached Map)

Type of Structures	Codes	No. of structures as per the Map	%
Residential	1		
Commercial	2		
Social / Public	3		
Open land / Spaces	4		
Others	9		
Total			

E.4. History of any Improvements under any program: _____

E.5. Infrastructure

E.5.1. Physical

Water	Source of water	Individual Taps	Stand posts	Dug Wells	Bore Wells	Other
	Codes	1	2	3	4	9
	Timing					
	Cost					
	No. %					

Toilets	Source	Blocks	Private facility	Public facility	Other
	Codes	1	2	3	9
	Cost				
	No. %				

E.5.2. Electricity (विद्युतपुरवठा)

Supply Source	MSEB - 1	Reliance - 2	TATA - 3	Other - 9
Pattern of use	Personal - 1	Commercial / Public - 2		Other - 9
Type of connection	Individual - 1	Rent - 2		Other - 9
Cost				

E.5.3. Health Facilities (आरोग्यविषयक)

What type of health facilities do communities use?

E.5.3.A. Health facilities used	Government	BMC	Private	Other
Dispensary	1	2	3	9
Hospitals	1	2	3	9
E.5.3.B. Distance from settlement	Walking - 1	Bus - 2	Train - 3	9

E. 5.4. Educational (शैक्षणिक)

Category	Language	Settlement	Distance from settlement		
			Walking	Bus	Train
Secondary school					
Primary school					
Balwadi					
Literacy classes					
Other (Night school)					

E.5.5. Social / Cultural (सामाजिक/सांस्कृतिक)

Category	In Settlement	Nearby
Community Centre		
Youth Recreation		
Rahiwasi Sangh		
NGO		
ICDS		
National Adult		

Educational Programmes		
Mahila Mandal		
Library		
Playground		

E.5.6. Other Amenities (इतरसुविधा)

Category	Yes / No	Distance from settlement				
		Walking	Bus	Taxi / Rickshaw	Train	Other
Ration shops						
Vegetable market						
Railway Station						
Post office						
Bus Stop						

E.5.7. Is there a place for worship? Yes / No (प्रार्थनेचीठिकाणे)

Place of Worship	Codes	Numbers
Temple	1	
Mosque	2	
Church	3	
Gurudwara	4	
Other	9	

F- Gender participation

F1. Does the female member have any say in decision making of household matters? (घरातीलनिर्णयामध्येस्त्रीचेस्थान)

Sl. No.	List of matters	yes	No	Some times
1	Financial matter related to investment			
2	Education of child			
3	Health care of child			
4	Purchase of assets			
5	Selling of assets			
6	Day to day activities on household running			

Signature & Date of Person: _____

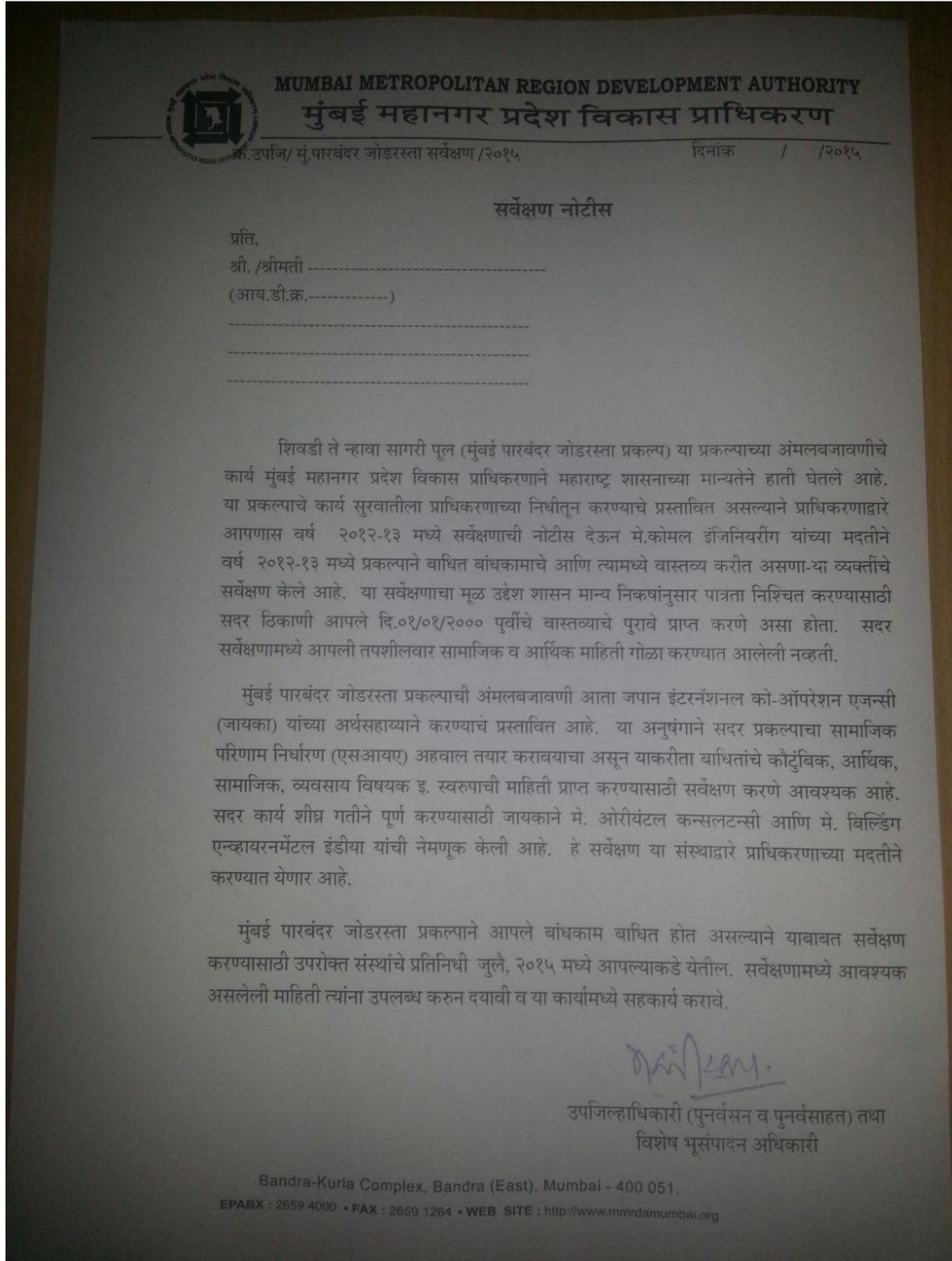
Signature & Date of Surveyor: _____

(घरमालकाचीसही)

(निरीक्षकाचीसही)

Source – JICA study team

Annexure 2.2: Notice for BSES survey



(Source – MMRDA)

Annexure 3.1: Land Lease agreement between CIDCO & MMRDA with INR 1 per annum for 99 years.

0320

559

महाराष्ट्र शासन

mailto:cidcou@iitb.ac.in

क्रमांक : सिआनसी-१८१३/१६/अ.क.२/नवि-१०
 नगर विकास विभाग, निर्वाह,
 वॉन्ग, मंत्रालय, मुंबई,
 दिनांक : ०४ एप्रिल, २०१३.

प्रति,
 व्यवस्थापकीय संचालक,
 सिडको लि., निर्वाह,
 मरिचन पॉइंट, मुंबई - ४०० ०२१.

104 SE (4)

विषय :- मुंबई ट्रान्स हार्बर लिंक प्रकल्पासाठी मुंबई महानगर प्रदेश विकास प्राधिकरण (एकतमसहस्रीए) यांचा सिडकोकडीलून जमिनीचे श्रावण करण्याबाबत...

संदर्भ :- आपले पत्र क्र. सिडको/नवाम-१/२०१२/प्रशासन/०४, दि. १०.१.२०१३

उपरोक्त संदर्भात वरच्या अनुषंगाने विषयाबाबत उरलेली निर्देशानुसार पुढीलप्रमाणे कळविण्यात येत आहे :-

(I) नवी मुंबई जमीन विविधते विनियम २००८ (सुधारित) मधील अधिविधम क्र. २५ मधील तरतुदीस अनुसरून विषयाबाबत उरलेली विनियम क्र. ४(I) मधील तरतुद लिखित करण्यात घालता अटीवर शासन मान्यता देण्यात येत आहे.

(अ) सिडको संचालक मंडळाच्या ठराव क्र. १०६८०, दि. १.८.२०१२ मध्ये नमुनू केलेल्यानुसार खालील उरलेली एटीएमसी सिडकोच्या ताब्यातील जमीन (२५.३० हे. + १८.१० हे. + ७.५ हे. = एकूण ५१.०० हे.) मुंबई ट्रान्स हार्बर लिंक प्रकल्पासाठी मुंबई महानगर प्रदेशीक विकास प्राधिकरण यांचा विनासंपत्तिसु (without lease premium) भाडेपट्ट्याने (rent) ११ वर्षांपरिती हस्तांतरित करण्यात यावी.

क्र. क्र.	विवरण	सिडकोच्या ताब्यात असलेल्या जमिनीचा क्षेत्रफळ
१	उरलेल्या मार्ग हक्कासाठी (ROW-Right of Way) आवश्यक असलेली जमीन	२५.३० हेक्टर ✓
२	लिंक जेब्रिज लावण्यास सहाय्य करणारी पार्किंग जागेसाठी आवश्यक असलेली जमीन (छात्रपुटीविषयात)	१८.१० हेक्टर ✓
३	१.५ चाई क्षेत्र निर्देशांकासाठी निवडले - जमिनीविक्रय वापरासाठी उरले नोंद घेतील क्षेत्र १५ व २५ मधील आवश्यक असलेली जमीन	७.५ हेक्टर ✓

उपरोक्त जमिनीच्या भाडेपट्ट्यासंबंधी करारपत्र करताना बंधनकारक / तल्लिख घ्यावी तयार करून आपल्याकडेनुसार धारित क्र. १५ असे नाममात्र चाई आवश्यकतात घ्यावी.

03-03-13-13 मुंबई ट्रान्स हार्बर लिंक...

RECEIVED
 21/4/13
 9/14/13

Handwritten signature and initials.

Addl. M.C. (2) to Office
 No. 493
 Date 14/4/2013

Handwritten notes: M.C. 4/14/13, CE (13) 9.4

म. शा. नवामुंबई-६५
 १११११-११-२१६
 १११११-११-१११

CE (13) & DM (13) (13)

Handwritten signature and initials: EE (13) 13/4

561

(घ) सद्य मुंबई ट्रान्जिट हायवे लिंक प्रकल्पामधील सिडकोच्या क्षेत्रातील रस्त्यासाठीच्या जागे हक्कसाठी (R.O.W) वापरण्यात येणाऱ्या जमिनीच्यासंदर्भात स्वकालीन कालावधी संपुष्टात आल्यानंतर सद्य जमिनीतून मिळणाऱ्या उपपन्नासंबंधी व सद्य रस्त्याच्या देखभालीसंबंधी सिडको व मुंबई महानगर प्रादेशिक विकास प्राधिकरण यांनी त्यांच्या सत्तावर पोषांच्या संमतीने निर्णय घ्यावा.

(ख) सिडको क्षेत्रात उभारण्याच्या कास्टींग पार्किंगसाठी लागणारी जमीन ही प्रकल्पाशी संबंधित कास्टींगच्या कामासाठी आवश्यक असल्याने कास्टींग पार्किंगसाठी देण्यात येणाऱ्या १८.१७ हे. जमिनीसह ५ वर्षांचा कालावधी नमूद करणाऱ्या प्रकल्पाच्या उभारणीसाठी आवश्यक असणाऱ्या कालावधीकरीता सद्य जमिन सिडकोने हस्तगत करावी.

(ii) वरील (i)(अ) मध्ये नमूद सिडकोच्या ताब्यातील (२५.२० हे. + १८.१७ हे. + १०.५ हे. = एकूण ५३.९७ हे.) जमिनी व्यतिरीक्त एल्यासाठी आवश्यक असलेली व सद्य संपादनाची प्रक्रिया सुरु असलेली २७.८० हेक्टर जमीन ही मुंबई महानगर प्रादेशिक विकास प्राधिकरणाने (MMRDA) स्वतःच्या खासतः शोधित करवी. तसेच, १२.५ टक्के जमीन घाटा खोचनेतर्फीच्या जमिनीसाठीचा खर्चाही मुंबई महानगर प्रवेश विकास प्राधिकरणानेच करावा. या प्रकल्पासाठी वर नमूद केलेल्या जमिनी व्यतिरिक्त जमिनीची आवश्यकता भासल्यास त्याचा योग्य खर्च पूर्णतः मुंबई महानगर प्रादेशिक विकास प्राधिकरणाने करावा.


 (एन. के. पाटील)
 महाराष्ट्र शासनाचे वन सचिव

प्रति,

महानगर आयुक्ता, मुंबई महानगर प्रदेश विकास प्राधिकरण (स्वयमशासकीय), वांद्रे-कुर्ला संकुल, वांद्रे
 (एन) मुंबई-४०००५१

Annexure 5.1: Minutes of Meeting of 1st Stakeholder's meeting held on 7th July 2015 at Sewri site.

MINUTES OF MEETING – SIA Public Consultation at Sewri section

Name of Organization/ Place of Visit: Sewri section of MTHL Project

Purpose of Meeting:

- To discuss with the key Stakeholders of Project affected peoples at the Sewri section of MTHL Project.

