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**TSUNAMI RELIEF AND REHABILITATION**

[Action Taken by the Government on the Observations/  
Recommendations of the Committee contained in their  
Sixty-seventh Report (14th Lok Sabha)]

**MINISTRY OF HOME AFFAIRS AND  
MINISTRY OF ENVIRONMENT AND FORESTS**

**PUBLIC ACCOUNTS COMMITTEE  
2009-10**

**FIFTH REPORT**

**FIFTEENTH LOK SABHA**



**LOK SABHA SECRETARIAT  
NEW DELHI**

FIFTH REPORT  
PUBLIC ACCOUNTS COMMITTEE  
(2009-10)

(FIFTEENTH LOK SABHA)

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Committee contained in their Sixty-seventh Report (14th Lok Sabha)]

MINISTRY OF HOME AFFAIRS AND MINISTRY OF  
ENVIRONMENT AND FORESTS



*Presented to Lok Sabha on 17.12.2009*

*Laid in Rajya Sabha on 17.12.2009*

LOK SABHA SECRETARIAT  
NEW DELHI

*December, 2009/Agrahayana, 1931 (Saka)*

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COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE  
(2009-10)

Shri Jaswant Singh — *Chairman*  
*Lok Sabha*

2. Shri Anandrao Vithoba Adsul
3. Dr. Baliram
4. Shri Khagen Das
5. Shri Naveen Jindal
6. Shri Satpal Maharaj
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13. Shri K. Sudhakaran
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*Rajya Sabha*

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20. Dr. K. Malaisamy
21. Shri N.K. Singh
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1. Shri Ashok Sarin — *Joint Secretary*
2. Shri Raj Shekhar Sharma — *Director*
3. Shri D.R. Mohanty — *Under Secretary*

## INTRODUCTION

I, the Chairman, Public Accounts Committee (2009-10), having been authorised by the Committee, do present on their behalf this Fifth Report (Fifteenth Lok Sabha) on action taken by Government on the Observations/Recommendations of the Committee contained in their Sixty-seventh Report (Fourteenth Lok Sabha) on 'Tsunami Relief and Rehabilitation'.

2. The Sixty-seventh Report was presented to Lok Sabha on 25th April, 2008. Replies of the Government to the Observations/Recommendations contained in the Report were received on 16th October, 2008 and updated replies on 30th September, 2009. The Public Accounts Committee considered and adopted the Fifth Report at their sitting held on 2nd December, 2009. Minutes of the sitting are given at *Appendix I*.

3. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in thick type in the body of the Report.

4. The Committee place on record their appreciation of the assistance rendered to them in the matter by the Office of the Comptroller and Auditor General of India.

5. An analysis of the action taken by the Government on the Observations/Recommendations contained in the Sixty-seventh Report (Fourteenth Lok Sabha) is given at *Appendix II*.

NEW DELHI;  
8 December, 2009  

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17 Agrahayana, 1931 (Saka)

SHRI JASWANT SINGH,  
*Chairman,*  
*Public Accounts Committee.*

## CHAPTER I

### REPORT

This Report of the Public Accounts Committee deals with the action taken by the Government on the Observations/Recommendations of the Committee contained in their Sixty-seventh Report (Fourteenth Lok Sabha) on the Report of the C&AG of India for the year ended 31 March, 2006, No. 20 of 2006 (Performance Audit), Union Government (Civil) relating to "Tsunami Relief and Rehabilitation".

2. The Sixty-seventh Report (Fourteenth Lok Sabha) was presented to Lok Sabha/laid in Rajya Sabha on 25th April, 2008. It contained 26 Observations/Recommendations. Action Taken Notes in respect of all the Observations/Recommendations have been received from the Ministries of Home Affairs and Environment and Forests and these have been categorized as under:

- (i) Observations/Recommendations of the Committee which have been accepted by the Government:

Sl. Nos. 1, 4-10, 13-17, 20, 21, 23-25 and 26

(Para Nos. 199, 202-208, 211-215, 218, 219, 221-223 and 224)

Total : 19  
Chapter - II

- (ii) Observations/Recommendations which the Committee do not desire to pursue in view of the replies received from the Government:

Sl. No. 3

(Para No. 201)

Total : 1  
Chapter - III

- (iii) Observations/Recommendations in respect of which replies of Government have not been accepted by the Committee and which require reiteration:

Sl. Nos. 2, 11, 12, and 22

(Para Nos. 200, 209, 210 and 220)

Total : 4  
Chapter - IV

- (iv) Observations/Recommendations in respect of which Government have furnished interim replies:

Sl. Nos. 18 and 19

(Para Nos. 216 and 217)

Total : 2  
Chapter - V

3. The Sixty-seventh Report of the Committee was based on the Audit review of the relief and rehabilitation efforts and general preparedness on the part of the Union Government as well as the concerned State Governments in the aftermath of the Tsunami which caused massive damages and extensive destruction in the Coastal States of Andhra Pradesh, Kerala and Tamil Nadu and the Union Territories of Andaman & Nicobar Islands and Puducherry. The detailed examination of the subject by the Committee had revealed various shortcomings/lapses in the relief and rehabilitation measures as well as in the Coastal Zone Management in the Tsunami affected States and Union Territories. The Committee had accordingly given their Observations/Recommendations in the Sixty-seventh Report.

#### **A. Gist of Committee's Observations/Recommendations**

4. Some of the important Observations/Recommendations made by the Committee in their Sixty-seventh Report are as under:

- Observing a continuous trend of wide disparities in the estimation of financial assistance in almost every major natural calamity that had struck the country, the Committee had called for a rational and transparent system of the assessment of the damage done so that the affected State/Union Territory Governments did not overshoot their projections. The Committee had further recommended that the Ministry of Home Affairs should conduct a detailed review of all the relief programmes post Tsunami in order to ensure that the rehabilitation funds sanctioned to the affected States/Union Territories actually reached the targeted beneficiaries.
- Finding certain systemic inadequacies at the field level which resulted in various irregularities in the identification of beneficiaries in the affected States/Union Territories, the Committee had desired that the Ministry of Home Affairs, in consultation with the State/Union Territory Governments, should formulate specific guidelines/methodology to ensure foolproof identification of the beneficiaries for the relief and rehabilitation measures/schemes in the aftermath of the natural calamities. The Committee had also desired that a comprehensive District-wise list of the names and addresses of the beneficiaries alongwith the quantity/volume and quality of relief distributed ward-wise in both rural and urban areas should be compiled and made available to the local representatives, monitoring agencies and also be posted on important web portals.
- Taking note of the fact that speedy procurement of the relief materials was most crucial for quick administrative response towards tackling the human sufferings in the aftermath of any natural disaster, the Committee had impressed upon the Ministry of Home Affairs to take up the matter with the State/Union Territory Governments at the appropriate level to put in place a practicable and effective arrangement for ensuring speedy procurement of emergency relief materials during natural calamities.



