Rehabilitation Planning Document

Rehabilitation Plan
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March 2012

Pune Nirvana Hills Slum Rehabilitation Project

Prepared by Kumar Urban Development Limited

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Rehabilitation Action Plan
for Project Nirvana: Pune, India

Kumar Sinew Developers Private Limited

March 2012
Kumar Urban Development Limited (KUDL) and its subsidiary, Kumar Sinew Developers Private Limited (KSDPL), commits that it will abide by the applicable national laws and regulations and Asian Development Bank's (ADB) 2009 Safeguards Policy Statement (SPS) and other related social policies such as the 1998 Gender and Development Policy, as applicable to the 45 Nirvana Hills Phase 2 Project (the Project) in the City of Pune, Maharashtra, India.

KUDL and KSDPL have prepared this Rehabilitation Plan with assistance from ERM India Private Limited (ERM). KUDL and KSDPL commit to provide the necessary budget and resources to ensure that the Rehabilitation Plan and related social management plans are implemented in a timely manner and would have the desired effect.

We also endorse the disclosure of the Rehabilitation Plan on ADB website in compliance with the requirements of the SPS and the 2011 Public Communications Policy of ADB.

We issue this endorsement letter as part of the requirements of the Asian Development Bank for the Project.

For Kumar Urban Development Limited

Managing Director

Date: 22 March 2012
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EXECUTIVE SUMMARY

1. Kumar Urban Development Limited (KUL) is a leading real estate company in the state of Maharashtra and is also an approved developer by the Slum Rehabilitation Authority, Pune (SRA, Pune). M/s Kumar Sinew Developers Pvt. Ltd (a subsidiary of KUL) is currently developing the Nirvana Hills Phase 2 Project as a residential, commercial and slum rehabilitation scheme located at Survey Number 44/1, Erandwana (Municipal Ward 57) in the city of Pune, Maharashtra.

2. This Rehabilitation Plan has been prepared by Kumar Urban Developers Private Limited (KUL) with assistance from ERM India Private Limited (ERM) for the Nirvana Hills Phase 2 Project in the city of Pune, Maharashtra, India. This Rehabilitation Plan follows the ADB’s Safeguards Policy Statement (2009) Safeguards Requirements 2 on Involuntary Resettlement and the 2006 IFC’s Performance Standard 5 on Land Acquisition and Involuntary Resettlement.

3. Overall, the objective of the Rehabilitation Plan is to improve the standards of living of the displaced poor and other vulnerable groups to at least national minimum living standards and to enhance, or at least restore, the livelihoods of displaced persons (who have settled in the Project area prior to the Project cut-off date) in real terms relative to pre-project levels.

PROJECT LOCATION AND COMPONENTS

4. The Nirvana Hills Phase 2 Project is located at Survey Number 44/1, Erandwana in the Haveli taluka of the city of Pune, India. The entire project is to be developed over an area of approximately 79.75 acres. The project can be broadly divided into three components: (a) Rehabilitation Component; (b) the Sale Component, i.e. commercial and residential buildings; and (c) Construction of associated infrastructure and other facilities to support development of Nirvana Hills Phase 2 Project. The Phase II includes following zones namely Kelewadi and Indira Park, Rajiv Gandhi and Vasant Nagar (the buildable zones) & Rautwadi and Hanuman Nagar (non-buildable zones) consisting about 4324 households.

5. The Rehabilitation Component involves the construction of 41 buildings (21 rehabilitation buildings in Rajeev Gandhi Park, 18 buildings in the Kelewadi area and 2 transit buildings), each having 11 floors with 13 flats on each floor. The net carpet area provided for each of these apartments is equivalent to 25m² or 269 feet² as per SRA guidelines. The Sale Component will involve utilization of transferable development rights and a Floor Space Index of 2.5 from the construction of the rehabilitation buildings to develop commercial and residential spaces inside the project zone. KUL will establish 18 residential and commercial towers in the area allocated as per TDR and FSI by the SRA for their own sale. The Amenities and Infrastructure Component is one of the most significant aspects of the Nirvana Hills Phase II Project which distinguishes it from a housing project to incorporate elements of a planned township project. In terms of welfare amenities, KUL will provide
additional amenities such as temples, playgrounds, library, community halls etc. in the immediate vicinity of the rehabilitation component. Some of the general multipurpose utilities include shopping malls, community centre, kids’ playgrounds, crèche, temples and green zones. The key infrastructure facilities that will be planned for the project area includes: (a) a proposed development plan road in addition to expansion of the existing Automotive Research Association of India (ARAI) road; (b) water supply, storage and rainwater harvesting systems; (c) sewage treatment and disposal systems; (d) Fire fighting systems; and (e) Power Supply and Back-up System for Lift and water pumps. Reportedly, KUL also envisages the design and development of a botanical garden which will involve planned landscaping of the existing hill-top hill-slope area.

**ESTABLISHING PROJECT CUT-OFF DATE**

6. As a compliance requirement to the ADB’s Safeguards Policy Statement Safeguards Requirements 2 on Involuntary Resettlement, it has been decided that a project cut-off date is to be established for identification of all categories of impacted persons and their entitlements under the SPS and are discussed in the rehabilitation plan. The “Project cut-off date” should here forth be the date of the completion of the socio-economic survey, i.e. 28th September 2010.

7. “Eligibility” of a slum dweller for Project Nirvana is determined by the ownership of the existing structure and his/her domicile in the census slum before or as on January 1st 1995 as per Slum rehabilitation scheme. It is envisaged that as per the 1.1.1995 eligibility criterion, approximately 40% of the households, i.e. 1925 tenements, are likely to be legally not eligible for the slum rehabilitation and therefore will experience involuntary resettlement. Subject eligibility under the “Project cut-off date”, assistance and adequate compensation and entitlements will be provided to affected households.

**ENTITLEMENTS AND OPTIONS FOR AFFECTED HOUSEHOLDS**

8. Detailed entitlement provisions based on parameters such as loss of structures, loss of livelihood, coping during transit and vulnerability have been mentioned in the report. However, the broader view on entitlements have been mentioned below:

**Eligible households under SRA cut-off date**

9. The reconstructed tenement shall be of the ownership of the eligible hutment dweller and spouse co-jointly; and shall be so entered and be deemed to be so entered in the records of superintendent land and revenue through SRA, as well as the co- operative housing society, including the share certificate and all relevant documents.

10. The scheme shall provide that each eligible slum dweller shall be given free of cost a residential tenement having a carpet area of 25.00 sq. mt. including balcony, bath and water closet but excluding common areas in exchange of his / her structure. In any scheme of redevelopment, shop area
for the project affected / slum dwellers shall not exceed the areas which existed prior to the redevelopment of the property or 25.00 sq. mt. of carpet area which ever is less.

Ineligible households under SRA cut-off date

11. Based on discussions with ADB, KUL will offer the following options for ineligible households (as per SRA cut off date of 1.1.1995) who settled in the project area before the “Project cut-off date” as identified in Section 1.5.2.:

- **Option II**: Cash option will be offered by KUL, in case there is no commitment under RAY from the Government or in case the ineligibles cannot be accommodated in the Nirvana Phase II in-situ slum rehabilitation scheme. The cash option will be negotiated with the slum dwellers and the amount is expected to be approximately a sum equivalent to two year monthly rent, apart from Rs40,000 as cost of structure as an inconvenience amount similar to one given for facilitation transition.

- **Option III**: Access to Low cost Housing: Initial deposit to be made by the developer as a part of the beneficiary contribution for the Rajiv Awas Yojna, which comes as 10 percent of the contribution for the housing. For those under the building plan, a monthly rent of INR 7000 monthly rent for transit till the time they do not move into the flats under RAY. Those who fall outside the buildable zone will not be shifted until the allocation under RAY is not done. KUL has however obtained a Letter of Intent (LoI) from SRA Pune stating that, SRA Pune has been designated as the Implementation authority for RAY within Pune Pimpri Chinchwad Area. Thus, it becomes clear that the formalities for treatment of ineligible slum dwellers will also be governed by the normal process of SRA Pune while sanctioning the rehabilitation scheme. Accordingly, KUL shall be entitled to benefits available under SRA as well as RAY.

To the extent that they do not qualify under the SRA, any other costs required to provide "SRA ineligible households" with housing under the rehabilitation scheme will be shouldered by Kumar under Option III below.

- **Option III**: Access to in-situ housing by the developer: Also the option of giving housing under the SRS without compensatory FSI for KUL will be explored through SRA;

Other amenities and provisions for all displaced households

12. For eligible and the non eligible tenements alike, INR 80,000 will be paid by KUL to those residing in slum blocks within the buildable zone of which
50% will be paid before the people vacate the slum, and the rest half will be paid once they need to move back to the constructed houses;

13. Monthly rent (of at least INR 7,000 or as defined by the market rates), irrespective of eligibility, will be paid till the time they shift into options as identified above.

14. One society office of 12 sq. m. (free of FSI) for slum dwellers shall be provided free of cost in every Slum Rehabilitation Schemes proposal. An attached toilet of 4 sq. m. area (free of FSI) may be permitted. All the areas underlying welfare halls, society office, balwadi/s religious structure/s, the commercial areas given by way of incentives to the co-operative society and the non governmental organizations shall be free of cost and shall form part of rehabilitation component and it is on the basis the free sale component will be computed. These provisions shall apply to construction of transit camps under local DC Regulation also. Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by the Government from time to time as part of redevelopment, shall not exceed the area that existed prior to redevelopment.

15. The SRS require that slum dwellers with shops to be provided with replacement units in the ground floor to allow them to continue their business. SRS also has provisions for rental allowance for interrupted business during transition so that the affected families do not suffer set-backs owing to transition. During transition period, the transit housing should be within 5-6km from the site so as not to affect their livelihoods.

16. With respect to commercial structures:

- For the eligible tenements, compensation for the commercial entities will also include INR 5000 extra, over and above the monthly rental of INR 7000 as discussed earlier, as transition amount till the time they are shifted with commercial space in the new housing;

- For the ineligible commercial tenements, commercial losses for a period of two years (in consultation, negotiation with the owner/user) will be provided as a transition amount. This is based on the premise that provision of lump sum compensation will allow them to invest in meaningful commercial activity and restore their livelihood. They will likewise be entitled to participate in the livelihood training programs to be implemented by KUL.

**RELOCATION PLAN**

17. The phase wise activities for relocation plan has been listed below:

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<td>1.2</td>
<td>Regulatory Authority Approval for SRA Scheme</td>
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<tr>
<td>1.3</td>
<td>Initiate Civil Engineering Surveys</td>
</tr>
<tr>
<td>1.4</td>
<td>Initiate Social Surveys and Consultations</td>
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<tr>
<td>1.5</td>
<td>Project Planning Phase Activities</td>
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</table>
1.6 Preparation of detailed project report (DPR) with other SRA scheme details along ready for construction drawings

1.7 Building plan approvals and other developmental proposal approvals

1.8 Preparation of the EIA Report

1.9 Environmental Clearance (EC) from State Environmental Impact Assessment Authority and Consent to Establish (CTE) from Maharashtra State Pollution Control Board

1.10 Compliance to Permit Conditions

2 Construction Phase

2.1 Pre construction and mobilisation phase activities

2.2 Construction of transit tenements in vacant/ SRA allotted space

2.3 Shifting of select slum communities to transit tenements

2.4 Operation and maintenance of transit tenements through project construction phase

2.5 Utility Relocation

2.6 Demolition of Evacuated Slums

2.7 Construction of Rehabilitation Buildings

2.8 Shifting of slum communities from transit tenements to permanent rehab buildings

2.9 Provision of one time settlement to those wanting to self relocated

2.10 Construction of Associated Infrastructure Facilities

2.11 Construction of Community Welfare Facilities

3 Operations & Maintenance Phase

3.1 Residential Society Formation and Training

3.2 Registration of Residential Society

3.3 Allocation of Flats

3.4 Handing over physical assets and society accounts to legally approved Residential Society

3.5 Defect liability period O&M activities and responsibilities of KUL:

- Building repair and maintenance
- Associated infrastructure utility/facility O&M
- Community infrastructure utility/facility O&M
- Address grievances of rehab community regularly and systematically
- Maintenance of security and order

**TRANSIT ARRANGEMENTS**

18. For Nirvana Hills Phase II, KUL has offered two kinds of transit arrangements for all families (whether eligible or otherwise) that are impacted by the ongoing construction schedule:

- Transit Accommodation: KUL has constructed one in-situ transit accommodation for approximately 75 families near the Kelewadi settlement. KUL has also commissioned the construction of two transit buildings in this area (Kelewadi and Indira Park) of approximately 800 units. These buildings along with one already established transit building will initially be used to accommodate displaced people. According to SRA guidelines, at least 50% of eligible families are to be provided with in-situ transit accommodation;

- Transit Arrangement: KUL has also offered to identify available transit accommodation in other slums in the vicinity of 3-5 km which will then be paid directly by the project proponents. For commercial structures, KUL has identified the outskirts of the project area (i.e. adjacent to the approach road) for temporary relocation of businesses;

- Rental Allowances: Slum families and commercial structure owners can also opt to take rental amounts from KUL and provide for their own accommodation. In this situation, KUL reimburses the rental amount of a minimum of INR 7000 per month/slum family, and a record pertaining to this maintained and updated on a regular basis.
19. It should be noted that KUL plans to temporarily use the space for permanent rehabilitation buildings under construction phase as transit tenements so that more slum families can be relocated in-situ and the project schedule can be maintained stringently. As highlighted elsewhere, executing the project in time as committed to slum community and SRA is critical to the success of the Project and hence the options worked out by KUL for providing transit accommodation is a positive step forward. However, it should be noted that construction of transit accommodation cannot be made use of by KUL to obtain FSI advantage or even start the construction of the corresponding sale component.

**STAKEHOLDER ENGAGEMENT**

20. The document has identified and grouped the various stakeholders on the basis of influence and priority. A stakeholder engagement plan has also been developed that details the phase of engagement, objective, medium, frequency and the desired outcome of engagement. Some of the critical phase for community engagement are:

- **Prior to shifting to transit accommodation:** This is to make the community comfortable with the new arrangement; help them understand the problems faced and develop corrective measures in collaboration with the community and to orient the community towards life in an apartment.

- **Prior to actual rehabilitation:** This is to make the community aware of the formation of housing societies; to make them aware of the functions and roles of housing society and its members and to make the community aware of the election process for the housing societies.

- **Election to the housing society:** To facilitate smooth elections for the formation of housing society.

- **After rehabilitation:** Ongoing consultations for routine operations and maintenance, functioning of the Housing Society and addressing grievances.

**LIVELIHOOD RESTORATION PLANS**

21. Type of impacts that may arise due to the project has been categorised for both eligible and ineligible households based on residential, commercial and residential cum commercial status of the tenements. Some of the broad options that KUL may employ for livelihood restoration include:

- Counselling or advisory services for coping with livelihood setbacks;
- Capacity building activities like skills training and education;
- Provision of alternate spaces for commercial or livelihood activities both in the transit towers and rehabilitation towers; and
- Cash assistance in the form of insurance premiums, payment of loan EMIs and rental allowance for commercial entities during the initial transition period.
22. Gender based assistance is also given significant importance for preservation of livelihood and the gender action plan developed incorporates the necessary checks to ensure livelihood generation or restoration measure for the females in the community. The total budget estimated for livelihood restoration activities is Rupees Twenty lakh twenty seven thousand with an additional 10% for contingency.

**IMPLEMENTATION AND INSTITUTIONAL MECHANISM**

23. The current implementation of the slum rehabilitation scheme, in its entirety, is driven by the Community Relations and Liaisoning Departments in coordination with the SRA. The implementation of this rehabilitation plan will require an ongoing collaboration between KUL; the main government agency, i.e. SRA, Pune; relevant local institutions (PMC, Town Planning Authority) as well as development institutions such as the ADB/FMO and local partners in the form of affected persons, non-governmental organization (NGOs) and community-based organizations (CBOs).

24. The key institutional mechanisms that are proposed are (a) an SRS Working Group for each of the slum blocks in the scheme; (b) Officers responsible for specific functions, i.e. Grievance Redressal, Implementation and Liaisoning; (c) Community Audit Group with nominated representatives from each slum block.

25. A formal disclosure of RAP (on ADB website) would be endorsed by KUL once it is deemed satisfactory by ADB. The summary of RAP will be translated in Marathi and made available to the community for information disclosure.

26. For the purpose of information disclosure and updation of project progress, KUL has recently set up a Information centre within the project area where the community members can make enquiries to the CR team member anytime during 10 a.m to 6:30 p.m.

27. The Community Relations Team has developed an implementation schedule on the basis of the Rehabilitation Plan and all other sub-plans, such as the Gender Action Plan. This schedule incorporates the present status of each slum block and develop a best and worst-case scenario for progress of the slum rehabilitation scheme. The implementation schedule details the proposed activities, provide a budget and will also include realistic timelines.

**GRIEVANCE REDRESSAL MECHANISM**

28. KUL’s community relations team operates as a repository for grievances and complaints and provides counsel on different project related apprehensions and queries. This team functions as an independent entity under the KUL-ESM Cell and seeks to address issues raised by the slum dwellers, the flat residents, the employee, contractors and labour/worker community, who are advised to approach the cell for any complaint/ grievance/ suggestion.
29. The modification to the Community Relations Team has suggested an Grievance Officer on behalf of the CR Head and KUL who will in turn appoint Community Grievance Officers for each of the 6-7 SRS Working Groups. The Grievance Process will operate as follows:

- The CGOs will have the responsibility to take account of, and resolve, any grievances raised by communities;
- Where the CGO and SRS Working Group cannot resolve grievances directly, the grievance mechanism will refer these grievances to the Grievance Officer and if required the CR Head;
- Where grievances remain unresolved, slum dwellers should have the option to seek legal redress.

30. The grievance mechanism will also be adequately linked to the Dispute and Eligibility Resolution Process of the SRA, wherein a tribunal is formulated to decide on eligibility status of families. This can be ensured through the Liaisoning Officer. A proper method for collection of grievances, tracking and closure has also been developed by KUL.

**MONITORING AND EVALUATION**

31. An internal monitoring process will be undertaken by the SRS Working Groups and the Community Audit Group used to analyse progress and change at regular intervals of implementation. Monitoring will be done in close collaboration and consultation with local communities. Consolidated monthly reports with key findings from the ongoing monitoring should be submitted to the Working Group which will discuss key findings of the reports in the coordination meetings with the ESMP team.

32. Quarterly monitoring reports will be submitted by KUL to ADB and it is understood that these are to be disclosed on the ADB website. An independent external consultant (such as ERM India Private Limited) will suggest the structure/template for the quarterly monitoring report.

33. Since the project is a Category A project, ADB SPS requires an external expert to undertake external monitoring. An external assessment of the Rehabilitation Plan process will be undertaken through an external evaluation agency appointed by KUL. The external evaluation process will be informed by the internal monitoring reports, and also through independent surveys and consultation conducted by the appointed evaluation agency. It is recommended that the external monitoring process should initially be conducted every quarter and as the process progresses, the frequency should be reduced to bi-annually and annually as required. The external monitoring for the Rehabilitation Plan will be linked to the existing half-yearly monitoring that is being undertaken for social and environmental performance on the behalf of investors such as FMO.

34. Specific Monitoring Indicators have been developed for the same.
BUDGET FOR REHABILITATION PLAN

35. The budget for the rehabilitation plan has been developed based on the number of eligible and non-eligible families and the three resettlement options namely:
   - Option I: Cash Compensation at Replacement Value; and
   - Option II: Low Cost Housing linked to the RAY.
   - Option III: Non-SRA/KUL allocated housing without FSI advantage;

36. The total budget for each option is estimated to be:
   - Option I: Rs. 1,379,749,000
   - Option II: Rs. 1,024,363,000
   - Option III: Rs. 1,461,313,000

37. An additional budgetary provision for contingency @ 10% has also been provided for each option.
INTRODUCTION

1.1 PREAMBLE

1. This Rehabilitation Plan has been prepared by Kumar Urban Developers Private Limited (KUL) with assistance from ERM India Private Limited (ERM) for the Nirvana Hills Phase 2 Project in the city of Pune, Maharashtra, India. KUL was required to follow international standards with regards to environmental and social impact assessment and involuntary resettlement by prospective investors. This Rehabilitation Plan follows the ADB’s Safeguards Policy Statement (2009) Safeguards Requirements 2 on Involuntary Resettlement and the 2006 IFC’s Performance Standard 5 on Land Acquisition and Involuntary Resettlement.

2. KUL is seeking funding from international banks and development finance institutions to support the Nirvana Hills Phase 2 Project (the Project), a slum rehabilitation scheme. As the potential investee of such financial institutions, KUL is required to follow international standards with regards to environmental and social performance. KUL also commissioned ERM to develop an addendum to a government approved Environmental Impact Assessment (EIA), i.e. an Environmental and Social Impact Assessment (ESIA) to assess potential adverse/beneficial impacts and to develop mitigation plans. As one of the mitigation measures, this Rehabilitation Plan (RP) (1) has been prepared to establish a detailed baseline and management measures to ensure that the Project addresses the resettlement impacts on the slum dwellers and complies with the legal requirements and internationally recognized standards within which the rehabilitation of slum dwellers will be implemented.

1.2 BACKGROUND TO THE REHABILITATION PLAN

3. Kumar Urban Development Limited (KUL) is a leading real estate company in the state of Maharashtra. KUL is also an approved developer by the Slum Rehabilitation Authority, Pune (SRA, Pune) and has been involved in the implementation of the slum rehabilitation scheme (SRS) (2) of the Government of Maharashtra in Pune and Mumbai under the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act 1971, to provide for the creation of Slum Rehabilitation Authority (SRA), also known as the in-situ rehabilitation scheme. M/s Kumar Sinew Developers Pvt. Ltd (a subsidiary of KUL) is currently developing the Nirvana Hills Phase 2 Project as a residential, commercial and slum rehabilitation scheme located

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(1) The Rehabilitation Plan has been developed as a resettlement action plan which integrates actions required to manage adverse impacts of the in-situ slum rehabilitation scheme;
(2) The initiative involves redeveloping a portion of the identified slums to provide improved residential quarters for the eligible residents of the slum while opening up an opportunity for the developers to undertake commercial development of the remaining space.
at Survey Number 44/1, Erandwana (Municipal Ward 57) in the city of Pune, Maharashtra.

4. KUL had commissioned ERM to undertake an independent environmental and social review of the project in May 2010 which indicated key compliance gaps of the project with reference to the IFC Performance Standards. An Environmental and Social Action Plan (finalized on the 31st of July 2010 with FMO) was formulated for the project suggesting corrective measures required to improve environment and social performance. This Rehabilitation Plan has been prepared at the behest of the Asian Development Bank (ADB) as one of the key outcomes of the Environmental and Social Action Plan (ESAP) and further actions to address the core resettlement issues in the project.

5. KUL tasked ERM to assist M/s Kumar Sinew Developers Pvt Ltd in putting together a Rehabilitation Plan that is in compliance with the IFC Performance Standard 5, ADB’s Safeguards Policy Statement (SPS 2009), the Gender and Development Policy (1998), and the Social Protection Strategy (2001).

6. Specifically, the scope of work entailed the following tasks:

- To work with the KUL staff, review project documentation, interview affected slum dwellers, as necessary, to ensure that the Nirvana Hills Phase 2 Project complies with relevant national laws as well as the requirements covering involuntary resettlement as outlined in the ADB Safeguard Policy Statement (2009);
- To establish the baseline and current status of the affected slum dwellers, and assessing the resettlement and livelihood related impacts on them;
- To assess the adequacy of the government-led slum rehabilitation and redevelopment process vis-à-vis the requirements of the applicable standards; and
- Formulation of an entitlement framework RAP and management plans for the affected slum dwellers to provide adequate safeguards to ensure that processes adopted are transparent and fair; and
- Preparation of a Rehabilitation Plan that would cover all the slum dwellers to be affected by the proposed slum rehabilitation scheme at Survey No. 44/1, Erandwana, Pune.

1.3 OBJECTIVES AND SCOPE OF THE REHABILITATION PLAN

7. The Rehabilitation Plan includes impacts of the project, direct and indirect, on the slum dwellers that are likely to be affected by the in-situ slum rehabilitation scheme for the Nirvana Hills Phase 2 Project. The scope of the plan covers both physical displacement (actual physical relocation of slum dwellers resulting in a loss of shelter) and economic displacement (interruption or loss of access to prevalent livelihood opportunities within the
slum) as a result of the proposed Project regardless of whether people have legal rights to the affected land.

8. In the context of the slum rehabilitation scheme, which involves voluntary in-situ rehabilitation of all eligible families, resettlement will be considered involuntary when it occurs without informed consent of the affected slum dwellers or if they give consent without the power to refuse resettlement. In this project, as there is a process of seeking consent of the slum dwellers for the scheme, involuntary resettlement will be referred for those households who are not agreeable to the scheme and those that would be considered ineligible under the SRA scheme. There is no involuntary land acquisition involved.

9. Overall, the objective of the Rehabilitation Plan is to improve the standards of living of the displaced poor and other vulnerable groups to at least national minimum living standards and to enhance, or at least restore, the livelihoods of displaced persons (who have settled in the Project area prior to the Project cut-off date) in real terms relative to pre-project levels.

1.3.1 Out of Scope

10. The rehabilitation plan for the Nirvana Hills Phase 2 Project (45 Nirvana Vihar Project) does not address:

- Residual resettlement impacts of one of the slum blocks (Wadar Wasti (1)) that had been previously undertaken by the erstwhile Megapolis Builders in 2000;

- Resettlement that would result from voluntary and negotiated settlements (i.e. for any slum dwellers who may be eligible for rehabilitation but who opt to receive a sum of money for self-relocation);

- Recognition or consideration of any illegal means to avail of the benefits of the slum rehabilitation scheme; and

- Operations outside the reasonable control of the project i.e. adjoining slum areas in the immediate vicinity of the project in which the project has no stake. Any social, community health & safety impacts from project activities will be covered by the Environmental and Social Management Plan (ESMP).

(1) An Environment and Social Audit of Phase 1 Wadar Wasti has been completed and a number of residual resettlement issues have been identified. These include, lack of registration of the housing society, lack of verification of the number of families eligible for rehabilitation by the SRA etc. These are important lessons which has been taken in to account this rehabilitation plan for Nirvana Hills Phase 2 (the Project). KUL further clarifies that these issues do not in any way affect the feasibility of the Project (Phase 2) and that KUL is only seeking ADB financing for the Project.
1.3.2 Linkages to Other Plans

11. The rehabilitation plan for the Nirvana Hills Phase 2 Project is linked to the following management plans that have been developed under the Environmental and Social Management Plan (ESMP):

- Demolition Plan;
- Labour Management Plan;
- Gender Action Plan;
- Livelihood Restoration Framework (forms part of the Rehabilitation Plan); and
- Stakeholder Engagement and Grievance Redressal Plan.

1.4 PROJECT APPRECIATION

12. The Nirvana Hills Phase 2 Project is a joint development between M/s Kumar Urban Developers Limited (KUL) and its subsidiary M/s Kumar Sinew Developers Private Limited which incorporates rehabilitation of the existing slums as per the SRA scheme as well as redevelopment of the land assigned as buildable land (on the basis of TDR from slum rehabilitation) for commercial and residential sale. This section summarizes the Nirvana Hills Phase 2 Project as relevant to this Rehabilitation Plan. Further details are provided in Chapter 5 of this report, i.e. the Relocation Plan.

1.4.1 Project Location and Components

13. The Nirvana Hills Phase 2 Project is located at Survey Number 44/1, Erandwana in the Haveli taluka of the city of Pune, India. The site under development, i.e. Survey Number 44/1, Erandwana (Municipal Ward 57) was declared as a slum by the Competent Authority, SRA, Govt.of Maharashtra Gazette Notification 21 June 1984 under Section 3C of the (Slum Rehabilitation Act.1971). The total area of the site is 79 acres of which approximately one third has slums. A significant portion of the site has been classified as “non-buildable area” development restriction imposed by the Town Planning Authority (Pune) on “hill top hill slope” land.

14. The project can be broadly divided into three components: (a) Rehabilitation Component; (b) the Sale Component, i.e. commercial and residential buildings; and (c) Construction of associated infrastructure and other facilities to support development of Nirvana Hills Phase 2 Project. The entire project is to be developed over an area of approximately 79.75 acres or 3,227,399 m² or 32.27 hectares and will be in a phased-approach over the next 5 years. All three project components (including the rehabilitation buildings) will be construction within the same plot and will thus benefit equally from the geographical and environmental characteristics that may be attributed to the sale components. In addition, the infrastructure component will ensure that the residents of the rehabilitation buildings will also have access to community infrastructure (e.g. parks, playgrounds and temples).
15. Table 1.1 provides details on the slum blocks that are to be considered under the scheme.

Table 1.1 Slum Zone and Number of Tenements

<table>
<thead>
<tr>
<th>Name of the Zone</th>
<th>Number of Tenements</th>
<th>Phase of Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wader Wasti</td>
<td>488 (approximate)</td>
<td>Phase I (completed)</td>
</tr>
<tr>
<td>Kelewadi and Indira Park</td>
<td>1145</td>
<td>Phase II</td>
</tr>
<tr>
<td>Rajeev Gandhi Park</td>
<td>985</td>
<td>Phase III</td>
</tr>
<tr>
<td>Rautwadi</td>
<td>498</td>
<td>Phase V</td>
</tr>
<tr>
<td>Hanuman Nagar</td>
<td>1125</td>
<td>Phase IV</td>
</tr>
<tr>
<td>Vasant Nagar</td>
<td>571</td>
<td>Phase III</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4812</strong></td>
<td>From Phase II to Completion is only 4324</td>
</tr>
</tbody>
</table>

*Source: Phase II to Phase V data from KUL Socio-economic Survey 2011

16. The buildable zones in the project area include Wader Wasti, Kelewadi and Indira Park, Rajiv Gandhi and Vasant Nagar. Rautwadi and Hanuman Nagar are currently within the non-buildable area/zone and hence these households will be directly shifted into the rehabilitation buildings. Figure 1.1 illustrates the location of the existing slum blocks on the site.
Figure 1.1  Illustration of Slum Blocks on Survey Number 44/1, Erandwana
Figure 1.1a  Illustration of Rautwadi Slum Block
Figure 1.1b  Illustration of Hanuman Nagar Slum Block
Figure 1.1c  Illustration of Rajiv Pandhi Park Slum Block
Figure 1.1d Illustration of Vasant Nagar Slum Block
17. A brief description of the three key project components is provided subsequently.

- **The Rehabilitation Component** (not including the completed rehabilitation of WadarWasti in Phase I of the development) involves the construction of 41 buildings (21 rehabilitation buildings in Rajeev Gandhi Park, 18 buildings in the Kelewadi area and 2 transit buildings), each having 11 floors with 13 flats on each floor. The net carpet area provided for each of these apartments is equivalent to 25m² or 269 feet² as per SRA guidelines. KUL had obtained sanction or commencement certificate for 447 eligible tenements for Wadar Wasti (as per the SRA cut off date 1.1.1985) after which a court order issued to SRA to verify the rehabilitated tenements on 1.1.1995 cut off date. The re-verification has been done on 24th Jan 2012) and for 711 eligible tenements in Kelewadi and Indira Park (in which approximately 300 tenements are need to be verified from SRA and include in the Annexure II list). KUL has accordingly commissioned the construction of two transit buildings in this area of approximately 800 units which will be subsequently converted into rehabilitation buildings. These buildings along with two already established transit buildings will initially be used to accommodate the temporarily displaced people to make way for the demolition and construction process. They have been designed in such a way that they can be later converted into rehabilitation tenements once all the other towers are completed. Hence these are not temporary or make shift structures but fully functional buildings that are identical to the ones that will be built as a part of the permanent rehabilitation buildings.

