



‘Voiceless No More’

Voices of the most marginalised
tsunami survivors for whom
justice is still a distant dream!

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Designed and Published by

BOOKS for CHANGE

139, Richmond Road

Bangalore 560 025

Ph: +91-80-25580346/25321747

e-mail: marketing@booksforchange.net

www.booksforchange.net

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B/C Production Team: *Shoba Ramachandran, Rajeevan, Gokul and Shailaja*

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The tsunami survivors of Chennai and Thiruvallur Districts thank the Jury members of the People's Tribunal for their active participation and support. We extend our special thanks to Miloon Kothari, Special Rapporteur for Adequate Housing, United Nations Human Rights Council who agreed to participate, express solidarity as the head of the jury and listen to the plight of the tsunami-affected people who are being subjected to consistent and blatant denial of rights of all forms.

The Kadaloraval Makkal Padugapu Kulu also would like to thank the other distinguished members of the jury - Justice K. P. Sivasubramaniam, Retd. Judge of the Chennai High Court; Justice R. Rathnaswami, Former Member of the Human Rights commission; Dr. N. Markandan, former Vice-Chancellor of Gandhigram University; Henri Tiphagne, Executive Director, People's Watch; Maxmillan Martin, www.indiadisasters.org; Shivani Chaudhry, Associate Coordinator, Housing and Land Rights Network – Habitat International Coalition, for their solidarity expressed towards securing the Human Rights of the coastal communities of Chennai and Thiruvallur Districts.

Extended Solidarity – The Acknowledgements

On behalf of the coastal communities of Chennai and Thiruvallur Districts the

Kadaloraval Makkal Padugaphu Kulu would also like to thank the Special Deputy Collector for the Tsunami Mr. Prabakaran, IAS, and Mr. Ranganathan, Community Development Officer of the Tamil Nadu Slum Clearance Board for accepting our invitation and gracing the event.

We thank the media for their presence in the People's Tribunal and would like to receive their support in highlighting the problems being faced by tsunami survivors even 2 years after the tsunami.

The group wishes to express its gratitude to all the social and legal activists who extended their support during this crucial time to make this tribunal a success.. Sincere expression of appreciation for Amar Jyothi Nayak, National Co-ordinator – Tsunami Response Programme and other active team members of ActionAid International-India for their undying support towards the cause.

We express our heartfelt thanks to all those civil society organizations for their timely support and solidarity. We thank Virgil D'Sami, Director of Arunodhaya: Ekambaram. E., Director, People's Action Movement: Rajendran, Director, C-Dot and Johnson Kennedy, Director, Udavi, with whose support the tsunami affected people of Chennai and Thiruvallur, were able to voice their grievances on a common platform.

Finally we express our outmost thanks and gratitude to all our community members who supported us to voice their concerns with utmost courage and conviction

Marya Selvam

Leader

Kadaloraval Makkal Padugaphu Kulu

(Coastal Community Protection Committee)

Phase III, Tsunami Nagar, Ernavore, Chennai – 600 057

*The Coastal communities have been plagued by issues related to housing and land rights since ages. Yet, there have been very feeble attempts to address these issues of severe concern and having a colossal impact on our lives. It has been two years since the tsunami, yet there are still many left to reside in temporary shelters which are presently in very deplorable condition. **Thumb impressions of people have been forcefully acquired in documents with the content being revealed to the people.** The so called development projects have been nothing more than an opportunity by the state to displace communities from their original habitats. These activities instill in the people a constant fear of being displaced. There have been protests, public demonstrations and petitions by the people to challenge these violations but to no avail. Hence as a collective force we are now organizing a public hearing for securing our denied rights."*

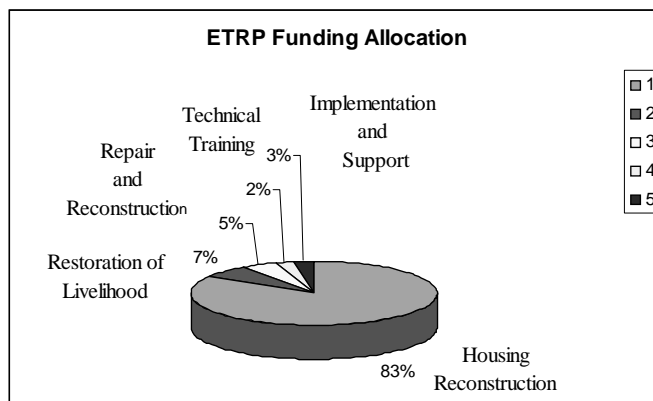
An Introduction to the Issue

– Marya Selvam

The tsunami-affected people in Chennai and Thiruvallur Districts have been living in precarious and grossly inadequate housing conditions for over two years now. This is due to the failure of the Government of Tamil Nadu to provide adequate and timely rehabilitation; the absence of a comprehensive state housing policy; and constant threats of forced eviction.

The World Bank has approved the Emergency Tsunami Reconstruction Project (ETRP) that is being implemented by the Governments of the State of Tamil Nadu and the Union Territory of Pondicherry. The ETRP aims to;

- Repair damaged houses
- Provide for multi hazard resistant houses,
- Reclaim agricultural lands,
- Strengthen fisheries infrastructure,
- Strengthen animal husbandry infrastructure,
- Restore damaged public infrastructure,
- Create green shelter belts and
- Undertake scientific studies in the affected coastal areas of the 13 coastal districts of Tamil Nadu.



The expected date of completion of ETRP is 30 April 2008 and the total cost of the project is Rs.1852.74 crore (\$423 million)¹

A major chunk of the ETRP budget is for reconstruction of shelters. This amounts to **1551.396 Crore Rupees²** (around 83%), but unfortunately the survivors of tsunami continue to live in rapidly deteriorating shelters. There has been no sincere effort to consult with the affected communities to understand their actual need. There is a continuing breach of transparency and accountability by the state and this gets accurately reflected by the manner the affected communities have been kept in dark and not involved in any process of planning or

implementation of the housing initiative. The World Bank's policy on "Involuntary Resettlement" is applicable in the tsunami context because of the fact that, "A large amount of private land acquisition is involved for reconstruction of houses. Further, the sites to be used for reconstruction of houses in Chennai are likely to involve displacement of substantial number of squatter families."³

The coastal communities have raised a demand for '*in-situ*' houses as they fear loss of their customary rights leading to heavy losses to their livelihood too. Further, the ever growing attempts to capture the coastal lands by the state to give growth to other industries like tourism, high investment fishing also have become more and more blatant to the communities and thereby would not like to give their rights to the coastal land at any cost.

The coastal communities envisage that the housing policies unleashed by the state under the ETRP supports the cause of the players who have been awaiting an opportunity to usurp the coastal land and its bountiful resources. Their fear is based on the Government Order 172 which insists that, "*In all cases where new houses are given, the old site and the old house will have to be relinquished to the Government by a legally acceptable document... The areas so vacated because of new construction will be entered in the Prohibitory Order book and maintained for public purposes*".⁴

The Tamil Nadu Slum Clearance Board (TNSCB) is one of the implementing agencies of the ETRP. It aims to cater to the housing needs of people from different income groups such as the - economically weaker sections, Lower Income Group, Middle Income group and Higher Income Group. The TNSCB is basically a Government agency whose primary responsibility is to plan and executes clearing of slums especially those located in flood prone and other vulnerable areas and resettling the population in self contained hygienic houses provided with basic amenities near urban limits. However TNSCB's habitation plans for the tsunami survivors are devoid of people's participation and consultation. It has created un-planned artificial habitations which are not only far way from the people's original places of habitation and outside urban limits. Such habitat planning is devoid of an in-depth understanding and analysis of the socio-cultural and livelihood aspects of the coastal communities and therefore has presently turned detrimental in survival of these communities.

Further, these houses are not culturally appropriate and this has resulted in people selling of these houses and returning back to their original place of habitation. This unplanned and inadequate relocation policy has resulted in pitching the communities to varied forms vulnerabilities and have undoubtedly denied them of their customary rights to the coast.

The State's housing policies instead of being people-centric are more investor centric. It is blatantly biased to forces who want to occupy these coastal areas for their benefit without having any respect to the customary rights of the traditional holders – the coastal communities. The people fear that the artificial habitation created will give rise to disputes as there will be a clamour for employment and competing access to the reduced coastal area. The threats of being relocated by the government and the denied access to the coast are thereby posing a death knell not only to traditional and customary rights of coastal communities over coast land.

Gross Human Rights Violation in the Post-tsunami Situation

The post tsunami has triggered a step by step violation of human rights orchestrated non other than by the state. It commenced from the pouring in of GOs, which were strategic and determined, paving a conducive path for the state to reach hidden objectives in the long run to come. This gets reflected from the manner the temporary shelters were build, the various promises given and then the manner by which customary rights were toppled in the name of providing new housing to the affected community. This did not stop here but

gradually moved into various other dimensions all hazardous for the coastal community but pitifully favourable to external elements who have waiting an opportunity to grab the coastal area for selfish motives.

The state intervened in the life of the tsunami survivors by proposing a resettlement plan coupled by economic arm twisting policies. The Coastal communities who had been residing within the 200 metres of the high tide line for ages were suddenly planned to be relocated under the guise of "Safety". Most affected people had no choice but to move as the Government refused to support for housing within 200 metres. The Government Order No:172 states that *"all the house owners of fully damaged and partly damaged Kutcha and pucca houses within 200 metres. of the High Tide Line, will be given the choice to go beyond 200 metres., and get a newly constructed house worth Rs. 1.50 lakh free of cost. Those who do not choose to do so will be permitted to undertake the repairs on their own in the existing locations, but they will not be eligible for any assistance from the Government"*.⁵



It is a fact that the most affected were those who resided within this controversial 200meters of the high tide line. But, on the pretext of 'Safety' the state has derived a housing policy which forces these affected communities to forgo their traditional habitation. In addition taking this opportunity the state has proposed resettlement sites far off from the original place of habitation which would lead to a strategic loss for these affected communities in terms of their livelihood prospects. Yet the people agreed to move out to these unfavourable resettlement sites as they had no other choice and were in the struggle to regain lost foothold and were therefore completely dependent on the rehabilitation packages and which would become inaccessible if they chose to confront the state and stay back in their original places.

The relocated tsunami survivors have been forced to live in intermediary shelters that are devoid of basic infrastructure facilities and denied access to safe drinking water, access to education,

transportation, health care and livelihood. Even two years after the tsunami the people continue to live in inhumane conditions due to complete lack of empathy by the state. The women and children have always been the most vulnerable and in such situation they have to face multiple forms of vulnerabilities which have pulled them headlong into a vicious cycle of exploitation. This is quite evident from the increasing rate of drop-outs amongst the school going children, the hardships faced by those who are continuing to go to school and an increased population who have been forced engagement into sex work and organ sale.

The tsunami affected people for whom permanent houses have been built; Life has turned into a bitter struggle. On one hand their livelihood is at stake as they have been displaced from their original place of residence, while on the other hand the inadequate infrastructure and living conditions are draining of what ever income they are able to earn. Every day has become a gruesome challenge. People buy drinking water because they do not have access to safe drinking water. The relocated people are forced to live in artificial habitation that

create inter-community strife and while leading to a host of other social problems. The new habitation sites are devoid of transportation facilities and access to health care centers and schools. For these people living in such remote sites, livelihood options are lost reality. On the other hand the state is increasing the number of houses within the same layout without giving any head to the existing problems. These houses are for additional people who are to be shifted from other locations particularly those who are settled in the river margin area and affected by tsunami. This is undoubtedly going to create an unwanted pressure in the area which already lacks adequate infrastructure.



Lack of understanding of the composition of population which live and are either directly or indirectly dependent to the sea has been the main reason for the Dalits and minority communities (muslims) to be marginalised. Those living near the coast and also affected by the tsunami have been neglected on the basis of their status of not belonging to the fishing community. Unfortunately, they continue to live in worse and deplorable conditions while their pleas have gone unheeded by the state. Their right to the coast has come under severe scrutiny and is being challenged as they do not belong to the fisher folk community. No attempt is being made to understand or accept their indirect dependence on the coast and how this is crucial for their survival. All this is being promoted by the state to remove another crucial chunk of population who have been residing in the coastal areas since ages to pave path for the high investment supported development projects – something which would be catering to the needs of the rich and powerful while trampling on the rights of the poor and the marginalized. These communities live in a constant threat of being relocated to permanent settlements that are located on in the outskirts of the city. There prevails a reluctance within the minority communities to settle in these permanent settlements as it would be detrimental for their livelihoods and would jeopardise their source of income

There have been recorded instances of gross human rights violations unleashed by the state against the people. Government officials have resorted to violent behaviour and unwarranted actions in the process of forced eviction process. People have been forced to comply and put their impressions on documents the contents of which were not revealed to them prior to getting their signatures or thumb impressions. Defamation and physical abuse were resorted to against tsunami survivors. There has been acute blockade of transparency, people were neither consulted nor shared with information regarding the housing policies planned by the state. The forced signatures and thumb impressions were placed as emblems of consent by the community while the truth behind the story was hidden away from prying eyes. People residing in the coastal belts of Chennai and Thiruvallur Districts live in constant fear of forced - displacement. People continue to live in acute dilemma and trauma with haunting questions of their existence while the state continues to play hide and seek than answering them.

Violence against women has been evident in the post - tsunami situation, with government officials and politicians equally have been resorting to physical force and defamation of women to proceed in the eviction process and in the process of forcefully acquiring signature from the coastal communities. There have been various other forms of violence which has risked the life and dignity of both women and children equally. There have been instances of child birth in the autos since pregnant women could not reach the nearest as it is located about 10 Kms away. There has been death due to the delay of transporting an ill child to the nearest hospital. Yet there have been minimal efforts to establish adequate health care facilities in the relocation sites established by the Government. The affected communities suffer from many untold miseries, yet the housing policies are not catering to their needs.

The housing initiatives of the Government are devoid of any community participation, consultation and are not culture specific. The inadequate and delayed housing process is yet another severe concern as there are many living in inhumane conditions and awaiting the completion of the government's housing process. Those who have been forced to move out and live in the permanent houses which are not in-situ, face a set of multiple forms of vulnerabilities while those who refused to move out too continue to live in inhumane conditions. All of these put forth the gross violation of the basic rights of the tsunami survivors where they continue to be tossed around by the tides of misfortune, insensitivity and lack of empathy by the state that continues even after two years of tsunami.

End Notes

- 1 http://www.tn.gov.in/tsunamiEAP/about_etrp.htm
- 2 http://www.tn.gov.in/tsunami/EAP/financial_ERTP.pdf
- 3 http://www.wds.worldbank.org/external/default/WDSContentServer/IW3P/IB/2005/03/22/000104615_20050323093231/Rendered/PDF/Tsunami0ERL0In10concept0stage0final.pdf, P-4
- 4 <http://www.tn.gov.in/tsunami/gorders/rev-e-172-2005.htm>
- 5 <http://www.tn.gov.in/tsunami/gorders/rev-e-172-2005.htm>

The Government of Tamil Nadu has identified certain critical areas in implementing the housing component of World Bank supported ETRP. It has acknowledged the fact that there is a crucial link between 'Shelter' and 'Livelihood' of the fishing community and that there is a restriction on construction of in-situ housing due to lack of land titles, and due to the "no development zone" restriction of the CRZ Notification of 1991. However the state proposed measures for addressing the problem were not implemented. There is absence of an effective information, education and communication programme; selection of relocation sites with consultation with the community and making relocation voluntary for the tsunami affected families; provision of infrastructure at beaches for the fishermen to safely keep their boats and other related fishing equipment and gear; and actively promoting alternate livelihood support. The state's neglect is evident in the post tsunami scenario where people were subjected forced eviction, lack of transparency in the housing initiatives and minimal consultation with the affected people on their opinion on housing and selection of relocation site.

Unreasonable Housing Policies for Tsunami -affected People

Verbal promises were made by the government that it would construct in-situ houses. The government documents however were different from the promises made creating a threat of relocation in the minds of the people.

Housing Policies for Tsunami Survivors

Urban Reconstruction Programme - ETRP⁶

District	No. of houses to be repaired		No. of Houses to be Reconstructed
		In-Situ	At new Location
Chennai	0	0	16839

Acquisition of lands for construction of houses in the tsunami affected areas as on 30/8/06⁷

District	Extent of land required in hectares					already acquired in hectares				
	Govt/porom-boke land identified	Pvt. Land required	In-situ	Total	No of locations	Govt/porom-boke land identified	Pvt. Land required	In-situ	Total	No of locations
Chennai	3.21	0	0	3.21	2	3.21	0	0	3.21	2
Tiruvallur	13.69	10.645	0	24.335	4	13.69	9.645	0	23.335	3

There is substantial evidence that there are very few plans for construction of in-situ houses but the people still are not clear about whatever the plans or process of housing are. The lands have been acquired, G.O. 708 was passed yet the people are still unaware of the permanent housing construction process.

Contradictory Government Documents!

The state policy relating to housing has undergone a drastic transformation and the government documents are contradicting. Initially the government announced through GO No: 172 that "In Chennai and Thiruvallur multi-storied tenements would be built by Tamil Nadu Slum Clearance Board. ***Each tenement will have 235-250 sq. ft. area and will be built at an approximate cost of Rs.1,50,000/- each Adequate infrastructure would be provided in these settlements by the Tamil Nadu Slum Clearance Board at additional cost wherever necessary.*** The entire programme is likely to cost Rs.1950 crores. It is expected that Government of India and the World Bank will provide substantial assistance for this programme"⁸

However the reality differs from the promises that were made to the people. The implementation plan of the Government of Tamil Nadu is revealed in the following statements: "***Tamil Nadu Slum Clearance Board has proposed to construct 26800 storeyed tenements in Chennai having a plinth area of about 21.74 Sq.m. (233.92 Sq. ft) each. The unit cost of construction of a tenement, including infrastructural facilities, works out to Rs.1.50 lakhs***"⁹. The policy document differs from that of the implementation document without citing of reasons for the same.

Delayed Housing Process

The promises for permanent houses still remain to be fulfilled. The delayed and confusing housing policies have left the people in a confused and uncertain state. "*The Slum Clearance Board has started land-filling to construct 960 multi storied tenements on 5.24 acre land provided by Hindustan Lever and 432 tenements on a 2.67acre plot in Thilagar Nagar,*" said Mr. C. V. Shankar, Officer on Special Duty (Relief and Rehabilitation) Government of Tamil Nadu. He further added that, "The construction of 800 more houses on a site belonging to All India Radio will be over before September 2006 to house those staying in the recently –constructed temporary shelters at Eranavur in Tiruvottiyur"¹⁰ People are still residing in temporary shelters awaiting completion of the permanent houses. While, houses in Thilagar Nagar and at the Hindustan lever land has been completed the construction process at All India Radio land has still not yet been initiated. The allotment list or the time frame for completion of the process has not yet been made public to the people. The present living conditions of those in temporary shelters are miserable: still no enforceable timeline has been adopted for completion of the permanent housing process.

Lack of Transparent Housing Policy

There are a lot of discrepancies in the housing policy that has been adopted. The World Bank has approved for the construction of 16839 houses in Chennai district alone, all of which all are to be constructed at a "new location".¹¹ The activity report of the Tamil Nadu Government as on 30.08.2006 claim that the construction has commenced in its initial phase.¹² But the people were not aware of the process, the allotment or the site of the new location.

