

# The State and Civil Society in Disaster Response

An Analysis of the  
Tamil Nadu Tsunami Experience



TATA INSTITUTE OF SOCIAL SCIENCES

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**CARE**, the humanitarian organisation fights poverty in over 70 countries worldwide. In India, CARE focuses its efforts on improving the well being and social position of vulnerable people especially women and girls. In the aftermath of the tsunami, CARE provided immediate relief to meet the basic needs of survivors and will be working in Tamil Nadu, Andhra Pradesh, Pondicherry and the Andaman and Nicobar Islands to build transitional and permanent shelters, install water and sanitation systems, provide psychosocial care, restore education and health services as well as rebuild livelihoods.

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## Foreword

*This report comes a year after the tsunami. The intervening period has seen government and non-government institutions and agencies as well as individuals produce a large amount of literature on several dimensions of the tsunami, ranging from its causes, impacts, and the social, economic, political, environmental, institutional and technological aspects of the responses. Much of this literature aims at an analysis of the interventions of the organisation from whose work the report emerges, or focuses on specific aspects and dimensions of the tsunami's impact, consequences and response.*

*The primary objective of this report is to bring together the experiences and learnings of a range of actors affected by, and involved in the disaster response in order to identify factors that have influenced both positive and negative outcomes in the course of relief, rehabilitation and recovery. Striking a balance between depth and expanse, the report covers some of the most critical areas, including issues and experiences related to relief and compensation, rehabilitation in the areas of housing and livelihoods, exclusion and vulnerability, community responses, and an assessment of State and civil society responses with a focus on several institutional and process related elements, including autonomy, co-ordination and interface, people's participation, and transparency and accountability. This report, by no means, lays claim to containing an exhaustive examination and analysis of all aspects of the impact of and the response to the tsunami, but rather seeks to build on existing analyses and knowledge resources, developing new insights and deriving lessons that need to be taken forward.*

*This report relies on fieldwork, and also draws from the wealth of material available with government and non-governmental agencies and institutions on the tsunami, its impact, and state and civil society response. The extensive database developed by the network of Tamil Nadu Schools of Social Work, in collaboration with the Tata Institute of Social Sciences, was also used. Two rounds of fieldwork were conducted for this report in October and November 2005, which involved visits to Kanyakumari, Nagapattinam, Cuddalore and Chennai districts in Tamil Nadu, and Kollam in Kerala. In the course of fieldwork, interviews and discussions were conducted with a range of government officials, representatives of diverse civil society organisations and affected people, journalists, independent experts and others.*

*The structure of this report is built around a discussion of key areas of concern that are presented as discrete sections. Each section covers one major field of experience or area of concern or intervention. The report begins with a discussion on the immediate response, and following this, looks at substantive issues in relief and rehabilitation, including the aspects of housing and livelihood restoration. There is also an examination of issues relating to the processes of verification of losses and accessing entitlements, as well as corruption in aid delivery.*

*This is followed by a section on vulnerable and marginalised groups, as well as a discussion on community responses and the social impact of the tsunami on the fishing community. While a certain amount of reiteration of important concerns is both necessary and inevitable, the choice of case studies and narratives presented in the report detail experiences that are not commonplace and that have not featured much in other documentations of the tsunami response.*

*The exploration of people's experiences sets the stage for an analysis of the State and civil society responses to the tsunami respectively. These last two sections focus on highlighting the strengths and weaknesses, as well as innovations and opportunities in the overall institutional response and approach of both government and non-government actors to relief, rehabilitation and reconstruction work, following the tsunami. The report concludes with an overview of the salient issues and key lessons learnt.*

*Krithika Srinivasan, Karthik Venkatesh and Vijay Nagaraj undertook the field work and the writing of this report.*

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## Executive Summary

This report is essentially a macro analysis of State and civil society response in Tamil Nadu to the tsunami of December 26, 2004. The report incorporates an overview of State and civil society tsunami response interventions and discusses issues related to vulnerability and exclusion. It brings together the experiences of affected people and a range of actors involved in tsunami response to arrive at an understanding of institutional factors that influence effectiveness and reach of the relief and rehabilitation processes. These analyses are undertaken with the objective of identifying lessons that can be taken forward and provide direction to not only the ongoing rehabilitation and recovery processes, but also to future disaster situations.

Some of the key, overarching findings and lessons emerging from Tamil Nadu's experiences in tsunami response are:

1. Efficiency and efficacy in tsunami response can be directly attributed to a responsive and proactive government that devolves powers and responsibilities to the bureaucracy involved in disaster response. The Government of Tamil Nadu is to be noted for its proactive engagement and quick decision-making, backed up by support from various sources.
2. The Government of Tamil Nadu also demonstrated that institutional autonomy and decision-making, free of political interference, are crucial in fostering people sensitive and effective relief and rehabilitation.
3. Post-disaster situations are characterised by flux, and a great deal of flexibility with regard to the nature of intervention, budgets and timelines is required to allow for adapting of programmes to address ground level realities, as well as the true needs of people and to encourage people's participation. The rehabilitation policy has evolved continuously taking affected peoples' concerns into account. It is vital to maintain such flexibility at the implementation stage in order to address peoples' felt needs.
4. A vibrant interface and partnership between the State and civil society is critical to ensure that people's concerns are addressed by both policy and practice and to minimise corruption. The State played a vital role in promoting these synergies as demonstrated in several districts. Equally important is the necessity for civil society organisations to engage constructively with both the State and each other.
5. Coordination, dialogue and information sharing between civil society organisations is necessary to avoid problems related to duplication, wastage of resources, competition and differences in approach. Such networking between organisations working towards a common goal will serve to not only optimise and maximise individual efforts, but will also go a long way in ensuring accountable and transparent disaster response interventions.
6. Rehabilitation policies need to be overarching, addressing the long-term recovery of affected communities in all sectors – habitat, social and economic capabilities, and ecology and environment to name a few.
7. Relief efforts must address issues related to quality of temporary shelters, and the extent of initial penetration of relief to vulnerable groups and isolated communities. In order to do so effectively, it is essential that a balance be struck between the need for effective planning and the imperative of taking urgent and immediate measures.
8. Housing reconstruction in a public-private partnership framework appears to have worked well in terms of ensuring rapid reconstruction. Its effectiveness and quality can be better achieved through adherence to basic standards, and structured monitoring and third party auditing. Issues such as state-supported housing rehabilitation for people living within 200 metres of the high tide line, people's participation in planning and implementation, and ownership of reconstruction programmes continue to be of concern, and need to be addressed further.

9. A great deal of effort has gone into the restoration of fishing livelihoods by replacement /compensation for lost assets. At the same time it is important that the livelihood concerns of the non-fishing coastal communities affected by the tsunami, especially salt pan workers, service providers, petty traders and those dependent on agriculture, require greater attention.
10. For rehabilitation to be most inclusive, it is vital that it is driven by a deeper understanding of the coastal society, economy and ecology as one that goes beyond fishing and is built around the broader conception of 'coastal communities', and by a wider definition of a 'tsunami-affected person'. In this regard, the institutional policy framework is still evolving.
11. An inclusive relief and rehabilitation process is contingent upon: (a) institutional sensitivity to existing vulnerabilities; (b) availability of detailed and disaggregated geo-demographic and socio-economic records that reflect vulnerabilities; (c) an inclusive definition of 'affected' that is not entirely based on asset loss; and (d) flexible and adaptable relief and rehabilitation implementation systems and procedures that evolve with changing conditions.
12. The need for disaster preparedness has been emphasised by the tsunami. Preparedness is required at various levels: (a) community preparedness to respond; (b) vulnerability reduction; (c) institutional preparedness to respond in terms of infrastructure and trained personnel; and (d) early warning and evacuation systems.



## 1. The Tsunami and After: An Overview of Impacts and Response

### 1.1 A Summary of Major Impacts

It was a devastating earthquake off the coast of Sumatra in the Indonesian archipelago, of magnitude 9.0 on the Richter Scale, followed by one of magnitude 7.3 on the Richter Scale 81 kilometres off Pulo Kunji, Great Nicobar, India, and nearly 115 aftershocks that resulted in massive tsunamis in several countries in South Asia and East Africa – Indonesia, Sri Lanka, India, Thailand, Somalia, Myanmar, Maldives, Malaysia, Tanzania, Bangladesh, Kenya and Seychelles. The tsunami left in its wake a tale of death, destruction and tragedy. The waves travelled nearly 5,000 kilometres, and in some places reached heights of more than 10 metres. It is estimated that more than 222,000 people lost their lives and approximately 40,000 people were missing. Indonesia had the maximum deaths, followed by Sri Lanka and India.

In India, the tsunami affected nearly 2,260 kilometres of the mainland coastline – Tamil Nadu, Kerala, Andhra Pradesh and Pondichery, as well as the Andaman and Nicobar Islands, with tidal waves up to 10 metres high penetrating up to 3 kilometres inland, taking at least 10,881<sup>1</sup> lives and affecting more than 2.79 million people across 1089 villages.<sup>2</sup> 5792 persons were reported missing, with 6913 injured.<sup>3</sup>

Overall damages across India are estimated to be worth US \$574.5 million, while losses are estimated to be US \$448.3 million. The largest proportion of the damage is concentrated in fisheries, housing and infrastructure, and private asset damages related to coastal fisheries. The sectors of agriculture and micro-enterprise livelihoods have also suffered losses. Tamil Nadu has suffered losses of nearly US \$195.17 million, in the housing sector with nearly 130,000 housing units being affected.

The tsunami has also had several environmental impacts such as the generation of debris and rubble, erosion or accretion along the coast, sedimentation of lagoons and waterways, salinisation of agricultural lands and ground and surface water resources and impacts on fish populations. Secondary impacts due to temporary shelters, changes in land use, reclamation of affected agricultural land can also be expected.

### 1.2 State Response to the Tsunami

At the very outset, it is important to stress that, as a phenomenon, the tsunami was one that was beyond the pale of experience, and perhaps even the understanding of the State apparatus that is used to being faced with cyclones and floods. In one fell swoop, the tsunami virtually cut off large parts of the coast from the rest of the State and also destroyed the communications infrastructure. The fact that it struck thickly populated coastal areas meant that it plunged large sections of the population into sheer panic and fear. Coming as it did in the middle of a holiday season, a day after Christmas, this fact made the situation that much more difficult to deal with.

Despite the almost inevitable hiccups of lack of communication and poor information, largely owing to breakdown of communication channels, the administration at the State and District levels swung into action very quickly. The pace was set by the State administration in Chennai. As it became clearer that a major disaster was unfolding, the Tamil Nadu administration, led by the Relief Commissioner in Chennai and the Collectors in the Districts, began to respond.

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1 The human toll data is taken from the United Nations Disaster Management Team (UNDMT) Situation Report dated February 11, 2005, which is based on Government reports.

2 [www.undp.org](http://www.undp.org)

3 Asian Development Bank, United Nations and World Bank, 2005, India Post Tsunami Recovery Program: Preliminary Damage and Needs Assessment.

To enhance the response capacity of the administration a number of carefully chosen personnel were put in place at various levels and also given considerable decision-making powers. Through Government Orders (GOs), ex-gratia, and other immediate relief was granted, while the administration with considerable help from civil society organisations, engaged in rescue and relief operations.

From an early stage, the administration, in general, seemed open to working with a range of civil society groups. Over a relatively short period of time, co-ordination mechanisms were established at the District levels to better leverage the expertise of civil society and optimise use of resources. It is clear that State policy, articulated through numerous GOs since the tsunami, has been constantly evolving in response to civil society feedback, one clear indicator of the responsiveness of the State.

Over the last year, at the level of both policy and practice, partnership between the State and civil society has been institutionalised in key areas such as housing reconstruction, livelihood rehabilitation, people's participation, etc. The willingness of the State Government to actively involve civil society, coupled with its own initiatives to enhance transparency, has gone a long way in keeping corruption in check, enhancing the scope for a more participatory and accountable relief and rehabilitation process.

### **1.3 Civil Society Response**

The civil society, in India and abroad, also rose to the occasion, with communities, private individuals, bilateral donor agencies, international, national and local non-governmental organisations (NGOs) and the corporate sector mobilising to respond to the needs of the tsunami-affected areas.

To begin with, civil society organisations brought in with them substantial amounts of resources and expertise to help provide immediate relief to the affected people. The early and rapid response helped create space and time for both the government and communities to seek more effective ways of responding to the multiple impacts of the disaster. The work of a large number of civil society actors, in particular NGOs and international NGOs (INGOs), has enhanced the overall effectiveness of the relief and rehabilitation efforts.

Another very significant overall contribution of the civil society actors has been to inform the evolution of the State's response, helping build relevance to the government policies. Sections of civil society that were able to rapidly mobilise national and international expertise in dealing with such disasters complemented those actors who had a strong local presence in affected communities. Civil society interventions have paved the way for the adoption of a more participatory and inclusive relief and rehabilitation process.

The active involvement of civil society actors has also ensured better monitoring and besides allowing for constant vigilance and feedback, it has ensured that good policy intentions are actually realised on the ground. A vibrant partnership between civil society actors and the State, as well as co-ordination between various civil society organisations at the District and State levels has been an important factor in enhancing the effectiveness of relief and rehabilitation interventions.

Another very significant contribution of civil society organisations has been their ability to bring to the fore the importance of addressing the less visible dimensions of the impacts. Civil society advocacy has been critical in highlighting concerns of those on the margins of society and the less visible victims of the tsunami. Addressing exclusion arising from gender, caste, class, occupation, geographical isolation or other factors has been a vital contribution.

### **1.4 Looking Back to Look Ahead**

The tsunami left in its wake unprecedented destruction of life and resources and posed a huge challenge to the State and civil society, both of whom have demonstrated a positive intent as well as informed and decisive action. It is clear that a synergy of their mutual

strengths has been an important factor in ensuring the development of a meaningful and strategic response. And this is not restricted to relief and rehabilitation alone; for instance, despite thousands being housed in relief camps and temporary shelters and extensive destruction of essential infrastructure, the fact that there was no large-scale public health (epidemiological) crisis is a reflection of the efficacy of the State-civil society effort.

Every disaster brings with it more lessons and more insights in enhancing levels of preparation, response, management and, indeed, prevention. The tsunami is no exception; rather, given its magnitude, it constitutes a fertile learning ground for both state and non-state actors. Despite the many positives outlined above that characterise the response of the State and civil society actors, there are many vital lessons to be learnt and it is in pursuit of this objective that the sections that follow critically delve into some of the key aspects of the State and civil society response to the tsunami.

## 2. Immediate Response and Relief

The tsunami has brought to the fore a whole lot of issues associated with the organisation and provision of relief to the affected.

In the initial phase, i.e., the immediate couple of hours after the tragedy, the nature and extent of the devastation was incomprehensible to all the actors save the affected. Information flow was marred by inconsistencies and a general inability on the part of the district administration to understand the tragedy. A number of other seemingly minor issues plagued the administration initially. In Kanyakumari district, the situation was compounded by the fact that in this heavily Christian district, much of the official machinery could not be kick-started as key officials were away for Christmas. Cuddalore and Nagapattinam fared a little better on account of their having recently gone through a round of floods. While this ensured that there was an element of preparedness in the district administration, the sheer dimension of this tragedy warranted a much more comprehensive and wide-ranging action than could be delivered initially by the administration. Cuddalore also perhaps benefited by the fact that the District Collector had witnessed the impact of the tsunami first hand at Mahabalipuram and so had a better inkling than the others of what could possibly have transpired along the coast. The full nature of the tragedy became clearer in the early hours of the noon after which the Cuddalore and Nagapattinam administrations were kick-started into rapid action. The first GO issued by the government is dated 28/12/04 about 48 hours after the tragedy. Government Orders 574 and 575 are both dated 28/12/2004 and they detail the release of Rs. 1 lakh as ex-gratia to the kin of deceased and a relief package of clothes, food and other essentials.

The relief phase saw the government, NGOs, local public, religious groups and hospitals launch an intensive effort to rescue people; retrieve and cremate or bury bodies; clear debris; transport people to relief camps, organise medical facilities; make arrangements for food, water and sanitation facilities, and extend psychosocial care. Electricity, transport and communication lines were restored; and special measures taken to avoid a public health crisis. The Armed Forces were brought in for search and rescue operations, and stayed on to facilitate evacuation, debris and body removal, and organisation of relief camps.

The Nagapattinam and Cuddalore administrations were particularly effective in coordinating relief activities. They established timely linkages with civil society organisations working in the area, and attempted to organise relief operations by allocating different tasks and locations to different groups. In Kanyakumari, it was the Church that was the main coordinating body in the initial days. The Church was effective as it had the resources and funds as well as contacts and networks to act fast, and reach all affected places.

The process of registering oneself as tsunami-affected seems to have begun with government officials moving into the affected areas and evacuating people. The time period for this varied depending on accessibility of the village and information reaching government

officials. With civil society organisations and the general public also stepping into relief distribution, some piquant situations were created. In many affected places, village heads were ready with cyclostyled lists of names of the affected, and insisted that relief be distributed only if there was enough for all – even the not so badly affected – so that conflict was avoided. Trucks were sent back even if there was marginally less available. In some cases, relief was stored till enough was brought for all, and then distributed. While the spirit behind such actions is laudable, this attempt at ensuring a level playing field is bound to have had serious consequences for the severely affected. Also, there were specific complaints of trucks being hijacked by powerful villages, powerful communities and/or powerful families. Some organisations went to the government for help, who then provided escorts to specific villages. Among the urban-affected, the approach was a lot more aggressive. Often the police had to be called to maintain order during relief distribution.

Relief material was often in surplus, with people getting excess of the same material which they sold for cash. Many civil society organisations dumped old clothes in relief camps and this has come in for criticism from all quarters. Many old clothes were unfit for use and had to be discarded. Many of the affected also refused old clothes. Their disposal was yet another task for the administration.<sup>4</sup>

In the initial days, relief was given only to those registered as tsunami-affected; and only people living on the coast were allowed to register as such. Non-registered people were not even allowed to enter relief camps. Also, people who had fled their homes post-tsunami, and returned after a few days had considerable difficulty registering themselves.

It is also reported that the initial stages of relief work saw aid reaching only fish worker communities.<sup>5</sup> While it is true that these fishing villages have suffered the most in terms of loss of life and property, it is equally important to note that several other communities<sup>6</sup> have totally lost their means of livelihood and face extremely uncertain futures.

