I. Introduction and Context

A. Country Context

1. India’s rapid economic growth is being accompanied by an unprecedented urban transformation. For the first time since independence, India is seeing an absolute increase in urban population with the number of towns increasing from 5,161 in 2001 to 7,935 in 2011, with 500 cities hosting populations over 100,000 and with 53 cities having over 1 million people. With a rapidly expanding urban population the challenges for making Indian cities livable, productive, and competitive are enormous. Indeed, this massive urban transformation defines one of India’s fundamental development challenges, which is to provide housing, urban services, employment opportunities, and a decent and healthy quality of life for up to 10 million additional urban dwellers per year. Facing these challenges will require concerted efforts, especially from the state governments, since urban development is entirely a ‘state’ subject under the Indian Constitution.

2. Since the 74th Constitutional Amendment (CA) in 1992, urban local governments in India are meant to have become key institutions of political representation and service delivery. However, despite efforts at central and local levels, the reform agenda for implementation of the 74th CA remains unfinished. The pace of decentralization and the development of robust municipal management, governance, financing and service delivery systems has been uneven and slow. While there has been significant progress in important aspects such as the constitution of urban local governments, regular elections, and the representation of more vulnerable sections of the society, other areas have seen little progress including the
devolution of fiscal powers, the consolidation of professional municipal cadres, the establishment of district and metropolitan level planning committees, the empowerment of elected Mayors, and citizen engagement in urban planning and budgeting functions.

3. One significant development over the past 10 years, however, has been an unprecedented increase in fiscal flows to Urban Local Bodies (ULBs)\(^1\) from the federal and state levels. From 2007/08 to 2012/13, grants to ULBs more than doubled from USD 3.5 billion to USD 7.3 billion. For the 2015-20 period, the 14th Central Finance Commission (CFC) recommended a further increase for a total of USD 13.6 billion, of which USD 2.8 billion is to be allocated based on performance. This represents a yearly per capita allocation of USD 7.7. Despite this increase, the design of the transfers, including their monitoring and accountability elements, has had little improvement in the financial management, human resource base, and overall governance systems of ULBs, which has been a cause of the modest improvements in urban management and service delivery.

B. Sectoral and Institutional Context of the Program

4. In the spirit of enacting the 74\(^{th}\) CA, urban governance and institutional reforms have been accorded a national priority for more than a decade. Multiple national urban missions and the recommendations from consecutive CFCs have addressed some of these reforms. Jawaharlal Nehru National Urban Renewal Mission (JNNURM), the first national urban development mission launched in 2007, gave national priority to urban service delivery improvements and urban governance reforms across India. JNNURM’s primary focus was on municipal infrastructure and service delivery investments, together with an ambitious urban reform agenda including the implementation of the 74\(^{th}\) CA and the devolution of planning functions at the state level and the introduction of e-governance, migration to double entry accounting, and own source revenue generation at the city level.

5. JNNURM made a quantum change in the size of investments and breadth of coverage across cities and states. However, its implementation was slow with a disbursement of only 63% (USD 6.2 billion against USD 9.7 billion) of the total program outlay. On the reform front, progress was also modest with an estimated 18% against 54% of reform milestones achieved by March of 2009. Some reasons for the underachievement of the program, are: (i) investments were not conceived with a city-wide approach and did not target service delivery standards; (ii) no differentiation between small and large cities or between their different levels of preparedness for reforms was made; (iii) reform implementation was not closely monitored and a check box approach became prevalent; and (iv) the incentive for reforms did not work as planned. While originally the program intended to fully link the investments with the reforms, due to the uneven progress of the investment and reform elements, these elements were delinked from each other and at the end only 10% of the total program proceeds was linked to reforms.

6. In its efforts to tackle the growing challenges of urbanization in June 2015, the Government of India (GoI) launched two national schemes for the 2015-20 period. The Smart Cities Mission with a total budget of USD 7.5 billion and a focus on area based development and

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\(^1\) The term “Urban Local Body (ULB)” and “city” is used interchangeably.
a pan-city intervention of smart infrastructure and alternative implementation arrangements in 100 cities. The Atal Mission for Rejuvenation and Urban Transformation (AMRUT) with a budget of USD 7.5 billion provides investment and reform support for the 500 cities of over 100,000 people. All the participating AMRUT cities are expected to prepare Service Levels Improvement Plans (SLIPs) which are consolidated and prioritized at the state level in the form of a State Annual Action Plan (SAAP). In terms of reforms, AMRUT prescribed an eleven-point urban agenda focusing on state level and city level institutional and governance reforms. It adopted an incentive approach for states and cities to undertake the program reforms. Originally the incentive amounted to 10% of the total program budget ($750 million), which has now been increased to 20% ($1.5 billion) for the remaining three years of the Mission.