- **The Sale Component** will involve utilization of transferable development rights and a Floor Space Index of 2.5 from the construction of the rehabilitation buildings to develop commercial and residential spaces inside the project zone. KUL will establish 18 residential and commercial towers in the area allocated as per TDR and FSI by the SRA for their own sale. The remaining two towers are the existing transit buildings which will be converted into rehabilitation buildings. Commercial towers will be on ground floor of A 1 to A 8 residential structures; seven floors of A 9 residential structure and five floors of D 1 to D 4 structures. The construction of the sale component for Nirvana Hills Phase II can commence only subsequent to completion of a part of the rehabilitation as per SRA’s Commencement Certificate. It should be noted that currently, construction of C1 and C2 tower is underway in the commercial area allocated to KUL in the Wadar Wasti area for which the Consent to Establish (CTE) from the Maharashtra Pollution Control Board (MPCB) has been received. This pertains to Nirvana Hills Phase I and thus, does not form part of the rehabilitation plan;

- **The Amenities and Infrastructure Component** is one of the most significant aspects of the Nirvana Hills Phase II Project which distinguishes it from a housing project to incorporate elements of a planned township project. In terms of welfare amenities, KUL will provide
additional amenities such as temples, playgrounds, library, community halls etc. in the immediate vicinity of the rehabilitation component. Some of the general multipurpose utilities include shopping malls, community centre, kids’ playgrounds, crèche, temples and green zones. The key infrastructure facilities that will be planned for the project area includes: (a) a proposed development plan road in addition to expansion of the existing Automotive Research Association of India (ARAI) road; (b) water supply, storage and rainwater harvesting systems; (c) sewage treatment and disposal systems; (d) Fire fighting systems; and (e) Power Supply and Back-up System for Lift and water pumps. Reportedly, KUL also envisages the design and development of a botanical garden which will involve planned landscaping of the existing hill-top hill-slope area.

18. Figure 1.2 illustrates a schematic of the proposed layout plan for Nirvana Hills Phase II.

Figure 1.2 Proposed Layout Plan for Nirvana Hills Phase II

Source: Adapted from Kumar Siney Developers Limited
1.4.2 Current Status of the Rehabilitation

19. Under first phase of development, the rehabilitation towers in Wader Wasti zone have been constructed and 463 slum dwellers and 25 commercial establishments have already been rehabilitated in 8 multi storey buildings in the year 2000. An Environmental and Social Audit (Independent Review) was completed by ERM India covering Phase I Wader Wasti and the preparatory construction works done by KUL for Phase II. The outcome of the audit was an Environmental and Social Action Plan (ESAP) that is being quarterly monitored. Some of the key corrective actions that were brought forth by the ERM report include:

- Need to facilitate the management of residual slum rehabilitation impacts from Phase I at Wadar Wasti to minimize any community issues for Nirvana Hills Phase II;
- Improvement of construction site and labour camp management; and
- Requirement for an integrated ESIA and Rehabilitation Plan.

20. It is important to summarize that the essential difference from Phase I of Project Nirvana is that the Slum Rehabilitation Authority (SRA) of Pune had not been instituted during its implementation. Thus, society formation, ownership registration, hand-over of flats to beneficiaries was not carried out concurrently with the completion of construction. All of these are important lessons learned from Phase I that are being addressed in this Rehabilitation Plan for Phase II.

21. M/s Kumar Sinew Developers Limited is currently implementing the second phase of the slum rehabilitation in the Kelewadi and Indira Park area. In addition, the Annexure II for Rajeev Gandhi Park was published on the 30th of May 2011 and thus efforts to facilitate eligibility of tenements and the appeal procedure are currently ongoing.

22. KUL has commenced the construction of 728 tenements as per an SRA Pune Commencement Certificate and have hired a sub-contractor, M/s Karan Builders for the excavation and construction of the building up till the parking level of A11 and A12 Building of which Parking level of A11 building has been completed by M/s Karan Builders and after parking level, M/s APEX GVPR has been hired for further construction of A 11 & A 12 along with 20 other buildings. Demolition is currently underway in the Kelewadi and Indira Park area and is being managed by the KUL Community Relations personnel and assisted by local leader. Demolition is currently underway in the Kelewadi and Indira Park area and is being managed by the KUL Community Relations personnel and assisted by local leader. KUL has established an office in this area and setup a Community Relations Team (CRT) (along with representatives and welfare officers of the Corporator and the Pune Municipal Corporation) consisting of around 10 personnel. These personnel are involved in facilitating slum demolition, or obtaining consents and agreements between
the client and the slum dwellers along with maintaining records on rent
distribution, facilitating cheque transfers, biometric identification etc. They are
also addressing community issues recording grievances and overseeing the
entire public relation mechanism.

1.5 **LIMITATIONS AS IDENTIFIED BY KUL**

23. The socio-economic data presented in this document is based on the
socio-economic survey carried out by a third party (a non-governmental
organization, i.e. Vatsalya) on contractual engagement with KUL. KUL
commits to the validity, authenticity and veracity of the data. For instance, as
the data is a supplement to the survey done for the SRA, it has been validated
for some aspects (primarily eligibility) by the SRA. This document does not
include the results of the household survey for Phase I Wadar Wasti (which
was reportedly pending completion at the time of this document) and the total
population surveyed represents 4324 slum tenements.

24. The Rehabilitation Plan also expands upon some of the mechanisms that
have been put in place by KUL, but which lack any formal documentation and
thus cannot be directly referenced.

1.5.1 **Assumption/Discretions of the Rehabilitation Plan**

25. The following are the assumptions/discretions of the rehabilitation plan
- The principles and tenets of the rehabilitation plan do not advocate or
  support the growth and development of slums or any opportunistic
  encroachment on public and private land. All entitlements and
  institutional arrangements herein are meant to provide safeguards to
  vulnerable families or those who cannot establish their eligibility of
  occupancy and ownership;
- In this regard, in accordance with the social requirements of the ADB, a
  Project cut-off date has been established for the "Nirvana Hills Phase II
  Project". This Project cut-off date is distinct from the SRA regulation of
  rehabilitation of tenements that have been established on or before
  1.1.1995. KUL has been advised by ADB that the tenements covered by the
  Annexure II survey end date for each area in the Nirvana Hills Phase II
  Project (or the completion date of the socio-economic census survey, i.e. ---
  28th September 2010) should be considered as the cut-off date for
  eligibility under ADB Safeguards Policy Statement and this should not be
  confused with the eligibility under the Slum Rehabilitation Scheme which
  only the Slum Rehabilitation Authority can decide upon;
- The number of affected tenements and families (where relevant) is based
  on reasonable estimates (survey or discussions) and can increase or
  decrease in the due course of the project lifecycle;
- The project design will take into account any key implications of the
  rehabilitation plan wherever necessitated;
• Limited or no Scheduled Tribe communities (which in the ADB SPS could be considered indigenous communities) are likely to be impacted by the proposed project; and
• The rehabilitation plan does not advocate/legalize benefits or entitlements to individuals that are referred to as “slum lords” or who may have taken undue advantage of the provisions for the scheme for personal motives.

1.5.2 Clarifications on the Cut-off Date

26. As a compliance requirement to the ADB’s Safeguards Policy Statement on Involuntary Resettlement, it has been decided that a project cut-off date is to be established for identification of all categories of impacted persons and their entitlements under the SPS and are discussed in the rehabilitation plan. The “Project cut-off date” should here forth be the date of the completion of the socio-economic survey, i.e. 28th September 2010. It should be noted that for some settlements, such as Hanuman Nagar, Rautwadi etc. the survey process of the competent authority, i.e. SRA, is still ongoing. However, this survey is to determine eligibility and ineligibility vis-à-vis the SRA, Pune’s cut-off date of 1.1.1995. Thus, to summarize, as Hanuman Nagar and Rautwadi have been completed under the KUL socio-economic survey, those tenements that are listed as ineligible in the SRA Annexure II list released by the SRA will be eligible for entitlements under this rehabilitation plan.

1.6 Layout of the Rehabilitation Plan

27. The layout of the rehabilitation plan is as follows:

Section 1 (this section) provides a background to the Rehabilitation Plan and clarifies aspects of the Scope and Principles;

Section 2 discusses the applicable regulatory and legal framework within which the Project is to be implemented;

Section 3 summarizes the socio-economic profile of the affected community and discusses the social impacts within the scope of the Rehabilitation Plan;

Section 4 provides an overview of the Eligibility Criterion and Entitlement Framework which will be applicable for the Project;

Section 5 describes the actual and proposed relocation plan

Section 6 summarizes key public consultations carried out thus far and outlines a suggested engagement and grievance redressal plan;

Section 7 discusses the proposed Social Development and Livelihood Restoration Framework; and
Section 8 suggests the institutional arrangements, proposed budgets and monitoring mechanisms for the Rehabilitation Plan.

Annexures

Annex A Sample Flat Layout Plan;
Annex B Letter of Intent of the SRA;
Annex C Grievance Redressal and Consultation Sheets;
Annex D NGO Engagement Plan
28. This Rehabilitation Plan reflects the applicable national and state-specific regulations/laws/policies pertaining to the slum rehabilitation under the Nirvana Hills Phase II Project as well as the Asian Development Bank’s (ADB) Safeguards Policy Statement (SPS, 2009) and the IFC Performance Standard 5 on Land Acquisition and Involuntary Resettlement. The section also compares the provisions under the Maharashtra Slum Areas Act of 1971 and the guidelines of the Slum Rehabilitation Authority (SRA), Pune to the typical requirements of international standards on the rehabilitation process.

2.1 POLICY AND LEGAL FRAMEWORK FOR SLUM REHABILITATION

29. The regulatory review for the Nirvana Hills Phase II Project takes into account that the project area is privately owned and is currently under the ownership of KUL through an existing lease agreement. Also, it is important to assess the understanding of the slums in the country. The definition of the slums as per Census of India and National Sample Survey Organisation (NSSO) is being detailed below:

**Census of India**

30. The Census of India has adopted the definition of slums specified/declared “slums” through State/UT or local government under any act. In additions it also consider the following area as slum: “A compact area of at least 300 population or about 60-70 households of poorly built congested tenements, in unhygienic environment usually with inadequate infrastructure and lacking in proper sanitary and drinking water facilities”.

31. Table 2.1 illustrates land tenure systems that are typical of slums as defined above.

**Table 2.1 Form of Tenure in Slums**

<table>
<thead>
<tr>
<th>S No</th>
<th>Forms of tenure</th>
<th>Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Freehold (Individual)</td>
<td>Ownership in Perpetuity</td>
</tr>
<tr>
<td>2</td>
<td>Delayed Freehold (Individual)</td>
<td>Conditional Ownership. Title is granted on completion of payments or when developments have been completed.</td>
</tr>
<tr>
<td>3</td>
<td>Registered Leasehold (individual or community based)</td>
<td>The right to hold or use property for a fixed period at a given price, without transfer of ownership, on the basis of a lease contract. Leasehold is a fixed asset. The Ownership for specified period.</td>
</tr>
<tr>
<td>4</td>
<td>Co-operative ownership</td>
<td>Ownership is vested in the co-operative or group of which residents are co-owner</td>
</tr>
<tr>
<td>5</td>
<td>Public Rental</td>
<td>Rental Occupation of publicly owned land or house</td>
</tr>
<tr>
<td>6</td>
<td>Private Rental</td>
<td>Rental of privately owned land or property</td>
</tr>
<tr>
<td>7</td>
<td>Shared equity</td>
<td>Combination of delayed freehold and rental in which residents purchase a stake in their property</td>
</tr>
<tr>
<td>S No</td>
<td>Forms of tenure</td>
<td>Characteristics</td>
</tr>
<tr>
<td>------</td>
<td>-----------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>8</td>
<td>Community based tenure</td>
<td>This can take several forms from rental by a community of generally private land for an agreed period. At the end of the period, the community an extension may be agreed with the community. Notice to leave within an agreed period. Other options include Community Area Permits, Community Lease, or community ownership.</td>
</tr>
<tr>
<td>9</td>
<td>Religious Tenure Systems (e.g. Islamic)</td>
<td>4 main categories within Islamic Societies “Waif”, ‘Mulk’, ‘Min’, ‘Tassuruf’ or usufruct rights, is increasingly common whilst “musha/mushtarak”, is collective/tribal ownership.</td>
</tr>
<tr>
<td>10</td>
<td>Encroachments on public Land</td>
<td>Squatting on public land, prone to eviction as there is no security of tenure but government may relocate.</td>
</tr>
<tr>
<td>11</td>
<td>Encroachment on private Land</td>
<td>Squatting on private land, prone to forced eviction, the landowner reserves the land rights.</td>
</tr>
<tr>
<td>12</td>
<td>Pavement Dwellers</td>
<td>Temporary Encroachment, government/private agencies keep removing them time to time.</td>
</tr>
</tbody>
</table>

*Source: Risbud N (2010), Typology of Slums and Land Tenure in Indian Cities, Presentation made at National Workshop on Land Tenure Issues in Slum Free Planning, Centre of Urban Equity, CEPT University, Ahmedabad, India*  

32. Subsequently, the key policies and laws that govern slum rehabilitation in India have been discussed in consideration of their applicability for the Nirvana Hills Phase II Project.  

2.1.1 MRTP Act, 1966: for preparation of Development Plans to designate land for public purposes  

33. According to the provisions of section 2 [19(b)] of the Maharashtra Regional and Town Planning Act, 1966 the said Authority has been granted the status as the “Planning Authority” in respect of Slum Rehabilitation Area for the purpose of implementation of Slum Rehabilitation Scheme in Pune & Pimpri Chinchwad Area (Modified up to the 31st December 2005). In accordance to the corresponding laws-  

“Where any area is declared to be slum rehabilitation area then as from the date of such declaration, the provisions of any Municipal law or other law, corresponding to the provisions of this chapter, for slum development in relation to such slum rehabilitation are in force immediately before the said date shall, save as otherwise provided in this Chapter, Cease to be in force in such slum rehabilitation area, but so long only as the said declaration remains in force”  

34. The Slum Rehabilitation Authority Pune is the final Authority to declare the Slum and the area as well as planning authority for declared slum scheme.  

35. While this Act does not explicitly mention the urban poor /slum dwellers, it deals with a number of planning issues related to the allocation and use of land for development that could affect them. Some key provisions under the Act are as follows:
• Town Planning Schemes are covered under Chapter 5(a): Making of Town Planning Schemes;
• The Sections 59 – 71 of the Act deal with (among other aspects) the preparation and contents of town planning scheme, the power of the planning authority, and the role of the state government in sanctioning the scheme;
• Section 59(1) (a) states that “Subject to the provisions of this act or any other law for the time being in force, a Model Inclusive Zoning & planning authority may for the purpose of implementing the proposals in the final development plan, prepare one or more town planning schemes for the area within its jurisdiction, or any part thereof;” and
• Section 125 of this Act states that: “Any land required, reserved or designated in a Regional Plan, a Development or any other plan or town planning scheme, for a public purpose or purposes including plans for any area of comprehensive development or for any new town shall be deemed to be land needed for a public purpose within the meaning of the Land Acquisition Act 1894.”

2.1.2 Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971


37. The main tenets of the act are:

• The District Collector will be the competent authority of SRA to declare an area as a slum; and
• Slums are declared & notified by the Government of Maharashtra based on the approval of the report containing surveyed data of respective cities received from the competent authority, SRA;

38. The SRA is primarily an offshoot of this act and draws primarily from this act.

Notification of Slums

39. The act as per Section 26 (1) describes the process of identifying areas for slum improvement. The aforementioned action states that “26. (1) Where the Board upon report of any of its officers or other information is satisfied that any area is or may be a source of danger to the health, safety or convenience of the public of that area or of its neighbourhood by reason of the area having inadequate or no basic amenities, or being insanitary squalid, overcrowded or otherwise, it shall cause such area to be defined in a map and then it shall by an order published in the Official Gazette declare such area to be a slum improvement area.
40. However, the powers of declaring slums over the years have been vested with the local administration, i.e. SRA or other such body at the local level.

**Establishment of Panchayats for slum Improvement**

41. The act keeps the provision of establishment of Panchayats in slum improvement areas.

42. Under SRA schemes, this has been taken forward with the formation of the cooperatives to be registered under the Maharashtra Cooperative Societies Act 1960.

Development Control (DC) Rules for Pimpri-Chinchwad Municipal Corporation, Pimpri 1985 (1)


43. These rules supersede all Development Control Rules and bye-laws framed and Sanctioned under the Maharashtra Regional and Town Planning Act, 1966 the Bombay Provincial Municipal Corporation Act 1949. However, these rules are not applicable to the lands acquired for Pimpri-Chinchwad New Town Development Authority. The DC regulation for PCMC gives the details on the following aspects:

- Applicability of the Development Control Rules;
- Building Permission/Commencement Certificate Required;
- Procedure for obtaining Building Permission/Commencement Certificate;
- Procedure during construction;
- General building requirement; and
- Structural safety and services.

44. In case anything related to the building construction or slum redevelopment is not properly addressed or any other matter not detailed in Special regulations for Pune and Pimpri Chinchwad Slum rehabilitation authority, Pune, Development Control (DC) Rules for Pimpri-Chinchwad Municipal Corporation, shall be applicable along with the subsequent modifications.

2.1.3 *The Maharashtra Cooperative Societies Act, 1960*

45. The act provides for the orderly development of the co-operative movement in the State of Maharashtra in accordance with the relevant directive principles of State policy enunciated in the Constitution of India. All the cooperative societies related to housing, agriculture, dairying etc. are

(1) Provisions of DC Rules Pune Municipal Corporation, are incorporated in the appendix “T” of special regulations of SRA Pune, for such building permissions /issuance of Commencement Certificate/ and Occupancy Certification. DC Rules do not apply on SRS directly.
registered under this act. This act lays down the requirement for the registration of societies in the state of Maharashtra. The main tenets covered under the act are as follows:

- Requirements for registration of societies;
- Members and their rights and liabilities;
- Incorporation duties and privileges of societies;
- State aid to societies;
- Property and funds of societies; and
- Management of societies including power and functions.

46. The society of the Eligible hutment dwellers to be formed for implementation of SRS, needs to be registered under this act and will abide by this act and the modifications. It should be noted that a key difference in the implementation of SRS in Mumbai and Pune is that: a cooperative housing society in Mumbai has to be registered prior to SRA’s issue of Letter of Intent. However, in Pune, the society can be formed subsequent to issue of Commencement Certificate (CC) but before the handover of the Occupancy Certificate.

2.1.4 Special Regulations for Pune and Pimpri Chinchwad, Slum Rehabilitation Authority

47. SRS in all the cities of Maharashtra is governed by the SRA Act. However the SRS schemes of the various cities have made their own regulations, as per the needs of the various cities. SRS SRA regulations for Mumbai continue to dominate the scene with early beginning and the magnitude of the issues that it had to address due to specificity of the slums in various parts of Mumbai.

48. The SRA regulations for Mumbai were further followed by important notifications and guidelines especially in relation to Dharavi and other slums which hovered around the Mumbai coast, especially because of the implications of the Coastal Zone regulations.

49. The SRS Pune regulation was also based on SRS Mumbai, however it was separate. The notification is likely to undergo changes with local administration coming out with a draft and requesting comments and suggestions on the same. However, the same has not been implemented till date.

Box 2.1 Main features of the Pune SRS Scheme

- Every slum structure existing prior to 01/01/1995 is treated as protected structure. As per the SRA Act, once a slum is declared under the scheme, all notified structures under the same becomes protected. This means that no other development can take place in the area except for the SRA approved slum redevelopment;
- Every slum dweller whose name appears in the electoral rolls as on 01/01/1995 and who continues to stay in the slum is eligible for rehabilitation;
Every eligible residential slum structuredweller is provided with an alternative tenement measuring 25.00 sq. mt. preferably at the same site, irrespective of the area of slum structure;

Every structure of eligible slum dweller structure that is being used for commercial purposes is granted an alternative tenement having area equal to the structure subject to an upper limit of 25.00 sq. mt;

A minimum of 70% consent of eligible slum dwellers in a slum pocket is compulsory come together to form a co-operative housing society for implementation of Slum Rehabilitation Scheme (SRS);

The slum dwellers appoint a developer for execution of SRS. It is not applicable for SRA Pune, It is provision of appendix IV of DC Rules Mumbai;

The developer puts in resources in the form of money, men and material for construction of free houses for the slum dwellers;

The developers are allowed to construct tenements for sale in the open market. The area allowed for sale in the open market is equal to the area of tenements constructed for Rehabilitation of slum dwellers;

Floor Space Index (known as FAR elsewhere) up to 2.5 is allowed for SRS;

The developer is required to construct the rehabilitation tenements on the plot itself. The balance FSI left is allowed for construction of free sale tenements;

The spill over entitlement to the developer is permissible for sale in the form of transferable development right in the open market. These transferable rights can be utilised on other non slum pockets subject to the provisions of DC. Regulations;

Slum Rehabilitation Authority is designated as a local planning authority to provide all the requisite approvals for SRS under one roof;

Along with the free rehabilitation tenements the developers also have to provide space for amenities like a creche (Balwadi), society office, welfare centre.

*Source: Pune SRA regulations*

### Stakeholder Consultations

50. Stakeholder engagement and regular public consultations are also in-built into the SRA Guidelines. These responsibilities are shared by the Builder and the SRA as follows:

- Disclosure requirements of (a) Letter of Intent with the Builder and Society Members; ( LOI is not the instrument of SRA Pune) (b) Intimation and Notice of the SRA Annexure II Survey; and (c) Results of the SRA Annexure II Survey;( Issuance of Annexure II)
- Compulsory Consent of at least 70% of the tenement / Eligible occupiers to the builder’s for development proposal;
- Verification of the cooperative housing society by the SRA through a public meeting and subsequently a public hearing for general community grievances; and
- The SRA expects the builder to keep the community informed at intervals as desired by the society on the project details, schedules etc.

### Assessment of the Relevant Government Agencies

51. This section provides a high-level capacity and resource assessment of the key government agencies involved in regulation and implementation of the Nirvana Hills Phase II Project.
2.2.1  

Slum Rehabilitation Authority, Pune

52. The Nirvana Hills Phase II Project falls under the jurisdiction of the Slum Rehabilitation Authority, Pune which was established in 2005. The SRA in Pune is sub-divided into ward offices across 4 zones and it is currently overseeing the implementation of 133 slum rehabilitation schemes in the Pune and Pimpri-Chinchwad area which are in various stages of development. The SRA is the nodal regulatory agency for the slum rehabilitation scheme and coordinates across other regulatory agencies (including Maharashtra Pollution Control Board) for technical and permitting requirements applicable to the project.

53. The SRA (Pune) is managed by the Chief Executive Officer (CEO) an officer of the Indian Administrative Services (IAS) as well as an additional-CEO along with Senior Engineers and Executive Engineers. A senior engineer may be in-charge of supervising over 15 to 20 projects. In addition, the SRA (Pune) is also linked to the Revenue Department of the Pune District, in accordance to which the Deputy Collector of the Revenue Department is the “Competent Authority” to determine eligibility. The SRA also coordinates with the Revenue Department to establish tribunals and similar channels to redress grievances of slum-dwellers. The SRA is also known to engage non-governmental organizations (NGOs) to support their roles and responsibilities.

54. Overall, interactions with senior officials within the SRA indicated that the Nirvana Hills Phase II Project is one of the key priorities for slum rehabilitation in Pune and is being considered as a flagship project to showcase public-private partnerships. For Nirvana Hills Phase II Project, the key responsibilities of the SRA which should be highlighted in the context of the Rehabilitation Plan are:

- SRA sanctions phase-wise plans and developments for the Project and issues Commencement Certificates (CCs) on the basis of which environmental clearance can be obtained;
- SRA and the Maharashtra Housing Area Development Authority would determine eligibility implications in case the cut-off is increased from 1.1.1995 to 1.1.2000;
- SRA has currently convened a technical group to deliberate the Rajeev Awaas Yojana, a central-government scheme to provide affordable housing to slum dwellers;
- SRA has implemented pilot initiatives in the past to raise awareness among society members for post-rehabilitation and other operational issues, however, it lacks the resources to implement these on a larger scale across projects;
- SRA responsibilities are limited in the rehabilitation phase after registration of property for individuals and facilitation of corpus fund. However, SRA has the authority to audit and put checks and balances on society finances in case of complaints from members regarding misappropriation of funds.
Box 2.2  

Rajeev Awas Yojana - towards integrated housing

Rajeev Awas Yojana (RAY), one of the flagship programmes of the Government of India for providing affordable housing, has been recently launched in the country. The scheme focuses on according property rights to slum dwellers and the urban poor by the states and union territories. The scheme is aimed at providing basic amenities such as water supply, sewerage, drainage, internal and approach roads, street lighting and social infrastructure facilities in slums and low income settlements adopting a ‘whole city’ approach. Further, it would also provide subsidized credit.

With a view to attain a ‘slum-free city’, the Slum Rehabilitation Authority (SRA) has been appointed recently as the implementing agency for the Central Government’s Rajiv Awas Yojana (RAY) in Pune and the twin cities of Pimpri and Chinchwad. It is a supportive scheme to SRA wherein non-eligible slum dwellers would also be incorporated. The other salient features of the programme are: (i) Slum GIS and MIS, (ii) slum surveys, preferably through participation of the communities, (iii) the programme’s thrust was to emphasis on community participation, (iv) choice of land tenure or the development model by the communities themselves, (v) the choice to be decided at the slum level, to be taken up to ward, zone and city level, (vi) need to prepare financial and institutional mechanisms to implement the plan, (vii) need to also think of planning to avoid future encroachment issues.

The SRA, Pune has developed a Technical Group to look into the possibility of channelizing funds under the RAY to major slum rehabilitation projects in Pune which involve displacement of ineligible slum dwellers, such as the Nirvana Hills Phase II Project. An agreement/flow chart on the integration of the RAY with the SRS in Pune is expected by March 2012.


2.2.2  

Pune Municipal Corporation

55. The Pune Municipal Corporation (PMC) is the key agency for linkage of the Nirvana Hills Phase II Project with city networks. The project is located in Ward 57 (Erandwana) and is thus overseen by the local municipal corporator. The PMC’s ward office also comprises of engineers (Senior and Assistant) and other staff who are responsible for ensuring that the adequate approvals and permits are obtained with respect to:

- Approval of Building Plans and Building Commencement Certificate;
- Coordination on linkage to water, power and sewage as well as specific departmental no-objection certificates, such as fire department;
- Occupancy Certificate.

56. From the context of the present project, in case the project proponents’ estimates of power, water and sewage line requirements exceed the available capacity, an application has to be made through the PMC in order to ensure adequate capacity expansion.

57. Consultations with the Corporator in charge of Ward 57 indicated that at present, the PMC has deputed about 3-5 welfare officers to enable KUL to communicate and disseminate information to a larger number of families within the slum and obtain their consent for the proposed development. The Corporator’s office is likely to be the focal point of any grievances pertaining to individual households or any perceived issues of community health & safety within the project area. It is understood that KUL is in the process of
formalizing terms of specific commitments regarding negotiated settlements, accommodation of non-eligible families as well as provisions of amenities. Local municipal corporator is giving only assistance to scheme. The discussion with corporator may not be authentic.

**Box 2.3 Innovation in Housing: Eco Housing Guidelines of the PMC**

The Eco-housing program launched by Pune Municipal Corporation (PMC) promotes the adoption of environmentally friendly practices, energy efficient products, and techniques by the construction industry. Applicable to the housing sector, the Ecohousing voluntary rating and certification mechanism will help quantify the environmental performance of residential projects and will provide a meaningful differentiation of buildings in the marketplace.

Ecohousing incorporates environmental considerations at every stage of building construction. It offers financial benefits; environment, community and infrastructure benefits, and benefits associated with health and increased productivity as compared to conventional buildings.

The assessment criteria include the following which can be considered for adoption in the KUL project: focus on increased ventilation and natural lighting; efficient building materials; solar water heaters; water conservation; segregation of waste etc. It is strongly recommended that KUL adopt the Eco Housing Guidelines to the extent feasible for the Nirvana Hills Phase II Project in order to ensure sustainability of facilities and amenities that will be handed over to the registered slum society.

*Source: [http://www.punecorporation.org/pmcwebn/informpdf/dev_permission/Final%20Eco-housing%20Assessment%20Criteria.pdf](http://www.punecorporation.org/pmcwebn/informpdf/dev_permission/Final%20Eco-housing%20Assessment%20Criteria.pdf)*

**2.2.3 Relevant Environment Authorities**

58. The State level Impact Assessment Authority of the Department of Environment, Maharashtra has granted Environmental Clearance for a total construction area of 1,43,734 m² to 45 Nirvana Hills which includes the ongoing construction activities. Subsequent phases will be given clearance on the basis of the Letter of Intent issued by the SRA. The EC of this authority, as well as minutes of meetings that this Committee precedes over has stipulated conditions that have implication during construction as well as post rehabilitation. These include:

- Construction of Sewage Treatment Plants for the transit and main rehabilitation buildings;
- Meeting the water supply requirement through installation of rainwater harvesting measures;
- Provisions for energy conservation measures, wastewater disposal and waste generation etc.

59. These conditions would typically be added to the project Environment Management Plan and half-yearly compliance reports are to be submitted. In addition, the clearance conditions are also appended to the CTE issued by the Maharashtra Pollution Control Board (MPCB) and hence these are supposed to be regularly monitored by the respective field officers.

60. At the Project level, the MPCB represents a monitoring authority for ensuring that conditions specific to environment and which have implications on the rehabilitation aspects of slum dwellers (such as the capacity of the
Cooperative Society to manage and maintain sewage treatment plants/pay vendors etc) are inspected through Field Officers, Sub-Regional Officers and ultimately Regional Officers.

2.3 COMPARISON OF THE SRA GUIDELINES TO ADB/IFC REQUIREMENTS

2.3.1 ADB SPS Standards

61. In July 2009, ADB's Board of Directors approved the new Safeguard Policy Statement (SPS) governing the environmental and social safeguards of ADB's operations. The SPS aims to avoid, minimize, or mitigate harmful environmental impacts, social costs, and to help borrowers/clients strengthen their safeguard systems. The SPS builds upon ADB's previous safeguard policies on the environment, involuntary resettlement and Indigenous Peoples, and brings them into one single policy with enhanced consistency and coherence, and that more comprehensively addresses environmental and social impacts and risks. The SPS also provides a platform for participation by affected people and other stakeholders in project design and implementation.

62. ADB experience indicates that involuntary resettlement under development projects, if unmitigated, could give rise to severe economic, social, and environmental risks. Under involuntary resettlement, production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. The objectives of ADB's SPS with regard to IR are:

- to avoid involuntary resettlement wherever possible;
- to minimize involuntary resettlement by exploring project and design alternatives;
- to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and
- to improve the standards of living of the displaced poor and other vulnerable groups.

63. SR 2 provides for those tenements that will experience involuntary resettlement impacts, provisions such as compensation to non-land possessions, entitlement to rehabilitation/livelihood, special assistance etc. In the context of Nirvana Hills Phase II Project, it has been clarified that although the policy on involuntary Resettlement has limited applicability, the rehabilitation process that is undertaken should take into account the safeguards that are proposed by the same and the spirit/principles. In this project, land is owned by the borrower/client (KUL), and KUL has obtained the consent of 70% of the slum dwellers for the voluntary in-situ resettlement and the SPS SR2 safeguards will apply to those who did not consent and those who are ineligible under the SRA scheme.
64. The involuntary resettlement requirements will be applicable for the displaced persons who lost the land they occupy in its entirety or in part and also those who have neither formal/legal rights nor recognized or recognizable claims to such land and are considered ineligibles. The entitlements for those experiencing involuntary resettlement as under SR 2 are described in Section 4 and KUL commits to implementation of the safeguards.