Relief supplies often did not reach villages that were situated at a distance from the main road. There are also reports that non-governmental agencies seeking to ‘adopt’ villages, preferred to work with only small villages, as there are fewer families to take responsibility for, with the result that there was an unequal distribution of aid among the affected communities, causing friction among bigger and smaller communities.<sup>7</sup>

One peculiar phenomenon noticed was that of the sharing of relief packages by landlords and tenants. This was seen in Chennai, where typically owners of houses in the fish worker *kuppams* (settlements) live in better localities, renting out their hutments to others. In such cases, relief packages have been shared equally between the owner and tenant. A more serious issue is that of housing rehabilitation. People who were residing as tenants in these *kuppams* were unsure as to whether they would be eligible for rehabilitation packages, given that the house is in someone else’s name.

While initially schools, colleges, marriage halls and many other types of spaces functioned as relief camps, people were soon moved out to temporary shelters. With regard to temporary shelters, haste appears to have undone an otherwise well-framed policy. The GO issued on 06/01/2005 specified that they needed to be ready by Pongal, i.e., the 15/01/2005. The location and the construction of many of the temporary shelters left a lot to be desired. Tar sheets were used in many places resulting in highly inadequate and uncomfortable shelters.<sup>8</sup>

4 It is reported that the Nagapattinam administration raised Rs. 1,500,000 from an auction of these donated clothes. This sum was used for other relief expenditure.

5 See Section 7 for detailed discussions on vulnerable groups and exclusion.

6 Such as agricultural labourers and petty shop owners.

7 Srinivasan S., 2005, Tsunami Relief with Understanding, *The Hindu*, 14 July.

8 The decision to use tar sheets, and not thatch, was taken in light of the Kumbakonam fire tragedy in which a thatched school roof caused the death of several children. However, these tar sheet shelters did not work well in this situation, and later thatch was added on top, making them much cooler.

Uniformly, temporary shelters were very hot, badly ventilated, did not have flooring, had poor toilet and sanitation facilities especially for women, and were dungeon-like in appearance with very little natural sunlight, and with a bulb or two expected to be sufficient for lighting. There were usually no facilities for garbage removal, and in some cases, no electricity connections as well. It is necessary to mention here that toilets and bathing areas have remained unused in most temporary shelter camps because they lack drainage and do not have regular water supply.

The experience undergone by Chennai's affected communities in temporary shelters was perhaps the poorest. Chennai's affected were accommodated in temporary shelters in Kargil Nagar and Kannagi Nagar, with some of them being given permanent housing in Tamil Nadu Slum Clearance Board tenements. While the infrastructure in both Kargil and Kannagi Nagar was poor, the larger issue was the poor choice of location. Kargil Nagar is situated in a waste water ditch and Kannagi Nagar in a dry lakebed. Both these places were flooded during the recent rains. Kargil Nagar was also plagued by fires necessitating the provision of relief all over again.<sup>9</sup> With their lives already severely affected by dislocation, their evacuation twice over largely due to mismanagement has greatly hampered their return to normalcy. Further, these sites are located in the outskirts of the city, thus making it difficult for people to return to work. Many women who used to work as household help are now forced to stay back due to the distances they would need to travel. Many people are also hesitant to leave the camp during the day for fear that they would miss out on officials who come to conduct surveys, identify beneficiaries or distribute aid. Sending children to school is also problematic given irregular transport services.

'Temporary shelters' appears to be a very ambiguous term that does not carry a specific time-tag. Close to a year after the disaster, many families continue to reside in these shelters. Indications are that many would be forced to continue in these shelters for at least three to six months more. In the light of this, greater attention needs to be paid to temporary shelters being made more habitable.

Some civil society organisations involved in temporary shelter construction have been proactive in steadily upgrading the quality and facilities of temporary shelters after the initial construction, in keeping with the needs of people. For instance, in one particular case, water connections were provided in toilets when women expressed the need for the same. Incinerators for waste disposal, specially constructed toilets to prevent contamination of ground water in areas with shallow water tables, provision of adequate spacing between shelters, etc., are other examples of efforts taken by NGOs to adhere to SPHERE<sup>10</sup> standards and to provide people with shelters that are comfortable and suitable to their needs.

### 3. Compensation and Ex-Gratia

The Government of Tamil Nadu (GoTN) was extremely prompt in announcing ex-gratia for tsunami-related loss of life and injury. The Central Government sanctioned an additional sum of Rs. 100,000 as ex-gratia to the next-of-kin of the deceased. In case of missing persons, 50 per cent of the ex-gratia amount is paid to the next-of-kin after enquiry and verification, with the balance being released nine months<sup>11</sup> after payment of the first instalment. All these

9 It is reported that while the first fire was an accident, the following two were deliberately set as everyone wanted the relief packages distributed to those affected by the first fire – one more instance of the pernicious consequences of humanitarian aid.

10 The Sphere Project was launched in 1997 to develop a set of universal minimum standards in core areas of humanitarian assistance. The aim of the project is to improve the quality of assistance provided to people affected by disasters, and to enhance the accountability of the humanitarian system in disaster response. The Humanitarian Charter and Minimum Standards in Disaster Response, commonly known as the SPHERE standards, are the product of the collective experience of many people and agencies.

11 The stipulation of 7 years as "presumption of death" period as per Hindu Succession Act and Indian Evidence Act is not being followed in the case of persons missing in the tsunami.

payments are made by cheque and are deposited in savings accounts in banks or the post office. The Central Government ex-gratia payment is credited directly to the bank account of the next of kin. The State Government is certainly to be appreciated for its immediate action. There has been feedback from the affected communities and some organisations that worked closely with them in the initial days that ex-gratia payment-related announcements could have been postponed for a few days, giving the communities time to grieve and recover. With the ex-gratia amounts being sanctioned, the affected populations were flooded with government and non-state organisations conducting all manners of surveys to assess impacts. People were also forced to immediately set to the task of claiming compensation - filing first information reports (FIRs, getting certificates from Village Administrative Officers (VAOs) and community leaders, filling forms – activities that were a little overwhelming in the wake of the tsunami. There have also been cases of people who have been unable to access compensation and ex-gratia as they were either not present when the initial surveys were done, or failed to file FIRs in time. Problems have also arisen when people have died due to tsunami-caused injuries at a later date. The ex-gratia announcement process could be re-looked to see how improvements could be incorporated.

*Venmathi's husband was hit by a catamaran when the tsunami entered Samiaarpettai village in Cuddalore district. At that time, there seemed to be no serious injury, just a nagging pain on his shoulder, where the catamaran had hit him. Venmathi's family set to the mammoth task of rebuilding their lives after the tsunami. A few weeks later, Venmathi's husband experienced increased pain in his shoulder. Over the next two days, paralysis set in, and he was rushed to the General Hospital in Chennai, where he died the day after he was admitted. In their hurry to take the body back home for cremation, no post-mortem was conducted.*

*Venmathi, left to fend for herself and her two small children, applied for ex-gratia and for compensation for several assets that they had lost in the tsunami. The first hurdle lay in proving that her husband had died due to a tsunami-caused injury. The general belief was that people either 'survived or died' in the tsunami; people did not get hurt and die later. Venmathi's husband died nearly a month after the tsunami, and the lack of a post-mortem made establishing that it was a tsunami death even more difficult. Every visit to the Collectorate results in more demands for various documents and medical records. Nearly a year of the tsunami, despite having met the Collector personally, Venmathi is still to receive any ex-gratia for her husband's death.*

*At the time of the tsunami, Venmathi's family was getting a 'pucca' house constructed under the 'colony housing' scheme offered by the Fisheries Department. They were living in a hut next to the construction site. The waves washed away their hut and all their possessions, but they found themselves ineligible for any housing-related rehabilitation or damage compensation as their half constructed house wasn't completely damaged. All would not have been lost if the construction had continued after the tsunami. But for some strange reason, all work on the house stopped after the tsunami. Repeated attempts to find out when the work would resume led no where. Venmathi's husband had a catamaran that he used to take to a nearby river for freshwater fishing. The catamaran was lost in the tsunami, but as it wasn't located at the village at that time (but at the riverside), the VAO and traditional panchayat leaders refused to certify the loss, thus depriving them of compensation for this asset as well.*

*Venmathi did manage to get a widow's pension of Rs. 200 per month, but this is grossly inadequate, particularly given that her children are in schools that have refused to abide by the GO that all children from tsunami affected families are to be exempted from school fees for the entire academic year.*

## 4. Rehabilitation

### 4.1 Housing

According to the GoTN, the tsunami left over 130,000 houses in need of reconstruction and an excess of 10,000 in need of repairs. Given the nature and extent of destruction wrought by

the waves, the post-tsunami rehabilitation has necessarily involved large-scale investment in housing reconstruction and repair. The GoTN has chosen to undertake tsunami-related housing rehabilitation through public-private partnerships with corporate bodies, non-governmental bodies, religious trusts, etc. in keeping with its policy to actively engage with and enlist the support of civil society organisations for tsunami relief and rehabilitation.

#### **4.1.1 The Policy Framework: Relocation, In Situ Rehabilitation and Coastal Regulation Zone Issues**

The GoTN first issued GOs 25 and 26 (dated 13/01/2005) that detailed the modalities of housing and infrastructure reconstruction through public-private partnership. These GOs invited civil society organisations to partner with the state in rehabilitation, and laid down conditions with respect to minimum investment in rehabilitation – housing, infrastructure and livelihood. For a project proposal to be eligible, the rehabilitation package offered by the proponent had to be above Rs. 7,500,000 for habitat reconstruction, or above Rs. 500,000 for specific projects such as schools, hospitals, etc. Rehabilitation as envisaged by these GOs included permanent relocation of the affected communities as well, with the government providing the land for the housing sites and common infrastructure.

These GOs created immediate tensions on the ground, with affected communities, activist organisations, and others involved in relief and rehabilitation questioning the motives of the government in making relocation a part of the rehabilitation process. These tensions were aggravated by a circular<sup>12</sup> issued from the Relief Commissioner's office that implied the possibility of compulsory eviction of fish worker communities as a part of the relocation process.

Relocation was strongly opposed primarily on the grounds that it would have a direct, negative impact on livelihoods, fishing being an occupation requiring proximity to the sea. There were also accusations that the government was attempting to clear the fish worker communities using the Coastal Regulation Zone<sup>13</sup> notification as an excuse to make way for tourism-related and other lucrative projects. However, the CRZ notification, while not permitting any new construction between the low tide line and the high tide line, allows for repair of existing structures, and further does not in any manner ban fish worker settlements, or fishing-related activities like fish drying, storage of craft and nets etc., in these areas. In the light of these facts, the government's move to relocate the fish worker communities was received with a great deal of suspicion and protest, and ultimately, in the face of strong opposition from civil society, GO 172 on housing rehabilitation was issued.

Government Order 172, while retaining the essence of the previous housing policy in terms of public-private partnerships, modified the relocation issue, making it optional for people residing within 500 metres of the high tide line. This GO addressed three categories of houses: within 200 metres of the high tide line, between 200 metres and 500 metres of the high tide line, and beyond 500 metres of the high tide line. People with houses within 200 metres, both damaged and undamaged, were given the option of relinquishing<sup>14</sup> the site and the house in return for a new house worth Rs. 150,000 beyond the 200 metres zone. Families that were not willing to relinquish their property would be permitted to continue in the existing location, but would not receive any assistance<sup>15</sup> from the government. People with damaged houses between 200 metres and 500 metres were also given the option of moving

12 Lr.No.OSD (RR)/Relief/2005, dated 19.01.2005 D.O. Lr.No. OSD (RR)/Relief/2005, dated 21.01.2005.

13 The CRZ notification, issued in 1991 under the Environment Protection Act, 1986, regulates the types of activities and land uses permitted in the coastal zone (upto 500 metres of the high tide line).

14 The right to use these sites to store their craft and other fishing equipment, however, remained with the community.

15 Given the fact that most housing repair and rehabilitation is being undertaken by NGOs, the clause that government assistance will not be available for reconstruction within the 200 metres zone is meaningless on the ground.

beyond 500 metres, though if they did not wish to move, also had the option of in situ house reconstruction or repair supported by the government. Houses beyond 500 m that were damaged by the tsunami would be repaired or reconstructed in situ.

Land required for relocation would be provided by the government, while civil society organisations were expected to come forward and enter into partnership with the government, and undertake and fund the reconstruction and repair. If for a particular habitation no civil society organisation came through to undertake construction, then the house owners would be permitted to undertake repair and reconstruction themselves, with financial assistance from the state. The government would undertake building only in cases in which both the civil society organisations and beneficiaries were not forthcoming.

The implementation of this new policy was not without complications. The strong incentive to move beyond 500 metres – the promise of land and a house – resulted in communities wanting to relocate completely, with the hope of ultimately possessing two houses at the back of their minds, i.e., they wished to acquire the new property without relinquishing the old one. Further, in many cases, particularly in Kanyakumari district, the land on which the original house was situated belonged to the church, putting into question the legal standing of any document given by the beneficiaries relinquishing their rights over the land. The prospect of relocation is leading to caste-related problems. Historically, fish worker settlements have been found right next to the sea, with other settlements being found landward. With certain communities opting for relocation, identifying suitable sites became problematic as often other communities were found between the new site and the sea. In some cases, when the relocated fish worker settlement site found itself leeward of Dalit settlements, the problem took on caste overtones, and in some instances has required relocation of the Dalit settlements<sup>16</sup> also.

In addition, district administrations across the State, given the scarcity of land and high land prices on the coast, have found it increasingly difficult to acquire land for resettlement, despite a special directive permitting them to acquire land through private negotiation at rates up to 200 per cent<sup>17</sup> of the market value or guideline value. In fact, most district administrations informally encourage communities to opt for in situ rehabilitation. When communities insist on relocation, or when in situ rehabilitation is not possible due to other reasons, in many cases, especially in Kanyakumari where land is extremely scarce<sup>18</sup> and expensive, communities have contributed to the land cost in order to acquire a site of their choice. Donor organisations have also contributed to land costs in some instances.

#### CONSTRUCTION OF SEA WALLS

*After the tsunami, a lot of investment is being planned for the construction of sea walls, the merits and demerits of which are still under debate. The desire to protect oneself from the sea by means of physical barriers was an immediate response to the tsunami, with several seaside communities placing pressure on the government to build sea walls. The government has taken this up as a priority issue, but unfortunately, without researching the pros and cons of seawalls adequately, and without carrying out the construction in an integrated manner.<sup>19</sup> Sea walls are recommended only for certain parts of the coast. Further, sea walls, while they protect the part of the coast they are built in from the*

16 These settlements, not having been directly affected by the tsunami, were not eligible for rehabilitation, and therefore their relocation and reconstruction were taken care of completely by civil society organisations.

17 The compensation payable under the Land Acquisition Act, 1894, is 142 per cent, which includes 100 per cent land value, 30 per cent solatium, and 12 per cent additional market value.

18 Acquiring land in Kanyakumari for resettling fisher folk communities is extremely complex as the densely populated, 200 metres wide and 68 kilometres long coastal belt is flanked by the sea on one side and private land on the other. These private lands are largely owned by Hindu populations who are hesitant to sell their land for resettlement of the mostly Christian fisher folk population.

19 This means that the entire coast line would have to be protected with a sea wall, but even if this was done, the impact would be taken by the coast of the adjacent state, or perhaps even the country.



*waves, typically make the sea hit the adjacent part of the coast or the adjacent village with even more force; sea walls usually result in severe sea water intrusion and damage in the adjacent village – in one area, more than 50 metres of beach has been lost in less than seven months due to the sea wall built in the neighbouring village. In addition, sea walls need to be constructed with care, the process being done in three stages. Issues related to access to the sea also come up in villages with sea walls.*

*Before the tsunami, some villages in Kanyakumari (e.g: Kizhamanakuddy) did have sea walls, though improperly constructed, and these crumbled under the impact of the waves, causing injury and even death. People living along the coast and environmentalists have suggested alternatives – one is of course developing natural barriers such as mangrove forests and other bio-shelters along the coast.<sup>20</sup> Hook jetties or thoondilvalaivus usually built for fishing boats are also supposed to be very effective in breaking the force of waves, and an option recommended by many fish worker communities. At this juncture, given the many uncertainties that exist regarding the efficacy and safety of sea walls, it is vital that the government carefully research the subject, explore alternatives, and make use of traditional and scientific knowledge before continuing to invest in them as a means of protecting the coast.*

#### 4.1.2 Major Obstacles and Bottlenecks

Housing reconstruction has been progressing at different paces in different parts of the state. In places like Chennai and Tiruvallur where identification of alternative sites is problematic given the urban setting, permanent housing construction<sup>21</sup> is yet to begin. In Nagapattinam, Cuddalore and Kanyakumari, the progress is much faster, though in many places the process is often held up due to difficulties in land acquisition that in turn cause delays in allocation (of habitations to civil society organisations). Delays have also been caused because of sites-related problems – often low-lying areas are allocated, and the implementing agency asked to take responsibility for levelling. Donor agencies at times object to having to invest in this as the Memorandum of Understanding on Public-Private Partnerships (MoU) clearly states that the government would provide land and necessary infrastructure. Implementing agencies have, therefore, formally requested administrations to ensure that the sites are adequately prepared before allocation. When it comes to site selection, specifications regarding distance from sea and elevation are often not followed, and quality of land is at times not acceptable – for instance, wetlands and salt pan lands have been allocated in some districts, and these are unsuitable for housing given the nature of the soil.

Allocation has also been held up due to problems related to false claims, and communities withdrawing their approval of sites after initially granting the same, or changing their preference regarding ex situ or in situ rehabilitation. In several areas, affected communities that have the resources have started rebuilding their houses on their own. It is also reported that in villages where housing reconstruction is controlled by the parish council, each household is asked to contribute a certain amount in order to be allocated a house, and this amount is added to the parish fund.

In addition, the question of the ultimate fate of the land remains a prime concern, particularly with aquaculture farms and tourist resorts mushrooming across the coast, and with the State Government exhibiting no political will to check these. Even though GO 172 provides for the entry of the vacated sites into the Prohibitory Order Book, the effectiveness of this in keeping the land from being diverted to other uses remains questionable, especially given the fact that the state government's Tourism Policy Note 2005-2006 that was notified a

20 Pichavaram was saved from much of the tsunami's impact thanks to the healthy mangrove ecosystem present along its coastline.

