Eviction, Housing and Livelihood in Chennai

By

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"On the social plane, we have in India, a society based on the principles of graded inequality, which means elevation of some and degradation of others. On the economic plane, we have a society in which there are some who have immense wealth who live in abject poverty. In politics, we will have equality and in social and economic life, we will have inequality. In politics we will be recognizing the principles of 'one man – one vote and one value'. If our social and economic structure continues to deny the principle of one man – one value, how long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life?

-Dr.B.R. Ambedkar.

In modern India, eviction is becoming the order of the day. In the name of development, people are being evicted from their homes, and land. Their houses are being vandalized by the State, livelihood options are getting curtailed and their support system is being severed. The poor and the marginalized are mostly affected by this state sponsored crime. State apparatus terrorizes people to enforce this atrocity in the name of development. This article tries to capture the current developments in one of the most urbanized states in the country- Tamil Nadu. Boasting of its Dravidian identity politics for its rational thinking, the parties have smoothly embraced the market forces without any major protest and resistance from the masses. Various forms of land appropriation are taking place across the state and most importantly within the city in the name of industrial development, infrastructural expansion, particularly construction of highways and a host of other housing projects. The poor people continue to

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be the worst targets of these developmental projects as they are also considered to be potential law breakers. Though these people migrated to the city with a hope for better quality of life, they continue to be at the receiving end of various eviction drives in the recent past.

In this article, through a case study of the eviction in Porur Lake in Chennai, the paper seeks to examine the way neo-liberal policies have created and continues to create pockets of urban displacees. The paper begins with a discussion on the political economy of urban development in Tamil Nadu. The second section of the paper focuses on the role of various financial institutions which are instrumental in bringing the urban development in Tamil Nadu. The third and final part of the paper critically analyses the process of urban eviction with specific reference to Porur Lake in Chennai. Through this case study, an attempt is made to document the experiences of the evicted people, their struggle for housing and livelihood and the Government promises of resettlement and rehabilitation.

Background and Context

The modern Indian state's attempt to achieve an economic growth in tune with a globally defined framework seldom turned out to be development for the vast majority of people. This is due to the increasing importance given to particular modes of production which is invariably defined by the market. These market forces ensure creation of wealth and its accumulation, leaving out masses to defend for themselves. The changes in the social and economic structures have led to the accumulation of wealth and creation of new classes at an unprecedented rate. The main agenda of the state is to create a modern, sophisticated, beautified and 'clean' city. In this process, the state has distanced itself from the working class and marginalized sections of people living in the city through various acts of commissions and omissions and it has ensured that some basic amenities such as water is provided through administrative and legal measures². Development paradigm is a contested reality in a socially stratified country like India. Its choice and means always differ across the social and economic groups, because the unequal power relations always benefit the dominant socio-economic groups and causes adverse consequences to others. Yet, a modern, sophisticated, beautified clean city is the main agenda of the State. India, a signatory to the declarations of the UN conference on 'Human Shelter' in 1996 is bound to ensure enough shelter with all basic amenities. According to the declaration, the Government is responsible for ensuring this basic right to every citizen responsibility. Contrary to all promises in pen and paper, large scale slum demolitions are undertaken daily to 'beautify' the cities³. The United Nations Special Rapporteur on adequate housing has criticized India for demolishing slums in Mumbai and New Delhi in his report submitted during the 61st session of the United Nations Commission on Human Rights at Geneva, Switzerland (March 30, 2005). Table 1 below gives an overview of the forced evictions between 1995 and 2005, not only in India but across countries mostly due to larger economic activities.

According to Shyam S Dutta⁴ (2000), "Economic liberalization has brought cities to the forefront of international competition, necessitating a major change in the urban agenda". This challenged the working nature of local bodies, especially the ones which are close to the city. This may be due to the financial investment which changes with the political, social and economic structure. For example, economic activities within its jurisdiction created pressure to meet host of demands such as infrastructure, in addition to the mandatory provision of basic services. It has also brought in physical changes in the form of infrastructure such as roads, bridges. Land has become commercially valuable and natural resources like water has become a major source of contention. In effect, the elected representatives have become part of the larger economic clan to work for their own personal benefits whereas the thin minority who is critical of massive economic investment which displaces large people has been silenced and has become mute spectator. Overall, priority for the local body is determined by the financial benefits rather than the electors to whom they are accountable to.

	Reported Forced Evictions ⁶ Selection of Seven Countries, 1995-2005 Number of persons evicted								
Year	Zimbabwe	Indonesia ⁷	China ⁸	Bangladesh ⁹	Nigeria ¹⁰	India ¹¹	South Africa ¹²	Total	
1995	6500	300	336754		17300	6500	86965	4,54,364	
1996		272182	336754	25580	253105	156790	112151	11,56,562	
1997	200	272182	336754	22000	15000	65000	128996	8,40,132	
1998			336754			172000	65771	5,74,525	
1999			336754	100205	300	2460	88223	5,27,942	
2000			336754		1201100	177455	57230	17,72,539	
2001	8300	49205	341754	63750	7500	450	27924	4,98,883	
2002	250000	3000	439754		165	950	62878	7,56,747	
2003		5184	686779		12000	150850	138308	9,93,121	
2004	5000	39184	467058	21552	7550	20715	56813	6,17,872	
2005	704300	4425	187064	9355	820413	363795	1420	20,90,772	
Total	974300	645662	4142933	242442	2334433	1117015	826679	10,283,464	

Table 1 Forced Eviction around the World⁵

NOTE: Unless more specific data was available, estimates were constructed using the following equivalencies: 1 family= 5 persons;1 community/area/village/town=200 persons;1 flat/house=5 persons; 1 room=3 persons; 1 apartment building= 100 persons; "thousands" or "hundreds"= 3000 persons or 300 persons, respectively; 1 group of families= 50 persons;1 settlement/ neighborhood/camp/encampment/quarter=50 persons; entire region of a country=10,000 persons

Political Economy of Tamil Nadu

Over the decades, Tamil Nadu is becoming highly attractive for the investors. This phenomenon, combined with a shift in the agricultural policies, had given little scope to small and marginal farmers to earn their livelihood. According to the "State of Environment Report, 2005", Tamil Nadu now boasts of a highly urbanized population with 43.86 per cent of the people living in urban areas. Table 2 below gives an overview of the rate of urbanization in the state of Tamil Nadu. On one side, industrial growth has improved infrastructure in the cities; whereas on the other side, a large regional disparity in the rural areas has been the cause of migration and other social problems. Furthermore, the inhuman condition of urban poor is highlighted by United Nation's Development Program Urban Poverty Report, 2009.13 It states, "major part of legal urban space is used and kept for the benefit of the minuscule minority of most privileged city dwellers. It is becoming a matter of concern that the urban 'beautification', greening and 'development' are further impacting low-income livelihoods in a negative way."

