

# **National Peoples' Tribunal on Post-tsunami Rehabilitation: Housing, Land, Resources and Livelihoods**

18 and 19 December 2008, Chennai

## **Interim Verdict of the Jury**

*December 26 2008 will mark the fourth anniversary of the tsunami. Housing and Land Rights Network, Human Rights Law Network, Human Rights Advocacy and Research Foundation & Citizens for Human Rights Movement in collaboration with other peoples' movements and community groups invited us to be members of a National People's Tribunal on Post-tsunami Rehabilitation: Housing, Land, Resources and Livelihoods to be held on 18<sup>th</sup> & 19<sup>th</sup> December 2008 at Chennai. The organisers of this tribunal constituted it in the context of continued violation of human rights of tsunami survivors and the absence of adequate state response or mechanisms for monitoring or redress.*

*We learned that in most parts of the tsunami affected States and Union Territories, rehabilitation for tsunami survivors is far from adequate. Many families have still not received any benefits or housing, livelihoods have not been adequately restored, and alternate housing apart from being grossly inadequate and small, is already showing signs of disrepair in many areas. In the Andaman and Nicobar Islands, the situation is even more critical with the majority of families still living in tin sheds and awaiting permanent housing.*

*The organizers also stated that despite crores of rupees allocated for rehabilitation and reconstruction, the situation of most tsunami survivors continues to be tragic. The Public Accounts Committee in its 2007-08 report on "Tsunami Relief and Rehabilitation" divulged that the affected State and Union Territory governments diverted funds and committed other irregularities in the amount of Rs. 228.58 crores.*

*The state and central governments, it is evident, have failed to adequately rehabilitate survivor communities, and in many cases continue to prevent community efforts at ensuring rehabilitation.*

*It is in this context that the following members consented to be part of the National Tribunal.*

**Justice H. Suresh (Chairperson)**  
former Judge, Mumbai High Court

**Dr. Amitabh Kundu**  
Professor of Economics,  
Jawaharlal Nehru University

**Dr. Janki Andharia**  
Tata Institute of Social Sciences

**Dr. Mira Shiva**  
Coordinator, Initiative for Health Social Equity

**Mr. Miloon Kothari,**  
former UN Special Rapporteur on Adequate  
Housing

**Mr. Gopal Guru**  
Professor, Centre for Political Studies,  
Jawaharlal Nehru University, New Delhi

**Mr. Henri Tiphagne**  
Director, People's Watch

## Introduction

1. At the outset, we wish to point out that rehabilitation in any disaster situation does not mean paying an X or Y fixed amount of compensation or giving a uniform accommodation having a certain fixed area. Rehabilitation is much more than that. It includes everything that goes with life and with human dignity. It necessarily means livelihood consideration, food and shelter security, accessibility to education and healthcare and other basic services as well as all other considerations. It is the right to reparation and not mere compensation. The right to rehabilitation must be upheld as a human right.
2. Article 11 (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) states that everyone has the right to adequate housing, which means the right to live in security and dignity. Though India is a party to this Covenant, it has failed to recognize the scope and implementation of this right to housing. This is the same story that we have been hearing for the last four years since the tsunami, particularly in all the four public hearings held concerning tsunami affected people of India.
3. The human right to adequate housing is intrinsically related to other human rights. It is not just providing mere four walls and a roof. It must include all other facilities such as availability of drinking water, access to various other services such as electricity, transport, healthcare, proper toilets, sanitation etc. In short, the right to housing and a secure place to live in dignity is a right to one's traditional homeland and includes the protection of livelihood and health. Above all it is not necessarily building a uniform type of construction without taking into account the past accommodation the disaster victims had and the number of members in each family. We regret to say that by and large, in all said situations, the government approach seems to be building uniform structures with a limited space, such as they provide in the case of "slum rehabilitation."

We would like to point out that while as a temporary measure, such uniform structures can be considered appropriate, the permanent structure as a means of rehabilitation should necessarily take into account various other factors such as the needs of every family to live with human dignity and their cultural preferences.

4. The Tamil Nadu Government has issued government orders (G.O M.S NO 25 & 26 read together with G.O M.S. NO 172) which say that if anyone desires to return to their own house (post-tsunami) which is partially or totally damaged (200 metres from the high tide line) such a person would not get any assistance from the government. We consider this as patently unfair and unjust, as it denies such persons their right to housing and should be considered ultra-vires of Article 21 of the Constitution of India. We would also like to point out another G.O., which says that if tsunami survivors opt for a house built by the government they have to compulsorily surrender their rights in respect of their erstwhile homes and land to the government. We consider this as again ultra-vires of Article 14 of the Constitution, as it gives no option to a person who is in need of accommodation and as such amounts to an arbitrary rule.
5. We find that all the houses built for disaster victims are far from their original homes, and in the case of fisher men and women it amounts to denial of their right to livelihood. In this, the government relies on ignoring CRZ Notification and projecting the coastal belt as "unsafe" and vulnerable by predicting the possibility of another tsunami which may hit the coast. We wish to point out that no CRZ Notification provides for the demolition of the existing houses which are within the coastal zone of 500 metres from the high tide line.

6. The testimonies before us, even four years after the tsunami, detailed how thousands of affected families have been displaced, many to locations situated far from their original habitation sites and sources of livelihood. This has resulted in families losing their right to fishing and allied fishing activities, children dropping out of school, and people suffering adverse health effects. Resettlement sites are still not complete and lack basic services and infrastructure, including roads and sanitation facilities. Housing and land rights of communities have been usurped and many families continue to live in uncertainty without any legal security of tenure. People are also suffering from disappointment, frustration, unhappiness, anger and rage. Several families have been pushed into conditions of abject poverty. Social inequality and exclusion have also increased. Women, children, dalits, tribals, older persons, and persons with disabilities have faced the worst brunt – not just of the tsunami, but also of discriminatory, insensitive and inadequate rehabilitation.

*Some of the key issues emerging from the testimonies regarding post-tsunami rehabilitation include:*

- Continued discrimination in rehabilitation, especially against Dalits, Irulas and women is a serious matter of concern;
- Exceedingly slow pace of rehabilitation, including failure to provide permanent housing four years after the tsunami;
- The lack of a comprehensive housing policy for all tsunami affected regions;
- The implementation of a faulty and ineffective housing policy in Tamil Nadu;
- Single women and women headed households being denied alternative housing
- Lack of adequate efforts to understand people’s needs, and lack of adequate consultation with affected communities;
- Inadequate and incomplete resettlement sites, located far from the city, without adequate transport and basic services, including water, electricity, healthcare and education;
- The rise in drop out rates of school going children due to relocation to distant sites;
- The increase in health problems, and the lack of access to adequate healthcare facilities and sanitation facilities;
- The cultural inappropriateness of housing, in particular the inadequate and unusable kitchens and bathrooms, which severely impact women’s rights to security and privacy;
- The absence of secure legal titles of ownership over permanent housing;
- The imminent threat of eviction of coastal communities under the guise of the proposed CMZ, tourism, and other coastal development plans;
- Lack of a mechanism, especially in the Andaman and Nicobar Islands, for filing complaints and addressing grievances;
- Lack of monitoring and accountability mechanisms, as well as lack of any data tracking.