21 Immediately after the tsunami, there was a directive that recently constructed Tamil Nadu Slum Clearance Board flats were to be allocated to tsunami-affected people, raising the question as to what would happen to the original beneficiaries.

week after GO 172 was issued (includes a mandate to develop tsunami) affected areas into ecotourism zones.<sup>22</sup>

It must be mentioned at this juncture, that despite the several shortcomings of GO 172, in the current context, it does not appear to be completely unacceptable either, given the fact that the housing policy has to address several concerns, often conflicting, ranging from livelihoods and safety<sup>23</sup> to environmental and legal considerations. However, the fact that the government has taken a conscious decision to distance itself from the rehabilitation of people living in the 0-200 metres zone, a section of the affected population that is extremely vulnerable given its proximity to the sea, is a matter of concern. Both the State and non-State organisations need to remain vigilant to ensure that such vulnerable populations are not excluded from appropriate housing rehabilitation, and the government would have done well to rather adopt a policy that allows partnership with the people and civil society organisations to create disaster-resistant housing.

#### 4.1.3 *Revisiting the Private-Public Partnership Framework*

Moving beyond the relocation conundrum, while the housing rehabilitation policy can be appreciated for attempting to maximise civil society partnership, the inherent nature of the partnership appears to be one of ‘contractorship’ – civil society organisations are viewed by the MoU on public-private partnership as little more than housing contractors, and this is reinforced by the overemphasis on the monetary capacity of groups that wish to participate in the rehabilitation,<sup>24</sup> rather than factors such as experience in working in disaster situations, or with coastal communities. The policy has also favoured external organisation involvement over owner-driven housing rehabilitation.<sup>25</sup> The policy, however, includes several progressive elements such as mandates for disaster resistant housing, community participation, insurance and third party auditing for quality control.

The experience of public-private partnerships in housing reconstruction has been varied. While on the whole people are very appreciative of the role civil society organisations are playing in housing rehabilitation, there are reports of unnecessary delays in construction.

Participation of the affected community typically remains at a minimum, despite the MoU recommending early allocation and linking of sites with beneficiaries to allow them to be a part of the process right from the start. The implementing agency is required to finalise the design, layout etc in consultation with the community, though in reality, in most cases, the consultation process is often only on paper, or is done with only power centres in the community. In addition, there have been cases in which implementing agencies that have been allocated a relatively smaller number of houses in a habitation that has been taken up a larger player, have been told to adhere to the design and layout plans of the latter. The MoU also requires that wherever possible local people are hired for the construction work, but typically contractors bring in cheap labour from outside.

Organisations quote donor pressures to spend money within a limited time period, as well as pressure from the government to hasten construction<sup>26</sup> as making it difficult for them to instil participatory processes. However, it is also true that many agencies<sup>27</sup> have been successful in

22 Apparently four island communities in Cuddalore have been relocated to the mainland against their will, and these islands designated as tourist zones.

23 In Kanyakumari, a special directive was passed allowing for relocation of all houses, affected, and non-affected within 40 metres of the coast.

24 A minimum investment of Rs. 7,500,000 is required for eligibility. However, GO 342 allows organisations that wish to invest less than this amount to participate in the reconstruction as per the guidelines of the Village Self-sufficiency Scheme under which 100 per cent public contribution is envisaged. Some observers are also of the opinion that the clause regarding minimum investment is necessary from a logistical point of view.

25 The Gujarat experience shows that owner-driven housing, with financial and technical support from and monitoring by the State is often the best option for rehabilitation in terms of resulting in sustainable habitations that are in keeping with people’s needs.

juggling the competing demands of meeting deadlines, fostering participation and ensuring quality, so the issue actually seems to be one of will and motivation. It is feared that this lack of community involvement and participation could lead to divisions and tensions in the community when the time comes to allocate houses to individual families.

#### 4.1.4 Quality and Accountability Issues

It is seen that in many instances the implementing agency hands over construction completely to the contractor and removes itself completely from the scene, leaving room for malpractice. Quality of construction has been another issue of concern, with locals often finding contractors using inferior quality materials, mixing sea water with the cement, etc.<sup>28</sup> Issues related to quality have arisen in cases of repair and reconstruction of houses within the 200 metres zone. The government's stand that it will not involve itself in any manner in this has meant that there are no guidelines and no allocation and monitoring mechanisms governing this part of the reconstruction process, and in places like Kanyakumari – where a large proportion of habitations are located within 200 metres – this becomes an issue of concern as many civil society organisations ignore even minimum standards as this is not government supported and monitored. This disregard for standards and guidelines is being seen not only within the 200 metres zone, but also at times, in other reconstruction sites, because of lack of monitoring and political will to enforce minimum standards.

Experiences with level of community participation and quality of construction is mixed. While the MoU gives the State the right to inspect the construction at any point, and provides for joint review of progress every month as well as third party auditing, these mechanisms remain only on paper, with the only monitoring being an occasional visit by government engineers. There appear to be no formal grievance redressal mechanisms either. Some scrupulous organisations, however, have on their own volition, hired external consultants to monitor the constructions. Several organisations have also chosen to directly involve themselves in the construction, not leaving it to contractors, thus reducing the possibilities of quality and participation-related shortcomings. Donor agencies have a role to play in this, and some have insisted that their partners not sub-contract the construction to others.

There are other gaps between policy and ground level implementation. The ceiling<sup>29</sup> of Rs. 150,000 fixed for each habitation is often breached by the implementing agencies. This is typically because of high labour and material costs, and also the willingness of certain organisations to pay higher prices, coupled with a high demand for material and labour in the affected districts that has resulted in rising prices and at times, artificial scarcities. The administration has remained fairly flexible in terms of allowing fluctuations in costs in keeping with local realities; this is particularly seen in Kanyakumari where it is openly admitted that a house of the required standards cannot be built for less than Rs. 200,000.

In post-disaster habitat rehabilitation, it is necessary to ensure that communities are kept together. While all efforts are taken to do this, in the course of the rehabilitation process, it has been seen that there have been instances of communities being split because of difficulties in acquiring adequate land to relocate every household in the same area. As in other rehabilitation programmes, in Tamil Nadu too there have been a few cases in which

26 In many districts, the target of 26/12/2005 is driving housing reconstruction at breakneck speeds.

27 The houses so far constructed by South Indian Federation of Fishermen's Societies (SIFFS) are widely acknowledged to be of excellent quality, and the reconstruction process is said to have been extremely participative in nature.

28 There are reports that if people approach the implementing agency with problems relating to construction, the retort, sometimes, has been that as they (the organisation) are doing the construction 'on their own', without government assistance, the people have no right to question them. The district administration, in certain cases, on complaints from affected communities has had to intervene and halt construction.

29 There is debate among the organisations involved in reconstruction as to whether this figure of Rs. 150,000 is a ceiling or just an indicative figure.

unaffected households, especially in urban areas, have been left behind when the majority of the community has been moved, thus forcing these households to find resources on their own to move along with the rest of the community.

*Murugan's house in a kuppam in Chennai city was not affected by the waves as it was situated near the road. Murugan used to earn a living working as a labourer on fishing boats, and used to supplement his wages by driving an auto rickshaw and running a cycle shop. After the tsunami struck, with the rest of the kuppam being relocated to temporary shelters in Kargil Nagar, Murugan too decided to move with them as he did not wish to stay on in the now abandoned kuppam. Murugan is not eligible for housing rehabilitation as his house was not affected by the waves, nor has he been able to get compensation for his lost livelihood – the cycle shop. Kargil Nagar being located in the outskirts of the city, Murugan finds it difficult to resume driving an auto rickshaw also. In a sense, Murugan is as affected as the rest of his community – he has lost his home and livelihood, but he remains excluded by a policy that is based on a very narrow definition of the 'affected'.*

## 4.2 Livelihoods

A range of livelihoods across the Tamil Nadu coast were affected by the tsunami. While fishery based livelihoods such as fishing, fish drying and vending, boat making, etc., were the first to be recognised as requiring rehabilitation, it soon became apparent that a large percentage of people on the coast dependent on other livelihoods, particularly agriculture and informal sector occupations, were affected as well.

It is quite apparent that both the government and civil society organisations have largely adopted a property-centric relief and rehabilitation policy, with the result that livelihood rehabilitation packages predominantly reach only people who own boats and go out for deep sea fishing, and people who have tangible assets like shops. The thousands who contribute to the coastal economy by providing their labour and skills, like landless agricultural labourers, share croppers and tenant farmers; various categories of fish and boat workers; street vendors and petty traders; transport workers; construction labourers; salt pan workers; people involved in inland; shoreline and estuary fishing; service providers like barbers, tailors and cobblers, and crafts persons such as basket-weavers, have all found themselves sidelined and disregarded. Women survivors have also been marginalised in a similar manner, as they rarely possess assets in their name, and typically eke out a livelihood in the informal sector, often delivering services. Fortunately, these lacunae in the livelihood rehabilitation policy have been recognised by the government, and civil society organisations are being actively encouraged to focus on groups overlooked by state policies. In addition, the government has given assurances that it would try and ensure that people without assets are also reached in the rehabilitation process. This aspect requires careful monitoring and action.

### 4.2.1 Fishing<sup>30</sup>

Rehabilitation of fishery-based livelihoods, particularly fishing, has received the maximum attention (in comparison to other affected livelihoods) from both the state and civil society organisations. The tsunami waves resulted in widespread damage and loss of fishing craft, nets, and other equipment, as well as damage to fish landing centres, markets and other associated structures. The state government was quick to respond to the tsunami's impact on fishing livelihoods, and in the first few days after the tsunami, issued a GO granting assistance to replace and repair fishing craft and gill nets. A series of related orders followed, evolving with the situation on the ground, focusing on compensation for replacement or repair of craft, nets and equipment. Simultaneously, reconstruction and repair of infrastructure required for fishing was initiated.

<sup>30</sup> This section draws extensively from policy notes written by the NGO Co-ordination Resource Centre, Nagapattinam.

#### 4.2.2 *Replacement and Compensation Packages*

In terms of government assistance, replacement of wooden catamarans was completely subsidised, while assistance for replacement of motorised boats (catamarans with motors, fibre reinforced plastic [FRP] boats and *vallams*) and mechanised boats (trawlers) comprised 50 per cent and 35 per cent subsidy respectively, with the option of obtaining the balance amount as bank loans on the recommendation of the Director of Fisheries or the District Collector. These replacement packages are inclusive of craft and net. Assistance for repair of craft was also sanctioned. These packages are available to all affected people, irrespective of whether the craft was registered or unregistered, insured or uninsured. While initially it was required that the new craft be completed before the amount was released, feedback that many fish workers were unable to make the initial investment in new craft led to the issuance of a directive that permitted an initial instalment to be paid, with the payment of the rest of the sum being contingent on the completion of creation of asset, and verification and registration of the same by the Department of Fisheries. The amount would, in the meanwhile, be deposited in a joint account between the beneficiary and the Assistant Director of Fisheries.

While the government was focusing on the replacement of lost assets, civil society organisations were also working on the same front, operating on the assumption<sup>31</sup> that restoration of livelihoods of fish workers essentially involved provision of fishing craft. The livelihood restoration process has been hampered by the fact that both the government and civil society understandings of fish worker communities were poor. The material available on these communities was sketchy. A lot of arbitrary actions were taken in the initial days in terms of the kind of boats that were distributed. There was virtually no study done on local demands, conditions, etc., prior to the procurement of boats.

#### 4.2.3 *Livelihood Rehabilitation of the Fisher Folk: Issues of Concern*

The rehabilitation of fishery-based livelihoods has not been a smooth process, and has thrown up several issues that require careful consideration. Right from the beginning, it was clear that accurate damage estimation was going to be problematic given the fact that a large proportion of craft were unregistered and without any records. Verification of claims of lost boats proved to be a major challenge, and typically, the Revenue and Fisheries Department depended on traditional fish workers' panchayats or the parish council (in Kanyakumari) to identify the beneficiaries. Any problem arising during claims disbursement was referred to these institutions on the grounds that they have prepared the list of beneficiaries. Civil society organisations, too, depended on these community institutions to both acquire information about needs as well as to route relief and rehabilitation. While, on the one hand, government officials admit that there have been several instances of false claims being accepted because of the difficulty of proving otherwise, on the other hand it is also true that many genuine claimants did not receive any assistance. It is reported that many applications for compensation are still pending with the Fisheries Department, and that the Department still holds a large portion of the funds sanctioned for compensation.<sup>32</sup>

The combined and, at times, uncoordinated efforts of the State and civil society to restore livelihoods of fish workers has led to a situation that was feared right from the start by many people familiar with the coastal economy. The focus on provision of fishing craft has simply led to an increase in the total stock of fishing boats in coastal Tamil Nadu. Further, in a mistaken belief that they were improving existing conditions, many civil society organisations have replaced even catamarans with FRPs, resulting in an estimated 10 times

31 It must also be noted that boats were the easiest and most visible way of spending money.

32 This is apparently so in the case of money released for compensation for shore seine nets. Despite pending applications, the Department has reportedly returned part of the money released to the government, and continues to hold another part.

increase in their numbers. Fishery resources are finite, and the resource base itself can be affected if the fishing capacity is exceeded, and therefore this oversupply of boats could have long-term consequences for fishery in Tamil Nadu, that has already been experiencing stagnation over the last five years. The increased concentration of FRPs also means that there is increased competition for particular fish varieties and increased pressure on FRP fishing areas,<sup>33</sup> leading to the fear that there will be a rise in poaching in the waters of neighbouring states and countries.

This oversupply is also because the desire of civil society organisations to foster equity has led them give boats to even people who did not possess any before the tsunami. It must be mentioned here that a fishing boat requires several people to run it. After the tsunami, the situation is such that nearly everyone in a fishing village possesses a boat, resulting in a shortage of people to work as crew. What these organisations have failed to understand is that ownership status has no bearing on class structure; it is skill that determines income levels in a fishing community. There have been varying experiences with regard to group ownership of boats. While some civil society organisations have been successfully implementing this concept, there are fish worker organisations that maintain that this is not a sustainable concept as it has been tried unsuccessfully before with the fishing community in Tamil Nadu; this concept is not in tune with their culture and existing systems of resource sharing.<sup>34</sup> It has also been expressed by fish workers' organisations that the loan component in the government assistance is not very advisable as there are no existing mechanisms for recovery, and the fishing community in Tamil Nadu is already known for its high default rates. What has been suggested as a viable alternative is that civil society organisations partner with the government and contribute towards the balance amount required to replace or repair the asset.

The relief and rehabilitation process have revealed that fish worker communities have their own notions of equity and justice, as is evident from what has been happening across the Tamil Nadu coast in the process of boat distribution. The traditional panchayat or parish council prepares lists of beneficiaries, and collects all boats that are given by the NGOs as well. These boats are then sold to those who can buy them, with the rest of the money being distributed among other community members. Extra boats are either sold, or remain with the panchayat and are rented out when needed. While these systems are egalitarian in a sense, it is also true that certain sections of the population, especially women get left out as they are not formal members of the panchayats or councils.

Visits to the affected communities reveal a large number of boats lying idle along the coast. While oversupply is one reason for this, it is also true that many boats remain unused as people have not received assistance to replace and repair nets and other fishing gear. Most assistance has come only for boats, and fish workers are being forced in some areas to borrow heavily for nets and other equipment. Many fish workers who have lost only nets have not received any compensation for the same and have been told that assistance is available only as a part of the complete package (boat and net). Issues of quality have also cropped up. It is reported that many boats given by NGOs are not seaworthy and are of inferior quality; apparently many organisations compromise on quality in an effort to increase numbers. There are also issues relating to the suitability of the boats to local conditions and tastes. It is often seen that boats made in Chennai are distributed across the coast, even in Kanyakumari, where the seas are much rougher, and require different kinds of boats. Local preferences with respect to design, make of engines, etc., are also different and very strong, which has resulted in many such boats remaining untouched.

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33 Catamarans, FRP boats and mechanised boats differ in terms of the areas that they can access and the types of fish varieties that can be harvested using them.

34 Traditionally, all members of a boat's crew get an equal share of the catch, with the owner getting one share for use of the boat.

With respect to mechanised boats, there have been attempts to encourage the government to use the tsunami as an opportunity to correct the ills wrought about their exploitative<sup>35</sup> fishing practices. The government has been repeatedly asked to place a freeze on the number of mechanised boats, and to allow mechanised boat owners to collect compensation for damaged vessels without insisting on replacement, so that they can switch over to alternative livelihoods. The government, in turn, has also been actively advising civil society organisations to proceed with caution and conduct extensive analyses before providing boats as a rehabilitation measure.

#### 4.2.4 Women-Headed Families

At this juncture, it is necessary to mention that the situation of women-headed families in fish worker communities remains to be a cause for concern. Women in fish worker communities do not have any place in the traditional panchayats, and therefore do not have any decision-making powers. While the fish worker community is such that no one is left destitute,<sup>36</sup> it is also true that the support given to such families is usually at the subsistence level. Livelihood rehabilitation being based on replacement of boats and nets, families in which only women have survived face a situation in which they have no regular source of income any longer. They have only the ex-gratia payments to build their lives on.

*Mary Stella\* lives in Kotilpaddu\*, a seaside village in Kanyakumari district. Her husband, Anthony perished on the morning of December 26th. Mary's family now comprises her two children, John\* who is 18 years old and Sheela\* who is 20 years old and her aged mother-in-law. While Stella has received all compensation and relief due to her, the nature of her problem poses interesting questions for the rehabilitation process.*

*Very early on, Mary and Anthony took the decision to educate their children. In Mary's own words, she says, "I decided to educate my children purely because both my husband and I did not see fishing as a remunerative activity. We had never earned enough and never could. While we could not leave the profession, we did not want our children to enter the profession." John is a second year student at a local polytechnic and Sheela, a final year engineering student at a Nagercoil college. Of the Rs. 2 lakh that was received as compensation, more than a lakh was spent on paying old loans that had been taken to finance their children's education. The only rehabilitation that the government seems to have planned for fish workers is the provision of boats and nets. This is of no use to the family as there is no one to use these resources. The government has responded in part by waiving the fees of both the children for the current academic year. But, the question that haunts Mary is that of being able to manage day-to-day expenses, especially medicines for her aged mother-in-law. Informal channels such as help from the local church exist to provide some succour. But at an institutional level, Mary and her family's life has not been rehabilitated fully. She has suffered for wanting her children to leave the life of fish workers.*

#### 4.2.5 Sea Safety, Fishery Resources and Long-Term Institutional Support

It appears that the tsunami has affected fish resources in some areas; there are reports of changes in fish varieties, changes in water currents, wind directions, fish populations, fish habitats, etc. Catamaran fish workers who depended on reef fishing have been experiencing problems as the tsunami covered the reefs with sand, resulting in the large-scale death of marine life in the reefs. Despite all these hiccups, fishery-based livelihood rehabilitation appears to be well underway, with most fish workers having returned to sea by June 2005.