Dravidian parties, the [Dravida Munnetra Kazhagam (DMK) and All India Anna Dravida Munnetra Kazhagam (AIADMK)] which ruled Tamil Nadu for almost half a century after independence, in recent times, claim it an achievement to bring foreign investment when they are in power. Political leaders pride themselves for meeting investors' regularly and making their presence felt at the time of signing MoUs and hand over placement order to semi-skilled workers.¹⁴ Through these measures, the Government of the day wants to project a myth in the media that Tamil Nadu is heaven for the current and future investors. This truth is self managed both by the industries and Government by projecting a particular mode of production as desired development.

Year	No. of Towns	Urban Pop	Urban Pop (%)	Decadal Growth (%)	Annual Growth Rate %	
1901	133	27.24	14.15	-	-	
1911	162	31.49	15.07	15.50	1.45	
1921	189	34.28	15.85	8.86	0.85	
1931	222	42.30	18.02	23.40	2.10	
1941	257	51.73	19.70	22.30	2.01	
1951	297	73.33	24.35	41.75	3.49	
1961	339	89.90	26.69	22.59	2.04	

 Table 2: Urbanization Pattern in Tamil Nadu

1971	439	124.64	30.26	38.64	3.27
1981	434	159.5	32.95	27.98	2.47
1991	469	190.77	34.15	19.59	1.79
2001	832	272.42	43.86	42.79	3.56

Source: Census 2001 available at

http://www.environment.tn.nic.in/soe/images/Urbanisation.pdf; accessed on 4 May 2010

The State therefore has silently shifted its focus away from important issues such as provision of basic amenities and basic livelihood for the poor and marginalized. The Deputy Chief Minister of Tamil Nadu, while addressing the Federation of Indian Chambers of Commerce and Industry (FICCI) members as recent as on March 2010 said, "The period from July 2006 to December 2009 can be termed as 'the golden era of industrialization' in the history of industrial development of Tamil Nadu".15 The cumulative investment in the State, according to him, will touch Rs.60, 000 crore by the end of the current fiscal, of which investment worth Rs.9, 000 crore is currently under various stages of finalization. Most of the investment has been utilized to establish industrial units in Special Economic Zones within the city vicinity and its surrounding areas. This had burdened not only the state government exchequer.¹⁶ and infrastructure but also livelihood conditions and options of the marginalized. Though the Government boasts its image of having the highest Special Economic Zone, 122 notified and proposed SEZs, after Andhra Pradesh and Maharashtra, it has come at a heavy social and humanitarian cost.17

Redesigning Urban Landscape: Role of Tamil Nadu Urban Development Project

Due to a high rate of urbanization and to put specific focus on urban infrastructure, a separate agency called as Tamil Nadu Urban Development Project (TNUDP) was established. The basic premise of this agency is to fund all urban based projects in Tamil Nadu. Later, "in order to broaden the scope of the project and with a view to attract private capital into urban infrastructure, Tamil Nadu Urban Development Fund (TNUDF) was established in November 1996. TNUDF is the first public-private partnership between Government of Tamil Nadu and three Financial Institutions (viz., ICICI, HDFC, and IL&FS) for providing long term finance for civic infrastructure on a non-guarantee mode".¹⁸ TNUDF resources have come from World Bank LOC- Rs.470 cr; GOTN Loan-Rs.210 cr and Unit capital mobilised-Rs.200 cr. This fund is to be managed by Corporate Trustee viz., Tamil Nadu Urban Infrastructure Trustee Company Limited (TNUITCL) where the Board of Directors are nominated by the respective agencies like Government and Financial Institutions (FIs). Government of Tamil Nadu (GOTN) contributed Rs. 143 (71.5 %) and 3 FIs Rs.57 crores (28.5%). On the operation side the decisions are being implemented by Tamil Nadu Urban Infrastructure Financial Services Limited. (TNUIFSL) which is registered under Indian Companies Act, 1956 with GOTN having a share of 49% and FIs share of 51%. Interestingly though the Government contributes more than 2/3rd of the finance it has little say on the way this fund is implemented since majority shares are with FIs. These FIs also have other interest and profiteering business such as property developers, funders for major construction etc. In effect the infrastructure fund is suited to their demand and interest since 40 percent of the money is spent on Bridges and Roads.

The project note no.12 prepared by Indo-US Financial Institutions Reform and Expansion Project - Debt Market Component FIRE(D) under the aegis of USAID Project in 1998 records the way TNUIFSL should provide financial assistance to Valasaravakkam, Porur and Maduravoyal Town Panchayats in the Chennai Metropolitan Area for the implementation of infrastructure projects that include roads, storm water drains and commercial complexes. This Private Public model was considered as one of the good models for rest of the country. Based on its success rate in recovery of loan, it was suggested to expand it to other cities and towns in the state. Project Note No.19 prepared in the year 1999 designed Urban Performance Indicators System based on this model. Under this system, the local bodies are categorized and based on the services to user group and the way systems are organized. A city level indicator and a comparative indicator are developed and analyzed. To further its goal the World Bank funded the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) project initiated by the Government of India, started in 2005, to "create economically, productive, efficient, equitable and responsive cities".