Date: 07/07/2015

Time: 3.00 pm – 4.00 pm

Venue: Shakha office, Near Shri Krishna Hindu Hotel, Sewri Gadi Adda, Haji-bundar road, Sewri (E), Mumbai - 400 015

Members Presents

- 1) Tahsildar, MMRDA
- 2) Asst. of Tahsildar, MMRDA
- 3) Social Exeprt, PADECO
- 4) Land & Property survey expert, Komal Engineering
- 5) Project Director, BEIPL
- 6) Social Expert, BEIPL

Records of the Points/ Questions asked by the PAPs

Q. No.	Position/ Role played by Stakeholder	Questions asked by Stakeholders	Response Given by OCG/BEIPL or MMRDA	Remarks
1	Chairman of Ambika Nagar Housing Society.	. Is all people are getting affected? . Why not all the people are declared as PAPs who were surveyed previously in 2013 by M/s. Komal Engineering. . All the people should be displaced together & also in the nearby vicinity of Sewri itself. . The entire settlement should be provided with relocation option	MMRDA & BEIPL	MMRDA representative said that all people are not getting affected. . Structures coming in the ROW of MTHL will be declared as PAPs. . After this BSES survey MMRDA will take a call about whom & where to displace. . Point noted.

		and not only the affected structures as we are staying here for more than 50 years . We have won 3 cases against Mumbai Port Trust and thus we have right for compensation		
2	Chairman, Om Sai Dutta Housing Society	. Are you going to survey everybody or just the affected structures?	MMRDA	.We are going to survey only the affected structures and people occupying the structures
3	Doctor in the settlement	Why & what is the benefit of this BSES questionnaire	BEIPL	. The earlier survey in 2013 was only of structures and eligibility. . Now in this survey as per JICA requirements we are going to collect information about people and their socio-economic status. . In this BSES questionnaire will be collecting the information about PAPs income, livelihood, vulnerability, lifestyle, education etc.
4	Housewife, Female representative Resident, Female representative	In this settlement we have easy access to school, hospital and railway station. Thus in relocation these points should be considered.	--	. Point noted.

5	Local Social Activist & Resident	<p>What compensation package will be provided for Residential by MMRDA?</p> <p>What will be the compensation for commercial activity?</p>	MMRDA	MMRDA representative addressed that at present MUTP compensation Policy will be applicable. If any progress happens in future then that might get implemented, but at present cannot say anything.
6	Resident	Please survey one society at one time	BEIPL	Point noted.
7	Resident	Please do collect information about property and people both.	BEIPL	Point noted.
8	Resident	Bridge/ Skywalk should be provided across railway line for ease of movement	--	Replied by another Resident: The bridge/skywalk was cancelled as some of the residents on other side of railway line opposed it.
9	Resident	<p>We should get the same benefits that are given to land owners on Nava Sheva Navi Mumbai side.</p> <p>When the project is likely to start? Also How much time will be provided for the displacement?</p>	MMRDA	<p>Answered by MMRDA representative, if PAPs are losing land then they will get the same benefit. Since you don't own this land and it belongs to MPT the benefit cannot be availed.</p> <p>MMRDA representative answered that if everything go in-line then the project will likely to get start by next year or so. Also MMRDA will surely give proper time gap & communicate in advance with PAPs for the displacement.</p>

10	Resident	Do we get the same Land area we lose as compensation?	MMRDA	MMRDA representative answered, No. As per today's MMRDA policy you only get 225 sq.ft. of area free of cost. & the area above that will be payable to PAPs as per the Ready Reckoner rates.
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Source JICA study team

Annexure 5.2: Attendance Record of 1st Stakeholder’s meeting held on 7th July 2015 at Sewri site.



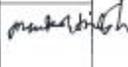
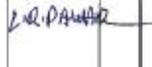
Public Consultation for "Mumbai Trans-Harbour Link Project"

Name of Agency conducting Public Consultation: OCG + BEIPL-----

Date: 7th July, 2015 Time: 3.00 pm

Venue: Shakha office, Near Shri Krishna Hindu Hotel, Sewri Gadi Adla,
Haji-bunder road, Sewri (E), Mumbai - 400 015

Public Consultation Attendance Record

Sr. No.	Name of Project Affected People	Residential Address	Contact Details	Role played by Key Stakeholders	Signature
1	DR QASSEM JAMAL	Sewri Gadi Adla	9821108238	DOCTOR	
2	AVADH NARAYAN SHUKLA	Gadi Adla, Sewri	9867672055		
3	SANTOSH A. SHUKLA	Gadi Adla, Sewri	982174000		
4	Bambhakorji. Lokte	Sewri Gadi Adla	9967879695		
5	Mukesh Singh	Sewri Gadi Adla	8108035902		
6	Prakash Kumar	Sewri Gadi Adla	9920415377		




Sr. No.	Name of Project Affected People	Residential Address	Contact Details	Role played by Key Stakeholders	Signature
7	Hemant Gopal	Sewri Gadh Adda	8268840976	Bhavans	
8	वि. राज संस्थान श्री. 254	श्री. 437 श्री. 215 श्री. 215			
9	Vijay Oka	Sewri Gadh Adda	8599030841		
10	जितेंद्र वलंत लालक	श्री. 101 गार्डी श्री. 101 गार्डी (पु) 40008	9769588297 श्री. 101 गार्डी श्री. 101 गार्डी	कारपेंटर सहायक	
11	श्री. देवराज मिश्रा	श्री. 101 गार्डी श्री. 101 गार्डी (पु) 40008	960445211		
12	श्री. देवराज मिश्रा	श्री. 101 गार्डी श्री. 101 गार्डी (पु) 40008	9768103804		
13	श्री. देवराज मिश्रा	श्री. 101 गार्डी श्री. 101 गार्डी (पु) 40008	9320101173		
14	Arun Mishra	Sewri Gadh Adda.	9773113733		
15	M. S. Patil	Sewri Gadh Adda	23759379		

(Source – JICA study team)

Annexure 5.3: Communication between JICA study team & MMRDA**Oriental Consultants Global Company Limited**
CONSULTING ENGINEERSMTHL-01-JUL
8th July 2015Attn: Shri B Venugopal Reddy,
IAS, Additional Metropolitan Commissioner- II, MMRDA.

Project: JICA Preparatory Survey on the Project for Construction of Mumbai Trans Harbour Link

Subject: Completion Notice of the 1st Public Consultation for Social Impact Assessment

Dear Shri Reddy,

We would like to express my sincere appreciation for your understanding and support for environmental and social consideration matters. With your understanding and Shri V.G.Patil's generous support, we could successfully completed the 1st public consultation for Social Impact Assessment (SIA). All questions/opinions were properly responded by representatives from MMRDA or/and local environmental consultant (BEIPL). I have attached the list of the attended key local stakeholders for your reference. Detail meeting minutes shall be submitted by BEIPL shortly.

After the 1st SIA public consultation, we are expecting to receive a MMRDA's notification for the basic social economic survey (BSES). We would kindly ask your understanding and approval to issue the BSES notification.

After the notification, BEIPL will start the BSES and prepare DRAFT SIA in accordance with MMRDA standards and JICA environmental guidelines.

Your kind understanding and response are highly appreciated.


Mr. Yoshiki MIYAZAKI
Team Leader, JICA Survey Team
Oriental Consultants Global Co., Ltd.CC: Shri. P. D. Mamdapure, Engineer in Chief
CC: Shri. V. G. Patil, Chief, Social Development CellAttachment: list of the attendants at the 1st SIA public consultation

Page 1 of 1

(Source – OCG)

Annexure 5.4: Minutes of meeting for Second Stakeholder's Meeting/ Consultation.**MINUTES OF MEETING – SIA Second Stakeholders Consultation at Sewri section****Name of Organization/ Place of Visit:** Sewri section of MTHL Project**Purpose of Meeting:** To discuss with the Project affected Stakeholders at the Sewri section of MTHL Project.**Date:** 25/08/2015**Time:** 5.30 pm – 7.00 pm**Venue:** Sewri Koli Samaj Hall, Near Koli Samaj Building, Sewri (E), Mumbai - 400 015.**Members Presents**

- 1) Chief Social Development Cell, MMRDA, Mumbai.
- 2) Dy. Team Leader, JICA Study team, Oriental Consultants Global, Japan.
- 3) Managing Director of Komal Engineering, Mumbai
- 4) Representative of PAPs of Sewri site.
- 5) Project Coordinator of BEIPL, Mumbai
- 6) Team Member of BEIPL, Mumbai
- 7) Social Expert, BEIPL

Records of the Points/ Questions asked by the PAPs

ID.No.	Position/ Role played by Stakeholder	Questions asked by Stakeholders	Response Given by OCG/BEIPL or MMRDA	Response in detail
479	Commercial PAP	<ul style="list-style-type: none"> • Is there any other area for resettlement? • We don't want Bhakti Park as resettlement site? • What is the % of Affected PAPs in the Sewri section? 	MMRDA -	<ul style="list-style-type: none"> • As per the old Govt. rules only those PAPs who fall within the Cut-off date used to get the Resettlement benefits. But as this Project will be funded by JICA, thus as per the JICA guidelines & with the new MUTP policy now every PAP is been considered & get the benefit of resettlement. • The suggested resettlement area i.e. Bhakti park is been the nearest resettlement site with the required no. of houses available with MMRDA. Thus it would be convenient for the PAPs for communicating from new area to their original affected

				<p>area i.e. Sewri site. Also all the PAPs can be accommodated at one location, as the way they were staying together in the affected area.</p> <ul style="list-style-type: none"> • Yes, MMRDA do have other resettlement sites available but those sites are father the distance as compared to the Bhakti Park area. • PAPs can have choice of selecting the resettlement area. For which they have to give an application in writing to MMRDA.
486	Chairman, Om Sai Dutta Housing Society	<ul style="list-style-type: none"> • Can Mumbai Port Trust (MPT) will make suitable arrangements for lessees through MMRDA. 	MMRDA	<ul style="list-style-type: none"> • Yes, MMRDA can do that. • As for the Eastern Freeway project MMRDA have successfully done the relocation of PAPs who were lessees of MPT by coordinating with them.
08	PAP	<ul style="list-style-type: none"> • Provide the details about other resettlement sites? • Give the information about Project implementation Schedule? • Lallubhai Compound resettlement site is for footpath dwellers. What is the area available at other resettlement sites? <p><u>Thanks for involving the PAPs in the meeting & also taking our views in consideration.</u></p>	MMRDA	<ul style="list-style-type: none"> • The other resettlement sites are Oshiwara, Lallubhai Compound- Govandi, Nerlon & Nesco at Malad etc. • At present MMRDA is in the preliminary stage of the JICA Loan appraisal process, thus at least one year should be the time span for beginning of the project. • There is as such no discrimination between the Footpath dwellers or encroachers or lessees etc. The policy is same for all. Also all the resettlement areas are for all types of PAPs. Similarly all the residential houses made by MMRDA are of exactly same area.

48	Physician	<ul style="list-style-type: none"> • Is JICA using Resettlement & Rehabilitation as per World Bank policy for conducting MTHL project? • Is MUTP Policy is also as per World Bank policy? • What is the agreement between MPT and MMRDA? We are not encroachers we have leases agreement with MPT and our case with MPT is in court. 	<p>JICA Study team, OCG, MMRDA</p>	<ul style="list-style-type: none"> • Yes, JICA do use the World Bank Policy i.e. PO 4.12 as they have adopted world Bank Scheme. Thus the same will be applicable for the Resettlement & Rehabilitation required in MTHL project. • Yes, MUTP is as per the World Bank guidelines & it was prepared in 2000 & was approved by the World Bank Agency. Thus MUTP policy is in line with World Bank policy. • MMRDA and MPT agreement is not yet finalised. If any of PAPs can produce any document proving their right over the land where they are staying the compensation will be provided by MMRDA.
104	Residential PAP	<ul style="list-style-type: none"> • Give information about fate of partially affected structures. Can you resettle people who stay in the same settlement but are not affected by project. 	MMRDA	<ul style="list-style-type: none"> • If the PAPs structure is partially affected then you have a choice of either going to the resettlement site or staying in the remaining part of the structure which is not affected by the project. • If non project affected people are willing to get resettled then they should come together and write an application to MMRDA. MMRDA will take a decision about it.

Source JICA study team

Annexure 5.5: Attendance record of Officials & PAPs present on Second Stakeholder’s meeting.

Stakeholders Consultation for “Mumbai Trans-Harbour Link Project”

Name of Agency conducting Public Consultation: OCG + BEIPL

Date: 25th August 2015 Time: 5.00 pm – 7.00 pm

Venue: Koli Samaj Hall, 22/1, Koli Samaj Co-op. Housing Society, Sewri Koliwada (East), Mumbai – 400 015.

Stakeholders Consultation Attendance Record

Sr. No.	Name of the Person Present	Official Address	Contact Details	Role played by Key Stakeholders	Signature
1.	Mr. Vishram Patil Sbc, MMRDA	MMRDA, Mumbai	9870171349	Chief Social development cell (SDC) MMRDA	<i>[Signature]</i>
2.	Mr. Konishi, JICA study Team Dy. Team leader	OCG, Japan	095 6057 4686	OCG, JICA study team Dy. Team Leader	<i>[Signature]</i>
3.	Mr. Hanishkesh Kolarkar BEIPL,	BEIPL, Mumbai	9820522799	Project Coordinator, BEIPL	<i>[Signature]</i>
4.	Mr. T. B. Patil, Komal Engineering	Nahur, Mumbai	989268 1329	Sewari structure Consultancy	<i>[Signature]</i>
5.	Mr. Saba Mishra PAs representative	Sewari Mumbai	9804973311	PAPs representative	<i>[Signature]</i>
6.	Mr. Vivek Kulkarni	BEIPL, Mumbai	9820349517	Team member, BEIPL	<i>[Signature]</i>

Sr. No.	Name of Project Affected People	Residential Address	Contact Details	Role played by Key Stakeholders	Signature
7	Dr. N. P. Lamba Bhingaria	BEIPL Mumbai	9820499240	Social expert, BEIPL	<i>[Signature]</i>
8	Prakash Mumbasakar	BEIPL, Mumbai	9920156168	Team member, BEIPL	<i>[Signature]</i>

Sr. No.	Name of Project Affected People	Residential Address	Contact Details	Role played by Key Stakeholders	Signature
	केशव शिव देव शिवा		9167015701		<i>[Signature]</i>
105	श्री केशव शिवा				<i>[Signature]</i>
446	काली साहू		9800051806		<i>[Signature]</i>
34	श्री साहू		9892173090		<i>[Signature]</i>
39	Kojada Basad Mishra		9819086042		<i>[Signature]</i>
55	A'alam Ali' Sale		9169277848	Alam	<i>[Signature]</i>
114	श्री साहू		8619287468		<i>[Signature]</i>
4	Saifur Ahamed, Mohamed Ali		9723509001		<i>[Signature]</i>
42	श्री साहू		9664167208		<i>[Signature]</i>
413	श्री साहू		9675791189		<i>[Signature]</i>

Sr. No.	Name of Project Affected People	Residential Address	Contact Details	Role played by Key Stakeholders	Signature
412	श्री साहू		9169479272		<i>[Signature]</i>
457	General Bina		7738247819		<i>[Signature]</i>
	श्री साहू		9802123972		<i>[Signature]</i>
			0594001421		<i>[Signature]</i>
63	Hareesh Agencies		9820516061		<i>[Signature]</i>
30	श्री साहू		9820951545 9820351515		<i>[Signature]</i>
93	श्री साहू		980017237		<i>[Signature]</i>
450	श्री साहू				<i>[Signature]</i>
479	श्री साहू		9820753585		<i>[Signature]</i>
102	Anthony A. Brumber		9967879672		<i>[Signature]</i>

Source JICA study team

Annexure 5.6: Communication between MMRDA & Dept. of Fisheries

MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY
मुंबई महानगर प्रदेश विकास प्राधिकरण

No. EDMTHL/JICA/Fisheries Dept/15

Engineering Division
Date: 18-08-2015

To,

The Commissioner of Fisheries Deptt.,
Tarapurwala Aquarium, N.S. Road, Charni Road,
Mumbai – 400 004.