However, fisheries rehabilitation until now has remained at the level of providing boats and nets. Deeper and more serious issues of sea safety and disaster preparedness have not been

35 Mechanised boats have been destroying the fishing resource base as their nets literally scrape the ocean floor for fish.

36 The panchayat administers a common fund that is used to support such families.

given much consideration. Fishing as an occupation is fraught with danger; accidents and loss of life at sea are very common, as are instances of fish workers getting stranded or lost, or wandering outside territorial waters and facing the risk of arrest. The government's search and rescue mechanisms are inadequate; often getting authorisation to launch a search and rescue operation is a lengthy, time-consuming procedure. While Tamil Nadu does possess vessels for rescue operations, these are reportedly capable of going only up till around 25 kilometres into the sea, and usually are understaffed. While at one level the entire rescue system needs to be revamped, at another level, it is also necessary to explore the possibilities of entering into inter-country agreements for the protection of fish workers who cross territorial waters. The fisheries sector also needs to explore insurance<sup>37</sup> cover as a means of disaster preparedness.

The issue of depleting fishery resources has not been addressed by rehabilitation policy. Many observers feel that this would have been an ideal opportunity to correct fishing practices that affect the resource base, and put in place systems that foster more sustainable fishing methods.

#### 4.3 Allied Trades and Others Dependent on the Fishing Economy

With respect to allied trades such as fish curing, vending, ice production, boat making, boat loading, etc., salt pan workers, and people engaged in petty trades in the coastal areas, while the government announced relief packages for people dependent on these livelihoods, in terms of specific livelihood rehabilitation packages, little is available to them. Compensation for affected small-scale industries such as the sea shell craft industry has been announced after verification of their losses. Owners of mobile and *pucca* shops damaged by the tsunami are also eligible for compensation.

However, it is widely seen that claiming compensation, particularly when one is a part of the unorganised sector, is next to impossible because of issues<sup>38</sup> related to evidence and proof.<sup>39</sup> The VAO's certificate is necessary to claim compensation, and for itinerant vendors and mobile shop owners acquiring this certificate, or getting people to vouch for them during enquiries has been a difficult proposition. A case in point is the plight of Narikurava (gypsy) vendors in the tourist town of Mahabalipuram near Chennai city. The tsunami waters washed away their wares – artifacts and costume jewellery. But they have been unable to access compensation as there is no one to vouch for their losses – not only do they keep moving, they are also viewed with distrust and contempt by the mainstream. Civil society organisations, in addition to addressing livelihood issues of these groups through various programmes, have also been involved in providing legal aid services to people who have not received their entitlements. The path back to normalcy has been tough for these groups; still, as the fishing economy slowly picks up, these dependent livelihoods too are reviving.

#### 4.4 Agriculture

The tsunami waves entered agricultural lands near the coastline in the districts of Kancheepuram, Tiruvallur, Cuddalore, Villupuram, Nagapattinam, Tiruvarur, Thanjavur, Pudukottai, Ramanathapuram, Kanyakumari, Thoothukudi and Tirunelveli, destroying standing agricultural and horticultural crops, washing away livestock, and salinising land and ground water resources. According to the Tamil Nadu unit of the All India Kisan Sabha, more than six lakh agriculturists and agricultural workers were affected by the tsunami.<sup>40</sup> In addition to destroying the standing crop, the waves deposited sand and salinated the soil.

37 Till date, even civil society organisations remain reluctant to invest in insurance for the boats they are providing.

38 See section on 'Counting the Losses'.

39 There are differences here – it is reported that claims for damages to petty shops in fishing villages are far more easily settled than similar claims from non-fishing coastal communities.

40 Vishwanathan S., 2005, A Neglected Lot, *Frontline*, Vol.22, Issue 09.



Waterbodies were affected as well, ruining sources of fresh water for drinking and agriculture. Since the agricultural villages were situated at a distance from the coast, losses in terms of lives and other property were not much, and therefore, were totally overlooked by both the State and by non-governmental agencies, in the first phase of relief.

The government announced compensation packages for crop damage, loss of livestock, as well as assistance<sup>41</sup> for reclamation of sand cast and saline agricultural lands. This seemingly complete government response to the needs of agriculturists has several lacunae in it. For one, many agricultural villages have not been included in impact assessment surveys. In addition, the rehabilitation package proposed for agriculturists is meant only for landowners, and not the landless labourers, leaseholders, tenant farmers and sharecroppers, for whom, it appears that there are no livelihood rehabilitation packages conceptualised.

A large proportion of agricultural labourers affected by the tsunami are Dalits and their plight has been subsumed in the larger discourse on agricultural land, with only land owners being considered as tsunami-affected. In some areas, initial relief packages reached them through the government and NGOs, but in most places, the government appears to have washed its hands off them saying that affected lands comprise only a small proportion of total cultivable land and, therefore, labourers would be able to find employment elsewhere. In addition, it appears that the difficulty in proving that a particular labourer was employed on a particular piece of affected land has compounded the problem of reaching assistance to these groups. Government officials are also of the view that affected labourers would be able to find work easily now that desalinisation programmes have been started. Agricultural land owners seem to be blind to the possible situation of the people who work their lands – “they (the labourers) anyway get work only for a few months every year, so not getting work as a result of the tsunami is not an issue”, say the land owners.

It is widely believed that official estimates of affected agricultural land are far less than the actual figures. The compensation for crop damage is highly inadequate, and apparently barely covers input costs. In places where cultivation is done on land belonging to the local temple, the VAO refuses to certify the loss on the grounds that the land does not belong to the cultivator. Compensation for loss of livestock is sanctioned only if the claimant has photographic evidence of the death of the animal – in the wake of the tsunami, not only were many bodies not recovered, but also, those that were found were buried quickly to avoid disease outbreaks. Unable to provide the necessary evidence, many farmers have not been able to access compensation for livestock. The efficacy of gypsum in desalinising agricultural lands is being questioned. While the recent heavy monsoons have washed away a fair amount of the salt, much of the land remains uncultivable still. These farmers face a bleak two-three years with no means of livelihood in their hands. While rehabilitation packages available for agricultural livelihoods continue to be lacking, several civil society organisations have been exploring organic techniques for restoration of the salinised agricultural lands, particularly in Nagapattinam.

*Krishnamurthy\* lives in Pudhupettai\*, a village in Cuddalore district severely affected by the tsunami. He is the head of a large family that includes his wife, three children, his brother, his brother's wife and two children. The family owns about 26 acres of land on which they plant paddy, groundnuts and casuarinas. About 15 acres are devoted to the cultivation to paddy. Pre-tsunami, Krishnamurthy also owned about 20 livestock (cows, bulls and calves).*

*Krishnamurthy's problems are manifold. His family was lucky enough to survive the tsunami without loss of life. But their livelihood has been severely affected. Almost all of their livestock was washed away by the tsunami. The tsunami also salinised their land. No compensation was paid for the livestock lost. The reason given was that there was no proof of death. Photos of dead livestock were what constituted 'proof of death'. Since all his*

41 This includes soil testing, removal of salt, levelling, gypsum application, sowing of seeds, ploughing and cultivation, subsistence allowance every season in the second and third years, and insurance premium for two years.

*livestock was washed away, Krishnamurthy could not provide the photos asked for. For land salinisation, the government responded by providing bags of gypsum and a compensation of Rs. 1,000 per acre of land. The monetary compensation, Krishnamurthy states was not really for the tsunami but for losses suffered in the floods witnessed in Cuddalore and Nagapattinam about two months prior to the tsunami. Gypsum has also proved to be ineffective in dealing with land salinisation. Of this, there was clear evidence when we visited his fields. Paddy cultivation was patchy, the crop had not taken root at all and was sparse in comparison to crops a few miles inland. Clearly, the paddy crop was doomed to failure this year.*

*In the days following the tsunami, Krishnamurthy and many others in the village had faced problems of a different sort. Krishnamurthy belongs to the Vanniyar caste, a minority within the village. Out of an estimated 300 families in the village, only about 50 are Vanniyars and all the others belong to the fisher-folk community. The Vanniyars' dwellings are all situated together in one portion of the village. When administration officials visited the village to take stock of the damage caused by the tsunami, they were not allowed to visit the Vanniyar part of the village by elders belonging to the fisher-folk community. Initial relief bypassed them. It was only after repeated requests that initial relief was granted.*

*Clearly, times are tough for Krishnamurthy. His livelihood cannot be rehabilitated through mere provision of 'boats and nets'. Soil testing and other forms of scientific intervention are required. This, the administration is yet to recognise and act on.*

Agriculture in the coastal areas is increasingly under threat from aquaculture farms that are coming up across the coastline. These farms lead to increased salinity of soil and water, thus directly affecting productivity. Over the last few years, there have been recurrent protests against the aquaculture farms, and after the tsunami, these protests took a violent turn in some places where salinised agricultural lands were taken over for conversion to aquaculture farms. Once again, like in the case of mechanised boats, the state government has been repeatedly urged to use the tsunami as an opportunity to phase out the presence of aquaculture farms.<sup>42</sup> However, given that aquaculture farm owners form a powerful political lobby, the administration has not taken much effort towards this end. In fact, documents released by certain multilateral agencies advocate for the conversion of salinised agricultural lands to aquaculture farms notwithstanding the fact that this would result in displacement of agricultural labour and have severe environmental impacts.

#### ALTERNATIVE LIVELIHOODS

*Civil society organisations have been undertaking a variety of programmes to facilitate restoration of the livelihoods of the affected people. Cash for work programmes<sup>43</sup> and food for work programmes have been implemented with the dual purposes of providing employment and creating community assets.<sup>44</sup> Alternative livelihood programmes to rehabilitate those who wish to move out of their original occupations are also being undertaken. These programmes are usually targeted at women, youth who wish to branch out of their traditional occupations and people from the unorganised sector. These alternative livelihood programmes are typically implemented through self-help groups, and include skills training, provision of assets, loans for self-employment and support in establishing market linkages, and finding employment.*

42 Now known to be environmentally harmful.

43 With specific regard to Cash for Work programmes, there are reports from the Andaman and Nicobar Islands that such livelihood relief options are far more effective than others in facilitating recovery. Apparently, people engaged in Cash for Work programmes have started rebuilding their houses much sooner than others in the Islands. Cash for Work programmes as relief options have the positive elements of removing the need for dole packages, and also giving people a sense of purpose and independence. It is possible that many of the adverse impacts of humanitarian aid can be addressed by such programmes.

44 However, there have been several instances of NGOs implementing such programmes with the primary agenda of spending money. The works undertaken have, at times, been meaningless and designed to suit the resources available, rather than produce assets required by the community.

*The GoTN has taken up livelihood programmes, dovetailing them with existing developmental activities such as women's self-help groups, and utilising International Fund for Agricultural Development, Asian Development Bank (ADB) and World Bank (WB) resources and programmes for the same. While a lot of effort has certainly gone into such livelihood rehabilitation programs, there is a general feeling that people's responses to these programmes have not been satisfactory. There have been difficulties in identifying occupations and trades that suit people's needs. People also have been sceptical about how far training programmes and other income generation programmes will actually go in terms of providing them with a regular livelihood given the lack of concrete employment opportunities and market linkages. Recognition of these ground level difficulties has prompted several organisations to carry out livelihoods impact and needs assessment studies; to what extent these studies have been able to capture the real situation and would be able to provide constructive direction for livelihood programmes is yet to be seen.*

## 5. Counting the Losses

The process of delivering relief and rehabilitation in a manner that resources are spent judiciously, while ensuring that all affected people get their entitlements has posed quite a challenge to the government. Given the absence of reliable population data and records, the primary difficulty lay in identifying beneficiaries and verifying whether their losses were genuine. For instance, most boats are not registered, making it very difficult to verify claims of lost and damaged boats. To circumvent difficulties created by the lack of existing data, the government has relied heavily on the civil society – especially local traditional panchayats and parish councils – to get data on damages and beneficiaries.

The revenue machinery and Fisheries Department staff were deployed to gather data on villages and relief camps, and all settlements for damages and losses have been done after enquiries and verification.<sup>45</sup> The first lists of beneficiaries were typically prepared in consultation with community institutions like the fish workers' panchayat and parish councils.<sup>46</sup> Ration card lists available at fair price shops and electoral rolls were also used to identify beneficiaries. All claims for compensation are verified and certified after enquiry by the VAO and the Tahsildar. In Chennai, where VAOs are not available to identify beneficiaries, and where a floating population<sup>47</sup> inhabits the *kuppams*, photographs were taken of people who collected relief to prevent bogus claims at a later stage.

The district administrations faced a very complicated situation when it came to identifying and disbursing ex-gratia to tourists who had died and gone missing in the tsunami. Typically, there was no concrete information regarding their identities and whereabouts. Verification and identification procedures were complex, and required the involvement of district administrations of the tourists' home towns. The support of certain civil society organisations was enlisted as well for verification.

Ex-gratia payments for deaths and missing people<sup>48</sup> were made on the basis of FIRs.<sup>49</sup> Information technology systems were used to facilitate the identification process – photographs of the dead were put up on the district administration websites, and at the Collectorate to enable people to identify family members; mapping was also done between

45 The government admits that it has deliberately not been very rigorous in its enquiry process; a conscious decision was taken to err in favour of the people, trying to ensure that all affected people were able access their entitlements, even if some false claims slipped through the net in the process.

46 At one level, while this helped organise the relief process better, at another level, it also increased the scope for malpractice, as was seen in many instances of panchayat leaders adding bogus names to the lists.

47 People move to the inner parts of the city during the non-fishing season.

48 Tsunami deaths have been reported as 'missing' when bodies have not been retrieved or identified.

49 In the wake of the tsunami, the police department was deployed to go to all hospitals and villages to get details of deaths and file FIRs – apparently, in some places the situation was such that one FIR was filed for every 500 deaths.

missing people FIRs and photographs of the dead. Systems were put in place to replace lost ration cards, certificates and other documents.

It is clear from people's experiences that the process of accessing relief and rehabilitation packages has not been evenly smooth. Several people were excluded in the initial lists (often because they were not present at the village or relief camp at the time of the survey), pointing to the need to extend registration processes and surveys for longer. Many claims have been turned down because of lack of evidence and proof. Many people have been reluctant to go out to work as they fear that they will miss the officials when they come for relief distribution or for enumeration. Accessing ex-gratia payments for missing family members has also been complex. Establishing and proving the fact that they had gone missing in the tsunami has remained a difficult process, given the nature of the claim.

There are grievance redressal mechanisms in place; people who have not received their rightful dues can file petitions and approach the district administration. Lok Adalats were conducted in some places to deal with grievance petitions. There are regular grievance days held at the District Collectorate as well, where people get to meet with the Collector or Additional Collector directly. Filing petitions and getting their names included in beneficiary lists is a long, cumbersome process, requiring documents of proof, certificates from village councils, and VAOs, etc. It is seen that many times people give up in the middle, given the time, effort and money that is spent in repeatedly going back to the Collectorate and other relevant offices to claim their entitlements.

## 6. Corruption

Efforts have been taken to prevent corruption in the disbursement of relief and rehabilitation packages. In the initial stages, when cash payments were made, higher level bureaucrats oversaw the disbursement process. Civil society organisations and community institutions have been involved to the extent possible in beneficiary identification, relief distribution as well as in rehabilitation. Lists of beneficiaries are displayed on the Collectorate website, and committees of elected representatives were set up at the village, block and district levels to monitor relief and rehabilitation. At the village level, special committees for tsunami rehabilitation included representatives from civil society organisations, community leaders and elected representatives. All payments are made by cheque, and often directly to the manufacturer (for instance, in the case of boats). Verification and registration of the asset is done before release of payment.

Public meetings are held regularly, and all complaints relating to corruption are addressed promptly. Despite these measures, some level of misappropriation continues to take place – for instance, there are reports of VAOs taking bribes to certify losses. The local committees set up to oversee relief and rehabilitation have also remained mostly on paper, and are rarely seen to be functional.

It must be noted here that malpractice and corruption are not concepts restricted to the government. Reports of fabricated claims, people misappropriating others' relief and rehabilitation packages, etc., abound. People who had just a month earlier approached the administration for support saying that they had nothing to eat claimed that they had lost televisions and refrigerators in the tsunami. Recovery proceedings had to be initiated in many places when it was discovered that people had claimed and received compensation more than once. It is reported that nearly Rs. 1,700,000 was recovered in Nagapattinam alone.

## 7. Vulnerabilities and Exclusion

The ongoing process of post-tsunami relief and rehabilitation has seen the exclusion of several groups of people, because of a complex matrix of reasons relating to factors as diverse as inherent vulnerabilities and active discrimination, as well as systemic deficiencies.

The following section explores the experiences of specific vulnerable groups, and then pulls these together to arrive at a deeper understanding of issues underlying exclusion.

## 7.1 Vulnerable Groups

### 7.1.1 Children

According to the United Nations Children's Fund (UNICEF), children account for a third of the casualty. In some districts of Tamil Nadu, the casualty was an overwhelming 50-60 per cent.

In any disaster, the situation of children requires special attention given their inherent vulnerability. In the tsunami, children who have survived have had to deal with the trauma of seeing their family, friends and homes being washed away. Their family, the support system they would normally lean upon in times of crisis, is not available, leaving their present and future very uncertain. In all disasters, including the tsunami, cases of children getting separated from the parents, and as a result lost, are common. At the relief camps, with no one in particular to take care of them, the chances of these children being able to access vital medical help, and even water and food are not very high. The dangers of sexual abuse are also existent in temporary shelters.

The UNICEF<sup>50</sup> has outlined four areas of priority in the relief and rehabilitation of child survivors of the tsunami. In terms of relief, the special nutritional, sanitation and health needs of children need to be addressed, focusing on communities where relief is hard to access. In Tamil Nadu, in the relief phase, it must be admitted that no special provisions were made for children in terms of clothing and food. For instance, the relief packages distributed contained only adult clothing. It was left to civil society organisations to fill in these gaps, sometimes of their volition, and at other times at the request of the district administration that soon realised that the relief efforts were not addressing the needs of affected children. Children's issues rarely were a part of the agenda of various coordination meetings, most of which focused on housing and livelihoods.

The issue of children orphaned by the tsunami has been a source of much debate. In the first days after the tsunami, the government's immediate reaction was to call for people to come forward and adopt the orphaned children. In fact, the phone numbers of District Social Welfare Officers were put out on television to contact regarding adoption. There was a deluge of people and organisations from India and abroad coming forward to 'adopt' these children – the term 'adoption' was used very loosely, with incidents such as one in which the head of a renowned boarding school in Tamil Nadu asked for 'a 100 orphans that his school could adopt' being commonplace.