- Finding that many of the temporary shelters were constructed without ascertaining the exact status of the land which resulted in non-occupation of these houses and consequent wastage of money, the Committee had desired that the temporary shelters should be built after ensuring that the status and title of the land were clear and free of any encumbrances and also based on the choice and needs of the occupant families.
- Commenting that timely construction of permanent houses for providing accommodation to those rendered homeless in natural disasters like the Tsunami was of paramount importance for the rehabilitation of the victims, the Committee had recommended that a State/Union Territory-wise roadmap should be prepared by the Planning Commission for expediting the construction of the permanent houses for the Tsunami victims.
- Finding a series of shortcomings in the proper implementation of the Coastal Regulation Zone (CRZ) Notification issued in 1991 by the Ministry of Environment and Forests for the purpose of protecting and conserving the coastal environment, the Committee had recommended the Ministry to prepare a revised Coastal Regulation Zone (CRZ) Notification and incorporate in it all issues concerning climate change and consequential rising sea level & factors in natural calamities like cyclone and Tsunami.
- The Committee had urged the Ministry of Home Affairs to consider establishing a National Disaster Intelligence Network under which knowledge & experience gained from previous disaster were carefully analysed and utilized in the event of any disaster occurring in future. The Committee had also recommended that the National Disaster Management Authority (NDMA) should ensure that the National Institute of Disaster Management (NIDM) impart training to the officials of the concerned agencies/Departments of States/Union Territories connected with disaster Management on the disaster preparedness.

5. The Action Taken Notes furnished by the Ministries of Home Affairs and Environment and Forests to each of the Observations/Recommendations of the Committee contained in their Sixty-seventh Report have been reproduced in the relevant chapters of this Report. In the succeeding paragraphs, the Committee have dealt with the action taken by the Government on some of their Observations/Recommendations which either need reiteration or merit comments.

**B. Non-Utilisation of Funds by the Tsunami Affected States/UTs  
(Recommendation Sl. No. 2 — Para No. 200)**

6. In their Sixty-seventh Report, the Committee had observed that the utilization of funds released for the relief and rehabilitation measures in the affected States post-Tsunami was much lower and that too against a noticeably pruned allocation. The Committee had also observed that there were several financial irregularities, diversion of earmarked funds towards other purposes such as administrative expenditure, committed liabilities etc., excess expenditure due to wrong application of rates, payment of enhanced compensation and non-adherence to codal provisions, delay in

construction of permanent houses resulting in avoidable expenditure and surrender of funds in the absence of any meaningful plans. Further, the process of beneficiary identification and verification of claims were not foolproof and there was inadequate and improper assessment of damage to the fishing vessels, delay in restoration of harbour and jetty works etc. Thus, the Committee's detailed examination of the subject had revealed that the relief and rehabilitation measures implemented in the affected States/Union Territories had failed to provide the much needed relief to the victims even after the lapse of more than three years of the occurrence of the Tsunami.

7. The Ministry of Home Affairs in their Action Taken Notes have stated as under:

"The Administration of Andaman & Nicobar Islands (ANI), Tamil Nadu and Andhra Pradesh have informed following reason in regard to delays and irregularities in utilization of relief and rehabilitation measures:

- (i) The ANI administration could not implement the relief and rehabilitation measures within timeframe due to adverse weather conditions and remoteness of the Islands from the mainland and Port Blair. However, with the help of Defence Forces and NGOs/CBOs people were evacuated to relief camps within 4 months. About 10,000 families were shifted in temporary shelters at 58 different locations at various Islands before onset of Monsoon in May 2005. *Ex-gratia* payment was made to affected people for the damages, injuries and deaths occurred due to the disaster.
- (ii) Government of Tamil Nadu reported that immediate relief was distributed within 3 weeks of Tsunami and about 73% of funds were utilized by March, 2006.
- (iii) Government of Andhra Pradesh reported procedural delays, which resulted in poor utilization of funds in the State."

**8. The Committee note that the Government of Tamil Nadu reportedly distributed immediate relief within three weeks of Tsunami and above 73 percent of funds was utilized by March, 2006 whereas the Andaman & Nicobar Administration could not implement the relief and rehabilitation measures within the timeframe due to adverse weather conditions and remoteness of the Islands from the mainland and Port Blair. However, the Committee are concerned to note the reported procedural delays on the part of the Government of Andhra Pradesh resulting in poor utilization of the funds meant for the Tsunami victims of the State. The Committee are unable to fathom that procedural delays came in the way of the implementation of the much needed relief and rehabilitation measures in Andhra Pradesh when a natural disaster of Tsunami's magnitude wreaked havoc there. Needless to say, procedural rigmaroles and consequent delays should not be any hindrance to the effective implementation of the relief and rehabilitation measures following any natural disaster. The Committee, therefore, desire the Ministry of Home Affairs to impress upon the State Governments/ Union Territory Administrations to strictly ensure that procedural flaws/ shortcomings like diversion of funds meant for the victims of natural disasters for other purposes, wrong application of rates, improper verification, provision of relief to unaffected and ineligible persons, payment of enhanced compensation and**

**non-adherence to codal provisions are removed so that funds earmarked for the genuine victims of the natural disasters are utilized optimally and the relief and rehabilitation measures implemented effectively, failing which responsibility should be fixed upon the defaulters.**

**C. Construction of Temporary Shelters  
(Recommendation Sl. No. 11—Para No. 209)**

9. In their Sixty-seventh Report, the Committee had observed that many of the temporary shelters which were meant for the Tsunami victims in Kerala and Tamil Nadu were constructed without proper assessment of the ground realities as well as the requirement of the victims which had resulted in non-occupation of these houses and consequent wastage of money. The Committee had further noted that the selection of inhospitable low lying areas for construction of temporary houses reflected the insensitiveness and apathy of the official machinery to the genuine need of the victims and lack of prudence in the use of relief funds. The Committee had, therefore, recommended a thorough investigation of such lapses for fixing responsibility. Further, expressing surprise at the failure of the State Governments to ascertain the exact status of the land before starting the construction activity, the Committee had recommended that in future the temporary accommodations should be built only after ensuring that the status and the title of the land were clear and free of any encumbrances, besides ascertaining the choice and needs of the families who were willing to occupy the temporary shelters.