## **Some Observations:**

### **1. Diversion of Funds and Lack of Transparency**

Despite crores of rupees allocated for rehabilitation and reconstruction, many people have not benefitted. The total funds mobilized in India for tsunami survivors were Rs. 11907.29 crores, of which 3644.05 crores was from the “Rajiv Gandhi Rehabilitation Package for Tsunami-affected areas”; 752.30 crores for permanent housing; 854.71 crores for other permanent infrastructure;

3610.35 crores from multilateral agencies, and 4652.89 crores from Plan Assistance, banks and financial institutions.<sup>1</sup> Reports however indicate diversion of tsunami funds. The Public Accounts Committee in its 2007-08 report on “Tsunami Relief and Rehabilitation” divulged that the affected State and Union Territory governments diverted funds and committed other irregularities in the amount of Rs. 228.58 crores. The Performance Audit Report of the CAG<sup>2</sup> also points out that, **“A review of tsunami relief works revealed incorrect initial assessment of funds requirement, incorrect adoption of compensation rate/norms, retention of unutilized funds, improper selection of sites for temporary shelters resulting in unfruitful expenditure and delay in construction of permanent houses necessitating continued maintenance of temporary shelters.”**<sup>3</sup> **There were delays in the construction of permanent houses due to delay in acquisition of land, delay in approval of plans, and failure of Government of India to release funds.**<sup>4</sup>

In the Andaman and Nicobar Islands many packages were announced for tsunami victims but implementation has been a far cry. Victims had to run from pillar to post for their compensation and met with several government officials, from Lt. Governor to Chief Secretary to Sub-divisional magistrate to tehsildar. Any kind of compensation from the administration required documents. The administration completely failed to comprehend the fact that documents were lost in tsunami.

There has been no transparency in the matter of rehabilitation. The survivors, individually as also generally, have never been consulted in the matter of rehabilitation. Similarly, there is no transparency in the matter of spending of funds received by the government.

## **2. Mass Displacement and Relocation**

The post-tsunami scenario has triggered a step by step violation of human rights orchestrated by non other than the state government. In the state of Tamil Nadu, the displacement process commenced with the spate of Government Orders, many of which seemed to have objectives other than rehabilitation of survivors.

Coastal communities who had been residing within 200 metres of the high tide line for years, were suddenly to be relocated under the guise of “*safety*.” Most affected people had no choice but to move as the Government refused to support housing reconstruction within 200 metres of the high tide line. Government Order 172 states that, *“all the house owners of fully damaged and partly damaged kutchha 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 lakhs 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”*.<sup>5</sup>

The most affected were those who resided within this controversial 200 metres of the high tide line.

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<sup>1</sup> <http://pmindia.nic.in/tsunami.htm>

<sup>2</sup> Comptroller and Auditor General of India

<sup>3</sup> [http://www.cag.gov.in/html/cag\\_reports/tn/rep\\_2006/civil\\_chap\\_3.pdf](http://www.cag.gov.in/html/cag_reports/tn/rep_2006/civil_chap_3.pdf)

<sup>4</sup> Performance Audit Report on Tsunami Relief and rehabilitation, [http://www.cag.gov.in/html/reports/civil/2006\\_20\\_peraud/20%20OF%202006/highlights.htm](http://www.cag.gov.in/html/reports/civil/2006_20_peraud/20%20OF%202006/highlights.htm)

<sup>5</sup> <http://www.tn.gov.in/tsunami/gorders/rev-e-172-2005.htm>

Despite the fact that the crucial link between housing and livelihood of coastal communities is well established and acknowledged, there were high rates of displacement of coastal communities from the coast under the pretext of safety. *In Tamil Nadu more than 88% of the entire land identified for the construction of houses in 11 coastal districts was at alternative sites.*<sup>6</sup> Only 12% was termed *in-situ* houses as per government records in the first phase housing programme of the state. Moreover, the proposed second phase of tsunami housing poses a deadly threat as it seeks to displace 5556 houses under the Rajiv Gandhi Package for Tsunami-affected People.

In the urban coastal districts of Chennai and Thiruvallur, the threat of relocation is higher because of the number of families proposed to be displaced. In Chennai District, there are plans to relocate 16,839 families to alternative sites that were situated in another district about 15-25 kilometres (by road) from their original place of habitation. In Thiruvallur District there are plans to relocate 6635 families beyond 200 metres from the high tide line and an additional 6435 families beyond 500 metres of the high tide line.<sup>7</sup> Coastal communities have many a time raised demands for '*in-situ*' houses as they fear loss of their customary rights to the coast, which would also result in loss of their livelihood.

In the island of Great Nicobar, Campbell Bay, the process of forced eviction from temporary camps to intermediate tin shelters resulted in the death of five persons in 2005.

The Nicobarese lived along the coast for centuries. The new shelters for them have however been built inland, and the roads to the jetty have not been completed. This has resulted in innumerable hardships being faced by school going children, pregnant women and the aged who have to walk through slush to reach the jetty.

### **3. Unplanned Resettlement Sites Lack Basic Amenities and Infrastructure**

The absence of basic infrastructure in the tsunami housing package has been a glaring issue. Basic amenities are lacking in houses constructed in situ and for those in relocation sites. The state is obliged to provide basic amenities like electricity, adequate water, transportation, schools, Primary Health Centres, ICDS centres and PDS shops but most of the habitations planned in the post tsunami rehabilitation are devoid of many of these basic amenities.

Displaced populations face further marginalization. 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 them of whatever income they are able to earn. People have to buy water because they do not have access to safe drinking water. The relocated people are forced to live in artificial settlements that have given rise to inter-community strife while leading to a host of other social problems. The new habitation sites are devoid of transportation facilities and access to health care centres and schools, leading to drop out of school going children and negative health effects on the population, including women giving birth to children in autos.

In Wandoor temporary shelter in Port Blair, electricity and water were not supplied for an entire year.

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<sup>6</sup> <http://www.tn.gov.in/tsunami/land.html>

<sup>7</sup> <http://www.tiruvallur.tn.nic.in/>

#### 4. Faulty Housing Policy and Poor Quality of Houses Constructed

The housing initiatives of the government have been insensitive and devoid of any community participation and consultation. The policy of one house for one house irrespective of the number of residents has eroded the joint family system in some instances and led to cramped high density living conditions in others. The delayed housing process is yet another severe concern as there are many still living in inhumane conditions and awaiting the completion of the government's housing process. In the Andaman and Nicobar Islands, of the planned 9565 permanent shelters, only 250 have been allotted.

We note with concern the lack of a comprehensive national housing policy for all tsunami affected regions, and the continued implementation of faulty Government Orders and ineffective housing policy in Tamil Nadu.