The option of adoption for orphaned children is controversial. Trafficking in children for labour and sex in the guise of adoption has been reported in the past, and is a very relevant fear in this case, particularly given the presence of paedophiles in India's tourist districts. The Tamil Nadu government has, however, addressed these concerns through various measures and directives including one that specified that no child was to be removed from the tsunami-affected district, and that all orphans without caretakers would be housed in government orphanages.

Three orphanages were established in Cuddalore, Nagapattinam and Kanyakumari for 'tsunami orphans'. A fixed deposit of Rs. 500,000<sup>51</sup> was created for each orphan that can be used for studies and self-employment when the child becomes a major. It is to the credit of the social structures of affected communities that very few orphans have had to avail of the facilities of the orphanages. The fish worker community prides itself on taking care of its

50 UNICEF Lays Out Four Point Programme for Tsunami Children, PTI, 4 January 2005.

51 These fixed deposits have resulted in some complications – in some instances, caretaker families that in reality did not want to keep the children, continued to do so in the hope that they would have access to this money. In other instances, many families did not come forward to register the children in their custody for this scheme for the fear that the children would be taken away from them and sent to orphanages.

own, and most orphans are under the care of extended family members. Even those in the orphanages<sup>52</sup> are regularly visited by family and community members, a direct, positive fallout of the decision to retain the children in orphanages in the affected districts themselves. Civil society organisations are also actively supporting community-based parenting, and several such agencies have set up sponsorship programmes for orphans and single parent children to support their education and basic needs.

Two service homes have been opened for orphaned adolescent girls, and several such homeless girls have willingly gone to these homes as they found themselves forced to quit studies and either get married or stay at home in the houses of their extended families. Fixed deposits of Rs. 500,000 have been made in the names of adolescent girls, and deposits of Rs. 300,000 made in the names of unmarried orphaned girls above the age of eighteen. Service homes have been set up for this group, and technical training programmes initiated as well. These fixed deposits have led to unforeseen consequences with several minor girls being married off, with the money being offered as a future dowry, often to much older widowers. This matter has been brought to the attention of the government by civil society organisations, and there are ongoing discussions to include a clause that revokes the deposit if the girls get married before the age of 18.

Students from tsunami-affected families have been provided with uniforms and books, and have been exempted from paying tuition, examination and special fees till the end of the academic year of 2005-2006. Separate public examinations were conducted for students from tsunami-affected schools. Unfortunately, ground level implementation of these policies, particularly the order exempting students from school fees has been lacking. In many districts, private schools continue to insist on fees from tsunami-affected students saying that they have not received orders from the government, or saying that they would reimburse the fees once they received the money from the government. In some places, exorbitant fees are being collected under heads other than tuition and special fees. Replacement textbooks and notebooks have not reached all students, and there are reports of children being asked to leave the classroom as they do not possess the same. Civil society organisations working on children's issues have been trying to address these issues by making representations to the administration, speaking to school authorities and trying to replace necessary educational material themselves.

### 7.1.2 *The Elderly*

One of the most vulnerable groups in any emergency is that of older people. The situation of the elderly affected by the tsunami only goes to show that policies of both governmental and non-governmental agencies continue to be insensitive to the special sections of the population. Right from the beginning, older people have found themselves overlooked and excluded from relief and rehabilitation processes. At relief camps, older people found it difficult to even collect their packages as they were jostled and pushed around. Often, it was only the younger members of the family who were given the relief material. No special provisions relating to the needs of the elderly were made in relief camps, including medical facilities or arrangements facilitating mobility. A study conducted by HelpAge International<sup>53</sup> during the relief phase reveals that the main reason underlying the invisibility of older people is the absence of data disaggregated by age. Failure to collect information on the age and location of survivors implies that this group will be left out in rehabilitation planning too.

It has been seen that older people find it more difficult to access housing rehabilitation as they rarely possess the necessary documentation. Livelihood rehabilitation programmes also rarely have provisions for them, as it is assumed that they do not work, or that they are

52 There are some single parent children also in these orphanages.

53 HelpAge International, 2005, *The Impact of the Indian Ocean Tsunami on Older People: Issues and Recommendations*, London.

supported by their children. This is far from the truth, with several elderly people continuing to support even their son's family, often because the son is an alcoholic. The tsunami has also left several orphaned children with no one to care for them except their grandparents. In such cases, not having any livelihood opportunities increases the vulnerability not only of the older person, but also of her/his dependents. The elderly are also usually not included in planning for rehabilitation or other community-based activities as they are seen as recipients of aid, and not active community members. Despite the fact that research and existing knowledge bodies on disaster response, including the SPHERE standards, clearly identify the elderly as a vulnerable group with special needs, at the ground level they still remain invisible to policy makers and implementers.

The GoTN issued a directive extending the old age pension scheme<sup>54</sup> to all those tsunami-affected people who were eligible but not yet covered, and ordering immediate disbursement of the funds. However, the old age pension scheme is severely lacking – under this only people above the age of 60 who do not have a son above the age of 18 years and without a *pucca* house or any property are eligible for pension. The scheme completely ignores the fact that many elderly, destitute people are estranged from their families and sons, and so are as helpless and vulnerable as those without sons. Further, the fact that the policy mentions sons rather than daughters is contrary to the principle of gender justice that should be the cornerstone of an equitable rehabilitation process.

*Rajini Mathuram, 67 years old, stays alone in an abandoned shed in a temporary shelter camp in Veerabagupathy village, Kanyakumari district. Her husband died nearly 10 years back, and her estranged son works in a tea estate in another district. Rajini walks with crutches – a bus accident several years back left her right leg permanently handicapped. Prior to the tsunami, Rajini stayed alone in a hut belonging to one of the wealthier families in the village; she made a living by making craft items out of plastic fibre. However, over the last five years, failing eyesight had been making it increasingly difficult for her to complete these pieces, thus seriously compromising her capacity to earn a livelihood.*

*On the day the tsunami struck, Rajini was away at church, and so escaped death, while her sea front house and all her possessions were completely washed away. Civil society organisations coming in with relief material helped Rajini see through the first few weeks. It was when the time came to finalise details regarding relief and compensation packages that Rajini realised that she was in a policy created 'no-man's land'. Rajini was the only Christian in a Hindu village. There were no records to prove her 'existence', as she had led an isolated life, in the outskirts of the village, living off another person's charity. As far as government papers went, there was no Rajini Mathuram residing in Veerabagupathy, and therefore, she had no claim over any compensation or relief from the state. Rajini is not entitled to old age pension as she had a son above 18 years of age – never mind that he hasn't been to see her, much less support her, since he left the district. Rajini is surviving on some old rice and other food material left over from relief packages given by civil society organisations. Have these agencies tried to represent her case to the district administration? No, says Devi, another Veerabagupathy resident who is kind enough to check in on Rajini once in a while. Rajini's shed is situated in a secluded part of the camp, next to unused toilets and abandoned sheds, and so representatives from these organisations rarely go there.*

*Rajini is aware that her situation is precarious, yet she is cheerful. All she asks for, as opposed to many others who asked for their complaints to be taken to the government, is that a plastic fibre coaster to be accepted as a gift, and a promise that her letters will be replied to.*

54 This directive applied to pension schemes for the disabled, destitute women, widows and destitute agricultural labourers also.

### 7.1.3 Dalits

The situation of the Dalits has been made complex by the caste system in the coastal districts. Discrimination based on caste prevalent in these village societies was visible during the relief operations too. Various fact-finding teams<sup>55</sup> report that Dalits were denied even food aid on the grounds that there were no deaths among them. It is reported that at times beneficiary lists contained only names of the dominant community, and panchayat leaders, when asked about it, said that they would distribute to the others what is due to them. In some cases, Dalits families were not issued tokens for the relief materials, and there have also been instances in which they were not allowed to stand in queue to collect aid. Further, it appears that entire Dalit villages and hamlets were left out of the enumeration of tsunami-affected villages.

During the immediate response phase, there was also a lot of controversy regarding the enlisting of scavengers for body removal and disposal. It appears that they were not provided with adequate protective gear, nor with medical facilities when they were found to have contracted health problems from prolonged contact with decomposing bodies. To make matters worse, they were also not paid for this work till civil society organisations brought this to the attention of the government.

There are reports that in relief camps, while fish workers were accommodated in marriage halls and school, Dalits were put in warehouses without toilets and other infrastructure. Problems are cropping up in the rehabilitation process as well. It is also reported that in some places Dalits have been asked to move from their settlement to make space for a relocated fishing village. Further, it is true that a large population of the affected agricultural labourers are Dalits, and their situation continues to be precarious given that the livelihood rehabilitation policy does not provide much for them.

It is important to note here that while there indeed have been instances of discrimination and exclusion of Dalits, some observers – both within and outside the government – were of the opinion that there has been a degree of exaggeration of the scale of the problem in the manner in which the issue was projected by some civil society groups and the media. They pointed out that this has created unwarranted tensions between the fishing and Dalit communities that can only have adverse consequences in the long run and negatively impact the recovery process as ultimately these communities are part of a larger social, ecological and economic complex. However, it also needs to be emphasised that even a single instance of such discrimination is one too many.

### 7.1.4 Women

Far more women died in the tsunami than men.<sup>56</sup> In Cuddalore, 391 women were killed, compared to 146 men. In Pachaankuppam, only women died.<sup>57</sup> Studies reveal that the higher death toll among women can be linked to their role as nurturers (they stayed behind to look for their children), their inability to run and swim fast or climb trees, and their traditional clothing that hinders mobility.

Post-tsunami, the plight of the women survivors is no better. Life in the relief camps has been found to be a source of continued trauma for women. Separate toilets, recreation space, cooking sheds, firewood storage facilities, place for drying clothes and space for cleaning kitchen utensils have been identified as the major areas of concern for women. Nevertheless, given the dominant norms of socialisation, women are hesitant to push for or even express

55 Alternative Law Forum, Towards Ensuring Food Security for the Tsunami Affected: A Position Paper, <http://www.altlawforum.org/Resources/Tsunami/Positionpaper.doc>.

56 Four times as many females as males may have been killed in the tsunami. (The Tsunami's Impact on Women, Oxfam Briefing Note, March 2005).

57 Ibid.



their needs,<sup>58</sup> and silently cope with several problems, including sexual and physical harassment by men in the camps, particularly near the toilets. Women are fearful of going to the toilets if they are at some distance away or inadequately lit. Widows in Nagapattinam<sup>59</sup> have rarely been allotted separate shelters, they are made to stay with relatives who are often after the women's compensation money. There are problems related to women's health needs – pregnant and lactating mothers do not get adequate nutrition or healthcare facilities, inadequate supplies of water and sanitation make women susceptible to reproductive and urinary tract infections, and often women and girls are unable to go for medical check ups organised in the relief camps as the doctors are all male, and the facilities lack in privacy.<sup>60</sup>

In the economic sphere, women are being put at risk of sexual exploitation and dependency because of the loss of income and the inability to access cash. Orphaned girls are being married off at young ages by relatives or community members who do not want the responsibility of taking care of them.

The vulnerability of women has been further accentuated by gender-insensitive relief and rehabilitation policies. Women's work has not been recognised in most rehabilitation programmes. Women, typically, were involved in processing and marketing of fish, or in non-fishing jobs like collecting shells or running food stalls. They rarely owned property or any assets, and were usually employed in the informal sector. Livelihood rehabilitation measures have focused on the fishing sector and related loss of boats, thus ignoring the livelihood issues of women. Often, relief and rehabilitation packages have been issued based on lists made by the Fish Worker Panchayats,<sup>61</sup> which are the turf of men, with the result that women have not had access to relief measures at all. In one instance, the Panchayat gave a widow a cheque made out in her dead husband's name.<sup>62</sup> It also appears that there have been cases in which widows from fish worker communities have not received relief as they did not possess identity cards issued by the Fisheries Department.<sup>63</sup>

This blatant disregard for women's livelihood concerns could prove disastrous among the poor, because many of these women may well be the sole earners in their families. In any case it is widely known that women's earnings generally go directly towards meeting the basic needs of their families, while a substantial proportion of many men's earnings is often spent on personal habits such as drinking, smoking and gambling. In fact, fishing being a seasonal occupation, women's livelihood activities are critical to the household economy. The situation of widows, single elderly women, destitute women, and of families with women heads is particularly risky in this context, as they simply may not receive the assistance required to survive and rebuild their lives.

In situations where women do get compensation and relief packages, it is being seen that relatives try to take over and dominate, in an effort to divert the money to themselves, or simply because the woman does not know how to operate a bank account. Proper economic counselling and guidance is required to avoid this. Women have also had problems accessing relief measures, including rations and compensation, as families, properties/assets and papers are usually registered in the man's name.

It must be noted here that the GoTN has made a great deal of effort to incorporate these concerns in their rehabilitation policies, and have integrated several measures to try and ensure that women are not excluded. Abandoned and destitute women are eligible for a pension. All houses are to be registered in the names of both the husband and wife, and any

58 Sharma K., 2005, Gendered Tsunami, [www.IndiaTogether.com](http://www.IndiaTogether.com), 12 April.

59 Ibid.

60 Joseph A., 2005, Gender, Media and Tsunamis, [www.IndiaTogether.com](http://www.IndiaTogether.com), 2 February.

61 Maneckshah F., 2005, Restructuring Society Post-Tsunami, [www.IndiaTogether.com](http://www.IndiaTogether.com), 3 June.

62 Ibid.

63 The first phase of relief distribution was based on the ration card.

transfer of the wife's share to the husband is void. Relief packages distributed in the initial stages had to be received by women members of the family. Civil society organisations are also taking such efforts by registering even boats in the names of women, creating alternative livelihood opportunities, etc. However, despite these measures, the situation of the tsunami-affected women continues to be a source of concern as the gap between policy and practice remains a reality.

#### 7.1.5 *The Irulas*

The Irulas are a semi-nomadic adivasi community, spread over Northern Tamil Nadu and Southern Andhra Pradesh. They are traditionally hunters-gatherers, but have been slowly forced out of their original forest dwelling places after the passing of the Wildlife Protection Act of 1972. This legislation also affected their major source of livelihood – the snake skin trade – and, therefore, many families moved out to newer regions in search of food and employment. A few moved to the coastal regions, taking up backwater fishing, catamaran fishing (within three kilometres of the shore), working as casual labour in fishing boats and other sectors, etc., as means of earning a livelihood.

The tsunami-affected over 57<sup>64</sup> Irula villages along the Tamil Nadu and Andhra Pradesh coasts, displacing over 1800 families. In the tsunami, according to statistics put together by four agencies working with Irulas in Tirvallur, Kancheepuram, Villupuram and Cuddalore, 27 people died, 124 were injured, 300 houses were lost, and 90 per cent of their livelihoods came to a standstill. Only 12-13 families got any form of compensation as these had deaths that were reported at the nearby police station. Relief packages reached the Irulas only in the second phase of relief operations. Those who managed to reach relief camps in the initial days experienced discrimination, with fish worker communities asking them to move out on the grounds that their losses were much lesser – it must be noted here that Irula families rarely have possessions worth more than Rs. 10,000, all of which were lost in many cases. In addition, fish worker panchayats have refused to add Irula fishing boat labourers to the lists of affected people that they were asked to give to the government, thus depriving them of relief and rehabilitation for loss of livelihood.

The Irulas have also not received state-supported housing rehabilitation, nor any form of livelihood compensation despite the fact that many of their livelihoods are under threat due to changes<sup>65</sup> in the coastal topography after the tsunami. Many Irula habitations continue to not even have safe drinking water as their ground water sources have become saline. It is only after lobbying and advocacy by organisations working with the Irulas, along with media support, that some of their issues have come to light. However, even now, one finds only civil society organisations, that too very few in number working for their rehabilitation. The State has not yet formally recognised and sanctioned them rehabilitation packages, and housing reconstruction, inclusive of land purchase, is happening through NGOs only.

When one tries to understand why the Irulas are facing such a situation, one sees that the answer lies in their lack of visibility. The Irulas have long been an invisible community, given their nomadic habits and scattered, sparsely populated settlements, and rarely possess proofs of citizenship such as ration cards, community certificates, voter's identification cards, etc. Many of the households do not even feature in the Census as the Irula settlements are usually located far from the main roads, and people are usually not available at home during the day.

After the tsunami, Irulas whose houses were affected had nothing to show – they lived in huts that were completely washed away, leaving no signs of the destruction that had been wreaked. Their settlements are dispersed, so identification of the affected and distribution of relief become huge tasks. A variety of evidence was required to get compensation – house

64 Source: Discussions with the organisations working on Irula issues.

65 Fish crops changed habitats; deeps became shallows and vice versa.

on *patta* land, recognition of village by a panchayat (Irulas live in dispersed, isolated clusters, unrecognised by the VAO or a panchayat) and other government identification cards, none of which was available with them. The Irulas are also, by nature, a reserved community, and continue to remain unable to even speak about the damages they have suffered in the tsunami to outsiders. In short, they lack the ability to sell themselves, and this when contrasted with the highly organised and articulate fish worker community, puts the Irulas even more at a disadvantage. It has also been noticed that even civil society organisations are not very eager to support Irula rehabilitation – there are hardly a handful working with them – possibly because their settlements are scattered and sparsely populated. It is easier to get numbers (in terms of families and people), identify beneficiaries, distribute relief and rehabilitation packages, and raise resources in the densely packed fish worker settlements.

## 7.2. Understanding Exclusion: The Politics of Information and Definition

While it is true that many instances of exclusion that have been observed and reported over the past months of relief and rehabilitation efforts, a pattern of deliberate and systematic exclusion of a certain section of society does not emerge. Even in instances where exclusion appeared to be so, the root cause emerges as lying elsewhere.

*Veerabagupathy in Kanyakumari district is a village comprising almost entirely of Hindu non-fish worker families in an area full of Christian fish worker villages. In the initial days following the tsunami, relief bypassed the village. When this was brought to the attention of the administration, their initial response was to deny that such a village existed. Subsequently, though, they backtracked, and assistance to the village was provided. One could read many meanings into an exclusion of this sort. But, the issue appears to be a failure of the system as a whole. In Kanyakumari district, the administration and the Catholic Church have worked together very closely, with the administration relying on the Church for information – the Church being a very well-established force in the area, maintains extensive records of births, deaths and other minutiae that provide detailed information on the families living in the area.*

Veerabagupathy did not figure in Church records for obvious reasons. The administration relied and continues to rely on the Church for records perforce creating a situation where there are bound to be exclusions. The situation of the Irula community can also be attributed to similar reasons – only a hazy, distorted picture of these people exists with the government, and hence its inability to proactively identify them as ‘affected’ and address their concerns.