A Report prepared by South Asia Energy and Infrastructure Unit, World Bank in March 2005¹⁹ intends to support urban road sector through Tamil Nadu Urban Development Project III in Bangalore establishes clearly a space for further industrial development based on this model. It claims, to achieve economic growth which will eventually reduce poverty. It argues that "Services and manufacturing industries particularly concentrate around major urban areas, and require efficient and reliable urban transport systems to move workers and connect production facilities to the logistics chain" (page 1). It advocates creating "urban transport funds" to fund the new secondary and tertiary roads in low-income urban areas which will connect to the radial roads. This is according to the report to, "escape budget funding and create a closed loop from road user fees via dedicated funds to cities". It suggested eight stages to fund urban road sector starting from investment in the first stage to fully manage the project through user fee.

The Background: Legal and Administrative Nightmare in Tamil Nadu

Two writ petitions in Madras High Court in the year 1993 and 2006 (WP 17915/1993 and WP 25776/2006) were instrumental in eviction of people from the water bodies in Tamil Nadu. The High Court, in 2006 directed the Government to remove all types of encroachment under the control of Public Works Department or the local bodies before the onset of monsoon. Subsequently, according to Public Works Department policy note 2010-2011, Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 was legislated on 22nd May 2007 and came into force on 1st Oct 2007. This Act allows the Government to start boundary delineation, evict encroachments and create fences along the tank boundaries. It also gives the Government the power to evict with a 21 days notice and punish with imprisonment for 3 months or a fine of of Rs. 5000 if anyone "obstructs the officers in carrying out their work under the Act". A High power committee was formed, the Minister being the chairperson along with MLA, local body elected representatives and officials to implement this Act in and around Chennai. Later, through G.O.Ms. 59, MA & WS department, exemption was made to all urban local bodies except CMDA jurisdiction. Government stated that, "Under this scheme, 61,812 plots in the Corporation areas (except Chennai) and 1,12,095 plots in the Municipal areas have been regularised and together have fetched an income of Rs.87.97 crores. Under Town Panchayats 26413 unauthorised plots have been regularized till 2007 and generated an income of Rs.675.19 lakhs".20

In its policy note 2010-2011, the Public Works Department claims that "out of the 13710 tanks maintained by Water Resources Department, 2805 tanks have been fully restored". It also claims that, "the evictions are in various stages in respect of the remaining tank". Yet it is silent on Resettlement and Rehabilitation (R & R) of the evictees. To make the situation worse, the Madras High Court has left it to the Government to decide on the relocation of evictees as per Government's policy. But the truth is that the Government is yet to develop any policy on R & R. The Honorable High Court leaves out Government's own culpability in encroaching the water bodies and targets only small land encroachers who were actually cheated by the land mafia. Unlike the past, in recent years there is a coordinated effort to evict poor people from their localities. The whole approach is Anti-Poor, Anti-Democratic and Anti-People.

Case Study: Chennai

Chennai Metropolitan Development Agency (CMDA) is a statutory bureaucratic body under the Government of Tamil Nadu. It has the

responsibility to strengthen and create Infrastructural facilities for the urban and sub-urban areas of the City. CMDA's mandate is to plan, regulate and approve building construction and infrastructure for the area covering Chennai Corporation, 16 municipalities, 20 town Panchayats and 214 village Panchayats in Chennai, Tiruvallur and Kancheepuram districts. It has jurisdiction coverage of 1189 sq.km which is 7 times bigger than the Corporation of Chennai as depicted in the table below. Unlike CMDA, Corporation of Chennai is run by elected representatives as councilors. Corporation of Chennai and the surrounding local bodies have no role to play except collecting tax and providing amenities such as water and sanitation.

	CMDA	Corporation
Area	1189 Sq.km	174 sq.km
Population (census 2001)	70.41 lacs or 7 Million	43.44 lacs or 4.3 Million

Table 3: Chennai City Geographic Area

Source: CMDA

Relocating people in the city of Chennai and its suburb areas, is justified by multiple reasons including the judicial and legal intervention. This may be due to the rapid industrial expansion and investment around the city which requires massive expansion of infrastructure. The state run agencies rationalizes their action by citing reasons such as: over crowding in the slums results in lack of basic amenities and that the city looks ugly since slum dwellers contaminate the river and water bodies. 'planned eviction' otherwise called as 'relocation' by the Government agencies without proper resettlement plan has been the consistent position of all Government agencies viz., Chennai Metropolitan Development Agency, Chennai Corporation, Tamil Nadu Slum Clearance Board (TNSCB) and Public Works Department. Though commercial and property developers routinely violate CMDA's regulations their constructions are untouched²¹ whereas, powerless and helpless people are being evicted by the agencies of the Government. Tamil Nadu Government, through its orders, condoned twice CMDA's regulations for commercial and property development violators. The culpability of the Tamil Nadu Government and the CMDA was further exposed when the High Court struck down the Government order issued for the third time. Yet these commercial constructions are untouched. The table below gives an overview of number of families, who according to the Government, have to be evicted in Chennai. But there is no comprehensive list of commercial and property development violators who are still at large.

		No. of Families	No. of	Balance No. of Families to	
S.No	Name of	on the	Families		
3.110	waterway	Banks & Bed of	Already		
	-	River/ Canal	evicted	be evicted	
1	Cooum River	9562		9562	
2	Adayar River	6624	1153	5471	
3	Buckingham	15354	3492	11862	
3	Canal	15554	3492		
	Total	31540	4645	26895	

Table 4: Details of Encroachments in City Waterways Enumerated by TNSCB & PWD (2002 – 03)

Source: Presentation by Managing Director, Chennai Metropolitan Water Supply and Sewerage Board on Water supply, sanitation, solid waste Management and Flood Alleviation. <u>http://www.cmdachennai.gov.in/SMPS/SMPS_Session3.pdf</u> accessed on 5 May 2010.