There has been absence of proper monitoring in the housing process of both the government and the private players. In Tamil Nadu and the Islands, several instances have been reported of houses and flooring with cracked walls, leaking roofs, and unfixed doors and windows. Many houses require immediate attention and reconstruction. There are villages in the state of Tamil Nadu where people are reluctant to occupy the newly constructed houses because they are uninhabitable and the materials used for construction are of poor quality.

The size of housing has been yet another important issue raised by coastal communities. Though the government claims that it has not constructed houses less than 325 sq. ft., the reality is different. The size of the government houses constructed in the urban coastal districts is hardly 260 sq. ft. and the houses constructed in the various coastal districts of Tamil Nadu, including by the World Bank, also violate the minimum standards as prescribed by the government of Tamil Nadu for its own housing. In many places the size of the houses is so small that only two members of the family can reside in them. There is no privacy for women and girls as there is no provision for a separate room with a door. The size, location or the designs were hardly consulted with the community, and even if there were consultations, there was no proper representation from the various cross sections of the community, especially women. The rights of persons with disabilities and older persons have also not been factored into the construction of permanent housing.

Permanent housing in many areas has disregarded cultural preferences. In many sites across the country, bathrooms and kitchens provided are not usable. This has serious impacts for women who have to cook and bathe outdoors, which threatens their rights to security and privacy.

The situation in Andaman and Nicobar Islands is even worse. The intermediate tin sheds were constructed six months after the tsunami with the intention of lasting just for one year. People have, however, been living in them for four years. The tin sheds have posed a slew of problems for the inhabitants – excess heat, leakages, noise, poor construction, disrepair, and lack of privacy, especially for women and young girls. Initially, they did not have any flooring or secure roofs either. These tin sheds are not appropriate for the Andaman and Nicobar climate, as they are hot as ovens during the day time and cold as freezers at night. They are not suitable for cyclonic weather either.<sup>8</sup> Four years after the tsunami, these tin sheds are in dire need of repairs. People had no choice but to stay in these shelters, as they were forcibly evicted from the temporary camps they were previously residing in.

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<sup>8</sup> See *Battered Islands: Report of a Fact-Finding Mission to Andaman and Nicobar Islands*, Housing and Land Rights Network, 2006.

Only 250 permanent houses have been allotted till date in the Islands; rest are still in various stages of construction. Work on the construction of permanent shelters is very slow; in some places the houses are still at the plinth level. In terms of the design and location for the construction of permanent shelter, people's opinion has not been taken despite direction from the Supreme Court. Many local people objected to the style and site selection but were charged under a "riots case" and are now facing trial and have to appear in court every month in Port Blair.

The opinion of tribals in the construction of permanent shelters has also not been considered. They were merely shown some sample houses and had to select one design from them. Tribal traditional houses are built at an elevation, locally known as "machan" houses, but that design was not considered while making permanent shelters for them.

Building contracts have been given to private players rather than supporting local employment and giving preference to and respecting people's local needs, materials, traditional building methods and knowledge.

The lack of consultation with affected communities and the non involvement of community members in the monitoring process have further given rise to problems in housing design and construction.

## **5. Families Left out in Relief, Rehabilitation and Reconstruction Phases**

Another burning issue in Tamil Nadu and the Andaman and Nicobar Islands is the issue of families being left out in the relief, rehabilitation and reconstruction process of the state and the non state actors.

Families have been left out in the housing process because of the following reasons:

- a. Single women, widows (women headed households) are not formally recognized as families, and hence are left out. They seek refuge in their relative's houses as they are not entitled to their own houses.
- b. Many families have been left out in the process because the government has failed to recognize their villages as tsunami affected.
- c. Many Dalit and Tribal families have been left out because of the fact that they are viewed as non-fishing communities.
- d. Many families were not present when lists of affected people were prepared and hence have not been able to avail of any rehabilitation benefits.
- e. The newly formed families (families formed because of marriages after tsunami) are not recognized as separate families eligible for rehabilitation.

The Andaman and Nicobar Administration has adamantly refused to follow the interim orders of the Supreme Court dated October 2007 (see Annex 1) in terms of distribution of compensation. Many survivors are still awaiting compensation. 1000 claims are still pending before the lok adalat.

Immediately after the tsunami, all survivors were made to stay in camps, which were in schools. During this time enumeration of survivors was done. People who were staying in their relatives' houses were left out and since their names were missing from the list, they were not eligible to receive any kind of compensation from the administration.

## **6. Lack of Legal Security of Tenure**

In many tsunami affected areas, one of the burning issues is the lack of security of tenure over permanent housing. The state documents given for permanent housing do not provide any legal ownership status; there are clauses that permit the state to usurp land for any public purpose when necessary. In the urban coastal areas of Tamil Nadu, the land titles are to be paid for and procured in the name of “Hire Purchase Schemes” where the tsunami survivors are clubbed with the existing slum alleviation programmes and are made to pay Rs. 250/- per month. Why should the tsunami affected people be forced to pay for their own houses when it has been viewed as a reconstruction process?

## **7. Discrimination against Dalits and Tribals**

The response by the state, though immense, failed to reach out to the most marginalized and those in need, as relief and rehabilitation has been devoid of a people-centric approach. Many tribal and dalit communities have been left out in the relief process.

The focus of relief and rehabilitation initiatives was primarily on the basis of the number of casualties reported. This led to the denial of support to the most marginalized, in particular those who escaped death but faced the brunt of asset loss. The coastal Dalit and the tribal communities in Tamil Nadu residing along the coasts were not even considered as entities for support as they did not belong to the fishing community. There were violent outbreaks of protests against these excluded and discriminated communities. These people were unable to access even the basic relief packages even months after the disaster.

Lack of understanding of the composition of the population which lives and is either directly or indirectly dependent on the sea has been the main reason for tribals, Dalits and minority communities (Muslims) being 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 more deplorable conditions but 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. Instead state action seems to reflect the motive of evicting these coastal communities to pave the path for high investment supported development projects, which would cater to the needs of the rich and powerful while trampling 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 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.

Even after four years, there are dalit and tribal families who are not provided relief and rehabilitation despite many petitions and protests.

In the Andaman and Nicobar Islands, displacement of Nicobarese tribals to other islands threatened their culture and traditional ways of life, as well as their nutritional intake. The Andaman and Nicobar Islands are eco-fragile and the construction contractors have scant sensitivity to this dimension.

## **8. Discrimination against Women and Gender Insensitive Rehabilitation**

We note with grave concern the continued discrimination against women in the entire rehabilitation process, especially the denial of housing to women-headed households and the failure to cater to women's needs of privacy and space in permanent housing and intermediate shelters. Kitchens have not been built to cater to the traditional cooking methods of fishing communities, forcing women to cook outside in inclement weather conditions. The failure to provide adequate bathrooms with sanitation facilities means that women have to bathe outdoors, thereby threatening their privacy and increasing their vulnerability to violence and sexual abuse.

Intermediate tin shelters in the Andaman and Nicobar Islands do not have proper partitions and bathrooms do not have secure locks, which again violates women's and girls' safety.