65. Although approximately 3% of the population comes under tribal communities (specifically the Wadar community which is categorized as a nomadic tribe), due to the urban context of the project, the fact that the community no longer retains its original identity or way of living/occupation and also as the existing land tenure depicts encroachment of private land; none of the communities can be referred to as indigenous peoples. Therefore, the ADB Policy on Indigenous Peoples (i.e. ADB SPS SR3) does not apply to the Nirvana Hills Phase II Project.

2.3.2 IFC Performance Standards

66. The Performance Standards (PS) established by IFC stipulates that the project shall meet certain requirements throughout the life cycle of an investment by IFC or other relevant financial institution, who are signatory to the Equator Principles, 2006. For the purpose of resettlement under this project, only PS 5 and PS1 are applicable immediately.

With reference to PS1: Social and Environmental Assessment and Management Systems; KUL shall establish and maintain an SEMS appropriate to the nature and scale of the project and commensurate with the level of social and environmental risks and impacts. This project has been categorized as B and an ESIA along with an EMP has been prepared to meet the Indian environmental legislation as well as the performance standards. KUL should establish an SEMS to meet the criteria of PS-1.

With reference to PS 5: Land Acquisition and Involuntary Resettlement; the provisions of Type II Land Transactions, i.e. Land rights for a private sector project acquired through negotiated settlements with property owners or those with legal rights to land, including customary or traditional rights recognised or recognisable under the laws of the country, if expropriation or other compulsory process would have resulted upon the failure of negotiation.

67. One who is ineligible because of no recognisable legal right or claim to the land or assets they occupy or use will be covered under the Displaced persons category and will be eligible for limited entitlements. However, the PS discourages opportunistic squatting.

68. Table 2.2 compares international standards to SRA regulations. The gaps identified herein are the basis for preparation of the Rehabilitation Plan.
### Table 2.2  Comparison of ADB SPS, IFC PS and SRA

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| Project Design         | **IFC PS:** Feasible alternative project designs to avoid or minimise physical and / or economic displacement, while balancing environmental, social and financial costs and benefits will be considered. | - The SRA does surveys for new projects, analyzes and prepare a general rehabilitation programme for area under its jurisdiction or parts. The SRA is more concerned about conversion of the slums into proper housing schemes.  
- The provisions of SRS Regulations do not apply to slum areas existing on any lands earmarked as Hill Tops Hill Slops, Green Belts, No Development Zone in the Development Plan and in Open Spaces of approved layouts wherein residential land use and developments is otherwise not permissible. Such slums are to be evicted; however, such slums shall be allowed to be rehabilitated on other sites under the provisions of SRS Regulations.  
- The slum areas existing on reservations like Play Ground, Garden, Recreation Ground, Open Space etc. shall not be allowed to be rehabilitated on the same land, subject to the decision of Writ Petition filed in High Court |
|                        | **ADB SPS:** The project screening to be done early on to identify past, present, and future involuntary resettlement impacts and risks. |                                                                                                                                                                                                     |
| Forced Eviction        | **IFC PS:** The forced eviction / removal of individuals, families, and / or communities for the homes and / or lands which they occupy, against their will and without the provision of, and access to, appropriate forms of legal and other protection will be avoided. | - There is no mention of forced eviction under the scheme, and there is ample opportunity for the hutment dwellers to negotiate on the SRS. However, in case of failure to establish eligibility, the mechanisms of the SRA will result in forced eviction;  
- However after occupation of rehabilitation tenement if the slum dweller reconstructs or occupies any new hutment or structure such unauthorized structure shall be immediately evicted and demolished;  
- Under section 3Z of SRA Act, the CEO can pass the order to evict or forfit the Photo pass or rehabilitation rights. |
|                        | **ADB SPS:** ADB's SPS covers physical displacement (relocation, loss of residential land, or loss of shelter and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of  
- involuntary acquisition of land, or  
- involuntary restrictions on land use or on access to legally designated parks and protected areas.  
- It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.  
- It does not clearly mention on the issues of forced eviction. |                                                                                                                                                                                                     |
| Consultation & Disclosure | **IFC PS:** Engage with affected communities through a process of informed consultation and participation. The views of those affected by the project will be incorporated into decision-making. This consultation will continue throughout the resettlement process. | The SRA has provided scope for consultation and disclosure, however in case the hutment dwellers do not cooperate, administrative powers under the slums act is resorted to.  
- The SRA follows the following procedure: Where consultation and disclosure is concerned, SRA follows the Right to Information Act. in which any person can see/demand any document or information;  
- Disclosure of SRA Scheme is also open to public in the web site of SRA Pune  
<p>|                        | The disclosure of all relevant information to affected communities will take place. This disclosure will continue throughout the resettlement process. |                                                                                                                                                                                                     |</p>
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<td><strong>ADB SPS:</strong> Carry out meaningful consultations with affected persons, host communities, and concerned non government organizations;</td>
<td>- The SRA shall publish its intention to implement rehabilitation program on such lands to general public through notice published in newspaper having wide circulation within that area and also within jurisdiction.</td>
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<td>- Disclosure of the draft resettlement plan and the consultation process</td>
<td>- The owner shall be given a period of 90 days to come forward with a rehabilitation scheme in accordance with the prescribed form under these regulations.</td>
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<td>- Disclosure of the final resettlement plan and its updates to affected persons and other stakeholders.</td>
<td>- Upon his failure to do so, the authority SRA shall issue a notice to acquire the same as per the provisions of the Slum Act.</td>
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<td>- Procedures to be developed in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement; however SPS is not fully applicable in case of negotiated settlement until it fails.</td>
<td>If the owner within 30 days from the receipt of such notice submits a proposal to the SRA within the prescribed form and along with relevant required documents, drawings (through a registered SRA developer), the CEO, SRA shall consider such proposal. After expiry of this period the CEO, SRA shall acquire the said land under the provisions of the Slum Act and get the rehabilitation scheme executed.</td>
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<td>- Disclosure of the monitoring reports.</td>
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<td>Documentation</td>
<td><strong>IFC PS:</strong> All transactions to acquire land rights, as well as compensation measures and relocation activities should be documented.</td>
<td>The documentation related to the proposal submission requirement of implementation of the SRA includes:</td>
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<td><strong>ADB SPS:</strong> Documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders.</td>
<td>- Documents regarding record of rights (7/12 extract since 1950, Mutation Entry extracts, Property Cards, B form)</td>
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<td>- Certificate of declaration of slum.</td>
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<td>- Original map of declaration of slum</td>
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<td>- Latest measurement map of slum land.</td>
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<td>- List of slum dwellers.</td>
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<td>- Consent / agreement of eligible slum dwellers.</td>
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<td>Grievance Mechanism</td>
<td><strong>IFC PS:</strong> The client will establish a grievance mechanism consistent with PS 1 as early as possible in the project development phase. This will allow the client to receive and address specific concerns about compensation and relocation raised by affected communities in a timely fashion. This grievance mechanism will include a recourse mechanism designed to resolve disputes in an impartial manner.</td>
<td>The details regarding the reconstructed tenement shall be of the ownership of the hutment dweller and spouse co-jointly and shall be so entered and be deemed to be so entered in the records of the co-operative housing society, including the Society Membership/share certificate and all relevant documents</td>
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<td><strong>ADB SPS:</strong> Establish a grievance redress mechanism to receive and facilitate</td>
<td>- SRA Authority is the grievance redressal authority for the project.</td>
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<td>- In case of doubt or dispute, the CEO,SRA shall get an inquiry made as may be considered necessary, and give a decision thereon, and it shall be final and binding on all parties concerned;</td>
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<td>- SRA Pune High power committee has been established by the Govt. of Maharashtra for eligibility issues.</td>
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<td>Resettlement Framework &amp; RAP</td>
<td><strong>IFC PS:</strong> A Resettlement and / or Livelihood Restoration Framework outlining general principles compatible with this PS should be established when the exact nature or magnitude of the land acquisition or restrictions on land use related to a project with potential to cause physical and / or economic displacement is unknown due to the stage of project development. The RAP will be designed to mitigate the negative impacts of displacement; identify development opportunities; develop a resettlement budget and schedule; and establish the entitlements of all categories of affected persons (including host communities).</td>
<td>• The terms and conditions for rehabilitation of such existing tenements shall be as governed by the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971. The rehabilitation scheme has to be proposed by the society members formed for the purpose of SRS implementation. This provision is not made in regulation Pune SRA.</td>
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<tr>
<td>Eligibility</td>
<td><strong>IFC PS:</strong> Displaced persons may be classified as persons (i) who have formal legal rights to the land or assets they occupy or use; (ii) who do not have formal legal rights to land or assets, but have a claim to land that is recognised or recognisable under the national laws; or (iii) who have no recognisable legal right or claim to the land or assets they occupy or use. The census will establish the status of the displaced persons.</td>
<td>• In case it is not proposed within the stipulated time period, in that case SRA will move ahead as per the Slum Area (Improvement, Clearance and Redevelopment) Act, 1971.</td>
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The following are entitled for the benefits of the SRS apart from the fact that only the dwellers staying in the slum:

- and, whose names have appeared in the Legislative Assembly Voter's list of 01/01/1995 or date prior thereto
- or photo pass and other relevant proofs prior to 1995 or
- as may be decided by State Government from time to time are eligible for the SRA benefits. In case these criteria are not fulfilled, the entitlement ceases.

The eligibility criteria for Nirvana Hills Phase II will be as determined by the population residing in the concerned area on or before the project cut-off date

Further, the owner/ power of attorney holder / lease holder (with sufficient un-expired lease period and concurring lease terms) of the land, only through a developer registered with SRA, shall be allowed to redevelop the slum area subject to the provisions laid down in SRA Regulations.

It should be noted that the SRA does not stop/prohibit the developer to provide entitlements beyond what is legally mandated. However, the developer cannot claim the advantage of FSI for the same and hence in-situ resettlement of non-eligible families has to be undertaken at the developer’s cost. Any policy is proactive and it will always aim towards broadening the ‘eligible’ criteria. Eligibility is a variable term, it depends on the cut-off date, which change time to time as well as entitlement of the
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| Census        | **IFC PS**: A census will be carried out in order to collect appropriate socio-economic baseline data to identify the persons who will be displaced by the project, determine who will be eligible for compensation and assistance, and prevent ineligible persons, such as opportunistic settlers, from claiming benefits.  
**ADB SPS**: The scope of determining resettlement planning to be done through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. | The SRA regulations are not pretty clear on the census. The regulation mentions that SRA has to survey, however it does not specify whether it is physical survey or survey of the hutment dwellers.  
Also the list of documents that are to be submitted to the SRA authority includes the list of the slum dwellers, which primarily indicates that the list of the hutment dwellers through survey has to be prepared before the submission. This does not however alienate the responsibility for the survey. |
| Cut-off Date  | **IFC PS**: In the absence of host government procedures, a cut-off date for eligibility should be established. Information regarding the cut-off date will be well documented and disseminated throughout the project area. The client is not required to compensate or assist those who encroach on the project area after the cut-off date for eligibility, provided the cut-off date has been clearly established and made public.  
|               | • **ADB SPS**: ADB SPS SR2 has provisions requiring the setting of cut off date and it maintains that the resettlement plan is not to be finalised until the survey of the all affected is done, and entitlements fixed for them.  
|               | • **SPS** suggests that, normally a cut-off date will be established by the host government procedures. In the absence of such procedures, the borrower/client will establish a cut-off date for eligibility. Information regarding the cut-off date will be documented and disseminated throughout the project area  
|               | • The entitlements of eligible are given only if they occupied the land or structures in the project area prior to the cut-off date for eligibility for resettlement assistance. | The cut off date is applicable for the SRA as is also mentioned in the eligibility criteria:  
• whose names have appeared in the Legislative Assembly Voter’s list of 01/01/1995 or date prior thereto  
• or photo pass and other relevant proofs prior to 1995 or  
• as may be decided by State Government from time to time  
In accordance to the ADB SPS SR 2, a “project cut-off date” has been identified. The eligibility criteria will be for those residing in the concerned area and covered by the socio-economic survey. |
| Security of Tenure | **IFC PS**: Security of tenure to all displaced people will be provided to those affected by the Project.  
**ADB SPS**: In the case of physically displaced persons, the borrower/client will provide secured tenure to relocation land. Displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. | • The reconstructed tenement shall be of the ownership of the eligible hutment dweller and spouse co-jointly; and shall be so entered and be deemed to be so entered in the records of superintendent land and revenue through SRA, as well as the co-operative housing society, including the share certificate and all relevant documents.  
• Such tenement shall not be sold or leased by the hutment dweller till 10 years without permission of SRA.  
• Before granting No Objection Certificate, the SRA shall verify that the slum dweller is really shifting outside Pune and/or Pimpri Chinchwad Municipal Corporation area; |
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| Loss of Structures and other Improvements | **IFC PS:** Compensation for structures and other improvements should cover full replacement cost (with new assets of similar value) exclusive of depreciation and inclusive of all fees (such as construction permits and title charges) and labour costs. **ADB SPS:** The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements:  
  - fair market value;  
  - transaction costs;  
  - interest accrued;  
  - transitional and restoration costs; and  
  - other applicable payments, if any.  
  Pay compensation and provide other resettlement entitlements before physical or economic displacement. | • There are no additional provisions for the ineligible families.  
In accordance with the ADB SPS, KUL will compensate them for the loss of assets other than land, such as dwellings, and also for other improvements to the asset/structures on the land, at full replacement cost.  
The scheme shall provide that each eligible slum dweller shall be given free of cost a residential tenement having a carpet area of 25.00 sq. mt. including balcony, bath and water closet but excluding common areas in exchange of his/her structure.  
An amount of Rs.20,000 or such an amount as may be decided by the State Government from time to time per tenement including the welfare hall and balwadi in the rehabilitation component as well as in the case of permanent transit camp tenements will have to be deposited by the owner/developer/with the SRA, in accordance with the time -schedule for such payment as may be laid down by the CEO,SRA. Free cost housing will be provided to eligible slum dwellers against their structure. |
| Loss of Communal Property   | **IFC PS:** Where land is collectively owned, the client will, where feasible, offer the displaced land-based compensation. as a matter of priority where the replacement land has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost. **ADB SPS:** In the case of physically displaced persons, the borrower/client will provide civic infrastructure and community services as required; | • One society office of 12 sq. m. (free of FSI) for slum dwellers shall be provided free of cost in every Slum Rehabilitation Schemes proposal. An attached toilet of 4 sq. m. area (free of FSI) may be permitted.  
• All the areas underlying welfare halls, society office, balwadi/s religious structure/s, the commercial areas given by way of incentives to the co-operative society and the non governmental organizations shall be free of cost and shall form part of rehabilitation component and it is on the basis the free sale component will be computed. These provisions shall apply to construction of transit camps under local DC Regulation also.  
• Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by the Government from time to time as part of redevelopment, shall not exceed the area that existed prior to redevelopment. |
| Loss of Business            | **IFC PS:** In the case of economic displacement only, a Livelihood Restoration Plan to compensate affected persons and / or communities and offer other assistance that meets the objectives of this PS should be developed. | • The SRS require that slum dwellers with shops to be provided with replacement units in the ground floor to allow them to continue their business.  
• SRS also has provisions for rental allowance for interrupted business during |
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<td>Restoration of livelhoods is required.</td>
<td>Compensate directly the affected business owners for the cost of re-establishing commercial activities elsewhere, for lost net income during the period of transition and for the costs of the transfer and reinstatement of the business. Provide additional targeted assistance (e.g., credit facilities, training, or job opportunities) to those experiencing displacement.</td>
<td>- During transition period, the transit housing should be within 5-6km from the site so as not to affect their livelihoods.</td>
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<td><strong>ADB SPS:</strong> Improve, or at least restore, the livelihoods of all displaced persons through</td>
<td>• land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods; • prompt replacement of assets with access to assets of equal or higher value; • prompt compensation at full replacement cost for assets that cannot be restored; and • additional revenues and services through benefit sharing schemes where possible.</td>
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<td>Improve or Restore Conditions / Livelihoods</td>
<td><strong>IFC PS:</strong> New resettlement sites built for affected communities must offer equivalent or improved living conditions while means of income earning capacity, productivity levels and associated livelihoods and standards of living of affected communities must be improved or at least restored to pre-project levels. <strong>ADB SPS:</strong> Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.</td>
<td>• The slum rehab scheme is an improvement of living conditions for eligible slum dwellers. The SRS has no requirements for ineligible slum dwellers.</td>
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<td>Relocation Assistance</td>
<td><strong>IFC PS:</strong> Based on consultation with such displaced persons, sufficient relocation assistance to restore their standard of living at an adequate alternative site should be provided. Provide transitional support based on reasonable estimate of time required to restore income. income earning capacity, production levels, and standards of living. <strong>ADB SPS:</strong> If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host</td>
<td>• The SRS scheme requires transition housing or rental allowance during the time that the replacement buildings are constructed.</td>
</tr>
<tr>
<td>Issue</td>
<td>Relevant International Standards</td>
<td>SRS</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Transitional Support  | **ADB SPS:** Transistional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and civic infrastructure and community services, as required | • The temporary transit camp for rehabilitation of slum dwellers may be allowed on site itself or on sites other than the declared slum area within 2.00 km. of concerned Municipal Corporation limit and minimum 50% transit camp should be erected for sanctioned eligible slum dwellers.  
• The area of temporary transit camp shall be excluded from the computation of FSI but the safety of the structure shall be ensured with adequate circulation passage etc.  
• Other monetary transitional support may be provided, however outside the purview of SRA, based on mutual understanding between developer and hutment dwellers. |
| Vulnerable Groups     | **IFC PS:** Particular attention and assistance will be paid to the needs of the poor and the vulnerable (ie women headed households / elderly households etc).  
**ADB SPS:** Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. | • There is no mention of the vulnerable groups under SRA. |
| Monitoring and        | **IFC PS:** Procedures to monitor and evaluate the implementation of a Resettlement Action Plan or Livelihood Restoration Plan should be implemented and corrective action should be taken as necessary. The extent of monitoring activities will be commensurate with the project’s risks and impacts. For projects with significant involuntary resettlement risks, an experienced resettlement expert should be retained to provide advice on planning and design, and to verify the client’s monitoring information and advise on PS compliance. Affected persons and their representatives will be consulted during the monitoring process.  
**ADB SPS:** Implement the resettlement plan under close supervision throughout project implementation;  
• Monitoring and assessing resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. | • There is no mention of monitoring of the resettlement outcomes under SRA. The guidelines for SRS stop at the implementation of the SRS.  
• However, SRA releases permission on the basis of the progress of the resettlement scheme;  
• SRA does not mention an external audit. |
| Evaluation            |                                                                                                                   |                                                                      |
69. This section outlines the key findings of the socio-economic survey and social impact assessment that was carried out in order to update the Environmental Impact Assessment (EIA) report. This socio-economic profile has been developed on the basis of information obtained through stakeholder consultations as well as through the household survey that was conducted by Vatsalya, an NGO based in Pune on behalf of KUL. The ADB financed project does not include Wadar Wasti and therefore the socio-economic data presented here is only for slum dwellers of Nirvana Hills Phase II (i.e. Kelewadi, Indira Park, Rajeev Gandhi Park, Rautwadi, Hanuman Nagar, & Vasant Nagar) which has a total number of 4324 tenements. The socio-economic survey for Wader Wasti which is Nirvana Hills Phase I is currently ongoing.

3.1 SOCIAL BASELINE OF THE PROJECT AFFECTED FAMILIES

3.1.1 Context to the Social Baseline

Slum Redevelopment in Pune

70. With a boom in the construction industry around prime locations such as Erandwana, the establishment of the Slum Rehabilitation Authority in Pune around 2005 has been channelizing the phase wise redevelopment of over 52,50,197 sq m of land that is currently under slums. Slum redevelopment in Pune is largely replicating the model that is being followed in Mumbai along with specific by-laws developed by the SRA Pune and the Jawaharlal Nehru National Urban Renewal Mission.

71. A study undertaken by a Pune-based NGO Mashal indicates that up to March 2011, there were 2.04 Lakh tenements (211, 423 slum families) in 477 slum pockets (Mashal, 2011) and that the total number of slum dwellers accounts for nearly 29% of the population of the city. In addition, the SRA is currently overseeing 133 schemes in Pune accounting for a proposed rehabilitation 50,000 slum tenements. In this context, the erstwhile redevelopment of Wadarwasti and the ongoing redevelopment in Kelewadi (together approximately 5000 tenements) is one the flagship projects of the SRA.

Growth of the WadarWasti and Kelewadi Slum

72. The WadarWasti and Kelewadi slum settlements, centrally located within Pune, have existed in Erandwana for over 40-50 years and were declared as slum areas only in the 1980s. The origin of this settlement can be traced back to the “Wadar” community (a erstwhile nomadic tribe) that were a traditional stone cutting community working on the quarry site near Survey
Number 44/1 and that encroached upon adjoining private land that belonged to the Chisti Trust. The remnants of the abandoned quarry site could be seen even now which now falls well within the project boundary. Over the years, this encroachment led to significant influx into the area and it was accelerated by the lack of control/supervision by the owners of the Chisti Charitable Trust.

73. Typically, a slum community depicts a heterogeneous mix of community groups which have migrated into an urban area. However, the Wadar Wasti (named after the stone cutting community) and Kelewadi settlement, centrally located in Pune, depicts a more homogeneous characteristic and is dominated by Maharashtrian communities.

Residual Resettlement Impacts

74. It is understood that the land (project site) was declared as a “slum area” under section 13 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 on the 21st of June 1984 and was subsequently put out for development with the consent of the Chisti trust. M/s A.V Bhat and the erstwhile builders Megapolis Developers took up the rehabilitation of Wadar Wasti around 1995 or 1996 under the earlier eligibility criterion of 1st January 1985.

75. The establishment of a cut-off date led to myriad conflicts within the community and which subsequently delayed the development. It is understood that the first tenements were rehabilitated as late as 2000 and the scheme was made to change its eligibility criterion to 1st January 1995. However, in spite of this, as encroachment into the slums continued post 1995, there are still several families that are currently not eligible but who were temporarily resettled (from 2000 to 2003) into the rehabilitation buildings. The registration of property for these tenants will need to be undertaken only after the formal verification and determination of eligibility by the SRA. Note: the residual resettlement impacts of the population at Wadar Wasti are not included within the purview of Nirvana Hills Phase II. All references to Wadar Wasti have been provided as a comparison in order to emphasize the learning from the same.

3.1.2 Settlements and Affected Population

76. The slums in the project area are densely clustered around approximately 70% of the project area in largely flat structures with the usual built up being that of one-storied hutments. It is understood that the area within the site which was classified by the Town Planning Authority as “hill-top hill-slope” or a no-development zone has been monitored over the ages and there is no encroachment on this land. The slum has been divided into several blocks in accordance to the most recent slum census and is grouped into the settlements of Wadarwasti; Kelewadi; Rajeev Gandhi Nagar; Hanuman Nagar; and Raut Wadi. Each of these settlements is largely homogenous and is not stratified on the basis of caste or communal lines.
Figure 3.1 summarizes the results of the socio-economic survey that takes into account the year of settlement of households in Phases II to V. This figure indicates that in most of the slum blocks, with the exception of Rajeev Gandhi Park and Indira Nagar, a majority of the households have settled prior to 1995. It is also apparent that the number of households who have settled into the slum after 2000 is significant in Rautwadi as well as RGP and Indira Nagar. However, when compared to the average stay of respondents across the 4324 households, the primary data indicates that the average duration of stay at the slum area is 28 years.

**Figure 3.1 Proportion of Households as per Settlement Year Records**

<table>
<thead>
<tr>
<th>Phase</th>
<th>% Households Affected as of 1995</th>
<th>% Households Affected as of 2000</th>
<th>% Households Affected as after 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase II (Kelewadi/IndraPark)</td>
<td>10%</td>
<td>20%</td>
<td>70%</td>
</tr>
<tr>
<td>Phase III (R.G.P/VasantNagar)</td>
<td>15%</td>
<td>40%</td>
<td>45%</td>
</tr>
<tr>
<td>Phase IV (HanumanNagar)</td>
<td>20%</td>
<td>60%</td>
<td>20%</td>
</tr>
<tr>
<td>Phase V (Rautwadi)</td>
<td>25%</td>
<td>70%</td>
<td>5%</td>
</tr>
</tbody>
</table>

*Source: KUL Summary Data, Number of Households is 4324.

It can be assessed that the influx into the area has continued even after year 1995, however, the intensity of the same accelerated after 2000. This can be incidental to the parallel boom of the construction industry in the city of Pune. It should be noted that the SRA was established within the Pune and Pimpri-Chinchwad limits only after year 2000.

**Demographic Profile**

The total population at the project site is enumerated to be 13506 people across 4324 households (not including Wadarwasti) and hence the average household size can be computed as 4 and ranges from 2 to 7. It was observed that there is a trend towards nuclear/smaller families in the site which is indicated by the number of one-storey expansions above the existing hutment that are occupied by a newly married son/brother within a family. It is estimated that the WadarWasti settlement has 488 tenements and hence overall, the tenement density on site is 61 tenements/ha for the project area. This estimate is significantly lower than the average tenement density in Pune which has been computed as 290 tenements/ha by an NGO study in March 2011 (Mashal, 2011).
80. The sex ratio for the project area is 888 which is significantly lower than that for the district of Pune (917). The lowest sex ratio of 797 is observed in the Hanuman Nagar slum block whereas the most favourable is in Rautwadi (951).

Figure 3.2 Distribution of Population and Age Profile

![Distribution of Population and Age Profile](image)

*Source: KUL Summary Data, Number of Households is 4324.

81. Figure 3.2 denotes that the distribution of population in the project area across settlements is relatively even with the exception of Rautwadi which has the lowest population. In terms of the prevalent age profile, a majority of the population across the settlements is in the working age group of 15 to 65 years. The working age group constitutes 70.4 % which indicates a positively skewed dependency. This is typical of a slum demographic scenario as most of the population would be migrants in their youth relocated from their native place to find gainful employment.

82. Table 3.1 presents a gender disaggregated age profile of the project area. There are no clearly discernable anomalies in the age distribution. However, it is pertinent to note that for the age group of 0 to 5 years, the number of girls is less than the number of boys for all slum blocks.

Table 3.1 Gender disaggregated Age Profile in the Project Area

<table>
<thead>
<tr>
<th>Age Profile</th>
<th>0-&lt;5 Years</th>
<th>&gt;5-15 Years</th>
<th>&gt;15-65 Years</th>
<th>&gt;65 Years</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Kelewadi/Indira Park</td>
<td>102</td>
<td>68</td>
<td>292</td>
<td>278</td>
<td>1289</td>
</tr>
<tr>
<td>Vasant Nagar</td>
<td>117</td>
<td>88</td>
<td>393</td>
<td>402</td>
<td>1389</td>
</tr>
<tr>
<td>Hanuman Nagar</td>
<td>127</td>
<td>60</td>
<td>347</td>
<td>328</td>
<td>1482</td>
</tr>
<tr>
<td>Rautwadi</td>
<td>57</td>
<td>38</td>
<td>184</td>
<td>177</td>
<td>757</td>
</tr>
<tr>
<td>Total</td>
<td>403</td>
<td>254</td>
<td>1216</td>
<td>1185</td>
<td>4917</td>
</tr>
</tbody>
</table>

*Source: KUL Summary Data, Number of Households is 4324.
Social Classification

83. The population in the project area is not significantly stratified along religious or caste boundaries. A majority of the population constitute Hindus, whereas a small minority are Muslims, Christians and others. The population demonstrates a homogenous characteristic which is generally not typical for a slum settlement wherein a majority comprises of Maharashtrian communities. Figure 3.3 showcases the caste distribution in the project area.

Figure 3.3 Caste Distribution in the Project Area

84. Certain settlements showcase a dominance of certain communities, such as Rajeev Gandhi Park and Vasant Nagar which have a significant Scheduled Caste (SC) and ST community dominance. The main scheduled caste communities include the Mahars, Neo-Buddhas, Mangs whereas Other Backward Castes include the Mali. Reportedly, the Vadar community of traditional stone cutters is classified as a nomadic tribe and not a scheduled tribe. The aggregate population data denotes that of the 4324 households, only 3% of households are scheduled tribe communities which include the Vadar community. It can be concluded that a majority of the Vadar community resides in Vadarwasti which was part of the erstwhile slum rehabilitation. It should be noted that as slum blocks are generally moved into transit and subsequently into rehabilitation tenements, such community dynamics/distributions are likely to be retained.

Educational Profile

85. Literacy levels on site are reflective of the urban setting of the slum area as well as the availability of municipal as well as private schools. It is of significance that only 45% of the total site population have reported having completed at least secondary education. Of the total population, the survey was able to ascertain educational status above secondary education of only 41% individuals as provided in Table 3.2.
## Table 3.2  Higher Educational Profile in the Project Area

<table>
<thead>
<tr>
<th>Education Profile</th>
<th>Number of people</th>
<th>Phase II (Kelewadi/Indra Park)</th>
<th>Phase III (R.G.P/Vasant Nagar)</th>
<th>Phase IV (Hanuman Nagar)</th>
<th>Phase V (Rautwadi)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>S.S.C</td>
<td></td>
<td>471</td>
<td>302</td>
<td>532</td>
<td>353</td>
</tr>
<tr>
<td>H.S.C</td>
<td></td>
<td>232</td>
<td>126</td>
<td>220</td>
<td>117</td>
</tr>
<tr>
<td>Graduation</td>
<td></td>
<td>146</td>
<td>81</td>
<td>133</td>
<td>72</td>
</tr>
<tr>
<td>Post Graduation</td>
<td></td>
<td>12</td>
<td>10</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Vocational</td>
<td></td>
<td>10</td>
<td>5</td>
<td>12</td>
<td>9</td>
</tr>
<tr>
<td>Sub-Total</td>
<td></td>
<td>871</td>
<td>524</td>
<td>909</td>
<td>560</td>
</tr>
</tbody>
</table>

*Source: KUL Summary Data, Number of Households is 4324.*

86. It is observed that the number of individuals enrolled in higher education diminishes as the level of education increases. However, it can be ascertained that, there is a significant potential for providing vocational training to the people at the project site. Only a minority (1.7 percent) of the population has received any vocational training even though it is apparent that there is a large percentage of population at the site who are below par with respect to educational adequacy for gainful employment or business. Another important observation is the presence of two schools in the project site. But, clearly, the two schools alone cannot meet the educational requirements of the 2800 children within the project site. It is also observed that people with advanced qualifications like postgraduates are employed in service jobs like teaching or government offices.

### 3.1.3 Vulnerability Status

87. The rehabilitation plan discusses vulnerability arising from demographic factors as well as from physical factors. Vulnerability relating to economic factors is briefly discussed in Section 3.1.4. An important aspect of vulnerability is that the existing socio-economic dynamic within the slum relies on cohesiveness amongst communities and families and thus increasing the ability to adapt and cope from common problems. The rehabilitation plan distinguishes vulnerability to capture households susceptible to social vulnerability as follows:

- **Old Age:** Defined as family members above 65 years of age;
- **Illness:** This refers to individuals suffering from long-term illness or persons suffering from chronic diseases;
- **Disability:** This refers to individuals suffering from physical and/or mental handicaps. Disability has been defined as a person suffering from not less than 40% of any disability certified by a medical practitioner;
- **Addiction:** This refers to individuals who confessed to substance abuse;
- **Prevalence of households that are run and managed by women; and**
• Economic vulnerability that is linked to household income.