10. The Ministry of Home Affairs in their Action Taken Note have stated as under:

"The Government of Kerala has informed that the sites proposed for the shelter were spread over several locations of the area and the lands were not feasible for emergency work. The PWD had to develop the yard by raising the land. Sufficient gravel to raise the site was not available in the area and had to be brought from distant places. Roads also had to be formed for providing access to the sites. The amount spent for yard development added to the cost of construction of the shelters. The construction of shelters had to be completed within 240 hours and considering the urgent nature of the work, the quotations were approved by the Government at +18% above the estimate. These conditions also lead to tender excess. Permanent houses were also constructed under the supervision of the Public Works Department, Kerala. In addition, NGOs were also entrusted work of construction of permanent houses for the Tsunami victims by Government of Kerala. Pile foundations were provided for the buildings in disaster prone zones and floating foundations for the buildings in the disaster free zones. The average plinth area rate for the buildings constructed by N.G.Os is Rs. 7500 per sqm. in the disaster zone. This is much more than the rate for temporary shelters constructed by Public Works Department.

The Government of Tamil Nadu has informed that the Collectors of the Districts affected by natural calamities will hereafter identify the lands in which temporary accommodation are to be built after proper verification and the willingness of the affected people to occupy them.

The Government of Puducherry has informed that an immediate relief of Rs. 10,000/- was extended to those whose houses were damaged during Tsunami. The beneficiaries, with the help of the immediate relief, themselves constructed temporary shelters.

The Andaman & Nicobar Administration has informed that persons were evacuated to 207 relief camps immediately after the tsunami disaster, within a record period of four months. All the families were shifted to 9565 temporary shelters constructed at 58 locations in various Islands before the onset of monsoon in May 2005. About 15000 MT of materials was transported to different islands for construction of temporary shelters. The single unit of intermediate shelters has 23 Sq. Mtr. Area. About 272 non tribals shifted from Southern group of islands and after tsunami have been given intermediate shelter at Port Blair. The affected families in the temporary shelters have been provided various assistance and are being distributed free rations. Electricity and water are also provided free of cost. Free ration will be distributed to the beneficiaries by A&N Administration upto December 2008.

It may be appreciated in disaster of such a magnitude like Tsunami even the official machinery in charge of grant of relief/rehabilitation measure was severely affected and paralyzed. Therefore, it would not be appropriate to fix responsibility. Immediate priority in such a situation was to rescue and rehabilitate the victims of disaster. There was no time to check the title/ownership of the land where shelters were being built. However a letter to Chief Secretaries of the concerned State have been issued advising them to fix the responsibility on the errant officials and also advising them that in future temporary shelter/accommodation should be built on land free from all encumbrances. State Government has been advised to fix a specific time frame for re-building basic infrastructure for rehabilitation".

**11. Although it is highly desirable that in a post disaster situation, the immediate priority should be to rescue and rehabilitate the victims, yet to take the plea that there was no time to check the title/ownership of the land where shelters were being built, point towards an utter lackadaisical approach of the Ministry in this regard. The Committee would, therefore, like to reiterate that on the plea of urgency in providing rehabilitation measures to the victims, carrying out proper survey of the land on which shelters would be built should not be ignored so that the disaster victims are protected against any legal complications and inconvenience/harassment. On the other hand, the Committee feel satisfied to note that the Government of Tamil Nadu has instructed the Collectors of the Districts affected by natural calamities to hereafter identify the lands on which temporary accommodations are to be built after proper verification and the willingness of the affected people to occupy them. The Committee hope that the Ministry of Home Affairs would impress upon other State Governments/Union Territory Administrations to take the cue from the Government of Tamil Nadu and resort to similar measures henceforth in their respective States/ Union Territories for hassle free implementation of relief and rehabilitation measures.**

12. In response to the Committee's recommendations in their earlier Report to fix responsibility on the concerned officials for construction of temporary shelters without proper assessment of the ground realities resulting in non-occupation of these houses and wastage of money, the Ministry of Home Affairs have stated that it would not be appropriate to fix responsibility as even the official machinery in charge of grant of relief/rehabilitation measure was severely affected and paralysed. Elsewhere, the Ministry have, however, stated that a letter to the Chief Secretaries of the concerned States have been issued advising them to fix responsibility on the errant officials. The Committee desire that the two statements may be reconciled. The Committee hope that the Ministry of Home Affairs would monitor the progress in the matter besides overseeing the construction of temporary shelter/accommodation on land free from all encumbrances and adherence to a specific timeframe by the States/Union Territories for rebuilding the basic infrastructure for rehabilitation. At the same time, the Committee would like the Ministry of Home Affairs to prevail upon the State Governments/Union Territory Administrations to draw appropriate lessons from the shortcomings/impediments of the relief and rehabilitation measures adopted post Tsunami and take corrective measures accordingly to ensure prompt and effective implementation of relief and rehabilitation measures in the wake of any such natural calamities.

**D. Construction of Permanent Houses  
(Recommendation Sl. No. 12—Para No. 210)**

13. In their Sixty-seventh Report, the Committee had observed that even after elapse of more than three years of the occurrence of Tsunami, most of the affected States/Union Territories had been struggling at the spadework level like acquisition of land while many of the victims were leading a pitiful existence in cramped temporary sheds and tenements. To be very specific, the Committee found that as on 31 March, 2007, the States of Kerala, Tamil Nadu and the Union Territory of Puducherry had not been able to acquire all the requisite land for construction of permanent houses and not a single house had been constructed in Andaman & Nicobar Islands as on the same date. Expressing their dissatisfaction over the tardy progress in the construction of permanent houses in the affected States/Union Territories and being sceptical about the Planning Commission's assurance of completion of the houses by August 2008, the Committee had recommended that a State/Union Territory-wise roadmap should be prepared by the Planning Commission in a definite timeframe for expediting the construction of the houses.

