

**SHAPING THEIR OWN DESTINIES:
RAILWAY SLUM RESETTLEMENT NEGOTIATIONS IN MUMBAI**



A view of slums from Bandra station on the Western Line.

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BACKGROUND

Mumbai (formerly known as Bombay) has always been a haven for Indians seeking a better life. Universally known as India's financial center and the capital of the state of Maharashtra, the sprawling metropolis of over 11 million inhabitants is also known for its great income disparities. This could not be more evident than on the extensive commuter trains. Commonly referred to as the "Suburban Lines," this train network links the commercial hub of South Bombay to the more residential suburban communities to the north. The rail lines are owned and operated by the Indian Railways, a subsidiary of the Central Government of India, and train travel accounts for 88% of transit travel in Mumbai.¹ Along the tracks live tens of thousands of slum dwellers,² the majority of them migrants from other Indian states who have come to seek better economic opportunities.

Densely populated Mumbai has been plagued with an asymmetric housing market, where demand greatly overshadows supply. Thus housing and land prices are astronomical, out-pricing even those with middle-class incomes. The poor, in particular, have taken to building informal housing on government or privately-owned open land. Slum dwellers on this land have no ability to secure tenure to this property and often lack even the basic amenities such as running water and toilets.

The tracks of land next to railway tracks, regarded undevelopable because of safety reasons, has been a favorite space for slum dwellers to inhabit. Along portions of the railways, some of the shanties are less than 10 feet to the tracks. This causes both safety issues and train delays. Slum children are often found playing on the tracks, and slum dwellers constantly cross the tracks even as oncoming trains approach.³ Additionally, there are 11 to 15 points on the tracks where the safety commissioner of the railways have stipulated that train speeds not exceed 15 km. per hour (when settlements

¹ Patel, Sheela and Kalpana Sharma. "One David and Three Goliaths: Resettling and Rehabilitating Mumbai's Railway Slumdwellers." UN Habitat Case Study.

² The suburban railway is comprised of three trunk lines: 1) Western; 2) Central, and 3) Harbour. The Western line from Churchgate station to Dahisar has approximately 3,000 slum families living alongside its tracks; the Central line from Victoria Terminus to Thane has approximately 8,000 slum families living alongside its tracks, and the Harbour line from Victoria Terminus to Mankhurd has approximately 13,000 families living alongside its tracks. Burra, Sundar. "Resettlement and Rehabilitation of the Urban Poor: the Story of Kanjur Marg" (SPARC). See Appendix 3 for Suburban Lines map.

³ The June 2004 Harper's Index cited that an average of 10 people die a day as a result of commuter train accidents. How many of these are slum dwellers is unknown.

are built less than 50 feet from the tracks), whereas the actual capacity of trains is 40 km. per hour.

Since the failed attempts of forced removal and demolition of slums by the Indian government in the 1950s and 1960s, a number of efforts have been made to address slum developments on land which the government has had an interest in developing. Various stakeholders have entered the picture over the years, from various government organizations, multilateral development banks, non-governmental organizations (NGOs) and community based organizations (CBOs). The impetus of addressing slums is largely dictated by development projects that require the use of occupied government land.

The following is an analysis of the negotiations surrounding the resettlement of railway slum communities affected by the Mumbai Urban Transport Project II (MUTP II) in the late 1980s and 1990s (see Appendix 1 for Timeline). Specifically, the portion of the project analyzed entailed laying two additional tracks for the Kurla-Thane line, necessitating the resettlement of 1,980 slum families. This negotiation presents a model for collaborative problem solving in which the slum dwellers worked with all involved stakeholders to build a consensus, and set a precedent for permanently settling slum dwellers where living conditions are safe and sanitary.

KEY STAKEHOLDERS

The following introduces the key stakeholders involved in the Kurla-Thane railway extension, and is intended to supplement the Stakeholder Analysis (see Appendix 2).

The State Government of Maharashtra (“The State Government”). The State Government is the state arm of the Central Government of India, and oversees specific departments also involved in MUPT II such as the Public Works Department, the Urban Development Department and the local Municipal Corporation of Greater Mumbai (MCGM). These agencies administer aspects of development projects in Mumbai, and specifically have the power over governmental land jurisdiction. The State Government has participated in slum resettlement insofar as development projects were at stake.

Indian Railways (“Railways”). The Railways is also an arm of the Central Government of India, and owns and operates all of the railway lines in India, including Mumbai’s Suburban Lines. The Railways has jurisdiction over its own land, separate and apart

from the State Government's land. The extremely centralized Railways focus directly on rail operation and view the needs of slum dwellers outside its responsibility.