7. AMRUT’s overall implementation progress has been slow in terms of both service delivery and reforms. Some of the reasons include (i) weak program management, monitoring and accountability systems including a checklist approach for reform implementation, self-assessment for verification of achievement of reform milestones, heavy reliance on planning documents (SLIPs and SAAPs) without robust independent verification mechanism for results achieved on either service delivery or reforms, (ii) lack of proper systems and adequate capacities at the local level to plan and implement the projects for improved service delivery; and (iii) an allegedly low proportion (10% of total Program outlay) of incentive-based grants that may have not generated a strong enough incentive to undertake the reforms. In the first year of AMRUT only 20 states qualified for reform incentive grant and in the second year, only 16 states qualified.

8. Alongside the national urban missions, the 13th and 14th CFCs, laid a heavy emphasis on urban reforms. The 13th CFC proposed for the first time in 2010, a fraction of the central grants to be allocated based on performance conditions on municipal accounting and auditing, devolution of taxation powers, electronic fund transfer to cities, and service level benchmarking amongst others. The 14th CFC recommended to continue the performance-based grants for the period 2015-20, but it reduced the number of conditions to three: annual audit of municipal accounts, increase in own source revenues, and notification of service level benchmarks. Under the 14th CFC, approx. USD 2.7 billion has been allocated as performance grants out of the total allocation of USD 13 billion for the ULBs over the five-year period.

9. Lessons from the national urban schemes and recommendations by consecutive CFCs suggest that the segregation of funding between a high proportion of unconditional grants for infrastructure (80-90% of the total budget outlay) and a small proportion of reform linked conditional grants (10-20% of the total budget outlay) may not have created a strong enough incentive on the ULBs to implement reforms. Since 2007, an estimated USD 42 billion in fiscal transfers has been made available to the ULBs but results in reforms implementation, strengthening of local systems and capacities and improvements in service delivery standards have been slow. It seems like, contrary to the expectation, this huge amount of mostly unconditional transfers that are by and large perceived by ULBs as entitlements, have created a disincentive on ULBs to reform their financial systems and consequently increase its own sources of revenue. Lack of differentiation among very
diverse ULBs, overly ambitious targets (practically unachievable), standard supply driven capacity building support, weak program management and monitoring skills are some of the other persistently underlying issues of the approaches that have been followed.

C. Relationship to CAS/CPF

10. The proposed operation directly contributes to one of the key objectives of the 2013-2017 Country Partnership Strategy which is to support India’s urban transformation. Also, the future of cities is very prominent in India’s Systematic Country Diagnostic (SCD) currently under preparation. It refers to the challenge of making cities more productive and livable that requires numerous complex policy decisions and interventions to promote agglomeration economies; improve connectivity, reduce environmental impacts- notably air pollution; strengthen city finances; and improve coordination across institutional jurisdictions and across sectors. The proposed SCD also provides some inroads for ensuring the provision of basic public goods and services by tightening the accountability mechanisms at the local levels, and acknowledges the challenge of India’s federal system to align the functions, finances and functionaries among tiers of government, which is one of the primary objectives of the proposed operation.

D. Rationale for Bank Engagement and Choice of Financing Instrument

11. The World Bank has a history of over ten years of engagement in supporting urban and local government reforms in India through numerous past and ongoing operations at both the national, state and local government levels. The six operations under implementation, five under preparation and a series of analytical and policy work in the sector have provided useful lessons on a variety of reform areas like the design of performance-based transfers; e-governance; auditing and accountability systems and procedures; different capacity building modalities, etc. This together with the accumulated knowledge of the Bank in the urban and local government sector in other South Asian counties (e.g., Bangladesh, Pakistan) and other regions of the World (primarily Africa) puts the Bank in a strong position for engaging in this operation. This local, regional, and international experience of the Bank is widely recognized by the GoI that continues to see the Bank as a strong partner and knowledge broker in the urban and local government sector.