Housing construction and their stages as on 30.9.06 ¹³								
No. of houses proposed					No. of houses work has started			
District	Govt.	NGO	Total	Under Initial stage	Under Construction	Completed not handedover	Handed over	No. of locations
Chennai	17805		17805	12927	1392	161	3325	8
Tiruvallur	5205	478	5683	4903	364		416	2

Evident Resettlement Plans

While those who have been relocated after the tsunami have not received permanent houses but the Government has defined its relocation policy for the others. "Tamil Nadu Slum Clearance Board has proposed to resettle 26,800 slum/fishermen families. The Land situated in Survey No. Block No.8, T.S.No. 2, 3, Block No.9, T.S.No. 1, 2, 3 and 4 of Thiruvottiyur village of Ambattur Taluk having an extent of 105 acres at Kargil Nagar has been identified for the resettlement of the slum / fishermen families affected by the Tsunami disaster in North Chennai. This land belongs to Government, wherein about 35 acres of land are vacant and the remaining 65 acres of land are encroached by hutments belonging to 3000 families."¹⁴

Dual Standards

It is evident that the State has adopted dual standards in implementing the Coastal Regulation Zone (CRZ) Notification. The Government has pointed out that "As per the Coastal Regulation Zone notifications, only repair of structures authorized prior to 1991 is permissible and no new construction is possible. Therefore, all the house owners of fully damaged and partly damaged Kutcha and pucca houses within 200 mts. of the High Tide Line, will be given the choice to go beyond 200 mts., and get a newly constructed house worth Rs.1.50 lakh free of cost."¹⁵ The government however has repeatedly violated the CRZ repeatedly, for instance, in Srinivasapuram, Chennai District, the government relocated people citing the fact that new construction cannot be built as per the CRZ notification but reports reveal that "**Right on the Adyar creek (hardly 50 mt from Srinivasapuram), a luxury hotel is being built. If the Coastal Regulation Zone is not applicable to the hotel, one wonders why the fishermen with their traditional right to the land are being evicted....**"¹⁶ While Dalit and Muslim Communities face relocation threats the hotels are given priority for construction within CRZ.

Agenda for Privatisation of the Coastal Areas

The Government has promised the tsunami survivors in the Nochikuppam to Srinivasapuram stretch near the Marina Beach that their houses would be demolished and then reconstructed in the same location. Reality however is starkly different. "The Tamil Nadu slum clearance Board (TNSCB) is planning to construct new tenements and beautify the Nochikuppam-Srinivasapuram stretch. According to officials, once the tenements are constructed and the area landscaped, the stretch would present a pleasant sight. After evicting the encroachers, a service land would be created next to the existing road. Along this, new TNSCB tenements colony would be developed. This road and service lane will be given a green touch. There would be good street lights and clean roads making it a good drive said a TNSCB official. Each house would be 230 sq ft with all facilities. Three-floor disaster resistant houses will be constructed.....These would be constructed a few hundred metres away from the present layout. "It is for safety and also to use the space near the beach for various beautification projects" explained an official."¹⁷

The people are still not aware of the process, the allotment or the site of the new location. Yet the activity report of the Tamil Nadu Government points out clearly that as of 30 August 2006, 16855 houses have been proposed to be constructed through Memorandums of Understanding (MoUs) in Chennai (inclusive of houses for Nochikuppam-Srinivasapuram). It also mentions that 11754 houses are in the initial phase, 2565 are under construction, 161 are completed but yet to be handed over and 3325 have been handed over.¹⁸

The housing policy of the government is devoid of a people-centric approach and is being supported by the World Bank funded Emergency Tsunami Rehabilitation Programme (ETRP). Other problematic components of the project are some of the other activities which include: providing financial assistance for reviving the damaged aqua farms and hatcheries in Tamil Nadu, rebuilding and developing fishing harbours into modern fishing harbours, construction of fish landing centres, providing permanent structures at river bar mouth, demarcation of High Tide Line, vulnerability mapping, preparation of Integrated Coastal Zone Management

Plan and other activities that are detrimental to the traditional fishing rights of the coastal communities. These activities will only facilitate the development process of the private individuals but not the fisher folk who depend on the sea for their existence. The rehabilitation programme also caters to the development needs of the rich, industrialized people and will eventually lead to the marginalization of the coastal community.

End Notes

- 6 http://www.tn.gov.in/tsunami/EAP_progress_reports/urban_recons.pdf
- 7 <http://www.tn.gov.in/tsunami/land.pd>
- 8 G.O. 172 - www.tn.gov.in/tsunami/gorders/rev-e-172-2005.htm.
- 9 Project Implementation Plan – http://www.tn.gov.in/tsunamiEAP/impl_ERTP.pdf – Pg 94.
- 10 24th December 2005, The Hindu, Sandhya Soman, Permanent Shelters for the tsunami hit
- 11 http://www.tn.gov.in/tsunamiEAP/progress_reports/urban_recons.pdf.
- 12 http://www.tn.gov.in/tsunami/housing_aug2006.xls
- 13 http://www.tn.gov.in/tsunami/housing_aug2006.xls
- 14 Project Implementation Plan- Pg 93, http://www.tn.gov.in/tsunamiEAP/impl_ERTP.pdf.
- 15 G.O. 172 - www.tn.gov.in/tsunami/gorders/rev-e-172-2005.htm
- 16 <http://www.chennaionline.com/colnews/newsitem.asp?NEWSID=%7B10D2B484-D80E-4D6D-A494-A516012DC859%7D&CATEGORYNAME=Tamil+Nadu>, "Tsunami survivors face eviction again", Krithika Ramalingam, Aug 9, 2005
- 17 **Nochikuppam - Srinivasapuram to be beautified**, Priyamvatha P, The New Indian Express, Chennai, July 31
- 18 http://www.tn.gov.in/tsunami/housing_aug2006.xls

The entire process regarding the conception, planning and preparation for the people's tribunal has been community-based and community-driven. The affected community united together and decided to put forth their grievances as matters were moving out of one's control. Several civil society organizations played the role of facilitators in order to assist the affected and ready community to move in the right direction to voice out their concerns and thereby assert for their rights. A cadre of young men and women from Chennai and Thiruvallur districts took the initiative of identifying the problems in their community relating to land and housing issues. They launched the Action against Relocation Campaign to redress the various human rights violations in their district

The Action against Relocation Campaign

The cadre of youth from the villages then took up the initiative of identifying relevant government policies and plans related to housing and launched a campaign targeting the village leaders of the coastal villages. The campaign plans were strengthened by the collaborative efforts of agencies of change operating in these areas, eminent social and legal activists. Village level campaigns were then launched and the men, women, youth and children of the community were called for meetings and their views and opinions on government policies were solicited. The concerns of the 22 villages from Thiruvallur Districts from NTO Kuppam to Ernavore Kuppam; 11 villages in Royapuram Area; 9 hamlets of Nochikuppam - Srinivasapuram; Ernavore temporary settlements and Semmenchery Permanent settlements were recorded.

Process and Preparation for the People's Tribunal

A large meeting of community leaders meeting was convened in the area to formulate the plan of action were formulated. The existing men's, women's and youth federations joined hands to form a community based group called Kadaloraval Makkal Padugapu Kulu (Coastal Community Protection Committee – CCPC). After series of interactions, discussions and meetings the Core Committee of the CCPC were elected on a democratic basis by the village representatives.

Kadaloraval Makkal Padugapu Kulu

The people of the coastal villages of Chennai and Thiruvallur organised to form the *Kadaloraval Makkal Padugapu Kulu* (Coastal Community Protection Committee – CCPC) – a community-based group to challenge the denial and persistent violation of their housing, land and livelihood rights. as well as the unplanned and inadequate relocation policies of the government. After a series of interactions, discussions and meetings, village representatives elected the core committee of the CCPC through a democratic process. In order to bring to light the multiple human rights



violations and with the aim of promoting and safeguarding human rights of coastal communities, the elected core committee of CCPC decided to organize a people's tribunal.

The tribunal aimed to expose the gross human rights violations in Chennai and Thiruvallur Districts. Testimonies were collected so as to bring to light the abject poverty in tsunami shelters that has forced several women into organ trade and sex work. The tribunal was organized to create a platform for the coastal community members to speak out against forced eviction threats and denial of their human rights to adequate housing, land and livelihood.

The community cadres along with the help of the core committee of the CCPC involved in the planning and strengthening of the AARC campaign by conducting a people's tribunal. They sought the expertise of eminent activists and started collection of petitions and identification of people for depositions. Legal and para-legal help was provided by individuals who extended their solidarity towards this issue.

The communities' efforts resulted in a *People's Tribunal on Housing Rights* held on 12th January 2007 at Raja Annamalai Mandram, Chennai, by the CCPC to hear the voices of tsunami survivors so that they are "voiceless no more". The jury of the People's Tribunal was headed by Miloon Kothari, Special Rapporteur on Adequate Housing, United Nations Human Rights Council, and also consisted of Justice K. P. Sivasubramaniam, Retd. Judge of the Chennai High Court; Justice R. Rathnaswami, former member of the State Human Rights Commission; Dr. N. Markandan, former Vice-Chancellor of Gandhigram University; Henri Tiphagne, Executive Director, People's Watch; Maxmillan Martin, indiadisasters.org; and Shivani Chaudhry, Associate Coordinator, Housing and Land Rights Network- Habitat International Coalition

The people's tribunal was conducted by the tsunami affected people of Chennai and Thriuvallur Districts. The Programme commenced with a prayer song followed by a welcome note provided by Anandhi of Ennore Kuppam, Thriuvallur District. The inaugural address was provided by Maria Selvam, the leader of CCPC. The programme was anchored by Samundeeswari of Lakshmipuram, Thriuvallur District and Sampath of Kasimedu. The affected people backed by the members of the community then testified before the jury.

Denial of the Human Right to Adequate Housing – Tsunami survivors face forced eviction threats

*International human rights law clearly states that, "Everyone has the right to adequate housing as a component of the right to an adequate standard of living. The right to adequate housing includes, inter alia, the right to protection against arbitrary or unlawful interference with privacy, family, home and to legal security of tenure."*¹⁹

P. Rajasekharan from the fishing hamlet of Annanagar Kuppam – Chennai District shares his experience of forced eviction and unscrupulous acts of the government officials.

People Challenge the Denial of their Human Rights

Rajasekharan recollected the painful memories of the eviction process, "I have been residing in Anna Nagar permanently for the last 40 years with my wife and 3 children. I belong to the fishing community. I have been resorting to fishing and out of this income I provide the basic needs of my family.

In the year 2004 after the tsunami, the government has deceived us and had taken measures to evict us from this place that we have been residing in for ages. We resisted the ploy of the government by making use of legal protection. However we faced political pressure that was yielded by Sekhar Babu MLA (Member of Legislative Assembly) who pressurized us to move out of our habitation.

We refused to move out of our locality but with the help of the police officials of the N4 Fishing Harbour police station and the tahsildar they demolished our houses with bulldozers. Despite of the fact that we procured a stay order from the Chennai High Court the officials had demolished our houses. In order to safeguard our right to live we had sent petitions to the District Administration, State Government and human rights organizations but to no avail.

The fishing hamlet of Anna Nagar Kuppam of Chennai was forcefully evicted. The people of Annanagar challenged the eviction process and succeeded in getting a stay from the Madras High Court from forcible relocation in a place 10 km away from their traditional habitat. These people are now staying in their original place of habitation still in highly inadequate housing. The state housing policy is still not applicable for these people who have refused to give up their lands. The Government is now forcefully securing thumb impression from the people to usurp their land. There are 665 families residing in this fishing hamlet who are completely dependent on the seas for their livelihood.

The eviction threat still persists, on 26 August 2006, the people of our hamlet were asked to come to Periamet Tahsildar Office with two passport size photograph, photocopies of ration card, voter's list and electricity bills. Our people are not literate they do not know how to read or write, for those who were able to read also were

denied the opportunity to read the papers on which signatures were taken. They caught hold of our hand and forced us to issue thumb impression. For the people of our village the government is building a permanent houses that are far from the place of our habitation, small in size and devoid of the basic facilities. There is facility only for 2 people to stay in the houses constructed by the government. If we are relocated elsewhere we will lose our daily earnings as we are completely dependent on the seas"

Rajasekharan requested the jury to consider the plight of the people living in the area of Anna Nagar fishing hamlet and recommend that the government to build houses of suitable size in the same location immediately along with protective measures to protect their community from disasters like the tsunami and to help in restoring their right to livelihood and the coast

In response to the queries of the Jury Rajasekharan affirmed that seven streets in their locality were completely demolished after the tsunami in the forced eviction process along with the support of the local police.

Violation of Land Rights –State usurping lands through forced thumb impressions from women

"The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-beings and the lands they occupy or otherwise use..."²⁰ points out International Labour Organization Convention 169. "The peoples concerned shall not be removed from the lands which they occupy. Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent".²¹

D. Rani from Annanagar Kuppam shared her painful past, "I am living in the above said address with my husband, sister-in-law, my two sons and three grandsons. We belong to Adi-Dravida Parayanar community and have been living in Annanagar Kuppam for over 49 years. My husband is a daily wager and we are surviving with his small income

After the tsunami, the TNSCB (Tamil Nadu Slum Clearance Board) issued an order (Token No.Team/I/232) through the local politicians and officials for shifting the houses to another place. Without giving sufficient time to protect the household items, they smashed the houses with JCB. Before they could start the second phase of eviction and complete the demolition of all the houses, we filed a case in the High Court and got the Stay Order. However by force, they shifted some of the families to Kargil Nagar with a pre arranged vehicle. There, we were made to stay in tar sheet shelters. During summer we were unable to tolerate the heat and finding employment in the area was very difficult. For more than five months we suffered in the temporary shelters. There was just one toilet for 50 houses and women found difficult to use the toilet.

Kargil Nagar is situated 15 Kilometres away from Anna Nagar. Since all our children are studying in Anna Nagar, we found it difficult to spend Rs.20/- every day to send the children to the same school. Some children stayed with their relatives and continued their studies, while a large number of the children are became dropouts. Since we could not get any employment in Kargil Nagar many families locked their houses and returned back to their original place in search of employment. The families at times stayed back in their original place of habitation for few days seeking employment and during those times the government officials visited these houses and put seals on them, citing the fact that the house was not occupied. Then the tar sheet shelters were reduced to ashes in a massive fire accident and subsequently because of the continuous flooding we came back and settled in our original place of habitation.

On 12 August 2006, the Revenue Inspector – I, from Periyamedu asked us to receive the House Allotment Slip by showing our Ration Cards and Voters Identification Cards at the Thondaiarpur Office. There without providing us proper information they took thumb impression on a form from more than 100 women. The official grabbed my hands from the other side of the counter and took my thumb impression without asking me if I could sign. With the help of our advocate we later found out that without our knowledge the government had got our thumb impressions to vacate our houses in Anna Nagar. We will be greatly affected and the education of our children will be disturbed if all our families are shifted from Anna Nagar to any other place.”

Government officials forcefully took thumb impressions from the people of Annanagar Kuppam even from the literate people. When questioned, the officials resorted to verbal abuse.

In response to the queries of the jury Rani pointed out that the people were made to relocate because the land was said to belong to the Central Government. She pointed out, “We were all living here for more than 40 years and it is only after the tsunami that the government is taking claims over these lands.”

“In the month of March 2005, we were asked to come to the tahsildar’s office, I was standing in the queue waiting for my turn. We were all asked to forego our lands and when I refused, the former MLA resorted to physical and verbal abuse. I was beaten up in front of the Government Office and no one questioned the MLA because of his political power”

Fundamental Rights of the Displaced People Trampled Upon by the State – Ernavore Settlement; Hell on Earth

After two years of the tsunami disaster, people are living as internally displaced persons (IDP) because of the fact that they were “either forced to relocate due to Government regulations regarding coastal areas, for personal safety reasons or because of the new locations of permanent housing sites over which they had no choice. For whatever reason, as long as the survivors of the disaster remain displaced, they must be treated as IDPs and guaranteed their rights as per the minimum requirements of International Law”²² These people must be guaranteed the rights to essential food and potable water, basic shelter and housing, appropriate clothing and essential medical services and sanitation as per the UN Guiding Principles on Internal Displacement.

Marya Selvam shares the plight of the community that was relocated from the coastal areas of North Chennai “We were affected by the tsunami that struck us on 26th December 2004. We were asked to move out from our original place of habitation and were made to stay in a place that was about 7 kilometres away in tar sheet shelters. The new location of Kargil Nagar is a place where the domestic wastes of 36 villages is dumped. The shelters in which we were staying were flooded because of the fact that Kargil Nagar is a low-lying area. Due to the flooded waters in our settlement area we sought refuge in the Thiruvotriur School.

It was at this juncture that with the help of other organizations semi-permanent shelters were constructed for us in Ennore (Opposite Ennore Thermal Power Station - E.T.P.S). As the school administration wanted us to vacate the premises, semi-permanent houses were constructed immediately and on 19 October 2005 we were settled in the Ennore site. Then on the same day, the government also inaugurated the construction of 1400 permanent houses at the Hindustan Lever site. The permanent houses are now completed and repeated promises were made by the government that we would be settled in our permanent houses by the month of January 2006. However the Chennai District Collector’s office now through the Slum Clearance Board propagated that they would start the construction process of new permanent houses for us at a different location.

The Kargil Nagar site was badly flooded so the government settled us in Ennavore site that is 3 kilometres away from the shelters. The government promised us that they would provide us an advance of Rs. 10,000 and a monthly rent of 1000/- but this promise was not kept.

In the Ennavore site the settlements were divided in 3 phases. The 3rd phase of shelters was in low-lying area. The Ennore Power station is also in the same locality. Because of the industrial emission we had health complaints.

Fact File about Kargil Nagar – temporary shelter site-

- The place where the temporary shelters were constructed was once a dumping ground for industrial effluents and domestic waste
- The place is highly polluted as it is in an highly industrialized area. The Kargil Nagar site was far from the original place of habitation and the nearest town was also not accessible.
- The Kargil Nagar site was a low lying area and it was flood prone
- The Kargil Nagar site faced the brunt of two massive floods and a fire accident which reduced the tsunami survivors to absolute poverty



We depended on the sea for fishing but as the settlement area is about 20 Kilometres from our place of work we have lost our livelihood. Government promised us to provide us with free transportation to the coast and for our children to commute to school but that has also not been done. An NGO has provided buses to take our children to school for the last two years but no efforts have been adopted by the government.

We had to spend about 20 rupees for our transportation to our place of work near the coast. We were not able to afford this transportation cost everyday and eventually we lost our livelihood. We have no income

and we are suffering due to this. We have no employment opportunity and this has resulted in acute poverty. Some people have sought employment in the nearest Thakkakal factory and are now collecting ashes with their bare hands to earn their living. Those who are working in these factories are now suffering from itching, skin infections and bleeding of their hands due to lack of protective measures adopted by them in the industry. Due to the poor condition of their hands many were not able to do any other work.

We have asked the government to provide the basic infrastructure facilities for us and we have organized public demonstrations but to no avail. Right from the beginning when we were relocated from the coast to Kargil Nagar, the government promised that the permanent houses that are being built in Thondiarpet were for us and that they would be provided within six months. But even after two years we are still living in shelters.

The government also promised us that they would provide us with Ration Cards and Voter's IDs but we haven't received them yet. They promised us that each house would have one pipe with a water connection but that is still a distant dream. Even now it is only the lorry that provides water for the people. Promises were made from the Government about continuous relief supply but this service was terminated four months after the tsunami.

The government has promised solar lighting for the families affected in the tsunami but only 100 families have received this facility: the rest were excluded.

At present there are 1000 families residing here because we cannot afford taking an alternative house on rent. The rest of the people have rented places elsewhere because of the horrible living conditions in these areas. Our livelihood is totally destroyed

Our shelter is devoid of drinking water, sewage, electricity, street lighting and other basic infrastructure facilities. The men are not able to go for work because of lack of transportation facility. The electric poles are in a bad state and most of them are about to fall. The water pumps are broken and because of water stagnation there is a strong stench in the area.

As there are no hospitals close by, pregnant women have faced difficulties. There are many instances of women who have delivered babies in autos as they could not reach hospital in time. As there are no proper roads and pathways in the settlement area the women face a lot of difficulties while walking, especially during the rains and floods. The sewer water over flows and stagnates in the settlement area, red mud is also present.

Because of the torrential of monsoon rains, the Ernavore shelter got flooded. Waters entered our houses but the government adopted no measures to drain the water from the shelter premises. An NGO helped us to drain the water out of our settlements. During the floods two persons namely Mahi and Sabardas contracted a fever and lost their lives, but no compensation was provided to their families.

Though the settlement area houses a large number of families, there are no Balwadis have been established by the government. An NGO considered perceived the need and established one for us. There are no ration outlets near our settlement. The education of the children has suffered a setback because of the lack of government high schools in the area.