We are alarmed about the reports of violence against women that has been evident in the post-tsunami situation, with government officials and politicians both resorting to physical force and defamation of women to proceed in the eviction process and in the process of forcefully acquiring signatures from coastal communities. There have been various other forms of violence which have affected the life and dignity of both women and children equally. Women's health needs have not been adequately addressed. There have been instances of women giving birth in autos since they could not reach the nearest hospital in time, as it was located 10 kilometres from their residence.

Women's livelihood concerns have not been addressed and most women have not received compensation for their home-based livelihoods. The aftermath of the tsunami has deepened the feminisation of poverty.

## **9. Rights of Marginalised and Vulnerable Groups Denied**

The special needs and rights of persons with disabilities, older persons, and children have not been adequately addressed. Permanent housing has not been constructed with provisions for persons with disabilities. Resettlement sites situated on hills such as in Govind Nagar in Andaman and Nicobar Islands, and multi-storey housing in Tamil Nadu, are not easily accessible to older persons and persons with disabilities.

The impacts on children have not been adequately addressed, especially the drop out rate of children from school, the lack of ICDS centres, and safe and child friendly spaces in resettlement sites. The lingering psychological impacts on children have also been given due consideration.

## **10. Loss of Traditional Livelihoods**

Apart from loss of livelihoods due to forced relocation to distant sites, tsunami rehabilitation funds in certain districts of Tamil Nadu are being utilized for modernizing the fishing industry. This rings a death knell for the people still practising traditional sustainable fishing methods. The activities proposed, such as providing financial assistance for reviving damaged aqua farms and hatcheries in Tamil Nadu, rebuilding and developing fishing harbours into modern fishing harbours, construction of fish landing centres and providing permanent structures at the river bar mouth are being carried out in the interest of mechanized fishing industries.

In the Andaman and Nicobar Islands, the livelihoods of communities have still not been restored due to the lack of planning by the administration. Those who lost their livelihoods due to the

tsunami include farmers, shopkeepers, and fisher men and women. The needs of agricultural communities have not been adequately addressed. In the Islands several communities lost their lands due to submergence. Accurate assessment of their losses has still not been completed and no measures have been taken to provide them with alternative livelihoods. Shopkeepers who lost their shops have also not received adequate compensation to enable them to restart their livelihoods. Banks have not released loan-insured money to tsunami-affected shopkeepers after receiving it from insurance companies. Most people in the Islands have taken up construction work as daily wage labourers but face stiff competition from labourers brought by contractors from the mainland. The Supreme Court had ordered the government to provide one government job per family. To date, not a single family has been provided a government job and most of the men have engaged in manual jobs.

Comprehensive need-based assessments have been absent in the rehabilitation process. This led to fishermen in the Islands being given fibre boats despite their repeated demands for wooden boats. The presence of coral reefs in the area has damaged the fibre boats and the fishermen have been left to replace them on their own. Fishermen came to know much later that their boats were not provided for free but on partial loans. (For example, for a boat costing Rs. 1 lakh, Rs. 65,000 was given by the administration while the remaining amount of Rs. 35,000 was on loan.)

#### **11. Lack of Information and Participation**

Overall, there has been absence of adequate information on rehabilitation processes and plans. People's participation has been minimal. This is even more apparent in the Islands. The Nicobar Islands are far from Port Blair – the administrative headquarters. People live further in settlements within these islands. As a result, information of government schemes and programmes do not reach the Nicobars, especially those living beyond Car Nicobar. In addition, the policy framework is more at an operational level and people don't have access to detailed information related to criteria for eligibility and entitlements, including the roles and responsibilities of all stakeholders.

#### **12. Emergency Tsunami Reconstruction Project (ETRP) of the World Bank**

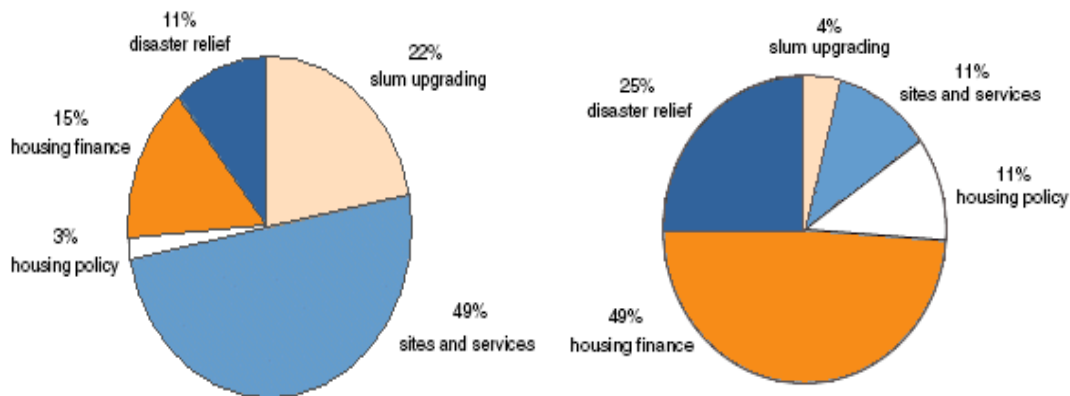
The World Bank funded Emergency Tsunami Reconstruction Programme (ETRP) clearly puts forward the Bank's agenda for privatization. A large portion of the ETRP budget is for reconstruction of shelters. The amount allotted for Housing Reconstruction is US \$596.8 million (about 87.5% of total). The other interventions include those of Restoration of Livelihoods (US\$ 36.4 million, about 5% of total), Public Buildings and Public Works (US\$ 19.5 million, about 3% of total), Technical Assistance and Training (US\$ 11.1 million, about 1.5% of total) and Implementation Support (US\$ 19 million, about 3% of total).<sup>9</sup> The motive for allotting more than 87.5% of the allotted budget in housing is clearly expressed in the Housing and Land policy of the World Bank, which states, "The World Bank Group focuses on assisting national and local governments in formulating policies and programs on two aspects of the sector: linking real estate market development to overall economic development in client countries, and focusing on how to make the housing market more efficient to provide adequate shelter."<sup>10</sup> It is a fact that coastal communities are in control of land that is increasingly of great demand to the real estate market and thus ETRP schemes are being used to relocate people in the guise of providing adequate houses for them.

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<sup>9</sup> ETRP components - [http://www.tn.gov.in/tsunamiEAP/components\\_etrp.htm](http://www.tn.gov.in/tsunamiEAP/components_etrp.htm)

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<http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTURBANDEVELOPMENT/EXTHOUSINGLAND/0,,menuPK:341083~pagePK:149018~piPK:149093~theSitePK:341077,00.html>



**1972-1986: \$4.4 billion (2001 US\$)**

**1987-2005: \$10.3 (2001 US\$)**

There has been a steady rise in the housing investment rate of the World Bank, as proven by the Bank’s own official records. The World Bank’s spending pattern clearly explains the fact that the Bank has shifted its policy towards “disaster capitalism,” as evident from the considerable increase in disaster relief, housing policy and housing finance. (11% was spent from 1972-1986 on disaster relief but it increased to 25% from 1987-2005; housing finance increased from 15% to 49% while expenditure on housing policy registered an 11% increase from 1987-2005).

