

Case Study 1

Hyderabad Metro Rail

How this metro rail project being built on the PPP model negotiated with religious trusts

21 Total number of religious structures that needed relocation

16 The number of temples, mosques and churches for which a solution was found either in terms of relocation or islanding*

Relocating Beliefs

How do authorities negotiate with the dilemma of religious structures coming in the way of infrastructure projects?

By Shantanu Nandan Sharma

NVS Reddy, managing director of the Hyderabad Metro Rail Corporation (HMRC), prefers to be known as a poet rather than an engineer. As if to prove it is no haughty claim, he recites a line: "My structures are damsels dancing in the moonlight."

Reddy the poet hasn't abandoned his professional interest and his "damsels" may now be "dancing in the moonlight", but it hasn't been easy. Not long ago, the upcoming metro rail project faced uncertainty owing to a number of religious structures. Hyderabad is a hugely polarised city, home to a large number of Hindus and Muslims. Reddy had the unenviable task of overseeing the shifting of temples and mosques. No surprise that he is not the most popular official in Hyderabad.

Reddy actually moves around the city to inspect his "damsels" accompanied by a security detail these days. State intelligence reports claimed he could be a possible target for attack in sensitive pockets.

"It has not been an easy affair. There were agitations in front of our office. My effigy was burnt several times," says Reddy.

Nevertheless, the metro rail project seems to have put behind it many of the religious obstacles. The HMRC team successfully negotiated with the managements of 16 out of the 21 religious structures that came in the way of the 72-km-long alignment of the rail line, according to Reddy.

How so? HMRC handed out grants – Reddy calls them "very liberal" – as incentives to re-

"I must admit it has not been an easy affair. There were agitations in front of our office. My effigy was burnt several times. But we have tackled most structures"

NVS Reddy,
 managing director,
 Hyderabad Metro Rail



A devotee in front of the Sat Devia Temple, Hyderabad. The Metro authority has "islanded" the temple, but negotiations for relocation are still on

A Muslim prayer place near a metro rail pillar



A Christian grave that fell on the metro line was shifted after many rounds of negotiations



Step 1 >> Negotiations

Officials are first sent to appeal to the temple priest or the imam with a request for relocation

➤ Muslim officials are usually sent to negotiate with mosque trusts, Christian officers to churches

➤ Local government officials, and not concessionaire L&T, usually get involved in the negotiations

➤ Liberal grants are promised for relocation

Step 2 >> Shifting Grants

Up to ₹2 crore sanctioned for each structure. Money is spent from state government's utility shifting budget

➤ One Iskon temple granted ₹10 crore only for acquiring land. Main structure remains unaffected

*Islanding is the last resort when a religious trust refuses to leave a site

locate the religious structures. What happens if the doles fail? "If a priest or an imam refuses to move, we island [buy adjoining land to isolate to the structure] the structure," says Reddy. The metro is being rolled out as a public private partnership (PPP) project, with L&T as the private partner.

That's one in the Corner!

In India, the land of diverse beliefs and religions, Hyderabad is hardly the only city where infrastructure meets religion, often with undesirable consequences. Every nook and corner in both urban and rural lands would inevitably have a structure belonging to one religion or the other. A tree or even an incomplete concrete structure becomes "sacred" and consequently, immovable.

The widening of highways, expansion of airports and rolling out of metro rail networks during the last one and half decades are all worth millions of dollars.

But they are often up against multiple faiths, inescapably unshakeable, of a large swathe of people. Given that religion evokes unbridled passion in India, removing religious structures is a challenge.

Authorities cannot take recourse to law to remove these types of infrastructure bottlenecks. Because there isn't one – except the land acquisition act. That means agencies, be it government or private, have to rely on their negotiation skills with the managements of religious institutions. It is never easy. Money doesn't always work. Moving court would only result in delays. Not even a legal threat would unnerve the people who manage these institutions thanks to the rich coffers.