We request the Government to provide us with the above mentioned basic facilities. Moreover we ask for the permanent houses constructed at Thondaiarpur, Thilagar Nagar to be provided to us with complete basic infrastructure and other facilities. I hereby place these demands on behalf of the community. Kindly accept our recommendation”



Responding to the queries raised by the jury, Marya Selvam remarks, "There are 1745 people currently living in Ernavore shelter but only 1392 permanent houses are being built, the government promised us that they would build houses for everyone but there is a long delay in the process. The size of the house is too small but we did not comment more on it because our present living conditions are worse. We would be obliged to get the permanent houses though they are unfit to live in because of the worse conditions that we are living now. The electricity wires are ruptured and the EB (Electricity Board) hardly responds to our complaints. We were never given proper reasons for the delay in the construction of permanent houses and we are still living in the place that is devoid of proper infrastructure facilities".

The permanent houses that were provided for the people at Semmenchery (permanent shelters for those families who were relocated from South Chennai coastal villages to the temporary shelters of Kannagi Nagar) are devoid of the basic infrastructure facilities. The settlement area is in the middle of no where with limited access to drinking water, transportation facilities, hospitals as well as schools for the children. The habitation planning has had a setback because of existence of inter-community clashes between the people relocated from various diverse hamlets who were forced to reside together in a common settlement area. There has been outbreak of violence!

Gross Violation of the Right to Resettlement: Child dies due to delayed access to health service

"All persons, groups and communities have the right to resettlement, which includes the right to alternative land of better or equal quality and housing that must satisfy the following criteria for adequacy: accessibility, affordability, habitability, security of tenure, cultural adequacy, suitability of location, and access to essential services such as health and education"²³ is another principle of International Law.

Priya Kannan from Semmenchery testifies: "I was residing in Besant Nagar, Oodur Kuppam for the last 8 years. My husband had a tea shop in Besant Nagar. I belong to a scheduled caste – Paraiyar community. We were residing in a rented house in Besant Nagar and paid a monthly rent of 500 Rupees. Though we paid rent, we were able to lead a comfortable life and were able to fulfill our basic needs. I was a domestic worker and I had a lot of employment opportunities in Besant Nagar. In Beasant Nagar, Chennai. I was able to earn because of the availability of employment opportunities.

Now the Government has relocated us to Semmenchery in Kannagi Nagar. The houses in Semmenchery were not built initially for the tsunami affected people but we have been made to stay there in the post tsunami situation. Though I got a house of my own I lost my livelihood. Though I earn about 200 rupees I have to spend a lot of it on transportation and there is less opportunity for savings.

We were relocated to the permanent houses which do not have proper infrastructure facilities. I faced a lot of family problems because of the economic situation and I am stressed out emotionally. There are other problems like absence of government schools in the locality, I could not afford to send my children to school and hence I have stopped their education. There is no hospital facility or provision for safe drinking water. I buy one pot of drinking water for four rupees. The site is plagued by mosquitoes.

The youth in our area are resorting to substance abuse. The empty houses are being used for sex work and many women have been forced to adopt sex work. All these problems have stemmed out because of a lack of livelihood opportunities".

Priya Kannan recollects that, "Young women in our area travel a long distance to go in search of work. The street lights do not work late in the evenings, which makes it very unsafe for women. The unemployed youth in these localities tease the young women and it is difficult for them to venture out and it is completely unsafe. There are about 300 unoccupied houses locked in the Semmenchery site, which has made it is the hub for all illegal activities. There is a school and all the children are asked to pay Rs. 5 as fee. The teacher in this school has studied completed only till grade 6. This teacher's salary is paid by the government. We were asked to pay rent for these houses by the tahsildar. We had paid an advance rent but we refused to make further payments because of lack of income and hence we agitated. However Inspector Jayakodi resorted to verbal abuse and framed four false cases against me. I never moved out of my house because of the fear of the police. Only now I am able to go out because the case has been resolved to a certain extent. The house is too small for large families and lack of privacy is a serious concern."

"There are about 300 houses locked and these houses are hubs for all illegal activities. Organized sex work is carried out in these locked houses. Recently our children identified a corpse of a young girl who was raped and killed. There were nail marks in her body. However, the case was hushed up and no one knew anything about it later. When we asked the officials the reason for the closure of houses, they answered that the houses are allotted for the people who are to be relocated from the river bank area. There are no police stations to provide protection for the people. The habitation is extremely unsafe"

*The IASC Operational Guidelines guarantees on Human Rights and Natural Disasters provide guarantees for the most vulnerable people. "C.2.6. Specific arrangements should be made to enable women, particularly widows, as well as the orphaned children to (re-) claim housing, land or property and to acquire housing or land title deeds in their own name"*²⁴.

Priya Kannan narrates the experience of Banu Murugan from Semmenchery, "Banu Murugan's daughter was just 12 years old and she was suffering from a heart disease. One day the child's situation got worse but there was no bus or auto facility in the area. The child died due to the delay in transporting her to the nearest hospital that was far from the settlement area. The government did not enquire in to the child's death nor did it made any necessary arrangements after that. The Life without basic infrastructure like transportation has made the lives of the tsunami-affected people miserable".

Unplanned and Inadequate Relocation Policies – Kidney sales boom due to state-induced poverty

*"All resettlement measures, such as construction of homes, provision of water, electricity, sanitation, schools, access roads and allocation of land and sites must be consistent with the present guidelines and internationally recognized human rights principles, and completed before those who are to be evicted are moved from their original areas of dwelling"*²⁵

Revathi, a 27 year old has sold her kidney due to intense poverty. "After the tsunami we were relocated to a place named Kargil Nagar that was seven kilometres away from our original place of habitation. I faced the brunt of the fire accident followed by the flood. Then we moved to Ernavore site. My name was left out from the allotment list and I stayed in my parent's shelter. Ernavore is a site surrounded by factories and we suffered due to the industrial effluents and air pollution. The government promised us free transportation to the coast but failed to provide it. We were not able to spend 20 rupees per day for transportation.

My husband Muthu (32) was an alcoholic and he used to beat me up. At times I suffered massive injuries. I have left him and am staying alone for the last three years with my sons.

I was not able to get work in the Ernavore site and I had no food to provide for my sons. I heard that more than 15 women had sold their kidney and hence I decided to do the same. I donated my kidney in Kalliappa Hospital, 52, 2nd Main Road, Raja Annamalai Puram, Chennai – 28. I sold it for Rs. 50,000. As I did not have a ration card of my own I used that of some one else with the name of Velankanni. I paid Rs. 2000 to the person who gave me a ration card and Rs. 1000 to the middleman named Anbu in Korrukupet.

I deposited Rs. 10,000 on my sons name, Rs. 15,000 I redeemed from pledged jewels and the rest I used for repayment of loans. Most of the people who had donated kidneys are women. Women have also been forced to get involved in sex trade. The health facilities here are terrible and there are women who have delivered children in autos.

In our area the problem stemmed because of relocation and hence I ask the Government to provide for people permanent shelter, relief, and adequate employment opportunities”

Discrimination against Religious and Caste-based Minorities – Muslims face eviction threat

One of the guiding principles of international law is that, “States must ensure that protection against forced evictions, and of the human right to adequate housing and secure tenure, are guaranteed without discrimination of any kind on the basis of race, colour, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth or other status.”²⁶

M. Dhasthaghir from the Muslim settlement says, “We have been living in this locality for years. After the tsunami the government officials are asking us to give up these lands. We do not want to do so because this area is close to our work and our children's education. Fisherfolks, Dalits and Christians in these areas have all been living together. Now government officials are having separate talks with all of us to give up our area of living. We will not do so. We do not want to go to any of the other settlements that are placed on the outskirts of the city. We will lose out on our livelihood and hence we request the government to construct houses for us in our original place of habitation”

The Dalit and the Muslim communities reside in the River Bank area of Srinivasapuram. The state refused to consider them as tsunami-affected. These people engage in allied fishing livelihoods and unorganized work. Their houses were destroyed and livelihoods shattered by the tsunami but the government did not reach out to them. They were forced to relocate to the semi permanent shelters of Kannagi Nagar located far from their original area of habitation. Due to the remote distance they have continued to stay in their original sites but still there has been no

measure to reconstruct in situ houses for these marginalized people. The Muslim settlement suffered a massive fire accident in 2006 and their shelters are now in wrecked and unliveable condition.

Kausalya M. from the Dalit community pointed out that “I am residing Seenivasapuram Dalit Settlement, with my children. My husband passed away before 14 years in a road accident. I belong to a scheduled caste –Paraiyar community. I am a domestic worker and I support my children in their education.

About 3000 families were residing for generations after generation in our settlement, namely Pattumedu in Srinivasapuram in Chennai. We all belong to the Dalit community. Most of the families do Coolie work. We had ration cards and electricity bills. I was able to sustain my family.

During the tsunami our belongings were washed away but we were excluded from the government's relief process. They asked us vacate the place but we acquired a stay order challenging the relocation policy.

Now the government officials have verbally informed us that we have to move out and hence we are suffering. We do not go to work because we are afraid that the officials might come any time to relocate us. We are living in constant fear that we will lose our traditional area of habitation. If we move out, our livelihood will be severely affected. Hence we request the government not to resettle us elsewhere, but to build us permanent houses in our same locality."

Undemocratic Housing Policy – Houses not of our own choice

*The Universal Declaration of Human Rights guarantees that, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information"*²⁷.



Anandhi from Ennore Kuppam testifies that "About a decade back we were all living in the original Ennore Kuppam. One day the government officials came to our village and under the guise of conducting a survey they measured our houses. Later we were told that the Ennore Power Station was to be constructed in the location near our village and hence we were resettled in Ennore Thazhang Kuppam. The government offered some of our youths employment in the Electricity Board. Years has passed and again history seems to be repeating itself. The government officials now came to our

village and in the pretext of house repair and renovation they took signatures from 20 families without disclosing the need for their signatures. The relevant information was not provided, the face sheet were hidden and the G.O 708 as mentioned in the face sheet that we acquired later, was not shown to us. The officials filled the forms all by themselves without consulting the people. This has given rise to a great fear amongst us of a second relocation of our community. We will not leave our village at any cost, as the coast is very important to us and so is our coastal land"

Sripaul (12) from Ennore Kuppam expressed his concerns before the jury, "I am happy to be staying in the community where I belong. Initially we were living in the place where the Ennore power station was constructed but we were resettled in the present village of Ennore Kuppam. I have heard about government officials coming to all villages and acquiring signatures. I don't want them to take me away from my village. I play in the grounds near my village, I love to be near the sea. If we were to be relocated then my parents would lose their livelihood and I will not be able to resume my education as my parents and others in the village are completely dependent on the sea. I thereby request the government not to relocate us"

The affected people thus shared their concerns with the jury with a hope that the human rights violations being perpetrated by the state would be questioned.

End Notes

- 19 Miloon Kothari, Basic principles and guidelines on development-based evictions and displacement, (E/CN.4/2006/41, March 2006), United Nations - Economic and Social Council, p-4
- 20 Article 7, International Labour Organization Convention No. 169 Concerning Indigenous and Tribal Peoples (1989). Adopted 27 June 1989, *revising* the Indigenous and Tribal Populations Convention no. 107 of 1957
- 21 Article 16, International Labour Organisation Convention No. 169 Concerning Indigenous and Tribal Peoples (1989) Adopted 27 June 1989, *revising* the Indigenous and Tribal Populations Convention no. 107 of 1957
- 22 Do People's Voices Matter? The Human Right to Participation in Post-tsunami Housing Reconstruction – Fact finding Mission Report 10, South Asia Regional Programme, Housing and Land Rights Network, Habitat International Coalition., December 2006. p-15
- 23 Miloon Kothari, Basic principles and guidelines on development-based evictions and displacement, (E/CN.4/2006/41, March 2006), Annex, Report of the Special Rapporteur on adequate housing, UN Human Rights Council
- 24 Cited in. Do People's Voices Matter? The Human Right to Participation in Post-tsunami Housing Reconstruction – Fact-finding Mission Report 10, South Asia Regional Programme, Housing and Land Rights Network, Habitat International Coalition. December 2006 P-28
- 25 Miloon Kothari, Basic principles and guidelines on development-based evictions and displacement, (E/CN.4/2006/41, March 2006), United Nations – Annex report of the Special Rapporteur on adequate housing, UN Human Rights Council, P-8
- 26 Miloon Kothari, Basic principles and guidelines on development-based evictions and displacement, (E/CN.4/2006/41, March 2006), United Nations - Annex report of the Special Rapporteur on adequate housing, UN Human Rights Council. p-4. Also see, Conention on the Elimination of All Forms of Raccial Discrimination (CERD)
- 27 Cited in: Do People's Voices Matter? The Human Right to Participation in Post-tsunami Housing Reconstruction – Fact-finding Mission Report 10, South Asia Regional Programme, Housing and Land Rights Network, Habitat International coalition. December 2006, P-21

Observations of the Jury Members

"Despite of the fact that there has been an outpouring of funds from all over the world, even after 3 year people the tsunami survivors are still living without adequate water and housing and are living in places far from their source of livelihood. Every individual enjoys the human right to health, housing, food and work but all these rights have been violated in the process of rehabilitation. The government should provide basic facilities for those living in shelters, develop an enforceable timeline for completion of permanent housing, adopt transparency and accountability in the rehabilitation process and establish grievance and redressal mechanisms for the people to share their concerns. There have been gross human rights violation in the rehabilitation of the tsunami affected and the state should investigate and strive towards improving the living conditions of these people who are living in deplorable living conditions".

– Miloon Kothari

The Finding of the Jury

"Two years after the tsunami nothing substantial has been done in the rehabilitation process and what is planned for the future still remain unclear. There has been large influx of funds but still thousands of people are suffering from the neglect of the administration units".

– Justice Rathnaswami

"I strongly condemn the Tamil Nadu Government for its failure to rehabilitate the people even two years after the tsunami. Women are the most affected but the rehabilitation as ailed to be gender sensitive"

– Shivani Chaudhry

"The people in the tsunami affected area have clearly pointed out that there have been setbacks in the planning and policy related to housing by the government Many are living in miserable living conditions and poverty has forced the people to sell their organs"

– Henri Tiphagne

"The world has wept for the tsunami - affected people but they are now insensitive to the real condition of the people. The affidavits clearly state that the people are living in precarious living conditions and that the Government has not taken efforts to make a difference in the lives of the people. Crores of money has been received for the tsunami -affected people but the money has not reached the people to the fullest".

– Justice Sivasubramaniyam

"The media has to be more sensitive to these issues and highlight to the world the reality. The government, NGOs and civil society at large should share the responsibility of reviving the living condition of the tsunami survivors".

– Maxmillan Martin

"There has been evident violation of human rights and all of us have the responsibility towards resolving it. The government has not consulted the people in any of the processes and this is a setback. The duty of the Government is to listen to the problems that the people face and resolve them. "

– Dr. Markandan

Jury Declaration

"The Jury of the People's Tribunal concludes that there have been gross human rights violations in the post-tsunami rehabilitation phase. People living in temporary and semi-permanent shelters have been forced to live in severely inadequate and insecure housing conditions without access to livelihoods, education and health services for over two years. This is a humanitarian emergency that requires urgent intervention by the State.

Despite the outpouring of funds, the poorest of the poor still continue to suffer from state neglect.

Based on twelve testimonies of affected people from Chennai and Thiruvallur districts, we also conclude that Dalits, Irulas and religious minorities continue to face discrimination in all aspects of resettlement and rehabilitation. Rehabilitation efforts continue to be gender insensitive and contribute to the violation of women's rights to security, privacy, livelihood and participation.

This has led to a situation of such abject poverty that in some of the relocation sites, people (mostly women) have been forced to sell their organs and engage in sex work.

We recommend that the Tamil Nadu government immediately assess the number of people living in such humanitarian emergency like conditions. The government must urgently provide basic facilities (water, sanitation, electricity, health services, education, transport) and access to livelihoods for those living in temporary and semi-permanent shelters. There need to be enforceable timelines for every stage of the rehabilitation process, including the completion of adequate permanent housing. This must be accompanied by transparency and accountability of all actors involved in the rehabilitation process, including the provision of timely and adequate information to the people. There is need for establishment of local and state level grievance redressal mechanisms.

The ultimate responsibility of ensuring adherence to fundamental human rights principles, such as non-discrimination, gender equality, and participation, lies with the government. "

The People's Tribunal brought to light several egregious violations of people's human rights to adequate housing, livelihood, equality, security and privacy, food, health, participation, information and education. These fundamental human rights are guaranteed by both the Indian constitution as well as by international human rights law which India is legally bound by.

The Government of Tamil Nadu has severely abrogated its legal commitments and responsibility to safeguard, promote and fulfil the human rights of tsunami survivors. Worse still, it has abetted the violations through acts of both commission and omission.

Testimonies from communities living in Chennai and Thiruvallur districts revealed the State's complete disregard for the living conditions and livelihoods of tsunami survivors. Grave issues of forced eviction, failed rehabilitation, threats of violence, intimidation and violence against

women by police officers and government officials, and use of force to obtain signatures on legal documents, were exposed during the People's Tribunal. Denied their rights to access livelihoods, education and health services, residents of remote resettlement sites, such as Ernavore, Tsunami Nagar, have been forced into conditions of abject poverty. This has compelled several women in the community to take the extreme step of selling their kidneys and engaging in sex work in order to survive. This dire condition reflects a serious failure of the Government of Tamil Nadu – one that must be urgently addressed, investigated, rectified, and ameliorated.

Recommendations of the Jury

The following recommendations, based in part on comments of the jury of the People's Tribunal, are targeted towards the Government of Tamil Nadu:

- 1 The government must immediately assess the number of people living in humanitarian emergency like conditions in all tsunami resettlement sites
- 2 The government must urgently provide basic facilities, including clean and safe water, sanitation (including solid waste management), electricity, healthcare (including primary health centres), and transport services at all resettlement sites. This includes ensuring the provision of safe and motorable access roads
- 3 Free or subsidised buses should be provided from the temporary and semi-permanent shelters to schools so that children can continue their education and are not forced to drop out
- 4 The government should immediately look into the livelihood related concerns of all tsunami-affected communities, in particular but not limited to, fishing communities and those who depend on fishing activities. Since the resettlement sites are located very far from the coast, measures such as providing free or subsidised transport services to the coast and other places of work, space for storing fishing and related gear, and sustainable alternative livelihoods near the new place of residence must be provided on a priority basis. Women's livelihood concerns must be given special attention

- 5 Immediate investigations must be conducted into the conditions leading to women being forced to engage in sex work and selling their kidneys. The government should provide protection to the women who testified and spoke out about the issue. Due process should be followed to ensure that justice is delivered to the affected at the earliest, and to prevent other such instances from occurring. This includes addressing the serious lapses and failures of rehabilitation, including the absence of adequate housing and living conditions
- 6 Where communities are being threatened with forced eviction (as in Anna Nagar and Srinivasapuram), the government should make efforts to regularise their settlements and provide them with legal security of tenure. Discrimination against communities living within the CRZ must not be perpetrated. The Government of Tamil Nadu should recognise coastal communities' customary and historic rights over the coast and assist them with building *in situ* disaster resistant permanent houses
- 7 There is a need for the Government of Tamil Nadu to develop a comprehensive housing policy
- 8 Where the Tamil Nadu Slum Clearance Board (TNSCB) is responsible for renovating tenements, as in Srinivasapuram, housing plans must be discussed with the community before being finalised. A clear and well thought out plan for rehabilitation of communities during the construction process must be developed in close consultation with the communities. People should not be relocated far from their sources of livelihood and schools. Comprehensive lists of all families must be prepared and approved by the community to ensure that no one is left out of the process. Adequate housing must also be provided for those living in huts, informal settlements and other non-TNSCB accommodation
- 9 The State must not discriminate against Dalits, Muslims and other minorities and must not deny them their human right to adequate housing, land, livelihood, and rehabilitation. All those who suffered indirectly from the tsunami, including the non-fishing communities, must also be adequately compensated and included in the rehabilitation process
- 10 Rehabilitation policies, projects and efforts must be gender-sensitive and must take into account the special needs and concerns of women. In no way must women be discriminated against, marginalised or denied their human rights
- 11 In case of accidents, such as fires and other disasters such as floods, the government must provide adequate compensation to all affected families and individuals based on a comprehensive loss assessment. The Muslim community in Srinivasapuram should be adequately compensated for the recent fire accident that destroyed their homes and belongings
- 12 All resettlement sites must be completed and must have basic infrastructure facilities, adequate housing and essential services before communities are made to relocate. The sites should be close to people's livelihood sources and must be well connected by roads and transport services to hospitals, schools, markets and places of work²⁸
- 13 Governments, in consultation with civil society organizations and local communities, must frame an enforceable timeline for completion of rehabilitation work, including permanent housing. This must include specificities regarding the maximum permissible duration of stay in emergency and temporary/semi-permanent shelters. Permanent housing must be provided at the earliest without compromising the element of community participation and consultation. These timelines must be incorporated into rehabilitation policies and projects of all involved agencies, and adhered to

- 14 Mechanisms must be established to allow for participation of the affected communities at every stage of the rehabilitation process. These mechanisms must provide adequate space for representation from marginalised and vulnerable groups including women, children, Dalits, and other minority and historically discriminated communities, older persons, and persons with disabilities
- 15 Rehabilitation plans must be discussed with the community using innovative ways in order to reach the most vulnerable and marginalised, including persons with disabilities and those who are semi-literate and non-literate
 - There should be adequate time given to affected people to provide suggestions regarding housing and other rehabilitation plans;
 - Communities must have a say in the choice of permanent housing, including the final design, material, layout, and location of the housing site;
 - Implementing agencies must try and accommodate people's suggestions regarding housing and other rehabilitation plans;
 - Special efforts must be made to solicit the opinion of marginalised groups including women, older persons, and persons with disabilities;
 - Where applicable, explanations for the inability to adopt certain suggestions from the community must be provided to the community in a manner and language that is accessible to all;
 - People must be given full information on the implications of choosing a certain design or plan over another;
 - Housing plans must be implemented only with the prior informed consent of the affected community;
 - Communities must be given full information on their tenorial rights with regard to the house as well as the house plot.
- 16 In order to protect women from arbitrary eviction and to uphold their equal rights to land and housing, the government and involved NGOs must ensure that titles to the permanent house are given in the name of both the man and the woman of the house, and in the names of only women, as required
- 17 All government and non-government agencies involved in rehabilitation need to be accountable to the people. Mechanisms to ensure transparency and accountability need to be developed by the government
- 18 Relief and rehabilitation requires assessment as well as monitoring and must involve local governing bodies. Joint task forces comprising of affected people and members of the implementing agency should be set up for the purpose. All monitoring mechanisms must have adequate representation of women, persons with disabilities, older persons, Dalits, and members of marginalised and vulnerable groups
- 19 There is an urgent need for the Government to issue a comprehensive enforceable post-disaster rehabilitation policy grounded in human rights principles. Specifically, the rehabilitation policy must meet international housing rights standards and provide for security of tenure; affordability; accessibility; habitability; access to public goods and services; access to natural resources, including land; adequate location; cultural adequacy; participation; and physical security and privacy, including freedom from violence²⁹
- 20 All implementing agencies must have effective mechanisms for regular follow-up, complaint registration, and grievance redressal, even after people have shifted into their permanent houses.