88. Figure 3.4 illustrates the social vulnerability amidst the slum population as brought forth by the socio-economic survey.

**Figure 3.4 Vulnerability Profile**

![Vulnerability Profile](image)

*Source: KUL Summary Data, Number of Households is 4324; Note: The prevalence of Women Headed Households and Economic Vulnerability is not illustrated.*

**Dependence Ratio**

89. On the basis of the socio-economic survey, the number of dependents per household was compiled to include senior citizens above 65 years of age and children below 15 years of age to estimate dependency ratio. The dependency ratio for the area is estimated to be 0.4 which is significantly lower compared to the national ratio of 0.6. The data indicates that about 15 percent of the households have at least one elderly family member.

**Other Social Vulnerabilities**

90. Figure 3.4 indicates that the prevalence of physical disability is rather low in favour of other conditions such as illness. It can be assessed that generally it is the able-bodies individuals that migrate into slums for work whereas disabled/handicapped members can be left behind in the place of origin. However, a key aspect to note is the proportion of addiction and/or substance abuse (alcohol, drugs etc.) across the slum blocks. A concern that was voiced during the focused-group discussions with women also indicated how women are the economic stronghold within the family due to substance abuse issues with their spouses.

**Women Headed Households**

91. The exact proportion of women headed households could not be ascertained as it is common practice for an elder son to take charge of the house in spite in the absence of a male member. It is usually the women headed households and those headed by the elderly that takes the maximum brunt in case of any possible hazard or social disturbances. Discussions with
women in Indira Park indicates that are several instances wherein husbands have taken more than one wife and are living within the same community on rent in another hutment. In this case, it is reportedly the first wife who would be eligible for rehabilitation and constitutes the maximum cases of women headed households.

Economic Vulnerability

92. In terms of economic vulnerability, the survey indicates that there are 1518 households (i.e. 35% of 4324 households) that have reported a monthly household income of INR 5,000 or below. It can be inferred that such households do not have a consistent income source and would need to be considered as vulnerable.

3.1.4 Occupational Profile

93. Consultations with communities in Indira Park, WadarWasti and Kelewadi indicate that there is diversity in terms of occupational profile within the slum communities. The common occupations that were cited by the slum residents include rickshaw driver, coolie, security guard and even services like plumbing, parlour work and salesmanship. Some of the respondents even reported their own businesses like repair shops, laundry, general stores etc. Another significant observation is that most of the women in the slum area were engaged as housemaids in nearby residential colonies, while they also took up other occupations like tailoring, scrap business and selling of vegetable, fruits or flowers.

94. Figure 3.5 illustrates the distribution of households in terms of average monthly household income. The household survey indicates that 35% of the households earn less than INR 5000 per month whereas only 3% of the households have an income above INR 15,000 per month.

Figure 3.5 Household Income Profile (Average per month)

*Source: KUL Summary Data, Number of Households is 4324.*
95. It is further observed that a majority of the households earn an average monthly income of INR 10,000 or less. Consultations with community-based organizations in the area indicated that roughly 10% of the households have been classified as below the poverty line. The data further indicates that the average age of the earning member is estimated to be about 40 years. This indicates that there may still be a significant proportion of people that are employed in the unorganized sector as well as those that are engaged in wage labour.

96. Most of the occupations listed are observed are not seasonal in nature and therefore it is apparent that the population have some source of income flow throughout the year. Moreover, all the households had sought gainful employment within the nearby area with the average distance to work place being only about 6.8 kms. This information is crucial for assessment of mitigation measures for alternative transit accommodations as it would need to ensure that these are within a distance of 5 to 6 km of their current location.

97. Consultations also indicated that there are approximately 250-300 self-help groups (SHGs) comprising of mostly women that work as savings units to deal with emergencies or urgent requirement for money. Women in the area are looking forward to training on enterprise development and are in the need for “gruh udyog” (household enterprise). KUL is planning to establish a workshop/activity with such women in liaison with the Corporator. However, no such activity has been formally initiated.

98. It should also be noted that a profile of the type of structures and tenements (as discussed in the subsequent sections) for a majority of the households indicates decent living standards vis-à-vis access to sanitation, natural lighting and refurbishments to existing tenements. This is also an indication of the economic profile.

(1) The Planning Commission (2011) notes that wages of INR 32 per day, i.e. INR 832 per month and below per person can be used to classify an individual as BPL, however, this is a contested approach of categorization and there is no common consensus on an accepted BPL classification.
Box 3.1  **Entrepreneurial Ventures in the Slum Area**

A general visit/reconnaissance of the slum area indicates that there are several entrepreneurial ventures, such as flour mills (*aata chakkis*), community-based organizations and societies, as well as training centres on beauty, basic information technology and other such initiatives. For women, the Lijjat Enterprise has employed over 400 “sakhis (sisters)” in the slum in an initiative wherein dough to prepare an Indian snack is provided and each member obtains approximately INR 25/kg of snacks (papad in local parlance) that is sold to vending points of the enterprise.

Another indication of diversity of livelihood options in the area is the number of commercial tenements, from provision stores to medical shops etc. For instance, the completed rehabilitation in WadarWasti has seen over 20 shops that have been moved into the ground floor of the redeveloped building. However, it should be noted that there have been certain conflicts owing to the size of the commercial units prior to rehabilitation and after the same. For instance, a garage mechanic, who is currently set shop near the existing labour camp, does not want to be rehabilitated into WadarWasti because the commercial space is too small for his enterprise.

*Source: Primary Consultations*

### 3.1.5  **Amenities and Infrastructure**

**Structure of hutments**

99. The socio-economic survey also profiled the characteristics of the structures of the existing settlements (*Figure 3.7*). The average size of a tenement was determined to be around 120 sq ft in area. The structure and layout of these tenements depict a typical slum scenario with narrow lanes and by-lanes, contiguous hutments with corrugated roofing, and inadequate public sanitation facilities.
Results of the survey and discussions with CBOs in the area indicate low awareness levels on health-related issues. Women in the slum are specifically vulnerable to health issues due to their addiction to “misri” (a local type of tobacco), low education levels, exposure to unsanitary conditions through working as maids or rag pickers as well as unstable marital status. As a result, women generally do not tend to access/frequent hospitals.

100. Only 7.6% of the 4324 households reported to having an RCC structure whereas the majority (48.3%) reported that their hutment was made of at least one load bearing structure. In terms of salvageable material, the sites of specific hutments which had been demolished indicates that many households had refurbished their interiors with tiles, a sink, granite structures etc. and reportedly, such refurbishments constitute an important aspects of financial compensation expectations.
The household data indicates that a majority of the settlement comprises of a ground floor structure. More than 90% of the tenements access public sanitation (municipal toilets) and all of the households reported to have municipal water supply. In terms of fuel, LPG is the most preferred source. About 5 percent reported using ‘chulhas’ or earthen stoves. The household survey also indicated the availability of natural lighting (over 50%) and ventilation (55%) within the tenements.

**Infrastructure Profile**

102. The arrangement and adequacy of key infrastructure facilities are summarized subsequently. Additional details on the status of infrastructure facilities are made available in the ESIA report.

**Table 3.3 Profile of Infrastructure**

<table>
<thead>
<tr>
<th>Source</th>
<th>Availability and Arrangement</th>
<th>Adequacy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paved Roads</td>
<td>RCC pavements</td>
<td>Adequate</td>
<td>-</td>
</tr>
<tr>
<td>Electricity</td>
<td>MSEB Supply across the settlement</td>
<td>Regular, weekly load-shedding for 4 hours</td>
<td>90% connections are illegal, i.e. without meters</td>
</tr>
<tr>
<td>Water Supply</td>
<td>Municipal Water by PMC</td>
<td>Adequate</td>
<td>Water storage tank in Vasant Nagar</td>
</tr>
<tr>
<td>Sewer Lines and Drainage</td>
<td>Installed by PMC</td>
<td>Adequate</td>
<td>-</td>
</tr>
<tr>
<td>Sanitation</td>
<td>Public Toilets in every cluster/block</td>
<td>Adequate</td>
<td>-</td>
</tr>
<tr>
<td>Education</td>
<td>1 Municipal School and 2 Private Schools and 3 Anganwadi Centres</td>
<td>Sufficient</td>
<td>Proximity of Bhartiya Vidyapeeth and other Pune colleges</td>
</tr>
<tr>
<td>Health</td>
<td>2 Private Hospitals</td>
<td>Inadequate</td>
<td>-</td>
</tr>
</tbody>
</table>

*Source: Community Consultations*

**Community Based Organizations**

103. As mentioned earlier, there were savings schemes organised by women operating in the slum areas, known as ‘bachat gat’ and it was reported to be
quite prevalent among the women population. However, these groups were largely known to operate underground with no significant overt identities. About 72 percent of the households reported having a bank account. A significant presence of ‘mandals’ were also reported in this area. These Mandals are apparently active with respect to religious activities and also to some extent for cultural events. A common activity of these mandals is to celebrate festivals such as Ganesh Chaturthi, Dassehra, Mahashivratri etc.

104. The Pune Municipal Corporation is also known to engage non-governmental organizations (NGOs) to initiate and carry out social development in education, health etc. Some of the prominent NGOs that have been active in the project area in the past include Mashaal and Vatsalya.

3.2 ASSESSMENT OF IMPACTS

105. This section details the impacts/losses that have resulted from the Nirvana Hills Phase II Project and provides measures that have been put in place or are proposed for mitigation of adverse impacts and equitable distribution of rehabilitation impacts. For the purpose of this assessment, the impacted categories of affected people have been categorized as:

- **Eligible Households**: This category refers to those families whose structures have been deemed eligible for rehabilitation under Project Nirvana by the Competent Authority (District Collector) as per the eligibility criterion of proof of residence prior to “1st January 1995”;
- **Eligible Commercial Structures**: This category refers to those commercial structures that have been deemed eligible for rehabilitation under Project Nirvana by the Competent Authority (District Collector) as per the eligibility criterion of proof of residence prior to “1st January 1995”;
- **Ineligible Households/Commercial Structures**: This category refers to those households which have ownership/occupancy rights to structures that were on site on or before the Annexure II survey by the SRA/PMC but that have been/will be declared ineligible for the rehabilitation owing to lack of proof of residence and/or ownership of the structure as per the eligibility criterion of 1st January 1995;
- **Households Impacted by Loss of Livelihood/Income**: This category refers to those households for whom sources of livelihoods/income have been partially/temporarily/ completely impacted due to Project Nirvana; and
- **Others**: These include households/commercial owners that were tenants/lessees of existing structures in the project area and who would need to be shifted/evicted as they would not be eligible for rehabilitation.
3.2.1 Physical Displacement of Ineligible Tenements

106. “Eligibility” of a slum dweller for Project Nirvana is determined by the ownership of the existing structure and his/her domicile in the census slum before or as on January 1st 1995. Those slum dwellers who do not meet this criterion as per the SRS are declared non-eligible and hence not eligible of the benefits under the SRS scheme. It is understood that the Annexure II survey (jointly conducted by the SRA and the PMC) has not yet been completed for all the slum blocks and hence provisional/available estimates of eligibility are based on a best-case scenario (Table 3.4)

Table 3.14 Estimates of Ineligible Households as per SRA Regulations

<table>
<thead>
<tr>
<th>Phase (II-V)</th>
<th>Total Households</th>
<th>Affected Households as of 1.1.1995</th>
<th>Affected Households as of 1.1.2000</th>
<th>Affected Households after 1.1.2000</th>
<th>Proportional Estimate of Ineligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase II (Kelewadi/Indira Park)</td>
<td>1201</td>
<td>865</td>
<td>39</td>
<td>297</td>
<td>28%</td>
</tr>
<tr>
<td>Phase III (R.G.P/Vasant Nagar)</td>
<td>1478</td>
<td>591</td>
<td>108</td>
<td>779</td>
<td>60%</td>
</tr>
<tr>
<td>Phase IV (Hanuman Nagar)</td>
<td>1055</td>
<td>650</td>
<td>79</td>
<td>326</td>
<td>38%</td>
</tr>
<tr>
<td>Phase V (Rautwadi)</td>
<td>590</td>
<td>293</td>
<td>44</td>
<td>253</td>
<td>50%</td>
</tr>
<tr>
<td>Total</td>
<td>4324</td>
<td>2399</td>
<td>270</td>
<td>1655</td>
<td>1925 (45%)</td>
</tr>
</tbody>
</table>

*Source: KUL Summary Data

Note: The number of eligible slum dwellers reflected herein is taken as per the first SRA notification. The number of tenements that are not eligible in the first instance are likely to come down following a reassessment from the SRA on the basis of provision of proof of residency by the slum dwellers and a pending changing of criterion by the State Government of Maharashtra to year 2000.

107. It is envisaged that as per the 1.1.1995 eligibility criterion, approximately 40% of the households, i.e. 1925 tenements, are likely to be legally not eligible for the slum rehabilitation. In case the eligibility cut-off is increased up to 1.1.2000, the proportion of ineligible tenements will reduce to 34%.

Considering an average household size of 4, a total of 7768 persons are likely to be impacted by the eligibility criterion of 1.1.1995. In this context, it should be noted that if families voluntarily agree to move out of the slum on the basis of a negotiated settlement, their physical displacement cannot be termed as involuntary.

Measures suggested by KUL

108. The KUL Management is in the process of ensuring that a maximum number of households satisfy the eligibility criterion that has been established by the SRA (within reasonable legal provisions) as the project proponents have reportedly planned the development as per the rehabilitation of 5000 households. It is understood that several households may not have updated documented proof of residence/electoral records and there may also be other issues which would be facilitated for settlement through the SRA’s Dispute Resolution Procedure. It is understood that in this option, KUL will not get FSI
for accommodating these households, and will be doing so at their own cost. At present no certain estimates are available to ascertain the number of households that may classify for the second round.

109. Alternatively, there are plans in place to undertake a negotiated settlement with each such households which would involve payment of a one-time relocation sum that will allow such families to move out of this slum, into another location. The sum should be enough to meet the transition costs as well as any livelihood impacts. The third option is to incorporate these ineligible households for rehabilitation through the Central Government low cost housing scheme of the “Rajeev Awaas Yojana” which is in its inception stage. However, as of now, KUL is still discussing these options and individual negotiations or settlements with such households are already in progress. KUL commits to accommodate the ineligible tenements on best effort basis, subject to approval by the SRA and notifications of state government from time to time.

110. Discussions with ADB suggest that as investors, they expect the following options for ineligible households who settled in the project area before the “Project cut-off date” as identified in Section 1.5.2:

A. Rajeev Awas Yojana (RAY) scheme

- KUL to incorporate ineligible households in the Rajeev Awas Yojana (RAY) scheme which is yet to be fully planned;
- It should be noted that relocating tenements to an RAY site (unless the RAY site is Project Nirvana) will likely entail economic displacement which KUL will need to address and seek ADB approval for a relocation/livelihood restoration plan prior to any relocation taking place.

B. (Preferred): KUL will provide housing in-situ SRS

- Expectations from KUL to provide accommodation/housing at their own cost; and
- KUL will provide cash compensation equivalent to meet transition costs and livelihood impacts;
- Cash compensation to consider the full replacement cost of the affected structure.
### Box 3.2  Entitlements and Option for Ineligible households as per project cut-off date

- SRA ineligible households who lived in the Project before the Project cut-off date (i.e. included in the survey of 28 Sep 2010) will be entitled to compensation for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost as well as transition allowance and compensation for livelihood losses;
- SRA ineligible households who settled in the Project after the Project cut-off date (i.e. not included in the survey of 28 Sep 2010) will only be notified - no compensation is required under ADB policy. In calculating the replacement value of the house, depreciation of structures and assets will not be taken into account.

### 3.2.2 Impacts on Commercial Structures

111. It is understood that of the slum tenements awaiting rehabilitation, 78 structures are commercial, of which broad estimates indicate that up to 40% are likely to be ineligible for rehabilitation. Such a displacement is likely to cause adverse economic impacts on the structure owner as well as his/her dependents. In spite of negotiated settlement with KUL, there are likely to be short to medium term income losses and potential business interruption risks for structures such as flour mills, tailoring, provision stores which were dependent upon the customer base provided by the slum community.

112. Consultations with owners of commercial structures rehabilitated in WadarWasti also indicate the following issues during the construction phase:

- Commercial owners are given the option of opting for transit arrangements to set-up shop or a monthly commercial rental allowance. In case of the latter, there are known to be business and profit losses due to shifting/transition;
- For those that avail of rental allowance each month, the amount of rent for commercial structure is proposed to be the same as that for residential, i.e. INR 7000/month. This is quite inadequate to rent out similar commercial property in the nearby area and hence the owner prefers to live off the rent, thus leading to business interruption;
- The areas of commercial structures within rehabilitation buildings are generally less than 200 ft² and depending upon the nature of activity, this area is inadequate to continue the earlier activity. This is the case with garages/mechanics as well as existing institutes that offer training, computer education etc.

113. During the operations phase, the rehabilitated commercial tenements are likely to experience an increase in their customer base and business due to an improved overall quality of life in the area. For instance, at WadarWasti, discussions with an erstwhile provisions store owner brought out his expansion into a provision cum medical store thus leading to a direct increase in income and profits post rehabilitation.

114. **Note**: Primary observations and consultations also indicate that there are several structures which are “residential-cum-commercial”. Such structures...
can take the following forms: (a) One discrete tenement that has been bifurcated into a commercial unit in the front and a residential unit at the back; (b) One discrete tenement wherein the commercial structure is one the ground floor and the residential quarters are on the first storey. The socio-economic survey does not provide adequate clarity on the quantum of such structures. SRA Guidelines recognize only “discrete commercial structures” and “discrete residential structures”. This would imply livelihood loss for individuals wherein the commercial unit within a residential unit is not considered for rehabilitation, especially if such structures are owned/occupied by vulnerable families.

Proposed Mitigation Measures

115. For commercial structures that are eligible for rehabilitation, KUL will develop area along the outskirts of the project area for temporary relocation/transit of these structures. In addition, increased shifting allowance will be considered for these commercial establishments, with the rates being decided through consultations. Commercial structures will be rehabilitated into the completed buildings by providing 269 sq ft of space at the ground-floor level.

3.2.3 Impact on Income Generating Opportunities

116. The socio-economic survey indicates that average monthly incomes of households’ ranges from INR 1000 to over INR 20,000 and that the area of influence for availability of livelihood opportunities is within a radial distance of 6 km. Consultations indicate that the settlement pattern and socio-economic dynamic within the slum also creates the following stream of income-generation which are likely to get disrupted due to Project Nirvana:

- Loss of income from rent of additional storey or part of hut. This may be up to the extent of 30 to 40% of all households in any slum society. For the project, the baseline indicates that 22% of the tenements have at least one storey above the ground-floor level;
- Discussions with the corporator indicated that there are approximately 25 individuals who illegally own over 15-20 tenements in the slums onsite and who earn income from the same through rent. These “slum lords” are likely to create a pressure group unless KUL manages to meet/exceed their expectations on the settlement;
- Loss of income for those employed with commercial stalls or galas which have been deemed ineligible.

117. **Note:** Each of the slum settlements comprise of several individuals or “slum lords” in common parlance to own (have ownership proof/power of attorney) to multiple commercial and/or residential structures. Provision of an equal number of structures to such individuals can be considered as an exploitation of the tenet of the slum rehabilitation scheme.
Proposed Mitigation Measures

118. The SRA and KUL will not recognize first and second storey structures for any rehabilitation benefits or assistance. Reportedly, the corporator has asked KUL to undertake voluntary settlements with slum lords on the basis of negotiations. Households that accrue income from rent are not entitled to any other benefits under the SRA regulations. However, under the entitlement matrix that is defined in the next section, such households will need to be treated on par with the ineligible families for mitigation of adverse impacts. It should also be noted that a proposed amendment in the SRA Pune Regulation incorporates the inclusion of those families who are living in G+1 structures holding a valid residential proof.

3.2.4 Eviction of Tenants and Ineligible Households

119. All households and commercial structures are eligible for transit accommodation. The SRA regulations do not provide for accommodation to any tenants or ineligible households and thus they would need to evacuate the premises subsequent to demolition of households. Many times this shifting/eviction results in direct impact on their livelihoods rendering them either vulnerable or exposed to the vulnerability of the situation. The other fallout of these is the adverse impacts on the overall family and their access to education, health care, social networks other support mechanisms.

Proposed Mitigation Measures

120. The SRA scheme has safeguards in terms of provision of transit housing for the people who are likely to be impacted by the proposed development. Typically, the practice of building a transit house (mostly multi-storeyed) either within or close to the site area is practiced by the developers where the eligible households are provided temporary dwelling units and common infrastructure/service facilities (like sanitation, drinking water etc) on the basis of a lottery system. Issue like poor condition/services at these transit accommodation, long period (sometimes as long as 3-4 years) are common resulting in hardships to the impacted families.

121. However in the case of KUL, they propose to use two of their fully constructed towers as the transit building. People to be evacuated will be accommodated in this building temporarily until they are moved into their allotted apartments. Once a phase is rehabilitated, the next phase of evacuated families will occupy these buildings would be finally reconverted into rehabilitation building for the final phase of evicted households. KUL has also constituted provisions wherein households can avail of a monthly rental allowance of INR 7000 to look for their own accommodation and then shift back subsequent to rehabilitation. In this case, the developers are liable to pay the entire rental amount for the period of transit.
3.2.5 Gender-based Impacts

122. In accordance to the requirements of ADB SPS regarding gender development, the Nirvana Hills Phase II Project that is being implemented by Kumar Sinew Developers Limited can be classified as a Category III Project, i.e. “Some Gender Benefits” (1) as per the Gender and Development Policy (1998) wherein there have been specific efforts in project planning to identify possible impacts on women and to include mitigation features in the project design.

123. The socio-economic baseline has identified the following aspects pertaining to gender:

- The project area has an overall sex ratio of 888 females per 1000 males which is lower than that for the Pune district (917);
- No specific estimates of women-headed households are available, however consultation indicate that these could be approximately 10% in each block;
- Women are in the process of organizing themselves into savings groups, however, and are also involved in entrepreneurial ventures in the project area.

124. A study by the Centre on Housing Rights and Evictions (2008) indicates that as women mostly end up migrating to slum along with their spouses, the slums reflect a “gendered social fabric where women are in a subservient and exploitable position relative to men”. This is also indicated by consultations with women group who admitted to substance abuse and other addictions of their husbands making them the economic mainstay of several households. No specific gender disaggregated information on household income, disabilities etc is available from the socio-economic survey. However, consultations indicate the following issues which need further attention:

- Security of Tenure: While the SRA guidelines acknowledge joint ownership, the concept excludes a large number of women who are not legally able to prove any relationship with a man. This gap is a major challenge for single women, widows, deserted women and elderly women;
- Usage of Public Space: Studies (Pukar, 2008) indicate that the public space available to women outside of the tenements is an important aspect of their recreation, and low-rise structures with easy access to corridors and laneways help channelize increased interaction with other groups of women;
- Participation in Planning: Cooperative societies often tend to be dominated by men or the perceived decision makers within a slum and hence women are constrained in meaningfully participating in

conceptualisation, design and implementation phases of slum rehabilitation.

125. Overall, it can be ascertained that the rehabilitation of the Nirvana Hills Phase II Project will need to adopt a gender sensitive approach in order to improve the perceived benefits of access to improved housing, quality of life and most importantly, access to improved and personalized sanitation and health & education networks. **The framework for the Gender Action Plan, as illustrated in the ESMP, highlights inclusive measures to improve female participation.**

### 3.2.6 Community Impacts

126. The proposed slum rehabilitation project will also involve an impact on community infrastructure (such as municipal schools, utilities etc.) as well as other community assets such as local temples or other religious structures, community halls, society offices etc. KUL has not undertaken any enumeration of the number of such community structures that are likely to be demolished due to the project, and indicative estimates suggest that there are anywhere between 6 to 10 such structures in each slum block. Hence there would be a need to rehabilitate approximately 50-60 community structures, particularly local temples or monuments of cultural significance. There are also several community-based groups, i.e. Ganesh Mandals etc. which organize festivals within slum blocks and that typically look after any local heritage structures.

**Proposed Mitigation Measures**

127. The SRA Guidelines provide a clear indication on the nature and types of amenities that are to be made available to the communities post rehabilitation (such as balwadis, society offices, community halls etc.). Reportedly, each rehabilitation building will have a specific number of welfare amenities and all local temples that are to be demolished will be rehabilitated.

### 3.2.7 Impact on Vulnerable Groups

128. International standards, particularly the ADB Safeguards requirements, advocate protection of vulnerable groups in case of project-led expropriations. Vulnerable groups are those individuals and families that may be differentially or disproportionately affected by the project because of their disadvantaged status. This status may stem from an individual’s or group’s race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The socio-economic survey has indicated that there are approximately 830 individuals that are suffering from vulnerabilities induced from addiction, physical disability, old age and a prolonged illness.

129. Currently there is a lack of system/mechanism in place to trace/track/monitor the status of the families/households that were rendered ineligible.
and who may be vulnerable and hence not entitled to tenancy and other benefits. These categories of impacted families are likely to be most adversely impacted with eviction/separation from their established networks and accesses. There needs to be a process/mechanism in place to document/record and monitor these families and provide support in their coping mechanisms, in case they are facing difficulties.

**Proposed Mitigation Measures**

130. It is understood that the local community has mechanisms by which constraints of any disadvantaged households are brought to the notice of KUL. However, such systems will need to be formalized through the Community Relations Team. Vulnerable families, whether eligible or ineligible, should be entitled for special assistance as defined by the entitlement matrix in the subsequent section.

3.2.8 **Damage to Assets/Structures**

131. The site layout/characteristics (Figure 3.8) suggest that during the construction phase, there is a likelihood of damage to assets/structures in adjoining properties as well as within the project area. Damage can be caused by truck movement, dumping of construction debris or other similar project activities.

*Figure 3.8 Adjacent Properties near the Kelewadi Settlement*

132. *Figure 3.8* indicates the density of settlements and adjacent properties (mostly slums and residential colonies) that are located along the perimeter of the project area earmarked for rehabilitation. It is understood that some settlements, such as Rautwadi and Hanuman Nagar which are presently
located on the “Hill top Hill slope” land will not be shifted during construction and hence they are also vulnerable to impacts of damage on adjacent land.

Proposed Mitigation Measures

133. Any damage to property or assets owing to project activities will be compensated at full replacement cost by taking into account any improvements to the asset as well as rightful ownership and occupancy. No specific estimates of adjacent structures are available.

Security of Tenure

134. ERM understands that the land addressed as Survey no. 44/1 Erandwana, Municipal ward 57 has been leased out to M/s Sinew Developers Limited on a long-term lease basis. This same Sinew Developers Limited or the erstwhile Megapolis Developer was incorporated with Kumar Urban Developers Limited as in 23 of March, 2009 under the name “Kumar Sinew Developers Limited”.

135. Therefore, after the incorporation, the lease hold rights along with the development right automatically passed on to Kumar Sinew Developers Limited. Kumar Sinew Developers Limited, as per the original deed dated 13/05/1982 is currently the lessee up till the year 2032 after which there is an option of an extension of 49 more years. KUL, along with the liaison of the corporator, is in the process of extension of lease to ensure security of tenure of all the eligible families post rehabilitation. KUL has provided proof of the 99 year lease as a part of the legal due diligence. It should be hereby noted that the slum dwellers will continue to own their rehabilitation units under the provisions of the SRA.

Proposed Mitigation Measures

136. Consultations with the municipal corporator indicate that there were concerns regarding the security of land lease and tenure and accordingly the Slum Rehabilitation Authority (SRA) Pune had asked KUL to get a legal opinion on the same. It is known to ERM that they are in the process of filling for an extension for an additional 99 years or an indefinite lease. In accordance to the applicable reference framework, security of tenure will need to be facilitated in the form of ownership papers (adequately authorized and notarized) within at most one year of shifting into the rehabilitation building.
Box 3.3  Tenure Issues at Wadar Wasti – Residual Challenges for KUL

Under the first phase of the project which was carried out in the Wadar Wasti area, back in 2000, the erstwhile Megapolis Developers had already shifted 463 slum dwellers and 25 shops into eight rehabilitation towers. However as per the SRA scheme, there were about 8-10 non-eligible families who were still residing in slums inside the complex. KUL have over the past month or two managed to reach an agreement with all but three families. Around five (5) families from this area who have given conditional consent for their rehabilitation have been relocated temporarily to the transit building in Rajiv Gandhi park and two (2) families have been successfully rehabilitated into the Wadar Wasti rehabilitation buildings itself.

To further complicate matters, the society registration for WadarWasti (as of July 2011) was pending and hence no occupancy certificate has been received. However, as construction of the sale component had to commence, families were shifted into the rehabilitation buildings without adequate documentation, i.e. registration papers etc. as they are pending verification from the SRA. The key discrepancy in this process is that the households at WadarWasti were impacted by the extension in the deadline from the erstwhile 1.1.1985 to the present one, i.e. 1.1.1995 and the resolution of eligibility of families has not been verified in a timely manner.

Note: Wadar Wasti is not included within the purview of Nirvana Hills Phase II
ELIGIBILITY CRITERION AND ENTITLEMENTS

137. Project Nirvana (Nirvana Hills Phase II Project) envisages the rehabilitation of approximately 4500 slum families out of 211,423 slum families in the city of Pune, thus constituting approximately 2.1% of families. The Project is being backed by international development finance institutions with an aim to providing holistic housing and sustainable development to the intended beneficiaries, thus making Project Nirvana an important milestone in making the city of Pune slum free by the year 2015 as enunciated by Chief Secretary in the Government of Maharashtra.

138. This section documents the principles, entitlements and additional measures that need to be taken to ensure that the benefits and opportunities arising from the Nirvana Hills Phase II Project are shared amongst the different impacted groups. The framework for entitlements has been developed with reference to the comparison of ADB/IFC Guidelines and the SRA Regulations applicable to the project as well as consultations with the project proponents, relevant government authorities and affected community.

139. This section comprises of the following:

- An introduction to the broad principles of the rehabilitation process which outlines the commitment of the project proponent to mitigate, to the extent feasible, the socio-economic impacts of the project;
- A brief description of the proposed benefits under the slum rehabilitation scheme and the determination of eligibility hereunder;
- Entitlements under the SRA Act as well as ADB SPS requirements and other monetary/non-monetary entitlements;
- An outline on the Company Policy for non-eligible slum dwellers who are present in the Project area.

4.1 PRINCIPLES OF THE REHABILITATION PLAN

140. The key principles to guide the slum rehabilitation process for Nirvana Hills Phase 2 are as follows:

- The slum rehabilitation process will be cognizant of the overall objectives of the improvement in the quality of life and the creation of respectable, hygienic and environment friendly living conditions for the slum dwellers;
- Physical and/or economic displacement of families will be avoided, as far as possible, or minimized within the purview of the applicable regulatory framework by exploring different/socially feasible design and relocation options;
- Wherever physical and/or economic displacement is unavoidable, the project-affected persons will be assisted in improving or regaining their standard of living;
- Vulnerable groups will be identified and assisted to improve their standard of living;
- Any damage to assets and properties belong to affected people during the slum rehabilitation process will be compensated at their replacement value;
- Affected persons who are unable to accrue of the benefits of the slum rehabilitation scheme but who have economic interest of livelihood loss will be assisted as per the broad principles brought out in this policy;
- The rehabilitation process will guarantee security of tenure to all beneficiaries of the slum rehabilitation scheme;
- All information related to the slum rehabilitation scheme will be disclosed to all concerned, and people’s participation will be ensured in planning and implementation of the project with slum dwellers; and
- The rehabilitation process will be monitored and evaluated as a part of a transparent management system.