The increased expenditure on housing and shelter and the open remark about the development of real estate market may prove that the World Bank has its own private agenda.

**13. Implementation of ETRP Will Deny the Right to Homeland and Provide Legitimacy for the Draft CMZ Notification 2008.**

The privatization agenda of the World Bank in Tamil Nadu in the post tsunami context is visible in one of the earliest Government Orders, G.O. 172, which states 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 new construction will be entered in the Prohibitory Order book and maintained for public purposes... It is expected that Government of India and the World Bank will provide substantial assistance for this programme.”*<sup>11</sup>

Thus, from the initial days of the tsunami, housing has been used as a primary tool to relocate the people by the State Governments, Union Territory governments, World Bank and ADB.

While the entire coastal community across the country is challenging the implementation of the proposed Coastal Management Zone (CMZ) Notification 2008, the ETRP funds are being used as a backdoor entry point to implement the coastal management that heralds further privatization of the coast by alienating traditional communities. Some of the activities proposed in the ETRP include vulnerability mapping and the preparation of Integrated Coastal Zone Management Plan that will eventually lead to alienation of the traditional rights of the coastal community to the sea and the coast.

<sup>11</sup> <http://www.tn.gov.in/tsunami/gorders/rev-e-172-2005.htm>

These activities will only facilitate the development process of private players but not the coastal communities who depend on the sea for their existence. The people will be encouraged to give up their original place of habitation and the relocated people will be placed in tenements that are to be constructed in the outskirts of the city. The usurped land will be under the control of the fishing and tourism industry. Placing coastal communities from various areas in one colony will probably give rise to disputes, as there will be inadequate space for stationing of boats and increased clamour for resources. The process of shrinking the coastline for traditional users will commence eventually. The people will eventually give up their own boats as there will not be enough place to station them, and the private people owning huge boats in the fishing harbours will probably employ them as daily wage earners. The roads and the infrastructure facilities developed in these areas will further enhance the entry of private agents. The ports and the fishing harbour promoted by the ETRP will hamper the traditional fishing rights of the people and result in promoting unsustainable fishing. Thus the rehabilitation programme caters to the development needs of the rich but marginalizes the coastal communities who are supposed to be the real beneficiaries.

### **Conclusions:**

1. We, the Jury of the *National People's Tribunal on Post-tsunami Rehabilitation*, express our strong condemnation of the poor status of rehabilitation of tsunami survivors across the country.
2. Based on 26 testimonies of affected people from Tamil Nadu, Kerala, Andhra Pradesh, Pondicherry and the Andaman and Nicobar Islands regarding their rehabilitation related to housing, land, resources and livelihoods, we conclude that the Central government as well as state governments of Tamil Nadu, Kerala, Andhra Pradesh and the union territories of Pondicherry and Andaman and Nicobar Islands have failed in their legal and moral responsibility of upholding the human rights and ensuring the welfare of all those affected by the tsunami. It is unpardonable that four years after the tsunami, several families have not received any compensation benefits and people are still living in intermediate tin sheds in the Andaman and Nicobar Islands awaiting permanent housing. We hold the State liable for all its acts of commission and omission with regard to Post-tsunami Rehabilitation – Housing, Land, Resources and Livelihoods. Such grave lapses by the State in rehabilitation, many of them initiated by inadequate and faulty state policies and neglect, four years after the tsunami, cannot be condoned.
3. Failure of the State to monitor and coordinate rehabilitation has created serious problems. The absence of monitoring mechanisms and non-compliance with judicial orders (for example, the Supreme Court interim orders dated October 2007 on the Andaman and Nicobar Islands and the Lok Adalat directions), *prima facie* observations and recommendations from the Comptroller Auditor General (CAG), directions from the Tamil Nadu State Commission on Women, etc. have created a serious and debilitating delay leading to violations of the human rights of adequate housing, land, work, food, health, education, and security.
4. Scientific delimitation of the distance from coast and river bank needs to be done for rehabilitation, taking into consideration the safety factor and economic interdependencies. Blanket restriction on *in situ* rehabilitation needs to be re-examined, especially because exemptions are being made for other government and private sector initiatives (tourism, SEZ, desalination plants, commercial fishing harbours, coastal highways, etc.).

5. After listening to experts, we are convinced that forced relocation and eviction of coastal communities under the guise of “safety” and vulnerability will take place due to the new Draft CMZ Notification 2008. This would threaten fishing communities’ customary rights to the coast and their livelihoods, including their right to ocean resources.
6. The Government of Tamil Nadu’s housing policy legal regime and housing programme as propagated by the state has resulted in another tsunami for the most marginalised communities living along the coast. It has resulted in uprooting the already tsunami affected families and increased their landlessness, indebtedness and misery. The quality of land provided by the state for NGOs to complete their housing projects is deplorable and does not reflect the right to housing as a place to live in dignity and security. Much of the land given by the state was in low lying areas and was wetland, which even during a normal monsoon season gets inundated. The NGOs, who in their desire to help the victims, accepted uncritically the policy of the Government to build houses in these plots of land, have also contributed to the forced evictions of people in both fishing and other marginalised communities of dalits, adivasis and women from their protected areas within the Coastal Regulation Zone. The entire design of G.O. Ms. No. 26, 172 and 708 promulgated by the Government of Tamil Nadu was clearly designed to move people out of their traditional homelands and deny them their traditional access to coastal lands, resources, and ocean resources by moving them more than 1 kilometre away from their place of livelihood.
7. *Continued Discrimination:* Survivor testimonies highlighted the denial of the right to housing and land for dalits, adivasis, women headed households, widows and poor fishing community families. We conclude that the involved governments stand accused for gross discrimination in housing policy and practice from the stage of enumeration of affected dalit families and other marginalised communities living along the coast up to the stage of actually providing land for housing. The state committed a gross human rights violation of denying people, and especially victims of the tsunami, their rights to life, adequate housing and livelihood, and the right to live in dignity. The state had opted for a very clear policy of substandard and discriminatory practices for dalits and Irulas resulting in many of the houses built for the marginalised being substandard. It is the duty of the state to guarantee the right to residence. Instead the state has failed to provide any decent standards of basic services and infrastructure.
8. *Substandard “Permanent” Housing:* Houses provided (as per GO. MS. No. 25 & 26 read together with GO. Ms. No.172) have only met the partial number of the total required houses resulting in numerous conflicts within the community. In many cases, women headed households and widows have been ignored. Many houses still remain vacant. Testimonies by the participants revealed the substandard nature of construction resulting in large cracks in the houses, no toilet facilities, and very poor and culturally inappropriate designs. The state, despite receiving enormous funds, has not provided roads, electricity, basic services, community halls, parks, play grounds, etc., resulting in inadequate houses that would collapse any time. Permanent housing provided is already showing signs of disrepair and collapse. Bathrooms and kitchens provided are not usable.