14. The Ministry of Home Affairs in their Action Taken Note have stated as under:—

"The Planning Commission has observed that the following factors contributed to slow progress in construction of permanent houses for the persons affected by the Tsunami.

- The TRP was approved in December 2005 for a period of 4 years beginning 2005-2006 after wide consultation and deliberations. Clear road map and funds became available only thereafter. As such, much could not be implemented in the first year of the programme.

- Planning, provision of basic infrastructure, creation of necessary mechanism for quality and transparent implementation of the programme also consumed substantial time. The work, therefore, picked up only at the end of the second year of the programme.
- The primary responsibility of completion/construction of rehabilitation works rests with the State Governments. So far as construction of housing is concerned, besides NGOs, respective State Governments/UT Administrations including Puducherry are responsible for acquisition of land and construction. In respect of ANI, CPWD and Andaman Public Works Department (APWD) are responsible for execution of the work.
- State Governments have been requested periodically to speed up the construction process. The Empowered Group of Ministers (EGOM) has been reviewing the quarterly targets and the achievements thereon and has directed all concerned to adhere to the time schedule and complete the construction work giving priority to completion of the damaged houses.  
In Andaman & Nicobar Islands, the following factors contributed to slow progress in construction work:
  - (i) Manpower and construction material required transportation from the mainland;
  - (ii) Sites scattered over large distances and inaccessible. Most of the places do not have jetties that can handle cargo ships hence requiring transportation through stevedoring which is both risky and time consuming;
  - (iii) Limited working season and disinclination of labours and staff to work in remote areas.

So far five meetings of the EGOM have been held. States/UTs and implementing agencies are constantly being pursued to adhere to the time schedules and accelerate the works for timely completion. The EGOM in its fifth meeting held on 16.05.2008 reviewed the progress and again directed all the agencies to ensure completion of houses within the approved programme period. On the directions of the EGOM, a Committee under the Chairmanship of Secretary, Planning Commission has also been constituted to identify and address the operational difficulties faced by the agencies in A&NI.

With all the efforts, it is expected that construction of houses will be completed by 31st March, 2009 except in ANI where construction of 778 units may spill over as indicated in the statement/road map given below:

(Figure in Nos.)

States/UTs	Tamil Nadu	Kerala	Andhra Pradesh	Puducherry	ANI	Total
1	2	3	4	5	6	7
1. Total damaged houses	63588	3867	481	7567	9797	85300

1	2	3	4	5	6	7
2. Completed as on 31.03.2008	47848	3867	481	1654	750	56169
3. Balance units	15740	Nil	Nil	5913	9047	29131
4. Target of comp. in 2008-09	15740	Nil	Nil	5913	8269	28353
(i) Target in 1st Qtr.	3000	Nil	Nil	1569	812	5381
Achievement	642	Nil	Nil	1569	392	2603
(ii) Target in 2nd Qtr.	3500	Nil	Nil	1184	3007	7691
(iii) Target in 3rd Qtr.	5000	Nil	Nil	1786	2693	9479
(iv) Target in 4th Qtr.	8000	Nil	Nil	1374	2177	11551
5. Spill over units		Nil	Nil	Nil	778	778

**Note:**

- Over and above this, the States of Tamil Nadu and Kerala have taken up the construction of vulnerable houses of 52569 and 9773 respectively which are not affected by Tsunami with the assistance of Externally Aided Projects (EAP).
- Andhra Pradesh and Kerala have completed construction of all damaged houses.
- The entire house construction work will be completed in 2008-09 in respect of Tamil Nadu and Puducherry except for 778 houses of ANI, which are expected to be completed in 2009-10".

15. **The Committee regret to observe that although the Tsunami Rehabilitation Programme (TRP) was approved in December, 2005 for a period of four years beginning 2005-2006, the actual relief and rehabilitation work picked up only at the end of the second year of the programme. The justifications advanced by the Planning Commission viz. wide consultations and deliberations, preparation of clear roadmap, non-availability of funds, planning and provision of basic infrastructure and creation of necessary mechanism which caused delay in implementation of the programme are untenable as these are the basic things to be taken care of in a fixed timeframe before embarking upon any rehabilitation programme, especially meant for the victims of natural disasters. The Committee, therefore, expect the Planning Commission/Ministry of Home Affairs to ensure that in future basic planning and procedural matters are taken care of in a definite time line and with a sense of urgency so that the relief and rehabilitation measures, in the aftermath of natural disasters, are timely and effectively implemented in order to extend the much needed succour to the victims.**

16. **The Committee appreciate to note that the Andhra Pradesh and Kerala Governments have completed, albeit late, construction of all the damaged houses. The Committee hope that the entire house construction in Tamil Nadu and**



**Puducherry might have been completed by the end of 2008-2009 fiscal, as assured. The Committee also desire that the remaining 778 houses in Andaman and Nicobar islands should be completed by 2009-10, as there has already been considerable delay in this regard. The Committee would like to be apprised of the latest position in this regard.**

**E Compulsory Registration of Planning Authorities and Architects in the Country.**

**(Recommendation Sl. No. 22—Para No. 220)**

17. The Committee in their Sixty-seventh Report had observed that pursuant to the preparation of a road map by the Ministry of Home Affairs in 2003 for efficient disaster management in the country in terms of prevention, preparedness and mitigation instead of only relief centric approach, the Ministry had set up a Committee of Experts in the realm of Building Bye-laws, Town and Country Planning Act and Development Control regulations. The report of the Expert Committee, which suggested model bye-laws, improved Development Control Regulations and requisite amendments to the Town and Country Planning Act, was sent to all the State Governments/Union Territory Administrations for adoption as per their respective circumstances. But the Committee, in their Sixty-seventh Report, were highly concerned to note that no review or amendments of Town and Country Planning Act, Land use and Zoning Regulation and Building Bye-laws had been carried out in the affected States/Union Territories post Tsunami. Considering the importance of the matter, the Committee had impressed upon the Ministry to make serious efforts to persuade all the States/Union Territories to carry out amendments in the Town and Country Planning Acts, Building laws and Zoning regulations etc. The Committee had further recommended that besides adopting a policy for strict regulation and certification of all building construction materials to ensure structural safety, the Ministry should evolve a system to compulsory register all the Planning Authorities and Architects. For rural areas, the Committee had recommended that emphasis should be given on community preparedness and other basic safety measures.