World Bank. The World Bank is the largest funder of MUPT II. The World Bank's share is \$542 million, or 57%, of the \$943 million project cost.⁴ The World Bank took action in addressing resettlement issues after encountering much criticism in the early 1990s as a result of displacing populations affected by their dam projects. Since then, they have adapted a project-affected persons (PAP) requirement, which stipulates that projects cannot go ahead without a resettlement and rehabilitation (R&R) plan.

Slum Redevelopment Authority (SRA). The SRA is a regulatory agency formed by the State Government, dedicated to creating permanent housing for slum dwellers in accordance with government legislation. The establishment of the SRA in the 1990s legitimized the government's need to address the increasingly pressing problem of slum proliferation in Mumbai.

Society for the Promotion of Area Resource Centres (SPARC). Established in 1984, SPARC is an NGO that generally provides advocacy for slum dwellers in Mumbai. Since its inception it has allied with Mahila Milan and the National Slum Dwellers Federation to provide technical and organizational training and credit and savings programs to slum dwellers. Recently, SPARC has been focusing on constructing permanent housing for slum dwellers.

National Slum Dwellers Federation (NSDF)/Railway Slum Dwellers Federation (RSDF). NSDF is a CBO whose membership is made up entirely of slum dwellers. RSDF reflects a sub-group of NSDF, of which there are many that are organized by settlement location, whose members live along the railways. RSDF provides an organizational base and a unified voice for slum dwellers and taps the resources of SPARC for technical training. RSDF was established in 1989 after SPARC, in conjunction with the State Government and the Railways, published a study of railway slums.

Mumbaikar Commuters. Commuters in Mumbai make approximately 7.4 million passenger-trips a day, and average 25 km. per trip.⁵ Thus, it is no surprise that delays in train service due to accidents on the tracks or reduced speed through densely settled areas caused irate passengers to protest at stations through destruction and violence. The majority of train service inefficiencies are directly related to the proximity of slums to the tracks. Public outcry makes a compelling case for government action.

The listing of the above stakeholders points to two important characteristics that will shape the negotiation process. One is that of the bureaucracy of the Indian

⁴ The Mumbai Metropolitan Region Development Authority website:
http://www.mmrdamumbai.org/projects_mutp.htm

⁵ Patel, Sheela. "Revisiting Participation: 'Win-Win' Strategy in Negotiations with Railway Authorities and Squatters, Mumbai, India." *Transport and Communications Bulletin for Asia and the Pacific*, No. 69 (1999) UNESCAP Transport and Tourism Division.

Government, demonstrated by the existence its related entities which sprout from both the Central and State Governments. Authority is so decentralized within the government it is unclear as to who has responsibility over what aspects of the slum redevelopment process. This has essentially paralyzed the government from taking concerted action on the issue of slums in Mumbai. The second characteristic is that the problem of railway slums is far reaching. Although railway slums are very much still a social problem, this case goes beyond classifying them as only that. Here, the externalities of their existence are great and affect many parties. Thus the solution necessarily involves ownership of the problem by those who have historically not involved themselves in slum resettlement.

MOVES: RESPONDING TO IMPETUSES AND UNEXPECTED GESTURES

For many decades the problem of slums, include those by the railways, has plagued Mumbai. Efforts were characterized by languor and temporary solutions and always applied a top-down approach, neglecting the desires of the slum dwellers. The major impetus of slum resettlement and rehabilitation has come from development projects and the need for the government to free up land. In this respect, the case of MUPT II is no different, however, this time slum dwellers were prepared to demonstrate their value at the bargaining table to ensure their needs were met.

Pulling Up a Chair. When SPARC had jointly published the census report on railway slum dwellers with the Railways and the State Government, they wanted to make sure their efforts would not end with simply a published report. Thus they initiated dialogue between the newly-formed RSDF, the State Government and the Railways. This was the first attempt to introduce slum dwellers as a legitimate party in the negotiation.

In this dialogue, RSDF was able to convey a *very clear reservation point* which was that they would voluntarily move only if offered secure land with built n infrastructure. RSDF seemed to express three concrete considerations to the State Government and the Railways by revealing their reservation point. First, RSDF demonstrated that they knew that what they were asking for was a real possibility since the State Government had offered resettlement land and infrastructure development to slum dwellers in the past, albeit never as a package. Second, RSDF made it known that

land tenure and infrastructure were the two most important tangible interests for them. Third, the no-agreement alternative would be that RSDF's constituents stay in the original settlements impeding railway efficiency while lacking proper sanitation, an unattractive scenario for both the State Government and the Railways.

The result of these dialogues was constructive, yet the State Government and the Railways were not convinced that the task of resettlement would be anything less than onerous. Nor were they sure what RSDF would do to facilitate the process.