## **Recommendations:**

Given the alarming situation of tsunami survivors and the persistent violation of their human rights, we would like to make the following urgent recommendations to the Central Government, the state governments of Tamil Nadu, Andhra Pradesh, Kerala and the union territories of Pondicherry and Andaman and Nicobar Islands:

- The Central and concerned State and union territory governments must take note of and implement the Comptroller and Auditor General's (CAG) recommendations of its performance audit of the tsunami.
- The Government must implement the Supreme Court Interim orders in *Kranti Vs Union of India* (PIL) Civil Appeal Number 2681 of 2007 related to rehabilitation in the Andaman and Nicobar Islands (see Annex 1).
- The right to adequate rehabilitation as well as the right to disaster prevention should be upheld as a human right. Rehabilitation must be grounded in a strong human rights framework. The respective state governments should strengthen the state disaster management authorities and develop their own disaster management policies, which should incorporate a human rights approach.
- Livelihood restoration needs to be a priority of the government in order to ensure that people are able to resume their former work with dignity and security. This must cover both fishing and non-fishing livelihoods. Accurate loss assessments of lost agricultural land must be made and people must be provided adequate alternatives to enable them to earn their former incomes.
- Transparency needs to be ensured at all levels of the rehabilitation process. In particular, there should be total transparency in the list of beneficiaries of rehabilitation packages as well as on the massive reconstruction contracts that have been assigned to construction companies.
- The Jury calls upon the concerned state governments and governments of union territories affected by the tsunami to immediately halt all evictions of all dalits, fish workers, irulas, and other marginalised groups living along the coast, as this amounts to violation of their rights to life, work/livelihood, housing, and freedom of residence. We urge the state to release data on the number of houses that were originally to be built, the number of houses that were actually built, the standard of housing at present, the basic services and infrastructure available, and the impact of housing on livelihood and the quality of life of the families.
- Concerned governments need to pass necessary orders to enable the original families of fishing and other marginalised communities to resettle on their original place of land, wherever they lived within the 200 and 500 metre Coastal Regulation Zone. The state should stop building houses like a housing contractor and instead take steps to ensure that the housing programme is developed that will enable people to rebuild their homes in their original place of habitation close to their place of livelihood and using local materials and knowledge. For this the state must take steps to provide the necessary finance as subsidy for housing and land, and also subsidise building materials for affected families to rebuild their homes and protect their traditional lands for traditional fishing activities. People are very capable of rebuilding and designing their own homes based on standards that suit their needs and promote a high standard of quality of life and livelihood. Under the present Emergency

Tsunami Rehabilitation Project (RTRP) supported by World Bank, Asian Development Bank and Government of India, what is necessary is that the state takes steps to provide free of cost standard building materials for the tsunami-affected persons based on the type of building material required by the people together with land titles providing security of tenure. The state, however, should take steps and provide guidance to ensure that housing is disaster-resistant.

- Under the ETRP, people's housing must be supported and promoted wherever people live or lived at the time of the tsunami. G.O. Ms. Nos. 172 and 708 must be withdrawn in favour of a new G.O. that recognises people's right to land, and housing as a place to live in dignity and security and that will promote their right to livelihood and protect the communities' traditional right to land. Further, all coastal lands should be protected and remain in possession of the fishing community and other coastal poor engaged in fishing and allied activities as their traditional livelihood.
- The state should develop a comprehensive housing policy that is based on international human rights and housing standards not only for disaster situations but in all state housing programme of housing by the state must support. The standards must be based on the premise that housing includes a place to live in security and dignity, a place that will promote culture and civilization of the community, that is non-discriminatory and participatory, that is gender sensitive and protects women's rights, that is rooted in the right to land not only for the house but all the traditionally and community held land, i.e. the right to self determination and the right to homeland, and incorporate appropriate standards of building materials (not necessarily only cement and steel) and housing designs based on peoples' culture and needs, as well as a high quality of basic civic services and infrastructure. The State must adhere to its international legal commitments, including those under Art. 11.1 of the International Covenant on Economic, Social and Cultural Rights and incorporate elements of adequate housing, as elaborated by General Comment 4 of the UN Committee on Economic, Social and Cultural Rights. Ultimately the standards must reflect what the affected persons' adequate housing needs.
- The government must urgently provide basic facilities (water, sanitation, electricity, health services, education, transport) in all resettlement sites. ICDS centres, Public Health Centres and PDS (ration) shops must be set up in all sites. Adequate transport facilities must be provided from habitation sites to schools, places of work, markets and hospitals. Resettlement sites must adopt international human rights standards, such as those elaborated in the *UN Basic Principles and Guidelines on Development-based Evictions and Displacement*, of which paragraph 55 states:

Identified relocation sites must fulfil the criteria for adequate housing according to international human rights law. These include: (a) Security of tenure; (b) services, materials, facilities and infrastructure such as potable water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services, and to natural and common resources, where appropriate; (c) affordable housing; (d) habitable housing providing inhabitants with adequate space, protection from cold, damp, heat, rain, wind or other threats to health, structural hazards and disease vectors, and ensuring the physical safety of occupants; (e) accessibility for disadvantaged groups; (f) access to employment options, health-care services, schools, childcare centres and other social facilities, whether in urban or rural areas; and (g) culturally appropriate housing. In order to ensure security of the home, adequate housing should be include the following essential elements; privacy and security; participation in decision – making; freedom from violence; and access to remedies for any violations suffered.

- Adequate mechanisms need to be established to monitor spending of tsunami funds to ensure that the state uses all tsunami rehabilitation money to support people's efforts in rebuilding their homes and improving their quality of life rather than diverting funds towards building flyovers, bridges and promote industrial and tourism needs of foreign companies.
- The Draft CMZ Notification 2008 needs to be withdrawn, and the state should ensure strict implementation of existing Coastal Regulation Zone Notification 1991. The government should strengthen authorities for monitoring and take action against the violations. Government of India should unconditionally and immediately withdraw all the amendments made to the CRZ Notification 1991.
- The state should develop a comprehensive legislation for the protection of the rights of the fishing communities, coastal ecology and fishing and ocean resources. A mere notification which is created by executive fiat with no legislative sanction is unacceptable to protect vast areas of coastal environment and the homeland, livelihood and resource rights of the traditional fishing communities and other coastal poor.
- The central and state governments need to develop effective monitoring and grievance redressal mechanisms through the creation of joint task forces to ensure that the daily suffering of tsunami survivors is urgently addressed. This requirement is even more urgent in the Andaman and Nicobar Islands.
- The government must ensure the adoption and implementation of a gender sensitive and participatory rehabilitation policy that protects women's human rights. Women-headed households must be considered eligible for permanent housing. Bathrooms and kitchens in all permanent housing should be reconstructed to meet women's specific needs, and in consultation with women.
- Specific needs of persons with disabilities and older persons must also be taken into account while designing resettlement sites and permanent housing.
- The Central Government needs to urgently ensure that permanent houses are provided to all those who have still not received them, especially in the Andaman and Nicobar Islands. People must be shifted from the intermediate tin shelters to safe and secure permanent housing. The cultural preferences of all communities must be respected in the provision of permanent housing, including of tribal communities in the Islands.
- Poorly constructed permanent housing must urgently be repaired and refurbished.
- Secure legal titles of ownership must be given in the names of both women and men over all permanent houses allotted as part of tsunami rehabilitation.
- There need to be enforceable timelines for every stage of the rehabilitation process, including the completion of adequate permanent housing. This must include specificities regarding the maximum permissible duration of stay in emergency and temporary/semi-permanent shelters.
- The government must include all those families whose names have been omitted from government lists to enable them to avail of rehabilitation benefits as well.
- Policies of international players such as the World Bank and Asian Development Bank need to be regulated by the government to ensure that human rights are not compromised for profit motives.