End Notes

28 For specific standards related to resettlement, see *Basic Principles and Guidelines on Development-based Evictions and Displacement* in the Annex to the Report of the UN Special Rapporteur on Adequate Housing, Miloon Kothari at: <http://daccessdds.un.org/doc/UNDOC/GEN/G06/118/59/PDF/G0611859.pdf?OpenElement>

29 30 See, *International Human Rights Standards on Post-disaster Resettlement and Rehabilitation*, PDHRE and Housing and Land Rights Network-Habitat International Coalition, January 2006. Available online at: <http://www.hic-sarp.org/Post-Disaster%20Compilation.pdf>

The People's Tribunal was a collective attempt to provide an appropriate platform to the affected community to voice their concerns and let the entire world know of how they are being consistently marginalized and their rights violated and being denied. One of the most positive note in this entire process was that it was the community who took up the entire process with conviction and courage on their part amidst all possible forms of negative exposure and likely harassment by various agencies.

In this process the people from the affected community gathered to express their solidarity for the representatives from their community who testified before the jury members of the various forms of hardships, marginalization and exploitation they are facing due to complete negligence of the state. Around 692 persons representing 9 different locations participated in this public hearing to voice out the concerns of their communities.

Conclusion

The People's Tribunal for the people is one of those crucial steps to bring into limelight the gross human rights violations which are being carried out. It is unfortunate that a country which beholds a constitutional framework which promises fundamental rights for its citizens and talks about democracy can turn opportunistic and shrug off its responsibilities towards the poor and marginalized and take sides with the exploitative groups for whom profit at any cost is the motive. Further, it is also a great shame for the country of being a signatory to Human rights and keeping its own eyes shut towards the gross violations which is continuing to happen leading to emergence of various other forms of exploitation and vulnerable situations for the affected people to deal with. and they are determined to put forth their demand till they find a solution. The tsunami had ravaged their life, property and happiness of the coastal communities but they will not let go of their traditional rights over the lands as it is their only means of sustenance.

The responsibility to ensure that justice is delivered to the people and that their human rights are restored and upheld lies with the Government of Tamil Nadu and the Central Government. The State needs to act exigently to ensure that it meets its commitments to its people. This report will hopefully help them understand the severity of the human-induced crises and will urge them to take all required steps to adequately rehabilitate the affected.

Preface to the Government's Response

One of the primary objectives of the People's Tribunal is to directly bring human rights violations to the notice of the Honourable Chief Minister of the State of Tamil Nadu. We firmly believe that this document would be a powerful instrument in improving the living conditions of the tsunami-affected people of Chennai and Thiruvallur District.

We would like to affirm the fact that the People's Tribunal did not intend to frame allegations against officials or to accuse the Government of Tamil Nadu; but it was indeed a call for solidarity for the Government and civil society organizations to work together towards the betterment of the tsunami-affected people of Chennai and Thiruvallur Districts.

The Response of the Government

The invitations to the Tribunal were dispatched to the concerned officials but very few of them attended. This could be due to unforeseen reasons; perhaps some officials did not receive the invitations on time. We would like to thank the Special Deputy Collector for the Tsunami – Mr. Prabakaran, IAS, and Mr. Ranganathan, Community Development Officer of the Tamil

Nadu Slum Clearance Board for accepting our invitation and gracing the event.

Special note of thanks to Mr. C. V. Sankar – IAS, Officer on Special Duty (Relief and Rehabilitation) and Project Director (ETRP and TEAP), O/o The Special Commissioner and Commissioner of Revenue Administration, Tamil Nadu; and Ms. R. Jaya, IAS, District Collector, Chennai; who were kind enough to receive the report of the People's Tribunal and provide us with a timely response. It is a fact that the Tribunal concentrated on the issues of only two Districts – Chennai and Thiruvallur. These Districts were given prime importance because of the fact that rehabilitation work in these districts has been painfully slow and time-consuming, as they were considered by the government to be "less affected."

The Responses of the Government

Response to the report on the People's Tribunal held at Chennai on 12.1.2007

- Mr. C.V. Sankar, Officer on Special Duty (Relief and Rehabilitation)

A detailed examination of the report reveals that while care was taken to organize representation from the people and non-governmental organizations working in the area, efforts were not taken to obtain the feedback from the Government during the meeting. This is mentioned not to find fault with the organizers but to bring out the fact that Government's representation at the appropriate level e.g., the District Collectors concerned, would have placed the whole issue in perspective instead of allowing only one-sided stories to obtain the authenticity of irrefutable facts. The Collector, Chennai has furnished a detailed report on the points mentioned, which is enclosed.

From the overall perspective of the State in Relief and Rehabilitation administration, we would like to state the following:

- The report is only about Chennai and Tiruvallur, which are among the lesser affected districts of Tamil Nadu. In fact, in real terms, Tiruvallur was barely touched by tsunami. Any report on such a calamity needs to include the work being done in other districts to present the correct picture.³⁰
- The issues highlighted are relating to four specific locations; a) the earlier Kargil Nagar site and the present Celcrete site (Ernavoor), b) the families of Anna Nagar who are alleged to have been forcibly evicted, c) the people who were housed in Semmanchery and d) families living near the Marina at Srinivasapuram etc.,
- Totally, 2145 families were identified in the initial stages as affected by tsunami in North Chennai and they were housed in temporary shelters at Kargil Nagar as no other site of this size was available closer. (This site was 3 kms from the coast and not 15 kms as mentioned in the report) The families were shifted to the Celcrete site in 2005 after two fire accidents. The NGOs and the people are aware that these accidents were not really 'accidents'. The Collector's report gives the details of the facilities in both the sites. While it is acknowledged that the facilities in any temporary shelter area will not be at par with permanent facilities, to claim that the families were abandoned with no facility is totally baseless and will be demolished by a single visit to the area. While the role of the NGOs in providing transport facilities is acknowledged, it is also true that Government has stepped in with water, electricity, medical facilities, roads, street lights and payment for sanitation and cleaning.
- Collector's report gives the details of the process undertaken in allotting the permanent houses which will accommodate 1392 families shortly. The balance will be accommodated in the nearby AIR site. The new houses are coming up at a cost of Rs 1.75 lakh each with all amenities. These are being given in the joint names of the wife and husband and will be insured against disasters for ten years.
- Collector's report gives the correct position about the Anna Nagar site and in fact, the Hon'ble High Court of Madras permitted the Collector to continue enumeration only when some of the families pleaded for inclusion for the allotment of the permanent houses. A visit to the present site would reveal that these families live within 50 metres of the rough sea and the site is patently unsafe. While the Government can provide safe housing, it cannot do so at the same site which will be a clear violation of CRZ notifications and more importantly, very unsafe. Houses will be provided at the nearest possible acceptable site with the concurrence of the people. The real stakeholders, viz the families, local representatives of the people, genuine non-governmental organizations working for these families and Government, must decide on the issue and not some self-styled people with no real stake in either the State or its people.
- The families housed at Semmanchery were the non-fisher families living in pathetic shacks near the coast and on the side-walks. These 2045 families moved to Semmanchery on their own with no force from the State and have been given houses worth Rs 1.25 lakh. The area is having wide streets, street lights, water supply, sewage connections and community facilities like school, health center, shops etc., While the TN Slum Clearance Board does not normally provide internal electrification, in this case, they have done so at the instance of the Government. These houses also are insured for 10 years and in the joint names of the husband and wife. Collector's report gives the details of the amenities provided including transport. It is true that the area is away from their original place but is adjacent to the IT Corridor where employment opportunities for different skill levels are booming especially in the service sector. People have moved to a definitely better environment and we are sure that this area would turn out to be a model habitation.
- The settlement of the fisher families along the Marina is engaging the attention of the Government at the highest level and tenements with all the amenities would come up at the same site.

- Collector's report also gives the details of the livelihood initiatives being taken up by TN Slum Clearance Board. These would be speeded up and assistance given to all the genuine affected families. Media reports and police investigations have revealed that the selling of human organs is an illegal activity not related to tsunami but it is acknowledged that a multi-pronged strategy to increase family incomes, counselling to reduce alcoholism and related social issues and education is required to tackle the root of the problem

Inputs relating to some of the specific issues mentioned in the Report of the People's Tribunal conducted on 12.01.2007.

Ms. R. Jaya (IAS), *Collector, Chennai*

Chapter II:- An introduction to the issue

"Thumb impressions are forcibly acquired in documents that the people have not read".

Explanation :

Thiru Marya Selvam who has given this statement is residing at the semi-permanent house built at Ernavore. The Tsunami affected people belonging to various habitations like Anna Nagar Kuppam, Power Kuppam Pallam, Poongavana Kuppam etc., are residing at these semi-permanent houses since October 2005. No application was got filled in from the residents of these Semi-permanent houses (Temporary Shelters) forcibly. The details of the names of these residents are already available with the Collector's office. In respect of the people living in other affected areas also, application was not obtained forcibly. When a tentative list of beneficiaries for the allotment of permanent houses was published in the localities giving wide publicity in the newspapers also, no application raising objection to the inclusion of their names was received in this office till date. It implies that all the beneficiaries whose names have been included in the list have agreed to the correctness of the list. Therefore the statement of Thiru Marya Selvam is false and incorrect.

Gross Human Rights Violation in the Post-tsunami situation:

"The relocated Tsunami survivors were forced to live in intermediary shelters that are devoid of the basic infrastructure facilities and denied access to safe drinking water, education, transportation, health care and livelihood"

"The Tsunami survivors are still living in shelters of deteriorated condition"

Explanation:

The majority of the Tsunami affected people of North Chennai have been accommodated in 1745 Semi-permanent houses constructed by the two NGOs, People Action Movement and Karunalaya. There are 242 toilets and 232 bathrooms for the use of the residents.

The following amenities have been provided by the Government for these temporary shelters.

- 1 Roads have been laid at a cost Rs. 30.45 lakhs.
- 2 Three transformers, street lights and house service connections have been provided at a cost of Rs. 56.00 lakhs. In order to attend to day-to-day electrical works / repairs, the Government has sanctioned a sum of Rs. 1.48 lakh for engaging a wire man and a helper. Vide G.O.Ms.No. 741, Revenue Department, dated: 16.11.2006.
- 3 110 hand pumps have been provided. In addition, 7 tanker trips of drinking water are being supplied every day by Metro Water. An average monthly expenditure of Rs. 1 lakh is being incurred by the Government for supply of drinking water.

- 4 Daily cleaning of toilets, bathrooms and streets is undertaken and an expenditure of Rs.93,500/- is being incurred by the Government for this purpose.
- 5 Two medical dispensaries are functioning in the temporary shelters. A doctor and two nurses appointed by Government and a doctor engaged by the NGO Karunalaya are giving medical treatment and medicines free of cost.
- 6 In order to take the School going children from the temporary shelters to the Schools in Royapuram, Tondiarpet areas, the NGO Karunalaya is arranging vehicles for transportation. Under the instructions of the Collector, the MTC buses are halting at the Ernavore temporary shelter stop to pick up the passengers. The Collector has requested to Managing Director, MTC to extend the all the buses bound to Ernavore up to Tsunami Nagar. It will come in force shortly. Under the instructions of the Special Commissioner and Commissioner of Revenue Administration, the MTC operates the night bus services to help the fishermen people to reach Kasimedu to venture into the Sea for fishing activities.

Therefore, the statement that the intermediary shelters are devoid of basic infrastructure facilities is totally incorrect.

"A large amount of private land acquisition is involved for reconstruction of houses. Further, the sites to be used for reconstruction of houses in Chennai are likely to involve displacement of substantial number of squatter families"

Explanation:

As far as the Chennai District is concerned, all the pieces of land involved for reconstruction of houses are Government land, except a piece of land measuring 5.27 acres in Tondiarpet which was voluntarily donated by Hindustan Lever Limited. Therefore the question of involving displacement of substantial number of squatter families does not arise. The above statement is incorrect and false.

"The Government officials have resorted to violent behavior and unwarranted actions into the forced eviction process and in the process of acquiring thumb impression is a coercive manner from the Tsunami survivors Moreover the officials visiting the villagers are resorting to acquiring signatures from the people without explaining the contents of the documents and queries of the people still remain unanswered."

Explanation:

The slums in Anna Nagar Kuppam in North Chennai are situated near the sea -shore i.e. 50 mts. from the sea and they are at vulnerable places. This area was badly affected. Some 125 huts were washed away by the Tsunami waves. 32 persons died due to Tsunami in that area. Only with the good intention of saving the precious lives of the innocent people from the onslaught of any such natural fury in future, the Government decided to move all these affected families to much safer places. But no forcible eviction was carried out. Only those who were willing to move were taken to the temporary shelter at Kargil Nagar.

There are 309 families are still residing at Anna Nagar Kuppam. They have voluntarily submitted applications for allotment of houses and they are under consideration. After publication of the tentative list of beneficiaries for North Chennai on 02.01.2007, nearly 57 people of Anna Nagar have submitted applications to this office requesting for inclusion of their names in the beneficiaries list for allotment of permanent house.

Chapter III : The housing policies for the Tsunami survivors:

“The reality is different because of the number of instances of forced eviction, lack of transparency in the housing initiatives and minimal consultation with the affected people on their opinion on housing and selection of relocation site.”

Explanation:

There were no instances of forced eviction, in the coastal areas of Chennai District. Only those persons who gave their consent for moving to the permanent shelters during preliminary survey will be taken in to consideration for allotment of permanent houses in the new locality. No forced eviction has been made so far and it will not be made here after also.

As far as Chennai District is concerned, the housing initiatives were transparent. In North Chennai, a tentative list of beneficiaries for allotment of houses was published on 02.01.2007 in the following localities. 1. Tamil Nadu Housing Board Celcrete Factory Sire – temporary shelter, 2. Zonal Office, Corporation of Chennai, Tondiarpet. 3. Division Office, Corporation of Chennai, Royapuram, 4. Taluk Office, Fort - Tondiarpet Taluk, Chennai – 3, 5. Chennai Collector Office, Chennai – 1, 6. Karunalaya, Social Service Society, (NGO) Tondiarpet, Chennai, 7. People Action Movement office, (NGO). The details of publication made in the localities were published in the Dailies: 1. The New Indian Express, 2. Dinamalar, 3. Dinakaran, with a request to file objections regarding inclusion and deletion of the names in the beneficiaries list on or before 08.01.2007. Some 250 applications were received. The last date for submitting application / objections was extended up to 29.01.2007 on account of the request made by the public. The same method will be followed in respect of South Chennai also.

On 23.01.2007, the Collector convened a meeting of all the Fishermen Community Leaders and the representatives of various non-fishermen organizations. The Managing Director Tamil Nadu Slum Clearance Board, also attended the meeting. The Government Housing Policy was explained to the people who attended the meeting. 86 members attended the meeting.

Violation of land rights – The state usurping lands through forced thumb impressions from women.

Tmt.D.Rani from Anna Nagar Kuppam has stated. *“After the Tsunami, the Tamil Nadu Slum Clearance Board issued an order (Token No.Team /1.232) through the local politicians & officials for shifting the houses to another place. Without giving sufficient time to takeaway the household things, they smashed the houses with JCB. Before they could start the second phase of eviction and complete the demolition of all the houses, we filed a case in the High Court and got the stay Order. However by force, they shifted some of the families to Kargil Nagar with a pre arranged vehicle.”*

Explanation:

In case of Tmt. D. Rani, she was not evicted forcibly and her house was not smashed with JCB. She continues to reside at No. 45, Anna Nagar, 22nd Street, 2nd lane, Washermenpet, Chennai – 81. She has been residing there since 1975 without any disturbance. It is evident from the application submitted by her requesting for allotment of permanent houses. A copy of the application is enclosed.

“For more then 5 months we suffered in the temporary shelters. There was just one toilet for 50 houses and women found it difficult to use the toilet”.

Explanation:

There were 120 toilets provided at Kargil Nagar which could be accommodated at a time. Moreover there were 40 bathrooms so as to enable 40 persons to bathe at a time. Besides this, a platform for washing clothes was also provided near by. These temporary shelters were constructed by way of immediate alternate accommodation to the Tsunami affected families.

"Kargil Nagar is situated 15 Kms away from Anna Nagar. Since all our children are studying in Anna Nagar, we found difficult to spend Rs.20/- every day to send the children to the same school".

The Kargil Nagar is situated only at a distance of 3 km from the place of residence before migration. The contention of Tmt. D. Rani that Kargil Nagar is situated at the distance of 15 km. is not correct.

All the 2142 temporary shelters built at Kargil Nagar were destroyed due to two fire accidents that took place on 15th June 2005, and on 23rd June 2005. Subsequently these families were shifted to the semi-permanent houses at Ernavore. Tmt. D. Rani is now residing at Anna Nagar Kuppam itself.

"On 12.08.2006, the Revenue Inspector – I, from Periyamedu informed us to receive the House allotment slip by showing the Ration Card and Voter's Identification Card at the Tondiarpet Office. There without providing us proper information they received Thumb Impressions on a form from more than 100 women. The official grabbed my hands from the other side of the counter and took my thumb impression without asking me if I could sign".

Explanation:

The statement is totally incorrect and false. In order to prepare the correct list of beneficiaries for the allotment of permanent houses, the officials visited the affected areas, made enquiries, explained to them the purpose of their visit and asked those who were present in the area to go over to Fort - Tondiarpet Taluk office with the necessary documentary evidence in order to get their names included in the list of beneficiaries for allotment of houses. An enumeration Slip signed by the official was also given to the people. It contained the following information.