18. The Ministry of Home Affairs in their Action Taken Note have stated as under:—

"The Report of the Committee of Experts set up by the MHA, recommending amendments in Town & Country Planning Act, Land use Zoning Regulation, Development Control Regulation and Building Bye-laws for structural safety in building construction, was shared with all the State Governments and this Ministry has been pursuing with the State/UT Governments to implement the recommendations. While Madhya Pradesh, Meghalaya and Orissa are reported to have accepted the recommendations for the entire State, City-specific acceptance has been reported for Mangalore (Karnataka), Guwahati (Assam) and Patna (Bihar). The progress has however been slow. While continuing to render assistance in streamlining action by States/UTs for adoption and implementation of a safer techno-legal regime, the Ministry of Home Affairs feels that the Ministry of Urban Development which maintains close interactions with Urban Development Departments of various States/UTs, is better placed to ensure effective implementation of such measures.



The Ministry of Urban Development (MoUD) has separately prepared and circulated Model Building Bye-laws, incorporating, *inter-alia* structural safety aspects. It has been intimated by MoUD that 24 States have adopted these Model Building Bye-laws. In addition, MoUD has advised all the State Governments to adopt the provisions of National Building Code (NBC-2005) in respect of Part-VI, Structural Safety, which is comprehensive section of the code providing all the safety aspects to be considered for building against natural disasters.

MoUD are also of the view that the State Governments should incorporate a separate chapter on Disaster Management which preparing the Master Plan for their cities/towns. Further, Disaster Management Plans to be prepared by the State Governments at the District level under the provisions of the Disaster Management Act, 2005, which should include steps/actions for disaster mitigation and preparedness both for urban and rural settlements. Ministry of Home Affairs will closely monitor the developments at the State/District level in these areas and render assistance whenever it is sought in strengthening the techno-legal regime for ensuring disaster resistant construction and putting in place the necessary institutional and procedural framework for effective compliance therewith.

The State Government have been advised by the Ministry of Urban Development to incorporate structural safety measures for buildings in their respective Building Bye-Laws while ensuring structural safety of the building. In this regard, it may be mentioned that the competence of the Architect and Structural Engineer is indicated in the building bye-laws in city/towns. The Development Authorities generally empanelled an Architect to sanction the building plans and Structural Engineers to issue structural safety certificates. As far as measures to ensure community preparedness in rural areas where building bye-laws are not applicable, the District Disaster Management Agency at district level has been directed to take action to create awareness for safety measures in rural areas. The NDMA has also taken action to create community awareness and preparation in the rural areas.”

**19. The Committee note that the pursuant to the recommendation of the Committee of Experts set up by the Ministry of Home Affairs regarding amendments in the Town and Country Planning Act, Land Use Zoning Regulation, Development Control Regulation and Building Bye-laws for structural safety in building construction, the Governments of Madhya Pradesh, Meghalaya and Orissa are reported to have accepted the recommendations for the entire State while city-specific acceptance has been reported for Mangalore (Karnataka), Guwahati (Assam) and Patna (Bihar). Considering the paramount importance of ensuring structural safety of the buildings in disaster prone areas of different States/Union Territories, the Committee recommend that the Ministry of Home Affairs in consultation with the Ministry of Urban Development should impress upon all the State Governments/Union Territory Administrations to adopt the recommendations of the Committee of Experts in the entire State/Union Territory and ensure all the safety aspects considered necessary**

**for the buildings against natural disasters. It is also imperative that incorporation of a separate chapter on Disaster Management by the State Governments while preparing the Master Plan for their cities/towns, as advised by the Ministry of Urban Development, should be ensured. The Committee further desire the Ministry of Home Affairs to periodically monitor the performance of the District Disaster Management Agencies which have been directed to ensure community preparedness for basic safety means in rural areas, where building bye-laws are not applicable based on the evaluation of the performance of these Agencies, the Ministry should take further corrective measures, wherever required, so that the purpose is well served from a long term perspective.**

## CHAPTER II

### OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

#### Observation/Recommendation No. 1

A great shallow-focus earthquake of a magnitude of 8.60 on the Richter-scale occurred with its epicentre of the west coast of Northern Sumatra on 26 December 2004 at 06.29 A.M. (IST). This earthquake generated tsunami waves, which hit the coastal States of Andhra Pradesh, Kerala and Tamil Nadu and the Union Territories (UTs) of Andaman and Nicobar Islands (ANI) and Puducherry. The damage caused by the Tsunami affected 27.92 lakh people in 1089 villages of these States and UTs entailing huge loss of lives and livestock, massive damages to dwelling units, boats and cropped area, extensive destruction of physical and social infrastructure and ecologically sensitive resources such as coral reefs, mangroves, beaches and forest cover. The status note on the Tsunami prepared by the Union Ministry of Finance, Department of Expenditure in July 2005 estimated the damage at Rs. 11,500 crore in monetary terms. Post tsunami, the Government set up a Core Group in the Planning Commission to assess the needs of long term planning and reconstruction; and coordinate and manage the National Tsunami Reconstruction efforts. The main function of the Group was to coordinate and manage the national tsunami reconstruction effort. The requirement of financial assistance for Tsunami Reconstruction and Rehabilitation estimated by the Core Group on the basis of requests from the affected States, and other inputs, was approximately Rs. 9870.25 crore.

[Sl. No. 1, Para 199 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### Action Taken by the Government

The Empowered Group of Ministers (EGoM), constituted in pursuance of the decision of the Cabinet in its meeting held on 24.11.2005, approved the Tsunami Rehabilitation Programme (TRP) at an estimated cost of Rs. 9870.25 crore in December 2005, to be implemented in a period of four years. The estimated cost of TRP was revised to Rs. 9822.10 crore and approved by EGoM in January 2007. TRP includes reconstruction activities in different sectors such as housing, fisheries, agriculture and livelihood, roads and bridges and other infrastructure.

2. Funds earmarked for implementation of TRP are being passed on to the States in the form of Additional Central Assistance (ACA). Funds for the UTs of Puducherry and Andaman and Nicobar are being routed through the Plan budget of the Ministry of Home Affairs. Funds have also been allocated to the Ministry of Shipping for undertaking Andaman and Nicobar Harbour Works.

3. Tsunami affected States/UTs are implementing the TRP through State Implementing Agencies/Units in consultation with concerned Central Ministry/ Department. The EGoM, which is being serviced by the Planning Commission is regularly reviewing the progress of implementation of TRP. Five meetings of the EGoM have been held.