Sub: Mumbai Trans Harbour Link (MTHL) project
- Minutes of the meeting held on 10th August 2015.

Sir,

A meeting was convened under the chairmanship of Additional Metropolitan Commissioner-I, MMRDA on 10th August 2015 in MMRDA regarding the information required from the Department of Fisheries for the Mumbai Trans Harbour Link (MTHL) project

The minutes of the meeting are enclosed herewith for information & necessary action please.

Thanking you.

Yours faithfully,

Superintending Engineer

Encl : As above

Copy to:

✓ M/s Building Environment (India) Pvt. Ltd. for information and further necessary action

Encl : Copy of the minutes

Bandra - Kurla Complex, Bandra (East), Mumbai - 400 051.

EPABX : 2659 0001 - 04 / 2659 4000 - FAX : 2659 1264 - WEB SITE : <http://www.mmrda.maharashtra.gov.in>

(Source – MMRDA)

Annexure 5.7: Minutes of Meeting for Dept. of Fisheries, MMRDA & JICA study team

Mumbai Trans Harbour Link (MTHL) project

Minutes of the meeting held on 10th Aug 2015 with the officials of the Fisheries Department

Japan International Cooperation Agency (JICA) has appointed consultants to carry out the preparatory survey of the Mumbai Trans Harbour Link (MTHL) project in a view to grant Official Development Assistance (ODA) Loan for the project. As a part of the Social Impact Assessment (SIA), the Consultants are seeking information regarding the fishing activities in & around the project area from the Department of fisheries.

In this regard, a meeting was convened under the chairmanship of Additional Metropolitan Commissioner-I, MMRDA on 10th August 2015 at 2:30 PM in the 6th floor committee room in MMRDA office to review the information required from the Department of Fisheries. Following officials were present for the meeting.

**Sr. Name of Officer & Designation
No.**

1. Mr. P.D. Mandapure, Engineer-in-Chief, MMRDA
2. Mr. V.V.Naik, JI. Commissioner of Fisheries (Marine), Department of Fisheries
3. Mr. Yuvraj Chougule, Assistant Commissioner of Fisheries, Mumbai & Mumbai suburban
4. Mr. Wayda, Assistant Commissioner of Fisheries, Thane & Palghar District
5. Mr. S.S.Varaskar, Superintending Engineer, MMRDA
6. Mr. Yatin Sakhalkar, Executive Engineer, MMRDA
7. Mr. Shinya Nagaoka, Senior Consultant, PADECO Co.,Ltd.

The Consultants made a presentation regarding the project features and the studies being carried out by JICA. It was informed that the fishermen communities at 3 locations viz. Mumbai city + suburbs, Thane + Palghar and Raigad may be potentially affected due to the project.

It was mentioned that meetings have been conducted with the officials of the Department of Fisheries. Department of Fisheries has provided certain data regarding the names of the fishing societies their location & the number of mechanized & non-mechanized boats registered by the societies in Raigad and Thane+Palghar area. However similar information in Mumbai suburbs, Mahul & Trombay areas needs to be provided. The officials of Department of Fisheries agreed to provide this information immediately.

It was mentioned by the consultant that there is a report of Committee of Experts on assessment of loss of fish stocks and compensation to the fishermen available with the Department of Fisheries. The report may be made available to them. The Joint Commissioner of Fisheries agreed to make a copy of the report available.

The Consultant further pointed out that a Committee was appointed by MSRDC for compensation for the fishing communities in the Bandra-Worli Sea Link (BWSL) project area whose livelihood was affected by the BWSL project. It was mentioned that a copy of the report can be requested from the concerned officials of MSRDC.

The Consultant requested to make available the copies of any Acts, Rules & Regulations and policies regarding the fishing rights and the livelihood recovery of the fishing activities. The consultant also requested for any other information such as fishing types, fish yields, seasonal fishing etc. if available with the Department of Fisheries.

The Jt. Commissioner of Fisheries mentioned that the fishing activities are regulated by the Department of Fisheries as per the provisions in the "Maharashtra Marine Fishing Regulation Act-1981". The Department of Fisheries publishes "Statistics of fishing season" every year. The information on fish yield etc. is available in this book. The Jt. Commissioner of Fisheries stated that the "Maharashtra Marine Fishing Regulation Act-1981" & the "Statistics of fishing season" will be made available to the Consultants.

The Jt. Commissioner of Fisheries mentioned that the information such as the Bridge alignment, location of the proposed piers of the bridge and the area where the construction activities are proposed to be carried out may be given to the Department of Fisheries so that the compensation policy for the affected fishermen can be worked out. The Consultants requested that the compensation policy need to be finalised as early as possible so that the Social Impact Assessment studies can be finalised by November 2015.

The meeting ended with a vote of thanks to the chair.



Source – MMRDA

Annexure 6.1: Government of Maharashtra (GOM), Revenue and Forest Department, Notification on 27th Aug 2014

REVENUE AND FORESTS DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 27 August 2014.

NOTIFICATION

RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION REHABILITATION AND RESETTLEMENT ACT, 2013.

No.LQN. 12/2013/C.R. 190/A-2.—Whereas, by Government Notification, Revenue and Forests Department, No. LQN. 12/2013/C.R. 190/A-2, dated the 22nd May 2014 (hereinafter referred to as “the said notification”), the Government of Maharashtra has, published a preliminary draft policy for the observance by the various Departments of the Government of Maharashtra, under section 108 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(30 of 2013), so as to provide higher compensation than calculated under the said Act, in case of the acquisition of land, rehabilitation and resettlement, whose entitlements are overall higher than the Compensation, Rehabilitation and Resettlement package provided under the said Act so as to facilitate the affected persons or his family to opt to avail such higher compensation and rehabilitation and resettlement under any other State laws for the time being in force in the State under which his land is proposed to be acquired.

Now, therefore, the Government of Maharashtra, after considering all the objections or suggestions received by it in respect of the proposed policy published in the said notification hereby publish the policy under section 108 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as follows, namely :—

Part-1. Land Valuation:—

1. The market value of land to be acquired will be determined by ready reckoner value fixed under the Maharashtra Stamp Act (59 of 1958) and the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995.

2. The multiplication factor by which market value of the land is multiplied will be 1.20 in case of rural areas and 1.10 for urban areas. (This factor should be at least 10 percent higher than the State approved multiplier).

3. Compensation of the land to be acquired in rural area: (market value x 1.20) plus value of assets attached to land or building plus (100% solatium) = Land Compensation Price;

Compensation of the land to be acquired in urban area: (market value x 1.10) plus value of assets attached to land or building plus (100% solatium) = Land Compensation.

4. In case the land is acquired for urbanization purpose, 20% of the developed land will be reserved and offered to the landowner at price equal to cost of acquisition and cost of development. The net land reserved and offered will be excluding the land required for infrastructure development by recovering the cost of acquisition and cost of development gross land i.e. 20%. The land required for infrastructure development and cost of the same as per norms prescribed by Public Works Department or Irrigation Department or Rural Development Department or Municipal Corporations or City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC). The actual area required for development of infrastructural facilities will be taken into consideration at the time of calculation of land to be allotted.

The net land to be reserved or offered to land owner will be:—

20% of the gross land-land required for infrastructural development as per norms prescribed by Public Works Department or Irrigation Department or Rural Development

Department or Municipal Corporations or City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC) norms-recovery of cost of acquisition as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and cost of development as per norms prescribed by Public Works Department or Irrigation Department or Rural Development Department or Municipal Corporations or City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC) for gross 20% land.

Explanation.—As per the City and Industrial Development Corporation of Maharashtra (CIDCO) norms, the area required for infrastructure development considered is 30%, then the net land to be reserved or offered to land owner will be 20% of the gross land-7% area required for infrastructure development=14% of the land acquired- (recovery of cost of acquisition and cost of development as per City and Industrial Development Corporation of Maharashtra (CIDCO) norms for gross 20% land.

The acquiring body may also give monetary value equivalent of the net developed land in lieu of actually providing the land to the displaced persons or his family.

Part-2. Rehabilitation and Resettlement components:—

1. If a house is lost in rural area, a constructed house shall be provided as per the specifications of *Indira AawasYojana* or Rs. 1.65 lacs in lieu of house.

Explanation.—In case of *Indira AawasYojana*, a house of 25 sq.mt.will be provided. Considering the low specifications, the construction cost will be minimum Rs. 600 per sq.ft.which gives Rs. 1,61,400 excluding the cost of the developed land.

2. If a house is lost in urban area, a constructed house shall be provided of 50 sq.mt.plinth area as per Public Works Department norms or Rs. 5.5 lacs in lieu of house.

Explanation.—Considering the construction cost of Rs. 1000 per sq.ft., the cost of house will be Rs. 5,38,000 excluding the cost of the developed land.

3. One time payment of Rs. 5 lacs to each affected family to those who have eligible candidate for employment.

4. Subsistence allowance to the affected displaced families of Rs. 3000 per month for a year after displacement date. For the families belonging to Scheduled Castes or Scheduled Tribes such families will get additional Rs. 50,000.

5. Transportation cost of Rs. 50,000 per affected displaced families.

6. Those families having cattle shed or petty shops will get Rs. 25,000 one time financial assistance.

7. One time grant for artisans, small traders of Rs. 50,000.

8. One time resettlement allowance of Rs. 50,000 after shifting of house.

9. Stamp duty and registration charges will be borne by Requiring Body for the first transaction of the rehabilitated person only.

10. The Requiring Body will provide the infrastructure in Rehabilitation and Resettlement area, which includes the roads, drainage, *Panchayatghar*, post office, *samajmandir* and other facilities as mentioned in the THIRD SCHEDULE of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. However, if the Requiring Body monetize the amenities as per family costs of constructing these amenities as per cost norms developed by Public Works Department or Rehabilitation Department or Irrigation Department or Rural Development Department

or Urban Development Department or Municipal Corporations City and Industrial Development Corporation of Maharashtra (CIDCO) or Mumbai Metropolitan Region Development Authority (MMRDA) or Maharashtra Industrial Development Corporation (MIDC). In such an eventuality, the Requiring Body shall offer 10% plus the total per family cost of all the amenities to be provided under the THIRD SCHEDULE of the said Act.

11. All monetary value fixed above shall be entitled to be increased by 5% on the 1st January of each year unless the rate of inflation index is less than 5 % for that year.

12. Above package will be applicable if the affected person accepts the same through a written consent.

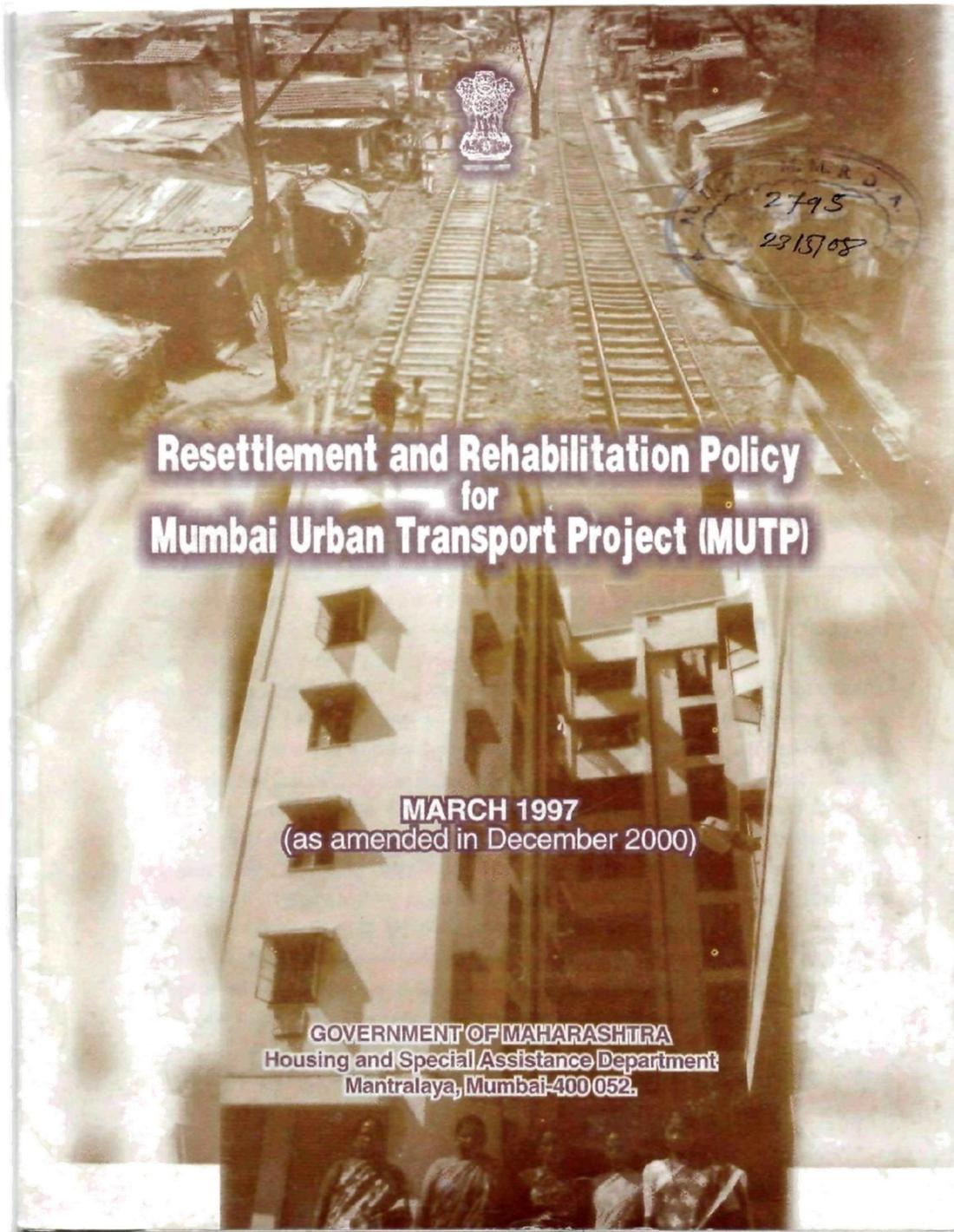
(Note.- The explanations provided above are only the supportive information on the basis of City and Industrial Development Corporation of Maharashtra (CIDCO) practice and shall not be included part of the Guidelines)

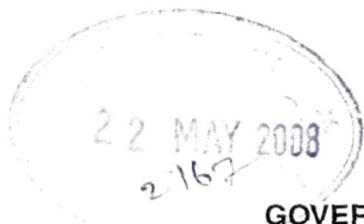
By order and in the name of the Governor of Maharashtra,

S. K. GAWADE,

Deputy Secretary to Government.