Name of the habitation _____

Sl. No _____

Name _____

Date of enquiry _____

Time of Enquiry _____

The people attended the enquiry on the date and time fixed to them along with the enumeration slip and other supporting documents to prove that their houses were damaged due to Tsunami. An application form for the allotment of permanent houses was filled in. The application form (given in annexure III of the report) contains 18 questions related to the following details.

- 1 Family & present address
- 2 Community
- 3 Native District
- 4 Address before Tsunami
- 5 Year of construction of the house
- 6 Period of occupation
- 7 Rented and Own
- 8 Patta Land or not
- 9 Area of house
- 10 Nature of house (Concrete / Tiled / Tin sheet / Hut)
- 11 Electricity
- 12 Details of the damage
- 13 Details of family members
- 14 Details of document enclosed
- 15 Details of Relief received

All these details are gathered from the applicant during enquiry and they are entered in the application. The applicants bring the photographs and supporting documents and hand over to the enquiry officer at the time of enquiry. One will not cooperate and give all these details without knowing the purpose for which these details of gathered.

In case of Tmt. D. Rani, she has given all these details to the enquiry officer and submitted the following records in support of her request for allotment of permanent house.

- 1 Tsunami Relief token given by the Tahsildar, Fort - Tondiarpet Taluk
- 2 Her EPIC (Electronic Photo Identity Card)
- 3 Her Husband's EPIC
- 4 Relief Token given by the Tahsildar, Ambathur
- 5 Enumeration Card given by the Tamil Nadu Slum Clearance Board
- 6 Allotment order copy given by The Special Tahsildar (Relief and Rehabilitation)

When Tmt. D. Rani has given all the 18 details required in the application form and the copies of the above 7 documents in support of her request for allotment of permanent house, she could not tell that the officials did not give proper information. She has also received an enumeration slip in which the venue of enquiry has been furnished. She has given wrong and false information to the People's Tribunal.

"With the help of our advocate we come to know this action and found that without our knowledge the Government got out Thumb impression to vacate our houses form Anna Nagar. We will be affected more and the education of the children will be disturbed if all our families are shifted from Anna Nagar to any other place."

A tentative list of beneficiaries for allotment of houses for the Tsunami affected people of North Chennai was published in the locality on 02.01.2007. A press release was also given regarding the publication of the list in the newspapers like the New Indian Express, Dhinamalar & Dhinakaran. Tmt. D. Rani applied to the Collector of Chennai for inclusion of her name in the beneficiaries list for allotment of houses on 05.01.2007. On the basic of her application dated 05.01.2007 for allotment of permanent houses, her name has be included in the list. She has told something contrary to what she wants actually and what she has done actually. Prompted by somebody else she has given a false statement with an ulterior motive.

If the applicants were not residing at the affected area, necessary message to be conveyed to the applicants was left with the people in the locality. These people also attended the enquiry, submitted the documents and put the thumb impression or sign the applications. Therefore it is clear that the officials did not get thumb impression forcibly from the people.

Chapter V – P. Rajasekeran from the fishing hamlet of Annanagarkuppam

"the people of Annanagar kuppam challenged the forcible eviction process and succeeded in getting a stay from the Madras High Court from forcible relocation in a place 10 Kms away from their traditional habitation."

One Thiru S. Thomas Jayaraj filed W.M.P.No.5811/2005 in W.P.No.5291/2005 and got order of interim injunction restraining the respondent from forcibly evicting the people affected by Tsunami at Annanagar. The interim injunction ordered is still in force. But the Hon'ble High Court in its order dated: 03.03.2005 permitted Revenue Officials to continue with the process of enumeration. Accordingly enumeration was conducted. Most of the people at Annanagar have opted for new permanent houses by submitting individual applications. Necessary counter affidavit has already been filed and the case is yet to be listed for hearing.

The slums in Anna Nagar Kuppam in North Chennai are situated near the seashore i.e. 50 metres from the sea and they are at vulnerable places. This area was badly affected. Some 125 huts were washed away by the Tsunami waves. 32 persons died due to Tsunami in that area. Only with the good intention of saving the precious lives of the innocent people from the onslaught of any such natural fury in future, the Government decided to move all these affected families to a much safer place. But no forcible eviction was carried out. Only those who were willing to move were taken to the temporary shelter at Kargil Nagar.

There are 309 families still residing at Anna Nagar Kuppam. They have voluntarily submitted applications for allotment of houses and they are under consideration. After publication of the tentative list of beneficiaries for North Chennai on 02.01.2007, nearly 57 people of Anna Nagar have submitted applications to this office requesting for inclusion of their names in the beneficiaries list for allotment of permanent house.

"The Unplanned Relocation Policies – Kidney sales booms due to state induced poverty"

Kidney sale was not solely an account of poverty caused due to Tsunami. The practice of selling kidney was in practice even before the Tsunami struck in the coastal areas of Chennai. This fact has been disclosed through the enquiry conducted by the Police authorities who are perusing action in this regard.

The livelihood activities are being undertaken by the Tamil Nadu Slum Clearance Board to improve the standard of life of the Tsunami affected people by implementing various schemes.

The permanent houses that were provided for the people at Semmenchery (Permanent shelters for those families who were relocated from South Chennai coastal villages to the temporary shelters of Kannagi Nagar) were devoid of the basic infrastructure facilities. The settlement area was in the middle of nowhere with limited access to drinking water, transportation facility, hospitals as well as schools for the children.

The details of facilities made available to 2043 Tsunami affected families of South Chennai who have been allotted permanent houses in Semmenchery Scheme:

Electricity:

- i) 106 Nos. of street lights have been provided in the scheme.
- ii) The internal electrification for all the 2200 tenements have been completed of which 1764 tenements has been energized.

Transport:

- iii) The Metropolitan Transport Corporation is operating bus services daily and plying 40 trips from the scheme to various parts of the city.

Drinking water supply:-

- iv) The Chennai Metropolitan Water Supply and Sewerage Board is supplying 2.20 lakh litres of drinking water daily.

P.D.S:

- v) The ration shop at Semmenchery is in operation and the families are getting their essential commodities from the P.D.S.

Drainage works:

- vi) The Public Works Department has proposed to construct a Storm Water drain as mitigation measure. The abstract estimate prepared by Public Works Department for Rs. 75.00 lakh to improve the existing drain has been sent already. The storm water drainage work and the sewerage work inside the scheme have been completed.

Rain Water Harvesting:

- vii) It is proposed to construct a storage pond of appropriate size in the scheme area to collect and store the surface run off during rainy season. Necessary abstract estimate for Rs. 50.00 lakhs for the construction of a storage pond has been sent already.

Solid Waste Management:

- viii) This programme is implemented as part of the livelihood support by self help groups with aid from A.D.B.

ix) **Anganvadi:** Two Anganvadis are being run by I.C.D.S.

Health Centre:

- x) A separate building has been allotted for health centre and it is maintained by an NGO – C-DOT.

Education:

- xi) A separate building has been considered for School. An Elementary School up to VIII standard is functioning. 451 students are studying there. There are 10 teachers working in this school. The salary for the teachers is being paid by SSA Scheme.

Livelihood initiatives taken in Chennai through Tamil Nadu Slum Clearance Board:

- 325 groups have been formed covering 4785 women in Ernavoor, Semmancheri and Marina coast line. 281 SHGs have been issued with Revolving Fund of Rs. 30,000/- each. The women have productively initiated Smaller Economic Activities like rice retailing, saree, cut piece, vessels and furniture retailing, masala packing etc
- Two SHGs have been specially allotted 2 shops for stationery and vegetable shop at Semmancheri by TNSCB
- 18 women of a federation were trained by TANSTIA in the Management of a Departmental Store and have been provided two shops for opening a shop
- Skill training has been imparted to 182 members of SHGs in various trades like jute making, bead garland, candle making, soft toys, shoe upper manufacture, juice making, paper cups making and beauty culture, and their existing skills have been enhanced for their alternative livelihood
- The following Skill Training Programmes have been conducted.

Sl.No.	Name of the Trade	Name of the Training Institution	No. of Trainees
1	Beads Garland, Paper Bag, Incense Sticks	Don Bosco Beatitudes Social Service Society	20 Women
2	Fruit Beverages and allied products	Fantaastick	19 Women
3	Manufacture of Jute Bags	Raj Bags	20 Women
4	Shoe Upper Making	MCDS	20 Women
5	Cosmetology	Dyana Institute of Cosmetology	25 Women
6	Management of Community Departmental Store	TANSTIA FNF Service Centre	18 Women
7	Daisy wall hangers, Macramme, Patch work and Door mats	P. Obul Reddy Vocational Training Institute	20 Women
8	Floral and Bouquet making	Social Centre Don Bosco Beatitudes	20 Women
		Total	182 Women

Livelihood venture for male SHG:

A special initiative by Slum Clearance Board assisted a group of 15 members of men SHG as a special venture providing them with the three wheeler auto network to restore / reconstruct their lost livelihood. This was achieved by persuading the State Government to lift the existing ban on issue of new eco-friendly LPG Autorickshaw road permits within the Kancheepuram District. The total cost of 15 Autorickshaws was Rs. 17.45 lakh with the contribution of TEAP to the tune of Rs.14.83 lakh i.e. 85%. The beneficiaries were assisted to raise a bank loan of Rs.2.63 lakh, besides the beneficiaries group contribution of Rs.10,000/-.

Livelihood through Solid Waste Management:

A livelihood Venture has been pursued through the management of Solid Waste by a federation of 18 SHG women. This initiative has helped creation of a clean environment through regular garbage collection by women and is being monitored by an NGO – Don Bosco Anbu Illam.

The biodegradable waste generated will be transformed by vermin compost and organic compost (manure) which again will serve as a livelihood option. This project envisages the employment of women through steady income generation, a clean and health friendly environment and better quality of the life of families,

Community Observations on the Government's response

The response of the Government was discussed with the community leaders and their observations are as follows. The responses were read to the community and their comments were meticulously recorded. Series of meetings were held with the community comprising of local leaders, men, women, youth and the children from the villages and the following are their counter responses.

Ernavore Settlement: Responding to the issues presented in the Collector's report the people in the Ernavore Settlement remarked the fact that, there are but few infrastructure facilities, like the hand pumps, electricity connections and water supply that are available at the Ernavore site. These are but few of the basic amenities that are made available but the functioning of them is still questionable. Other basic services are still lacking at the site. Though the Government has spent money for the cleaning of toilets, the drainage water is overflowing in the site. The infrastructure as mentioned for Ernavore Settlement in the response document of the Collector is inadequate, as most of the toilets are not maintained in a proper manner. The medical services still remains insufficient and do not meet the special needs of women. The doctors and nurses are not available on a full time basis even during regular hours of work. Issues of sanitation and ICDS and access to school and higher education are still a distant dream.

Though a huge amount of money has been spent for the construction of roads yet there is just a red mud lane in the Ernavore site. The people concede the fact that the Kargil Nagar is just 3 Kilometers from their original place of inhabitation as mentioned in the Collectors response. The people point out that, "The Kargil Nagar site may be 3 kilometers from the coast but certainly not from the original place of our habitation where our livelihood is based. The fishing community cannot resume their livelihood in any piece of coast; our livelihood depends in our old place of habitation. By road route it is certainly not 3 Kilometers but will be at least 10 Kilometers away." A visit and interaction with the people in the site of Ernavore will confirm the above mentioned facts.

Marya Selvam from Ernavore settlement pointed out that forced thumb impressions were secured from the people even before relocating them. And in his opening statement he also made a joint statement pertaining to acquiring of forced signatures also from the people of Thiruvallur District.

Semmenchery Settlement: The Chennai Collector's response report mentions that Semmenchery is claimed to be a model habitation as it is located near the expanding IT corridor that will provide people of employment opportunities. People responding to this, points out that in Semmenchery the children are not entitled to quality education. The primary school in the habitation premises caters to the education of children till grade 8. To resume high school education the children has to travel in crowded buses to the school that is about 8 to 15 Kilometers from Semmenchery, thus the children are motivated to give up education. The teachers employed in the primary school at Semmenchery are not trained are all of them have only completed grade ten. The teachers are not regular to school and they fail to maintain discipline and time keeping. Many children are still resuming education in their old place of habitation, though there is transportation facility it does not cater to the need of the school going children. There should be more services during the peak hour. Recently a school going boy fell off from a crowded bus and was severely injured.

Responding to the availability of infrastructure facility the people point out that there are street lights but are in poor working condition. The people were asked to pay one thousand two hundred and fifty rupees towards electricity. Adequate drinking water supply has been provided after the people's tribunal but the water is contaminated and there is presence of worms in the supplied drinking water. The PDS is initiated but still there are people who are not issued ration cards. They are provided with rice and sugar but there is a need for kerosene as the place is not accessible for collection of fire wood.

The provision for rainwater harvesting is not in proper condition. There is water stagnation in the outlet for rainwater in the sides of the road and there are snakes in these rain water outlets. The people demand for a police station within 8 kilometers radius of the settlement site and there is a need for 24 hour hospital. The nearest Government hospital is only located near Thorapakkam and the people do not have adequate transportation facilities to take the sick people to the hospital.

The livelihood options are inadequate even in the Government's response the trainings provided for the women caters to only 182 women where as the rest are in poverty. There is lack of protection in the site for women, the children and women return late from schools and work because of inadequate transport during peak hours. They have to walk in the lonely roads from the main road to the settlement and there are hardly any houses in this area. The locked houses also are hubs for illegal activities and these issues still remain unanswered in the Government's response. The people are very unhappy about some of the policies, 30 rupees is demanded from every family for cleaning and a rent of about 250 rupees in also demanded. The people have refused to pay this amount as they do not have adequate income to do so.

Annanagar Kuppam

There are about 600 families residing in Annanagar Kuppam now, those who were forcefully taken to Kargil Nagar are now living in their own communities as Kargil Nagar site was unconducive for living. There are very few people from Anna Nagar Kuppam who are still residing in Annanagar Kuppam. The people responded that there were losses of life in Annanagar Kuppam only because of lack of anti-sea erosion walls. They propose that the artificial barriers to be created and disaster resistant concrete houses to be constructed at the same location. The people pointed out that any housing policies for the people should be initiated only after discussion even prior to the planning stage. The people completely affirm the fact that forced eviction process took place in the community. 7 streets were completely destroyed by bulldozers and there are accounts of eye witness who does not belong to the community. It is also a fact that the community applied for stay order from the High Court of Chennai after these houses were destroyed so as to protect the other houses. The people from Annanagar who are still at Ernavore site are only those who are the non resident tenants who lived in Annanagar prior to the tsunami. The people also mention the name of certain officials like the S. I of the Local Police station, Mr. Dhanaseharan who were also involved in the eviction process.

It is a fact that Rani of Annanagar Kuppam who testified in the People's Tribunal is still residing in the place of her habitation but the community concede the fact that she has been residing there uninterrupted. It is a fact that her house was demolished but she rebuilt it herself with her meagre finances as her whole family was rendered homeless. There are about 50 people whose houses were demolished and they are still residing in dismal and inadequate living conditions.

The people also concede to the fact that government officials had read the statement to Rani and then acquired her thumb impression. The contents and the reason for acquiring the thumb impression were disclosed by officials. The documents were acquired from Rani and others of the Annanagar Kuppam, by the government officials in the guise of access to other rehabilitation measures. Rani had submitted the papers to the officials for entitlement to other rehabilitation measures and certainly not adhering to the construction of non in-situ houses. When she sensed a foul play and questioned the officials they resorted to acquiring forceful thumb impressions for them. It is also a fact that many educated people in Annanagar Kuppam were forced to provide thumb impressions and not signatures. Pavithran, a graduate from the community was forced to provide thumb impression in documents that he had not read. The people do not want to leave their original place of habitation and as their houses are in miserable state they request the Government to consult the people and construct houses in their own place of habitation

Nochikuppam and Srinivasapuram Stretch, Chennai District

The demands from the people of this stretch are as follows

- The people should be given houses in the same location
- The size of the village should not be reduced as a result of the new housing policies
- The Dalit and other Non Fishing Communities should also be provided housing in the same location
- The size and plan of the houses should be finalized only after public meetings with the communities concerned

Thiruvallur District

The leaders of seven villages of Thiruvallur District, namely Thazhang Kuppam, Mugathuvar Kuppam, Appar Nagar, Nettu Kuppam, Ennore Kuppam, Ernavore Kuppam and Thiruvatriyur kuppam and Annanagar Kuppam of Chennai District have endorsed the facts about government officials acquiring forced signatures and thumb impressions. These facts are mentioned in the petitions written by the panchayat and signed by the villagers that were submitted to the Jury. Hence these details cannot be dismissed as false information provided by the people. The people in Thiruvallur District points out that the Government cannot ignore the colossal issue prevalent in Thiruvallur District by pointing out that they are "barely untouched by the tsunami".

Name of the village	No of families	Ethnic composition	Housing requirements	Other demands of the community
Thazhang Kuppam	1000 families	All the families depend on fishing	<p>1 There are 1000 families residing in this area however permanent housing is under construction for 468 families. Petitions have been submitted yet there is no information pertaining to housing. Kindly construct houses for all the 1000 families at the same location.</p> <p>2 On 10th December 2006, Government Officials took a survey from the fishing communities residing in the huts for construction of permanent houses. The details and face sheet were not revealed and people were asked to sign these documents. We would like to know the location, plan of the houses that are to be constructed for these people</p>	There are about 1000 families residing in the community however only 420 names are identified as those affected by tsunami. There are people left out in the tsunami relief and rehabilitation, we have asked the Government however no information has been provided kindly include them in the beneficiaries list and provide the housing and other assistance entitled to these families
Bharathiyar Nagar			<p>After the tsunami the Government officials had taken a survey and promised that they would construct permanent houses for us. They havenot consulted with us or revealed the size of the houses they are to construct for us. Kindly let us know the location, size and timeframe for completion of houses for us. Kindly construct houses in one of the prescribed sites</p>	There are few people left out in the list of tsunami affected kindly include all the community members and provide our entitlements

			<p>belonging to the Government namely</p> <ol style="list-style-type: none"> 1. Empty ground of Ritu Cooperatives 2. Land belonging to Tamil Nadu Housing Department 3. Empty plot that belongs to Vimco Limited 	
NTO Kuppam	350 families	All the families depend on fishing	<p>The Government Officials who came our village for taking the survey conveyed that the Government has plans to build houses in different locations. We would like the Government to build houses in the same location or only in the empty grounds that is the other side of the Ennore Road that is in the north side of our village</p>	<p>We request the Government to provide us with "Thoondil Valai" (anti sea erosion barrier) so that we can have our houses in the same location and also resume our livelihood</p>
Mugathuvar Kuppam	248 families	All the families depend on fishing	<p>The Government Officials who came to our village asked us sign in documents without providing us with relevant information.</p> <p>We need clarification as to the reason for seeking our signature and we want only in-situ houses</p>	<p>There are no balwadis in the village</p>
Pudhunagar Kuppam	178 families	300 Non fishing community and 150 fishing community	<p>We are still living in a condition without drinking water or electricity facility. We want the Government to provide us with housing in the nearest location with all the facility</p>	

Appar Nagar	400 families	100 fishing community	In the month of December the Government Officials came to our village and asked us to sign in papers without providing us with relevant information. We would like the government to provide us details as to why our signatures were acquired. The officials told us that we are to be relocated without specifying the site. We do not want to be relocated and we want only in-situ housing	
Nettu Kuppam	700 families	All the families depend on fishing	On 20.11.2006 the Government 4 Officials came to our villages and acquired signatures from the people without providing us with relevant information. We would like the Government to provide us details to why our signatures were acquired. We want the government to provide us with information and only in-situ houses	
Lakshmi Puram	130 families	All the families depend on fishing	The Government Officials who came our village for taking the survey conveyed that the Government has plans to build houses in different locations. We would like the Government to build houses in the same location	We request the Government to provide us with "Thoondil Valai" artificial barrier against the sea erosion so that we can have our houses in the same location and also resume our livelihood

Ennore Kuppam	250 families	All the families depend on fishing	On 20.11.2006 the 4 Government Officials came to our villages and acquired signatures from the people without providing us with relevant information. We would like the Government to provide us details to why our signatures were acquired. We want the government to provide us with information and only in-situ houses	
Ernavore Kuppam	150 families	30 non fishing community	Government Officials came to our villages and acquired signatures from the people without providing us with relevant information. We would like the Government to provide us details to why our signatures were acquired. We want the government to provide us with information and only in-situ houses	We request the Government to provide us with "Thoondil Valai" artificial barrier against the sea erosion so that we can have our houses in the same location and also resume our livelihood
Thiruvotriyur Kuppam	2000 families	All the families depend on fishing	On 5/1/07 the Government Officials came to our village and secured signatures from our people without providing us with proper information. We want the Government to provide us with information and only construct in-situ houses for us	

Indira Gandhi Kuppam	50 families	All the families depend on fishing	We have heard that the Government has plans for constructing houses in our locality and the officials have gone to near by villages for this purpose. We want the houses only to be in our village with all the infrastructure facilities, we want group houses and not tenements.
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Selective issues have been addressed by the Collector whereas glaring issues like those of Dalits, minorities, misconduct of the officials and the unmet livelihood and housing needs of the people of Thiruvallur district remains unanswered. These salient issues that were revealed in the People's Tribunal were sensitive and a source of embarrassment to the government and hence the queries of the people still remain unanswered.