Recent developments in Chennai show the Government's commitment for a clean, beautiful river and water ways and infrastructural development in Chennai on the lines of JNNURM objectives. But it is non committal with respect to the holistic rehabilitation for the resettled communities. Take the case of Chennai River Restoration Trust, a recently constituted body by the Government on 22.1.2010, with an objective of restoring Chennai rivers which include Adyar, Buckingham Canal along with Cooum River. Soon after the Trust is formed, a High Level Committee was constituted on 25.1.2010. In its first meeting on 8 Feb 2009, it took a decision to execute a Memorandum of Understanding (MoU) with Singapore Co-operation Enterprises to develop Comprehensive Master Plan for the restoration of Cooum and on 18.3.2010, MoU was signed. Corporation of Chennai documents reveals that all these areas are planned to be developed either into parks, roads or walkways. Policy note of Public Works Department 2010-2011 shows a narrow vision for rehabilitation focusing only on housing. It states, '....to enumerate all the encroachers within two months and to evict all the encroachers along Cooum River after providing them with alternative housing'. The Mayor of the Corporation of Chennai, in his special address at the Valedictory Session on Chennai Waterways stated that there are 22 water courses in the Chennai City and about 11,000 huts encroached on the Cooum banks; out of which 5,000 huts have been shifted and the households rehabilitated, providing alternate accommodation in storeyed tenements. The remaining 6,000 huts and the auto workshops near Chintadripet would be shifted to the places identified for the purpose.²²

In creating a 'world-class city', forced evictions without adequate alternatives become the order of the day. This eviction of the poor and re-

making of the urban space is carried out by the government agencies by cordoning off public spaces such as parks for private use of middle and upper middle classes through legislative and administrative framework of urban development. JNNURM which is supposed to renew the urban people is proving fatal by condemning and driving people out of the city. Various newspaper articles reported that, people in relocated sites are "forgotten by the state23" and the condition in the site become a "City's Suicide Point"24, "Human Dump yard"25 and "Hellhole"26. Moreover, a recent Fact Finding Report on Relocation Settlements of Kannagi Nagar and Semmenchery conducted by Fishermen's Land and Livelihood Rights Council (FLLRC) and Citizen's Rights Forum (CRF) show that TNSCB did not have the data on the number of people living in these relocated sites. The relocated sites do not have proper basic amenities like water, sanitation and health care and adequate provision of transport and Public Distribution system. The relocated sites are not habitable as claimed by the Government. Yet, the Government wanted to go ahead with its eviction drive through out the year even during the monsoon season. Everything went on at lightning speed, except the rehabilitation of the evictees. Though TNSCB claims²⁷ that rehabilitation of families in the past 5 years outnumbered the achievement it had for about 35 years, the nexus between the type of investment, including Foreign Direct Investment and number of slum clusters evicted in these years needs a detailed analysis. In India, the downtrodden and marginalized people live through daily wages are driven out from all major cities. It leaves rich and the elite untouched. Not enough data or details available with the Government on the resettlement and rehabilitation of the evicted people. How does the city claim to be on a growth or development path, if a particular section of society is uprooted and shifted without basic amenities at the relocation sites?

Porur²⁸ Eviction

Porur²⁹ lies very close to Chennai city, just a few kilometers away from the airport and well connected to Bangalore Highway. In recent times in Porur, apart from massive infrastructures, many SEZs are being established. For example, DLF claims to be the largest IT park in Chennai's with a 43 acre first phase of 15 lakh sq feet SEZ. Companies like <u>IBM</u>, <u>Symantec</u> and <u>Accenture³⁰</u> have shifted their offices to this location, since it offers rental10-15 % less than other metros. Apart from this The Board of Approval (BOA) of the Special Economic Zones (SEZs) on 22.06.2007 approved for Estra IT Park Pvt. Ltd, SEZ for information technology and information technology enabled services at Mount Poonamalee High Road, *Aiyappanthangal, Porur, Chennai*, and Tamil Nadu, 10.189 hectares.³¹ These latest developments have had impact on providing adequate infrastructure and other facilities within Porur vicinity.

Porur Lake lies on the borders of Thiruvallur and Kancheepuram districts and is one of the primary water resources for people residing in Chennai. It Covers an area of 250 acres, under the jurisdiction of the Public Works Department (PWD), only 150 acres are augmented for drinking purpose by Tamil Nadu PWD (Porur Lake survey no. 370/1). Rest of the 100 acres according to records have been purchased by local cultivators including Mr. J.P. Deenadyalan and other agencies. The buyers including Mr. Deenadayalan promoted this land for Plots. On 8 May 1995 Mr .Deenadayalan got a stay order from High Court against PWD for evicting 578 huts (7431/95). A Complaint letter (4656/ E I/ 97 dated 27/06/97) from Superintend Engineer, Palar River Project, Kancheepuram to A.S.P., Chengelpattu Zone, Tenampet, Chennai, mentions that land being encroached by individuals belonging to various political parties. Settlements of families in Lake Area date back to over 15 years. The Land grabbers, in connivance with political parties, encourage landless people to 'book' their plots of choice for a nominal payment. Once there are enough 'bookings', the construction of thatched huts begin. 'No Objection Certificates' are obtained in order to apply for necessary amenities. Local bodies grant their approval for the formation of new residential localities, despite being fully aware of the violations. One activist said, "many educated people even bought land in Porur. There were lawyers, bus conductors and drivers, policemen, and one brahmin lady working in secretariat. There were 120 shops, 10,300 houses, 5 English medium schools of which 3 are recognized by the Government". The Table below clearly depicts Porur Village Panchayat as one of the highest concentrated area in CMA. The Table also reveals that it is one of the highly dense localities (density per hectare is 78).