The Perception of Commitment. As a socially and economically marginalized class, it was only natural that slum dwellers would feel like the party with the least amount of power at the bargaining table. As such, they knew how much their positive actions would impact *the perception of commitment and participation*.

As soon as the RSDF was formed in 1989, they immediately went to work. As part of an early stage of MUPT II, RSDF successfully relocated 900 slum families to make way for a new railway line going to Vashi in New Bombay. The SPARC alliance also aided in financing permanent housing for families who could not afford the new government subsidized housing. Additionally, RSDF formed its members into cooperatives to save money for future moves and to work together to plan their housing.

Although not all of these actions were undertaken with a conscious attempt to show the State Government and the Railways that they were serious and effective; it helped RSDF define their role and resources in the negotiations.

Forcing a Solution. When MUPT II became an immediate priority in 1995, the World Bank, set a mid-year deadline for the State Government to forge an R&R policy for the project. In response, the State Government formed a Task Force, chaired by an experienced civil servant with particular interest in slum dwellers.

The Task Force engaged all of the institutional stakeholders including NSDF, SPARC and various departments of the State Government. The inclusiveness of the Task Force demonstrated that the State Government was committed to a sustainable solution. The ultimate R&R policy was ratified by the State Government, signally the first time such a policy was established for an urban area.

But the major weakness of the policy was that only "quick and dirty" solutions were possible because of the deadline set by the World Bank. Although the World

Bank's role was that of a funder, they were not sufficiently part of the participatory process, imposing deadlines rather than offering ideas or solutions. As a result, for the next few years, the R&R policy remained simply a document of ideas and promises.

Now or Never. The World Bank, the State Government and the Railways saw railway slum resettlement as only one side issue to the MUTP II project. The project process involved many other elements, such as hiring contractors and oversight issue, seen as substantially more integral and certainly more attainable. But as talks continued between the project players, a rash of destructive and violent incidents by commuters fed up with the inefficiencies of the rail system delivered a very telling message: railway slum dwellers are the major cause of service delays, thus their resettlement is central to the aims of improving rail transportation which was the ultimate goal of MUTP II.

This effectively *reframed* the issue of settlement and made its solution the most pressing issue of the project. It also involved the public to whom MUTP II was to benefit.

Action Not Words. Reacting to the stagnation of talks surrounding resettlement and allegations from the Railways that the RSDF was "all talk," RSDF's constituents near Borivali station on the Western Line moved their settlement back 30 feet so that trains could improve their speed. The slum dwellers also built a wall between the tracks and their homes, creating a barrier to those wanting to cross or play on the tracks. This action was immediately followed by a *concrete offer* requesting that the State Government provide alternate land for slum dwellers and that the Railways pay for the basic infrastructure (it was expected that the decrease of delays and rail extensions would counteract any losses that the Railways would face by this payment) while NSDF and SPARC manage the actual resettlement.

The move was extremely effective because RSDF acted in an impressive way, showing that they were able to mobilize resources and contribute to a solution. By following the unexpected success with an offer they bound the State Government and the Railways by a sense of *reciprocity*. If the slum dwellers were able to make progress towards a solution, it would behoove the State Government and the Railways not to meaningfully join in the effort.

The moves detailed above go beyond a simple carrot-and-stick approach to getting to a solution. In fact, much of the initiative came from the low-power player and

was aided by other outside pressures. Much of RSDF's work in resettlement in and moving slums back from the tracks could have been sufficient actions on their own, with the State Government and the Railways expecting them to do more of the same at no cost to them. But such unforeseen gestures pointed to a need for *relationship building* amongst the three groups, which is a dynamic asset for the future development of Mumbai.

OUTCOMES AND VALUE ADDED

Public and External Outcomes. When the Railways announced its plans for additional rail lines from Kurla to Thane, the Government and the Railways agreed to the offer set forth by RSDF and appointed SPARC to direct the process. The R&R was divided into a two stage process whereby the slum dwellers would first be moved to temporary housing (built by the slum dwellers) at Kanjur Marg in the suburb of Ghatkopar with the basic infrastructure provided by the Railways. Next, the construction of larger, permanent units would be built with secure title for the slum dwellers.

This two-phase process was attractive to the State Government and the Railways since it freed up the Railways land much sooner than waiting for permanent housing to be built. As a result, project costs did not increase because of delays. Slum dwellers also preferred to move sooner since they would have access to basic amenities not afforded by the railway settlements. The amenability of the resettlement process facilitated buy-in from all parties.