Sincere thanks to the officials for taking efforts to address some of the issues that were raised in the people's tribunal. Efforts were undertaken to restore transportation facilities for the people in Ernavore and the Collector of Chennai has called for meetings with the leaders of the fishing community in Chennai regarding housing. We therefore request the Government to further multiply its efforts for the betterment of people.

We would like to thank Mr. C. V. Sankar for meeting with representatives of the Jury and the organizers towards striving for generating a discussion on community-oriented housing measures. He has agreed to have discussions with the community towards addressing their housing needs.

Annexure 1

List of Affidavits

S. No	Name of the Individual	Name of the Village/Settlement	Issue
1	Rajasekhar. P	Annanagar Kuppam Chennai District	Forced eviction securing forceful thumb impression eviction threat again
2	D. Rani	Annanagar Kuppam Chennai District	Forced eviction securing forceful thumb impression eviction threat again
3	Kousalya	Seenivasapuram Pattimedu Village Dalit Hamlet	Threat of forceful eviction
4	Dasthiheer Basha	Seenivasapuram Muslim Hamlet	Threat of forceful eviction
5	Pattaiyan	Rajarathinam Nagar Pulicat Thiruvallur District	Irula Tribal face eviction threat
6	Sripaul	Ennore Kuppam Thiruvallur District	Evicted once and resisting the force of relocation for the second time (child's perspective)
7	Anandhi	Ennore Kuppam Thiruvallur District	Evicted once and resisting the force of relocation for the second time
8	Priya Kannan	Semmenchery Settlement Kanchipuram District	Inadequate facilities in the permanent settlement faced the brutalities of Government officials 12 year old child dies due to inaccessible transportation facility unsafe environment in the settlement area
9	Marya Selvam	Ernavore settlement Thiruvallur District	Living in semi permanent shelter even 2 years after the tsunami unsafe and unhygienic living conditions in the shelter site women delivered babies in autos people work in unhygienic work condition because of absolute poverty Organ trade and sex work in the area due to acute poverty
10	Thilagavathi	Ernavore settlement Thiruvallur District	Living condition of women in the shelter

11	Revathi	Ernavore settlement Thiruvallur District	Forced to sell organ because of poverty
12	Devika T.	Ernavore settlement Thiruvallur District	Discontinued education because of relocation
13	Gurupadham	Thiruvatriyur Bharathiar Nagar Thiruvallur District	Facing relocation for the second time absence of clear housing policies by the Government
14	Sashi Kumar	Mulliama Nagar Chennai District	Facing the threat of relocation

Annexure II

List of Petitions

- 17 villages from Thiruvallur District (NTO to Kattu Kuppam)
- 12 villages from Chennai District (Srinivasapuram to Annanagar Kuppam)

Annexure III

The face sheet of the document in which forced thumb impression were sought from the people of Annanagar Kupam Chennai

விண்ணப்பம் எண்:
தமிழ்நாடு அரசு
ஆழிப்பேரலை (சுனாமி) நிவாரணம்
சுனாமியால் வீடுகள் பாதிக்கப்பட்டோருக்கு புதிய வீடுகள்
கட்டித்தரும் திட்டத்திற்கான விண்ணப்பம்

PASSPORT SIZE
PHOTO OF BOTH
HUSBAND / WIFE →
AND / OR WHOEVER
IS THE BENEFICIARY

(கீழே கேட்கப்பட்டுள்ள விவரங்களில் பொருந்தாதவற்றை அடித்து விடவும்)

I. விண்ணப்பதாரரின் பெயர் மற்றும் தற்போதைய முகவரி :

1. பெயர் :

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(Initial)

2. தகப்பனார் பெயர் /
கணவர் பெயர் :

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(Initial)

3. விண்ணப்பதாரரின்
தற்போதைய முகவரி :

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4. வகுப்பு : தாழ்த்தப்பட்ட / பழங்குடியினர் / மிகவும் பிற்படுத்தப்பட்டோர் /
பிற்படுத்தப்பட்டோர் / இன வகுப்பு

5. தொழில் : மீன்பிடித்தல் (படகு / கட்டுமர உரிமையாளர்) / மீன் பிடிக்கும்
தொழிலாளர் / விவசாயம் / சிறுவியல்பாளர் / மற்றவை

6. சொந்த ஊர் (Native District) :

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11. சுனாமிக்கு முன்பாக விண்ணப்பதாரர் குடியிருந்த வீட்டின் விவரம்

1. கதவு எண்

2. கிராமம் :

3. ஊராட்சி / நகராட்சி

4. குடியிருந்த வீட்டின் சர்வே எண்.

5. வீடு கட்டப்பட்ட ஆண்டு :

6. எந்த வருடத்தில் இருந்து

இந்த வீட்டில் வசித்து வருகிறார் :

7. வீடு :

சொந்த வீடு

வாடகை வீடு

8. சொந்த வீடு எனில் பட்டா உள்ளதா?

ஆம் / இல்லை

9. வீட்டு மனையின் பரப்பளவு :

சென்ட்

அ. பட்டா இல்லை எனில் காரணம் என்ன ?

புறம்போக்கு

குத்தகை

இதர காரணம் ...

10. வீட்டின் தன்மை (அ) :

காங்கிரீட்

ஓடு

தகரம்

ஷீட்

ஓலை குடிசை

(ஆ) கட்டட பரப்பளவு : (சதுர அடியில்)

11. ஏற்கனவே குடியிருந்த வீட்டிற்கு மின் இணைப்பு பெறப்பட்டிருந்ததா?

ஆம் / இல்லை

12. ஆம் எனில் மின் இணைப்பு எண். :

13. வீட்டின் அமைவிடம் (High Tide Lineல் இருந்து)

(I) கடற்கரையிலிருந்து
200 மீட்டருக்குள்ளாக

(II) 200 மீட்டர் முதல்
500 மீட்டருக்குள்ளாக

(III) 500 மீட்டருக்கு அப்பால்

III. சுனாமியின் காரணமாக வீட்டில் ஏற்பட்ட பழுதின் விவரம் :

பகுதி சேதம்

முழுமையான சேதம்

சேதம் இல்லை

சேத விவரம்

IV. விண்ணப்பதாரர் கோரும் நிவாரண விவரம் :

0 மீ முதல் 200 மீட்டருக்குள் இருப்பின்	அ. அரசால் வழங்கப்படும் புதிய இடத்தில் புதிய வீடு கேட்டல்	ஆம் / இல்லை
200 மீ முதல் 500 மீட்டருக்குள் இருப்பின்	அ. அரசால் வழங்கப்படும் புதிய இடத்தில் புதிய வீடு கேட்டல்	ஆம் / இல்லை
	ஆ. ஏற்கனவே வீடு இருந்த இடத்தில் புதிய வீடு கட்டத்தர கேட்டல்	ஆம் / இல்லை
	இ. சேத மதிப்பீட்டுக்கு ஏற்றாற்போல் பழுது பார்க்க நிதி உதவி	ஆம் / இல்லை

500 மீட்டருக்கு அப்பால் இருப்பின்	அ. அரசால் வழங்கப்படும் புதிய இடத்தில் புதிய வீடு கேட்டல்	ஆம் / இல்லை
	ஆ. ஏற்கனவே வீடு இருந்த இடத்தில் புதிய வீடு கட்டத்தர கேட்டல்	ஆம் / இல்லை
	இ. சேத மதிப்பீட்டுக்கு ஏற்றாற்போல் பழுது பார்க்க நிதி உதவி	ஆம் / இல்லை

V. புதிதாக கோரும் வீட்டில் குடியிருக்க உள்ள நபர்களின் மொத்த எண்ணிக்கை (குழந்தைகளையும் சேர்த்து)

:

VI. இணைக்கப்பட வேண்டிய சான்றுகள் : (எவை உள்ளனவோ அவை மட்டும்)

வ.எண்.	சான்றுகள்	இணைக்கப்பட்டுள்ளதா
1.	வீட்டுவரி ரசீதின் நகல்	ஆம் / இல்லை
2.	வீட்டுமனைப்பட்டா நகல்	ஆம் / இல்லை
3.	பி-மெமோ (B-Memo) நகல்	ஆம் / இல்லை
4.	மின் கட்டண ரசீது நகல்	ஆம் / இல்லை
5.	குடும்ப அட்டையின் நகல்	ஆம் / இல்லை
6.	வாக்காளர் அடையாள அட்டை நகல்	ஆம் / இல்லை
7.	இதர (குறிப்பிடவும்)	
8.	குடும்ப அட்டை இருந்தால் அதன் எண்ணை குறிப்பிடவும்	குடும்ப அட்டை எண்

VII. தனியருக்கு வழங்கப்பட்ட நிவாரணம் விவரம் :

(I) (அ) ரூ. 4912

ஆம் / இல்லை

(ஆ) ரூ. 2912

ஆம் / இல்லை

(இ) ரூ. 1000

ஆம் / இல்லை

குடும்பத் தலைவி / குடும்பத் தலைவர்

கணக்கிடுப்பு மேற்கொள்ளும்
அலுவலர் கையொப்பம் :

(1) கிராம நிர்வாக அலுவலர் (2) வருவாய் ஆய்வாளர்

(3) துணை வட்டாட்சியர்

(4) விரிவாக்க அலுவலர், ஊரக வளர்ச்சித்துறை /
நகராட்சி அலுவலர்.

(5) வட்டாட்சியர்

உறுதிமொழி

சுனாமியால் வீடு இழந்த எனக்கு அரசின் சுனாமி நிவாரணத்திட்டத்தின் கீழ் வீடு பெற முழுமையான தகுதி உள்ளது என தெரிவித்துக் கொள்கிறேன். தேவையான அனைத்து ஆவணங்களையும் இத்துடன் சமர்ப்பித்துள்ளேன்.

2) மேலும் அரசு ஆணை 172, வது நாள் 30-03-2005ல் கண்டுள்ள உத்தரவின் படி 10 வருடங்களுக்கு வீட்டை விற்கவோ / அடமானம் வைக்கவோ / பராதீனம் செய்யவோ மாட்டேன் என்று உறுதி அளிக்கின்றேன். குறிப்பாக இணை உரிமையாளராக இருக்கும் மனைவியாகிய நான் எனது பங்கினை எனது கணவருக்கோ / மற்றும் எவருக்கோ மாற்றமாட்டேன் / உரிமையை விட்டுக் கொடுக்கமாட்டேன் என்றும் உறுதிமொழி அளிக்கின்றேன்.

3) அரசால் புதிய வீடு கட்டித்தரப்படும் பட்சத்தில் ஏற்கனவே எனக்கு சொந்தமாக உள்ள வீடு மற்றும் இடம் அரசுக்கு முறைப்படி ஒப்படைக்கிறேன் என்று தெரிவித்துக் கொள்கிறேன்.

4) படிவத்தில் குறிப்பிட்டுள்ள இனத்தைத் தவிர எனக்குச் சொந்தமான வீடுகள் வேறு ஏதும் இல்லை என்று உறுதி அளிக்கிறேன்.

குடும்பத் தலைவி / குடும்பத் தலைவர்

Government Order 172



ABSTRACT

Natural Calamities - Tsunami 2004 - Housing Reconstruction Policy announced- Orders issued.

Revenue (NC III) Department

G.O. Ms. No. 172

Dated: 30 -3-2005

Read:

- 1) G.O.Ms.No.25, Revenue (NC.III) Dept., dated 13.1.2005.
 - 2) G.O.Ms. No. 26, Revenue (NC.III) Dept., dated 13.1.2005.
-

ORDER:

The Tsunami that struck the Tamil Nadu Coast on 26.12.2004 affected the entire coastal economy of the State in 13 districts destroying thousands of houses and resulted in enormous loss of lives and property.

2. The Government has ensured that every affected section of the population viz., agriculturists, small business owners, destitutes, widows, orphaned children, school and college students has been given necessary assistance. Government have also ensured that the essential needs of livelihood have been extended to all the affected families.
- 3 The Government of Tamil Nadu in the Government orders read above have set out guidelines for the participation of NGOs, Public Sector Undertakings, Corporate Houses and Rehabilitation organizations in this massive reconstruction venture and many agencies have responded positively. The State Relief Commissioner has also communicated a model MOU to be entered into with these organizational and designs and specifications of permanent houses developed by experts to the Collectors
4. While the prime objective of the Government is to provide properly built houses in safe location to the affected families, Government also recognizes that the fishermen people have to remain close to the sea for their livelihood. After taking note of the various regulations under the Coastal Regulation Zone Notifications issued by the Government of India, the Government of Tamil Nadu have formulated the following policy for the implementation of a massive housing reconstruction programme for the tsunami affected families.

5 The Tsunami Housing Reconstruction Programme envisages the construction of about 1,30,000 concrete houses at an approximate cost of Rs. 1,50,000/- each. Each house will have 300-325 sq.ft. of built-up space. The houses will be having all disaster-resistant features. The lay out will have adequate infrastructure facilities like water supply, streetlights, roads, rainwater harvesting structures, drains, community centre, Noon-meal centre etc. In Chennai and Thiruvallur multi-storied tenements would be built by Tamil Nadu Slum Clearance Board. Each tenement will have 235-250 sq. ft. area and will be built at an approximate cost of Rs.1,50,000/- each Adequate infrastructure would be provided in these settlements by the Tamil Nadu Slum Clearance Board at additional cost wherever necessary. The entire programme is likely to cost Rs.1950 crores. It is expected that Government of India and the World Bank will provide substantial assistance for this programme.

6 Guidelines for the Programme :

while constructing new houses, the following guidelines shall be kept in view :

a) Houses located within 200 metres of the High Tide Line

- (i) As per the Coastal Regulation Zone notifications, only repair of structures authorized prior to 1991 is permissible and no new construction is possible. Therefore, all the house owners of fully damaged and partly damaged Kutcha and pucca houses within 200 mts. of the High Tide Line, will be given the choice to go beyond 200 mts., and get a newly constructed house worth Rs.1.50 lakh free of cost.
- (ii) Those who do not choose to do so will be permitted to undertake the repairs on their own in the existing locations, but they will not be eligible for any assistance from the Government.
- (iii) Even for houses, which are not damaged, the owners would be given the option of getting a new house beyond 200 mts. If they are not willing, they will be allowed to continue in the existing locations.

b) Houses located between 200 metres and 500 metres of **the High Tide Line**

- (i) For the fully / partly damaged Kutcha and fully damaged pucca houses in the area between 200 to 500 mts. of the High Tide Line, new houses would be constructed beyond 500 mts. of the High Tide Line based on the willingness of the house-owners.
- (ii) If they are not willing to move beyond 500 mts. of the High Tide Line, the houses for them will be constructed in the existing locations.
- (iii) For the repair of partly damaged pucca houses, financial assistance will be provided on the following scale based on the assessment of the damage by a technical team nominated by the District Collector consisting of Civil Engineers/ Diploma holders from atleast two Government departments and a private Civil Engineering Consultant.

Extent of Damage	Grant of Assistance
If the value of the damage is up to Rs20,000/-	Full grant of amount up to Rs20,000/-
If the value of the damage is between Rs20,001 to Rs50,000	Rs. 20,000 + 75% of the damage above Rs.20,000/-.
If the value of the damage is above Rs50,000/-	A minimum assistance of Rs42,500/- + 50% of the damage above Rs50,000/- subject to a maximum of Rs75,000/-

c) Houses located beyond 500 meters of the High Tide Line

- (i) The procedure followed in respect of houses located between 200 to 500 mts of the High Tide Line will be applicable in the case of kutchha houses fully or partly damaged and pucca houses fully damaged located beyond 500 mts. of the High Tide Line.
- (ii) For repair of partly damaged pucca houses in this area, financial assistance will be provided on the same basis as indicated in b(iii) above.

d) Other General Guidelines

- 1 The land for the houses will be given free of cost by the Government at the rate of 3 cents in rural areas and one and a half cents in municipal areas.
- 2 Priority will be given for non-Governmental organizations, Public Sector Undertakings, Corporate Houses and Rehabilitation organizations to reconstruct and repair houses with their own money.
- 3 Where NGOs/other organizations do not come forward to construct new houses or repair existing houses the house owners will be permitted to construct/repair the houses themselves with financial assistance from the Government, subject to the financial ceilings and the technical specifications given by Government. District Collectors will render all the necessary assistance to the house owners/ NGOs/ etc., to facilitate speedy construction.
- 4 Wherever the beneficiaries are unable to construct the house themselves with financial assistance from the Government and the NGOs are also not forthcoming, the Government will build the houses.
- 5 In all cases where new houses are given, the old site and the old house will have to be relinquished to the Government by a legally acceptable document. The District Collectors will ensure that these documents are properly registered and brought to Government account.
- 6 The areas so vacated because of new construction will be entered in the Prohibitory Order book and maintained for public purposes. Fisher people will be permitted to keep boats, nets etc. in these areas. Separate sheds, locker rooms etc. may be put up in these locations by Government/NGOs on a temporary basis as per CRZ guidelines.
- 7 The new houses should conform to the specifications developed by technical experts already communicated to the District Collectors from the State Relief Commissioner's office.
- 8 All the new houses will be insured for 10 years at the cost of the executing agency. The cost will be included as part of the Project cost.

- 9 The title of the house will be given in the joint names of the wife and husband and if one of them is not alive, in the name of the survivor and the eldest child. The houses cannot be alienated / mortgaged/sold for ten years. Any transfer of the share of the wife's property to the husband will be declared void.
- 7 The Collectors are permitted to make small changes during implementation depending upon the local conditions and the wishes of the people. While making such changes, they should consult the village level Tsunami Rehabilitation Supervisory Committees already constituted and as far as practicable such changes should be applied uniformly to all the new houses in the habitation. The Special Commissioner and Commissioner of Revenue Administration /the State Relief Commissioner may issue supplemental instructions/clarifications wherever necessary.

(BY ORDER OF THE GOVERNOR)

LAKSHMI PRANESH
CHIEF SECRETARY TO GOVERNMENT.

To

The State Relief Commissioner/Special Commissioner and Commissioner of Revenue Administration, Chepauk, Chennai-5

The Development Commissioner and Principal Secretary to Government, Finance Department, Chennai-9

The Secretary to Government, Rural Development Department, Chennai-9

The Secretary to Government, Municipal Administration and Water Supply Department, Chennai-9

The Secretary to Government, Animal Husbandry and Fisheries Department, Chennai-9

The Secretary to Government, Social Welfare and Noon Meal Programme Dept., Chennai-9

The Secretary to Government, Housing and Urban Development Department, Chennai-9

The Secretary to Government, Public Works Department, Chennai-9

The Secretary to Government, Transport Department, Chennai-9

The Secretary to Government, Health and Family Welfare Department, Chennai-9

The Secretary to Government, Highways Department, Chennai-9

The District Collectors of Tiruvallur, Chennai, Kancheepuram, Villupuram, Cuddalore, Nagapattinam, Tiruvarur, Thanjavur, Pudukkottai, Ramanathapuram, Thoothukudi, Tirunelveli and Kanniyakumar.