12. The proposed operation will be financed through a hybrid of a Program for Results (PforR), which will be referred to as “the Program” and an Investment Project Financing (IPF) instrument. The dominant modality will be the PforR which is the most suitable instrument for a reform-based program. The PforR will finance policy reforms at the state level as well as the development of an incentive-based grant system to strengthen the institutional systems and capacities at the city level. Given the focus on urban reforms and institutional development at the sub-national level, the PforR modality will structure a clear set of incentives by linking disbursements to specific milestones. At the state level the rewards will come from the implementation of an agreed set of policy reforms. At the city level, the incentives will come in the form of untied performance grants. These grants will be expended on urban infrastructure and service-delivery but will be structured in a way that incentivize cities to assume the additional functions and responsibilities that would come from the implementation of the state-level devolution reforms. The specific quantum of
local level grants will be established through a formula-based process, and disbursed to local governments upon verification (via an Annual Performance Assessment, APA) of completion of agreed targets.

13. The proposed operation will follow the Multiphase Programmatic Approach (MPA), approved by the Bank Board of Directors on July 2017. An MPA allows the structuring of a long and complex engagement as a set of smaller linked operations (or phases) under one Program agreed during the initial Program design. An MPA improves coherence across a series of interventions by keeping a strategic long term focus reducing the processing time for the follow up phases. The MPA is well suited for the proposed operation for the following reasons: (i) it encourages learning across phases, so it offers an opportunity to test some hypotheses or approaches in the first phase that can then be adapted or replicated in the following ones. In the case of an urban reforms program such as this one, in which various approaches have been tested—and failed—in the past, this flexibility is very valuable; (ii) while the first tranche will be targeted to a limited number of states and cities, it is scalable to a larger number of participating entities in subsequent phases; and (iii) the approach is well-suited from a sectoral perspective, as the urban sector institutional challenges that this Program focuses on, require a medium to long term perspective and a continued partnership with the states and cities to demonstrate results.

II. Program Development Objective(s)

A. Program Development Objective(s)

14. The Program Development Objective is to strengthen the institutional, financial and accountability systems of the participating cities. In the first phase of the Program, the development objective would be to strengthen the institutional, financial and accountability systems of a limited number of participating cities. In the long term, the development objective is expected to remain the same, but covering a broader number of cities, mainstreaming the lessons learned from the first phase into the subsequent phases.

B. Key Program Results

15. The state level results would focus on providing enabling conditions for cities to improve service delivery by:
   a) Devolving core municipal functions, fiscal resources and powers and human resources to the selected cities
   b) Strengthening the monitoring and evaluation mechanisms at the state level to oversee the allocation of grants and levels of coverage/quality of service delivery at the city level

16. The city level results would focus on:
   a) Strengthening planning, budgeting, and implementation systems for service delivery
   b) Strengthening city finances and the financial management systems
   c) Strengthening city governance and accountability mechanisms

C. Program Framework
17. The Program is proposed to be financed fully by the Bank and implemented in two sequential phases:

- The first phase of the Program will be implemented in four years (2018-22) and would focus on strengthening the institutional, financial and accountability systems of the participating states and cities through a performance-based incentive mechanism. The selection of states and cities would be done through a national competition to be conducted by the Ministry of Housing and Urban Affairs (MoHUA).

- The subsequent phase of the Program will be implemented over four years (2022-26) and would focus on scaling up the performance-based incentive system with the objective of further strengthening the institutional, financial and accountability systems of a broader number of states and cities.

III. Program Description

Government program – Atal Mission for Rejuvenation and Urban Transformation (AMRUT)

18. In June 2015, the GoI through MoHUA launched AMRUT as a Centrally Sponsored Scheme for a period of 5 years (2015-20), with a total budget outlay of USD 7.5 billion for the 500 cities with population over 100,000. The Key Result Areas (KRAs) of AMRUT are (i) improving access to municipal services and (ii) strengthening municipal functioning and revenue mobilization through reforms implementation. AMRUT seeks to achieve these KRAs by providing financial assistance to ULBs through three main components: (i) municipal infrastructure investments in water supply, sewerage, storm water drainage, public transport, and green spaces; (ii) incentive grants for the implementation of urban reforms to be used for eligible expenditures under AMRUT; and (iii) capacity building activities. Eighty percent of the program funds have been earmarked for infrastructure investments, ten percent as incentive grants for the urban reforms, and ten percent for administrative and operational expenditures.