As can be seen from these instances, and from the situation on the ground, the underlying issue emerges to be one of data integrity. Detailed and accurate demographic (inclusive of socio-economic and geographic information) data and other relevant records are not available with the government, and where available, are not accurate.

This deficit in data integrity, while having far-reaching implications on the relief and rehabilitation process, is exacerbated by a skewed understanding of the term ‘affected’. All the initial surveys and relief disbursements were focused on settlements that had been damaged by water. Both the state and civil society assumed that only front line communities, i.e., those that were inundated, and that had lost lives and property, were affected, and these happened to be primarily fish worker communities.

This initial definition of ‘affected’ that was based on visibility, has in turn influenced the process through which compensation, relief and rehabilitation packages were and continue to be designed and distributed. As has been discussed earlier, there is stress on the need to provide proofs that one has lost assets, rehabilitation is focused on asset compensation and replacement, and even relief is targeted at people who have lost assets to the water.

It was only much later that the realisation set in that there were other affected groups as well, people whose livelihoods had been lost because of the tsunami, even if they were not

front-line communities, and who had not suffered losses of life and damage to property. Agricultural lands had been salinised and crops damaged; people engaged in allied trades like fish vending were out of jobs as the fisheries sector had come to a halt; salt pan lands became mud flats, thus putting the labourers out of work; people who had small shops in the affected villages; or were itinerant traders and service providers no longer had a market – usually, none of the people in these groups stayed in the front line settlements, and were, therefore, overlooked in the first impact assessments. It was only later that the situation of these groups was noticed and brought to public attention by the media and civil society organisations.

While the State has indeed then taken note of these groups and issued directives for their relief and rehabilitation, these measures have not been completely effective<sup>66</sup> in reaching everyone because all systems and mechanisms governing the relief and rehabilitation process continue to be largely based on the original understanding of affected, as well as on the initial impact assessments and registrations of affected people. This has been compounded by the difficulties experienced by several groups in providing evidence that they were affected, and by the State in verifying claims – classic examples are those of itinerant vendors and service providers, agricultural labourers, and of agriculturists who have lost livestock. The difficulties faced by the government must also be accepted, particularly in light of the facts that several bogus claims are being received, and that there are no established, fool proof procedures, or existing, valid demographic data to authenticate them.

Drawing from all the various incidents of exclusion, and summarising the above discussion, it appears that there are flaws at the level of conceptualisation of the rehabilitation policy itself. One is the highly limited scope of the definition of ‘affected person’. A lot of the lacunae also arise from the conceptualisation of the ‘coastal community’ as a homogenous whole, rather than a vibrant system of inherently different groups, held together by geo-economical links. These flaws, added to the absence of adequate demographic records, have been largely responsible for the gaps in delivery of humanitarian assistance.

## **8. Community Responses, Social Cleavages and the Impact of the Tsunami on the Fishing Community**

It is to be noted that it was the local people who first rushed to the aid of their affected neighbours. Even among the affected communities, it emerges that people helped each other escape. Organisations working with the disabled say that none of them drowned as each family made it a priority to save their handicapped members first. Right from saving drowning people, to recovering bodies, providing food and shelter, it was local support that saw the affected communities through the first few days till government and outside help started coming in.

In the months after the tsunami, people slowly started resuming their normal lives, though the same, it never would be. Fish workers returned to sea, labourers set out in search of work. However, it is true that in many places people have been reluctant to go out to work for fear that they would miss out on aid distribution.

In most fishing villages, the presence of a strong, traditional panchayat, or a fish workers federation meant that all relief was routed through the panchayat leaders, who even took on the onus of preparing the lists of affected people and damaged property. While these panchayats do play an important role in keeping up the morale of the community and bringing the people together for rebuilding, they continue to perpetuate age old hierarchies and inequities, often resulting in unjust practices in the distribution of aid. For instance, it is often only the members of the panchayat who are included in the beneficiary lists, and therefore, women and Dalits, who are barred from being members, do not receive their

<sup>66</sup> A lot of the initial relief and even long-term rehabilitation for these groups has been provided only by civil society organisations.

entitlements. There are reports<sup>67</sup> that in many villages, even if aid is distributed equally to all, it is usually collected back later, and distributed to only those who lost assets like boats and catamarans. This implies a lot to fish workers who earn a livelihood as casual labourers on the boats, or who engage in inland or shoreline fishing.

Orphans, destitute men and women have been provided for within the community – this has particularly been seen in the fish worker communities that are historically known to be fiercely protective of their own. Most primary school children have returned to school as parents wish to ensure that their children are occupied fruitfully, rather than hang around in the destroyed village or the temporary shelter. Higher secondary students have been slower to return; many of them, having lost earning family members, are now faced with the challenge of providing for their families. There are reports of adolescent girls being married off, often to much older men, as they no longer have parental support.

It appears that in the first few days after the tsunami, all affected people – fish workers, Dalits, tribal groups like the Irulas, etc., presented themselves as one united body. It was with the mammoth influx of aid that trouble began. Fish workers began to see themselves as the only group deserving of humanitarian support, given that they had suffered the greatest losses in terms of lives and assets. They organised themselves to receive aid – cyclostyled lists of affected people were made to be handed over to relief organisations, and mechanisms and systems were set up to collect and redistribute aid. They soon became to be perceived as a very demanding and belligerent group. Even people not affected by the tsunami came to believe that they were entitled to the aid coming in. Observers sadly remark that a once proud, self-sufficient and independent community has degenerated into being exploitative and dependent.

This change in the social ethos has put traditional community institutions under pressure. In a few places, especially in the mechanised sector where class divisions are prominent, the traditional panchayat no longer holds the authority it once used to. New leaders have been elected and newer forms of community institutions created – whether these will turn out to be any more egalitarian and just than the traditional panchayats remains to be seen.

## **9. State Response to the Tsunami**

### **9.1 Initial Response**

This section attempts to capture the salient features of the institutional dimensions of the immediate response of the GoTN. No doubt this is a vast area that merits a volume on its own and exploring each of these aspects is beyond the scope of the present exercise. But this section aims primarily to provide an insight into some of the institutional learnings that can be drawn from the Tamil Nadu experience.

Tamil Nadu is a state that frequently witnesses natural disasters, in particular, floods, cyclonic storms and droughts. In fact, December is the flood season in many parts of Tamil Nadu, especially districts like Cuddalore and Nagapattinam. Therefore, the administration would have been expected to be in a state of preparedness or at least at a higher level of alert (in some areas), therefore, enabling it in some ways to respond better to the unprecedented level of destruction caused by a totally unexpected occurrence like the tsunami.

The GoTN carries out disaster response and management through the Office of the Commissioner of Revenue Administration who is designated as the ex-officio State Relief Commissioner. Tamil Nadu is no exception in this matter; the quasi-judicial nature of the work of the Revenue department officials, its reach into practically every village both in terms of its personnel as well the demo-geographic depth of information it holds, and its treasury functions has made it a de facto choice to respond and manage disasters in most

67 Sampath B., Tsunami Relief Work Report: A Perspective Report, [www.aidindia.org](http://www.aidindia.org)

Indian states. However, while the Revenue Department is better equipped to deal with slow-onset disasters such as drought, it typically lacks the professional and technological resources to deal effectively with large-scale, sudden calamities such as the tsunami. It should hence come as no surprise that beginning with the State Relief Commissioner (also the Commissioner of Revenue) the entire machinery found it near impossible to even maintain vital information channels open in the hours immediately following the tsunami.

It appears that the first information that a tsunami had struck actually came to the Relief Commissioner from the Chief Minister's office, which itself received this information from the Prime Minister's office. The first few hours of confusion regarding exactly what had happened, i.e. the phenomenon itself and its impact was characterised by lack of information, wrong information, rumour and overall communication breakdown. The immediate fallout was that there was no systematic flow of precise information along the coast regarding what was happening. Therefore, even though Kanyakumari was actually struck, according to most observers, at least a couple of hours after Chennai, only some parts of the district received any sort of warning information and even then, the nature of information received was so sketchy that local authorities seemed to have found it next to impossible to convince people to exercise caution and move away from the shoreline.

In most places people themselves largely handled the initial response such as rescue, first aid and retrieval of bodies. It appears that apart from the Army, the most systematic early response came from well-organised and tightly-knit organisational networks. For instance, in Kanyakumari, the Church, the Rashtriya Swayamsevak Sangh (RSS) and the Democratic Youth Federation of India (DYFI) appear to have been at the forefront of the initial rescue and relief work.

Apart from being faced with an almost total collapse of basic communications infrastructure and essential services, a large number of government officials and/or their families themselves were badly affected. The lack of understanding of, and information about what happened, the absence of communication, and the general panic that followed the tsunami greatly handicapped the administration, and in many places, led to an initial paralysis.

As it became clearer that a major disaster was unfolding, the Relief Commissioner set up office in the Chief Minister's residence with Joint Commissioners being asked to operate control rooms to ensure better information exchange and response. With communication networks going down, police wireless remained, in most cases, the only effective means of communication.

The focus of the administration in the first few hours was on mobilising information and people from across departments all over the State, especially the coastal and adjoining districts to fan out into affected areas, collate information about the damage and local conditions, and administer immediate relief. Senior officers from Revenue and other departments were requisitioned and moved quickly into new positions in the affected districts.

## 9.2 Institutional Responses

The most decisive institutional response appears to have unfolded in Nagapattinam district, the worst affected in Tamil Nadu. The District Collector being away on leave, the Collector of adjoining Thanjavur was asked to make an initial assessment regarding the damage in Nagapattinam, and was subsequently asked to stay on and take charge. When the extent of the impact became clearer after the first two or three days, taking a cue from the Government's Disaster Management Manual, the 77 affected villages of Nagapattinam were divided into 11 clusters. Eleven teams – each consisting of one Indian Administrative Service (IAS) officer, one Minister and other senior officials from various departments such as Health, Agriculture, Public Works, Rural Development, etc. – were posted to make a detailed assessment of the extent of damage and immediate steps requiring to be taken in each of the

villages in their cluster. It was widely reported that even though Ministers were part of these teams, it was the IAS officers, all apparently handpicked for the work, who were given charge of leading the work of the teams. In effect, 11 mini Collectorates were established in Nagapattinam, giving the much needed administrative as well as political teeth to the relief effort. These teams were given administrative as well as financial powers to enable quick response to the situation on the ground. Such teams working on similar lines were formed in other affected districts as well.

These teams, which were in place for a month, were responsible for rescue, clearance of bodies and debris, relief, compensation and ex-gratia, and even identifying sites for temporary shelters. Typically, it was reported that these teams would leave early in the morning and work from the government office closest to the cluster and return at night. Following their return every night, they would meet till midnight to debrief and plan for the next day. It was also reported that these teams were in general open to meeting and listening to NGOs, and in most cases their criticism and feedback were viewed positively, and in fact welcomed.

In Kanyakumari district, after an initial period in which the administration of relief was left almost entirely to the Church, the GoTN acted decisively by bringing in a new Collector, as well as three other IAS Officers and three Ministers to provide institutional and political strengthening to the administration. The difference was almost immediately felt. Apart from streamlining relief efforts, the Collector and Additional Collector set targets, and also helped facilitate better coordination among all state and non-state actors. The Collector also established and maintained direct contact with NGOs and communities, rather than depending on intermediaries. One of the first things the Collector did was to hold Focus Group Discussions in all villages and camps, attended by parish council members, affected people and representatives of civil society organisations to assess damage, losses and needs.

It was widely stressed by many observers that the key to a strong institutional response after the initial paralysis lay in the following important conditions being met:

- To provide adequate, credible decision-making capacities, the postings of senior officers, the IAS included, was executed rapidly in a well-thought out manner. Most of these officers were those who were well-known for their competency, commitment, knowledge of local conditions, and familiarity with the affected communities.
- While Ministers accompanied the teams, political representatives seemed to have been given clear guidelines that led to minimal political interference in the work of the administration.
- The devolution of powers, administrative and financial, was also promptly effected. Initially, each Collector was authorised to draw up to 10 million rupees to deal with a range of immediate requirements according to their discretion.
- The administrative and financial devolution continued further. Designated officers who were responsible for relief camps were also given administrative and financial powers, even though they were usually rather limited. This made administrative and financial decision-making faster and more adaptable to local needs and conditions.

Enhancing the people-administration interface has also been attempted. There are designated days and time of the week when the Collector and relevant officials were available to meet with affected persons. In addition, designated officers, some at the level of Additional Collectors, have been put in-charge of specific aspects of relief and reconstruction to enable a disaggregated response to the grievances of the affected people. In addition, in Kanyakumari for instance, the names and phone numbers of officers handling specific tsunami-related issues were published in newspapers along with other contact details to enable people to access these mechanisms.

Another useful institutional response included the formation of District, Block and Village Level committees. The Village Level Committees were headed by the Panchayat president

and included the VAO (the local Revenue department functionary) and others including representatives of NGOs and heads of the traditional Panchayats of fishing communities, where they existed. It is rather difficult to assess the actual functioning and efficacy of these mechanisms, but it is fair to say that elected Panchayats have not really been visible and central in the relief efforts at the village level. The reasons for these appear obvious – their lack of institutional capacities and in many cases, credibility, and the domination of traditional community organisations over the statutory bodies.

Some observers remarked that a not so obvious reason to bypass elected bodies, albeit quietly, seems to be an unrecorded decision to keep the relief and rehabilitation process in the hands of the administration rather than vest it in elected, i.e., political bodies, the underlying premise being to avoid or minimise the possibility of politicising the relief and reconstruction process through political interference.<sup>68</sup>

On the whole, the GoTN has been appreciated for being very receptive to civil society feedback. Key officials are willing to listen to and spend time with civil society organisations. It has set up coordination mechanisms for liaison with civil society, participated in all meetings, set up different levels of relief and rehabilitation coordination centres, and changed GOs in response to the feedback. Red tapism and bureaucratic procedures were cut down. Collectors and relevant officers are also easily accessible. The government has also made good use of Information Technology (IT), thus speeding up response, and fostering transparency. It must be noted, however, that the government would do well to look into issues relating to accessibility of IT-based information to affected communities, both in terms of access to internet services, as well as language related concerns.

### 9.3 Administrative Autonomy and Political Non-Interference

Even critics of the government admitted that while there were several shortcomings and much left to be done, the response of the GoTN was, by and large, more effective than not. It certainly appears that the GoTN has indeed performed better in tsunami relief and rehabilitation as compared to other states and according to one observer, even some other countries. The three factors that appear to have worked in the administration's favour are:

- a) an efficient and less corrupt bureaucratic leadership, handpicked to lead the tsunami response;
- b) relatively low levels of political interference; and
- c) the autonomy enjoyed by administrative officials.

As stated earlier, the GoTN seems to have taken care to ensure that its best officers were placed in key positions to drive the relief and rehabilitation work. This has certainly had an impact in Kanyakumari, Nagapattinam and Cuddalore as well as other places. The commitment and integrity of those in key administrative positions also ensured greater transparency and more responsiveness, as also a willingness to take decisive action.

It was also pointed out that an efficient bureaucracy that is not given the freedom to act can make little difference. As one observer said, "Kerala's bureaucracy is of good calibre, and is even less corrupt than Tamil Nadu's, but it lacks freedom as the political system sits on top of it."

The comparison between Kerala and Tamil Nadu does make for an interesting one. Observers note that the most important difference between politics in the two states lies in the role of the leader and the strength of the grassroots. In Tamil Nadu, a strong single leader's personal charisma has long dominated politics, whereas Kerala's political system has relied more on support from the grassroots than on the strength of a single leader. Therefore, it was argued that political interference in the administration of relief and rehabilitation was far easier to control in Tamil Nadu than in Kerala since all it took was one clear message from the leader

<sup>68</sup> This is discussed in greater detail later on in the report.



that recognised the importance of protecting the administration from being distracted or hijacked by political competition.

It is important to underscore another important lesson the Tamil Nadu experience throws up, namely that an efficient administration under conditions of sufficient autonomy can actually compensate for shortcomings in the policy frameworks. Last but not the least, it was also pointed out that while the Central government extended its support, it did not attempt to influence or direct the response of the State Government. And in turn, it appears that the State Government did respect the principle of devolving decision-making albeit within some broad parameters. Despite the fact that the policy frameworks were not always consistent with local conditions, the freedom given to the local administration to make the necessary re-configuration, though not always officially, ensured more satisfactory outcomes than the policy framework permitted.

#### 9.4 Financial Assistance: Unanswered Questions

The nature and extent of devastation caused by the tsunami left the GoTN with little option but to seek financial assistance from the Central Government to foot the costs of immediate relief and restoration of basic services and infrastructure, etc. The Central Government, for its part, announced an immediate relief package of Rs. 250 crores.<sup>69</sup> This was followed up with an award of Rs. 2347.19 crores for rehabilitation, including construction of houses, livelihoods restoration and infrastructure redevelopment to Tamil Nadu under the Rajiv Gandhi Special Package for Rehabilitation of Tsunami Affected Areas (RGSPRTAA).<sup>70</sup>

##### Detailed Break Up of Assistance Granted to Tamil Nadu under the RGSPRTAA

<u>Detail</u>	<u>Amount (Rs.in crore)</u>
Relief & Response	233.33
Sustenance Allowance	118.80
Temporary Shelters	90.00
Permanent Housing	650.00
Relief Employment	54.00
Infrastructure	161.15
Agriculture and Animal Husbandry	32.35
Assistance to Fishermen	1,007.56
<b>Total</b>	<b>2,347.19</b>

In addition to this, Tamil Nadu also received US \$ 2.5 million from the Japan Fund for Poverty Reduction.<sup>71</sup> Following this, the Central Government, on the recommendation of the Core Group on Reconstruction, Management and Monitoring for Tsunami affected areas in the Planning Commission, approved a further assistance of Rs. 4,084.79 crores for Tamil Nadu for long-term rehabilitation and reconstruction. This assistance was part of a Rs. 9,870.25 crores rehabilitation and reconstruction aid package for all tsunami-affected areas, which would be financed in part by the Central Government, and in part by external multilateral agencies, specifically the WB and the ADB.<sup>72</sup>

In May 2005, the WB sanctioned Rs. 1852.74 crore (US \$423 million) credit for reconstruction and recovery efforts in Tamil Nadu.<sup>73</sup> “The Emergency Tsunami Reconstruction Project (ETRP) is expected to help repair or reconstruct about 140,000 damaged houses in Tamil Nadu

69 TSUNAMI – A Report to the Nation, June 3 2005, Prime Minister, Manmohan Singh.

70 Ibid.

71 Ibid.

72 Ibid.

73 [www.tn.gov.in/etrp/scope.htm](http://www.tn.gov.in/etrp/scope.htm); accessed on 5-12-2005, 2006 hours IST.

and Pondichery and will assist with the reconstruction of public buildings, revival of livelihoods in fisheries and agriculture, as well as with capacity building in housing reconstruction and coastal management.”<sup>74</sup>

The ETRP has five components:

**Housing:** Including provision of transit shelter and upgrading of services in temporary shelter sites; the repair and reconstruction of existing houses; construction of new houses and provision of related services and infrastructure such as access roads, internal roads, water supply, latrines, storm drains, electrification, and limited community infrastructure facilities; and the resettlement of the families affected.