The Commissioner, Corporation of Chennai, Chennai-3

The Director of Fisheries, Chennai-5

The Director of Rural Development, Chennai-4

The Chairman and Managing Director, TWAD Board, Chennai

copy to

The Finance (BG.I, II, Revenue, Ways and Means) Dept. Chennai-9

s.f./s.c.

/ Forwarded by Order /

<http://www.tn.gov.in/tsunami/gorders/rev-e-172-2005.htm>

Notice for cancellation of permanent houses, a threat for foregoing their in-situ houses and accept the permanent houses.

வட்டாட்சியர் அலுவலகம்,
கோட்டை, தண்டையார்பேட்டை,
சென்னை-3,
நாள். 9.2006,

அறிவிப்பு

தங்களுக்கு கதவு எண் 73 மேல் (Phase) II செல்கிடி தொழிற்சாலை தற்காலிக கனாமி குடியிருப்புக்காக ஒதுக்கப்பட்டது. நிரந்தர குடியிருப்பு ஒதுக்குவது தொடர்பாக, தாங்கள் கனாமியால் பாதிக்கப்பட்டு விடுவதற்கு அதிகாரமாக, கனாமி நிவாரணப் பணம் பெற்றுத்தான ஆவணங்கள், குடும்ப அட்டை, வாக்காளர் ஜோக்கஸ் அடையாள அட்டை 28.8.2006 முதல் 29.2006 வரை வட்டாட்சியர், கோட்டை-தண்டையார்பேட்டை அலுவலகத்தில் சமர்ப்பிக்க வேண்டும் என அறிவுறுத்தப்பட்டது. ஆனால் இதுநாள்வரை தாங்கள் மேற்கூறிய ஆவணங்களை சமர்ப்பிக்கவில்லை. ஆவணங்கள் சமர்ப்பிப்பது தொடர்பாக மேலும் கனாமி வாய்ப்பாக 28.9.06 ம் தேதி வரை அறிவித்திட்டு அளிக்கப்படுகிறது.

மேற்கண்ட 28.9.06 நாளுக்குள் கனாமி தொடர்பான அனைத்து ஆவணங்களின் ஜோக்கஸ் புகள்களுடன் வட்டாட்சியர், கோட்டை - தண்டையார்பேட்டை அலுவலகத்தின் அலுவலக நாட்களில் காலை 10.00 மணி முதல் மாலை 5.00 மணிவரை சமர்ப்பிக்கவில்லை எனில் தாங்கள் நிரந்தர வீடு பெறுவதில் ஆர்வமில்லை என கருதி தங்கள் பெயர் கனாமி வீடு ஒதுக்குவதிலிருந்து எவ்வித அறிவிப்பின்மீறிய நீக்கப்படும் என அறிவிக்கப்படுகிறது.

வட்டாட்சியர் (கோ-த)

பெறுவர்

T.M.T. Lakshmi

W/o Sankar

P II / 73

T.N.H.B. Celc ere Factory side

Temporary shelters

C.H.

ANNEX-3

விண்ணப்பம்

மாவட்டம்

வட்டம்

கிராமத்தில் குடியிருந்து

வரும் திரு./திருமதி

த.பெ/க.பெ

ஆகிய நான்/நாங்கள் தற்போது குடியிருந்து வரும் எனது / எங்களது வீடு கடல் மட்டம் அளவிலிருந்து 200 / 1000 மீட்டருக்குள் இயற்கை சீற்றங்களுக்கு உட்படும் பகுதியில் அமைந்துள்ளது. தமிழ் நாடு அரசு மூலம் ஏற்கனவே குடியிருக்கும் இடத்திலோ அல்லது விதிமுறைகளுக்குட்பட்டு வேறிடத்திலோ வீடு கட்டித்தருமாறு கேட்டுக்கொள்கிறோம். அவ்வாறு வீடு கட்டித்தவதற்கு ஏதுவாக கீழ்க்கண்ட உறுதிமொழியை அளிக்கிறேன் / அளிக்கிறோம்.

உறுதிமொழி

1. அரசாணை எண்.708 வருவாய் (இ.இ. IV) துறை நாள் 28.10.2006-ன் படி அறிவிக்கப்பட்ட திட்டத்தின் கீழ் வீடு பெற எங்களது குடும்பத்திற்கு முழுமையான தகுதி உள்ளது என தெரிவித்துக்கொள்கிறோம். அதற்கான ஆவணங்களை இத்துடன் இணைத்துள்ளோம்.
2. மேற்படி அரசாணையின் கீழ் எங்களது குடும்பத்திற்கு வழங்கப்படும் வீட்டினை உரிமையாளராகிய நான் / இணை உரிமையாளர்களாகிய நாங்கள் அடுத்து 10 வருடங்களுக்கு விற்கவோ, அடமானம் செய்யவோ, பராதீனம் செய்யவோ மாட்டோம் என்று உறுதியளிக்கின்றோம்.
3. இந்த அரசாணையின் கீழ் எங்களது குடும்பத்திற்கு வழங்கப்படும் வீட்டின் இணை உரிமையாளர் எனது கணவர் / மனைவி என்பதை நான் அறிவேன். அவ்வாறு இணை உரிமையாளர்களில் ஒருவராய் இருக்கும் நாங்கள் எங்களுக்கு வழங்கப்பட்ட வீட்டின் உரிமையை வேறொருவருக்கு விற்கமாட்டோம் என்றும்/ மாற்றமாட்டோம் என்றும் அல்லது எங்கள் இருவரில் ஒருவரது பங்கை மற்றொருவருக்கோ அல்லது வேறொருவருக்கோ மாற்ற மாட்டோம் என்றும் எக்காரணம் கொண்டும் உரிமையை விட்டுக்கொடுக்க மாட்டோம் என்று உறுதி மொழி அளிக்கின்றோம்.
4. இந்த அரசாணையில் கீழ் அரசால் புதிய வீடு கட்டித்தரப்படும் பட்சத்தில் ஏற்கனவே நாங்கள் வசித்து வரும் எங்களுக்கு சொந்தமான வீடு மற்றும் இடத்தினை முறைப்படி அரசுக்கு ஒப்படைக்கிறோம் என்றும் உறுதி கூறுகிறோம்.
5. கணக்கெடுப்பு படிவ எண் _____ -ல் தெரிவிக்கப்பட்டுள்ள அனைத்து விலாங்களும் உண்மையானவையே என்றும், படிவத்தில் குறிப்பிட்டுள்ள இனத்தைத் தவிர எங்களுக்கு சொந்தமான வேறு விடுகள் எதுவுமில்லை என்றும் உறுதி கூறுகிறோம்.
6. அரசாணை எண்.172 வருவாய் (இ.இ. IV) துறை எண் நாள் 30.03.2005-ன்படி சுனாமியால் பாதிக்கப்பட்ட மக்களுக்கு தன்னார்வத் தொண்டு நிறுவனங்களாலோ அல்லது அரசாலோ வழங்கப்பட்ட வீடுகளில் எங்களுக்கு வீடு ஏதும் ஒதுக்கப்படவில்லை என்று உறுதி கூறுகிறோம்.

7. நாங்கள் தற்போது குடியிருந்து வரும் வீடு, அரசாணை எண்.172 வருவாய் (இ.இ. IV) துறை நாள் 30.03.2005-ன் படி, தன்னார்வத் தொண்டு நிறுவனங்களாலோ அல்லது அரசாலோ கட்டப்பட்டு வரும் வீடுகளில் ஒன்றை நாங்கள் பெறுவதற்காக வேண்டி, ஏற்கனவே அரசுக்கு ஒப்படைக்க நாங்கள் உறுதி மொழி கொடுத்த வீடு அல்ல என்றும் சான்றளிக்கிறோம்.

8. இந்த உறுதிமொழிச் சான்றின் படியும், எங்களது விண்ணப்பத்தில் கண்டுள்ள விவரங்களின்படியும் நாங்கள் தெரிவித்துள்ள அனைத்தும் உண்மையானவை என்றும் இவற்றில் எந்த தகவலாவது தவறானது என்று பின்னர் அரசுக்குத் தெரியவரும் பட்சத்தில் எங்களுக்கு வழங்கப்படும் வீட்டிற்கான ஒப்படை எந்த முன்னறிவிப்பும் இன்றி அரசால் ரத்து செய்யப்பட்டு வேறு தகுதியான குடும்பத்திற்கு வழங்கப்படும் என்பதையும் நாங்கள் அறிவோம்.

நாள்:

இடம்:

குடும்பத் தலைவி (இணை உரிமையாளர்-1)

குடும்பத் தலைவர் (இணை உரிமையாளர்-2)

(அரசியலமைப்பு / அரசாணை)

(அரசியலமைப்பு / அரசாணை)

மேலே உள்ள உறுதிமொழியில் கண்டுள்ள விவரங்கள் ஆவணங்கள் படியும் விசாரணையின் படியும் சரியென்று சான்றளிக்கப்படுகிறது

வருவாய் ஆய்வாளர்

அளவர்

தலைமை அளவர்

வட்டாட்சியர்

மேற்பார்வை அலுவலர்

(அவ்வட்ட ஆட்சியரால் நியமிக்கப்படும் துணை ஆட்சியர் நிறுவ அலுவலர்)

Government Order 708



ABSTRACT

Tsunami 2004 - Construction of houses to families living in thatched houses, poorly constructed houses and non-engineered structures in coastal districts of Tamil Nadu - Formation of survey teams and sanction of funds - Orders - Issued.

Revenue (NC-IV) Department

G.O.Ms.No.708

Dated: 28.10.2006

Read:

- 1 G.O.Ms.No.25, Revenue (NC-III) Dated 13.1.2005.
- 2 G.O.Ms.No.172, Revenue (NC-III) Dated 30.3.2005.
- 3 Minutes of the meeting held on 17.8.2006 under the Chairmanship of Hon'ble Minister for Rural Development and Local Administration.
- 4 Minutes of the meeting State Level Steering Committee held on 30.8.06 under the Chairmanship of Hon'ble Minister for Finance.
- 5 From the Principal Commissioner and Commissioner of Revenue Administration Lr.No.TRR-2/45061/06 dated 11.9.06 and 15.9.06.

ORDER:

In the G.O. first read above, orders were issued setting out the policy on the construction of new houses by the voluntary agencies and Non-Government Organisations for the people directly by the Tsunami.

- 2 In this regard, detailed guidelines of the programme and instructions were issued in the G.O. second read above.
- 3 The Hon'ble Chief Minister reviewed the Tsunami relief works with the District Collectors at the meeting held on 24.6.2006. It was decided in the meeting that disaster resistant houses would have to be constructed for those living in thatched houses, poorly constructed houses and dilapidated houses in vulnerable areas of the coastal districts of Tamil Nadu. Based on the assessment of approximate number of houses required to be constructed, a D.O.letter was sent by the Hon'ble Chief Minister to the Deputy Chairman of Union Planning Commission and a similar communication by the Chief Secretary to Government of Tamil Nadu to Acting Country Director, India of World Bank for getting in Principle approval for the proposal. In response to this initial approval has been received from both the Planning Commission and the World Bank.

- 4 The said issue of reconstruction of houses to those living in vulnerable areas of twelve coastal districts was also discussed at the meeting held on 17.08.2006 under the Chairmanship of Hon'ble Minister for Rural Development and Local Administration and at the first meeting of the State Emergency Tsunami Reconstruction Project and Asian Development Bank assisted Tsunami Emergency Assistance Project held on 30.08.2006 under the chairmanship of Hon'ble Minister for Finance. Based on the decisions taken during those meetings, the Principal Commissioner and Commissioner of Revenue Administration sent proposals to the Government. The issues have been further discussed at the meeting held in the chambers of the Secretary to Government, Finance on 13.09.2006 and 14.09.2006 in which Principal Commissioner and Commissioner of Revenue Administration and all concerned participated.
- 5 The Government have carefully examined the proposal of the Principal Commissioner and Commissioner of Revenue Administration and the decisions taken at the meeting referred to above and issue the following orders:
 - i) The scheme of construction of new houses in lieu of "Vulnerable houses" shall be implemented in the twelve coastal districts viz/ Cuddalore, Kanchipuram, Kanniyakumari, Tiruvallur, Tirunelveli, Villupuram, Pudukkottai and Tiruvarur.
 - ii) For the purpose of the scheme, houses categorizable under thatched houses, houses with tiled roof but with mud walls are dried bricks and non-engineered poorly constructed houses which easily get damaged in case of natural calamities shall come under the definition of "vulnerable houses".
 - iii) The Collectors of the twelve coastal districts referred to above are permitted to form Survey Teams consisting of One Deputy Collector; Two Tahsildars; Four Revenue Inspectors; One Head Surveyor and Four Surveyors for each team to enumerate 5000 houses. The services of existing Deputy Collectors available in the district shall be utilized by diversion. Where it is not possible, the services of retired Deputy Collectors shall be utilized by paying Rs.10000/- (Rupees Ten Thousand Only) per month as renovation for a period of two months. Other staff should be employed by diversion exclusively for the purpose.
 - iv) A sum of Rs.12,00,000/- (Rupees Twelve Lakhs Only) is sanctioned to the twelve coastal districts referred to above at Rs.1,00,000/- (Rupees One Lakh Only) per district or with reference to the actual requirement to be decided by the Principal Commissioner and Commissioner of Revenue Administration for hiring vehicles at the rate of Rs.1000/- per day per team for the use of Survey Teams and other contingencies.
 - v) Each house shall be built on an extent not exceeding three cents of land which will include half cent for basic amenities; In case of Kanniyakumari District, this shall be 1 1/2 cents only.
 - vi) A sum of Rs.30 Crores (Rupees Thirty Crores Only) is sanctioned initially to enable the Collectors to implement the scheme without any delay for acquiring the land based on the survey assessment.
 - vii) The Project Management Unit is permitted to engage Procurement Consultants for the preparation of procurement plans.
 - viii) The Collectors concerned are permitted to acquire the lands for the purpose of the scheme through negotiation by the District Level Negotiation Committee as per G.O. (Ms.) No.75 Revenue dated 10.02.2005.
 - ix) The Collectors concerned are exempted from getting the permission of the Government for acquiring wet lands for the purpose of the scheme as per the guide lines given in G.O. (Ms.) No.326 Revenue dated 26.05.2005.

6) The expenditure of Rs.30.12 crores sanctioned in paragraph 5 (iv) and (vi) above shall be debited to the following Head of Account.

2216 Housing - 80 General - 800 other expenditure -
Schemes in the 10th Five Year Plan II State Plan JN
Tsunami Rehabilitation works 09 Grants in aid 03
Grants for Specific Schemes (DPC 2216 80 800 JN 09
38) Rs.300000 thousands (DPC 2216 80 800 JN 0527)
Rs.1200 thousands.

Necessary additional funds of Rs.12.00 lakhs shall be provided in RE/FMA 2006-2007 by reappropriating from 2216 80 800 JN 0903.

- 7 The Collectors of the twelve coastal districts referred to above are permitted to draw the amount allocated to them from the above head of account as per sub allocations to be made by the principal commissioner and Commissioner of Revenue Administration and incur the expenditure. They are instructed to send the utilization certificates to the Project Management Unit, Government and the Accountant General.
- 8 This order issues with the concurrence of the Finance Department vide its U.O.No.67981/ Finance (Revenue) dated 28.10.2006 and ASL No.829.

(BY ORDER OF THE GOVERNOR)

S. AUDISESHIAH
SECRETARY TO GOVERNMENT

To

The Principal Commissioner and Commissioner of Revenue Administration,
Revenue Administration, Disaster Management and Disaster Mitigation Department,
Chennai-5.

Officer on Special Duty (R&R)

Revenue Administration, Disaster Management and Disaster Mitigation Department,
Chennai-5.

The Secretary to Govt. R.D. & P.R. Dept. / M.A. & W.S. Dept./ Hg. & U.Dept./P&D&S.I. Dept.
Collectors of Cuddalore, Kanchipuram, Kanniyakumari, Nagapattinam, Ramanathapuram,
Thanjavur, Thoothukudi, Tiruvallur, Tirunelveli, Villupuram, Pudukkottai and Tiruvarur.
P&AO (East), Chennai-5.

The A.G., Chennai-18.

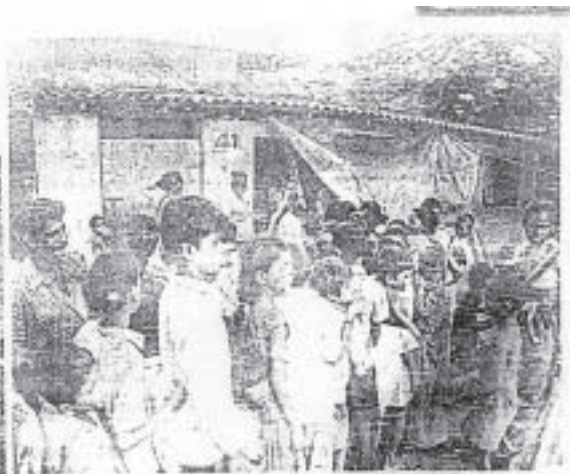
Finance (Revenue) Department, Chennai-9.

Finance (BG II) Department, Chennai-9.

/Forwarded by Order/

Section Officer.

http://www.tn.gov.in/gorders/rev/rev_e_708_2006.htm



சனாமியால் பாதித்தவர்களுக்கு
குடியிருப்பு ஒதுக்கீடு அட்டை விநியோகம்

[illegible]

Approved: 01-10-2029

தீன மலர்

Permenant houses for Kargil Nagar People – The New Indian Express (August 10, 2006)

55,000 permanent houses by year-end

EXPRESS NEWS SERVICE

Chennai, July 20: The State Government plans to hand over most of the 55 thousand permanent houses being built in nine coastal districts to the tsunami-affected by the year-end.

After the tsunami, the State issued orders for private-public participation for construction of permanent shelters and community assets such as schools, PHCs and community shelters.

Announcing a massive housing programme to build 89,206 houses in all the affected areas at a unit cost of Rs 1.5 lakh each and provide infrastructure facilities, the State so far has sanctioned a sum of Rs 45.87 crore towards the cost of land

acquisition for construction of houses and other infrastructure to the affected families in nine coastal districts.

REHABILITATION OF TSUNAMI-HIT

About 55 thousand houses have been taken up for construction. While 7587 houses have been handed over, the state expects to give 16,843 houses shortly and the rest by the end of this year, according to the State Government's latest report on tsunami relief work.

The State Government, with assistance from Centre, has so far sanctioned funds to the tune of Rs 1,127 crore up to June 30, for relief and re-

habilitation activities in the areas affected by the tsunami.

Earlier, the state sanctioned a sum of Rs 40 crore for building temporary accommodation at the rate of Rs 8000 a family for 50,000 families. Another 50,000 temporary shelters were to be provided by NGOs.

As many as 15,379 temporary shelters have been taken up for construction by the State of which, 14,343 have been completed. The NGOs, for their part, have completed 18,035 temporary shelters. The State had also sanctioned an ex-gratia payment of Rs 1 lakh per dead person from Chief Minister's Public Relief Fund to the families of 6,718 persons out of 7,996, who died due to the tsunami.

Kargil Nagar residents to get 5,400 new houses

EXPRESS NEWS SERVICE

Chennai, Aug 9: Minister for Housing Suba Thangavelan announced on Wednesday that 5,400 houses would be constructed at a cost of Rs 81 crore in an area of 35 acres for the people affected by tsunami affected people staying in Kargil Nagar, near Ennore.

Replying to queries in the State Assembly, the Minister said engineering experts of Anna University had found that the land in Kargil Nagar was not fit for construction. Later, the Revenue Department identified another site, and since the project cost exceeded Rs 50 crore, the government has sought clearance of the Union Environment Ministry. Besides, a public hearing would be held at the Tiruvallur Collectorate on August 10 to elicit the views of the people.

The construction would commence after getting the nod from the Centre, the Minister said.