19. In terms of urban reforms, AMRUT prescribes an eleven-point agenda in the following areas: (i) e-governance focusing municipal services, personnel management, payroll and pensions, procurement, and project management; (ii) constitution and professionalization of municipal cadre; (iii) augmenting double entry accounting; (iv) urban planning reforms and preparation of city level plans; (v) devolution of functions and funds as per 74th CA; (vi) review of building by-laws including a single window clearance for all building plan approvals; (vii) set-up a state-level financial intermediary to access non-budgetary sources of financing (including municipal bonds, commercial borrowing, private investments etc.); (viii) improve own-source revenues; (ix) complete credit ratings; (x) conduct energy audits; and (xi) elimination of open defecation and scientific disposal of municipal solid waste.

20. The reform implementation and monitoring mechanism followed under AMRUT has not demonstrated significant improvements. The self-administered check-list approach for the monitoring of reforms has not led to real institutional development and governance improvements. For instance, one of the priority reform activities under AMRUT was to devolve the functions and funds as per 74th CA. In response to this, most states reported
that all functions have been devolved to ULBs by simply attaching a Government Order as evidence. However, this did not change the situation on the ground, where in many states, parastatal agencies or state departments continue to perform the same municipal functions. Additionally, the reform targets prescribed under AMRUT were overly ambitious and practically unachievable given the current baselines in cities and the fact that there were no intermediate targets. Lastly, there was no focused and structured technical assistance or advisory support provided to the ULBs to guide them on the reform pathway.

21. Another reason for the lack of substantive progress in AMRUT is an allegedly low grant allocation for reforms. The annual allocation for reform incentive grant under AMRUT was USD 75 million for the first two years of the program. In 2015-16, the reform incentive grant was distributed amongst 400 cities from the qualified 20 states and in 2016-17 amongst 330 cities from qualified 16 states, resulting in an annual average city allocation of about USD 200,000 and USD 240,000 respectively. As compared to the cumulative fiscal transfers to ULBs on an annual basis, this incentive grant represented less than 5% and hence may not have had any considerable incentive effect on ULBs to implement the reforms.

22. A mid-term review of AMRUT conducted by GoS in January 2017, recognized an urgent need to improve the functioning of ULBs and recommended to undertake transformational reforms in governance, planning and finance in lieu of the traditional incremental approach, and to increase the levels of incentive grants under AMRUT and the 14th CFC and link it to the performance of the states and cities with respect to implementation of the transformational reform agenda. To implement these recommendations, MoHUA initiated a process for making the urban reforms more transformational. MoHUA adopted a bi-pronged approach consisting of first replacing the original eleven-point urban reform agenda of AMRUT with a new five-point urban reform agenda focusing on: (i) formulation of land titling laws; (ii) moving to trust and verify approach; (iii) credit rating improvement and municipal bonds issue; (iv) professionalization of municipal cadre; and (v) formulate laws for value capture finance. In addition, the annual allocation under AMRUT for reform incentive grants was increased six-fold from USD 75 million to USD 460 million annually for the next three years. Second, MoHUA approached the World Bank to support a sub-set of transformational reforms through performance-based incentives in a limited number of states and cities to be selected competitively.

B. PforR– Urban Reforms Program (AMRUT Plus)

23. The proposed PforR (“the Program”) will support the two KRAs of AMRUT as follows. It will indirectly support the achievement of first KRA on improving access to service delivery by strengthening the core institutional systems and capacities at the ULB level that would enable efficient and effective utilization of the grant assistance. The Program will directly support the achievement of second KRA on the strengthening of municipal functioning and revenue mobilization by incentivizing states and cities for reform implementation. The Program will implement a select set of urban reforms to be identified during preparation in a limited number of states (approx. 3-5) and cities (approx. 50) and will be structured as a MPA comprising two sequential phases over a period of 8 years. The first phase with a Bank financing of USD 500 million is expected to create a dual
demonstration effect— (i) operationalize a national level performance-based incentive mechanism for implementing urban reforms, and (ii) improve institutional systems for service delivery at the ULB level through enhanced technical assistance.