**Restoration of Livelihoods:** Including activities to help rebuild the livelihoods of affected families through restoration of damaged fisheries infrastructure, agricultural lands and horticultural lands, and repair of infrastructure.

**Public Works:** Including financing of small public works such as repair, reconstruction and upgrading of damaged hospitals, public health centres and sub-centres, educational institutions, cyclone shelters, and other public buildings as well as restoration of damaged river and drain banks, and replanting of mangrove and shelter belts.

**Technical Assistance and Training:** This component will finance technical assistance and capacity-building for housing reconstruction including preparation of detailed project reports, services in connection with land management, preparation of resettlement layouts and related infrastructure plans.

**Implementation Support:** This component will finance project management and incremental operating costs associated with project implementation, including financial audits, quality assurance and technical audits, project monitoring and evaluation, and continuous social and environmental impact assessments.

“The total project cost (for both Tamil Nadu and Pondichery) is estimated at US \$682.8 million, including contingencies, of which the International Development Association (IDA) funding of US \$465.0 million, or about 68 per cent of total, is proposed. The standard IDA terms, including a service fee of 0.75 percent and a maturity of 35 years apply. The remaining amount will be provided by the Governments of India, Tamil Nadu and Pondichery.

In addition to this project, the World Bank will contribute a further US \$63.5 million to the financing of tsunami disaster recovery activities. Existing IDA credits will help finance essential reconstruction activities in Andhra Pradesh (US \$40 million) and needs in rural water supply in Kerala (US \$10 million). The needs in the roads sector in Tamil Nadu (US \$11 million) will be partially covered under an existing IBRD loan. A trust fund of US \$2.5 million will support certain activities which are part of, and consistent with, the implementation of the tsunami reconstruction program.”<sup>75</sup>

While the WB has sanctioned the credit, there seems little indication that the government is actually utilising it. For instance, visible signs of activities undertaken with the WB loan were not really in evidence. The official GoTN website on the ETRP ([www.gotn.org.in](#)) contains no information on the specific activities undertaken under the project.<sup>76</sup> It, however, mentions clearly that the expected date of completion of the project is 31/1/2007, a relatively short deadline for a project of such socio-ecological complexity and financial magnitude.

According to senior government officials, the WB, ADB and Central Government funds are meant to essentially reimburse the expenses borne by the State Government. In addition it

74 *India: World Bank Supports Emergency Reconstruction In Tsunami-Hit Areas*, News Release No: 453/SAR/2005, [www.worldbank.org.in](http://www.worldbank.org.in), accessed on 5-12-2005, 1945 hours IST.

75 *Ibid.*

76 As on 5-12-2005.

was also pointed out that the WB and ADB have consented to part utilisation of the funds. It was also reported that given the Bank's exhaustive tendering procedures that require national, and in some cases even international, bidding government officials often prefer to work with the assistance of civil society groups and INGOs. On the other hand, a more critical view with regard to the use of WB and ADB funds is that the purse strings will be loosened as the state general elections draw near.

There exists considerable confusion among civil society regarding the manner in which all this money is being used. Explanations and conjectures abound surrounding the WB and Central Government funds and the manner in which they are being used, and it is in the best interests of everyone that the State Government makes its plans and intentions clear in this regard.

## **10. Civil Society Organisations in Tsunami Response**

### **10.1 Nature of Civil Society Organisations and Interventions**

The response of civil society organisations to the tsunami quite naturally varied according to their own area of expertise, the resources they could mobilise as well as their analysis and understanding of the situation. The spectrum of civil society organisations includes:

1. Humanitarian aid agencies and international development funding organisations.
2. Charitable trusts and philanthropists, including corporate bodies/foundations and religious groups.
3. Local development organisations and their networks.
4. Interest groups and associations as well as local self-help groups and community organisations with a membership base in the affected communities such as various fish workers organisations.
5. A number of small and large networks and organisations including independent citizen's platforms and fora that were not directly involved in actual relief or rehabilitation work, but closely monitored the work of government and non-government agencies and focused on advocacy.

The wide spectrum of civil society groups also means an equally diverse number of approaches to the questions of relief, reconstruction, rehabilitation and development. And each had, and in fact continues to have, a crucial role to play. Humanitarian aid agencies and international development agencies have the ability to mobilise resources on a large scale. These resources are being channelled through their partners, mostly local development organisations. For the most part, international development organisations have advocated the rights-based, sustainable development perspective to relief and rehabilitation planning and implementation. They also often bring with them considerable expertise and technical knowledge on various aspect of relief, reconstruction and rehabilitation gained over many years in different contexts and situations. As a result, most of these agencies also come with their own set of procedures, protocols, processes and standards that they seek to operationalise so much so that in many cases they are viewed as inflexible.

For the most part, charitable foundations, religious orders and corporate bodies have tended to work on a welfare and charity model. A distinct characteristic of their approach is that they often lack a clear, long-term plan of involvement. And when there is a longer term plan or vision, in many cases, it is actually built around expanding the sphere of influence of the organisation or institution, and the values it propagates rather than achieving any specific social, economic or political goals defined by the community they work with. Another fundamental way in which these organisations differ from several local development organisations is that unlike the latter, the former do not have social change and transformation on their radar.

Local development organisations have approached the rehabilitation and reconstruction process as an opportunity for laying the basis for short-term and long-term change in local social, economic and political structures. Local development organisations whether entirely

community-based or not, are often working in collaboration with larger development organisations, which provide them with resources, in most cases financial but also otherwise, to carry out their work. Many of these organisations have a specific sectoral or social group focus, and by and large, emphasise rights and sustainability. They are also often faced with the compulsion of responding quickly to the material needs of their constituency, even while staying true to their emphasis on the process and informed participation. On the other hand, they also need to make considerable efforts in negotiating various programmatic and procedural aspects with their donors, i.e., often the large development support organisations.

Interest groups and associations with a membership base in the affected communities such as various fish workers' organisations focus, quite obviously, largely on protecting the interests of their own constituency. There is wide diversity even amongst them, with a large number of diverse fish workers' organisations adopting different approaches in terms of the focus of their work as well as partnerships with other civil society groups and the government.

The last category of civil society organisations includes a number of advocacy groups, organisations and citizen collectives and fora. These initiatives are generally of two kinds:

- a) those that are a result of people, often with considerable expertise, from diverse professional backgrounds coming together to advocate more effective government and non-government response to the relief and rehabilitation needs of the affected communities; and
- b) collectives and organisations that draw from specific or diverse sections of the affected populace.

Most of these organisations are not engaged directly in relief or rehabilitation work themselves, but focus on independent and often well-informed analysis of policy and practice. Using the media, the courts and/or mobilising affected people and communities, these fora and collectives highlight key issues of concern. Given their non-involvement in the actual administration of relief and rehabilitation, they often act as watchdogs trying to examine the situation from wider perspectives that distance can often bring but are of course unable to always appreciate the challenges faced while actually trying to implement policy or operationalise standards and plans.

In addition to all the above, a large number of research organisations, technical institutions and expert bodies have also been involved in a number of ways, often advising or working independently or along with one or the other kind of civil society groups. While some of them have been involved in advocacy or demonstrative projects, others have restricted themselves to generating specific kinds of knowledge researching the social, economic, environmental, geological, and other dimensions of the impact of the tsunami.

## 10.2 Co-ordination Bodies and Interface Fora

The need for co-ordinating bodies and interface forua was recognised early on. As a consequence, co-ordination bodies that bring together a wide range of civil society organisations and the administration were set-up in Kanyakumari and Nagapattinam as well as in Chennai. The single most important feature of all these co-ordination bodies is that they all intensively engage with the administration. The co-ordination fora that are convened at frequent intervals, serve to avoid duplication and help ensure a constant interface between the administration and the civil society groups. These co-ordination bodies<sup>77</sup> typically have a strong working relationship with the government, and usually have the following objectives:

- a) Coordinating rehabilitation efforts by civil society organisations and the government to maximise potentials and avoid duplication;
- b) Sharing knowledge, perspectives, information and expertise; and

<sup>77</sup> Such as the Kanyakumari Rehabilitation Resource Centre, NGO Coordination and Resource Centre in Nagapattinam, and the Chennai NGOs Coordination Cell.

- c) Discussing rehabilitation issues and giving feedback to the government.

One of criticisms levelled at the co-ordination and interface fora was that they are democratic only in name but in effect are controlled by the administration. It was pointed out that these co-ordinations have been restricted largely to logistical issues but have not served as fora where substantive and policy impacting discussions occur. It was also pointed that the presence of these co-ordination bodies had not enhanced the overall transparency of either the government or non-government agencies.

Even while accepting the limitations of the co-ordination and interface mechanisms, their role in facilitating better communication and reducing the confusion, duplication and wastage of resources cannot be denied. Clearly there is a need for these mechanisms to not only continue but also become stronger. The most interesting aspect of the experience of the district level co-ordination mechanisms seems to be the role played by the District Collectors in bringing together civil society organisations. Collectors, it appears, often play a major role in shaping civil society interventions through these fora. Indeed in many cases, it is the Collectors and other officials who have identified communities and villages that need support and have asked NGOs to direct their intervention accordingly.

Effective co-ordination is not just a felt need of the civil society organisations involved, but also greatly assists the administration in ensuring more effective resource allocation and planning, and has the potential to also greatly reduce duplication and wastage. If the experience in Tamil Nadu is any indication, then for such co-ordination mechanisms to be effective, key personnel such as the District Collectors must have sufficient knowledge and understanding regarding civil society organisations and their work and dynamics as well as possess good facilitation and co-ordination skills. This will greatly enhance the capacity of the administration to make the best use of the commitment, skills, and resources of civil society organisations that engage in disaster response, rehabilitation and development. It must, however, be stressed that for co-ordination bodies to work all partners and actors, the government or non-government agencies must cooperate and be willing to extend their support to the endeavour.

Co-ordination and advocacy networks of a different nature can also be found in Tamil Nadu. The Tsunami Relief and Rehabilitation Co-ordination (TRRC) formed on 03/1/2005 is a forum that brings together a large number of local NGOs, social movements and affected peoples' organisations from across Tamil Nadu, mostly with a focus on strengthening advocacy and coordinating efforts to influence policy and practice in the relief, reconstruction and rehabilitation process. The TRRC focuses its efforts on mobilising affected communities to ensure effective rights-based rehabilitation and development. Some of the organisations affiliated to the TRRC are also involved in the implementation of housing and livelihood rehabilitation. The TRRC also engages in policy overview looking at relevance, standards, transparency and democratic functioning of both the government and non-government agencies.

Also of note are internet-based knowledge sharing networks. These have served as highly effective fora for sharing information, discussing issues, providing feedback to the government, and to an extent, co-ordinating efforts also.

### 10.3 Civil Society Interventions: Conflicts and Debates

It is no surprise that given the diversity in institutional natures, orientation and perspectives, extent of financial, human and technical resources available, core constituencies and a number of other differences, co-ordination across the spectrum of civil society organisations posed several challenges, and in fact proved virtually impossible in many instances. Almost as if to corroborate this is the fact that networking and coordination has been easier at the two ends of the spectrum.

At one end of the spectrum are organisations affiliated to the various co-ordination cells like the NCRC; they invest heavily and are intensely involved in rehabilitation-related work, and typically share a strong working relationship with the government. At the other end of the spectrum are Co-ordination Cells like the TRRC, which pursue an activist agenda and has taken on a monitoring role, often not hesitating to openly criticise the work of the government as well as some of the larger agencies and development organisations and INGOs engaged in relief and rehabilitation work.

Conversations with INGOs and the larger development organisations clearly reveal that many of them view the TRRC and many of the associated organisations as ‘confrontationist’, ‘overly argumentative’ and generally difficult to work with and that they perceive themselves as more ‘constructive’ in their approach than those associated with the TRRC.

On the other hand, there seems to be a perception that co-ordination cells like the NCRC is ‘pro-government’ rather than pro-people, and that they are often co-opted by the government. Apparently their investments and involvement in the rehabilitation processes create the need to maintain smooth relations with the government, and therefore, they refrain from taking up controversial issues that could antagonise the administration. While at one hand this could indeed be true, development workers associated with these co-ordination cells point out that this perception probably stems from the fact that they, having direct access to the upper echelons of the administration, do not usually need to make a hue and cry about their stand, or take it to the media. And this appears to be true at least in some instances – there is evidence that organisations affiliated to these co-ordination cells have put forth very well-informed policy notes that deal with the extremely controversial relocation issue.

These apparently conflicting networks of organisations are actually complementary to each other – in any rehabilitation process, both activist organisations and development organisations have roles to play. Despite this truism, efforts to get the two ends of the spectrum to work together have been rather futile, with diverse kinds of civil society organisations arrayed along various axes rather than forming a loop that feeds into and complements each other’s work.

It, nevertheless, needs to be stressed that this ‘conflict’ between different civil society actors arises from their different locations and priorities and is not altogether negative in its tone or outcome. In Tamil Nadu, this debate has perhaps contributed to higher levels of engagement with both the issue of accountability and that of deepening intra-civil society relationships.

#### **10.4. Effectiveness of Civil Society Organisations in the Field: People’s Participation and Accountability**

Accountability of NGOs and civil society organisations engaged in relief and reconstruction activities has emerged as an issue of major concern. A wide cross-section of people who were interviewed in the course of researching this report voiced concerns about the lack of accountability and transparency of NGOs. The concerns are especially relevant in the context of the large sums of money that have been received in the wake of the tsunami, a process that was made easier by the waiver of the traditional checks in place, otherwise under the Foreign Contribution Regulation Act (FCRA) of 1976.

The TRRC has been raising issues of accountability and transparency and calling for NGOs engaged in rehabilitation work to adhere to higher standards when it comes to quality of work, procurement, planning and people’s participation. The TRRC actually decided to conduct a study based on a survey of both government organisations and NGOs involved in tsunami-related work. According to the TRRC, in response to the questionnaires sent out in early October, government departments provided all or most of the information sought for all 13 districts within two weeks, including confidential documents, without questioning the

TRRC's purpose or motive behind this study. It appears that the response from NGOs has been far less encouraging with many of them choosing not to respond at all. According to some of these NGOs, they are hesitant to share such information because of the TRRC's 'approach' in collecting the same.

The concerns raised are, however, not restricted to financial management alone. They cover issues such as poor quality and slow pace of work, non-participatory approaches and a general unwillingness to share information. Observers report that it was apparently common for NGOs to cut corners and save money at the cost of quality – for instance it was said that a certain INGO had asked manufacturers to make thinner FRPs to reduce costs and, thereby, increase the number of boats they could provide. The visibility as well as the financial resources that tsunami-related work seems to have led to intense competition to 'acquire villages'. It was pointed out by many that NGOs prefer to go to Nagapattinam, Cuddalore and Kanyakumari because of visibility. In contrast, in areas like Ramanathapuram or Vizhupuram, Tiruvallur, Kancheepuram, there were very few NGOs and mostly only local NGOs that do not have much capacity to raise or spend money.

According to a recent media report, the International Federation of Red Cross and Red Crescent Societies has maintained that many aid agencies wasted money, failing to consult survivors or other relief groups falling prey to competition to spend unprecedented budgets resulting in duplication of work and waste of resources.<sup>78</sup> The IFRC is reported to have observed "Without knowing who was doing what, and where, some communities were inevitably overwhelmed with aid while others were neglected."

It is also troubling that despite many claims by NGOs that their focus of work and advocacy is on vulnerable groups, issues like the conditions of agricultural labourers, and lacunae in old age pension schemes have not received adequate attention in policy. This raises some crucial questions with regard to the work of NGOs. Is this the consequence of poor information channels within organisations which results in decision-makers not being in touch with grassroots workers? What is the process by which civil society organisations choose their areas and focus of work? To what extent are NGO interventions based on sound knowledge of local conditions and participation of affected people?

While the participation of affected people is widely upheld as a principle, in practice however, it is not always realised due to the nature of institutional arrangements around financial reporting and obligations. For example, it was seen that in housing reconstruction, despite policy guidelines that mandate people's involvement at all stages, many organisations appear to have paid lip service to participation, in some cases not even consulting people on house design and layout. One reason cited by NGOs as a hindrance in giving full play to participatory processes was the necessity to achieve targets and meet project deadlines. It also appears that lack of mutual familiarity and knowledge of local conditions makes it all the more difficult to foster mutual trust, an essential condition for effective participation. Many organisations have tried to circumvent this problem by hiring locals, ideally people from the affected community itself, as their outreach workers.

Initiating participatory processes in a post-disaster context is beset with complications inherent to the situation and is further compounded by the fact that not all civil society organisations are well-versed in initiating and managing such processes. It is clear that if the ongoing rehabilitation is to be more effective, then it is imperative that NGOs and INGOs work together to develop a more considered understanding of operationalising participatory processes, the importance and basic principles of which need no reiteration here.

A set of issues influencing effectiveness that implementing agencies are faced with has to do with the nature of institutional arrangements and contractual relationships governing donor-partner relationships. Contractual obligations appear to have had some significant bearing on the level of flexibility and peoples' participation in the implementation process.

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78 Anand, S. Everybody Loves a Good Tsunami, 21, November, 2005.

Apart from the pressure from donors to meet targets and project deadlines, the complications of altering sanctioned budget lines agreed to with the donor appears to have been a significant constraining factor. Also NGOs that receive money from more than one agency for a similar project often found themselves following different procedures with people from the same community, leading to confusion and doubts amongst sections of the affected community. Last, but not the least, it was common to hear NGOs complaining about donors laying down a whole host of conditions that left them with little flexibility and room to make mid-course corrections.