Indian Express
Pg. 3, 10/8/06

18,174 houses in Chennai and Thiruvallur District – Thina Thanthi (August 19, 2006)

கனாமியால் பாதிக்கப்பட்டவர்களுக்கு 18,174 அடுக்கு மாடி வீடுகள் அமைச்சர் சுப.தங்கவேலன் அறிவிப்பு

சென்னை, ஆக.19-
"கனாமியால் பாதிக்கப்
பட்டவர்களுக்கு ரூ.300
கோடியை 91 லட்சம் செவ
லியை 18,174 அடுக்கு மாடி
வீடுகள் கட்டிக்கொடுக்கப்
படும்" என்று அமைச்சர்
சுப.தங்கவேலன் கூறினார்.
தமிழக சட்டசபையில் விட்டு
வாதிமற்றும் தனியார் வணிகத்
துறை மாண்புமிகு பேரவைத் துறை
நடத்த விவாதத்துக்கு பதில்
அளித்து அமைச்சர் சுப.தங்கவே
லன் பேசினார்.

அப்போது அவர் வெளிவிட்ட
முகவியை அறிவிப்புகள் வருமாறு

2062 பணிகள்

* தமிழ்நாடு விட்டு வந்த வாரி
வந்தால் இந்த நிதியாண்டில்
(2006-2007) தமிழகம் முழுவதும்
ரூபாய் 86 கோடி நிதி மதிப்
பீட்டில் 2062 பணிகள், வீடுகள்,
அடுக்குமாடிக் குடியிருப்புகள்
கட்டப்படும். வாரியத்துக்குச்
செலுத்தான வங்கி மொனாவரில்
அளவத்து வசதிகளுடன் கட்டிய
புதிய வணிக வளாகங்கள் கட்ட
ப்படும்.

* முத்திரைப் பழுதடைந்த
விட்டு வந்த வாரிய வணிக வளா
கங்கள் அகற்றப்பட்டு அயல்
டங்கையில் புதிய வளாகங்கள்
புதிய தொழில்நுட்பத்துடன் கரு
வாக்கப்படும்.

விற்பனை பத்திரங்கள்

* சென்னைவில் விற்பனை பத்
திரம் வழங்கும் விநாயகத்தி ஆயிர
ம் ஒதுக்கீடு தாரர்களுக்கு விற்ப
னைப் பத்திரங்கள் வழங்கப்பட
டுள்ளன. இந்த போன்று
அளவத்து மாவட்டங்களிலும்
ஒதுக்கீடு தாரர்களுக்கு இடைத்
தரகர்களின் குறுக்கீடுவழியிலான
வாசவிற்பனை பத்திரம் வழங்கப்
படும். இதன்மூலம் தீண்டகால்
மாக ஒதுக்கீடு தாரர்களுக்கு
இருக்க சூழலாற்ற தீக்கப்படும்.

சிறுசுககன்

* கடந்த காலத்தில் விட்டு
வாதி வாரியத்தில் பணியாளர்க
ளுக்கு வழங்கப்படாமல் இருந்த
பதவி உயர்வு இனி வழங்கப்பட
படும்.

* விட்டு வந்த வாரியத்தில்
வரன் முறைப்படுத்தப் பட்ட
வேலையில் பணியாளர்களுக்கு
தேர்வு நிலை கணிதம் வழங்கப்
படும்.

* விட்டு வந்த வாரிய கணி
யர்களுக்கு திறத்தி வைக்கப்பட
பட்டிருந்த திருமண முன்பணம்
வழங்கும் சலுகை மீண்டும்
செயல்படுத்தப்படும்.

புதிய வீடுகள்

* தமிழ்நாடு குடிசைப்பகுதி
மாற்று வாரியம் தமிழக
முதல்-அமைச்சர் தேர்தல் அதிக
கையில் 30 ஆண்டுக்கு முன்
ளால் கட்டப்பட்டு முற்றிலும்
பழுதடைந்த வீடுகளை இடித்து
விட்டு புதிய அடுக்குமாடிக் குடி
விற்புகள் கட்டப்படுமென அறி
வித்ததற்கிணங்க சென்னை தன
யில் தொச்சிக்குப்பம் முதல் சீனி
வாசபுரம் வரை உள்ள 2,862
அடுக்கு மாடிக் குடியிருப்புகளை
அகற்றி அவ்விடங்களில் 7,320
அடுக்கு மாடிக் குடியிருப்புகள்
ரூபாய் 128 கோடியை 10 லட்சம்
செவலியை அமைக்கப்படும்.

தேனாம்பல் வட்டசென்னைவில்
விவாசலாடி, பீளம் மூர்த்தி
தன மரிலும் தென்சென்னைவில்
குப்பையிமரு திட்டப்பகுதியில்

உள்ள மிகவும் பழுதடைந்த 600
குடியிருப்புகள் அகற்றப்பட்டு
ரூபாய் 8 கோடியை 95 லட்சம்
செவலியை அடுக்கு மாடிக் குடியி
ருப்புகள் மீண்டும் அமைக்கப்பட
டும்.

ஆய்வடை வசதிகள்

* தகப்பருகுடிசைப்பகுதிகளில்
கற்றுப்புற மேம்பாட்டு திட்டத்
தின் கீழ் சாலைகள், கழிவுநீர்
அகற்றுதல், தெருவின்சுகுகள்,
குடிநீர் குழாய்கள் போன்ற அடிப்
படை வசதிகளை செயல்படுத்து
தல் கடந்த ஆட்சி காலத்தில்
நிறுத்தப்பட்டது. அம்ம அரக
பொறுப்பேற்றவுடன் நடப்பதி
யானவையில் (2006-2007) இந்தத்
ட்டதிகளை மீண்டும் மாவட்ட
தலைவரவர்கள் குறுக்கீடுவழி
யும் அளித்து செயல்படுத்த
ரூபாய் 10 கோடி ஒதுக்கீடு செய்
வட்டப்படுகிறது.

கனாமி வீடுகள்

* சென்னைவில் கனாமி ஆழி
பேரவையால் பாதிக்கப்பட்ட
குடிசைவாழ் குடும்பங்களுக்கு 10
ஆயிரத்து 174 அடுக்குமாடிக் குடி
விற்புகள் ரூபாய் 300 கோடியை
91 லட்சம் செவலியை கட்டப்பட
டும். வட்டசென்னைவில் திருவெற
திலூர், தென் சென்னைவில் ஏற்க
னவே குறிப்பிட்டபடி தொச்
சிக்குப்பம் முதல் சீனிவாசபுரம்
வரை மரிலும் ஒகலியம் தரை
பாக்கம் திட்டப் பகுதிகளில் இத்
திட்டம் செயல்படுத்தப்படும்.

குடிசைகள் மொபு

* சென்னை, மதுரை மற்றும்
கோவை ஆகிய தரைகளை குடி
சைப் பகுதிகளற்ற தரைகளைக்
மேம்படுத்த ஆவனவால் தேரு
தெனிய தரை சீரமைப்புத் திட்டத்
தின் கீழ் சென்னை மாதகரில் 1
இலட்சத்து 11 ஆயிரத்து 151 குடி
விற்புகள் ரூபாய் ஆயிரத்து 855
கோடியை 23 லட்சம் செவலியும்,
மதுரை மாதகரில் 60 ஆயிரத்து
257 குடியிருப்புகள் ரூபாய் 206
கோடியை 26 லட்சம் செவலியும்
கோவை மாதகரில் 12 ஆயிரத்து
730 குடியிருப்புகள் ரூபாய் 281
கோடியை 10 லட்சம் செவலியும்
அடுக்குமாடி குடியிருப்புகள் கட்ட
டும் திட்டம் 2007-ல் தொடங்கப்
படும்.

* தட்டப் பதி ஆண்டில் பகுதி
இரண்டு திட்டத்தின் கீழ் திருச்சி,
கரூர், சும்பகோணம் மற்றும் தரு
சாஸூர் ஆகிய தரைகளில் உள்ள
அடுக்கு மாடிக் குடியிருப்புக
ளுக்கு பாதுகா சாக்கடை வசதி
கள் அமைப்பதற்காக ரூபாய் 60
லட்சத்தினை இந்த அரசு ஒதுக்கீடு
செய்துள்ளது.

கு.300 கோடி கடன்

* மழைக்காலங்களில் குடிசை
மாற்று வாரியத்தின் பல்பிறவு
திட்டப் பகுதிகளில் உள்ள 688
தரை தன குடியிருப்புகளில்
வெள்ள நீர் உட்புறவளைதற்கும
வண்ணம் அக்குடியிருப்புகளின்
தரை மட்டம் ரூபாய் 50 லட்சம்
செவலியை உயர்த்தப்படும்.

* கிராமப் புறங்களில் விட்டு
வாதி கடன் வழங்கி விட்டு வந்த
பேரவையின் பூர்த்தி செய்க்க
பொருட்டு தமிழ்நாடு கூட்டுறவு
விட்டு வந்த இளையம் தேனியம்
யமாக்கப்பட்ட வங்கிகளிடமி
ருத்த ரூபாய் 300 கோடி கடன்
பெறுவதற்காக அரசு பொறுப்பு
தறி ஏற்படப்படும்.
இவ்வாறு அமைச்சர் சுப.தங்க
வேலன் கூறினார்.

Nochikuppam-Srinivasapuram to be beautified – The New Indian Express (July 31, 2006)

Nochikuppam - Srinivasapuram to be beautified

By Priyamvatha P

Chennai, July 31

THE Tamil Nadu Slum Clearance Board (TNSCB) is planning to construct new tenements and beautify the Nochikuppam - Srinivasapuram stretch. The Government has passed orders to construct 7,320 TNSCB tenements in the area at a cost of Rs 138 crore, demolishing the already existing 1,862 ones.

According to officials, once the tenements are constructed and the area landscaped, the stretch would present a pleasant sight. After evicting the encroachers, a service lane would be created next to the existing road. Along this, new TNSCB tenements colony will be developed. This road and service lane will be given a green touch. There would be good street lights and clean roads making it a good drive, said a TNSCB official.

Each house would be 230 square feet with all facilities. Three-floor disaster resistant houses will be constructed. "We are planning to establish it as a landmark," said sources.

These would be constructed a few hundred meters away from the present layout. "It is for safety and also to use the space near the beach for various beautification projects," explained an official.

The project would accommodate the encroachers also who are living in the area for many years. TNSCB is awaiting World Bank assistance to start the project. The planning of construction would take three months and tenements will be built in 18 months.

But till then, it is a question of life and death for the more than 2,500 families living in the dilapidated TNSCB tenements with ceilings, balconies, walls giving away everyday.

On Saturday last, a 55-year old resident Madhavara, had a fatal fall from the balcony after he stepped on a loose brick. The balcony walls of a few tenements were demolished by the TNSCB a year ago. "It was broken so that it does not fall on someone's head," said Madhavara's son.

Now, accidents and officials com-



ing to review the place has become a regular affair for them. From a two-year-old boy to a 60-year-old woman, injuries caused due to walls giving away has become common.

However, TNSCB officials said that six blocks had been identified unfit for habitation four months ago. "We have issued notice to the families to vacate the place and we promised a small amount for that," explained an official.

But the families denied having received such notices and wanted an alternative arrangement till new tenements were built.

TNSCB officials said vacant land had been identified near the tenement itself to put up huts. These huts with electricity, drinking water facility will be constructed at a cost of Rs 10 crore.

So, as the officials at TNSCB said, these families could now look forward to a new atmosphere in few months.

A dilapidated house in Tamil Nadu Slum Clearance Board (TNSCB) tenement in Nochikuppam — Express

Nochikuppam set to become tourist attraction (July 12, 2006)

Nochikuppam set to become tourist attraction

By Priyamvatha P

Chennai, July 12

A fishing hamlet in the southern part of Chennai could well turn out to be a live museum attracting tourists in the near future if everything goes as planned.

Guided by an American folklorist, Eric Miller, the fisherfolk of Nochikuppam are planning to showcase their cultural and traditional strength. The hamlet had been devastated by the tsunami.

On July 15 (Saturday) they will unveil a 'Catamaran Festival', reflecting their lifestyle, at the Kabbadi Ground near the

Nochikuppam police station. Traditional drama and photo exhibits, books and display of different varieties of fishes will mark the festival.

There will be guided tours through Nochikuppam where visitors will get to see the operation of boats and other activities. Handicrafts by fisherfolk will also be on display. Later in the evening, fisherfolk will present a cultural programme. There will be drama and *Oppari*, *Thaliaattu* and *Padagu* songs which traditionally belongs to the fishing community.

Miller had started encouraging the fisherfolk in the area to get involved in cultural pro-

grammes as a recreation.

"This is just the beginning. Fishermen have been presenting the cultural programme for the last six months. But for the first time, we have tried for the

LIVE MUSEUM

live museum concept which is very famous in America and Europe," Miller said.

He had chosen a group of fishing folk and trained them to present their cultural dance and songs. Slowly it had been developing and now they hope to make Nochikuppam the hot spot for cultural tourism. "Once in a week or depending on the

convenience on all the days, Nochikuppam will be opened to the public," he said. Every activity will go on normally through which the tourists will get to see the lifestyle. In some pockets, there will be women will give culinary tips on the food specially made by them. While, women will teach cooking, men will show how to fish and manoeuvre a boat.

They have also planned to talk to the Tourism Department to see if they could help them in the venture and set up permanent exhibitions in the kuppam.

And this, Miller feels, will help the fisherfolk in the area to earn an extra income.

G Muthu, a fisherman, said so far he had collected 35 members from the area to work for the museum. He intends to collect more members who could help in forming the live museum. "Initially there was dissent with some elders objecting to sing *Oppari* which is recited during the death. But slowly, they are beginning to see the advantage," he said.

Lakshmi, a fisherwoman, said that the project had helped in developing the area on the whole. As part of this project, fisherfolk will be trained on manners and ways to behave with the tourists. Similarly, the area will be maintained cleanly.

July 13, 2006 / Indian Exp

Corporate Office of Ennore Port Limited Opened – The Hindu(July 10, 2006)

Corporate office of Ennore Port Limited opened

Staff Reporter

CHENNAI: It may be some time before competition between the Chennai and Ennore ports heats up. But, the imminent possibility of a scenario, where one gains at the cost of the other, was enough to make elected representatives present a strong case for development of ports in their respective constituencies.

The occasion was the inauguration of the corporate office of Ennore Port Limited on Rajaji Salai here on Sunday by State Finance Minister K. Anbazhagan.

Union Minister of Shipping, Road Transport and Highways T.R. Baalu was present.

While Sriperumbudur Member of Parliament A. Krishnasamy sought a container terminal at the Ennore port, North Chennai MP C. Kuppasami underscored the need to ensure that the manpower strength of the Chennai port does not shrink.

Both ports needed

Mr. Anbazhagan, the Harbour constituency MLA, said the ports, particularly in the backdrop of the growing economy, complemented each other. Without Ennore, it would be difficult for the Chennai port to

handle the growing cargo. Apart from reducing the pollution in the city, the Ennore port, given the potential of industrialisation in its neighbourhood, would be beneficial.

Underscoring the need to protect the environment and curb pollution, he welcomed the proposal to establish a Special Economic Zone in Ennore.

The SEZ, according to Mr. Baalu, would come up on 2,500 acres. The State Government's cooperation was essential for the project, considering that it would have little scope for levying sales tax in the area.

Briefing presspersons later, he said a programme to renovate the Kasimedu fishing harbour at a cost of Rs. 25 crore and construct a berth in the neighbourhood for trawlers with an investment of Rs. 100 crore had been drawn up.

Renovation of the facility was one of the demands raised by the fishing community during the Assembly elections. Chief Minister M. Karunanidhi had promised to do the needful.

Chennai Port Trust Chairman K. Suresh said the renovation and reconstruction work at the fishing harbour included construction of a new jetty and extension of the breakwater. The

work would be completed within a year.

Mr. Baalu said his Ministry would work with the State Government to develop minor ports. Several facilities would be either upgraded or promoted as part of the Sethusamudram project with an investment of Rs. 60 crore.

State Planning Commission vice-chairman M. Naganathan and Ennore port director N. Kumar highlighted the significance of port infrastructure for economic development. Chennai Port Trust trustee L. Balaraman and General Manager (corporate planning) of Chennai Petroleum Corporation Limited S. Velumani spoke.

The Finance Minister handed over the letter of intent for establishing an iron ore terminal at Ennore port to industrialist A.C. Muthiah, whose South India Corporation (Agencies) Limited, has bagged the project.

The documents for setting up a coal terminal at the port were handed over to S.P. Palaniappan, whole-time director of South India Corporation Limited.

Orders making 17 temporary employees of Ennore Port Limited permanent were also given away at the meeting.

SEZ coming up at Ennore: TR Baalu – The New Indian Express (July 9, 2006)

SEZ coming up at Ennore: TR Baalu

Express News Service

Chennai, July 9: A free-trade warehousing facility and a Special Economic Zone (SEZ) would come up on a 2,500 acre land in Ennore Port, Union Shipping Minister T R Baalu announced here on Sunday.

Addressing journalists after inaugurating the Ennore Port Trust Limited corporate office on Rajaji Salai, he said, "Preliminary studies are going on for this. It will be a joint venture with Tamil Nadu Industrial Development Corporation Limited (TIDCO) and State Industries Promotion Corporation of Tamil Nadu (SIPCOT). We

are trying to get the State Government's approval for making it a tax free zone."

A container terminal would come up in Ennore Port with a waterfront of 1,000 metres and a land backup of 600

metres. Besides, coal and iron ore terminals were coming up. Railway connectivity would be developed between mainline, coal and iron ore terminals.



It will be a joint venture with TIDCO and SIPCOT

Baalu also disclosed that

work on developing the Nagapattinam port basin would not be delayed as the Asian Development Bank was providing funds for the project. Studies were on for developing the mini ports in

Rameswaram. Besides, a small jetty would be established in Mukaiyur. State Finance Minister K Anbazhagan, who participated in the inaugural function, pointed out, "The Ennore Port

is not a competition for the Chennai Port. In fact, Ennore Port will take away the burden of the Chennai Port. Coal and iron ore import/export is high at the ChPT. If it continues, the environment will be affected. To prevent this, Ennore Port could be used. It will also help in the trade." Noting that whenever a new industry was set up, pollution accompanied it, he urged industries to take measures to safeguard the environment.

North Chennai Member of Parliament C Kuppusami urged that employees should not be retrenched in Chennai Port and re-deployed in Ennore Port.

Vice Chairman of the State Planning Commission M Nag-

anathan said that the port and roadways was very important for the economic growth of the country.

The letter of intention for the construction of the iron ore terminal on BOT basis was given to chairman of SIC-AL, A C Muthiah.

The temporary employees of Ennore Port Limited were given work orders making them permanent.

General Manager (Corporate Planning), Chennai Petroleum Corporation Limited (CPCL), S Velumani, Chennai Port Trust trustee L Balaraman, Chairman cum Managing Director of EPTL, K Suresh and Director of Ennore Port, N Kumar also participated.

'Voiceless No More'

Voices of the most marginalised tsunami survivors for whom justice is still a distant dream!

Two years have passed since the tsunami has struck the shores of Tamil Nadu. Yet there are many who are still living in deplorable living conditions facing the brunt of abject poverty and unsaid misery...

To secure justice for the most marginalised People – A People's Tribunal on Housing Rights, headed by Miloon Kothari, United Nations Special Rapporteur on Adequate Housing, was organised on 12 January 2007, at Raja Anamalai Mandram, Chennai to hear the voice of tsunami survivors so that they are **'Voiceless no more'**.

Organised by

Kadaloraval Makkal Padugaphu Kulu
(Coastal Community Protection Committee – CCPC)
– a community-based group of the tsunami survivors from Chennai and Thiruvallur District

With Solidarity

ActionAid India, Arunodhaya Centre for Street and Working Children, C-Dot (Community Development Organization Trust), PAM (People's Action Movement), UDAVI (Upliftment of Downtrodden and Village Improvement society and NMPS (Nirman Mazdoor Panchayat Sangam)

For further details contact:

ActionAid India
Tsunami Relief and Rehabilitation Programme
New No.28, Old No.19
6th Cross Street
Shenoy Nagar (West)
Chennai-600 030
Tel: +91-44-26191620
actionteam_chennai@yahoogroups.com

Designed & Published by



139, Richmond Road
Bangalore-560 025
Ph: +91-80 25580346/9448371732
Fax: +91-80-25586284
Karnataka, India
e-mail: marketing@booksforchange.net
www.booksforchange.net