S. Village	Area	Population (in thousands)				Annual Rate of growth				
Panchayat	in Sq.Km	1971	1981	1991	2001	71-81	81-91	91-01	Ave.	Densi ty per Hect. 2001
Minjur	8.63	7.24	13.62	19.49	23.74	6.52	3.64	2.00	4.05	28
Chinnasekkadu	1.67	2.21	2.68	8.42	9.74	1.95	12.13	1.46	5.18	58
Puzhal	6.74	6.94	9.26	15.87	20.64	2.93	5.53	2.66	3.71	31
Naravarikuppam	20.76	9.96	14.67	17.41	18.33	3.95	1.72	0.52	2.06	9
Thiruninravur	14.56	6.94	9.13	16.31	29.33	2.78	7.78	4.27	4.94	20
Porur	3.72	3.54	8.63	19.51	28.92	9.33	8.49	4.02	7.28	78
Thirumazhisai	7.25	9.56	11.01	14.54	16.29	1.42	2.82	1.14	1.79	22
Mangadu	5.63	10.98	11.23	16.06	19.42	0.22	3.64	1.92	1.93	35
Nandambakkam	2.61	4.72	7.68	10.56	9.34	4.98	3.24	-1.22	2.33	36
Minambakkam	3.03	2.51	3.09	3.80	3.61	2.13	2.09	-0.52	1.23	12
Kundrathur	12.16	14.45	16.42	22.79	25.07	1.29	3.33	0.93	1.85	21
Thiruneermalai	5.87	6.31	9.95	17.94	19.23	4.66	6.07	0.70	3.81	33
Perungalathur	7.04	3.71	6.29	11.24	19.59	5.40	5.98	5.72	5.70	28
Peerkankaranai	1.76	3.58	5.28	10.74	17.51	3.96	7.37	5.01	5.45	99
Chitlapakkam	2.90	5.32	11.72	15.90	25.31	8.22	3.10	4.76	5.36	88
Sembakkam	6.35	2.60	6.10	13.50	21.50	8.86	8.32	4.75	7.31	34
Madambakkam	7.92	2.32	3.49	8.21	17.00	4.14	8.94	7.55	6.88	22
Perungudi	4.64	1.74	4.28	9.71	23.58	9.40	8.54	9.28	9.08	51
Pallikkaranai	17.43	2.32	3.93	7.82	22.07	5.40	7.13	10.93	7.82	13
Sholinganallur	15.35	4.23	5.75	8.53	15.56	3.12	4.02	6.20	4.45	10
Total	156.02	111.18	164.19	271.35	385.72	4.40	5.13	3.62	4.38	25

Table.5. PopulationGrowthinSpecialVillagePanchayatSurrounding Chennai:1971-2001years

Source: <u>http://jnnurm.nic.in/nurmudweb/toolkit/CDP_CHENNAI.PDF</u>. Accessed on 20th May 2010 page 172.

Despite the fact that, people had all required Government documents to prove the addresses of their residences of about 15 years, the district administration by employing workers brought the houses down to rubbles using 7-8 earth removers, between 23-26 November, 2006. With no prior announcements, people had no time to remove their valuables or belongings which they had accumulated over many years. Since it was the monsoon season, some houses were submerged in water and people were busy safeguarding their possessions. Even in such a critical situation, demolition of the structure went on. Houses in the *Selva Ganapathi Nagar* were the first to be demolished on 23 Nov 2006; this was followed by *Anna Nagar* on 24 November 2006; *Ambedkar Nagar West* on 25 November 2006; and *Ambedkar Nagar East* on 26 November 2006. But the greatest irony is that institutions like big colleges and hospitals in the locality, which also encroached upon the same lake, had not been questioned or touched and as a matter of fact connivance with Government officials.³² Except for some

200 families who, the press reported a got little reprieve since they were accommodated in a close by Government school the rest were left without any alternative site to stay. When the District Collector, Tiruvallur visited this school, families staying in the first room, who are all tenants, said they would be willing to shift their house if alternative site is provided. On hearing this people in the adjoining rooms, who are land owners, had a quarrel with those who expressed their willingness to move.

Resettlement & Rehabilitation Process

While the process of eviction itself is brutal, the most important issue is the casual attitude of the state in rehabilitation and resettlement of the affected people. After a brief period of living on the streets, the evicted people were divided into two broad categories - those who had Voter ID cards and those who did not. They were further divided into the district where their evicted houses fall under. Based on this categorisation, they were asked to move to Nallur in Kancheepuram District and Koodapakkam in Tiruvallur District. Tokens were issued in three places on different dates immediately after the demolition with no prior baseline enumeration. People, who got the tokens on the first day were mostly the tenants and were given lands in Nallur. The house owners could not get the tokens on the first day since they were fighting with officials for a decent compensation at Porur itself instead of a cent of land elsewhere. They were busy giving petitions to the District Collector, Member of Legislative Assembly, Ministers of Housing and Public Works Department, against eviction drive. People, especially land owners, went to petition many other offices between 29th November and 30th November, 2006 to oppose eviction.

Tokens were first issued in Porur, where the demolition took place. On 27th November 2006 officials informed those received tokens at the eviction site to come to the Thasildar's office at *Ambattur* which is very far from the evicted place for further paper work. Later, it was issued at Koodapakkam, one of the resettled places. Subsequently on 1st December 2006, non-allottees assembled and blocked Poonamallee- Tiruvallur High Road at Koodapakkam, since only a few could reach the place to collect tokens. On hearing this, the Tiruvallur District Collector, gave a written promise that all the non-allottees will be given a hearing for allotment between 2nd December and 5th December 2007 in the Thasildar's office at Ambattur. People were asked to come with a written request with all supporting documents. After the hearing between 7th December to 24th December 2006 people frequented to Collectors office and Thasildar office at Ambattur without any headway. Ultimately, on 28th December 2006, the tokens were given only to 300 families. When people, who came for other work to the office, enquired about the unusual rush in the office, they found out that they were giving tokens for land. They also joined the queue of the affected people saying that they were also affected. Subsequently issue of tokens was suspended for two days. On 4th January 2006 about 400 families were given allotment. Final allotment was made on 23rd January 2007. In the confusion compensation and resettlement was not received by most of the families.

Housing: Nallur, Thirukkalukundram Panchayat Union, Kancheepuram District

Nallur is located at 17 kilometres from Porur, the original evicted site, and 7 Kilometres from Kunrathur. Nallur can be reached after a one hour journey from Porur. Nealy 2500 houses were allotted in this newly established site. There was no human habitation prior to relocating Porur evicted people. The Government promised them all amenities to be provided. Yet, People are still struggling to meet their basic needs and forced to look for alternative livelihood. The Government allotted them 1 cent (416 sq.ft) of land to construct their houses. People recall that at least seven times fire accidents reduced their houses to ruins. In the initial days men formed a vigilance group to identify the miscreants. Even the Fire Brigade reached after all their houses burnt down, since it took at least 30-40 minutes to reach the fire site. Water is supplied during early morning only from 2009 after a News Paper a reported 5 kilometer daily walk to fetch water.33 It has hampered people to go for regular work, send children to school and other regular house hold chores. This newly developed site has no drainage and waste disposal site. Empty plots are used to dump household waste. It also does not have public and household toilet facility. Children go for schooling to Somangalam or Kunrathur which is roughly 3-5 kilometres from the relocation sites. The village has one Anganwadi and one middle school. People complain that there are not many educational institutions close by.