24. More concretely, the Program would focus on: (i) deepening the implementation of selected reforms at the sub-national level by identifying stretch targets (that go beyond the usual check-list approach); (ii) provide stronger financial incentives to undertake these reforms; and (iii) provide in depth technical assistance for institutional systems development and demand-driven capacity building. The Program’s performance-based incentive mechanism will be the primary instrument for providing resources to the ULBs in place of the existing mechanism that provides a substantial unconditional infrastructure grant with a small reform linked incentive. By adopting this approach, the Program seeks to test the hypothesis in a limited number of states and cities that a reform linked performance incentive mechanism can provide financial resources to the ULBs in a way that encourages states and ULBs to complete the process of devolution and strengthen their systems and capacities to improve service delivery. The Program provides an opportunity for the states and cities to define their own reform pathway and milestones rather than following the existing approach of standard milestones which ignores the diversity of the challenges they face.

25. The Program would be designed along the following three principles:

26. Principle 1- Supporting reforms at both state and city level: The value addition of the proposed Program would be to focus on completing the process of devolution at sub-national level, and strengthening the local government systems to assume the devolved functional mandates, by providing support at the state and local levels concurrently, as follows:

- **Policy reforms at the state level:** The reform activities at the state level would focus on the devolution of core municipal functions as per the 12th schedule of the Constitution. A detailed activity mapping for each of the functions would be required. The states would be required to devolve revenue raising powers and financial approval powers through appropriate legal instruments, that would empower the Mayors and enable the ULBs to take their own decisions with respect to deploying the financial resources for local priorities and levy taxes and user charges to ensure at least cost recovery during the operations phase. The states should also provide policy advisory and formulate relevant regulations/guidelines for other non-tax revenue sources which have been recommended by the 14CFC. States would be required to formalize a dedicated professional municipal cadre, initiate organizational restructuring of ULBs and formalize lateral recruitments in addition to the recruitments through state public service commission.

- **Institutional strengthening and local governance reforms at the city level:** At the city level the focus would be on strengthening core municipal systems and to improve local capacities to take on the devolved functions. The reform activities to strengthen the core functions include own source revenue generation; improving the
organizational structures and human resource capacities; strengthening the planning and implementation capacities for service delivery; and establishing mechanisms for citizen participation. By strengthening the ULBs governance, accountability and financial management systems, the Program seeks to address the barriers that restrain private sector participation in the urban sector including limited ULB finances, lack of transparency, and weak governance systems.

27. **Principle 2- Providing incentive-based grants:** The Program will provide incentives in the form of performance-based grants to both states and ULBs for implementing reforms. To ensure that the quantum and design of the performance-based grants serve as adequate incentives for the intended reforms, the Program will focus on a limited number of states and cities in the first phase. The grants system will be complemented by a tailor-made demand-driven capacity building support that can only be put in place in a limited number of cities.

28. **Principle 3- Selecting states and cities through a challenge competition process:** For the state selection, MoHUA will run a national level challenge competition based on a pre-agreed framework and objective criteria. The challenge will be open to all states but only the top 3 to 5 ones will be selected for the Program. The competition will cover both past performance of states and their respective cities in implementing reforms; their current baseline situation in terms of policies, institutions and systems for service delivery; and the proposed reform targets and methodologies to achieve those targets. The challenge process is envisaged to provide space to present innovative and contextualized proposals for implementation of urban reforms. The performance-based incentives at the state level will be linked directly to the policy reform milestones that would be agreed during the preparation period. For the city selection, MoHUA will conduct the baseline assessment based on the APA and will decide together with the Bank on the number of top performing cities ensuring that the per city allocation represents a strong enough incentive, as a proportion of their discretionary transfers, to undertake the reforms.

29. The Program will support the following three indicative type of activities:

30. **Activity 1- Incentive grants to the states:** Grants to the states will be provided according to annual milestones, consistent with their policy reform implementation roadmaps, to be developed during preparation. The roadmap will contain clear and measurable targets in areas such as functional devolution to ULBs, provision of ULB autonomy, and development of a state-level comprehensive monitoring and evaluation system for the ULBs. A Memorandum of Understanding (MoU) will be signed between MoHUA and the respective state governments to commit on the reform milestones and the linked incentive grant. An independent verification protocol will be put in place to verify if the states have achieved the milestones on an annual basis, based on which the grant will be released.