4.2 **Implications of the Slum Rehabilitation Scheme**

141. Slum rehabilitation in the city of Pune can be achieved under the following three avenues:

- Under the provisions of the Basic Services for Urban Poor (BSUP) programme of the Jawaharlal Nehru National Urban Renewal Mission, (JNNURM) – a Government of India initiative, about INR 300 crore has been earmarked for relocating shanties;
- The second avenue under JNNURM is what is called ‘in-situ' development where proper dwellings are constructed on the existing slum site using 10% contribution from slum dwellers and remaining shared between Municipal, State and Central Government funds; and
- The third option for slum reconstruction is under the Slum Rehabilitation Authority schemes established in 2005

142. Project Nirvana being an SRA approved scheme falls under the third avenue outlined by Government of Maharashtra. The scheme involves redeveloping a portion of the identified slums to provide improved residential quarters for the eligible residents of the slum while opening up an opportunity for the developers to undertake commercial development of the remaining space. At present, Project Nirvana is one of 133 slum rehabilitation schemes in Pune that are in different stages of planning, evaluation and implementation covering over 50,000 tenements as discussed in the context to the socio-economic baseline (SRA Pune, 2011).
143. The recently amended regulations of the SRA applicable within the Pune and Pimpri Chinchwad Municipal Corporations incorporate the following features that need to be highlighted from a resettlement perspective:

- Every slum structure existing prior to 01/01/1995 is treated as a protected structure and slum dwellers whose names appear in the electoral rolls as on 01/01/1995 and who continue occupancy rights within the settlements are eligible for rehabilitation;
- Every eligible residential slum structure is provided with an alternative tenements admeasuring 269 sq ft whereas every eligible commercial structure is granted alternative tenement having at most 25 sq mt;
- A minimum of 70% consent of eligible slum dwellers is required for rehabilitation;
- Along with the free rehabilitation tenements, the developers also have to provide welfare amenities/communal properties in the ratio proportional to 500 tenements, for instance, one health centre/anganwadi per 500 tenements. In addition, society offices, religious structures etc. are also provided;
- KUL will need to provide a temporary transit camp or transit arrangements prior to rehabilitation. A transit camp for a minimum of 50% of eligible slum dwellers is needed to be constructed – however the same is excluded from computation of Floor Space Index.

144. In the context of resettlement and compensation, the key gaps that need to be highlighted are as follows:

- **Eligibility criterion:** For Project Nirvana, the SRA has established an eligibility criterion/cut-off date of proof of residence and structure ownership prior to or on 01/01/1995. This is the legal provision for eligibility under the slum rehabilitation scheme. With respect to the socio-economic survey, cut-off dates were established to reflect the completion of the survey within a slum block/cluster in order to determine the existing number of households/structures. The cut-off date for the survey in each slum block cannot be interpreted as the cut-off date for the benefits under the SRA’s slum rehabilitation scheme. It is essentially a cut-off for the entitlements defined under the rehabilitation plan as per the ADB SPS (e.g. compensation for structure and other improvements which need to be covered by full replacement cost);
- **Loss of structure and assets:** SRA guidelines do not provide any compensation for lost of structure and assets in terms of costs incurred for refurbishments, increased number of floors, provision of private sanitation etc. While eligible households get a residential structure of 269 sq ft and/or commercial tenement of 25 sq mt, the ineligible households are left without any provisions for compensation for structure and other improvements which need to be covered by full replacement cost as per international standards;
- **Livelihood losses:** Contrary to the emphasis of international standards on livelihood restoration and compensation for any loss of income, the slum
rehabilitation scheme does not provide for livelihood resettlement strategies of slum dwellers or any relocation assistance towards the same;

- **Vulnerability:** The SRA does not have any specific guidelines in place to assist any impacts to vulnerable individuals and groups. However, it should be noted that the SRA guidelines are minimum requirements and the project proponents are allowed to provide assistance beyond these stipulations.

**Box 4.1 Eligibility Criterion and Cut-off Date**

A key distinction needs to be made between the eligibility criterion for the slum rehabilitation scheme and the cut-off date for the socio-economic survey carried out by KUL through an NGO. The purpose of the former is to establish the total number of families eligible for rehabilitation under Project Nirvana while the latter establishes the baseline of the slum settlement and identifies affected groups that will be covered under the proposed entitlement framework (Section 4.3).

It should be highlighted that the eligibility criterion for rehabilitation benefits set by SRA (i.e. 1st January 1995) is widely publicized and known among the residents of the slum and the various stakeholders involved, such as the municipal corporator. The SRA/PMC is required to notify all slum dwellers of the Annexure II Survey end date which would be the Project cut-off date. In parallel, it is understood that the Community Relations Team in KUL as well as the personnel of the NGO Vatsalya provided prior information on the socio-economic survey in each cluster in order to ensure maximum coverage of information and participation of slum dwellers.

The socio-economic survey was initiated on August 2010 and though the enumeration was completed by 28 September 2010, the filling of incomplete questionnaires apparently continued till May 2011 across the slum blocks (with the exception of WadarWasti). It is understood that any families/households/structures that have been built subsequent to the survey will not be considered under the entitlement framework of the rehabilitation plan.

**4.3 Proposed Entitlement Framework**

145. This section enumerates the entitlements for the various impacted categories identified in Section 3.2 in accordance to the Slum Rehabilitation Act as well as in compliance to the ADB SPS requirements for Involuntary Resettlement. To summarize:

- Any person displaced due to Project Nirvana will either be eligible for benefits under the slum rehabilitation scheme; whereas non-eligible persons will be entitled to other forms of assistance under the proposed entitlement framework;
- Unforeseen impacts of damage to structures or assets adjoining the area, but outside the area of impact will also be compensated in accordance to the principles of this framework;
- Any persons who have lost occupancy rights but possess neither formal legal rights nor recognized or recognizable claims will have limited or no entitlements under the framework.

146. *Table 4.1* provides a description of proposed entitlements and assistance to affected persons/households on the basis of their eligibility for the slum rehabilitation scheme, including social and economic vulnerability of the persons. This entitlement matrix is an exhaustive list of entitlements based on the resettlement framework principles.
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Type of Impact</th>
<th>Entitled Category</th>
<th>Entitlements and Description</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of Structure (Residential)</td>
<td>Eligible (1) Families</td>
<td>• Rehabilitation into an apartment of 269 sq ft which has been designed by KUL architects to accommodate 2 bedrooms, hall, kitchen and private sanitation facilities;&lt;br&gt;• Provision of Transit Accommodation or Transit Allowance/Arrangement;&lt;br&gt;• One-time Shifting allowance on mutual negotiations as per size of family and transit option;&lt;br&gt;• Additional benefits from Community Development and Capacity Building&lt;br&gt;  The reconstructed tenement shall be of the ownership of the eligible hutment dweller and spouse co-jointly; and shall be so entered and be deemed to be so entered in the records of superintendent land and revenue through SRA, as well as the co-operative housing society, including the share certificate and all relevant documents.&lt;br&gt;• Such tenement shall not be sold or leased by the hutment dweller till 10 years without permission of SRA.</td>
<td>• At present, estimates of eligible families are approximately 2900 in accordance to the SRA cut-off of 1.1.1995. This figure is likely to increase if the Government of Maharashtra and SRA approve/ratify an extension to the cut-off up to 1.1.2000;&lt;br&gt;• KUL will ensure that each eligible family receive occupancy certificate and property registration in order to avoid security of tenure issues as experienced in WadarWasti.</td>
</tr>
<tr>
<td>2</td>
<td>Loss of Structure (Commercial)</td>
<td>Eligible Owners of Commercial Structures</td>
<td>• Rehabilitation into a commercial unit/gala with an upper limit of 25 sq mt;&lt;br&gt;• Provision of Transit arrangements (either alternative galas or rental allowance )&lt;br&gt;• One-time Shifting allowance on mutual negotiations.&lt;br&gt;• The reconstructed tenement shall be of the ownership of the eligible hutment dweller and spouse co-jointly; and shall be so entered and be deemed to be so entered in the records of superintendent land and revenue through SRA, as well as the co-operative housing society, including the share certificate and all relevant documents.&lt;br&gt;• Such tenement shall not be sold or leased by the hutment dweller till 10 years without permission of SRA.</td>
<td>• At present, estimates of eligible commercial structures are approximately 50 in accordance to the SRA cut-off of 1.1.1995. This is an understated estimate as the results of the SRA survey have not yet been published. This figure is likely to increase if the Government of Maharashtra and SRA approve/ratify an extension to the cut-off up to 1.1.2000</td>
</tr>
<tr>
<td>3</td>
<td>Loss of Structure (Residential cum Commercial)</td>
<td>Eligible Families under SRA</td>
<td>• Rehabilitation into an apartment of 269 sq ft and a commercial unit of 25 sq mt which has been designed by KUL architects to accommodate 2 bedrooms, hall, kitchen and private sanitation facilities;&lt;br&gt;• Provision of Transit Accommodation or Transit Allowance/Arrangement;&lt;br&gt;• One-time Shifting allowance on mutual negotiations as per size of family and transit option.&lt;br&gt;• The reconstructed tenement shall be of the ownership of the eligible</td>
<td>Same as above</td>
</tr>
</tbody>
</table>

(1) Eligibility under SRA is as established by the legal cut-off date of 1.1.1995 or 1.1.2000 (when ratified and approved)
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Type of Impact</th>
<th>Entitled Category</th>
<th>Entitlements and Description</th>
<th>Implementation Issues</th>
</tr>
</thead>
</table>
| 4     | Loss of Structure (Residential/Commercial) | Ineligible Families under SRA but who have settled in the Project Area before the “Project cut-off date” which is defined in Section 1.5.2 | - Facilitation to prove eligibility;  
- Integration into the Rajeev Awaas Yojana for accommodation into Project Nirvana;  
- KUL will not evict any ineligible family without giving options of resettlement/negotiations as decided;  
- KUL will record for each ineligible family the option they have been provided;  
- Provision of Transit Accommodation /Arrangement  
- The reconstructed tenement shall be of the ownership of the eligible hutment dweller and spouse co-jointly; and shall be so entered and be deemed to be so entered in the records of superintendent land and revenue through SRA, as well as the co-operative housing society, including the share certificate and all relevant documents.  
- Such tenement shall not be sold or leased by the hutment dweller till 10 years without permission of SRA. | - It will be difficult to determine/distinguish the genuinely ineligible families from opportunistic encroachers or squatters;  
- Likely to set industry benchmarks/precedents; |
| 5     | Relocation of Community owned asset/religious site/community-based infrastructure | General Community | - Replacement of common asset/religious site in consultation with the slum dwellers;  
- Shifting and replacement of utilities and community-infrastructure in consultation with slum dwellers and planning authorities. | - It is understood that slum dwellers in Hanuman Nagar and Rautwadi may not need to be provided with transit accommodation as they are currently situated on hill-top hill-slope land;  
- KUL will need to ensure that their access to public infrastructure is not disrupted due to construction. |
| 6     | Vulnerable Families | Women Headed Households; BPL Families; Families with members with disability/illness regardless of SRA eligibility | - Vulnerable families will need to be identified;  
- Priority in shifting into transit accommodation as well as into the rehabilitation building;  
- Vulnerable individuals would be provided a one-time Economic Rehabilitation Grant as well as measures through livelihood restoration framework;  
- Facilitation of vulnerable families to manage any compensation/allowance that is received, especially for any ineligible families;  
- Additional benefits from Community Development, Livelihood Enhancement Schemes and Capacity Building | - Indicators of vulnerability to be clearly defined and details to be reflected in Management Information Systems;  
- Tracking of vulnerable families |
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Type of Impact</th>
<th>Entitled Category</th>
<th>Entitlements and Description</th>
<th>Implementation Issues</th>
</tr>
</thead>
</table>
| 7     | Transit Accommodation/Arrangement  | All impacted households based on Project cut-off date  | - Construction of transit accommodation within the site for at least 50% of the total impacted households;  
- Rental allowance (to take into consideration inflation) specific for residential tenements and for commercial tenements;  
- Facilitation in the shifting process for vulnerable families; | - Project schedule may not be able to accommodate the construction of suitable/a adequate transit settlements in-situ and hence KUL may have to provide/facilitate options within a radius of 2-3 km;  
- Tracking of families who opt for self-relocation for transit will be difficult |
| 8     | Temporary Loss of Rental Arrangement | Tenants                                                | - Shifting allowance from KUL as per size of family and any other vulnerabilities; | - Identification of families/individuals living on rent who have already moved out of the site prior to demolition; |
| 9     | Voluntary Displacement, i.e. self-relocation | Tenants                                                | - Negotiated settlements on the basis of a minimum threshold value for any families/disadvantaged group that are unable to bargain with KUL;  
- Valuation of dwellings and other permanent structures would be factored into the mutually agreed land sale price;  
- Facilitation in identifying potential relocation options | - |
| 10    | Loss of Income Generation          | Individuals                                            | - Negotiate with the impacted persons a proportion of the full replacement cost to be paid against loss of income;  
- A lump sum shifting and transitional allowance irrespective of years of association; | - |
| 11    | Damage to Structure/Asset          | All impacted households                                | - Compensation at full replacement cost of the damaged asset;  
- Repair of structure (partial or entire) that has been damaged owing to construction/project activity at KUL’s own cost  
- The people settled after the Project cut off date will be evicted as per procedures and compensated according to Item 12 in the below row. | It should be noted that the cost of construction of the rehabilitation unit exceeds that of a typical hutment in any other area.  
The material cost to build the house has been has been included in the cost for resettlement.Replacement cost is usually the cost of materials and labor at prevailing market price without deduction for depreciation. |
| 12    | Eviction of Opportunistic Encroachers | Squatters as per Project cut-off date, i.e. those who settled or built structures after the Project cut-off date | - Encroachers will be notified to vacate 45 days prior to demolition followed by a reminder every 15 days thereafter.  
- Encroachers will also be notified to remove their salvage material from any demolished structure; | - |

*Source: ERM’s Output 2011 (Based on discussions with KUL Management, SRA, Municipal Corporator and affected community)*
4.4 COMPANY POLICY ON NON-ELIGIBILITY

147. KUL has put together a draft policy for non-eligible slum dwellers which is pending finalization and approval from the management. The non-eligibility policy considers those tenements/slum dwellers that have been present/resident in the project area after the legally mandated eligibility cut-off date, i.e. 1.1.1995 (as per the present status) and on or before the completion of the end date of the Vatsalya-led socio-economic survey which is determined to be the project cut off date (Refer Section 1.5.2). However, it is to be noted that the survey for Wader Wasti is ongoing and therefore, the above mentioned cut-off date is not applicable for the Wader Wasti Tenements.

**Box 4.2 SRA View on Eligibility**

| Eligibility as per SRA depends on the proof of residence of the Slum Dweller prior to 1.1.1995 for which name of dweller should appear on electoral roll or other documentary proofs subject to verification by the authority called “Competent Authority” those who found eligible on the basis of above documentary proof and physical verification of structure. If the authority finds, that the documentary proofs are insufficient, then the dweller becomes ineligible. As per provision of Slum Rehabilitation Act, 1973 the dweller can appeal in Higher Court for his eligibility. Hence, ineligibility of dweller changes time to time and also it change if, criteria of eligibility changed. |

*Source: Formulated by KUL*

148. At the outset, the strategy states that the project has been planned with an estimated “in-situ” rehabilitation of 4500 families which will include those who are eligible as well as households/tenement owners who are able to ascertaibn their eligibility by legally acceptable means. As a commitment, “KUL commits to providing all assistance and support to all ineligible dwellers to submit their claim their eligibility to SRA in adequate manner”. In addition, “KUL will ensure that none of the slum dwellers will be left homeless even if they do not fall in any Government Housing Schemes (subject to approval from Slum Rehabilitation Authority) All ineligible slum dwellers will be given adequate monetary consideration for their alternate accommodation during transit period until they are accommodated with any other Government Scheme such as RAY”. KUL will not differentiate among all those ineligible as per the project cut-off to shift on transit and they will be treated as eligible until they are accommodated under "RAY" rehabilitation or cash compensation which will be negotiated by KUL. This only applies to ineligible families under the SRA but who have settled in the Project Area before the Project cut-off date.
Box 4.3 Commitments of KUL’s Policy

- KUL Policy on ineligibles applies only to slum dwellers that were deemed ineligible under the SRA regulations but who are covered by the Project Cut-Off Date (see Section 1.5.2); 
- KUL will resort to amicable negotiations with any dissenters/opposers to the slum rehabilitation scheme through the Community Relations and Grievance Cell and any legal action will be called upon as a last resort; 
- Allotment of housing will take vulnerable groups into account after which a lottery system will be implemented; 
- KUL has committed to facilitate the formation of cooperative housing societies which will include training and capacity building through the community relations team; 
- Provision of rental allowance as well as a one-time shifting allowance to all families during transit whether eligible or otherwise; 
- KUL has committed to put in place a team to prevent/curb/evict opportunistic encroachment; 
- KUL has committed to work with external stakeholders, i.e. SRA and NGOs to implement the slum rehabilitation scheme.

*Source: Formulated by KUL

149. It is recognized that the final version of the KUL Corporate Policy for eligibility and non-eligibility will need to consider and expand on the following, some of which are commitments as provided by the Principles outlined in this Rehabilitation Plan:

- The Policy will provide a linkage to the social development and livelihood restoration plan that can get triggered owing to the project as outlined in the Rehabilitation Plan;
- The Policy will indicate the definitions of vulnerable groups and the process by which they will be identified within a large/congruous slum settlement;
- The Policy will indicate a possible road-map by which there will be clarity on accommodation of all families through separate mechanisms such as the Rajeev Awaas Yojana or other housing initiatives;
- The Policy will address post-rehabilitation issues, specifically regarding community-based environmental management of the society/property premises and any measures/initiatives that are likely to be considered for the same;
- The Policy will elaborate and build upon the proposed amenities that have been planned in order to make a case for holistic housing and improvement in the overall quality of living;
- The Policy will demonstrate a gender-sensitive approach as well as clearly enunciate its position on opportunistic encroachers and lack of support for development of slums.

150. The objectives of the policy will clearly state and define that the non-eligible families would be considered as vulnerable to the adverse impacts of physical displacement from the project area and so they would need to be provided with support in transition and long-term security of tenure, either through provision of housing or a one-time negotiated settlement. The policy will be finalised once the ESMP is approved by ADB.
151. It should be emphasized that as Project Nirvana is being viewed as a major rehabilitation within SRA, Pune; the KUL “Corporate Strategy on Entitlements for Nirvana Hills Phase II” (when finalized and disclosed) is likely to set precedents, benchmarks and will also be a subject to critique as well as action from pressure groups or builder lobbies.

**Note:** This review is based on the “Vision and Corporate Strategy”, i.e. Document Identification - ESM CELL/ESMP 5.1/sarang/ draft vision and strategy.

4.5 **PROPOSED STRATEGY FOR INELIGIBLE FAMILIES**

152. The strategy of one-time cash compensation will be applicable for those families (categorized subsequently) declared ineligible based on mutual discussions that take into account:

- The official list of non-eligible tenements through SRA’s assessment;
- The list of tenements that are not included as per the socio-economic census survey completed in (1) May 2011.

**Category ‘A’**

This category includes those tenements and families who were considered ineligible as per the SRA Annexure II Survey and subsequent submission of residency proof and other grievances. Essentially, such families would have settled much before 2009.

**Category ‘B’**

This category includes those families that are not named/enumerated in Annexure II but who have structures and/or families presently living in the slum as identified under the Project Cut-Off Date (see Section 1.5.2) and having submitted the relevant proof of residence.

**Category ‘C’**

This category considers those families who:

- Do not have a permanent structure, family and who do not live in the slum;
- Possess only a structure which is occupied by another family;
- Opportunistic encroachers who made/improved structures subsequent to the Project Cut-Off Date (see Section 1.5.2) and who do not have their structure demarcated in the cadastral survey of the slum block;
- A family or part of the family already having benefitted under another SRA Scheme.

(1) The data collection and submission of documentation proof proceeded till May 2011, for those households covered under the survey.
153. The following commitments will need to be adhered to:

- Compensatory housing will be provided by KUL to all the eligible slum families identified;
- For eligible and the non eligible tenements alike, INR 80,000 will be paid by KUL to those residing in slum blocks within the buildable zone of which 50% will be paid before the people vacate the slum, and the rest half will be paid once they need to move back to the constructed houses;
- Monthly rent (of at least INR 7,000 or as defined by the market rates), irrespective of eligibility, will be paid till the time they shift into options as identified above.

154. An ownership certificate (joint ownership) will be issued to the slum dwellers with a holding period of 10 years (see table 2.2, page 32 of the RP). The regulatory framework does not provide for additional entitlements if the slum tenement is bigger than 25 m². Bigger structures should be considered as “damaged structures” under the entitlement matrix and should be eligible for cost at replacement value. However, it should be noted that provision of a rehabilitation unit does involve an improvement as compared to the previous situation due to security of tenure and better facilities.

155. Additionally, for the non-eligible families the following options will be proposed by KUL to the slum dwellers with the objective that all slum dwellers who settled in the Project area before the "Project cut-off date" will be provided with housing or cash compensation at replacement cost:

- Option I: Cash option will be offered by KUL to ineligibles, in case there is no commitment under RAY from the Government or in case the ineligibles cannot be accommodated in the Nirvana Phase II in-situ slum rehabilitation scheme. The cash option will be negotiated with the slum dwellers and the amount is expected to be approximately a sum equivalent to two year monthly rent, apart from Rs 40,000 as cost of structure as an inconvenience amount similar to one given for facilitation transition.

- Option II: Access to Low cost Housing: Initial deposit to be made by the developer as a part of the beneficiary contribution for the Rajiv Awas Yojna, which comes as 10 percent of the contribution for the housing. For those under the building plan, a monthly rent of INR 7000 monthly rent for transit till the time they do not move into the flats under RAY. Those who fall outside the buildable zone will not be shifted until the allocation under RAY is not done. KUL has however obtained a Letter of Intent (LoI) (refer Annexure A) from SRA Pune stating that, SRA Pune has been designated as the Implementation authority for RAY within Pune Pimpri Chinchwad Area. Thus, it becomes clear that the formalities for treatment of ineligible slum dwellers will also be governed by the normal process of SRA Pune while sanctioning the rehabilitation scheme. Accordingly, KUL shall be entitled to benefits available under SRA as well as RAY.
To the extent that they do not qualify under the SRA, any other costs required to provide "SRA ineligible households" with housing under the rehabilitation scheme will be shouldered by Kumar under Option III below.

- Option III: Access to in-situ housing by the developer: Also the option of giving housing under the SRS without compensatory FSI for KUL will be explored through SRA.

Note: Options I-III are only being considered for Category A and B.

156. With respect to commercial structures:

- For the eligible tenements, compensation for the commercial entities will also include INR 5000 extra, over and above the monthly rental of INR 7000 as discussed earlier, as transition amount till the time they are shifted with commercial space in the new housing;

- For the ineligible commercial tenements, commercial losses for a period of two years (in consultation, negotiation with the owner/user) will be provided as a transition amount. This is based on the premise that provision of lump sum compensation will allow them to invest in meaningful commercial activity and restore their livelihood. They will likewise be entitled to participate in the livelihood training programs to be implemented by KUL.

157. Additional development benefits associated with low-cost housing and to fully integrate any adverse economic impacts or effects on vulnerable families is further provided in a suggested social development and livelihood restoration framework.
158. This section discusses the available details on site development, layout and description of building amenities for the Nirvana Hills Phase II Project. A brief description of activities involved from planning, demolition up to the shifting into rehabilitation buildings and maintenance is also provided. This section is linked to the Demolition Plan that is provided in the ESMP as well as the grievance redressal mechanism.

5.1 SITE DEVELOPMENT AND LAYOUT

159. The Nirvana Hills Phase II Project is centrally located in Pune city amid densely populated areas such as Kothrud (on the west), Deccan Gymkana (on the north east), Sadashiv Peth (on the east), Erandwana (on the south east) and Dattawadi (on the south). The site is flanked to the north and north-west by the institutional campus of the Automotive Research Association of India (ARAI) whereas adjacent areas are largely residential as well as populated by slum settlements.

5.1.1 Land-use

160. The project area involves the land-use conversion of a private plot that has been encroached upon by slums into a residential cum township project. The entire site is spread over a plot area of approximately 79 acres or 320,826 m² of which at present, slum blocks occupy approximately 120,000 m². Figure 5.1 indicates the following land-use pattern upon completion of the project.

*Figure 5.1 Proposed Land Use in the Plot Area

![Proposed Land Use in the Plot Area](image)

*Source: FSI Statement of Project Architects

161. It can be observed that the current planning for the project has taken into account that the residential and commercial development area (inclusive
of slum rehabilitation) will be no more than 33% of the total area. This also indicates the emphasis on amenities, open spaces and compliance to development restrictions, all of which are likely to contribute to improved living standards for the slum dwellers.

5.1.2 Layout Planning

162. The layout plan of the proposed slum rehabilitation buildings (Refer Annexure B) has taken into consideration the existing reservations/constraints on development on the land, i.e. the hill-top hill-slope area which is not permitted for any construction as well as the prevalent topography of the site, i.e. the north-south direction. The planning also provides for adequate ventilation and natural lighting as each of the rehabilitation units would face either the east or the west direction.

163. Although the site layout, building plans and structure have not been finalized, it is understood that the proposed rehabilitation towers will be compliance to the guidelines of the Slum Rehabilitation Authority as well as the National Building Code (2005). The ESMP has also suggested that the Eco-Housing Criteria of the Pune Municipal Corporation should be incorporated wherever feasible.

Box 5.1 Key Specifications for a slum rehabilitation building

The key specifications as per SRA which the developer is required to comply while constructing the rehabilitation towers are:

- A Carpet area of 25 sq. m. or 269 sq ft including balcony, bath and water closet
- A Carpet area of 25 sq m or 269 sq ft for displaced shops and commercial establishment
- A multi purpose room with size up to 12.5sq.m and with a minimum width of 2.4 m
- The cooking space allowed with a minimum size of 2.4sq.m with minimum width of 1.2 m
- Width of pathway around the buildings to vary from 1.5m to 3m starting from a pathway length of 20m and incrementing by 0.5 for every increase of 10m
- It is not essential to provide flushing cisterns and toilets without this provision can be supplied. The water closet seat shall be of minimum of 0.46 mt (18 inches) in length
- The minimum internal dimension for a water closet (if separately provided ) shall be 0.90m x 1.10m
- The minimum internal size of ventilation shaft provided shall be 1.50m x 2.40 m
- A septic tank shall be provided with capacity of 141.6 liters (five cubic feet) per capita where the municipal services are likely to be available within four or five years or so. Pour flush water seal latrines (NEERI TYPE) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high.

Source: SRA Pune Website

164. With reference to amenities and the calculation of space for the same, this is based on regulations of the SRA (Appendix T of Special Rules of the SRA) which are available for review:

“srapune.gov.in/.../Schedule_A_%20SRA_Pune_regulations_11122008.pdf”
Rehabilitation Flat Design

165. Nirvana Hills Phase II will involve the construction of at least 21 rehabilitation buildings, each having 11 floors with 13 flats on each floor. Lifts will be provided for all rehabilitation buildings. In accordance to the SRA Guidelines, each eligible family will be provided with rehabilitation flat of 269 sq ft of net carpet area. Conventionally, these units (erstwhile carpet area of 225 sq ft) comprised of a one room & kitchen structure with an attached toilet and bathroom. However, KUL has designed a unique 2 rooms, hall, and kitchen and attached toilet cum bathroom within the same carpet area.

Figure 5.2 Interiors of Rehabilitation Flat

166. KUL’s model flat layout has also proposed to provide empty space before the main door of each flat which takes into consideration the use of space of slum dwellers for interaction, leisure etc. KUL is also proposing to provide the community with modular amenities and basic minimum furnishing facilities at an extra cost. Reportedly, this initiative has been well received by the slum community and KUL has incorporated some of their suggestions to redesign the flat, thus increasing ownership towards the project.

*Source: KUL, ADB May 2011 Mission Photos*
5.1.3 Infrastructure and Other Amenities

167. As indicated in the ESIA report, certain number of utilities is planned for the entire project area for Nirvana Hills Phase II. Some of the general multipurpose utilities include shopping malls, community centre, kids’ playgrounds, crèche, temples and green zones. The primary utilities required for day to day functioning of the buildings as assessed and studied in details are:

- Lifts
- Parking Arrangements;
- Water Supply and Storage system;
- Sewage Disposal System;
- Power Supply and Backup system for lifts and water pump;
- Fire Fighting system; and
- Rain Water Harvesting.

168. SRA defined amenities in Appendix T of Special Rules of SRA have been agreed to get first priority under the scheme. In addition, the following basic amenities (Table 5.1) have been agreed upon between KUL and the Municipal Corporator in relation to the rehabilitation buildings.

<table>
<thead>
<tr>
<th>Amenity</th>
<th>Area (Square Feet)</th>
<th>Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Society Temple</td>
<td>500</td>
<td>5</td>
</tr>
<tr>
<td>Gymnasium</td>
<td>2000</td>
<td>3</td>
</tr>
<tr>
<td>Library</td>
<td>1000</td>
<td>2</td>
</tr>
<tr>
<td>Self-employment Centres for Women</td>
<td>10000</td>
<td>1</td>
</tr>
<tr>
<td>Playground</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Primary School and Secondary School (of the same area of more as present)</td>
<td>-</td>
<td>1 + 1</td>
</tr>
<tr>
<td>“Vitthal” Temple in 6 blocks and 1“Sai Temple”</td>
<td>200</td>
<td>6 + 1</td>
</tr>
<tr>
<td>Day-care centre/ crèche (Anganwadi)</td>
<td>200</td>
<td>13 + 2</td>
</tr>
<tr>
<td>Multipurpose Community Hall</td>
<td>5000</td>
<td>1</td>
</tr>
<tr>
<td>Senior Citizen Recreation Centre</td>
<td>3000</td>
<td>1</td>
</tr>
<tr>
<td>Provision for Ganpati Temple in each building</td>
<td>200</td>
<td>39</td>
</tr>
</tbody>
</table>

*Source: Municipal Corporator’s Office

Sustainable resource use options

169. The project proponents have committed to integrated sustainable resources use options in the project design and layout. Some of the proposed initiatives that are highlighted would also imply increase sustainability of the fittings/premises as well as the additional capacities that will be required to be formulated within the slum dwellers (Table 5.2):
## Table 5.2 Implications of Sustainability on O&M

<table>
<thead>
<tr>
<th>Issue</th>
<th>Initiative</th>
<th>Implication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Recycling</td>
<td>Project proposes to recycle at least 50% of treated wastewater from in-house Sewage Treatment Plants to meet the water requirement</td>
<td>Number of STPs is dependent on the total population density; STPs have increased cost and maintenance requirements</td>
</tr>
<tr>
<td>Rainwater Harvesting</td>
<td>Rain water is proposed to be injected into the fracture zones under the land. Project is proposing to construct recharge bores and soak pits to aid in recharging ground water resource.</td>
<td>Operation and Maintenance Issues, Need for specialised vendors</td>
</tr>
<tr>
<td>Waste Generation</td>
<td>Solid waste will be collected and segregated. The dry waste will be disposed off through an authorised contractor and wet waste will be treated by vermi-composting technology</td>
<td>Potential for community-based vermicomposting to generate manure in the internal landscaped garden</td>
</tr>
<tr>
<td>Energy</td>
<td>Energy efficient building services, equipments, public area lighting and exterior lighting systems</td>
<td>Energy conservation measures to reduce pressures on energy demand</td>
</tr>
<tr>
<td>Power</td>
<td>Power back-up through DG sets for essential services such as fire fighting and lift systems</td>
<td>Fuel storage, facility management and maintenance issues</td>
</tr>
</tbody>
</table>

**Note:**
- In any scheme of redevelopment, shop area for the project affected / slum dwellers shall not exceed the areas which existed prior to the redevelopment of the property or 25.00 sq. mt. of carpet area which ever is less.
- The reconstructed tenement shall be of the ownership of the eligible hutment dweller and spouse co-jointly; and shall be so entered and be deemed to be so entered in the records of superintendent land and revenue through SRA ,as well as the co-operative housing society, including the share certificate and all relevant documents.
- The cut off date is applicable for the SRA as is also mentioned in the eligibility criteria:
  - whose names have appeared in the Legislative Assembly Voter's list of 01/01/1995 or date prior thereto
  - or photo pass and other relevant proofs prior to 1995 or
  - as may be decided by State Government from time to time

### 5.1.4 Transit Arrangements

170. For Nirvana Hills Phase II, KUL has offered two kinds of transit arrangements for all families (whether eligible or otherwise) that are impacted by the ongoing construction schedule:

- **Transit Accommodation:** KUL has constructed one in-situ transit accommodation for approximately 75 families near the Kelewadi settlement. KUL has also commissioned the construction of two transit buildings in this area (Kelewadi and Indira Park) of approximately 800 units. These buildings along with one already established transit building will initially be used to accommodate displaced people. According to SRA guidelines, at least 50% of eligible families are to be provided with in-situ transit accommodation;

- **Transit Arrangement:** KUL has also offered to identify available transit accommodation in other slums in the vicinity of 3-5 km which will then be paid directly by the project proponents. For commercial structures, KUL
has identified the outskirts of the project area (i.e. adjacent to the approach road) for temporary relocation of businesses;

- Rental Allowances: Slum families and commercial structure owners can also opt to take rental amounts from KUL and provide for their own accommodation. In this situation, KUL reimburses the rental amount of a minimum of INR 7000 per month/slum family, and a record pertaining to this maintained and updated on a regular basis.