4. In pursuance of the decision taken by the EGoM in its 5th meeting held on 16.05.2008, a Committee has also been constituted by the Planning Commission under the Chairmanship of Secretary, Planning Commission, with representation from MHA and other Ministries concerned, to review the reconstruction effort and operational difficulties in timely implementation of the TRP in Andaman and Nicobar Islands (A&NI).

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their UO No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

#### **Observation/Recommendation No. 4**

The Committee's examination has revealed that inspite of the fact that several parts of the country are affected from natural calamities repeatedly, till now there exists no mechanism of rational assessment of the extent of damage and the basis on which the actual assistance is determined at any of the three levels *viz.* the State Government, the Central Team and the Ministry of Home Affairs. The Ministry of Home Affairs have informed the Committee that bulk of the assistance sought by the affected States/UTs is for long-term rehabilitation and reconstruction of damaged infrastructure, whereas Calamity Relief Fund (CRF)/National Calamity Contingency Fund (NCCF) norms provide for assistance for repair/restoration of assets which are immediate in nature and meant for restoring connectivity for providing relief in the affected areas and that too for a short period. This is one of the areas where the major difference between the quantum of assistance sought by the affected States/UTs and approved by the Union Government has been observed. The other areas where wide variation in estimates are noted relate to assistance sought for non-eligible beneficiaries; items of expenditure not covered under the extant items and norms; and assistance sought at higher rates as compared to the approved norms. Though it may be difficult to always ensure that there is no variation in the assessment of the extent of damage between Union and the State/UT Governments, nevertheless the Committee feel that the continuing trend of wide disparities in the estimation of financial assistance in almost every major natural calamity that had struck the country, calls for a rational system of assessment of damage so that the affected State/UT Government do not over shoot their projections for assistance and the assessment of damage is done in transparent manner and realistically linked to the quantum of financial assistance that would be forthcoming.

[Sl. No. 4, Para 202 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by Government**

Ministry of Home Affairs have issued a Manual on Administration of Calamity Relief and National Contingency Fund in May 2008, which, *inter-alia*, contains guidelines for preparation of memoranda by the States/UTs for seeking Additional Central Assistance (ACA) and for the guidance of Central Team deputed for on the spot assessment of situation caused by natural calamities. Adherence to these guidelines will facilitate uniformity in projection of details of the damage caused and requirement of funds by the States and assessment by the Central Team. These guidelines will ensure minimizing of the gap between the assistance sought by the States/UTs and the quantum of assistance to be approved by Government of India.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their UO No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-NDM-III 30th September 2009]

### **Observation/Recommendation No. 5**

The Committee have been informed that the Ministry of Home Affairs have been considering to evolve a uniform pattern in providing relief assistance on the basis of a uniform set of items and norms of assistance, which is to be followed by the States while preparing their memoranda. In this regard, the Committee set up by Government for monitoring CRF and NCCF has formulated draft guidelines for preparation of memorandum by the affected States seeking financial assistance from NCCF and the same were circulated to the States seeking their comments/views thereon. The Committee expect the Ministry of Home Affairs to finalize these guidelines at the earliest.

[Sl. No. 5, Para 203 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by Government**

The Ministry of Home Affairs has finalized the guidelines for preparation of Memoranda by the affected States/UTs seeking additional financial assistance in the wake of a calamity of severe nature and circulated the same to the State Governments/ UT Administrations in May 2008.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their UO No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

### **Observation/Recommendation No. 6**

Since the Tsunami was a disaster of an unprecedented magnitude, Government provided financial assistance to the affected States and UTs as per a special package namely the 'Rajiv Gandhi Rehabilitation Package' (RGRP). Out of the total amount of Rs. 3,644.05 crore sanctioned by the Ministry of Home Affairs under this package, an amount of Rs. 1,607.01 crore constituting 44 per cent of the funds sanctioned was transferred to the Tsunami Long-term Reconstruction Programme (TRP) being monitored by the Planning Commission. Out of the remaining sanctioned amount of Rs. 2,037.04 crore, an amount of Rs. 1,759.05 crore (48 per cent of the funds sanctioned) was released to the affected States/UTs leaving a balance of Rs. 277.99 crore (8 per cent) to be released. And out of the total funds sanctioned, an amount of Rs. 1,074.98 (61 per cent) had reportedly been utilized by the States/UTs as of March 2006. The Committee are perturbed to note that utilisation of funds in Andhra Pradesh, Tamil Nadu and Andaman and Nicobar Islands was very poor as 56 per cent, 27 per cent and 61 per cent respectively of the funds released remained unutilised as of March 2006 in stark contrast to the miserable plight of Tsunami victims who were awaiting for the promised relief and rehabilitation and other financial help from the Government. Since the funds were quickly released to the States/UTs *i.e.* within three months of the Tsunami, the Committee expect that the utilizations should have been more with due planning. This indicates that Tsunami relief and rehabilitation work at the field level left much to be desired. The Committee have been informed that while the States/UTs did not face any constraint in the utilization of funds under RGRP, since it was basically meant for relief and response and immediate restoration of livelihoods of people particularly fishermen, they have been facing certain constraints in respect of TRP, which *inter-alia*, are cumbersome procedures of external aid agencies, preparation of project reports, Environment Impact Assessment Report, Social Audit Report, procedure for tendering of works etc. which are time consuming. More problems are stated to be faced in case of Andaman and Nicobar Islands, owing to its scattered geographical location with logistics being the main problem in reconstruction of infrastructures. While observing that these constraints in utilization of funds are directly linked to the status of the reconstruction activities and can be removed by taking necessary steps to speed up the reconstruction activities, the Committee would like the Ministry of Home Affairs to have a detailed review of all the programmes relating to Tsunami relief so as to ensure that rehabilitation funds sanctioned to the affected States/UTs are reached to the targeted beneficiaries and the objectives of the schemes are achieved.