31. **Activity 2- Incentive grants to the cities:** The Program will provide incentive grants to the participating ULBs based on APA results that will capture improvements in institutional, governance and service delivery systems. The results will be used for the scoring/ranking of cities and to determine the size of the grant allocation. The APA tool will be developed
during Program preparation and managed by a third-party provider. In addition, an independent verification protocol will be designed to verify the results of the APA and perform a quality assurance check.

32. **Activity 3 - Technical assistance and program management support at national and sub-national level:** This activity will be targeted at central, state, and city levels. At the central level the focus will be on program management support to MoHUA including preparing and monitoring state level policy reform implementation roadmaps, conducting APAs and other related program management activities. At the state level the focus will be on the implementation of the agreed policy reforms, and program coordination support. At the city level, the focus will be on capacity building for institutional strengthening and systems development that would enable the cities to improve their performance in the APAs.

**Disbursement Linked Indicators**

33. Activities 1 and 2 will be implemented following the PforR modality with Disbursement Linked Indicators (DLI). Activity 3 will be implemented through an IPF modality. The Program funds for Activities 1 and 2 will be disbursed based on a set of 3 to 5 DLIs. The DLIs would focus on both state and city level result, including a mix of outputs and outcomes. The state-level DLIs along with annual targets and allocations will be finalized once the state policy reform implementation roadmaps have been prepared. State-level DLIs would indicatively focus on the achievement of the policy reform milestones, which would be pegged as annual targets for disbursements. Depending on the differences amongst the selected states, either a single DLI for all participating states, or individual DLIs per state will be proposed. In either case, since the milestones would be specific to each state, the DLI targets may accordingly vary for each of the participating states. City-level DLIs would indicatively focus on the APA results that would measure the yearly improvements in the urban local government’s performance at an aggregated level. Results to be measured may likely include a core set of governance, finance, and planning functions. The DLIs linked to APA results could either focus on the minimum mandatory conditions qualification or on the advanced performance benchmark based scoring. These DLIs would provide a direct linkage between the DLI disbursement, performance measurement through APA and incentive grant allocation to cities based on APA results.

**IV. Initial Environmental and Social Screening**

34. An Environmental and Social Systems Assessment (ESSA) will be carried out to assess the possible environmental and social benefits, risks and opportunities of the Program. The assessment will cover adequacy and implementation of environment and social laws (e.g. Rights to Information Act 2005, Rights to Service Act 2010 and Citizen's Charter) and policies, systems and practices to identify gaps and opportunities to enhance benefits and address associated risks. It will include stakeholder analyses and consultation. In addition, assessment of institutional capacity to develop comprehensive capacity building program will be focused upon to generate the desired environmental and social effects.

35. The key social risks are (i) weak implementation of laws and policies to ensure social inclusion, access to facilities and services particularly by the physically challenged; (ii)
weak participatory process involving women and other vulnerable groups at planning and implementation; (iii) lack of measures to ensure safe and secure public space for citizens mores specifically for women and children; (iv) lack facilities to transit population and migrant labor force; (v) weak implementation of labor laws; (vi) land required to enhance basic facilities; (vii) lack of transparency and accountability and poor conflict management over resources; and (viii) lack of effective systems for grievances and citizen feedback.

36. From an environmental point of view, Program activities may not lead to significant and/or irreversible impacts. The Program is not expected to invest on activities which could lead to any impacts on Natural Habitats such as mangroves, forested areas and other sensitive or designated area of ecological importance; or take up activities which would require large scale mobilization of natural resources, such as new water sources and land/land use changes; or extend the Program resources for any disjointed parts of major urban infrastructure projects (e.g. construction of a sewage pumping station alone; in a larger project of sewerage network and STP), unless prior audited documents and/or Environmental Assessment with satisfactory remedial/management action plans are in place and are part of implementation. Such exclusion criteria shall be formulated as part of Program preparation.

37. Upon finalization of the draft ESSA with recommendations and suggested Program Action Plan (PAP), consultations will be organized inviting key stakeholders to seek feedback on the assessment and its recommendations. The revised ESSA, incorporating stakeholder comments, will be disclosed on the MoHUA website and the World Bank InfoShop.

V. Tentative financing

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