Annexure 6.2: MUTP R & R Policy 2000





Policy for Resettlement and Rehabilitation of persons affected by Mumbai Urban Transport Project.

GOVERNMENT OF MAHARASHTRA

Housing and Special Assistance Department
Resolution No. Prakalpa 1700/CR 31/Slum 2,
Mantralaya, Mumbai 400 032
Dated the 12th December, 2000

Read : Government Resolution, Housing and Special Assistance Department, No. MIS 1094/CR 558/Slum 2, dated 12th March 1997.

1. Resolution :

Government of Maharashtra has decided to take up "Mumbai Urban Transport Project" (MUTP) with a view to bringing about improvements in traffic and transportation situation in the Mumbai Metropolitan Region (MMR). Efforts are being made to obtain financial assistance for this project from the World Bank. The schemes under MUTP include roads, Road Over Bridges (ROBs), traffic management schemes as well as various rail projects. The various schemes under MUTP would affect a substantial number of households, business activities and structures, which will have to be relocated. Resettlement of project affected persons, according to the World Bank operational directives, is required to be an integral part of World Bank financed projects. Preliminary estimate indicates that approximately 25,000 to 30,000 families will have to be relocated due to MUTP. Government of Maharashtra appointed a Task Force, in February, 1995 under the Chairmanship of Shri D. M. Sukthankar, former Chief Secretary, to prepare a framework for Resettlement and Rehabilitation (R & R) Policy and to assist the Government in determining the institutional arrangements and implementation strategies for R & R. The Task Force submitted its report to the Government after a detailed study of the households, business activities and structures likely to be affected by MUTP. Based on the recommendations of the Task Force, orders

prevailing for R & R of persons affected by the projects in rural areas, the legal provisions and a series of discussions with the World Bank missions a revised R & R Policy was submitted to the Government for approval. Accordingly the following Resettlement & Rehabilitation Policy has been formulated.

2. Applicability of the Policy :

The following R & R policy shall be applicable to all the sub-projects described in the Borrower's Project Implementation Plan (BPIP) for the MUTP and also the sub-projects identified for inclusion in the subsequent phases of MUTP. Resettlement Action Plans (RAP) and Community Environmental Management Plans (CEMP) will be prepared for each subproject involving resettlers in accordance with this Policy.

3. Objectives :

- (a) To minimise the resettlement by exploring all viable alternative project designs, and to prioritise various elements of the project by treating this as one of the important considerations,
- (b) Where displacement is unavoidable, to develop and execute resettlement plans in such a manner that displaced persons are compensated for their losses at replacement cost just prior to the actual move, displaced persons are assisted in their move and supported during the transition period in the resettlement site and displaced persons are assisted in improving or at least restoring their former living standards, income earning capacity and production levels; and to pay particular attention to the needs of poor resettlers in this regard,
- (c) To accord formal housing rights to the PAPs at the resettlement site. Such rights shall be in the form of leasehold rights of the land to the co-operative society of the PAPs and occupancy rights of built floor space to the members of the society. The membership of the co-operative society and the occupancy rights will be jointly awarded to the spouses of the PAP household. The documents in this respect will be the leasehold agreement with the co-operative society, which will include a list of its members and description of dwelling unit allotted to each member. The members of the co-operative society will receive a share certificate signifying the membership of the society.

- (d) To develop and implement the details of the resettlement programme through active community participation by establishing links with the community based organisations; and
- (e) To make efforts to retain existing community network in the resettlement area, wherever this is not feasible to make efforts to integrate the resettled population with the host community, and to minimise the adverse impact, if any, on the host community.

4. Categories of Project Affected Structures :

Project affected structures shall be categorised by referring to ownership, land use and type of construction.

Ownership :

- Land and building owned by the same person,
- Land owned by one person and building owned by the lessees,
- Land and building both leased to lessee,
- Land and building occupied by statutory tenants with owner occupant or where owner is a absentee
- Land occupied by squatters without any legal title. Category of squatters includes - non-resident structure owners, resident structure owners and tenants.

Land use :

- Land used for farming, horticulture etc.
- Land used for open uses such as storage, vehicle repairing etc.
- Structure used for residential purposes
- Structure used for shop-cum-residence
- Structure used for shop
- Structure used for workshop, factory etc.
- Structure used for schools, balwadis, community activities, religious purposes, medical and health facilities, gymnasium etc.

Type of structures :

- Multi-storeyed RCC structures,
- RCC or Steel frame structures in slum,
- Ground storeyed structures with RCC slab or tile or AC sheet or GI sheet roof,
- Ground storeyed structures/hutment in slums.

5. Definition of Project Affected Persons (PAP) :

Project Affected Person includes households, business units including their workers and owners of assets like land and buildings affected by MUTP shall be considered as PAPs and may include; non-resident land owners (including farmers and horticulturist); non-resident lessees; resident landlord (including farmers and horticulturists); resident lessees, tenants or sub-tenants of buildings; squatters (non-resident structure owners, resident structure owners, tenants); pavement dwellers. Household for this purpose means all the males/females, their family members and relatives staying in a house/tenement/hut.

6. Eligibility of Project Affected Persons (PAPs) for R & R :

- (a) All legitimate occupants of land and building affected by MUTP up to the time of actual resettlement will be eligible for the benefit of R & R Policy. However, PAPs who are squatters and not the legitimate occupants of land or buildings shall be eligible for R & R only if enumerated during the baseline survey. The date of completion of baseline survey shall, therefore, be the cut-off date. While preparing the Resettlement Action Plan (RAP) the baseline survey will be updated if the gap between the baseline survey and the RAP is more than one year. Any new unauthorised structures or additions to existing structures carried out after the cut-off date and their occupants will not be eligible for R & R.

Similarly, the occupants of a structure except legal heir who have acquired the structures after the cut off date shall not be eligible for the benefits of Resettlement and Rehabilitation. However, member added to the eligible households by way of birth and marriage after the cut-off date will be

considered eligible for R & R. For this purpose, the baseline survey will create a detailed data base available with both the R & R Agency and the affected community. The significance of the cut-off date will also be explained to the community.

- (b) PAPs who do not wish to participate in the RAP prepared in the manner as laid down in this policy will not be eligible for rehabilitation and will have to vacate the occupied space on their own.
- (c) Aerial photographs if available and visual documentation carried out during baseline surveys will help identify squatters entering the area after the baseline surveys. These squatters shall not be entitled for any R & R benefits. Motivating and strengthening of Community Based Organisations (CBOs) during the baseline survey will be attempted to help prevent further encroachment after baseline survey. R & R activities and MUTP project execution schedule shall be closely co-ordinated to minimise the time between site clearance and commencements of civil works so as to prevent further encroachment. Implementing agencies shall protect the cleared sites by appointing watch and ward staff. Even with these measures, if encroachment takes place, eviction will be resorted to.

7. Selection of Resettlement Site :

The site for resettlement shall be selected out of the feasible options in consultation with the affected community as a part of the RAP preparation. The principal criteria for site selection shall include access to employment opportunities, infrastructure and social services. Environmental assessment of the resettlement site shall be carried out as part of the preparation of CEMP.

8. Land acquisition :

- (a) For acquisition of land for the project, landowners and lessees shall be compensated as per the provisions of the Land Acquisition Act, 1894 (LA Act). The facility of Transferable Development Rights (TDRs) will be available as an alternative to compensation under the LA Act, in accordance with the Development Control Regulations (DCRs) for Greater Mumbai 1991 as amended from time to time and being in force.

- (b) TDRs will also be available to developers who agree to build and hand over free of cost dwelling units for R & R according to the approved RAP, in accordance with the DCRs more particularly the Urban Development Department Notification dated the 15th October 1997.¹ FSI of 2.5 shall be allowed for construction of tenements, under the above schemes, on the lands reserved for resettlement of PAPs by making appropriate changes in the reservation in the Development Plan. To provide incentive to landowners in residential zones to build dwelling units to the PAPs, an additional FSI of 1.5 may be permitted. 0.75 of this additional FSI shall be used for rehabilitating PAPs free of cost, and the balance FSI of 0.75 may be allowed for free sale.²

9. Resettlement Options :

While preparing RAP following two options may be explored with the community;

- (a) Township option : This will be in the form of a sites and services project developed by the R & R agency (or other public agency) on a green-field site owned by the agency. A fully developed plot of 25 sq. meters shall be allotted one year in advance of the target date of relocation. The agency can use some land for high income housing of non-PAPs and for commercial activities. The agency can sell plots for commercial activities and high-income housing at market price to recover the project cost.

¹ Transfer of Development Right is available as an alternative to compensation under the LA Act 1894. If the landowner whose land is reserved for a public purpose is prepared to surrender such land to free of cost and free of encumbrances to BMC he can opt for receiving TDR equivalent to floor space which he could have constructed had his land not been reserved. In Suburbs where most of the land acquisition is required to be carried out for MUTP such floor space (and therefore the TDR will be reckoned at the Floor Space Index (FSI) of 1. These TDRs are saleable in the market and can be used in areas specified in the DCRs. In addition to the TDR given for the land, TDR equivalent to the floor space constructed for the slum dwellers and handed over free of cost for can also be granted. Such floor space is restricted to FSI of 2.5 and consequently TDR available for constructed dwelling units is also restricted to 2.5.

² More particularly as provided for in Urban Development Department Notification dated the 15th October 1997.

- (b) Tenements under Slum Redevelopment (SRD)/Public Housing (PH)/Housing the Dishoused (HD) : A tenement of 20.91 sq.m. in multi-storeyed buildings.
- (c) The entitlement of PAPs in terms of floor space / plot at the resettlement site for the options described in section 9 above will be as stated in Appendix. I

10. Other Amenities :

- (a) For township / sites and services option :

In addition to the developed plot of 25 sq.m., water supply at 90 lpcd, pedestrian pathways according to DCRs, on plot toilet seat and water tap, community facilities like primary school, dispensary, playground, fair price shop as may be required, and site for religious places that existed in the old community.

- (b) For PH / HD and SRD options :

PH / HD and SRD are a part of the Development Plan of Greater Mumbai. The standards of off-site amenities will therefore be according to the Development Plan. The on-site amenities like the recreational open space, Balwadis, water supply, sanitation, pathways and access streets etc. shall be provided according to the standards prescribed in DCR's.³

11. Monetary Supplement to Squatters :

The Project Affected Squatters who opt for Township option, shall be entitled to a monetary supplement that represents the replacement cost of their shelter at the time of baseline survey. For calculating such monetary supplement, Municipal Corporation of Greater Mumbai and the Public Works Department shall determine for various types of construction, a unit cost of replacement based on the rate schedules used by them for construction activities undertaken by them. The monetary supplement shall be disbursed in suitable instalments related to the progress of work of building the structure on the serviced site. However, PAPs that opt for fully built dwelling unit will not be eligible for such monetary supplement.

³ Some of the standards prescribed by the DCRs at present are; recreational open space @ of 15% of the plot area, water supply @ of 135 litres per capita per day, one balwadi of 20.9 sq.m. for every 100 dwelling units and minimum width of pathway is 1.5 m.

12. Compensation for Economic Losses :

Every effort shall be made to relocate the affected households to nearby site and thus avoid cutting access to existing employment and income earning sources.

- (a) If the relocation of workers / employees results in an increase in travel distance to reach the original place of work or new place of work, a lump sum compensation not exceeding twelve quarterly season tickets for such excess distance by suburban railway at the time of resettlement shall be paid to such workers / employees subject to actual verification of extra expenditure incurred.
- (b) If it turns out to be impossible to continue present occupation or where workers / employees / entrepreneurs permanently lose their source of livelihood, because of displacement, a lump sum compensation equivalent to one year's income be given to such workers / employees / entrepreneurs at the rates to be determined by the R & R implementing agency. A valuation committee comprising the representatives of the R & R Agency and the NGO shall assist the R & R Agency in determining the annual income of PAPs.
- (c) Vulnerable households such as women headed households, handicapped and the aged will be extended an additional package of rehabilitation services to help them overcome the difficulties on account of resettlement. This will include preference in allotment of dwelling units on the ground floor for the handicapped and preference in sanctioning of loans from the fund mentioned below. Any further assistance required for vulnerable PAPs will be determined during RAP preparation.
- (d) For those who permanently lose their jobs, the rehabilitation package shall include access to employment information through employment exchange and training facilities. Moreover, community operated fund will be created to provide seed capital and other loans. Community operated fund could be linked with community saving programmes. The fund could be controlled and monitored by the community with the assistance of Non-Governmental Organisation (NGO).

13. Other Benefits :

In addition to the shelter-related rehabilitation described in the Appendix I, cost of shifting will be paid to the PAPs or free transport arrangements be made available to the PAPs for moving to the resettlement site.