It is interesting to note that although the SRA generally has a passive role in slum resettlement and redevelopment, it played an important part by holding the money that the Railways transferred to SPARC for infrastructure development.⁶ This allowed SRA to participate and feel as though they had a stake in the process, which is important for future activities of the SRA to play a more proactive role in slum issues.

Internal Outcomes. Even in the context of the negotiation, the mere process of organizing and legitimizing a role for a marginalized group lent a very holistic approach

⁶ A government agency cannot legally transfer funds to a nongovernmental agency.

to expanding the social development of slum dwellers. The expertise of the SPARC-Mahila Milan-NSDF alliance enabled railway slum dwellers to develop collectives focused around microfinance and needs assessment. Moreover, Mahila Milan focuses on women taking leadership within households in terms of microsaving. This exercise effectively *built community* enabling a common voice and ease in which slum dwellers could rally around tangible issues.

The alliance pushed the slum dwellers to be at the forefront of the negotiation while it chose only to play a facilitator role. This empowered the slum dwellers who before often felt helpless because of insecure land tenure and poor economic leverage. Arguably, this empowerment will move beyond resettlement and encourage these slum dwellers to become more proactive in all aspects of their livelihoods.

The convoluted relationship structure of the government agencies initially caused reciprocal finger-pointing by both the Railways and the State Government as to who should address the problem of the slum dwellers. However, the solution incorporated the joint resources of the State Government and the Railways indicating that both parties were essential to the deal.

Similarly, other efforts to caucus with different stakeholder shed increasingly new light on the problem and its possible solutions. Although these parties had similar interests in seeing MUTP II move forward as soon as possible, the discussions between the World Bank, the State Government and the Railways did not necessarily form a coalition against the slum dwellers. In fact, they seemed to apply pressure on these large agencies to address a problem that continued to resurface throughout the talks. The Task Force was also a valuable forum, as it culled the opinions of all interested parties. It was through this venue that everyone realized that a solution was not altogether impossible.

GOING FORWARD

The importance of the resulting “win-win” conclusion of this negotiation should not be diluted as time passes. In fact, one of the major accomplishments of the negotiation was the forging of a new alliance that includes NSDF, SPARC, the State Government and the Railways. These new relationships put the sustained imperative of tackling slum resettlement together through pooling resources and addressing all interests.

These parties were able to walk away from the negotiation feeling as though they had succeeded in obtaining their interests, and also feel as though they actively contributed to this end.

APPENDIX 1: RAILWAY SLUM RESETTLEMENT TIMELINE:

*note: the actual dates are not well documented and thus largely remain as simply events in given years

1988:

- Maharashtra's Housing Department proposed that the Indian Railways, the State Government of Maharashtra and the Society for the Promotion of Area Resource Centers (SPARC) perform a joint survey to assess impact of slum-dwellers living on Railways land

1989:

- SPARC, along with the Indian Railways and the State Government, publish "Beyond the Beaten Track: Census of Slums on the Railway Tracks"
- Based on this survey, SPARC organizes families living alongside railway tracks into the Railway Slum Dwellers Federation (RSDF), a constituent group of the National Slum Dwellers Federation (NSDF)
- RSDF organizes the volunteering relocation of 900 of its families to make way for a new railway line linking Mumbai to Vashi (or New Bombay), demonstrating capacity and legitimacy

1995:

- Mumbai Urban Transport Project II (MUPT II), a collaboration between: Indian Railways; the Municipal Corporation of Maharashtra (MCM), and the Public Works Department of the Government of Maharashtra gains momentum
- The World Bank imposes a mid-year deadline for a relocation and resettlement plan (R&R) for slum dwellers living on to-be-developed land
- A Task Force is formed, chaired by D. M Sukthankar (former Chief Secretary to the Government of Maharashtra, Secretary in the Department of Urban Development for the Government of India, and municipal Commissioner of Bombay), to come up with a viable R&R policy. The task force consisted of representatives of governmental departments (e.g. revenue, finance, public works and housing), NGOs and representatives of private finance

1995-1997:

- Talks between the World Bank, the Railways and the State Government break down
- A baseline survey of slum dwellers to be relocated begins
- Commuter unrest as livid passenger, fed up with service delays and inefficiencies, begin to wreak havoc at Railway stations. The burning of stations and violence towards stationmasters ensues → negotiations begin again

1997:

- RSDF organizes constituents near Borivali station to move their informal housing units 30 feet from the tracks (the slums had been around 10 feet from the track) and build a wall between the track and the houses

1998:

- The State Government appoints SPARC as the facilitator for R&R operations

August 1998-June 1999:

- Phase One of R&R completed: This included the State Government transferring land with secure tenure for the relocated slum dwellers, the Railways financing infrastructure costs for new housing, and the building of temporary structures for those relocated