[SI. No. 6, Para 204 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by Government**

The State Governments/UT Administration are monitoring the works taken up under the Tsunami Rehabilitation Programme (TRP) in the State Level Steering Committee headed by the State Finance Minister and the State Level Empowered

Committee headed by the Chief Secretaries of the State Governments. At Central level, an Empowered Group of Ministers (EGOM) serviced by the Planning Commission reviews the Tsunami Rehabilitation Programme (TRP) in terms of physical and financial progress. In pursuance of the decision taken by the EGOM in its 5th meeting held on 16.05.2008, a Committee consisting of Secretary, Planning Commission, Secretary (UD), MoUD, Secretary (Border Management) MHA, JS (Fisheries), Department of Animal Husbandry and Dairying, Joint Secretary, Department of Shipping, Joint Secretary, Ministry of Tourism, Joint Secretary (UT), MHA, Chief Secretary, ANI Administration and Adviser (TRP), Planning Commission has been constituted by the Planning Commission *vide* order No. M-12019/3/2007-TRP dated 23rd July 2008 (copy enclosed at **Annexure-I**) to review the reconstruction effort and the operational difficulties in timely implementation of Tsunami Rehabilitation Programme in Andaman and Nicobar Islands. The Committee has held its first meeting on 8th September 2008. Ministry of Home Affairs is closely involved in the process as the Home Minister is represented on the EGOM whereas Secretary (BM), MHA and Joint Secretary (UT), MHA are represented on the Committee for Andaman and Nicobar Islands.

[Vetting comments of DGACR as communicated *vide* UO No. RR/15-6/08-09/1898 dated 06.11.2008]

As per the Planning Commission order dated 23rd July 2008 quoted in the ATN, the Committee constituted in pursuance of decisions taken by EGOM was to submit a review report on the responsibilities of various agencies involved in reconstruction efforts, to the Planning Commission within a period of two months. The Ministry may indicate the progress made to complete the proposed review of Tsunami Relief Programme as desired by the PAC.

### **Reply of MHA**

The first meeting of the Committee constituted as a follow up of EGOM decision was held on 8th September, 2008 which was followed by a meeting taken by Principal Adviser (TRP). The Committee was of the view that overall pace of progress of work in different sectors was satisfactory. However, special efforts need to be made in some of the slow moving sectors such as Housing, Fisheries, Tourism, Agricultural and Ports and Jetties.

2. Planning Commission also reviewed the progress of TRP with the Chief Secretaries of Tamil Nadu and Puducherry on 22nd October, 2008. A similar meeting held at Thiruvananthapuram, Kerala on 29.06.2009 with Principal Secretary (Revenue and Project Director, TRP) of Government of Kerala.

3. Taking into consideration, the constraint faced by A&NI, Island Development Authority in its meeting held on 19th January, 2009 time period for completion of TRP in A&NI was extended for a further period of one year *i.e.* up to March 2010. The status of the five major sectors of TRP till March 2009 is given at **Annexure-II**.

4. TRP Programme was also discussed in the draft Annual Plan (2009-10) meeting under the Chairmanship of Principal Adviser (SP/IDA/Agri.) on August 31, 2009. Since the period of four years of the TRP programme is over on 31st March, 2009, a proposal is under consideration of Cabinet Secretariat for reconstitution of EGoM on TRP and to consider extension of the period for completion of Tsunami work.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

#### **Observation/Recommendation No. 7**

In financial transactions of such huge magnitude and urgency as that of Tsunami relief and rehabilitation programme, there lies much scope for lapses, irregularities, misutilisation and even corruption and embezzlement of public money unless a proper and periodic system of monitoring of financial transactions is put in place and followed scrupulously. The Committee are of the firm belief that whenever money is sanctioned for Tsunami relief or any other activities, it is the bounden duty of the nodal Ministry to ensure whether the money is reaching the genuine persons for which it was intended and whether the money is properly utilized or not. To their utter dismay, the Committee find that this vital aspect is awfully conspicuous by its absence in the whole financial transactions for Tsunami relief and rehabilitation activities, and as a consequence, there have been several financial irregularities, diversions and misuse of funds. Audit analysis of Tsunami relief and rehabilitation works revealed that out of the total amount of Rs. 1,759.05 crore released to the four States/UTs, an amount of Rs. 228.58 crore, which constituted 13 per cent, was either misutilised or diverted for various purposes due to financial irregularities committed by the Departmental authorities/ implementing agencies. There have been instances of irregular construction/repair work and payment of honorarium to Government staff. Tsunami funds were also utilised for routine administrative expenses, works not connected with the Tsunami, fishermen's subsidy, purchase of furniture for school not affected by the Tsunami resulting in diversion of funds to the tune of Rs. 44.88 crore. An excess expenditure of Rs. 4.95 crore was incurred due to enhanced compensation, wrong application of rates and non-adherence to codal provisions. Avoidable payment of cash subsidy and avoidable expenditure on sanitation and water supply arrangements accounted for Rs. 5.32 crore. An amount of Rs. 17.31 crore remained unutilised due to non-identification of works to be executed while another amount of Rs. 83.89 crore work surrendered as the funds were released far in excess of requirement. Further, Departmental advances constituting an amount of Rs. 59.00 crore remained unadjusted. Other financial irregularities involving an amount of Rs. 10.51 crore include milk powder laying unused, disbursement of relief to unregistered catamarans and funds released without specific sanction. The contributory reasons attributed by the Ministry of Home Affairs for these irregularities are far from convincing and show that there was failure at the field level.

The Committee believe that these financial irregularities have taken place due to violation of procedural practices and weak financial monitoring system both at the Central and the State/UT levels, which underline the need for strengthening the



monitoring mechanism at all levels. Surprisingly for such a huge financial operation, the Ministry of Home Affairs have been merely relying upon the monthly monitoring format for reporting expenditure from CRF/NCCF as means of monitoring the sanctioned funds and have shifted the onus to the States/UTs on the ground that it was the primary responsibility of the State Government to ensure their timely submission. As is evident from the aforesaid cases of financial irregularities, the role of the Ministry of Home Affairs is limited only to the extent of sanctioning funds to the affected States/UTs without any concern for securing accountability for the moneys sanctioned. To their utter dismay, the Committee find that in many cases of the financial irregularities, the concerned State/UT has been simply asked to write off or adjust the amount in the next year. No penal or deterrent action has been taken against the erring States/UTs. In such lenient circumstances, it is not surprising to find that most of the States have not been submitting their monthly reports and even the few States, which were submitting their reports, were not giving complete information. It is only after Audit had given its Report on the subject that the Ministry of Home Affairs had requested the State Governments to submit the monthly reports on a regular basis. The Committee have now been informed that the Ministry of Home Affairs is working on further streamlining the expenditure reporting and tightening the monitoring of expenditure in conformity with the extant guidelines. An Inter-Ministerial Committee has also been constituted to suggest improvement in monitoring the implementation of Schemes of CRF/NCCF and the existing mechanism for monitoring the relief expenditure. The Committee recommend that this review exercise should be expedited with a view to notify revised guidelines in the matter. They hope that the modified system will improve monitoring of the schemes on a regular basis so that the objectives of the schemes are achieved fully. The Committee would also urge upon the Ministry to take full advantage of the latest Information Technology facilities so as to bring about transparency in their operations as well as in proper utilization of financial assistance released in consultation with State/UT Governments. Needless to emphasize, this would help in ensuring accountability at various levels.