14. Planning and Implementation Procedure :

- (a) Based on the baseline survey carried out through close participation of NGOs and CBOs, a list of eligible project affected structures, households, lands, shops and business activities shall be prepared and announced for community endorsement to avoid conflict over subsequent entrants in the project area.
- (b) RAP preparation shall be undertaken with active participation of eligible PAPs. Draft RAP shall include, a statement of objective and policies, an executive summary, and provision for the following :
- organizational responsibilities,
 - community participation and integration with host populations,
 - socioeconomic survey,
 - legal framework,
 - alternative sites and selection,
 - valuation of and compensation for lost assets,
 - land tenure, acquisition, and transfer,
 - access to training, employment, and credit,
 - shelter, infrastructure, and social services,
 - environmental protection and management; and
 - implementation schedule, monitoring, and evaluation.

Cost estimates should be prepared for these activities, and they should be budgeted and scheduled in coordination with the physical works of the main investment project.

- (b) Draft RAP shall be shared with the PAPs, NGOs, CBOs and general public in the area through community meetings and other appropriate media. The views of PAPs will be taken into account in finalising the RAP.⁴

⁴ In case indigenous people are affected by MUTP a separate Indigenous People Development Plan (IPDP) will be prepared along with the RAP in accordance with the World Bank's Operational Directive 4.20.

- (c) In addition, general dissemination of information on R & R policy, specific RAPs and environmental management plan related to MUTP shall also be undertaken in a planned manner. These activities may include organising seminars, bringing out the news items in newspapers, TV, radio, technical and academic journals.
- (d) The RAP prepared in this manner shall be implemented by the agency identified for the purpose.
- (e) "A two-stage resettlement process will be adopted only under emergency circumstances and only if the affected community agrees to move to the transit housing prior to shifting to permanent houses. Prior to shifting people to transit houses the following need to be ensured -
 - (i) the type of accommodation and basic amenities to be provided in the transit camps and a time table for moving to permanent sites are discussed and agreed with the PAPs and
 - (ii) the world Bank will verify the feasibility of the schedules in the time table, particularly whether acquiring permanent sites can be completed within at most two years and that permanent housing can be available before the end of the third year."

15. Redressal of Grievances :

R & R Agency shall designate a senior officer at the local level to consider any grievance of PAPs in consultation with the concerned NGO and give his decision in writing, within a stipulated time period, and also keep a record of such decisions. If the aggrieved PAP is not satisfied with this decision, final appeal, could be made to the Grievance Redressal Committee appointed by the R & R Agency comprising its officials and the representatives of NGOs.

16. Completion of Resettlement Prior to Commencement of Civil Works :

The agreed resettlement activities in transit structures in the case of two stage implementation procedure and in permanent settlements in other cases shall be generally completed prior to commencement of the relevant section of the civil work of the transport project. On completion of resettlement, the site shall be turned over to the concerned transport project-implementing agency.

17. Indirectly Affected PAPs :

The relocation of affected communities and persons may have adverse impact on the community linkages at the old site. In order to minimise such adverse impact appropriate and careful measures need be planned. For this purpose, the affected community be identified based on the social and economic linkages and not purely on the basis of right of way required for the project. If the social and economic linkages are substantially affected⁵, the remaining people, whose proportion should not exceed 20% of the directly affected PAPs. If they desire should be resettled along with the PAPs. However, if the remaining people do not desire to shift, efforts shall be made to provide earlier social and economic facilities at the old site.

18. Host Community :

The relocation of PAPs at the new site may impact two types of host communities. One, resident of the relocation site and the other living in the vicinity of the resettlement site. Resettlement of PAPs will displace the first type of host community and increase the burden on the infrastructure services available to the second type of the host community. The host community that is resident of the relocation site shall be treated as eligible PAPs and shall be extended all the benefits of this policy. In case of the host community in the vicinity of the relocation site, the increased demand of services on account of resettled community, may reduce the quality of life of the host community. In order to avoid or minimise such impacts the RAP will propose augmentation of available services. Such augmentation will be carried out as part of RAP implementation.

19. Modification of Development Plan :

Urban Development Department shall decide, on case to case basis, about the changes to be carried out in the reservation in the Development Plan for lands

⁵ The social and economic linkages shall be considered to be substantially affected when almost all the residents of the affected area had shifted together to the area from the same area of origin, or; some common infrastructure facilities such as, school, dispensary etc. were shared by all the residents, which need to be demolished to clear the site for the project and providing these facilities for the remaining families is not feasible, or; the number of the remaining families is so small that it is not possible for them to stay as a community.

to be acquired and utilised for R & R of PAPs according to the procedure laid down in the Maharashtra Regional and Town Planning Act 1966 (MR & TP Act).⁶

20. Institutional Arrangements :

Institutional arrangements, including interdepartmental oversight committees, the hiring of experts in housing, engineering, social development, land acquisition, legal, environment, PR and other relevant areas and monitoring mechanisms, will be set forth in a separate notification to be issued on institutional arrangements.

21. Restrictions on Transfer / Disposal of Tenements Allotted to the PAPs :

No PAPs shall transfer / dispose of the tenement allotted to him without prior permission of the Government. The procedure followed by Slum Rehabilitation Authority for transfer / disposal of tenements under Slum Rehabilitation Schemes shall mutatis-mutandis be applied in case of transfer / disposal of tenements allotted to the PAPs under this policy.

These orders are issued after obtaining concurrence of the Urban Development Department vide informal reference No. 594 Dated 22/11/2000.

This Government Resolution shall supersede all the previous Government Resolutions on this subject.

By order and in the name of the Governor of Maharashtra,

Sd/-

(R. B. Budhiraja)

Principal Secretary to Government of Maharashtra,

⁶ The procedure for modifying the Development Plan reservation is prescribed in Section 37 of the MR & TP Act 1966. This requires publication of proposed modification for inviting public suggestions and objections, hearing the suggestions and objections and then taking a final decision.

Copy to :

1. Secretary to Hon. Governor,
2. Secretary to Chief Minister,
3. Chief Secretary,
4. Chairman, Railway Board, Rail Bhavan, New Delhi.
5. Private Secretaries to all Ministers and State Ministers,
6. Additional Secretary, Urban Development Department, Government of India, New Delhi.
7. General Manager, Western Railway, Churchgate, Mumbai
8. General Manager, Central Railway, CST, Mumbai.
9. Managing Director, M.R.V.C. 2nd floor, Churchgate Station Building, Mumbai 400 020.
10. Metropolitan Commissioner, MMRDA, Bandra Kurla Complex, Mumbai.
11. Secretary to All Department, Mantralaya, Mumbai.
12. Vice President and Chief Executive Officer, MHADA, Mumbai 400 051.
13. Chief Executive Officer, S.R.A., Bandra (East) Mumbai 400 051.
14. Divisional Railway Manager, Western Railway, Mumbai Central, Mumbai.
15. Divisional Railway Manager, Central Railway, CST, Mumbai.
16. Additional Police Commissioner, Traffic Police, Worli, Mumbai.
17. Commissioner, Gr. Mumbai Municipal Corporation, Mumbai.
18. Commissioner, Thane Municipal Corporation.
19. Collector, Mumbai
20. Collector, Mumbai Suburban District, Mumbai.
21. Additional Collector (ENC), Mumbai.
22. Controller, Encroachment, Mumbai.
23. All Officers, Housing and Special Assistance Department, Mantralaya, Mumbai.
24. Select File.

Appendix - I

SUMMARY OF REHABILITATION MEASURES

Sr. No.	Category of RAP	Legal Compensation	Rehabilitation		
			Monetary Supplement	Type of Shelter related Rehabilitation	Price to be Charged
1.	Non-resident land Owners (Including farmers and horticulturists)	Market value of land and building according to LA Act.	Nil	Nil	
	Non-resident lessees	Apportionment of compensation for the unexpired period of lease according to LA Act.	Nil	Nil	
2.	Resident landlord (land and building) (including farmers and horticulturists)	As in 1 above.	Nil	Cash supplement equivalent to cost of construction of floor space (subject to a max. of 20.91 sq.m) occupied prior to resettlement. OR Floor space equal to self occupied floor area, subject to maximum of 70 sq.m., irrespective of use of floor space	First 20.91 sq.m. of floor space free of cost and at actual cost for the area in excess thereof
	Resident lessee of land and building	Apportionment of compensation for the unexpired period of lease according to LA Act.	Nil	Floor space equal to self occupied floor area, subject to maximum of 70 sq.m., irrespective of use of floor space	First 20.91 sq.m. of floor space free of cost and at actual cost for area in excess thereof.
3.	Resident lessees, tenants or sub-tenants of buildings	Shifting charges according to LA Act.	Nil	Floor space equal to self occupied floor area, subject to a maximum of 70 sq., irrespective of use of floor space.	Free of cost on ownership basis up to 20.91 sq.m. of floor space and at actual cost for area in excess thereof

4.	Squatters				
	Non-Resident structure owners (The status to be established by documentary evidence in	Nil	Replacement cost of lost structure	Nil	
	Resident structure owners	Nil	Replacement cost of lost structure	Township option Plot of 25 sq.m. Plot in excess of 25 sq.m.	Free of cost At cost of excess area.
			Nil	PH/HD/SRD Option : Residential : floor space of 20.91 sq.m. Shops & business <u>Area equivalent to existing area</u> with a maximum of 70 sq.m. Out of which 20.91 sq.m.	Free of cost. Free of cost
			Area in excess of 20.91 sq.m.	At cost for the excess area	
	Tenants	Nil	Nil	Township option Plot of 25 sq.m. Plot in excess of 25 sq.m. PH/HD/SRD Option : Residential : floor space of 20.91 sq.m. For shops & business Area equivalent to existing area with a maximum of 70 sq.m. out of which 20.91 sq.m.	Free of cost. At cost for the excess area. Free of cost Free of cost
			Area in excess of 20.91 sq.m.	At cost for the excess area	

5.	Pavement dwellers	Nil	Replacement cost of lost structure Nil	<p>Township option</p> <p>Plot of 25 sq.m. Free of cost.</p> <p>Plot in excess of 25 sq.m. At cost for the excess area</p> <p>PH/HD/SRD Option : Residential : floor space of 20.91 sq.m. Free of cost. For shops & business: Area equivalent to existing area with a maximum of 70 sq.m. Out of which 20.91 sq.m. Free of cost</p> <p>Area in excess of 20.91 sq.m. At cost for the excess aea.</p>	
6.	<p>Employees and entrepreneurs</p> <p>(a) Employees residing in the affected community and working at some other place</p> <p>(b) Non-resident employees</p> <p>(c) Employees and entrepreneurs who permanently lose their source of livelihood</p>	<p>Nil</p> <p>Nil</p> <p>Nil</p>	<p>Amount equivalent to the fare of twelve quarterly season tickets for excess distance by suburban railway.</p> <p>Same as above</p> <p>A lump sum compensation equivalent to one year's income, determined by the R & R Agency's valuation committee.</p>	<p>Nil</p> <p>Nil</p> <p>The rehabilitation package shall include access to employment information through employment exchange, and training facilities for appropriate skills be provided through on going government programs, and credit through community operated fund.</p>	

Annexure 6.3: Ready Reckoner Rate of Bhakti Park (96/436A) of year 2015

Village No. / Zone No.	TROMBAY	Rate of Open Land per Sq. Mtr. F.S.I. = 1	Rate of Building + Land in Rs. per sq. mtr. Built-up			
			Residential Building	Office / Commercial on Above floor	Shop / Commercial on Ground floor	Industrial Area
90	MUMBAI SUBURB, TALUKA KURLA, VILLAGE MAHUL	Map on page 172				
90/419	Land: All the properties of Mahul village.	17600	44500	53900	66800	50200
91	MUMBAI SUBURB, TALUKA KURLA, VILLAGE NANALE	Map on page 172				
91/420	Land: All the properties of Nanale village.	14500	37800	42700	56200	42700
96	MUMBAI SUBURB, TALUKA KURLA, VILLAGE AANIK	Map on page 172				
96/436	Land: All the properties of Aanik village, except Bhakti Park Complex. C.T.S. No. 2 to 199, 201 to 232, 234 to 298, 300 to 400	43200	95400	103400	138700	96600
96/436A	Land: All the property of Bhakti Park Complex. C.T.S. No. 1, 1A, 1A/5, 1A/9, 1A/13, 1B, 3B, 200, 229B to 233B, 233, 299 <i>PRICE 2014</i> <i>increase % = 30%</i>	94800 <i>72900</i> <i>increase Rate 21900</i>	188800 <i>145200</i>	226700 <i>174400</i>	302300 <i>232500</i>	188800 <i>145200</i>
All the villages are printed as per the sequence of it's maps. To refer any village please refer Index to villages on page 2.						

Source - http://e-stampdutyreadyreckoner.com/SDRR15/Mumbai_Suburban_District/Taluka-Kurla/Zone-96-Rate-2015.html

Annexure 6.4: Valuation of existing structures

The BSES survey gives information about the existing structure in which PAPs are staying in Sewri. Almost all PAPs live in houses with brick wall, concrete floor and tin roof supported by metal struts with an average house size of about 25 – 35 sq.m. The value is calculated for 30 sq.m. area. To estimate the value of these existing structures District Scheduled Rates (DSR) published by Public Works Department for 2015 years were used. The value of the land or liveable area is not considered as the land does not belong to the PAPs. The total value of one typical residential structure is approximately 130,000 rupees without considering the depreciation. See following table for estimated value of average PAP residential structure.

Components	Area or Volume	Unit Rate As Per DSR including Labour Rates	Total Cost
Concrete Floor	5.36 Cubic M.	3164	16959
Floor Finishing	30 sq.m.	510	15300
Brick Wall	15.18 Cubic M.	3346	50792
Painting	66 sq.m.	64	4224
Roof	35.75 sq.m.	465	16624
Services	Lump Sum Cost 25,000		25000
Total			128,899

A typical commercial structure is composed of the same component as residential and has average size of 10-20 sq.m. The value is calculated for 15 sq.m. area. Approximate cost of a typical commercial structure is 100,000 rupees without considering the depreciation. See following table for details.