### **Recommendations specific to the Andaman and Nicobar Islands:**

**Establish construction monitoring mechanisms.** The reconstruction of houses being completely entrusted to contractors, attention must be focussed on quality control. The community must be empowered to take upon this role of monitoring the construction work.

**Ensure the participation of the community in the reconstruction efforts.** Standardized programmes need to be altered to accommodate specific needs. Families must be allowed and empowered to make their own changes, modifications and additions in the house designs according to their specific needs. Communities should be encouraged to build their own houses with the financial and material assistance of the authorities. In addition, alternative decentralised community-based mechanism should be put in place regarding services such as sanitation and drinking water supply.

**Use traditional materials, technologies and modes of transport.** Traditional material and technologies must be used and promoted in the reconstruction work. Traditional modes of transport need to be restored by constructing small jetties at specific points along the island.

**Provide and disseminate information widely.** All relevant information and decisions regarding the reconstruction and rehabilitation efforts must be communicated to the affected communities. An efficient information dissemination mechanism needs to be established to ensure that information reaches people in their temporary settlements.

**Provide housing rights to women.** Land and house ownership titles must also be given women.

**Lok Adalats to take tsunami related issues in priority.** Lok Adalats must take up Tsunami relief and rehabilitation related issues in priority.

**The ultimate responsibility of ensuring adherence to fundamental human rights principles, such as non-discrimination, gender equality, participation, lies with the government. Justice delayed is justice denied. The Central and concerned state governments must therefore pay heed to people's concerns and the persistent violations of their human rights, and must immediately take strong and effective measures to restore the lives and livelihoods of those affected by the tsunami as it has been four years.**

**ANNEX I:  
(Andaman and Nicobar Islands)**

**Supreme Court Interim orders  
in Kranti Vs Union of India (PIL) Civil Appeal Number 2681 of 2007**

- i) The local administration under the guidance of the Lt. Governor shall take steps to arrange for rain water harvesting and construction of the cemented tanks for capturing rainwater during the monsoons for later use by inhabitants of the different islands, in addition, immediate steps should also be taken to clean out the existing wells which had been polluted by tsunami and to recharge the same, so that the monsoonal rains can be fully utilised. If necessary, fresh wells may also be dug to augment the existing supply of water.
- ii) The dry ration being supplied to the tsunami affected families be continued till the month of October 2007 or until the appeal is finally disposed of, whichever is earlier. While distributing the free ration the local administration may after holding an enquiry discontinue such supply to those families which were no longer in need of such help. The Administration may also consider, providing two cylinders of cooking gas in place of one cylinder as is being currently supplied.
- iii) The fishermen who are still to receive replacement for the loss of their fishing boats should be provided with such replacements as quickly as possible after obtaining fresh option from them as to the type of boats which they would like to have.
- iv) The local administration should arrange for the setting up of the cold storage at Campbell bay and Car Nicobar.
- v) Rethinking should be under taken with regard to the design of the shelters to be provided to the victims of the tsunami upon considering the climatic condition in the Islands. The possibility of construction of houses/huts in the traditional manner and design, using climate friendly material, such as timber should be explored.
- vi) The local administration should seriously consider the placement of more doctors, including a lady doctor in Campbell and Car Nicobar whose services could also be utilised in the other inhabited islands where there is no medical facility.
- vii) The state legal services authority of the islands in collaboration with High Court Legal services Authority of the circuit bench of Calcutta High Court at Port Blair may consider the possibilities of holding Lok Adalats in tsunami-affected islands, both in Andaman chain of islands, such as Havelock, Neil, Mayabunder, Deiglipur and in the Nicobar chain such as Campbell Bay, Kamorta, Terrasa, Katchal, Hut Bay and Car Nicobar Island, to dispose off cases which are pending on respect of compensation and for disposing of fresh claims if any in that regard.

In respect of persons whose agricultural land remains submerged with sea water and are yet to receive compensation the local administration may consider providing a job for one member of the family in keeping with the assurances given earlier.

## ANNEX 2

### Summary of the testimonies deposed before the Jury members

#### List of Testimonies – Key Issues (Andaman & Nicobar Islands)

S. No	Name of the Deposer	Village	District	Key Issues Raised
1	K.N Mahalingam	Hut Bay	Andaman	<ul style="list-style-type: none"> <li>- Compensation on loan waiver not based according to the existing policy</li> <li>- Demand for change in design of permanent house. Existing design of Twin House model not approved by people</li> <li>- Protesters engaged in peaceful demonstration for demanding better house designs charged in Riot Case and now facing trial</li> </ul>
2	Bidyut Bainik	Hut Bay	Andaman	<ul style="list-style-type: none"> <li>- Permanent shelters far from place of livelihood</li> <li>- Designs not acceptable to the community</li> <li>- Lathi Charge in a Peaceful Demonstration; cases framed against him for the same</li> </ul>
3	Joga Rao	Padak Tikrey, Hut Bay	Andaman	<ul style="list-style-type: none"> <li>- Even after four years, we have been left without livelihood assistance</li> <li>- Demanded traditional boats but all they got was fiber boats that was not useful because of high presence of coral reefs.</li> </ul>
4	Konika Baroi	Wandoor, Port Blair	Andaman	<ul style="list-style-type: none"> <li>- Not even allotted temporary shelters</li> <li>- Made to build our own temporary shelters for wages, and wages still not paid</li> <li>- Residing in shelter with no electricity or water for a year – still in shelters that need immediate repair</li> <li>- Permanent shelter 20 Kilometers away from the shore</li> </ul>
5	L. Ravi	Bamboo Flat, Port Blair	Andaman	<ul style="list-style-type: none"> <li>-Left out in the enumeration process because he was hospitalized</li> <li>- Alienated from other compensation because of non inclusion of name in the beneficiaries list</li> </ul>
6	John Abraham	Nancowry, Great Nicobar	Andaman	<ul style="list-style-type: none"> <li>- Not fully compensated for the loss of the plantation,</li> <li>- Survey was not based on the actual losses</li> <li>- Still staying in tin sheds and temperature raises to 43 degree Celsius in the day</li> <li>- No toilet facility in the shelters women have to go to jungle</li> <li>- Even after 4 years still have not got permanent shelters</li> </ul>
7	Barnabas	Campbell Bay, Great Nicobar	Andaman	<ul style="list-style-type: none"> <li>- Lost three family members</li> <li>- Pleas for <i>hoodies</i> and permanent shelter still remains unheeded</li> </ul>