In the initial days people spent almost Rs. 30-40 for transport from their daily earning of Rs. 100-150. The Government started plying only 'M service' and 'Super Delux' bus services. This cost a commuter 2-5 times higher than regular bus fare. People are yet to get Electricity connection since each household needs to pay Rs.3500-5000 for a fresh connection. A host of basic services need to be met by the Government including drinking water, PDS shop, Electricity, Primary Education, Water and Sanitation. Though the Government claimed that all these facilities are provided through local Panchayats, they are yet to have any visibility.

Koodapakkam, Tiruvallur District

Koodapakkam is located 1.5 kms from *Metttukandigam* on the Poonamalle- *Tiruvallur* Highway. People have been nearly dumped here in a

place with no human habitation and flora and fauna nearby. This place, unlike Nallur is not augmented much by people since this land was already allotted to retired army men by the District Administration. Now, this disputed land is sub-judice at the High Court of Madras. Using their vulnerable position and desperation to get land, the Government resettled housing plots on already allotted land to ex-service men. People came to know about this only after their houses were burnt regularly, at least 23 times as people recollect. People have to suffer hot, cold and monsoon season; encounter reptiles and flooding. Because of these reasons people did not want to construct houses. At present only 500-600 families put up structures and the rest, 1500 families have moved out. Moreover, children have to travel up to 1.5 kilometers to primary school, 6-7 kilometers for middle and higher secondary education. People consider this as a temporary location due to the reasons cited above. Elders are dumped here to just to get Government benefits and to ensure that their portion is not taken away. This village has no sanitation, water and other basic amenities. There is no Balwadi in this village and no electricity facility too. The local Panchayat President, with whatever meagre resources available to the Panchayat provided some basic amenities for this village.

Discussion on Land

The people affected claim that over 12,000 families were evicted. However the Government record shows that the resettlement packages were rendered to less than 5,000 families. People were allowed ownership of one cent of land each, irrespective of the size of house they had. Cash worth Rs.2,000 was given as a general aid to every family to resettle into the new place. In Koodapakkam, however, there had been some disputes over the land allotted. On hearing of new entrants, Koodapakkam villagers opposed the evictees being settled in their village. So the District Collector had to allot a place a little distance away from the village, which had eventually become a disputed site. The evictees had to fight for the land with ex-army personnel. Currently 300 houses are inhabited out of 2411 houses allotted by the Government in Koodapakkam. What is common in both Nallur and Koodapaakam is the frequent occurrence of fire accidents. Houses are continuously razed to the ground by raging fires leaving nothing behind. While some claim it is the work of miscreants who want them to vacate the land, others put the blame on the dried leaves used to construct the houses. With the settlement areas situated far away from the city, by the time the Fire Brigade arrives, all is lost.

Basic Amenities: Water and Sanitation

Basic amenities of water, electricity, transport and sanitation are either inadequately supplied or are completely absent. Water is supplied for two hours every day, electricity is provided only in the evening after 6 p.m, public transport facilities are provided during early mornings and late evenings and sanitation requirements are completely missing. Basic needs were not ensured before dumping people into these lands. A nearby pond in Nallur and an open well in Koodapakkam have come to the rescue of the people to meet their basic needs. Both the places are used for open defecation. Contaminated water is used by the people, which have led to many water borne diseases that spreads in the area. There are no Primary Health Centres/ Sub Health Centres/ Health Posts within the resettled areas.

Public Distribution System (PDS)

There are not enough budgetary allotments made in PDS for the evicted people. Because of this, the Panchayat is unable to cater to the needs of the people and they are not able to get any special allocation. For the local Panchayat in Nallur, only Rs.10, 000 is allotted for nearly 4,500 families and the local leader is not able to cater to the needs of the people properly. In Koodapakkam, people protested, asking for a separate PDS, and subsequently got it.

Livelihood

According to Government records, these people have been given alternative sites and rehabilitation is done for them. But many are recognised as encroachers and are not considered for the rehabilitation package. Thus people became refugees in their own country; deprived of their livelihood, basic rights and education. People are either forced to leave their livelihood or stray around the place of original evicted sites for want of employment. School going children, Daily wage earners, Street Vendors and Domestic Workers are the most affected people. They lost whatever small savings they had. Even now with much perseverance and persistent effort they hope to get a replacement land from the Government. They vividly recollect the number of streets having a host of public and private buildings. Temples, School, Balwadi Centres, Petty Shops and Houses were all demolished. People were shattered for want of livelihood and education for their children. Some stay on pavements and others stay in the market places. Small time traders vending at Vadapalani, which is 3 kilometres from the eviction site lost all their savings and became indebted. Even though they had Poramboke land, they paid a heavy price to acquire the housing plots.

Some house owners rented their houses since they wanted to live close to their employment place. In the process they lost their claim to ask for resettlement or rehabilitation. The Officials' position is to issue resettlement tokens only to those who posses any official documents indicating Porur address. This becomes a deterrent for many in getting the resettlement package. Even a monetary grant of Rs.2000 was given to only those who received tokens. In spite of numerous *dharnas* and struggles people are yet to get any concrete plans from the Government. One of the persons opined, "Government's only motive is to receive foreign money to drive us away from the city". Many questioned the *locus-standi* of Government in demolishing and evicting people without even considering its own official documents issued like Ration Card (PDS), Electricity Card, Election Identity Card (Voters Card). These documents soon after the demolition were used only to issue interim monetary amount.