Components	Area or Volume	Unit Rate As Per DSR including Labour Rates	Total Cost
Concrete Floor	2.88 Cubic M.	3164	9112
Floor Finishing	15 sq.m.	510	7650
Brick Wall	9.75 Cubic M.	3346	32624
Painting	39 sq.m.	64	2304
Roof	19.25 sq.m.	465	8951
Services	Lump Sum Cost 40,000		40000
Total			100641

Annexure 6.5: Details about the Land Acquisition at Navi Mumbai

सरकारी वनजमीन व इतर संस्थाकडील हस्तांतरित होणेची शिल्लक जमिनीची सद्यस्थिती खालील प्रमाणे.

गावाचे नावे	सरकारी जमीन	वनजमीन	जे.एम.पी.टी कडील जमीन	मध्यरत्वेकडील जमीन	एकूण जमीन
गव्हाण	0-16-2	0-87-0	-	-	1-03-2
जासाई	-	-	1-99-0	0-24-5	2-23-5
एकूण	0-16-2	0-87-0	1-99-0	0-24-5	3-26-7

संपादित जमीनीची किंमत तळजोडीने ठरविण्यासाठी एमएमआरडीए व प्रकल्पग्रस्त यांच्यामध्ये बोलणी सुरू आहेत.

या व्यक्तीरिक्त 22.94.0 हे. आर जमीन मोजे गव्हाण ता. पनवेल येथील असून ती एमएमआरडीए ला कार्टींग यार्ड याठी आवश्यक आहे. सदर जमीन सिडकोच्या ताब्यात आहे. ती त्यांना 7 वर्षासाठी भाडेपट्टयाने देता येईल.

8.80 हे. आर जमीन मोजे गव्हाण ता. पनवेल याच गावची असून ती एमएमआरडीए ने वाणिज्य प्रयोजनासाठी मगणी केली आहे. सदर जमीन सुध्दा सिडकोच्या ताब्यात आहे. ती नोडल डेव्हलपमेंटमध्ये राखीव आहे त्याचा तपशील खालीलप्रमाणे

सेक्टर	क्षेत्र	तपशील
16 ए	4.50 हे.आर.	मास हाऊसिंग साठी
16 ए	3.00 हे. आर	भावी विकासासाठी राखीव आहे.
15	1.30. हे. आर	12.5 योजनाखाली राखीव
एकूण	8.80 हे आर.	

वरील परिस्थिती विचारात घेवून सदर जमीन (8.80 हे आर.) एमएमआरडीए ला देता येत नाही असे मत नियोजन विभागाचे आहे

त्यामुळे खारकोपर येथील सेक्टर 16 ए मधील 7.50 हे जमीन एमएमआरडीए ला उपलब्ध करून देता येईल त्याचा एमएमआरडीए ने नव्याने प्रस्ताव देणे आवश्यक आहे.

एमएमआरडीएने एकूण मागणी केलेली जमीन

Row रस्त्यासाठी	96.36.8 हे. आर.
कार्टींग यार्डसाठी	22.94.0 हे. आर.
वाणिज्य कारणासाठी	8.80.0 हे. आर.
एकूण	128.10.8 हे. आर

(संभाजी चव्हाण)
अपर जिल्हाधिकारी तथा मुख्य भूमी व भूसापन अधिकारी,
(नवी मुंबई अंतरराष्ट्रीय विमानतळ)

Source – CIDCO Land & Planning Department.

Annexure Continued....

क.सिडको-अजितमुमुक्भूष(नमुंआवि)/सि.न्हा.शे./2012/

दिनांक- 15/02/2012

विषय:- शिवडी-हावा-शेवा रस्त्यासाठी (मुंबई ट्रान्स हार्बर लिंक प्रोजेक्ट)
जमीन संपादन करणेबाबत.

मुंबई शिवडी-हावा-शेवा रस्त्यासाठी (मुंबई ट्रान्स हार्बर लिंक प्रोजेक्ट) पनवेल व उरण तालुका, जि. रायगड मधील लागणारे क्षेत्र लागणारे क्षेत्र खाली नमूद केल्याप्रमाणे आहे.

अ.न.	जमीनीची वर्गीयारी	गावाचे नाव व लागणारे क्षेत्र (हे.आर मध्ये)			एकूण क्षेत्र (हे.आर मध्ये)
		गव्हाण	जासई	घिल्ले (घुत्तून)	
1.	खाजगी जमीन	49-08-0	30-15-7	6-17-5	85-41-2
2.	सरकारी	2-29-8	5-38-0	0-17-3	7-85-1
3.	वन	0-87-0	-	-	0-87-0
4.	जे.एन.पी.टी	-	1-99-0	-	1-99-0
5.	मध्य रेल्वेची जमीन	-	0-24-5	-	0-24-5
	एकूण क्षेत्र	52-24-8	37-77-2	6-34-8	96-36-8

एकूण लागणा-या 96-36-8 हेक्टर क्षेत्रांपैकी खाली नमूद केलेले क्षेत्र सध्या सिडकोच्या ताब्यात आहे.

गावाचे नाव	संपादित खाजगी क्षेत्र	हस्तांतरित झालेले सरकारी क्षेत्र	एकूण क्षेत्र
गव्हाण	41-42-0	2-13-6	43-55-6
जासई	14-36-6	5-38-0	19-74-6
घिल्ले	1-82-5	0-17-3	1-99-8
एकूण	57-61-1	7-68-9	65-30-0

संपादित करावयाच्या जमीनीची सद्यस्थिती खालीलप्रमाणे

अ. क्र.	उपजिल्हाधिकारी (भूसंपादन)	गावाचे नाव	तालुका	क्षेत्र (हे. आर)	सद्यस्थिती
1.	उपजिल्हाधिकारी (भूसंपादन) मे.से. क्र. 3 पनवेल	गव्हाण	पनवेल	7-68-0	कलम 6 ची अधिसूचना प्रसिध्द
2.	उपजिल्हाधिकारी (भूसंपादन) मे.से. क्र. 1 उरण	जासई	उरण	15-79-1	कलम 4 ची अधिसूचना प्रसिध्द
		घिल्ले	उरण	4-36-0	कलम 6 ची अधिसूचना प्रसिध्द
		एकूण		27-80-1	

Source - CIDCO Land & Planning Department.

Annexure 6.6: Compensation for 27.801 Ha Land Acquisition with 22.5% CIDCO Policy

सिडको/भूसं/शिन्हार/ मार्ग/२०१५/बी.आर. ११३४४/२२५

दि. १६/२०१५

विषय:- मुंबई ट्रान्स हार्बर बिल्डिंग प्रोजेक्ट (MTHL) शिवडी न्हावा शेवा मार्गासाठी जमिनीचे संपादन व नुकसान भरपाई मोबदला शासन १८१२ प्र.क्र./ २७४/नवि- १० दिनांक १/३/२०१४ नुसार देणेबाबत.

संदर्भ:- इकडील पत्र क्रमांक सम दिनांक २९/५/२०१५

वरील संदर्भिय पत्रासोबत मीजे जासई व घिले (भूतुम) ता.उरण या गावांमधील उर्वरित जमिन संपादन करणेबाबतची पत्रके वरील पत्रासोबत पाठविणेत आलेली आहेत.

सदर पत्रकामध्ये दर्शविलेली शिल्लक क्षेत्रामध्ये खालील प्रमाणे बदल करणेत आला आहे.

35
0310/HIS

मीजे घिले ता. उरण जिल्हा रायगड

अ.क्र.	स.नं.	पत्रकात दर्शविलेले एकूण शिल्लक क्षेत्र	दुरुस्ती प्रमाणे क्षेत्र	शेरा
१	४४/२	०-२८-४	०-१४-९	७/१२ नुसार ०-१३-५ हे.आर. क्षेत्र राष्ट्रीय महामार्गासाठी संपादीत झालेले आहे.
२	५६/०	०-१६-०	-	सदरचे उर्वरित क्षेत्र ०-१६-० हे.आर. राष्ट्रीय महामार्गासाठी संपादीत झालेले आहे.
३	६२/३	०-०४-०	-	सदरचे उर्वरित क्षेत्र राष्ट्रीय महामार्गासाठी संपादीत झालेले आहे.
४	६२/४	०-०२-०	-	सदरचे उर्वरित क्षेत्र राष्ट्रीय महामार्गासाठी संपादीत झालेले आहे.

Dr. P. K. (Sd.)
M. S. K. K.

V. K. K.
10/07/15

Sr. Plan (Sd.)
3/3/15
Vai K. K.
3/3/15

Source – CIDCO Land & Planning Department.

Annexure 6.7: CIDCO 22.5% Policy & its details about compensatory Land

नगर विकास विभाग, शासन निर्णय क्रमांक : सिआयडी-१८१२/प्र.क्र.२७४/नवि-१०
दिनांक : १ मार्च, २०१४ सोबतचे

परिशिष्ट**(1) केंद्रात जमीनीचे संपादन होणा-या भूधारकांसाठी देय व अनुज्ञेय लाभ**

१. विभाजित भूखंडाच्या स्वरूपात मोबदला :-

१.१ प्रचलित भूमी संपादन अधिनियमानुसार जाहिर करण्यात येणा-या निव्वळभागाप्रमाणे अतिमत्तः सर्व घटकसह देय होणा-या नुकसान भरपाईच्या रोक रकमे ऐवजी, संबंधित भूधारकांना २.५ चटई क्षेत्र निर्देशांकाने १० टक्के विकसीत जमिन व १२.५ टक्के भूवाटप योजनेनुसार पात्र असणा-या भूधारकांना १.५ चटई क्षेत्र निर्देशांकाने १२.५ टक्के विकसीत जमिन अनुज्ञेय व देय राहिल. त्यानुसार वाढित भूधारकास भूसंपादनाच्या मोबदल्यात अनुज्ञेय व देय विकसीत भूखंडाचा तपशील खालीलप्रमाणे आहे :-

अ.क्र.	तपशील	प्रति हेक्टर निव्वळ देय भूखंड (चौ.मी.)	अनुज्ञेय चटईक्षेत्र निर्देशांक	अनुज्ञेय चटईक्षेत्र निर्देशांकानुसार बांधकाम योग्य क्षेत्र (चौ.मी.)
१.	नुकसान भरपाईच्या रोक रकमेऐवजी १० टक्के विकसित जमिन	७००	२.५	१७५०.००
२.	१२.५ टक्के भूवाटप योजना	८७५	१.५	१३१२.५०
एवढा	२२.५ टक्के	१५७५		३०६२.५०

१.२ वर नमूद केल्यानुसार एकूण अनुज्ञेय चटई क्षेत्र निर्देशांकाचा पूर्णतः त्याच भूखंडावर वापर करण्यासाठी अशा भूखंडाचे कमीत-कमी क्षेत्र १००० चौ.मी.असणे गरजेचे आहे. त्यामुळे १००० चौ.मी.पेक्षा कमी क्षेत्राचे भूखंड देय होणा-या भूधारकांनी वाटपापूर्वी इतर भूधारकांसमवेत एकत्रित ठेवून १००० चौ.मी. किंवा त्याहून जास्त क्षेत्राच्या भूखंडाची मागणी केल्यास त्यांना एकत्रित भूखंडाचे वाटप करण्यात येईल.

१.३ १००० चौ.मी.पेक्षा कमी क्षेत्र वाटप झालेल्या भूखंडधारकांनी, बांधकाम परवानगीच्या वेळी वाजुच्या भूखंडाचे एकत्रिकरण करून बांधकाम करण्यास परवानगी मागितल्यास त्याप्रमाणे ती नियमानुसार देय राहिल.

१.४ ज्या भूखंडधारकांना एकत्रिकरणाचा लाभ घ्यावयाचा नसेल अशा भूखंडधारकांना त्यांच्या पात्रतेनुसार भूखंडाचे वाटप करण्यात येईल व काही विशिष्ट निर्बंधांमुळे पूर्ण अनुज्ञेय चटई क्षेत्र निर्देशांकाचा त्याच भूखंडावर वापर करता येत नसल्यास शिल्लक राहिलेल्या चटईक्षेत्र निर्देशांकाचा वापर सदर भूखंडधारक स्वतः किंवा विभाग करून त्याच नोडमधील इतर भूखंडावर रहिवासी कारणासाठी इतर नियमांना अधिन राहून करू शकेल. यासंबंधातील तरतूद संबंधित विकास नियंत्रण नियमावलीमध्ये अंतर्भूत करण्यात येईल.

२. मधी मुंबई विमानतळ प्रकल्प कंपनीच्या समभागाचे वाटप :-

मधी मुंबई विमानतळ प्रकल्पासाठी संपादित करण्यात येणा-या जमिनीच्या भूधारकांच्या कुटुंबांना सदर प्रकल्पासाठी स्थापन करण्यात येणा-या विमानतळ कंपनीचे रुपये १०/- दर्शनी मुल्याचे १०० समभाग निःशुल्क सिडकोकडून देण्यात येतील.

३. प्रकल्पबाधितांना कंत्राटान्तर्गत काम देणे :-

मधी मुंबई विमानतळाच्या कामासाठी नोंदणीकृत कंत्राटदारांना प्रदान करण्यात येणा-या कामांपैकी माती भरणा-या कामांपैकी ५०% किंमतीची कामे प्रचलित जिल्हा दर सूची (DSR) मधील दराने प्रकल्पबाधितांमार्फत करून घेण्याची अट समाविष्ट करण्यासंबंधी सिडकोकडून आवश्यक ती कार्यवाही करण्यात येईल जेणेकरून प्रकल्पबाधितांना सदर कंत्राटान्तर्गत काम मिळेल.

४. प्रकल्पबाधितांना व्यावसायिक प्रशिक्षण :-

प्रकल्पबाधित कुटुंबामधील पात्र व्यक्तींना सिडकोच्या खर्चाने व्यावसायिक प्रशिक्षण देण्यात येईल.

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Source – CIDCO Land & Planning Department.