171. It should be noted that KUL plans to temporarily use the space for permanent rehabilitation buildings under construction phase as transit tenements so that more slum families can be relocated in-situ and the project schedule can be maintained stringently. As highlighted elsewhere, executing the project in time as committed to slum community and SRA is critical to the success of the Project and hence the options worked out by KUL for providing transit accommodation is a positive step forward. However, it should be noted that construction of transit accommodation cannot be made use of by KUL to obtain FSI advantage or even start the construction of the corresponding sale component.

5.2 **ONSITE ACTIVITIES AND LINKAGE TO REHABILITATION**

172. The Nirvana Hills Phase II Project is likely to be under development for over 5 years wherein rehabilitation towers will be completed in phases: Phase I to V. The current status of the slum rehabilitation scheme is briefly summarized as follows:

- KUL is currently implementing Phases II (Kelewadi and Indira Park) and Phase III (Rajeev Gandhi Park and Vasant Nagar);
- The most recent Annexure II survey has been completed for Rajeev Gandhi Park (published in May 2011) and KUL has begun the process of facilitation of eligibility;
- KUL has commissioned the construction of two transit buildings of approximately 800 units wherein activities have been started by engaging M/s Karan Infrastructure as the sub-contractor;
- KUL has also obtained sanction or commencement certificate for 725 tenements for Rajeev Gandhi Park and was awaiting a sanction/commencement certificate for the 711 slum dwellers eligible for rehabilitation at Kelewadi and Indira Park;
- Demolition is underway at Indira Park for those families that have given their consents for development.

173. *Figure 5.2* indicates a flow chart of the process developed by KUL to legally proceed with the slum rehabilitation scheme overall. This provides a road-map to determine relocation plans for specific phases and clusters.
Figure 5.3  Flowchart of the stages in the scheme for the Nirvana Hills Phase II Project

*Source: Community Relations Head KUL
174. KUL will put in place the following activities (that are typical to a slum rehabilitation scheme) under the supervision and coordination between various departments:

Table 5.3  
Phase-wise Activities for the Relocation Plan

<table>
<thead>
<tr>
<th>S. No</th>
<th>Project Activity</th>
<th>Status for Nirvana Hills Phase II</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Planning Phase</strong></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Community consent for SRA scheme</td>
<td>Over 70% of the tenements have submitted their consent through the corporator or the KUL CR Team</td>
</tr>
<tr>
<td>1.2</td>
<td>Regulatory Authority Approval for SRA Scheme</td>
<td>Letter of Intent to be obtained in Phases, the same has been obtained for Phase I, II and III</td>
</tr>
<tr>
<td>1.3</td>
<td>Initiate Civil Engineering Surveys</td>
<td>Commenced</td>
</tr>
<tr>
<td>1.4</td>
<td>Initiate Social Surveys and Consultations</td>
<td>Socio-economic Survey for WadarWasti is pending whereas consultations are ongoing</td>
</tr>
<tr>
<td>1.5</td>
<td>Project Planning Phase Activities</td>
<td>Ongoing</td>
</tr>
<tr>
<td>1.6</td>
<td>Preparation of detailed project report (DPR) with other SRA scheme details along ready for construction drawings</td>
<td>To be formulated</td>
</tr>
<tr>
<td>1.7</td>
<td>Building plan approvals and other developmental proposal approvals</td>
<td>Ongoing</td>
</tr>
<tr>
<td>1.8</td>
<td>Preparation of the EIA Report</td>
<td>Government Approved EIA Report has been updated to international standards</td>
</tr>
<tr>
<td>1.9</td>
<td>Environmental Clearance (EC) from State Environmental Impact Assessment Authority and Consent to Establish (CTE) from Maharashtra State Pollution Control Board</td>
<td>EC and CTE along with PMC’s Commencement Certificate has been obtained for project components in SRA’s Letter of Intent</td>
</tr>
<tr>
<td>1.10</td>
<td>Compliance to Permit Conditions</td>
<td>Ongoing</td>
</tr>
<tr>
<td>2</td>
<td><strong>Construction Phase</strong></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Pre construction and mobilisation phase activities</td>
<td>Completed – requires expansion/upgrade</td>
</tr>
<tr>
<td>2.2</td>
<td>Construction of transit tenements in vacant/ SRA allotted space</td>
<td>Ongoing – required expansion/upgrade</td>
</tr>
<tr>
<td>2.3</td>
<td>Shifting of select slum communities to transit tenements</td>
<td>Ongoing</td>
</tr>
<tr>
<td>2.4</td>
<td>Operation and maintenance of transit tenements through project construction phase</td>
<td>Ongoing – should be mobilized through a temporary society structure</td>
</tr>
<tr>
<td>2.5</td>
<td>Utility Relocation</td>
<td>Not yet commenced</td>
</tr>
<tr>
<td>2.6</td>
<td>Demolition of Evacuated Slums</td>
<td>Ongoing in a piecemeal basis</td>
</tr>
<tr>
<td>2.7</td>
<td>Construction of Rehabilitation Buildings</td>
<td>Ongoing</td>
</tr>
<tr>
<td>2.8</td>
<td>Shifting of slum communities from transit tenements to permanent rehab buildings</td>
<td>To commence in early 2013</td>
</tr>
<tr>
<td>2.9</td>
<td>Provision of one time settlement to those wanting to self relocated</td>
<td>Ongoing</td>
</tr>
<tr>
<td>2.10</td>
<td>Construction of Associated Infrastructure Facilities</td>
<td>In the planning phase</td>
</tr>
<tr>
<td>2.11</td>
<td>Construction of Community Welfare Facilities</td>
<td>In the planning phase</td>
</tr>
<tr>
<td>3</td>
<td><strong>Operations &amp; Maintenance Phase</strong></td>
<td></td>
</tr>
<tr>
<td>3.1</td>
<td>Residential Society Formation and Training</td>
<td>Should be commenced while slum dwellers are in transit accommodation</td>
</tr>
<tr>
<td>3.2</td>
<td>Registration of Residential Society</td>
<td>-</td>
</tr>
<tr>
<td>3.3</td>
<td>Allocation of Flats</td>
<td>Post construction</td>
</tr>
<tr>
<td>3.4</td>
<td>Handing over physical assets and society accounts to legally approved Residential Society</td>
<td>Post receipt of PMC Occupancy Certificate</td>
</tr>
<tr>
<td>3.5</td>
<td>• Defect liability period O&amp;M activities and</td>
<td>Will need to be further detailed in</td>
</tr>
</tbody>
</table>
responsibilities of KUL:
- Building repair and maintenance
- Associated infrastructure utility/facility O&M
- Community infrastructure utility/facility O&M
- Address grievances of rehab community regularly and systematically
- Maintenance of security and order

KUL’s Relocation Plan

Table 5.3  Phase-wise Activities for the Relocation Plan

175. These activities will be incorporated by the KUL Planning and Engineering Team into a Relocation Plan to show proposed schedules and progress across Phase II to V (based on slum settlements). In accordance to the proposed entitlement framework as well as the safeguards requirements of the IFC and ADB, the following strategies are suggested to assist in the implementation of the relocation plan:

- Disclosure and Community Approval of the Entitlement Framework;
- Formulation of an SRS Working Group for each block;
- Formulation of a Community Audit Group;
- Instituting a “Training in Transit Program”;
- ICE Campaigns on Environmental Management;
- Community Development through Women Self Help Groups.

176. These strategies are further discussed in Section 8 on Institutional and Implementation Mechanisms.
177. This section identifies the primary stakeholders and describes the consultation mechanisms that are suggested to be used during different project milestones for Nirvana Hills Phase II.

### 6.1.1 Stakeholder Identification

178. The Nirvana Hills Phase II Project has a multitude of stakeholders that have been identified through the ESIA process and each of whom would be required to co-ordinate and align together for the implementation of the slum rehabilitation scheme. Stakeholder consultations need to be undertaken to drive the following:

- Managing community apprehensions about the in-situ rehabilitation implications of the project;
- Garnering voluntary support for the project;
- Facilitation of transit arrangements;
- Entitlement options for ineligible households;
- Capacity building for formation of housing societies;
- Ongoing training and consultation to ensure operation & maintenance of societies; and
- Awareness towards an improve environment and holistic living.

179. *Figure 6.1* summarizes the key stakeholders relative to their influence and priority for engagement.

**Figure 6.1 Stakeholder Identification and Mapping**

<table>
<thead>
<tr>
<th>HIGH INFLUENCE</th>
<th>LOW PRIORITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kumar Sinew developers and holding company Kumar Urban Developers Private Limited</td>
<td>Old aged, Widows, Disabled and Minors</td>
</tr>
<tr>
<td>Banks and Local Financing Agencies</td>
<td>Man-Infra Construction</td>
</tr>
<tr>
<td>Lenders, Investors, Financiers and Development Agencies</td>
<td>Karan Builders</td>
</tr>
<tr>
<td>Residents including Owners, Tenants and Squatters, Hawkers and other commercial entities</td>
<td>Fusion India Management Private Limited</td>
</tr>
<tr>
<td>Communities encompassing the site or located in the immediate vicinity</td>
<td>Local concerned slum representatives (in good faith)</td>
</tr>
<tr>
<td>Public Works Department (PWD), Government of Maharashtra</td>
<td>Including the local youth groups</td>
</tr>
<tr>
<td>Maharashtra Pollution Control Board (MPCB)</td>
<td>Women</td>
</tr>
<tr>
<td>Community Based Groups and NGOs ARAI</td>
<td>Ineligible Families</td>
</tr>
</tbody>
</table>

*Source: Adapted from the ESIA*
180. The figure above has been divided into four quadrants namely:

- Quadrant I: High Influence and High Priority Stakeholders;
- Quadrant II: High Priority and Low Influence Stakeholders;
- Quadrant III: Low Priority and Low Influence Stakeholders;
- Quadrant IV: Low Priority and High Influence Stakeholders.

**6.1.2 Public Consultation Mechanisms**

*Legal Basis for Stakeholder Engagement*

181. Stakeholder engagement and regular public consultations are in-built into the SRA Guidelines. These responsibilities are to be shared by KUL and the SRA as follows:

- Disclosure requirements of Commencement Certificate with the Builder and Society Members;
- Intimation and Notice of the SRA Annexure II Survey; and Results of the SRA Annexure II Survey;
- Compulsory Consent of at least 70% of the tenement owners/occupiers to the builder’s development proposal on the buildable zone;
- Verification of the cooperative housing society by the SRA through a public meeting and subsequently a public hearing for general community grievances; and
- The SRA expects the builder to keep the community informed at intervals as desired by the society on the project details, schedules etc.

182. In addition, a public hearing is required to be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and the proceedings are required to be forwarded to the regulatory authority concerned (MoEF/SEIAA).

183. The following *Table 6.1* presents the key consultations held by KUL.

**Table 6.1  Brief on the stakeholder Consultations by KUL**

<table>
<thead>
<tr>
<th>S. No</th>
<th>Meeting Agenda</th>
<th>Location of meeting/consultation</th>
<th>No. of people attended</th>
<th>Key issues Discussed</th>
<th>Final Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Public Address by Chairman and Stakeholders to explain the SRA scheme along with Local Politicians</td>
<td>Kelewadi on dated 7th Feb 2004</td>
<td>600 to 700 People</td>
<td>Introduction of SRA Scheme and Start of work</td>
<td>The community started giving consent</td>
</tr>
<tr>
<td>2</td>
<td>Inauguration of Sample flat to explain the advantages after rehabilitation participation with slum dwellers</td>
<td>Kelewadi 2Sept 2010</td>
<td>1500 people visited</td>
<td>Advantages of rehabilitation and seeking feedback on the sample flat</td>
<td>Start of the transit process</td>
</tr>
<tr>
<td>3</td>
<td>Discussion with SRA/</td>
<td>Kelewadi</td>
<td>150 People</td>
<td>To know the</td>
<td>Two transit</td>
</tr>
<tr>
<td>S. No</td>
<td>Meeting Agenda</td>
<td>Location of meeting/consultation</td>
<td>No. of people attended</td>
<td>Key issues Discussed</td>
<td>Final Outcome</td>
</tr>
<tr>
<td>-------</td>
<td>----------------</td>
<td>----------------------------------</td>
<td>------------------------</td>
<td>----------------------</td>
<td>---------------</td>
</tr>
<tr>
<td></td>
<td>Corporater /KUL Chairman with public</td>
<td>2Sept 2010</td>
<td></td>
<td>reaction of public on sample flat and discussed further plan to start the Transit Building Progress of Construction of Transit</td>
<td>building construction started</td>
</tr>
<tr>
<td>4</td>
<td>A meeting to discuss the progress of Transit Building SRA and Site In charge</td>
<td>Kelewadi</td>
<td>15 People</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>5</td>
<td>Chairman and Corporator meeting with working women regarding their work and betterment of business</td>
<td>Kelewadi</td>
<td>30-50</td>
<td>Develop Model for betterment of their business</td>
<td>Plan for SHGs</td>
</tr>
<tr>
<td>6</td>
<td>Participation and in General Body election of Wadar Samaj Co Opp Housing Society Phase 1</td>
<td>Kothrud</td>
<td>250 hh of Phase 1</td>
<td>Eletion of executive body of society</td>
<td>Society started function and approval is yet to come from Registrar Co Opp Housing Society</td>
</tr>
<tr>
<td>7</td>
<td>Local Corporator meeting with dwellers for their grievances</td>
<td>Kelewadi</td>
<td>100 People</td>
<td>Local PMC works</td>
<td>Constructed RCC road in slum</td>
</tr>
<tr>
<td>8</td>
<td>SRA addressing document, the list of eligibility annexure II of Rajeev Gandhi Park</td>
<td>Rajeev Gandhi Park</td>
<td>All slum</td>
<td>Eligibility declaration</td>
<td>Annexure II declared</td>
</tr>
<tr>
<td>9</td>
<td>Activities and consultations undertaken by ADB’s team</td>
<td>All slum blocks and Wadar Wasti in May 2011</td>
<td>About 100 stakeholders</td>
<td>Environmental and Social Performance</td>
<td>Decision to undertake ESIA Updation and Rehabilitation Plan</td>
</tr>
<tr>
<td>10</td>
<td>NGO Vatsalya has undertaken a socio-economic survey from August 2010 to May 2011</td>
<td>All slum blocks except Wadar Wasti</td>
<td>Approximately 4324 households have been covered</td>
<td>Demographic and Socio-economic profiling</td>
<td>Database of slum dwellers and indication of eligibility</td>
</tr>
<tr>
<td>11</td>
<td>Organization of consultations for the ERM ESIA Team</td>
<td>Details provided in ESIA</td>
<td>Approximately 10-15 people per meeting</td>
<td>Baseline, impacts, expectations</td>
<td>Continued Stakeholder Engagement</td>
</tr>
</tbody>
</table>

*Source: KUL documentation*

**Community Concerns and Responses**

184. Some of the notable concerns and responses that have been raised by the slum dwellers are as follows:

- Concerns over eligibility and ineligibility due to the cut-off date of 1995 which makes slum dwellers residing after that date ineligible for rehabilitation;
- Concerns over quality houses and facilities to be provided in the rehabilitation housing;
- Compensation for temporary displacement in as a form of physical accommodation or rent;
- Completion of the housing scheme as soon as possible;
- Access to grievance redressal authority in case of issues related to SRS implementation or entitlement;
- Concern over proper reestablishment of important public amenities back to their original status quo.

185. Figure 6.2 provides a snapshot of various consultations held that were key to development of this Rehabilitation Plan.

Figure 6.2  Snapshot of Stakeholder Consultations

186. This rehabilitation plan provides a follow-up/response to all the stakeholder concerns that have been raised, notably:

- Project cut-off date (see Section 1.5.2) will significantly minimize the number of families who will not benefit from this rehabilitation plan;
- KUL has committed to improving the design criteria as suggested by SRA to the extent feasible and layouts of the rehabilitation flat indicate satisfaction;
- KUL has committed to not discriminating between eligible and ineligible families identified under the project-cut off date for provision of temporary accommodation/rent;
- KUL commits to facilitating access to SRA’s grievance mechanism as discussed in the rehabilitation plan;
- KUL has committed to reinstallation of important public amenities in consultation and coordination with the municipal corporation.

187. A grievance redressal and consultation (recorded in Marathi) has been attached as Annexure C for reference.

188. Table 6.2 contains activities that are recommended to be undertaken to disseminate information among slum dwellers during the project lifecycle.
### Table 6.2 Community Engagement Plan

<table>
<thead>
<tr>
<th>Phase of Project</th>
<th>Objective of Consultation</th>
<th>Medium for Engagement</th>
<th>Frequency for Engagement</th>
<th>Desired outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-economic</td>
<td>Awareness generation about SRS scheme. Introduce the project proponent to the community and initiate rapport building. Early identification of potential issues, conflicts and benefits.</td>
<td>Approach each hutment and engage with families.</td>
<td>Once during the course of the survey.</td>
<td>Increased awareness about SRS scheme. Changed perceptions (for the better) towards the proposed rehabilitation scheme and the project proponent.</td>
</tr>
<tr>
<td>Socio-economic</td>
<td>To make the community comfortable with the new arrangement.</td>
<td>Group meetings to be held twice every month until allotment and shift to the rehabilitation buildings.</td>
<td></td>
<td>Increased acceptance of the new lifestyle before actual rehabilitation.</td>
</tr>
<tr>
<td>On-going consultations prior to finalisation of Annexure II</td>
<td>To elicit the apprehensions of the community towards the project. Understand the community expectations in terms of compensation and facilities desired. Increasing the confidence of people on the benefits of the project. To allay the fears of the households that are likely to be declared ineligible.</td>
<td>One Consultation to be held with key people in the slum at a mutually agreeable location in the slum area. Another consultation for which open invitation has been sent out to all slum dwellers.</td>
<td>Two consultations in a span of a month.</td>
<td>Increasing community cohesiveness by facilitating the sharing the fears and expectations of the community in an open platform. Making community realise that the rehabilitation is an open and community friendly initiative and that everyone would be treated fairly. Sensitise the likely ineligible households to the possibility of eviction. Develop various compensation plans for finalisation. Informed decision making by the community.</td>
</tr>
<tr>
<td>Consultations after the finalisation of Annexure II</td>
<td>Finalise compensations for the ineligible households. Understand and arrange for the necessary support required by the ineligible households for smooth transition. Communicate the terms and references of rehabilitation to the eligible households. Communicate the in-transit options available for the eligible households. The eligible households are given two options of either moving into the in-transit tower or arrange for own in-transit facility, the expense of which will be compensated by KUL.</td>
<td>Consultations both at the household level and group level for ineligible households. Consultations at group level with eligible households.</td>
<td>Continuous engagement with the ineligible households until smooth transition. Two to Three community level meetings with eligible households.</td>
<td>Minimise possibilities of community unrest by positively channelizing the energy of ineligible households towards favorable transition. Reduce project delay by expediting the process of signing of agreements for rehabilitation. Optimise in-transit costs by finalising the in-transit arrangements and establishing the time frame for eviction.</td>
</tr>
</tbody>
</table>

**Note:** The table above outlines the community engagement plan for the rehabilitation project, detailing the phases, objectives, methods, frequency, and desired outcomes for each phase.
<table>
<thead>
<tr>
<th>Phase of Project</th>
<th>Objective of Consultation</th>
<th>Medium for Engagement</th>
<th>Frequency for Engagement</th>
<th>Desired outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to actual rehabilitation</td>
<td>To make the community aware of the formation of housing societies.</td>
<td>Group consultations at a common location at the transit site. Invitations to be sent to all concerned households including those who have opted for own transit arrangements outside the project area.</td>
<td>Three to four consultations to be held exclusively focusing on formation and roles of housing societies. One separate group consultation focusing on the election process for the housing societies.</td>
<td>Creation of voluntary demand for effective housing societies. Increase in community participation pertaining to housing society functions and activities. Minimise conflicts and confusions during the actual election process for the housing societies.</td>
</tr>
<tr>
<td>Election to the housing society</td>
<td>To facilitate smooth elections for the formation of housing society</td>
<td>Group meeting at a common area in the rehabilitation tower</td>
<td>Sensitization every quarter and finalization before transferring to rehabilitation units</td>
<td>Formation of a strong and effective housing society. Smooth transition of community people into the rehabilitated way of life.</td>
</tr>
<tr>
<td>Ongoing consultations for routine operations and maintenance, functioning of the Housing Society and addressing grievances.</td>
<td>Integrate support services like solid waste management and maintenance services with the housing societies. Empower housing communities to manage day-to-day needs of the apartment and resolve routine problems.</td>
<td>Meetings with the housing society. Group meetings with community.</td>
<td>Continuous interaction with housing society members during the first two months of society establishment. Weekly meetings with society members for the next two months, followed by monthly meetings for the next two months. Group meetings with community members once a month for the first three-four months</td>
<td>Empowerment of community by increasing their self-reliance to manage the day-to-day functions of the society. Maintenance of aesthetic value of the apartments Increase in quality of life of the residents by ensuring a clean and comfortable apartment life.</td>
</tr>
</tbody>
</table>

**Note:** This community engagement plan needs to be implemented together with the grievance redressal procedure in the subsequent section.
189. The slum rehabilitation of Project Nirvana Phase II will result in varying impacts on livelihoods of the slum community, some temporary while some others being permanent. It is for this purpose that a livelihood restoration framework is essential so as to mitigate the negative effects on livelihood due to the rehabilitation process. It is apparent that the livelihood impacts would vary considerably across the slum families. Therefore the livelihood restoration plan first presents the types of livelihood impacts on both eligible and non-eligible households and then proceeds to address the resettlement or compensation packages to enable the affected population to overcome the setbacks caused due to Nirvana Hills Phase II Project.

7.1 SCOPE OF THE PLAN

190. The scope of the livelihood restoration plan includes handholding measures from the signing of agreement accepting the scheme and beyond physical rehabilitation of the community. The main objectives of the plan are:

- To affirm the commitment of KUL throughout the project lifecycle in mitigating adverse livelihood impacts.
- Intervene to develop assessment tools and monitoring mechanisms for effective livelihood restoration
- Incorporate gender focused livelihood restoration plans so as to negate the risk of increasing the vulnerability of women post-rehabilitation
- To explore non cash based programmes that may be employed by KUL for restoration of livelihood in-transit and post-rehabilitation
- To categorise the types of probable impacts and design appropriate mitigation strategies for both eligible and ineligible households

7.2 SUMMARY OF LIVELIHOOD IMPACTS

191. The socio-economic baseline had presented a snap shot of the occupation profiles of the slum dwellers. Consultations with communities in Indira Park, and Kelewadi indicate that there is diversity in terms of occupational profile within the slum communities. It is also observed that both genders are engaged in economically productive work. Some of the common occupations undertaken by the community are labour work, petty business, scrap business, security and drivers for males, while females are occupied as housemaid, cook, flower or fruit sellers.

192. It is observed that women represent the economic mainstay of the household within the slum community due to the prevalence of vices (such as
substance abuse, alcohol addiction etc.) among the male members. As a result, one observes good participation in day-to-day economic activities. Many of the women are also engaged in home-based activities like papad making, agarbatti making and tailoring.

193. A general visit/reconnaissance of the slum area indicates that there are several entrepreneurial ventures, such as flour mills (aata chakkis), community-based organizations and societies, as well as training centres on beauty, basic information technology and other such initiatives. For women, the Lijjat Enterprise has employed over 400 “sakhis (sisters)” in the slum in an initiative wherein dough to prepare an Indian snack is provided and each member obtains approximately INR 25/kg of snacks (papad in local parlance) that is sold to vending points of the enterprise.

194. Another indication of diversity of livelihood options in the area is the number of commercial tenements, from provision stores to medical shops etc. However, it should be noted that there have been certain conflicts owing to the size of the commercial units prior to rehabilitation and after the same. This is because SRA has stipulated that a person would receive the lesser area on rehabilitation the limit being 269 sq.m.

195. Over the years, with a gradual increase in education levels as well as opportunities in the surrounding areas – especially in sectors such as construction, information technology etc, employment levels in the organized and government sector (such as factories, clerks etc) is increasing. This is also indicated by the worker participation ratio which is observed to be quite high in the area with high proportion of youth in the working age category.

196. It is observed that nearly all the households have reported a source of employment. The average income of the household is coming to about INR 6400 per month wherein the range of income listed being as low as below INR 1000 to INR 20000 a month. The average age of the earning member is estimated to be about 40 years. Most of the occupations listed are observed are not seasonal in nature and therefore it is apparent that the population have some source of income flow throughout the year. Moreover, all the households had sought gainful employment within the nearby area with the average distance to work place being only about 6.8 kms.

197. Consultations also indicated that there are approximately 250-300 self-help groups (SHGs) comprising of mostly women that work as savings units to deal with emergencies or urgent requirement for money. Women in the area are looking forward to training on enterprise development and are in the need for “gruh udyog” (household enterprise).
7.3 TYPES OF IMPACTS ON LIVELIHOOD

198. The broad ways by which livelihood of the slum families get affected are:

- Loss of area for livelihood operation in rehabilitated or relocated site;
- Loss of scope for business activities in relocated site;
- Increased distance to the source of livelihood making it unviable;
- Loss of income from rent.

199. However the above mentioned loss of livelihood can be mitigated to a large extent for the eligible households because the project proponent has planned to provide them alternate spaces for commercial areas both in the transit towers and rehabilitation towers such that they can continue their home-run businesses. However, for the ineligible families who have to relocate most probably to locations distant from the project site, the impact due to economic displacement would be considerable. Therefore, designing the appropriate compensation packages for the latter becomes critical for the project proponent. The measures for compensating livelihood loss have been detailed in the later sections. The table below gives a snap shot of the type of impacts on livelihoods for both the eligible and ineligible tenements.

Table 7.1 Type of Impacts

<table>
<thead>
<tr>
<th>Category</th>
<th>Entitled category</th>
<th>Type of Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Eligible Households under the SRA</td>
<td></td>
</tr>
<tr>
<td>I.A</td>
<td>Eligible households (Residential)</td>
<td></td>
</tr>
<tr>
<td>A.1</td>
<td>Owner occupied structures</td>
<td>Reduced space for home-run businesses</td>
</tr>
<tr>
<td>A.2</td>
<td>Structures on rent</td>
<td>Loss of rent</td>
</tr>
<tr>
<td>A.3</td>
<td>Tenants</td>
<td>Reduced space for home-run businesses</td>
</tr>
<tr>
<td>I.B</td>
<td>Eligible households (Commercial)</td>
<td></td>
</tr>
<tr>
<td>B.1</td>
<td>Owner occupied structures</td>
<td>Reduced space for business above 269 sq.m or same space but with temporary setbacks due to shifting activities during transit and rehabilitation phases</td>
</tr>
<tr>
<td>B.2</td>
<td>Structures on rent</td>
<td>Loss of rent</td>
</tr>
<tr>
<td>B.3</td>
<td>Rented commercial space</td>
<td>Reduced space for business above 269 sq.m or same space but with temporary setbacks due to shifting activities during transit and rehabilitation phases</td>
</tr>
<tr>
<td>I.C</td>
<td>Eligible households (Residential cum Commercial)</td>
<td></td>
</tr>
<tr>
<td>C.1</td>
<td>Owner occupied structures</td>
<td>Reduced space for livelihood activity if current occupied space above 269 sq.m</td>
</tr>
<tr>
<td>C.2</td>
<td>Structures on rent</td>
<td>Loss of rent</td>
</tr>
<tr>
<td>C.3</td>
<td>Tenants</td>
<td>Reduced space for livelihood activity if current occupied space above 269 sq.m</td>
</tr>
<tr>
<td>II</td>
<td>Ineligible Families under the SRA but who have settled in the Project Area before the Project cut-off date</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Owner occupied structures (commercial and residential cum commercial)</td>
<td>Permanent loss of livelihood on relocation to new site either due to lack of space for livelihood activity or lack of scope for the activity</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Temporary loss of livelihood during relocation phase</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Partial loss of livelihood due to reduced space available in new site or absence of multiple livelihood means.</td>
</tr>
<tr>
<td></td>
<td>Structures on rent</td>
<td>Loss of rent</td>
</tr>
<tr>
<td>Category</td>
<td>Entitled category</td>
<td>Type of Impact</td>
</tr>
<tr>
<td>----------</td>
<td>------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>I</td>
<td>Eligible Households under the SRA</td>
<td>Permanent loss of livelihood on relocation to new site either due to lack of space for livelihood activity or lack of scope for the activity</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Temporary loss of livelihood during relocation phase</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Partial loss of livelihood due to reduced space available in new site or no means of multiple livelihood</td>
</tr>
</tbody>
</table>

7.4

**LIVELIHOOD MITIGATION OR RESTORATION MEASURES**

200. Since there will be myriad impacts on livelihood for various categories of slum population, it is essential that KUL undertake a livelihood loss assessment at the time of signing of agreements for scheme acceptance. KUL has agreed to develop a tool for capturing livelihood loss assessment which can be used for developing specific livelihood mitigation or restoration measures. These measures should be particularly focused on:

- those eligible slum dwellers whose livelihoods will be affected by the reduction in commercial space,
- those who need to live in transit locations far from their present livelihood sources, and
- those vulnerable ineligibles below the poverty line

201. It is essential that KUL comes up with diverse and innovative livelihood restoration measures to ensure that the affected population smoothly tides over the transition phase to final rehabilitation. Lump sum cash is not always the suggested solution as there is a human tendency to waste away physical cash. Therefore, KUL must focus on non cash based programmes like facilitating business investments and capacity building through training and education of the affected population. Some of the broad options that KUL may employ for livelihood restoration include:

- Counselling or advisory services for coping with livelihood setbacks;
- Capacity building activities like skills training and education;
- Provision of alternate spaces for commercial or livelihood activities both in the transit towers and rehabilitation towers; and
- Cash assistance in the form of insurance premiums, payment of loan EMIs and rental allowance for commercial entities during the initial transition period

202. Each of these broad measures has been detailed in the below section:

*Counselling and advisory services:*

203. Setbacks in livelihood could be emotionally difficult times for some families to cope with. Keeping this in mind KUL is also exploring options to provide counselling services to families during the transition phase. KUL can
establish tie-ups with local NGOs and make them informed about the objectives and content of the counselling services. Counselling services should enable families to open up their minds to the various livelihood enhancement or restoration options KUL will place in front of them to help them take informed decisions to better their future.