Case Study 1- Female Fish Vendors

Experience of desperation and loss is severe for women belonging to the marginalized sections. They are being discriminated multi-fold. First, for being a street vendor, where they do not have any permanent place to sell; Second, no place to stay, so they invested their hard earned money at a distant place due to low land price; Third, being a Dalit they are socially discriminated; Four, being a women they face gender discrimination. Many women narrated accounted their hardship after eviction. Ms. Kodi, Ms. Punitammal, Ms. Meena, Ms. Padmashree, Ms. Devi and many other fish vending women had invested their savings and loan amount to construct their own house. Some of them even borrowed money from a local shop to put up a roof. Before they could dream of having a house, Government agencies demolished many houses without any formal notice. In spite of many campaigns and struggles they were unable to get justice till now. At present they are allowed only to lodge and not to cook in the fish market premises at Vadapalani by Mr.Perumal, President of the Fish Market. They also stated that there are many small vendors like them living in Porur and stranded at many places around Vadapalani. One such person is Ms. Selviammal, a single dalit woman, who lost her savings by investing around Rs. 1 Lakh in Porur. Soon after demolition she became mentally depressed and still hopeful of getting her resettlement due. At present she lives in the street close to the temple along with her mother and 3 children.

Case Study 2: Experience of an Elderly Person

Mr. Raja, who is working as a security guard in an office near mount road, said he bought the land with very hard earned money. He earned the money by cleaning toilets and through domestic work. He also bought land along with two of his friends. He has three sons all grown-up and married. They advised the father not to buy the land. He bought it thinking, it will be useful for the children and also to him in his old age. The person, who sold the land, did not give the patta to the three of them. After much pressure, he gave one patta in the name of all the three and when they approached the Government with the patta, they said they can give only one cent for this patta. Only Mr. Raja got the one cent land and his friends did not get it till now. This piece of land is in Koodapakkam. Since the huts are set on fire frequently, he left the house, in which he was living alone after eviction. His three sons abandoned him saying he has wasted a lot of money without heeding their words. He goes to work and stays in the office itself. The piece of land given to him in Koodapakkam is unused.

Issues that Government Overlooked in Porur Eviction

- 1. Government was silent when land grabbers especially 'land mafia' sold these *Eri Poramboke*³⁴ land to people. No action by the Government or its associated agencies when buyers started construction.
- 2. Government did not punish those who sold these lands, but punished people who invested their hard earned money.
- 3. Without notice served, early in the morning, Government Authorities started demolishing houses
- 4. People were evicted during the Monsoon season. So they had to bear with the weather and eviction drive simultaneously.
- 5. No baseline enumeration was undertaken before demolition.
- 6. People lost many official documents in the demolition confusion.
- 7. Only during the demolition drive, the District Administration started issuing tokens for cash compensation and showed alternative land, which created a lot of confusion.
- 8. Most of the Land owners are left out of Resettlement and Rehabilitation by the Government since tenants got the tokens issued by authorities.
- 9. People were shunted for two weeks to find out relocated sites. They were offered many relocation sites.
- 10. School children who were in the midst of their academic year had to discontinue their studies.
- 11. People from same area were relocated to two distant places 60 kilometres apart in two different districts.
- 12. Relocated sites were allotted to people with no basic amenities.
- 13. One of the relocated sites, Koodapakkam, was already allotted to exservice men 15 years before by the District Administration. This allotment is *sub judice* now.

Way Forward

Even though India is yet to develop a comprehensive rehabilitation policy, eviction continues across time and space. The current R & R policy does not explicitly mention people evicted in urban areas, except for 150 square meter land allotment for construction of house. Compensation is narrowly defined only to families, leaving out single mother and unmarried persons. Vulnerability increased multifold for urban settlers since urban phenomena are not discussed in detail. In this context, lessons learnt in Chennai would help the Government to develop suitable rehabilitation mechanism with an adequate Constitutional safeguard.

Abbreviations

AIADMK	: All India Anna Dravida Munnetra Kazhagam
CMDA	: Chennai Metropolitan Development Agency
CRF	: Citizen's Rights Forum
DMK	: Dravida Munnetra Kazhagam
FI	: Financial Institutions
FICCI	: Federation of Indian Chambers of Commerce and Industry
FLLRC	: Fishermen's Land and Livelihood Rights Council
GoTN	: Government of Tamilnadu
MoUs	: Memorandum of Understanding
R & R	: Resettlement and Rehabilitation
SEZ	: Special Economic Zone
TCPO	: Town and Country Planning Organisation
TNSCB	: Tamilnadu Slum Clearance Board
TNUDF	: Tamil Nadu Urban Development Fund
TNUDP	: Tamilnadu Urban Development Project
TNUIFSL	: Tamil Nadu Urban Infrastructure Financial Services Limited.
TNUITCL	: Tamil Nadu Urban Infrastructure Trustee Company Limited

Notes and References

¹ Primary Data was compiled from 2008 to 2009 using structured Interview Schedule, Guided Group Interaction and Secondary Data Sources by Mangala Kumar, Agnes Amala, Jeyaseeli, James, Prita Antony and Srinivasan who were Post Graduate Students, Dept. of Social Work, Loyola College, Chennai. I must also thank one of my students Kumar and Jensy insights during the course of my interaction with people. I thank each my colleagues and my teachers in the Department who provided the ambience for furthering my research. I thank my partner and my child for taking away their quality time and bearing with my commitments.

².http://www.oxfam.org.uk/resources/downloads/FP2P/FP2P_BK_Whole.pdf. (From Poverty to Power: Duncan Green: Oxfam, page 21), Accessed on 6th May 2009. ³. http2004://www.marxist.com/india-slum-demolition-spree030206.htm accessed on 6th May 2009.

⁴ Shyam S. Dutta (2000). Partnerships in urban development: a review of Ahmedabad's *experience*. *Environment & Urbanization* Vol 12 No 1 April 2000 13. Accessed on 20 May, 2009 from sage publications website http://eau.sagepub.com on 24th May 2010.

⁵.http://www.unhabitat.org/pmss/getPage.asp?page=bookView&book=2353

accessed on 5th May 2010. End notes numbering 7-10 are reported in the above website to describe each country.