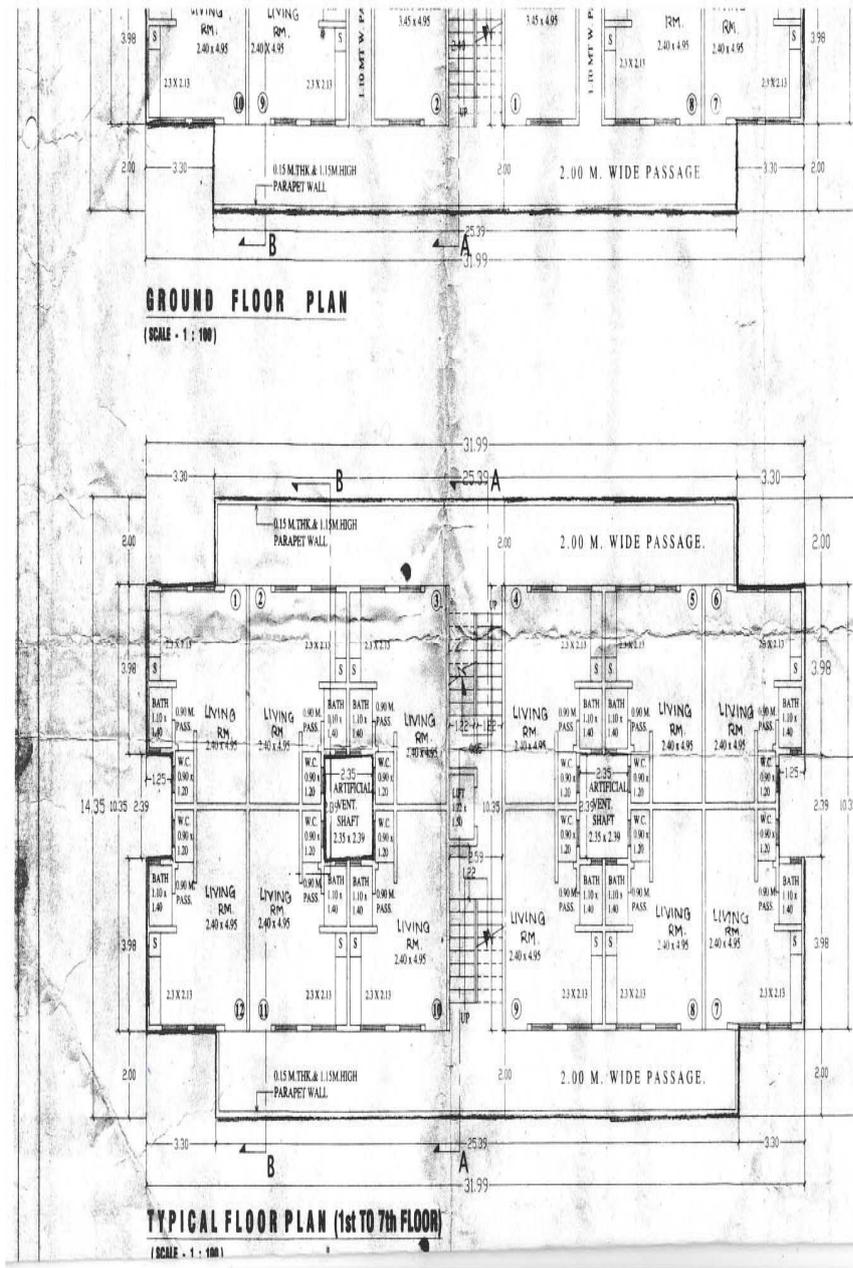
Annexure 6.8: Ready Reckoner Rate of Uran Taluka-

ग्रामीण क्षेत्रातील दर तका										
248										
आकार	विस्था : राबणद		साधुका : उरण (SEZ)				वर्ष: 2015			
	विभाग 1	विभाग 2	विभाग 3	विभाग 4	विभाग 5	विभाग 6	विभाग 7	मोजमापाचे प्रतिपाण		
जिवायत रेत जमिन	0.00	1.25	3,499,000	3,659,000	0	0	0	0	0	प्रति हेक्टर
जिवायत रेत जमिन	1.26	2.50	3,499,000	3,659,000	0	0	0	0	0	प्रति हेक्टर
जिवायत रेत जमिन	2.51	5.00	3,499,000	3,659,000	0	0	0	0	0	प्रति हेक्टर
जिवायत रेत जमिन	5.01	7.50	3,499,000	3,659,000	0	0	0	0	0	प्रति हेक्टर
जिवायत रेत जमिन	7.51	10.00	3,499,000	3,659,000	0	0	0	0	0	प्रति हेक्टर
जिवायत रेत जमिन	10.01	12.50	3,499,000	3,659,000	0	0	0	0	0	प्रति हेक्टर
जिवायत रेत जमिन	12.51	चाय घडे	3,499,000	3,659,000	0	0	0	0	0	प्रति हेक्टर
विनोदीत जमीनी/मुंठ	0.00	0.00	2,430	2,430	0	0	0	0	0	चौ. मीटर
हायवेवरील जमिनी	0.00	0.00	2,500	2,500	0	0	0	0	0	चौ. मीटर
मावळगावतील मिळवली	0.00	0.00	3,400	3,400	0	0	0	0	0	चौ. मीटर
रुद्रमिळ	0.00	0.00	28,000	28,000	0	0	0	0	0	चौ. मीटर
दुकाने	0.00	0.00	41,400	41,400	0	0	0	0	0	चौ. मीटर
पवलीवरे	0.00	0.00	37,800	37,800	0	0	0	0	0	चौ. मीटर
महाराष्ट्र औद्योगिक विकास क्षेत्र (MIDC) औद्योगिक	0.00	0.00	0	0	0	0	0	0	0	चौ. मीटर
महाराष्ट्र औद्योगिक विकास क्षेत्र (MIDC) निवासी	0.00	0.00	0	0	0	0	0	0	0	चौ. मीटर
महाराष्ट्र औद्योगिक विकास क्षेत्र (MIDC) जमिनी	0.00	0.00	0	0	0	0	0	0	0	चौ. मीटर

The highlighted portion give ready reckoner rate for commercial buildings as Rs. 37,800 per sq.m.

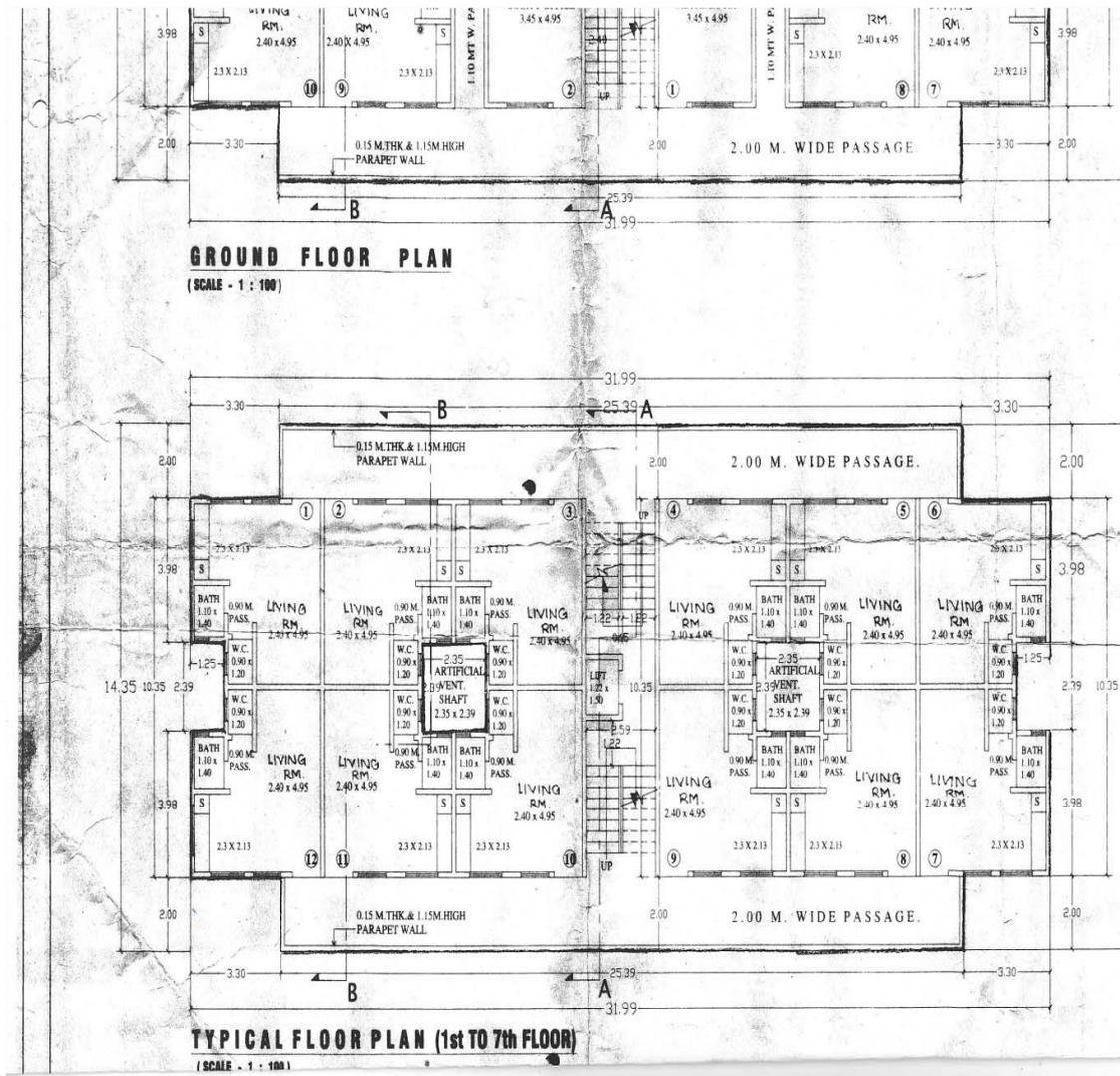
Source – State Registrar Office.

Annexure 8.1: Layout plan of ground floor



(Source – MMRDA Mumbai Metro III RAP report)

Annexure 8.2: Layout plan for 1st to 7th floor



(Source – MMRDA Mumbai Metro III RAP report)

Annexure 10.1: Communication between MPT & MMRDA for Land Acquisition & Compensation

CHIEF ENGINEER
Port House,
Shoorji Vallabhdas Marg,
Ballard Estate,
Mumbai - 400 001
Tel. No. 66564031
Fax No.22616804

**MUMBAI PORT TRUST
CIVIL ENGINEERING DEPARTMENT**



मुम्बई पोर्ट ट्रस्ट
पोर्ट हाउस,
शुर्जी वल्लभदास मार्ग,
बेलाड एस्टेट,
मुंबई 400 001.
दूरध्वनी नं. 66564031
फॅक्स नं. 22616804

No. CE.MTHL/92/2460 (6)

Date: 27 AUG 2015

The Engineer-in-Chief
Mumbai Metropolitan Regional Development Authority
Bandra-Kurla Complex
Bandra (East)
Mumbai - 400051.

Urgent
Pt. examine and discuss

Sir,

(Kind Attn: Shri P.D. Mandapure)

Sub: Land, water and air space area requirement of MMRDA within MbPT estate for Mumbai Trans Harbour Link (MTHL) and Sewree-Worli (East-West) connector for MTHL dispersal.

This has reference to the meeting held by Principal Secretary to Hon'ble Prime Minister on 17.08.2015 and subsequent meeting of Metropolitan Commissioner under Chairmanship of Secretary Shipping thereafter.

As agreed by the Chairman, Mumbai Port Trust and Commissioner MMRDA, the revised rental have been worked out and sent for further necessary action.

REC'D OFFICE
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Date: 31-8-15
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119/15

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Eg (M)
h/19
SE (651)

DA: Annexure-I, II & III

c.c. to the Metropolitan Commissioner, MMRDA.

Yours faithfully,

(G.P. RAI)
CHIEF ENGINEER

CHIEF ENGINEER

ANNEXURE-I

Sub: Land, water and air space area requirement of MMRDA within MbPT estate for Mumbai Trans Harbour Link (MTHL) and Sewree – Worli (East-West) connector for MTHL dispersal.

(a) Basis for lease rental calculations:

- Ready Reckoner of Govt. of Maharashtra for Mumbai, 2015
- Base rate as per Ready Reckoner, 2015 for Parel Sewree division = Rs.21,600/- (zone 11 sub-zone 86)
- Final rate as per Ready Reckoner = Rs.31,893/- (21600 X 1.33 X 1.10)
Multiplying factor considered, FSI = 1.33 and Industrial zone factor = 1.10
- Annual lease rent = 6% return on Ready Reckoner rates as per TR No.27 dated 30.05.2015
- Escalation in annual lease rent @ 2% (subject to MbPT Board's approval)

(b) Concessions considered

- Rates for water area considered at 50% of rates of abutting land as per provisions of Land Management Policy for Major Ports 2014
- Further, maximum permissible concession, i.e. 50% for State/Central Govt. departments as per provisions of Land Management Policy for Major Ports 2014
- Escalation rate reduced from 4% to 2% for MMRDA

(c) Annual Lease Rentals for permanent occupied areas:

Sl. No.	Type of Area	Area in sq.m.	Calculation	Amount in Rs.
1	Land area for permanent occupation	96,892.00	=0.06X96,892sq.m.XRs.31,893	18,92,37,753
2	Area for Pier in water	21,580.06	=0.06X21,580.06sq.m.XRs.31,893X0.50	2,08,47,565
3	Area for sky space on land and water	2,81,084.03	=0.06X2,81,084.03sq.m.X(Rs.31,893)X0.50	26,69,38,369
Sub-Total				47,88,23,727
Concession to government departments @ 50%				23,94,11,864
Annual Lease rent for permanently occupied area				23,94,11,864

- (d) In case of annual rental option, security deposit will be 2 years annual lease rentals indicated above
- (e) Administrative and agreement charges will be applicable @ 15%.
- (f) It is clarified that the above charges / lease rentals have been worked out on the Maharashtra's Ready Reckoner – 2015 and the final charges will depend upon the actual date of agreement and on joint measurement of areas occupied along with the terms and conditions prevailing on the day
- (g) In case MMRDA chooses to pay upfront the total amount payable would be Rs. 359.69 crore for 30 years plus other administrative and agreement charges applicable
- (h) Lease beyond 30 years would be subject to Central Government's approval and lease rentals would be based on the then prevailing market rate.

Annexure 10.1 continued ...