In their enthusiasm to apply new knowledge and do what they believed was best for the community many NGOs lost sight of the impact that their interventions could have on an already traumatised people. A case in point is the virtual flood of surveys and administration of psycho-social interventions that followed the tsunami. While many of the psychosocial care interventions were sensitively designed,<sup>79</sup> there were others that were not so. Several months later, affected people still recount the trauma of having to repeat the same stories, draw the same pictures and listen to strangers asking one to 'cry and get it out', in many cases, several times over with different agencies and organisations.

Another concern with regard to the effectiveness as well as accountability that was often raised by several observers was that a large number of the NGOs that engaged themselves in the rehabilitation and development process do not have the experience, expertise or the knowledge of the coastal economy, social systems and structures. Problems crop up when they try to direct programme design and implementation with this minimal level of knowledge. It is not uncommon to hear of international organisations being termed as overbearing and influencing grassroots organisations that depend on them for funding into taking up 'specific' areas of work or methods of implementation that may be inappropriate to local conditions.

Yet another critical issue with regard to effectiveness that emerged repeatedly was the need for different civil society organisations to recognise and stick to clearly defined roles. There seems considerable merit in the argument that donor agencies or bodies that are investing financial resources in the reconstruction and rehabilitation programme, do not take on the role of a direct implementing agency. Ideally, while a large development support agency (donor) brings in the financial resources, a local developmental organisation works to primarily facilitate the process in the villages and to ensure that the reconstruction is undertaken with the active participation and ownership of the affected community. This local partner must, in turn, build the capacities of the community and establish or strengthen community-based organisations to take on issues such as conflict resolution, plan ratification, and resolution of any individual issues or grievances, and addressing specific requirements, etc., in the reconstruction process.

The fact remains that financial and social accountability is an issue of major concern. In this light, it would be useful for NGOs to take active steps to follow the highest standards of disclosure and transparency. It is vital that NGOs come forward to share information with the public and with each other at large regarding their plans and their capacities to implement them, their financial resources and expenses and the details of the beneficiaries and specific benefits that have accrued to them. There are examples of good practices in this respect. For instance in Kollam (Kerala) it has become the norm for NGOs to display lists of beneficiaries outside their offices, allowing public verification and scrutiny. Similarly, in Tamil Nadu, there have been reports of NGOs sharing information on their work at meetings and co-ordination committee fora, etc. It is also, perhaps, time that donors insisted not just on a financial but also a comprehensive well-informed social audit of the work undertaken by their partners as well as themselves.

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<sup>79</sup> For instance, building capacities of teachers and *anganwadi* workers to deal sensitively with traumatised children.



### 10.5 Civil Society Institutions and the State

A strong case for greater civil society involvement emerges when one sees the crucial role that civil society organisations played in influencing relief and rehabilitation policy by:

- a) highlighting the specific and precise needs of communities through intervention, research and documentation;
- b) advocating for the rights of those who are vulnerable to exclusion such as dalits and non-fisher workers, women, the aged;
- c) bringing feedback to the administration regarding leakages and shortcomings of various administrative measures; and
- d) by bringing to the field their skills in people's participation as well as the process and technical expertise gained from their involvement in disaster response and management in other parts of India and elsewhere.

One of the major contributions of the civil society organisations has been their ability to fill crucial gaps at the time of relief and rescue. For instance, while the government could mobilise large quantities of food-grain it was civil society organisations that were able to mobilise essentials such as children's clothing, underwear, sanitary pads and baby food. In addition, civil society organisations have been engaged in the whole spectrum of activities – rescue, retrieval and disposal of bodies and debris, provision of food and essential medical care, construction of temporary shelters, psycho-social interventions, setting up relief camps, etc.

In the rehabilitation and recovery processes, civil society organisations have had crucial roles to play, not only in planning, resourcing and implementing rehabilitation programmes, but also in influencing state policy to shape it in a manner that addresses people's real needs. For instance, it was the civil society that was instrumental in bringing to the government's attention that coastal communities comprised not only fish workers, but a range of other groups involved in diverse occupations, who had all been affected in various ways by the tsunami. Civil society organisations have also been proactive in bringing to the government's attention any negative implications of state policies, and it must be noted that the government, in general, has been proactive in taking corrective measures and passing the necessary directives.

It appears that a concerted effort was also made by civil society organisations to engage positively, at all levels, with a range of other government and non-government agencies involved in relief and rehabilitation work. The co-ordination committees at the district level, such as the NGO Coordination and Resource Centre and the Kanyakumari Relief Resource Centre have had the active support and facilitation of the district administration. The Collectors, other government functionaries, as well as a large number of NGOs appear to have generally accepted these fora as central to their work, and most NGOs as well as administrators seem to feel that the suggestions and decisions taken in these fora are taken seriously by all. This is not to say that there are no contentious issues on this front – some of these are in fact discussed in greater detail elsewhere in this report – but to say that there is a clear acknowledgement across the board that the government's relief and reconstruction efforts and initiatives have benefited from accepting in principle and in practice the idea of private-public partnership.

This has translated itself into an active engagement between the government and NGOs built around the two key principles of

- a) accessibility—it was generally acknowledged that, by and large, the highest levels of the administration at the District and State levels were very willing to pay attention to the issues, concerns and recommendations made by NGOs; and
- b) inclusiveness—the government has worked actively to create spaces and mechanisms for NGOs to participate effectively.

In short, the Tamil Nadu experience shows that approaching disaster management from a public-private partnership perspective built around the core principles of accessibility and inclusiveness can enable greater institutional effectiveness, whether government or non-government.

## 11. The Role of the Media

In today's day and age, a tragedy of this sort was bound to attract a great deal of media attention. It was through the media that the scale of the tragedy unfolded. In that sense, media attention has worked positively. But on the other hand, while the media has helped focus attention on the plight of the affected communities and helped bring in resources, it has not really projected people's needs and has stayed focused on sensationalism. Much of its reporting has been negative and worse still, inaccurate.

There is yet another flip side to this excessive media coverage. In Kargil Nagar, Chennai, an affected person remarked, "Media people are not much trouble, but there is not much use that comes out of it. If we complain to the media, the Minister questions us, and says that he will not come here, and accuses us of having talked about only what he didn't do." Also, as previously stated, it appears that a great deal of decisions regarding work appear to be overly influenced by the media. The relative neglect of non-fishing communities and the lesser affected districts is in part due to the lack of media attention on these aspects. There is definitely a need for the media to portray positive stories, rather than the ones of despair and sorrow, purely in order to encourage the people to move on. But the media is also expected to provide constructive criticism, to specify what is required, and what's not. Drawing the line appears to be an exercise fraught with dangers. Just how much attention is too much attention? Where does one draw the line between investigative journalism and sensationalism? These are questions that the media needs to ask itself.

## 12. Conclusion

This examination of Tamil Nadu's experiences in disaster response points to several key factors that influence both positive and negative outcomes in the processes of relief, rehabilitation and recovery.

At the broadest level, it is very clear that a responsive, proactive government is a necessary condition for effective disaster response. Tamil Nadu's experience plainly indicates that political will to devolve powers and responsibilities to the bureaucracy is crucial, as is decentralised and non-politicised decision-making and implementation. It also appears that a lot depends on the perspective, approach and capacity of individual officers in key positions; the District Collector is the pivot around whom all efforts appear to revolve. An ill-equipped Collector can, therefore, seriously derail all administrative efforts. The State Government seems to have recognised this, and has actively worked at posting its most capable officers in critical positions. However, this over reliance on a single office, and the ability of the individual occupying that office needs to be debated. It is also necessary to examine how learnings and experiences of individual officers can be extrapolated to an institutional level to create a common resource and knowledge base.

The willingness of the government to engage with civil society organisations, devolve responsibilities to them, cut down bureaucratic procedures, be accessible, receptive to their feedback and take action based on it has been another major factor contributing to responsive relief and rehabilitation. This can be seen in the rapid evolution of GOs regarding tsunami relief and rehabilitation, most of which have been influenced by media reports and the advocacy efforts of civil society organisations involved in the disaster response. This has gone a long way in ensuring that people's needs and concerns have been, to a large extent, addressed at the policy level.

This synergy between the state and civil society was maximised by means of co-ordination mechanisms that served as interface points for logistical and policy planning, feedback, debate on issues, and in a sense helped bring the administration closer to the people. However, concerns have been raised regarding the government's capacity and will to stringently monitor the work of civil society organisations, and take action against them when necessary. In fact, it seems almost as though the government, in its efforts to minimise corruption, has tried to delegate as much responsibility for implementation as possible to civil society organisations on the assumption that concerns relating to accountability would be completely addressed by doing so. It is important that this phenomenon is avoided, and that the government takes on a leadership role as it is meant and mandated to.

Civil society organisations, by and large, have responded well to the huge challenge of carrying forward the relief, rehabilitation and the reconstruction process. They have also chosen to constructively engage with the government, rather than restricting themselves to just critiquing state policy and efforts. What has also worked is the extensive coordination mechanisms initiated by them that served to optimise and synergise the efforts of both the State and non-governmental actors.

While it is true that a large part of the credit for the successes in relief and rehabilitation goes to the civil society organisations, it is nevertheless important to be aware of the fact that even their working has not been free of issues related to transparency and accountability.

There have been quite a few instances of civil society organisations being discredited on counts of poor quality of intervention, lack of transparency in financial dealings, and not being accountable to the community. The tensions and competition observed among civil society organisations has also affected the quality, delivery and efficacy of aid. Given that there is widespread awareness and information about standards in humanitarian aid, for instance, the SPHERE standards, it is unfortunate that issues related to quality, participation and accountability still continue to plague disaster response interventions. It only points to the need for both State and non-State actors to work intensively towards institutionalising the operationalisation of these standards and principles.

Further, it has been seen that the donor and implementing agency ideals regarding equity and social norms, and the desire to use the disaster as a window of opportunity to bring about social change, have often resulted in the designing and implementation of programmes that are unsuitable to and do not address the true needs of the community. For instance, fishing labourers have been provided with boats with the objective of bringing about social change by enhancing their economic foundation. While this objective in itself is laudable, the fact is that it has led to a proliferation of boats, and an associated deficit in fishing crew, resulting in older boys being pulled out of school to work on the boats.

In addition, community participation in the rehabilitation process is often unsatisfactory or altogether lacking. It is extremely important for both the donor and implementing agencies to be aware of the fact that the constant flux that is characteristic of a disaster situation necessitates a great deal of flexibility in terms of programme design and objectives, budgets, timelines and even at times, the nature of intervention as well. This capacity to adapt interventions to the situation on the ground is crucial to effective and accountable rehabilitation processes. It has also been pointed out that donor agencies that are not familiar with local conditions and communities should necessarily be receptive and open to the knowledge and feedback of local agencies, however different it may be from their expectations and notions of what is good for the community.

There is a case for civil society organisations to put in a lot more effort in fostering transparency in their interventions. At the end of the day, all funding they receive and all programmes they administer are in real terms meant for the people. Therefore, they should be first on line to share with others all details of their functioning, and in fact should

welcome the involvement of the affected community in monitoring their interventions and programmes. Not only is this likely to have a direct effect on the effectiveness and reach of relief and reconstruction programmes, but will also give civil society the moral ground to demand of the government similar levels of transparency and accountability.

It is vital, however, that the State Government itself set the highest standards of transparency and accountability in this regard. Given the lack of information and clarity regarding the precise quantum and the utilisation of the financial resources received by the GoTN for tsunami response and reconstruction, it is crucial that the government takes immediate steps to clear the ambiguity. It is time that the government considers issuing a White Paper on this question.

Also clear is the necessity to establish effective information and communication channels within all levels of the organisation, with partner organisations, and other organisations involved in similar work as well, as is the need to work together to resolve their own differences, so that different capabilities and capacities available with different types of organisations are used to the fullest extent.

Moving on to the question of exclusion and reach of relief and rehabilitation processes, the key issues that emerge are that of data integrity, visibility and flexibility of policy. While it would be false to deny that exclusion caused by discrimination is completely absent, it would be equally untrue to attribute all instances of exclusion to societal inequities. The crux of the matter seems to lie in the absence of necessary data, compounded by situations such as loss of critical documents and the general tendency for majority communities to marginalise certain groups.

Exclusion sums inevitable in a disaster situation. What counts is the capacity of the system to deal with this exclusion, and for this, accurate and reliable disaggregated data on various lines is mandatory, as is the willingness and capacity to alter policy to suit changing needs. In addition, it is also clear that impact assessment and beneficiary identification processes need to be extended over a period of time, allowing for individuals and groups who are left out or overlooked in the beginning stages to be included even later. Flexibility in the implementation system is also important as it will enable the government to respond to individual cases not covered by the government policy or guidelines.

Post-tsunami, it is strikingly clear that there is a pressing need for detailed geo-demographic and socio-economic data collection and vulnerability mapping as a resource base for disaster preparedness. Availability of such data not only helps anticipate and avoid instances of exclusion, but also facilitates prompt and effective remedial action. Fostering communication and information flow across organisations and communities is the only way to deal with the problem of invisibility; it is especially important that every single instance of exclusion is paid the fullest attention and responded to decisively and swiftly.

There is no denying the fact that it is important to educate and enable people to take responsibility to take vital but simple steps such as registering movable and immovable assets, and maintain and contribute to the building of accurate and inclusive databases of population statistics. These databases, in addition to enhancing the reach of relief, recovery and rehabilitation, will also serve to maximise and rationalise use of resources, and minimise misuse and wrong targeting. After a disaster, different groups of people will have different needs in terms of relief and rehabilitation measures. In the absence of a comprehensive baseline data, the government, in an attempt to address the needs of all sections of people, often initiates programmes designed 'to fit all', that inevitably lead not only to exclusion, but also to indiscriminate and wasteful resource utilisation.

Corruption is a common problem faced in all relief and rehabilitation efforts. In Tamil Nadu, the extensive involvement of civil society organisations in beneficiary-oriented relief and rehabilitation seems to have played a major role in minimising instances of malpractice. The government has also put in place several mechanisms to foster transparency in its dealings –

lists of beneficiaries are put up on district administration websites; monitoring committees created at village, block and district levels, community institutions are involved in the identification of beneficiaries and distribution of aid. These efforts need to be strengthened in the future to enable affected people to closely monitor relief and rehabilitation processes, and by creating mechanisms for information dissemination in local languages to ensure that people are aware of their entitlements.

Tamil Nadu's disaster policy continues to be response oriented, and that too sectoral in nature, rather than addressing all issues in an overarching policy. In addition, the policy is based on a very narrow understanding of coastal communities and the coastal economy, though efforts have been made to make it more inclusive. Further, at the level of implementation, progress in terms of reconstruction and rehabilitation appears to vary across districts and sectors.

Housing reconstruction is well underway in districts such as Nagapattinam and Cuddalore, but has not really taken off in places like Chennai, Tiruvallur and Kancheepuram.

Livelihood rehabilitation has been focused mostly on the fisheries sector, and that too only in terms of provision of boats. Larger issues such as pre-existing questions of resource depletion, sustainability of livelihood and sea safety seem to have taken a backseat in rehabilitation planning. Similar concerns abound in the agriculture sector, where a great deal of contention already exists regarding the impact of aquaculture farms, as well in the cases of people engaged in micro-enterprises and in the unorganised and daily wage sector, wherein not much seems to have been done in terms of livelihood restoration or rehabilitation.

While the government has initiated a debate on a coastal management plan, and is in the process of developing an approach paper on this issue, the safety of coastal communities and ecosystems has, until now, been addressed in a very patchy, and at times not well-informed manner by policy, with the result that implementation has been progressing haphazardly. There seems to be no clear vision as to the direction long-term and complete rehabilitation and recovery will take. With rehabilitation progressing in a patchwork manner, the overall recovery of communities does not seem to be proceeding along a consistent, well-defined and self-determined trajectory. It is vital that urgent measures are taken to harmonise the diverse set of activities that constitutes rehabilitation and set clear, time-bound goals and pathways in a participatory and accountable framework.

At a broader level, the need for a holistic and integrated policy on disasters that covers all aspects of prevention, preparedness, mitigation and response cannot be ignored. The importance of disaster preparedness has also never been so clearly brought out as in the case of the tsunami. Preparedness is needed at various levels; for one, there needs to be preparedness to respond, in terms of institutional structures and systems, personnel as well as material resources. Community preparedness is another crucial aspect. The first few hours after the tsunami showed that it was the community itself that was the first to respond, as in the case of all disasters. Communities need to be prepared so that not only are the impacts of disasters mitigated, but also so that they are knowledgeable about how to respond. Preparedness also includes addressing vulnerabilities – development of capabilities, reducing poverty, access to insurance, early warning systems, etc., all form a part of this.

Last, but not the least, it is vital that government and non-government agencies as well as independent experts continue to research, reflect, review and document experiences and learning. The building of a comprehensive knowledge base of experiences, to which this report is a contribution, is a necessary step in developing greater levels of preparedness and response capabilities.

The tsunami of December 26, 2004, led to unprecedented loss of lives and destruction in Tamil Nadu. The wide-ranging nature of the impacts has prompted a decisive response from both the State and civil society organizations. This report attempts an overview of initiatives of public agencies and civil society actors in the areas of rescue, relief and rehabilitation. This report focuses on bringing together the rich diversity of experiences and learnings of a range of actors affected by, and involved in the tsunami response. It also covers critical areas such as issues and experiences related to relief and compensation; rehabilitation in the areas of housing and livelihoods; exclusion and vulnerability; community responses; and an assessment of State and civil society responses with a focus on several institutional and process-related elements.

The report finds that while responding to a disaster of the scale of the tsunami poses significant challenges, a strong political will, institutional autonomy, vibrant State–civil society interface and a high level of responsiveness to local social, political and economic realities have been critical in influencing several positive outcomes in the relief and rehabilitation process. At the same time, the tsunami response is also providing to be a fertile learning ground for all actors in enhancing their effectiveness and reach.

*The **Tata Institute of Social Sciences (TISS)**, a Deemed University, has always been an educational institution with a difference. Social responsiveness and commitment to the rights of the marginalised have always been at the core of its work. The TISS is involved in shaping planning, policy and programme formulation, fostering critical rethinking and development of people-centred interventions through our education, research, field action, and extension in social work, social sciences, human resources management, health systems and allied fields. Apart from being directly involved in relief work following the tsunami, the TISS has been actively engaged in research and action to ensure participatory development and reconstruction in the tsunami affected areas in the Andaman and Nicobar Islands as well as in Tamil Nadu.*



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