⁶ The numbers are of reported evictions only (i.e. excluding threatened or pending evictions) and are drawn from a global database of forced evictions being compiled by the Centre on Housing Rights and Evictions, with the assistance of numerous partners around the world. Note that the absence of data for a particular year does not necessarily indicate zero or fewer evictions, but may be due to a lack of accurate information. Data was compiled from a number of primary and secondary sources.

⁷ Numbers of evicted in Indonesia in 1996 and 1997 was averaged based on data that 108873 households were evicted over the 2 year period

⁸ Numbers of evicted in China is based on several ages: 250,000 evicted each year from 1995-2003, based on data that 2.5 million were evicted in Shanghai from 1993-2003; 100,000 evicted each year from 2002-2005, based on data that 400,000 have been evicted in Beijing since 2001 for the Olympics; and 86,754 were evicted each year for the Three Gorges Dam from 1995-2005, based on data that 1,127,800 were relocated from 1993-2006.

⁹ Numbers of evicted in Bangladesh in 2004 include 10,868 "homes and businesses".

¹⁰ Numbers of evicted in Nigeria in 1996 include 250,000 "traders, kiosks and residences".

¹¹ Numbers of evicted in India in 1995 include 150 "stalls and shanties" and in 2004 include 9350 "homes and businesses".

¹² Numbers of evicted in South Africa are mainly farm dwellers evicted by owners from private farms. The numbers for 2000 include 200 "homes and businesses".

¹³http://www.undp.org.in/sites/default/files/INDIA-URBAN-POVERTY-

REPORT-2009.pdf on 24th May 2010

¹⁴http://www.tn.gov.in/pressdb/pressphoto.php?id=486&

http://www.tn.gov.in/pressdb/pr01May10/pr010510_365.pdf. Accessed on 24th May 2010.

¹⁵http://beta.thehindu.com/news/states/tamil-nadu/article248002.ece accessed on 24 May 2010.

¹⁶ For details see Madhumita Dutta. 2009. "Nokia SEZ: Public Price of Success", *Econmic and Political Weekly*, Vol. 44 No. 40. October 03 - October 09, 2009. pp. 23-25.

¹⁷ Over the years farming activities become a distant past due to conversion of many Government and Private Lands into industrial zones. This had eventually led to higher price value for the land, blocked water flow to the irrigation tanks and lakes. Due to which large number of lakes disappear and farming activity becomes a distant past. Government's own submission is that due to non farming activities these irrigation tanks can be linked for augmenting drinking water for Chennai Metropolitan region. For news report on Social and Humanitarian Cost read http://www.hinduonnet.com/2009/02/06/stories/2009020653950500.htm.

accessed on 20th May 2010.

¹⁸TNUDF 2007- 2008 annual report

http://www.tnudf.com/documents/ar0708.pdf. accessed on 20th May 2010.

¹⁹http://siteresources.worldbank.org/INTSARREGTOPTRANSPORT/Resources/UrbanTransportSectorStrategyNote.pdf accessed on 24th May 2010.

²⁰http://www.tn.gov.in/dear/Urban_devpt.pdf accessed on 22nd May, 2010. Detailed G.O. Ms.59, MA& WS can be found from

http://www.tn.gov.in/tamiltngov/tamilgos/maws/maws_t_59_2006.pdf accessed on 24th May 2010.

²¹ Though there are regulations based on Floor Space Index (FSI) it is routinely violated. FSI indicates Floor Space Index, which is the ratio between the built up area allowed and plot area available. For example, if FSI is 1 then on a plot of 100 sq.mts, one can build 100 sq.mts of built up area and with the setbacks and openspaces, the building can be higher than one floor.

²² http://www.cmdachennai.gov.in/pdfs/SeminarOnWaterways/1.pdf. accessed on 20th May 2010.

²³. Relocated and Forgotten by State,' Nalini Ravichandran, December 28 2008, *The New Indian Express*.

²⁴. City's Suicide Point,' Sangeetha Neeraja, July 28 2009, *The New Indian Express* First Published : July 28 2009, 03:20:00 AM IST. Last Updated : July 28 2009, 11:00:54 AM, IST, http://expressbuzz.com/news/city's-suicide-point/88529.html accessed on 24th May 2010.

²⁵ 'Human Dump yard,' Sangeetha Neeraja, July 27 2009, *The New Indian Expres.* accessed on 20th May 2010.

²⁶'Hell Hole Called Kannagi Nagar,' Ranjitha Gunasekaran, First Published : December 21 2009, 03:31:00 AM IST, http://expressbuzz.com/news/hellhole-called-kannagi-nagar/132414.html. accessed on 20th May 2010

²⁷ Rehabilitation in past 35 yrs: 77,000 families and in 5 years (2006 -2011): 82,000 families. Resettlement and Rehabilitation of objectionable slums on waterways - Role of TNSCB, *Thiru T.K.Ramachandran,I.A.S. page 42*

http://www.cmdachennai.gov.in/pdfs/SeminarOnWaterways/3.pdf. accessed 30 April 2010

²⁸ http://wikimapia.org/#lat=13.031464&lon=80.1502258&z=18&l=0&m=s&v=9
²⁹.http://maps.google.com/maps/ms?ie=UTF8&msa=0&msid=104940453133649
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&z=15; Accessed on 29 May 2010

³⁰.http://www.moneycontrol.com/news/business/dlf-inaugurates-first-it-

sezchennai_274319.html. Updated at Tue, Apr 03, 2007 at 09:20

³¹. http://commerce.nic.in/PressRelease/pressrelease_detail.asp?id=2082. accessed on 20 May 2010

³².http://www.deccanchronicle.com/chennai/porur-lake-almost-disappears-997, accessed on 24 May 2010.

³³.http://www.deccanchronicle.com/chennai/5-km-daily-walk-fetch-water-700. accessed on 24 May 2010

³⁴. The lands set apart for the whole community are protected by the Government and are known as porambokes. If the land is situated close to Irrigation, Tanks or Ponds, it is called as "Eri Poramboke'.

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