**List of Testimonies – Key Issues (Tamil Nadu)**

<b>S. No</b>	<b>Name of the Deposer</b>	<b>Village</b>	<b>District</b>	<b>Key Issues Raised</b>
1	Indiravalli	Keechankuppam	Nagapattinam	<ul style="list-style-type: none"> <li>- Relocating fishing communities beyond 2 up to 8 kilometers – destroys livelihood option</li> <li>- Groynes constructed denies access to the sea for fishing</li> <li>- Houses constructed in low lying area</li> <li>- Leaking roofs and flooding</li> <li>- Land titles provided for houses constructed under tsunami programme has conditional clauses – houses could be taken away from them any time</li> <li>- Fencing activities for constructing power plant and laying pipe lines denies fishing activities</li> </ul>
2	V. Shasikumar	Mulliama Nagar	Chennai	<ul style="list-style-type: none"> <li>- Nine Villages face relocation threat because of implementation of Elevated Highway</li> <li>- Government not finalized beneficiaries list after 4 enumeration attempts and after 4 years of the tsunami</li> <li>- Government to construct 249 Sq. Ft. Houses</li> <li>- Government unsure of number of houses to be constructed</li> <li>- Plans and blue print of the housing project not revealed</li> <li>- People left out in enumeration will not be receiving houses – states the Government</li> <li>- Government dividing fishing and non fishing community</li> </ul>
3	Kuppusami	Gandhi Nagar	Sirkali	<ul style="list-style-type: none"> <li>- Of the 60 affected families only 18 received relief from the government. People had to share the relief given by government</li> <li>- Despite of the fact that 8 houses were washed away and 40 houses were severely damaged the people have not got permanent houses even 4 years after the disaster</li> </ul>
4	K. Karpagaraj	Thazhang Kuppam	Thiruvallur	<ul style="list-style-type: none"> <li>- Proposal to construct 6635 houses beyond 200 meters and 6435 houses beyond 500 meters of the high tide line in the coastal villages of Ambathur Taluk, Thiruvallur District</li> <li>- 7552 houses constructed at massive relocation site without proper community consultation and poor basic amenities</li> <li>- Houses of just 234 Sq. Ft to be built</li> <li>- Ennore Express way to displace families</li> <li>- Families depending on fishing in the Creek faces lack of livelihood opportunities because of pollution</li> <li>- 2,500 acres of land under SEZ. Land filling for the same will affect the livelihood option of the people</li> </ul>

5	S. Antony Raj	Savier Koil Tsunami Nagar	Nagapattinam	Poor quality of house, no street, no drainage, no proper toilet, flooding and leaking in the roof
6	M. Kalyani	Meyyur Marathottam	Kanchipuram	<ul style="list-style-type: none"> <li>- 13 Tribal Villages of 339 families left out in relief, rehabilitation and reconstruction process</li> <li>- Even after 4 years relief is still a dream</li> <li>- Tsunami affected tribal villages without basic amenities</li> <li>- Petitions remain unheeded by the government officials</li> </ul>
7	J. Swapnasundari	Nochi Nagar	Chennai	<ul style="list-style-type: none"> <li>- Attempts to relocate dalits and minorities away to sub urban relocation sites 25 kilometers away from the coast</li> <li>- 322 dalit families evicted at early morning, rainy day in the middle of academic year even before the houses in relocation site was completed. People forcefully moved to houses without electricity, drainage connection and water</li> <li>- Different enumeration process for the dalits and the fishing communities</li> <li>- 70 dalits left without houses, still living in the streets in tents</li> <li>- Dalits left out in the enumeration process of housing</li> <li>- Government dividing fishing and non fishing communities</li> </ul>
8	T. Ramesh	Meenavor Colony, Tarangambadi	Nagapattinam	<ul style="list-style-type: none"> <li>- Exclusion of families in the list of housing, NGOs cheated the people with false promise</li> <li>- Government failed to provide houses for all the victims</li> <li>- Decline in fish wealth due to Naptha factory's effluents discharged without treatment into the sea</li> </ul>
9	Stephen Raj	Kannagi Nagar	Kanchipuram	<ul style="list-style-type: none"> <li>- 1300 families shifted to relocation site not constructed for them</li> <li>- Tsunami survivors made to pay 1,200 rupees to avail permanent houses within 3 months of the disaster</li> <li>- No rehabilitation/livelihood assistance even 4 years after tsunami</li> <li>- No basic services in relocation site already housing about 1 lakh population</li> <li>- Drop out of children, unemployment</li> <li>- 7 Anganwadi for a population of 80,000 people</li> <li>- 4 PDS for a population of 80,000 people</li> <li>- Hospital is about 15 kilometers away</li> <li>- Women deliver children on road</li> <li>- No access to transportation</li> <li>- No burial grounds</li> <li>- 4 pots of drinking water once in 4 days</li> </ul>

10	Muthu	Manamel Kudi	Pudukottai	<ul style="list-style-type: none"> <li>- Government forcing community to completely demolish the village for construction of houses</li> <li>- Rent of only Rs. 500 is paid every month. The amount is too meager, people not getting houses for rent in that price</li> <li>- 10 villages left out completely in the housing process</li> </ul>
11	Harikrishana	Pudunagar	Sirkali	<ul style="list-style-type: none"> <li>- 1173 houses were completely washed away in the tsunami, only 725 was constructed by NGO and under Rajiv Gandhi Trust 58 houses was constructed. The newly constructed are 2 kilometers away from the coast and hence they are facing livelihood problems. There are 390 left out families and they are demanding in-situ permanent houses for these families</li> </ul>
12	Bhagyawathi	Light House Kuppam	Thiruvallur	<ul style="list-style-type: none"> <li>- 107 houses in Light House Kuppam left incomplete</li> <li>- In the 33 villages (Near Pulicat) with a total population of 7271 families of which only 3194 people are allotted houses and almost 50% of the people, that is 4005 families are left out in the government's housing process</li> <li>- Single women left out in housing process</li> <li>- Pollution of Pulicat Lake affects livelihood</li> </ul>
13	Devi	T. R Pattinam	Karaikal	<ul style="list-style-type: none"> <li>- Relocating fishing communities beyond 2 kilometres affects livelihood especially that of women</li> <li>- Houses constructed in low lying area – Leaking roofs and flooding</li> </ul>
14	M. Azhliappan	Chinna Mudaliar Chavadi Kuppam	Villupuram	<ul style="list-style-type: none"> <li>- House pattas are distributed but construction of houses are not completed</li> </ul>
15	K. Sampath	Puthu Kalpakkam	Kanchipuram	<ul style="list-style-type: none"> <li>- 40 acres procured for desalination unit that destroys livelihood of the people</li> <li>- 5 creeks polluted by industries and sewage waste</li> <li>- Thermal power plants displace people and destroy livelihoods</li> </ul>