ANNEXURE-II**Temporary occupation area during construction phase****(1) Annual Lease Rentals for temporary occupied areas**

Sl. No.	Type of Area	Area in sq.m.	Calculation	Amount in Rs.
1	Open area of Sewree Timber Pond and Kerosene wharf as casting yard.	1,37,700.00	=0.06X1,37,700sq m.XRs.31,893	26,34,99,966
2	Covered area of Sewree Timber Pond	14,020.30	=0.06X14,020.30sq.m.X(Rs.1,16,900X0.70) Depreciated value = 70% of Ready Reckoner Rate of Industrial built-up area rate – zone 11 sub-zone 86	6,88,36,869
3	Use of water area for a period not exceeding 5 years during construction activities	51,00,000 (510 hectare)	Free of cost subject to condition that construction activities shall not hinder the normal operations in the harbour.	--
Sub-Total				33,23,35,835
Concessions are not applicable to temporary occupation				--
Annual Lease rent for temporary occupied area				33,23,36,835

Note: Annual escalation in above lease rent is 4% per annum

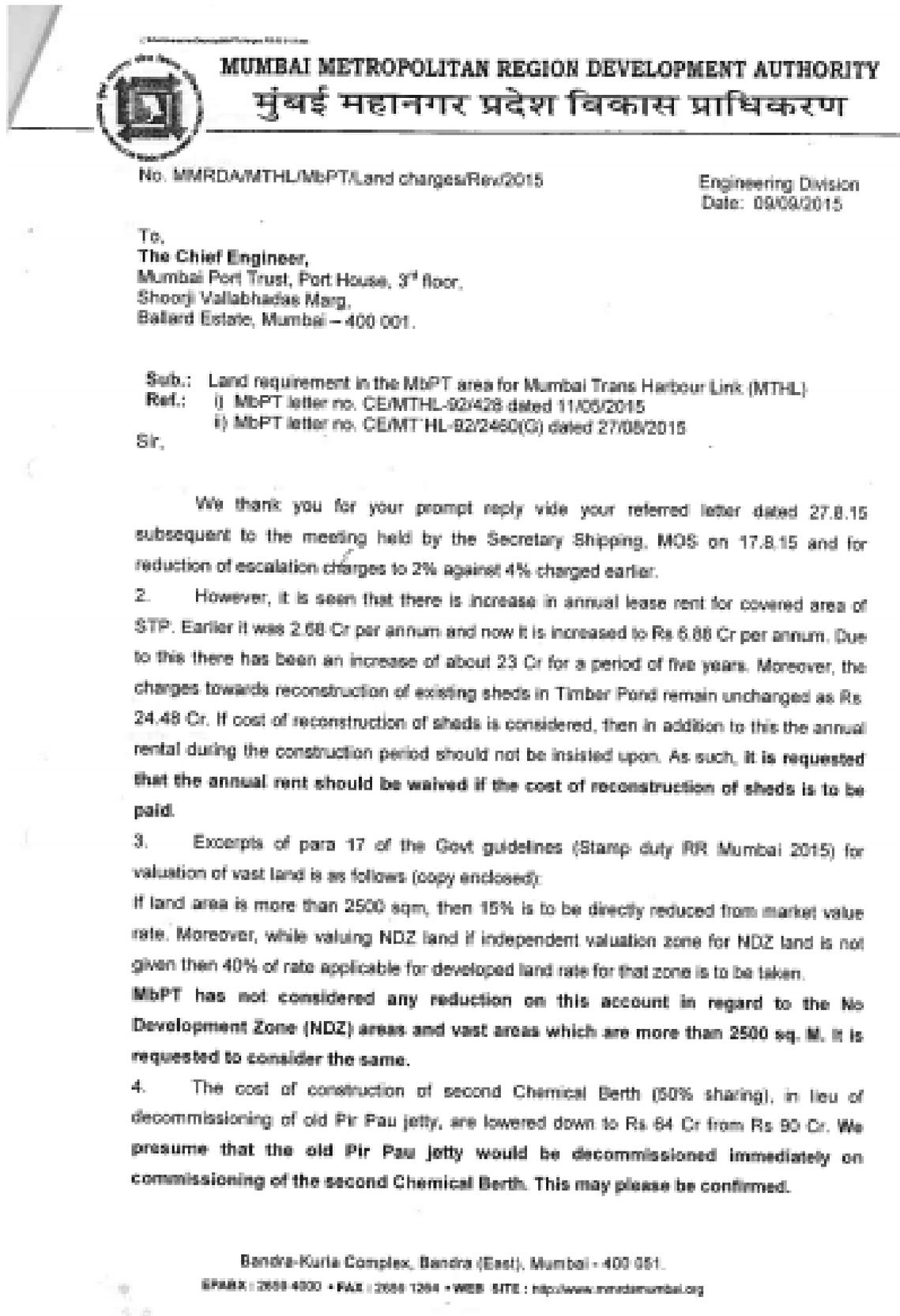
(2) Security deposit will be 2 years annual lease rentals indicated above.

(3) Administrative and agreement charges will be applicable @ 15%.

ANNEXURE-III**Matching facilities to be created which are going to be affected due to the alignment of MTHL**

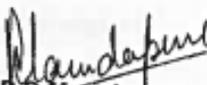
- (i) Old Pir Pau jetty
50% of cost of second chemical berth approx. Rs.64 crore
- (ii) In case MMRDA demolishes STP sheds, then MMRDA shall either pay Rs.24.48 crore as reconstruction cost or alternatively MMRDA should construct the equivalent covered area / sheds at the locations suggested by MbPT.

Source - MMRDA

Annexure 10.2:Reply of MMRDA to MPT for Land Acquisition & Compensation

5. As per State govt. Policy, the Valuation of the land under encroachments (encumbered) should be only 20% of the ready reckoner value. The same has not been considered by the MbPT. **It is requested to consider the same.**
6. The rate of annual escalation for temporary occupied area is 4% as against 2% considered for permanent occupation. **It is requested to reduce the same to 2% pursuant to para 18(c) of Land policy guideline of 2014 for major ports.**
- It is observed that some of the points discussed in the meeting held by Secretary Shipping, MOS on 17.8.15 have not been considered. As such, it is requested to consider the points as mentioned above.
7. It is proposed that the payable charges as above be set off against the amounts/dues payable by MbPT & JNPT to GoM and balance deficit amount if any would be paid when the project comes for execution. The exact charges may vary depending on actual date of agreement and joint measurements as conveyed by MbPT.
8. You are also requested to submit us for our perusal any other terms & conditions for handing over the said areas.

Yours faithfully,


(P. D. Mandapure)
Engineer in Chief.

Source - MMRDA

Annexure 10.3: Annual Scheduled Rates, Mumbai 2015, GOM

परिशिष्ट - ब

मुंबई व उपनगर जिल्हायातील महानगरपालिका क्षेत्रातील मिळकतीचे मूल्यांकनासाठी सन २०१५ करिता वार्षिक मूल्य दरतक्त्यामध्ये बांधकाम वर्गीकरणानुसार नविन बांधकामाचे प्रती चौ.मी. दर.

(परिपत्रक क्र. का.१५/वामुदत/सर्वसाधारण सूचना/१०२७, दि.३१/१२/२०१४ चे सहपत्र)

अ.क्र.	विभागाचे नांव	क्षेत्र	वामुदत २०१५ करिता विचारत घ्यावयाचे बांधकामाचे प्रस्तावित दर			
			आरसीसी	इतर पक्के	अर्ध पक्के	कच्चे
१	मुंबई	१) आर.सी.सी.बांधकाम - आर.सी.सी. स्लॅब,विटांच्या भिती, सिमेंट मॉर्टरमध्ये जुडाई, भितींना सिमेंट प्लास्टर,टाईल्स फ्लोअरिंग. २) इतर पक्के बांधकाम - लोड बेअरिंग स्ट्रक्चर, आर.सी.सी.स्लॅब, विटांची भिंत,सिमेंट प्लास्टर,कच्चे किंवा सिमेंट फ्लोअरिंग. ३) अर्धपक्के बांधकाम - लोड बेअरिंग स्ट्रक्चर,मातीत बांधकाम केलेल्या दगडांच्या किंवा विटांच्या भिती,शहाबादी फरशी/मातीचे फ्लोअरिंग वा इतर प्रकारचे फ्लोअरिंग,स्लॅब व्यतिरिक्त बांधकाम. ४) कच्चे बांधकाम - मातीमधील विटांच्या भिती,मातीचा गिलावा, कौल, अँस्बेटॉस वा टिनचे पत्रे असलेले छत.	२५,०००	२२,५००	१५,०००	११,२५०

Source: http://igrmaharashtra.gov.in/SB_PUBLICATION/DAT

Annexure 10.5 : Volume of debris calculation for school at Gavan

Structure	Volume of Concrete flooring	Volume of Brickwork	Volume of Roof	Miscellaneous volume	Total
A	10.41	24.06	26.44	6.091	67.001
B	4.6	12.31	11.69	2.86	31.46
C	13.71	24.02	34.83	7.256	79.816
D	19.27	28.36	49	9.663	106.293
E	7.58	15.88	19.25	4.271	46.981

Annexure 11.1: Monitoring of SIA Implementation MMRDA on monthly basis

Report for the month of

Part-I: Quantitative monitoring format

Activity	Indicator	Total Target	Progress for the reporting month	Cumulative of progress reporting month plus month prior to that	% to total target	Remarks
Verification of impact	No. of project affected households					
	No. of project affected people					
	No. of people loss residence					
	No. of people loss business					
	No. of people loss livelihood					
	No. of people displace					
	No. of venerable PAPs					
	No. of community assets affected					
Resettlement	No. of families provided with ID Card					
	No. of families provided with alternate residential accommodation					
	No. of business families provided with alternate shops					
	No. of people received compensation before starting construction activities					
	Area of Govt. land transferred					
	No. of religious properties relocated					
	No. of community properties relocated					
	No. of societies registered					
	No. of Govt. properties relocated					

Activity	Indicator	Total Target	Progress for the reporting month	Cumulative of progress reporting month plus month prior to that	% to total target	Remarks
Rehabilitation	No. of people undergone skill development training					
	No. of PAPs received transitional allowance					
	No. of PAPs received vulnerability allowance					
	No. of new enterprises started					
Grievance Redress	No. grievances received					
	No. of FLGRC meetings conducted					
	No. of SLGRC meetings conducted					
	No. of grievances resolved					
Stakeholders Meeting and disclosure	No. of meetings organised					
	No. of participants					
Awareness programme	No. of awareness Programs conducted for PAPs about life in flat living.					
Fund	No. of household community revolving fund has been transferred					

Annexure 11.2: Terms of Reference for Qualitative Independent Evaluation Specialist/Agency

1. Project Description

This project is being implemented by MMRDA with financial support of Japan International Corporation Agency (JICA). The project gives utmost importance to the Rehabilitation and Resettlement of project affected families. Accordingly, a SIA has been developed for implementation. The project includes a provision for monitoring and evaluation of the implementation of the SIA by an external monitor. Therefore, the Executing Agency (EA) requires services of a reputed Social Sector specialist individual /firm for monitoring and evaluation of SIA implementation referred to as the “Qualitative Independent Evaluation Agency” (IEA).

2. Scope of Work - Generic

To review and verify the progress in resettlement implementation as outlined in the RAP

To monitor the effectiveness and efficiency of Social Development Cell (SDC) and the concerned agency in RAP implementation.

To assess whether resettlement objectives, particularly livelihoods and living standards of the affected persons have been restored or enhanced

To assess the efforts of SDC and concerned agency in implementation of the ‘Community Participation strategy’ with particular attention on participation of vulnerable groups namely (i) those who are below poverty line (BPL), (ii) those who belong to Scheduled Castes (SC) and Scheduled Tribes (ST), (iii) Women headed families, (iv) elderly and (v) disabled persons.

To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.

3. Scope of work- Specific

The qualitative independent evaluation specialist/agency will evaluate the resettlement efforts by the EA. The major tasks expected from the external evaluator are:

Review pre-displaced baseline data on income and expenditure, occupational and livelihood patterns, arrangements for use of common property, social organization, community organizations and cultural parameters.

To review and verify the progress in land acquisition/resettlement implementation of subproject on a sample basis and prepare reports for the EA.

To evaluate and assess the livelihood opportunities and income as well as quality of life of affected persons of project induced changes.

To evaluate and assess the adequacy and effectiveness of consultative process with affected persons, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties and dissemination of information about these.

Identify an appropriate set of indicators for gathering and analyzing information on resettlement impacts; the indicators shall include but not limited to issues like restoration of income and living standards and level of satisfaction by the APs in post-resettlement period.

Review results of internal monitoring and verify claims through random checking at the field level to assess whether resettlement objectives have been generally met. Involve the APs, host population, and community groups in assessing the impact of resettlement for monitoring and evaluation purposes.

Conduct both individual and community level impact analysis through the use of formal and informal surveys, key informant interviews, focus group discussions, community public meetings, and in-depth case studies of APs and host population from various social classes to assess the impact of resettlement.

Identify the strengths and weaknesses of basic resettlement objectives and approaches, implementation strategies, including institutional issues, and provides suggestions for improvements in future resettlement policy making and planning

4. Time frame and Reporting

The specialist/ agency will be responsible for independent evaluation of the SIA implementation. The work is scheduled to start halfway through the SIA implementation period and end six month after the implementation of SIA. During the engagement period, the qualitative evaluation specialist/agency shall submit two reports, viz. (1) first evaluation report after six months into the SIA implementation; (2) six months after the implementation the SIA. The duration of SIA implementation is as per the given time schedule in SIA report. The monitoring and evaluation report should be submitted to EA.

5. Qualifications

The qualitative independent evaluation specialist/agency will have significant experience in resettlement policy analysis and RAP implementation. Further, work experience and familiarity with all aspects of resettlement operations would be desirable. Interested specialist/agencies should submit proposal for the work with a brief statement of the approach, methodology, staff strength, and relevant information concerning previous experience on monitoring and evaluation of resettlement and rehabilitation implementation and preparation of reports.

6. Budget and Logistics

Copies of the proposal- both Technical and Financial- should be submitted and the budget should include all cost, taxes and any other logistics details necessary for resettlement monitoring. Additional expense claims whatsoever outside the budget will not be entertained.