Capacity building activities

204. KUL will implement capacity building activities to improve income generating capacity of affected people as well as the capacity of the housing societies:

- KUL can for this purpose again seek the help of NGOs that are skilled in providing skill enhancement trainings like tailoring, book binding, block printing, papad/agarbatti making, welding etc;
- KUL has also established a 1000 kg per hour capacity papad making factory for the slum dwellers. Selected community members were provided training to run the plant and the factory is currently successfully operational;
- After the establishment of housing society, the society would require many support services for waste management, plumbing, electric maintenance etc. Youth from the slum population could be trained in the required areas and may be employed in the services of the housing society.

Gender-based Assistance

205. The key measures as outlined in the Gender Action Plan are summarized as under:

- Compliance to the Housing Society norms on women participation – ensure that the women members in the Housing society are made aware and trained to play a more effective role in the society’;
- Decision making during the planning phase, i.e. linking up womens’ opinions in design, location, use of common spaces & amenities;
- Joint ownership of the flats (already mandated under SRA)
- Mahila Milans to be trained to become drivers for pushing the Housing Societies to function;
- Monitoring role of progress of the project, as well as formation and development of the housing society. Women can also play a key role in aspects like social behaviour, resolution of conflicts etc;
- Skill develop and training to add income generation potential. Provision of micro credits for entrepreneurial activities; and
- Gender-sensitive community engagement through focused groups etc.

Provision of alternate spaces for commercial or livelihood activities

206. Alternate spaces for livelihood activities will be provided as follows:

- Planned spaces for eligible commercial structures: Eligible commercial structures will be provided a maximum of 269sq.ft or the actual lesser area
in the commercial buildings that are being planned in the buildable zones. During the transition phase the owners of commercial structures in the buildable zone that would be demolished will be provided a rental allowance of Rs.13,000 per month to enable them to get an appropriate alternate commercial space for the transition period. The rent allowance will be given till the time they are provided commercial space in the rehab building;

- Ground floor apartments for residential cum commercial structures: KUL has also planned the transit towers and rehabilitation towers such that spaces for commercial or livelihood activities for home based activities are adequately available to the families and their income flow is not disrupted for a prolonged duration. Tenements classified as residential cum commercial are given apartments at the lower floors such that they have adequate space for their shops or livelihood activity in front of their houses similar to the way they used to prior transition or rehabilitation but limited to a maximum of 269 sq.ft;

- Ineligibles residential houses in non-buildable zone: KUL is also considering non-relocation of the ineligible tenements in the non-buildable zone until a permanent rehabilitation location is made available to them under RAY or other relevant housing schemes. This would take away the stress of livelihood setbacks during the transition phase for such households and provide them enough timeframe to work out their livelihood options in the possible relocation areas;

- Ineligible commercial structures: The ineligible commercial units will be given a lump sum compensation for commercial losses calculated on the basis of cost of structure and annual income from their commercial activity for 1 year. This is based on the premise that provision of lump sum compensation will allow them to invest in meaningful commercial activity and restore their livelihood.

_Cash assistance in various forms_

207. The following assistance will be provided

- Provision of medical insurance: KUL can pay the annual premium for medical insurance for vulnerable families such that they need not be burdened by medical expenses in case of illness for the duration of the transit period. KUL can explore the possibilities of establishing tie-ups with insurance companies to design insurance options tailored to the income flows of the slum community in case they would like to continue this after the transit period;

- Loan assistance: KUL may facilitate slum population to avail business loans and KUL is willing to pay the first two months instalment against the loan to provide income buffer to the affected families;

- Incentives for vacating slums: All eligible and ineligible households will be provided INR 80000 for vacating the occupied structures, part payment of which will be made after vacating to in-transit location and second half will be paid after physical rehabilitation;
• Maintenance allowance of INR 7000 for all residential tenements occupied by owners and rental allowance of INR 13000 for all owned commercial structures, else the difference in rental for rented commercial spaces.

7.5 LIVELIHOOD RESTORATION PLAN

208. The following table outlines the livelihood mitigation or restoration plan for different categories of affected population. The table also specifically mentions the action plans for the vulnerable sections of the society due the heightened needs of this segment of the population.
### Table 7.2  Livelihood Restoration Plan

<table>
<thead>
<tr>
<th>Impact Category</th>
<th>Measures for Livelihood restoration</th>
<th>Implementation and Resource</th>
<th>Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eligible Households under SRA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Residential</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Owner occupied structures with home-run business</td>
<td>• Transit provision and rehabilitation towers of 269 sq.ft size</td>
<td>• CRT team for transition and rehabilitation</td>
<td>• Preparation of list for livelihood options identified by each household</td>
</tr>
<tr>
<td></td>
<td>• Provision of alternate livelihood options and corresponding skill development if space is too less in rehabilitation towers to undertake current livelihood activity</td>
<td>• NGO support and co-ordination for skill training and counselling</td>
<td>• Loan payments to be monitored by KUL to assess the progress of livelihood restoration</td>
</tr>
<tr>
<td></td>
<td>• Rs.80,000 as incentive to people in the buildable zones; part payment to vacate the slum housing and part payment after rehabilitation</td>
<td>• Specific programs that cater to livelihood issues will need to be developed through NGOs and training will need to be conducted prior to shifting to transition towers. Alternate livelihood has to be identified before transition</td>
<td>• Identification and incorporation of efficiency enhancement in activities</td>
</tr>
<tr>
<td></td>
<td>• Payment of Rs.7000 till permanent rehabilitation housing obtained</td>
<td>• Continuous handholding by NGO during in-transit phase to make them capable to independently manage the new livelihood in rehabilitation buildings</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Facilitation of loans for livelihood enhancement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• CRT team for transition and rehabilitation</td>
<td>• NGO support and co-ordination for skill training and counselling</td>
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</tr>
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<td></td>
<td>• Continuous handholding by NGO during in-transit phase to make them capable to independently manage the new livelihood in rehabilitation buildings</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>• Facilitation of loans for livelihood enhancement</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Preparation of list for livelihood options identified by each household</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Loan payments to be monitored by KUL to assess the progress of livelihood restoration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Structures on rent</td>
<td>• Lump sum payment of the cost of structure and rental allowance for 6 months</td>
<td>• KUL through CR teams</td>
<td></td>
</tr>
<tr>
<td>Tenants with home-run businesses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Transit provision and rehabilitation towers of 269 sq.ft size</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Provision of alternate livelihood options and corresponding skill development if space is too less in rehabilitation towers to undertake current livelihood activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Rs.80,000 as incentive to people in the buildable zones; part payment to vacate the slum housing and part payment after rehabilitation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner occupied structures</td>
<td>• Rental allowance of Rs.13000 per month during transition phase</td>
<td>• KUL through CR teams</td>
<td>• Maintain address records of relocated sites in-transit</td>
</tr>
<tr>
<td>Impact Category</td>
<td>Measures for Livelihood restoration</td>
<td>Implementation and Resource</td>
<td>Monitoring</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------------------</td>
<td>----------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Structures on rent</td>
<td>• Commercial spaces not exceeding 269 sq.ft in the proposed commercial complexes in the buildable zone</td>
<td>KUL through CR teams</td>
<td>Maintain records of structures settled in-transit</td>
</tr>
<tr>
<td>Rented commercial space</td>
<td>• Lump sum payment of the cost of structure and rental allowance for 6 months</td>
<td>KUL through CR teams</td>
<td>Maintain address records of relocated sites in-transit</td>
</tr>
</tbody>
</table>

**Residential cum Commercial**

**Owner occupied structures**

- Ground floor allotment in transit and rehabilitation towers of 269 sq.ft size, so as to utilise the front portion of the house for commercial purposes
- Provision of alternate livelihood options and corresponding skill development if space is too less in rehabilitation towers to undertake current livelihood activity
- CRT team for transition and rehabilitation
- NGO support and co-ordination for skill training and counselling
- Specific programs that cater to livelihood issues will need to be developed through NGOs and training will need to be conducted prior to shifting to transition towers. Alternate livelihood has to be identified before transition
- Continuous handholding by NGO during in-transit phase to make them capable to independently manage the new livelihood in rehabilitation buildings
- Facilitation of loans for livelihood enhancement
- Preparation of list for livelihood options identified by each household
- Loan payments to be monitored by KUL to assess the progress of livelihood restoration
- Identification and incorporation of efficiency enhancement in activities
- Continuous handholding by NGO during in-transit phase to make them capable to independently manage the new livelihood in rehabilitation buildings
- Facilitation of loans for livelihood enhancement

**Structures on rent**

- Lump sum payment of the cost of structure and rental allowance for 6 months
- KUL through CR teams
- Maintain records of structures settled in-transit

**Tenants**

- Ground floor allotment in transit and rehabilitation towers of 269 sq.ft size, so as to utilise the front portion of the house for commercial purposes
- Provision of alternate livelihood options and corresponding skill development if space is too less in rehabilitation towers to undertake current livelihood activity
- CRT team for transition and rehabilitation
- NGO support and co-ordination for skill training and counselling
- Specific programs that cater to livelihood issues will need to be developed through NGOs and training will need to be conducted prior to shifting to transition towers. Alternate livelihood has to be identified before transition
- Continuous handholding by NGO during in-transit phase to make them capable to independently manage the new livelihood in rehabilitation buildings
- Preparation of list for livelihood options identified by each household
- Loan payments to be monitored by KUL to assess the progress of livelihood restoration
- Identification and incorporation of efficiency enhancement in activities
<table>
<thead>
<tr>
<th>Impact Category</th>
<th>Measures for Livelihood restoration</th>
<th>Implementation and Resource</th>
<th>Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Facilitation of loans for livelihood enhancement</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Owner occupied structures | • Direct rehabilitation of ineligible households in non-buildable zones to other housing schemes  
• Counselling and facilitation of alternate livelihood options for permanent and prolonged loss of livelihood  
• Provision of medi-claims whose premium is paid by KUL  
• Rs.80,000 as incentive to people in the buildable zones; part payment to vacate the slum housing and part payment after rehabilitation  
• Payment of Rs.7000 till permanent rehabilitation housing obtained  
• CRT team for rehabilitation  
• NGO support and co-ordination for skill training and counselling  
• Specific programs that cater to livelihood issues will need to be developed through NGOs and training will need to be conducted prior to shifting to relocated sites. Alternate livelihood has to be identified before transition  
• Continuous handholding by NGO during and after rehabilitation phase to make them capable to independently manage the new livelihood in rehabilitation buildings  
• Facilitation of loans and medi-claims for livelihood enhancement  
|                      | • Lump sum compensation calculated on the basis of cost of structure and 6 months rental allowance  
|                      | • KUL through CR teams  
|                      | • Maintain records of structures settled  |            |
| Tenants            | • Direct rehabilitation of ineligible households in non-buildable zones to other housing schemes  
• Counselling and facilitation of alternate livelihood options against permanent and prolonged loss of livelihood in rehabilitated site  
• Rs.80,000 as incentive to people in the buildable zones; part payment to vacate the slum housing and part payment after rehabilitation  
• Payment of Rs.7000 till permanent rehabilitation housing obtained  
• CRT team for rehabilitation  
• NGO support and co-ordination for skill training and counselling  
• Specific programs that cater to livelihood issues will need to be developed through NGOs and training will need to be conducted prior to shifting to transition towers. Alternate livelihood has to be identified before transition to relocated sites  
• Continuous handholding by NGO during and after rehabilitation phase to make them capable to independently manage the new livelihood in rehabilitation buildings  
• Facilitation of loans and medi-claims for livelihood enhancement  
|                      | • Maintain address records of relocated site  
|                      | • Preparation of list for livelihood options identified by each household  
|                      | • Loan payments to be monitored by KUL to assess the progress of livelihood restoration  
|                      | • Identification and incorporation of efficiency enhancement in activities  |            |
| Commercial         | • Lump sum compensation for commercial losses calculated on the basis of cost of structure and annual  
| Owner occupied structures | • KUL through CR teams  
<p>|                      | • Maintain address records of relocated sites  |            |</p>
<table>
<thead>
<tr>
<th>Impact Category</th>
<th>Measures for Livelihood restoration</th>
<th>Implementation and Resource</th>
<th>Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential cum commercial</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Owner occupied structures | - Lump sum compensation for commercial losses calculated on the basis of cost of structure and annual income from their commercial activity for 1 year  
- Counselling and facilitation of alternate livelihood options at relocated site for permanent and prolonged loss of livelihood  
- Rs.80,000 as incentive to people in the buildable zones; part payment to vacate the slum housing and part payment after rehabilitation  
- Payment of Rs.7000 till permanent rehabilitation housing obtained | CRT team for rehabilitation  
- NGO support and co-ordination for skill training and counselling  
- Specific programs that cater to livelihood issues will need to be developed through NGOs and training will need to be conducted prior to shifting to transition towers. Alternate livelihood has to be identified before transition  
- Continuous handholding by NGO during rehabilitation phase to make them capable to independently manage the new livelihood in relocated sites  
- Facilitation of loans for livelihood enhancement | Preparation of list for livelihood options identified by each household  
- Loan payments to be monitored by KUL to assess the progress of livelihood restoration  
- Identification and incorporation of efficiency enhancement in activities |
| Structures on rent | Lump sum compensation calculated on the basis of cost of structure and rental allowance for 6 months | KUL through CR teams | Maintain address records of relocated sites |
| Tenants | - Lump sum compensation for commercial losses calculated on the basis of annual income from their commercial activity for 1 year  
- Counselling and facilitation of alternate livelihood options at relocated site for permanent and prolonged loss of livelihood  
- Transit costs and the difference in rent if higher rent at the in-transit location for 6 months  
- Rs.80,000 as incentive to people in the buildable zones; part payment to vacate the slum housing and part payment after rehabilitation | CRT team for rehabilitation  
- NGO support and co-ordination for skill training and counselling  
- Specific programs that cater to livelihood issues will need to be developed through NGOs and training will need to be conducted prior to shifting to transition towers. Alternate livelihood has to be identified before transition  
- Continuous handholding by NGO during rehabilitation phase to make them capable to independently manage the new livelihood in relocated sites | Preparation of list for livelihood options identified by each household  
- Loan payments to be monitored by KUL to assess the progress of livelihood restoration  
- Identification and incorporation of efficiency enhancement in activities |
### Impact Category | Measures for Livelihood restoration | Implementation and Resource | Monitoring |
--- | --- | --- | --- |
**Payment after rehabilitation**<br>- Payment of Rs.7000 till permanent rehabilitation housing obtained<br>- Independently manage the new livelihood in relocated sites<br>- Facilitation of loans for livelihood enhancement<br>**Preparation of list for livelihood options identified by each household<br>- Loan payments to be monitored by KUL to assess the progress of livelihood restoration<br>- Monitoring income flows**

Apart from the measures as per the impact category they belong to, the vulnerable segments require additional support mechanisms which has been detailed below:

#### For women headed households
- Strengthening of women SHGs<br>- Encourage more women to take up income generating activities through awareness generation programmes and enrolment in skills training<br>- Subsidies upto 30% for loan availed on behalf of KUL<br>- Provision of medical insurance for the duration of the transit period<br>- CRT team for transition and rehabilitation<br>- NGO support and co-ordination for skill training and counselling<br>- Facilitation of loans and medical insurance<br>- Preparation of list for livelihood options identified by each household<br>- Loan payments to be monitored by KUL to assess the progress of livelihood restoration<br>- Monitoring income flows

#### For BPL families
- Preference for skill training enrolment<br>- Employment opportunities identified during project duration and in-situ<br>- Preference for employment for operations and maintenance of the housing society<br>- Subsidies upto 30% for loan availed on behalf of KUL<br>- Provision of medical insurance for the duration of the transit period<br>- CRT team for transition and rehabilitation<br>- NGO support and co-ordination for skill training and counselling<br>- Facilitation of loans and medical insurance<br>- Preparation of list for livelihood options identified by each household<br>- Loan payments to be monitored by KUL to assess the progress of livelihood restoration<br>- Monitoring income flows

#### For families with disabled member
- Identification of appropriate skill training for the invalid or their family members<br>- Preference for families of disabled for employment for operations and maintenance of the housing society<br>- Subsidies upto 30% for loan availed on behalf of KUL<br>- Provision of medical insurance for the duration of the transit period<br>- CRT team for transition and rehabilitation<br>- NGO support and co-ordination for skill training and counselling<br>- Facilitation of loans and medical insurance<br>- Preparation of list for livelihood options identified by each household<br>- Loan payments to be monitored by KUL to assess the progress of livelihood restoration<br>- Monitoring income flows

#### Elderly families
- Provision of medical insurance for the duration of the transit period<br>- Facilitation for medical insurance

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**REHABILITATION PLAN: NIRVANA HILLS PHASE II, KUMAR SINEW DEVELOPERS LIMITED**  
**MARCH 2012**  
**96**
Based on the Livelihood Restoration Plan, a tentative budget has been prepared as discussed subsequently:

### Table 7.3 Budget for Proposed Livelihood Restoration Plan

<table>
<thead>
<tr>
<th>Expense Head</th>
<th>Cost per Household</th>
<th>No. of Households</th>
<th>Amount (Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong> Livelihood Restoration Budget (Residential)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Households shifting to different Transit Location on Rent Compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NGO Cost to identify and assess Income Loss</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expenses for Shifting to New Accomodation</td>
<td>3,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting up new accommodation</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting of child's educational arrangements</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation towards Loss of Income</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Additional Assistance to Vulnerables Families/Headed by Women</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Others (Ex-Gratia / Mediclaim for 1 Year / Unforeseen Expenses)</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Rent (Rs. 7,000 per month for 24 months)</td>
<td>168,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>248,000</td>
<td>327</td>
<td>-</td>
</tr>
<tr>
<td>b. Households under Resettlement (Residential)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation for Loss of Land</td>
<td>150,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for Loss of Structure</td>
<td>70,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation towards Loss of Income</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expenses for Shifting to New Accomodation</td>
<td>3,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting up new accommodation</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting of child's educational arrangements</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Additional Assistance to Vulnerables Families/Headed by Women</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Others (Ex-Gratia / Mediclaim for 1 Year / Unforeseen Expenses)</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>300,000</td>
<td>1925</td>
<td>-</td>
</tr>
<tr>
<td><strong>2</strong> Livelihood Restoration Budget (Commercial)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Tenants with Home-run Business shifting to Transit Location on Rent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skill Development (By NGO)</td>
<td>25,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation towards support for Business Development</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expenses for Shifting to New Accomodation</td>
<td>3,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting up new accommodation</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting of child's educational arrangements</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Additional Assistance to Vulnerables Families/Headed by Women</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expense Head</td>
<td>Cost per Household</td>
<td>No. of Households</td>
<td>Amount (Rs.)</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>-------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Others (Ex-Gratia / Mediclaim for 1 Year / Unforeseen Expenses)</td>
<td>10,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Rent (Rs. 7,000 per month for 24 months)</td>
<td>168,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>273,000</td>
<td>12</td>
<td>-</td>
</tr>
<tr>
<td>bCommercial Structure shifting to Transit Location on Rent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skill Development (By NGO)</td>
<td>25,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation towards support for Business Development</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expenses for Shifting to New Accomodation</td>
<td>3,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting up new accomodation</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Rent (Rs. 13,000 per month for 24 months)</td>
<td>312,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>395,000</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>cHouseholds with Home-run Business under Resettlement</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation for Loss of Land</td>
<td>150,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for Loss of Structure</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation towards Loss of Income</td>
<td>100,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expenses for Shifting to New Accomodation</td>
<td>3,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for setting up new accomodation</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>308,000</td>
<td>75</td>
<td>-</td>
</tr>
<tr>
<td>dCommercial Structure under Resettlement</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation for Loss of Land</td>
<td>150,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation for Loss of Structure</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Compensation towards Loss of Income</td>
<td>300,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expenses for Shifting to New Accomodation</td>
<td>3,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>503,000</td>
<td>68</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2,027,000</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>10% Contingency</td>
<td>202700</td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>
Livelihood action plan should weave in gender considerations to promote gender equality. Please refer to Annex E of Environmental and Social Management Plan for the detailed Gender Action Plan, the key table for Gender Action Plan has been given below:

**Table 7.3 Gender Action Plan**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Measures of Engagement</th>
<th>Implementation &amp; Resources</th>
<th>Monitoring Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Participation</strong></td>
<td>Women have been encouraged to participate and present their views and opinions during the series of consultations that have involved responding to socio-economic surveys and community meetings with the senior management at KUL; This includes inputs into the design and layout of the rehabilitation flat and the amenities therein;</td>
<td>Through NGOs and Community Relations Teams</td>
<td>% of women participating in meetings;</td>
</tr>
<tr>
<td><strong>Identification of Development</strong></td>
<td>Community liaison officers have identified opportunities, such as self-help groups and entrepreneurial ventures, to facilitate gender-based initiatives to promote self-employment. Efforts are ongoing to understand how similar activities can be continued during transit and post rehabilitation.</td>
<td>Specific programs that cater to such issues will need to be developed through NGOs and training will need to be conducted (preferably during transit phase)</td>
<td>Number of gender-specific programs each year and proportion in total CSR Budget; Number of women participating in the venture; Tracking impacts of such ventures</td>
</tr>
<tr>
<td><strong>Design Issues</strong></td>
<td>Sample rehabilitation plan that has been constructed by KUL has encouraged feedback from women across slum blocks for aspects of utility, design, usage of space and furnishings. Specific feedback of women in the community has been incorporated into the modifications of the sample rehabilitation flat (such as the additional space for a porch in front of main entrance).</td>
<td>-</td>
<td>Record of design inputs and their perceived benefits for the women;</td>
</tr>
</tbody>
</table>

**Recommended Measures**

<p>| Resourcing &amp; Staffing               | Identify female community liaison officers for the Community Relations Team in order to better access and understand any specific concerns and problems of the women in the slum community; | Sensitization as well as identification | Number of women as a part of CR team; Number of meetings/discussions led by women recruits and participation in the same |</p>
<table>
<thead>
<tr>
<th>Issue</th>
<th>Measures of Engagement</th>
<th>Implementation &amp; Resources</th>
<th>Monitoring Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skill Mapping</td>
<td>Conduct a skill mapping of women enrolled in higher education/vocational training and any relatively good profiles should be provided to recruitment agencies in the city for them to avail of opportunities;</td>
<td>Sensitization as well as identification</td>
<td>Tracking number of women identified and proportion that find gainful employment</td>
</tr>
<tr>
<td>Rehabilitation Assistance</td>
<td>The socio-economic survey and consultations have indicated that 10% of the households are women headed. The Entitlement Matrix of the RP has recommended the specific identification of women-headed households as an indication of vulnerability and facilitate assistance for establishing eligibility, transit accommodation etc</td>
<td>Sensitization as well as identification</td>
<td>Tracking eligibility, and income profile of the women headed households</td>
</tr>
<tr>
<td>SRA-based Initiatives</td>
<td>SRA recommends that ownership titles of the rehabilitation tenements will need to be in the name of the wife along with the husband (in case of a male head of household). In addition, women are required to have a representation of at least 33% within housing societies that will be formulated and registered before handing over the society/rehabilitation building to the occupants</td>
<td>Training and formation of housing societies and sensitization about the participation of women; Training programs on operating and running housing societies</td>
<td>Number of societies wherein female participation exceeds 33%;</td>
</tr>
<tr>
<td>Grievance Redressal</td>
<td>The incorporation of female community liaison officers would be useful in furthering the grievance redressal mechanism through the construction, transit and rehabilitation phase</td>
<td>Selection of female CLOs, tracking and maintaining the grievance MIS</td>
<td>Number of grievances raised by women;</td>
</tr>
<tr>
<td>Community Audit Group</td>
<td>It is recommended that women are made to assist with the proceedings of the Community Audit Group (CAG) activities that are to take place on a monthly and/or quarterly basis. KUL should ensure that specific feedback from women gets heard as well as addressed during such initiatives</td>
<td>Sensitization as well as identification</td>
<td>-</td>
</tr>
</tbody>
</table>
210. This section outlines a proposed implementation mechanism, organizational set-up and indicators for monitoring and evaluation of the Rehabilitation Plan for the Nirvana Hills Phase II Project. At this stage, the project schedule is linked to the resolution of the eligibility process which is led by the SRA. In this context, it is difficult to suggest a timeline and budget for implementation of the rehabilitation plan.

211. The current implementation of the slum rehabilitation scheme, in its entirety, is driven by the Community Relations and Liaisoning Departments in coordination with the SRA. KUL has already constituted the following systems which are applicable for different stages of the process:

- Functional Community Relations Office at Kelewadi which manages day-to-day interface with the slum dwellers;
- Computerized system to register slum dwellers and provide them with identification;
- Grievance Mechanism and Consultation Plan which is operational at WadarWasti and the transit accommodation at Kelewadi (Section 8.2.1);
- Formal consultation process with the Municipal Corporator to provide status updates and feedback;
- Documentation procedures for various aspects of the pre-construction phase, i.e. individual consent form, rental allowance/agreement form, demolition checklist & consent form, shifting into transit accommodation form etc.

8.1 IMPLEMENTATION MECHANISM

212. The implementation of this rehabilitation plan will require an ongoing collaboration between KUL; the main government agency, i.e. SRA, Pune; relevant local institutions (PMC, Town Planning Authority) as well as development institutions such as the ADB/FMO and local partners in the form of affected persons, non-governmental organization (NGOs) and community-based organizations (CBOs). The Rehabilitation Plan proposes an organizational structure which will enhance the impacts from the Nirvana Hills Phase II Project (Figure 8.1). The key institutional mechanisms that are proposed are (a) an SRS Working Group for each of the slum blocks in the scheme; (b) Officers responsible for specific functions, i.e. Grievance Redressal, Implementation and Liaisoning; (c) Community Audit Group with nominated representatives from each slum block. The organizational structure is also linked to that of the Environmental and Social Management Plan (ESMP) through a coordination channel between the Head of Community Relations and the EHS Team as provided subsequently.
Figure 8.1: Proposed Organizational Structure

ESMP Organizational Structure
8.1.1 **SRS Working Groups**

213. The organizational structure suggests that an SRS Working Group will be formed for each slum block. Each working group would comprise of 3 community liaison officers (CLOs) and one representative of the local corporator, i.e. the Welfare Officer. This working group would directly interface with the slum dwellers as well as any implementation partners. The activities of the working group would be monitored by a Community Audit Group, representing members of each slum block. Each of the 6-7 Working Groups that are formed would report to the Implementation Officer, who would be the same as the Community Relations Coordinator for the ESMP.

214. The following table outlines the roles and responsibilities associated with this process:

**Table 8.1 Responsibilities and Competencies**

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibilities</th>
<th>Competencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation Officer/CR Coordinator for ESMP</td>
<td>Rehabilitation planning and co-ordination with ESMP Team; Management of Working Groups;</td>
<td>Project Management Communications and stakeholder engagement; Basic Awareness of Environmental Issues</td>
</tr>
<tr>
<td>Grievance Officer</td>
<td>Implementation of Grievance Mechanism and Stakeholder Engagement Plan; Management of MIS for Grievances;</td>
<td>Community Relations Skills; Database Manager;</td>
</tr>
<tr>
<td>Liaisoning Officer</td>
<td>Coordination between CR Head, SRA, PMC; Overseeing the SRA implementation process of eligibility; Coordination on any legal aspects; Regulatory Compliance</td>
<td>Previous experience of Government Relations; Communication Skills; Organizational Capacities</td>
</tr>
<tr>
<td>Team Leader of Each SRS Working Group</td>
<td>Management of teams inputs Co-ordinating activities including surveys, census, consultations Training of team Guidance to EPC construction team where necessary</td>
<td>SRS experience Knowledge of IFC or other lender requirements Knowledge in social surveys Local language skills</td>
</tr>
<tr>
<td>Community Liaison Officers</td>
<td>Community consultations-compensation policy, project activities etc; Grievance redressal; Monitoring and evaluation of Rehabilitation Plan</td>
<td>SRS Experience; Local language skills Community facilitation Conflict resolution; Communications and listening skills</td>
</tr>
</tbody>
</table>

8.1.2 **Disclosure and Community Approval of the Entitlement Framework**

215. KUL has so far done the formal disclosure of only the EIA process which was necessary for the EC clearance. No formal disclosure has been done.
disclosing the rehabilitation plan to the community. However, through informal meetings and community interaction the residents are apparently aware of the rehabilitation process. A formal disclosure of RAP would be conducted by KUL once ADB approves their rehabilitation action plan. The summary of RAP will be translated in Marathi and made available to the community for information disclosure.

For the purpose of information disclosure and updation of project progress, KUL has recently set up an Information centre within the project area where the community members can make enquires to the CR team member anytime during 10 a.m to 6:30 p.m.

**Formation of a Technical Group**

216. The Head of the Community Relations Team as well as the Liaisoning Officer will initiate a common forum along with the SRA to work as a technical group on Planning and Implementation of the Rajeev Awaas Yojana and linkages to the Nirvana Hills Phase II Project. This could be an important long term solution to accommodate not just the ineligible slum dwellers in the Nirvana Hills Phase II Project but across Pune and it is important that KUL plays a lead role in the process.

**Community Audit Group**

217. KUL will pioneer the establishment of community audit groups with representatives from each settlement/slum block. The CAG will be involved in tracking progress of the project on a monthly basis through a detailed review/observation of the ongoing activities, which will also include demolition, negotiated settlements; redressal of grievances and facilitation of eligibility status. The terms of reference of this audit will be mutually decided and should be outcome oriented rather than fault finding in its objective. The community auditors will be trained for the purpose and made to realise that it’s a join responsibility of the Housing Societies, the residents and KUL to solve issues and problems.

218. The CAG will be constituted with the help of existing community-based organizations as well as leaders of slum blocks and the members of the CAG should be nominated. There should be women representation (of at least 33%) in this audit group from each slum block. The key responsibilities of the CAG are as follows:

- Review progress of the slum rehabilitation scheme;
- Identify vulnerable families/individuals for the attention of the community liaison officers;
- Monitor the redressal of grievances that have been raised; and
- Monitor activities of the SRS Working Group;
- Convene a meeting with the PMC Office as well as an informal feedback for slum blocks.
8.1.4 Training in Transit

219. KUL will develop a “Training in Transit” program for those households that have been settled into in-situ transit accommodation with the objective of acclimatizing the slum dwellers into living in a vertical structure and to the responsibilities of upkeep and maintenance of the premises. A temporary transit society can be formulated which can take up and coordinate on Operation & Maintenance aspects of the “in-situ” transit in order to develop/build capacities for the long-term. This program will be implemented through NGO partners and should also include awareness on the process of housing society formation etc.

8.1.5 ICE on Environmental Management

220. KUL will engage an NGO or community-based organizations to develop “Information, Communication and Entertainment” based campaigns on environmental management in order to increase the community’s awareness on waste disposal, electricity conservation, recycling of water and other aspects of green living that can then be gradually in-built into the nuclear family units.