"It's not religious temples or mosques that hold up infrastructure. It's 'Temples of Justice' – India's dilatory legal system – that act as a major bottleneck at all stages of infrastructure creation," says Shailesh Pathak, ex-

ecutive director of Bhartiya Group that has interests in building townships, among others. Indeed, infrastructure cases are stuck in courts for decades. India is ranked 142 out of 189 countries in the World Bank's Ease of Doing Business index. Due to this grim scene, infrastructure companies prefer "managing" religious trusts to moving court. "The only recourse is to fall back on out-of-court unofficial settlements. The encroacher is often persuaded to shift the structure by parting with a hefty sum," adds Pathak who was a civil servant for 16 years before shifting to the private sector.

Let's Sit & Talk

Government agencies – National Highways Authority of India (NHAI), metro rail corporations and city development authorities – too prefer the same method. Only that it is an unwritten rule.

Last week in Jaipur, the famous Roj-gareshwar Mahadev and Khasttharan Mahadev temples were demolished to pave the way for the construction of a metro rail. Officials of the Jaipur Metro Rail Corporation executing the 12-km-long project first convinced the management of the two-centuries-old temples before relocating those. Yet, there was trouble in the air. About 400 cops were deployed in the area and about a dozen persons were taken into preventive custody. "We convinced the temple management that the relocation is out of sheer necessity," says Nihal Chand Goel, chairman and managing director of Jaipur Metro. In Jaipur, six out of 13 temples have been relocated to roll out the metro.

But what happens if the management of a religious structure refuses to budge? The Delhi Metro Rail Corporation (DMRC), which has rolled out 190 km of metro line, still has unresolved issues concerning a 365-sq metre mosque and a large temple named Shyam Giri near the Shastri Park station. The matter dates

Case Study 2 The Delhi Metro

How unresolved issues relating to a temple and a mosque continue to cast a shadow

Location >> Shastri Park Metro Station, Delhi

Issue >> Delhi Metro Rail Corporation (DMRC) bought 155 acres from Delhi Development Authority (DDA) in September 1998. But as it turned out, the areas occupied by Shyam Giri temple and Sabri mosque were part of the purchased land



"Our temple has remained in this place for the last 700 years. Who is DDA to sell our land to Delhi Metro?"

Raman Giri Mahara], head priest, Shyam Giri temple



Dealing with the Temple >>
The management of the Shyam Giri temple claims:

- ◆ Delhi Metro took away a large portion of its land
- ◆ But it finally allowed the temple and the adjoining ashram to function in a smaller area (it constructed a boundary so that the temple wouldn't encroach DMRC's land in future)

◆ According to DMRC records (RTI dated September 26, 2013), the temple still encroaches 11,500 sq metre area of its 7,45,245 sq metre land in Shastri Park



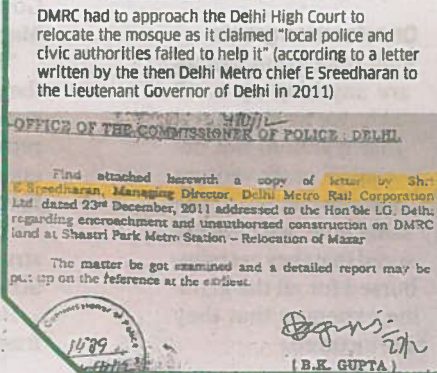
"Is there any law in India under which a mazar can be relocated? We are no way obstructing the main station. We want an early resolution to this issue"

Israr Hussain Chisti, president, Ahly Sunnat Wal Jamat Committee



Dealing with the Mosque >>
The management of the Sabri mosque claims:

- ◆ It's not an unauthorised mosque as claimed by the Delhi Metro
- ◆ It wants a final resolution on its status so that it can be reconstructed at the same location
- ◆ There has been apathy even after Delhi High Court directed the LG to resolve the issue "within 2 weeks", in a judgment dated December 17, 2004



Case Study 3 Kolkata Airport

How a mosque near the second runway raised security issues



25 metres
 Height of the mosque

Location >> On the path of aircraft landing (200 m from second runway's northern end)

Issue >> Because of the mosque's location, aircraft faced the risk of overshooting the runway

Settlement >> Airport Authority of India failed to convince the mosque management to relocate despite repeated efforts since 1986. The length of the secondary runway had to be increased on the opposite side to reduce safety hazards. The modernisation of the airport was completed in March 2013