221. During the transit phase, the ICE program can also take up the following issues:

- Organization of skill development workshops that can be targeted to owners/employees of commercial units;
- Workshops/camps on health awareness through women self-help groups;
- Facilitation of the organization and registration of ragpickers and any informal recyclers in the slum with waste collection and management agencies in the PMC etc.

222. Annexure D provides details on the NGO Engagement Plan that has been proposed by KUL. Box 8.1 provides a snapshot of the same.

Box 8.1 Highlights of the KUL NGO Engagement Plan

- To be engaged under the proposed organizational structure to work with the ESM Cell;
- NGO will encourage participation of slum individuals in such meetings by discussing their problems regarding their Shifting on Transit, Resettlement, Rehabilitation and other relating aspects;
- Scope of NGO to include training for coordination of all aspects of RP related initiatives, and any appropriate economic rehabilitation related activities for involvement of the RAP;
- It is estimated that the NGO services will be required for 12 months from assignment for participating in the implementation of the RP.

8.1.6 Training and Capacity Building of Housing Societies

223. During the transit and operation phase, KUL will develop a capacity building program for the formation and operation of housing societies. This
program will take into account the lessons learnt from the rehabilitation and society formation exercise for the WadarWasti settlement (Phase I of the development).

224. The housing society will be formed at least 3 months prior to shifting into final rehabilitation tenements. The formation of the society will be in accordance to the Maharashtra Cooperative Societies Registration Act, 1960 and this body will need to work on aspects such as lottery system of flat allocation, preference to vulnerable families etc. 33% of this committee needs to be represented by women and this provision has to be followed.

225. Post rehabilitation, KUL to ensure the objective of holistic housing, the societies will need to understand their responsibility and functioning in liaison with the civic authorities. This will require a sustained program for at least 6 months on the subsequent issues through an NGO:

- Functioning of the society and roles/responsibility
- Transparency and communication
- Accounting and finance management
- Grievance redressal;
- Community environment and hygiene
- Housekeeping
- Monitoring and engaging with the builders
- Service providers and how to manage them
- Security and safety
- Maintenance

226. The program will integrate aspects of the legal framework (i.e. the Maharashtra Cooperative Societies Act, the SRA Guidelines on housing society formation, as well as any relevant Pune Municipal Corporation requirements).

8.1.7 Implementation Schedule

227. The Community Relations Team will develop an implementation schedule on the basis of the Rehabilitation Plan and all other sub-plans, such as the Gender Action Plan. This schedule will incorporate the present status of each slum block and develop a best and worst-case scenario for progress of the slum rehabilitation scheme. The implementation schedule will detail proposed activities, provide a budget and will also include realistic timelines.

228. KUL’s Community Relations Team currently has a time-bound database to track the status of approvals for each of the five phases of slum rehabilitation. This database will be used as a draft for formulation of the implementation schedule. A concise version of the final implementation schedule will be shared with the Community Audit Group in order to track timely progress.
8.2 **GRIEVANCE REDRESSAL MECHANISM**

229. This section discusses the existing grievance procedures that have been constituted by KUL and describes the measures that would need to be undertaken to improve synergies and implement the rehabilitation plan.

8.2.1 **Current Grievance Procedures**

230. KUL’s community relations team operates as a repository for grievances and complaints and provides counsel on different project related apprehensions and queries. This team functions as an independent entity under the KUL-ESM Cell and seeks to address issues raised by the slum dwellers, the flat residents, the employee, contractors and labour/worker community, who are advised to approach the cell for any complaint/grievance/suggestion.

231. The structure comprises of:

- A satellite Grievance Redressal Unit, comprising of Community Relations representatives, local resource person and external resource (where required) drawn from any NGO or Social Organization at WadarWasti and Kelewadi;
- Signboards/visuals defining the Grievance Redressal procedure and advising the community, employees, contractors and labour to register grievances if any; and
- These units are responsible for collection of grievances, recording and registering them with appointed Focal Authority, Tracking, follow up on action and intimation of result/solution and final closure of the issue.

232. Common grievances that are being registered through this process are related to maintenance of the transit accommodation; procedure of identification and registration of households; apprehensions on eligibility; family disputes pertaining to ownership/power of attorney/marital disputes etc.

8.2.2 **Project Grievance Mechanism**

233. The modification to the Community Relations Team (Figure 7.1) has suggested an Grievance Officer on behalf of the CR Head and KUL who will inturn appoint Community Grievance Officers for each of the 6-7 SRS Working Groups. The Grievance Process will operate as follows:

- The CGOs will have the responsibility to take account of, and resolve, any grievances raised by communities;
- Where the CGO and SRS Working Group cannot resolve grievances directly, the grievance mechanism will refer these grievances to the Grievance Officer and if required the CR Head;
- Where grievances remain unresolved, slum dwellers should have the option to seek legal redress.
234. The grievance mechanism will also be adequately linked to the Dispute and Eligibility Resolution Process of the SRA, wherein a tribunal is formulated to decide on eligibility status of families. This can be ensured through the Liaisoning Officer.

**Box 8.2 Grievance Mechanism Under SRA**

- SRA Authority is the grievance redressal authority for the project.
- In case of doubt or dispute, the CEO,SRA shall get an inquiry made as may be considered necessary, and give a decision thereon, and it shall be final and binding on all parties concerned;
- SRA Pune High power committee has been established by the Govt. of Maharashtra for eligibility issues.

**Method of Collection of Grievances**

235. The channels for receipt of grievances can include:

- Complaints received through Project staff or employees;
- Complaints received by Community Relations staff directly involved in handling grievances;
- Complaints received through third parties such as the corporator/NGO.

236. All complaints/Grievances will be documented from their original format into a prescribed format and will need a sign-off from the grievant or representative (if it is institutional).

237. The Grievance/complaint will be registered with the Grievance Officer responsible for administering grievance mechanism who will then assign responsibility for completing the actions, and establish the schedule for completion in consultation with:

- The Grievant;
- Personnel involved in grievance management;
- Community Relations Team;
- Operations/Project managers;
- Senior management;
- Third-party/contractors.

**Tracking Action**

238. The Grievance Officer responsible for administering grievance mechanism in co-ordination with SRS Working Group will:

- Keep track of Details of the complaint (when, where, how it occurred; who was involved; complainant’s story and expectation; date and place the grievance was received and recorded);
- Evidence, supporting documents and statements will be collected;
• Complaints will be screened, reviewed and validated;
• Follow-up with concerned parties;
• Initiate corrective actions where required;
• Progress recorded (pending, solved, agreements/commitments).

239. Each grievance will need to be lodged into a Management Information System which will be used to track the receipt, action, closure and any follow-up of grievances. This will be managed by the Grievance Officer and will need to be available for audit of the Community Audit Group.

Closure

240. The suggested actions are to include:

• Conveying outcome and response to the grievant(s);
• Recording how, when, and by whom a decision was communicated;
• Recording closure date, and confirmation that the complainant was satisfied;
• Acceptance/Sign-off by grievants;
• Documenting Management actions to avoid recurrence;
• Linkage to the Grievance Mechanism under the ESMP.

8.3 Monitoring and Evaluation

241. The Monitoring and Evaluation (M&E) mechanism provides the basis to assess the overall success of the Rehabilitation Plan and the effectiveness of the various processes and measures. The mechanism will be based on two components of internal monitoring and reporting and external monitoring and reporting which will run simultaneously.

8.3.1 Internal Monitoring Process

242. This monitoring process will be undertaken by the SRS Working Groups and the Community Audit Group used to analyse progress and change at regular intervals of implementation. Monitoring will be done in close collaboration and consultation with local communities. Consolidated monthly reports with key findings from the ongoing monitoring should be submitted to the Working Group which will discuss key findings of the reports in the coordination meetings with the ESMP team.

243. Quarterly monitoring reports will be submitted by KUL to ADB and it is understood that these are to be disclosed on the ADB website. An independent external consultant (such as ERM India Private Limited) will suggest the structure/template for the quarterly monitoring report.
8.3.2 External Monitoring Process

244. For Category A projects, ADB SPS requires an external expert to undertake external monitoring. An external assessment of the Rehabilitation Plan process will be undertaken through an external evaluation agency appointed by KUL. The external evaluation process will be informed by the internal monitoring reports, and also through independent surveys and consultation conducted by the appointed evaluation agency. It is recommended that the external monitoring process should initially be conducted every quarter and as the process progresses, the frequency should be reduced to bi-annually and annually as required. The external monitoring for the Rehabilitation Plan will be linked to the existing half-yearly monitoring that is being undertaken for social and environmental performance on the behalf of investors such as FMO.

245. Some of the process, activity and outcome indicators that can be monitored include:
### Table 8.2 Indicative Monitoring Indicators

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Monitoring Indicators</th>
</tr>
</thead>
</table>
| Identification of Eligible and Non eligible families | • Tracking eligibility status;  
• Loss of income/livelihood sources (at family/household as well community level)  
• Resolution of grievances (number of grievances, resolution time, satisfaction levels, awareness etc) |
| Residual Impacts                            | • Have special needs of vulnerable groups been addressed?  
• Negotiated settlements and transparency;  
• Timing of compensation payment for self-relocation others;  
• Any deductions and associated transaction costs of compensation payments; |
| Entitlements                                 |                                                                                                                                                                                                                      |
| Process Indicators                          |                                                                                                                                                                                                                      |
| SRS Planning & Implementation               | • Is there any transparent mechanism for dispute settlement?  
• Is the SRS process in accordance to local regulatory requirements?  
• Has the entitlement framework been vetted by the local community/impacted persons? |
| Grievance Mechanism                         | • What types of grievances have been identified & what were outcomes?  
• Percentage of grievances resolved by KUL channels versus government channels versus project-specific; |
| Outcome Indicators                          |                                                                                                                                                                                                                      |
| Holistic Housing                            | • Change in the average income per person, per household;  
• Change in health indicators;  
• Formation of Housing Societies;  
• Transparency in accounts;  
• Operation & Maintenance Issues and Recurrence |
| Satisfaction levels of PAPs                 | • How do slum dwellers assess the extent to which their quality of life & livelihood has been restored?  
• Do they feel they have been actively involved in the process?  
• Do they feel that the housing societies are functional in an appropriate manner?  
• Monthly society outgoings and maintenance funds. |

### 8.4 IMPLEMENTATION AND BUDGET

246. The following table discusses the suggested implementation schedule for the Rehabilitation Plan.
Table 8.3 Implementation Schedule for the Rehabilitation Plan for Nirvana Hills Phase II: From the Commencement of the Funding

<table>
<thead>
<tr>
<th>S. No</th>
<th>Project Activity</th>
<th>Year 2011</th>
<th>Year 2012</th>
<th>Year 2013</th>
<th>Year 2014</th>
<th>Year 2015</th>
<th>Year 2016</th>
<th>Year 2017</th>
<th>Year 2018</th>
<th>Year 2019</th>
<th>Year 2020</th>
<th>Year 2021</th>
<th>Year 2022</th>
<th>Year 2023</th>
<th>Year 2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Community consent for SRA scheme</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
</tr>
<tr>
<td>1.2</td>
<td>Regulatory Authority Approval for SRA Scheme</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
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Source: Updated on the basis of Table 6.1 in the ESIA Report
8.4.1 **Budget for the Rehabilitation Plan**

247. The budget for the rehabilitation plan has been developed based on the number of eligible and non-eligible families that have been estimated in Chapter 4. The budget provides indicative costs (in Indian Rupees) for the following options:

- Option I: Cash Compensation at Replacement Value; and;
- Option II: Low Cost Housing linked to the RAY;
- Option III: Non-SRA/KUL allocated housing without FSI advantage.

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<th>Total Cost</th>
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<td>Sub Total</td>
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<td>8,163,000</td>
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</table>

| Society Registration Cost                  |         |           |            |
| Payment towards Society registration       | 5,000   | 500       | 2,500,000  |
| Sub Total                                  |         |           | 2,500,000  |

| Corpus Money under SRA                     |         |           |            |
| Only for Eligibles                         | 2,500   | 20,000    | 50,000,000 |
| Sub Total                                  |         |           | 50,000,000 |

| Transit Camp relocation for Eligible & Ineligible |         |           |            |
| Residential                                   |         |           |            |
| Transit Camp Maintenance for 4 years          | 13      | 250,000   | 3,250,000  |

| Self relocation for Eligible & Ineligible    |         |           |            |
| Residential                                   |         |           |            |
| Rent                                         | 1,610   | 77,000    | 123,970,000|
| Ex Gratia                                    | 1,610   | 80,000    | 128,800,000|
| Commercial                                   |         |           |            |
| Rent                                         | 213     | 55,000    | 11,715,000 |
| Ex Gratia                                    | 213     | 80,000    | 17,040,000 |
| Sub Total                                    |         |           | 284,775,000|

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<th>Expenditure Details</th>
<th>Numbers</th>
<th>Unit Cost</th>
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<tbody>
<tr>
<td><strong>Eligible</strong></td>
<td>Housing under SRA flats</td>
<td>2,500</td>
<td>250,000</td>
<td>625,000,000</td>
</tr>
<tr>
<td><strong>Ineligible</strong></td>
<td>Housing under RAY</td>
<td>1,942</td>
<td>25,000</td>
<td>48,550,000</td>
</tr>
<tr>
<td></td>
<td>Housing under Non-SRA/ KUL component</td>
<td>1,942</td>
<td>250,000</td>
<td>485,500,000</td>
</tr>
<tr>
<td></td>
<td>Cash Option</td>
<td>1,942</td>
<td>208,000</td>
<td>403,936,000</td>
</tr>
<tr>
<td><strong>Option 1 Cash Option</strong></td>
<td><strong>Sub Total</strong></td>
<td></td>
<td></td>
<td>1,028,936,000</td>
</tr>
<tr>
<td><strong>Option 2 Housing under RAY</strong></td>
<td><strong>Sub Total</strong></td>
<td></td>
<td></td>
<td>673,550,000</td>
</tr>
<tr>
<td><strong>Option 3 Housing under Non-SRA/ KUL component</strong></td>
<td><strong>Sub Total</strong></td>
<td></td>
<td></td>
<td>1,110,500,000</td>
</tr>
</tbody>
</table>

| Training & Capacity Building             | Training           | 25      | 50,000    | 1,250,000   |
|                                          | Consultation Workshop | 15      | 25,000    | 375,000     |
|                                          | Livelihood restoration | 50      | 50,000    | 2,500,000   |
|                                          | Livelihood support to Vulnerables | 25      | 30,000    | 750,000     |
|                                          | Any other Restoration Plan | 1       | 500,000   | 500,000     |
| **Sub Total**                            |                     |         |           | 5,375,000    |

| Option 1 Cash Option                     | **Total**           |         |           | 1,379,749,000 |
|                                         | contingency (@10%)  |         |           | 13797490      |
|                                         | Grand Total         |         |           | 1393546490    |

| Option 2 Housing under RAY              | **Total**           |         |           | 1,024,363,000 |
|                                         | contingency (@10%)  |         |           | 10243630      |
|                                         | Grand Total         |         |           | 1034606630    |

| Option 3 Housing under Non-SRA/ KUL component | **Total**           |         |           | 1,461,313,000 |
|                                                | contingency (@10%)  |         |           | 14613130      |
|                                                | Grand Total         |         |           | 160726130     |

Note: The number of Eligible families is taken as approximate figures.
248. The Rehabilitation Plan has been developed as an indicative guidance document and should be perceived as a “living document” that is amenable and subject to modification, amendments and updating in line with changes in the regulatory environment, socio-economic context and the progress of the project.

249. KUL will update the rehabilitation plan and implementation schedule prior to the all construction works starting on the next phase. The update will incorporate for each additional phase the numbers of eligible and ineligible and agreements reached with each affected slum dweller.

250. To conclude, this document addresses the types of information that will be publicly disclosed, the manner in which this communication will be effectively achieved and the grievance redressal mechanism that will be instituted to receive and respond to enquiries/complaints/grievance from the stakeholders.
REFERENCES

https://dspace.lboro.ac.uk/dspace-jspui/handle/2134/5818;


Minutes of Meeting (2010),


Risbud N (2010), Typology of Slums and Land Tenure in Indian Cities, Presentation made at National Workshop on Land Tenure Issues in Slum Free Planning, Centre of Urban Equity, CEPT University, Ahmadabad, India
Annex A

Letter of Intent of the SRA
To,
Kumar Sinew Developers
Kumar Capital, 2nd Floor,
2413, East Street, Camp,
Pune-01

Sub: - Implementation of Rajiv Awas Yojana

Ref: your office letter dated 4th November 2011

Dear Sir,

With reference to your letter dated mentioned above, The SRA Pune has been designated as Implementation Authority for the Rajiv Awas Yojana within Pune and Pimpri Chinchwad area.

‘Whole City All Slums’ will be the approach to be adopted as per para no. 5.2.2 of the RAY Guidelines received from the Ministry of HUPA. The copy of the guidelines is attached herewith for your information.

(Signed)
(Dr. Sanjay Kolte)
Additional Chief Executive Officer
Slum Rehabilitation Authority
Pune and Pimpri Chinchwad Area, Pune
Annex B

Sample Flat Layout Plan
Annex C

Grievance Redressal and Consultation Sheets
GRIEVANCE REDRESSAL AND CONSULTATION SHEET

NAME OF SLUM DWELLER: वादर नमस्ते बोसांगवरी

KET. - वडार्वासी- 
AREA- WADARVASTI- 

HUT NO. / TRANSIT BLDG. NO. / FLAT NO. / RENTAL TRANSIT - 

मान्यता 11 वें अक्टूबर को अन्तर्भवन करावी 

अ. हेतु सहमती सामाजिक समाजाच्या क्रमानुसार कार्यालयात पहुंचावी

ग्रीवेन्स केंद्र, पुणे-sticker
Grievence Redressal and Consultation Sheet

चड्ढार समाज सोसायटी व विकसक आणि झोपडपट्टी पुनर्निर्माण प्राधिकरण याच्या समेच्या अहवाल.

दिनांक : २०/१०/२०११.

स्थळ : झोपडपट्टी पुनर्निर्माण प्राधिकरण कार्यालय

वेळ : ०४.३० ते ०५.००

सर्व साधारण सचेतनांचे अहवाल:

मामल्यन विभागाचे मंडळाचे -

मी या कार्यालयातील अधिकार पदाची सुद्धा प्रेमवानतर सोसायटी प्रतिनिधी श्री. नामातुण पवार व विकसक प्रतिनिधी श्री. राजेश भोईत यांनी भेट घेऊन लक्षकर लयकर वडार समाज सोसायटीचा विषय आपण निकालात काढाया अर्थाच मला त्यांनी विनंत फेली. त्यामुळे आपला विषय लक्षात घेऊन मी यादून मार्ग कावण्यासाठी या समेच्या आयोजन केले आहे.

पद्धती चालणे -

आपण सर्व संपादक मंडळांचा पत्र का दिले नाही.

मामल्यन विभागाचे मंडळाचे -

ढीक आहे यापूर्व सर्वांनी पत्रे दिले जातल. आज आपण सकारात्मक विचार करून मागील पंचायत वर्षापासून अपूर्ण गाहिलेल्या प्रकल्प पूर्ण करण्याचा प्रयत्न करून.

किंशोर मोहिते -

कदाचित हा प्रकल्प पूर्ण करण्याचा योग्य आपल्याच हाती असावा असे आम्हाला वाटते.
नारायण पवार-

चांगल्या सकारात्मक भूमिकेला माझा सदैव पाठवा राहिल. ल्याच्या सोबत या समस्या विषय भी आपणा सागु इच्छितो की, आम्ही दिवस २३/०८/२०११ च्या पत्रानुसार आपणास या विषयाचे ग्रंथियत लक्षात देतो इच्छितो.

मां,मिना कबूतर मेंढम-

ल्याची आवश्यकता नाही, मी आपण मला मेंढून गेल्याच्या तो विषय भी समजुन पेला आहे.

नारायण पवार-

आमची सोसायटी १९६६ पासून असतील्यात आहे, प्रत्येक वर्षी आम्ही समाजवांच्या फी चेंडो. तेंडा त्यांना पात्र करतो.

मां,सूरज कोल्हापूर साहेब-

आम्ही ल्याच्या सहनुभूतीपुरूष विचार करत नसकार करून महत्त्व मानवत्व करून या प्रयत्न करतो.

नारायण पवार-

साहेब आपण १९५४ वा पुराण संगीतला आहे. त्याच सोसायटीच्या पावतीचा समावेश करतात.

कारण सुधारातील पासून आम्ही सोसायटीचे पैसे काढला भरला हे मी दाखवतो.

मां,मिना कबूतर मेंढम-

आम्ही १९५४ पूर्वीच्या पावतीचा सहनुभूतीपुरूष विचार केला जाईल.

नारायण पवार-

आपण रोड रिवाल्हिंगमध्ये लोकांना विकसकांनी या प्रकल्पात फार दिले आहे.

मां, कोल्हापूर साहेब-

ही अंदरच आम्ही घर करता.

मां,बग्टार साहेब-

ती विषय आम्ही चांगल्या पध्दतीने सांडून, तुम्ही काळ्या करू नका.

किशोर मोहिते-

विकसकांनी ९० शेकला घर दिली. त्यात विकसक प्रतिनिधिंनी पैसे घेवून जावा घर दिली.

त्याचे काय करणार.
मान्य कोल्हापूर साहेब--
या संदर्भात सर्व जवाबदारी विकसक, ग्यायला तयार आहेत.
एन.पी.सिंह--
ही जवाबदारी आणि प्रेतो.

नारायण प्रवाश--
अपात्र व्यक्तीना वेदना करणार नाही. अशे तुम्ही पत्र देणार का?
मान्य कोल्हापूर साहेब--
या विषयात विकसक प्रतिनिधी आपणानंदें सांगतील.
एन.पी.सिंह--
मी सोमवार पर्यंत आमचे पत्र सोसायटीला देतल देतील.

फिशर मोहिते--
या पत्राची आम्हाला तुम्ही सही नको या पत्तिकाची पाहिजे.
एन.पी.सिंह--
मण्डळ वेळेस मला तसा अधिकार दिला होता. महणून ती सही मी केली होती. ते जर तुम्हाला मान्य नसेल तर येथे पाहिजेचा सहीचा पत्र दिले जाईल.

मोहिते--
ते दिलील का?
मान्य वर्ग साहेब--
तो व्याचा प्रश्न आहे. तुम्ही काळजी कर नका.
मान्य कोल्हापूर साहेब--
विकसक प्रति सेल मण्डळ प्लेट आपणास देतील.
मान्य वर्ग साहेब--
विकसकांनी सर्व जवाबदारी विकसकांची आहे. तुम्ही अडचण निर्माण कर नका.

शिवासम मले--
आमची सोसायटी वडार समाजाची आहे. तेंचा आम्हाला प्लेट कोटे देतील.
माफिनल कब्जाकर मंडल-

झो.पु.प्रक्तपाची स्कीम ज्या सर्व न्यायमध्ये चालु आहे. त्या विकाशी कोठेंकडी ती देतील.

माफ. वर्ग साहेब-

tे तुम्हाला वाचाव माँझवडीला देणार नाहीत याची काळजी आम्ही घेतु.

एन.पी.सिंग-

आम्ही ८७ एकराचा प्रकट प्रयोग अनुसार स.न. ५४/१ मध्ये आम्ही कोठेंकडी देतु.

माफ. कोठटे साहेब-

सर्वचा फायवा तुमच्याच आहे. कारण त्यामुळे पर नावावर होयन तुमच्या भविष्य काळजीतील अडचणी दुर होणार आहेत.

माफ. वर्ग साहेब-

रोज्यम्पाट देण्यात, रजिस्टर करणे, मंडनेनास यथेच तुम्हाला दिला जाणार आहे.

माफ.मिनल कब्जाकर मंडल-

सर्वच महत्त्वाचे महणजे अतिक्रमागाचा शिक्षक तुमच्या कपाळावरील पुसला जाणार आहे.

वापु पवार-

पाणी घेत नाही.

एन.पी.सिंग-

आम्ही टेंकर सुरू केला आहे.

शिवराव मानेर-

३०५ बरासाठी एक टेंकर पाणी पुसते का?

एन.पी.सिंग-

मी संजेश बोईटे यांना संगीतले आहे. परिस्थिती पाहून टेंकर धाववा.

शिवराम मानेर-

तुम्ही महानगरपालिकेचे पाणी वाढवण का घेत नाही.

एन.पी-सिंग.

(4)
कारण या ठिकाणी किंती लोक रहतात. याचा सर्व जांपर्यत होत नाही. तोपर्यत मनपाचे पाणी आपणास मिळवणार नाही.

किशोर माहिले-

साहेब याचाच्याची आम्हाला शोधक्षम सांगा.

मां. संजय कोलें साहेब-

पाण्याची सोय केली जाईल. त्याचे मोर आमचा प्रतिनिधी पाठवून चोकशी करतो. परंतु सर्व हा महत्त्वाचा आहे. प्राणिची कामचे आपणास नंतरही करता बेतील. जर विकसकांनी यांत टाऊळात्त खेली.

tर त्यांचा भोगवाण पत्र दिले जागार नाही.

मां.मिनल कसूकर मेंदम-

प्राणांती प्रतिनिधीनाची भी विनंती करते की, आपण त्यांना पत्र देऊन सर्व करण घ्यावा. नाहीतर नंतर आपणांसहित जाहीर आह्वानार सर्व महिने.लागतील.

नायकांचा पवित्राचे-

विकसकांनी आम्हाला ते जाणविल माहिल दिन येईल. आम्ही लगळच सर्वेंचे पत्रही देतो. परंतु कामासही वेळेंचे वेळणे असावे. ती परंतु विकसकांनी पाणी करी पदू देऊ नये.

किशोर माहिले-

आपण हा प्रकाश एकदा पहावा.

मां. कोलें साहेब-

जरह मी एकदा भेट देऊच.

शिवसाग माने-

मागील वंचना वर्षापासून विकसन प्रतिनिधी हा प्रकाश सोडल नाहीत.

मां.मिनल कसूकर मेंदम-

मागील विषय कादुन भूतकाळात जावू नका. आपण वाहिकांची सकारात्मक मागी कादुनसहायी बसती आहोत. बाहुन निशाचत मागी कादुवा.

राजेश भोईंटे-

याचीच्या घटनाना तुम्ही महत्त्व देऊन वेळेंचे व्यय लावू नका. आम्ही सहकायच्या एक हात पडू असे.
चापु पवारः

विकसक प्रतिनिधि कार्यालय फक्त टोलवाटोलवी करतात. वेळेत उपस्थित राहत नाहीत.

एन.पी.सिंगः

असे काही नाही आम्ही कामे करतो. मागील चुका पुढे होणार नाहीत याची काळजी पेतो.

किशोर मोहिलेः

फायर ब्रिगेडअर्वती गाडी फिरवता येत नाही. दुर्बलता झाल्यास जबाबदार कोण?

एन.पी.सिंगः

ती आडचं दुर करू. काळजी कर नका.

किशोर मोहिलेः

ब्रांच सहितदेखी लोकांच्या पुनर्वसन आधी करा.

मार्मिनल कक्षकर मेंडमः

पुढे मागे वल्हून पाहा नका. सोसायटीचे सकारात्मक दृष्टीकोणातुन पाहून आजची तुम्ही रमात रहून शाळा सहे करून घ्या. यांना पुरावे असतील त्यांचे पुनर्वसन आम्ही करू. त्यांच्या काळजी

शिवराम मानेः

सदेह ना महत्त्वाचा आहे काय.

मार. वगें साहेबः

सव्वा शिवराम आपणास त्या कुंदुराची आडचाची मिळाच्या पावता वेगार नाही.

शिवराम मानेः

पात्र आपल्या गाडी कसी फायनल करूल.

मार्मिनल कक्षकर मेंडमः

आज विवरण काढत जे हमसारीत राहतात. यांचा सव्वा करून पात्र लोकांची जबाबदारी एस.आर.ए. वेल्हूल व अपाचे लोकांची जबाबदारी विकसक चंदे.

एन.पी.सिंगः

होय ती आम्ही वेगारच आहोत.

मार. वगें साहेब व मार्मिनल कक्षकर मेंडमः
आम्ही आशयाच्यामुळे आहोत. आपण स्वतं: आन्ध्राकाळात आहात. त्यामुळे त्यांच्यासाठी सहकार्य करून विकसस्तर सहकार्यासत्र तयार आहे. तर आपण अपूर्ण काम पूर्ण करूया. आमच्या समेत महापाल उपस्थित राहिलाने त्यांच्याच ध्यानात; तुम्ही उपस्थित वाचकांसाठी सहयोग करावाला.

किशोर माहिती:

आम्ही सहयोग करणार नाही.

नारायण पवार:

आम्ही तुमच्या पत्र देऊ.

मामिलन कलमस्कर मंडळ:

तसा शेंग मानीला लिहून दाखल. (मित्रसमूह उपस्थित राहून सहयोग करण्याचा नकार दिला आहे.)

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[विशेष ज्ञान - कोल्हापूर]
Annex D

NGO Engagement Plan
“KUL” NGO ENGAGEMENT PLAN

The NGO engagement plan of KUL is to carry out the social and environmental tasks and other various activities on different stages of Rehabilitation processes of S.No. 44/1 Kelewadi, Erandwana Pune. KUL prefers to engage NGO on specialized work basis to achieve the motive of the Asian Development Bank (ADB SPS), and for this, one or more NGOs can be engaged. The NGO so engaged will work together with KUL ESM Cell.

The NGO must be registered and authentic organization as per State Rules and Regulation to perform such kind of activity within the State of Maharashtra, India. In order to carry out the above tasks, the NGO staff will be stationed in the project area boundary.

If required (as per nature of task), the NGO will update the baseline information, required group meetings will be conducted by the NGO on a regular basis. The frequency of such meetings will depend on the requirements of the Rehabilitation Action Plan (RAP) but should be convened at least once a month. The said NGO will encourage participation of slum individuals in such meetings by discussing their problems regarding their Shifting on Transit, Resettlement, Rehabilitation and other relating aspects.

The key professionals of the engaged NGO shall not only be proficient in their combined professional experience in the areas of environmental or socio-economic surveys, resettlement and rehabilitation, participation, community development capacity building, but shall have extensive expertise in related training for coordination of all aspects of RAP related initiatives,
“KUL” NGO ENGAGEMENT PLAN

and any appropriate economic rehabilitation related activities for involvement of the RAP. The
ESM Cell head will issue the schedule sheet at the time of engagement, the NGO will co-ordinate
appropriate training programs, according to, identified training needs for ensuring effective
implementation of the RAP. The NGO shall coordinate with all related government departments
to effect to such implementation.

The NGO shall submit an inception report-the proposed detailing plan of action, manpower
deployment, time schedule, and detailed methodology, within 30 days of the commencement of
the assignment.

The NGO should also submit quarterly progress reports on the activities carried out and
proposed activities for the coming month. The quarterly progress reports will include data on
indicators as required and include -

(a) Updated data which will be submitted within two months of the commencement of the
assignment.

(b) Data of monitoring of impact indicators will be submitted as required

(c) On completion of the assignment the NGO shall submit a final report summarizing the actions
taken during the implementation, the methodology and manpower used to carry out the
work, and summary of assistance given under the project.
“KUL” NGO ENGAGEMENT PLAN

(d) The NGO will submit the invoice on quarterly basis along with quarterly progress reports/or completion of task as per assignment which will be payable within 30 business days of the submission of the invoice.

It is estimated that the NGO services will be required for 12 months from assignment for participating in the implementation of the RAP. However, this may be rescheduled based on the exact nature of the activity and work implementation programme.

(Drafted by- Dilip Singh Gaur)

11 Jan 2012