[Sl. No. 7, Para 205 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

The Ministry of Home Affairs based on the report of the Inter-Ministerial Committee has finalized format for monitoring of relief expenditure. In order to have improvement in the existing mechanism of monitoring the relief expenditure including introduction of a web based computerized tracking system, the NIC (Ministry of Home Affairs), on the guidance of the Committee has developed necessary software for this purpose. The system will facilitate concerned States to feed necessary information in the prescribed format. This system, apart from strengthening monitoring of financial/physical achievements will also be useful in generation of various query-based reports. NIC, MHA has also organized a training programme on 4th and 5th September, 2008 for the offices of the States responsible for uploading the data relating to relief expenditure concerning to their State, in the web-based computerized tracking system.

It is hoped that this web-based system will improve monitoring of the schemes of CRF/NCCF on a regular basis.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their UO No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

### **Observation/Recommendation No. 8**

In a catastrophe of colossal proportions like the Tsunami, proper identification of beneficiaries assumes paramount importance for providing immediate succour and relief. The process of identification of beneficiaries, done immediately after the tragedy wherein pains and sorrows are still too fresh in the mind of the victims, is a sensitive matter and due care needs to be taken to correctly identify the real victims while warding off unscrupulous elements. Many a time it is really a daunting task to trace the real victims when many people pose as the victims and try to grab the relief and rehabilitation facilities meant for the victims. The Committee are concerned to note that in providing relief to the victims of the Tsunami, certain systemic inadequacies at the field level resulted in various irregularities in identification of beneficiaries in the States/UT of Andhra Pradesh, Tamil Nadu and Puducherry.

In respect of Tamil Nadu, the Committee are concerned to note that the affected families were not properly assessed before distribution of relief resulting in incurring of excess expenditure of Rs. 6.33 crore to 88,011 families against the sanctioned number of 63,032 families under two relief packages in Nagapattinam district. It is found that the State Government sanctioned in February 2005 another package of Rs. 162.67 crore towards commodities and cash assistance to those families who had already been benefited under packages I and II towards cost of commodities (Rs. 42.67 crore) and cash assistance (Rs. 120 crore) for four months from February 2005 to May 2005 whereas there was a shortfall in distribution of the relief package to 77,322 families in 4 other Districts. As pointed out by Audit, there were other deficiencies in providing relief to the affected people. The Committee expect that the Ministry of Home Affairs and State Governments would taken lessons from the mistakes to avoid such lapses in future. Similarly there should be clear guidelines in regard to transfer of financial assistance meant for long-term rehabilitation programme to the short-term schemes.

[Sl. No. 8, Para 206 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by Government**

The Government of Andhra Pradesh has informed that identification of beneficiaries in Andhra Pradesh is done in the Gram Sabhas in consultation with the Government Officials from the Revenue, Fisheries Departments etc. and the Self Help Groups.

Besides, identification and verification of beneficiaries in Andhra Pradesh is done in the presence of the village elders and villagers.

2. The Government of Tamil Nadu has informed that the lessons learnt were discussed at length in a Take Stock Workshop conducted jointly with United Nations, World Bank, Asian Development Bank, NGOs and Implementing Agencies in September 2006 and corrective and follow up action has been taken in each of the sectors.

3. The Government of Puducherry has informed that in the UT of Puducherry, the beneficiaries were identified as follows:—

- (i) A core Committee headed by a State Civil Service Officer with members from line departments like Revenue, Fisheries, Survey was constituted and they visited each and every house of the affected area and identified the beneficiaries.
- (ii) The list of beneficiaries was finalized after consulting village panchayats.
- (iii) Benefits/financial assistance were disbursed in the presence of MLA and village panchayadars.
- (iv) The list of beneficiaries were published in the website in *www.pon.nic.in*

4. The A&N Administration has informed that the following mechanism was adopted to identify and release *ex-gratia* to the next of kin of the tsunami affected persons:—

(a) *Deceased Persons*

- (i) identification and preparation of village-wise list.
- (ii) certification of list by SHO/Executive Magistrate/Deputy Commissioner.

(b) *Missing Persons*

- (i) Preparation of list by local Police and certification by the SHO.
- (ii) identification of next of kin by the Assistance Commissioner after conducting local enquiry through Tribal Council/PRI/Revenue Staff.
- (iii) wide publicity of list inviting claims by the Committee headed by DC and assisted by SP and the Sr. most Medical Officer/disbursement of *ex-gratia* to legal heirs by DC/AC.

(c) Releases of *ex-gratia* by taking an undertaking on an indemnity bond certifying that if at any time the claim is found to be untrue or the missing person is traced or returns, the money shall be refunded by the claimant. The Administration is making all efforts to settle cases by ascertaining the correct information about the legal heirs/next of kin of the tribals/non-tribals through local enquiry and through wide publicity in the print media. All such cases have been displayed in the Notice board of the District Administration for information to the public and copies have also been given to the PRIs/Tribal Council.

**Vetting comments of DGACR:** The Ministry may indicate the preparation of clear guidelines in regard to transfer of financial assistance meant for long term rehabilitation programme to the short term schemes as recommended by the PAC.

#### **Reply of MHA**

There are no guidelines for financial assistance for long-term rehabilitation programme. The Finance Commissions have repeatedly pointed out that a long-term reconstruction should be a part of the State Plan. In view of this no guidelines in regard to transfer of financial assistance meant for long term rehabilitation programme to the short term schemes can be prepared.

[Ministry of Home Affairs O.M. No. 40-22/2005-NDM-III 30th September 2009]

#### **Observation/Recommendation No. 9**

The Committee are aware of the fact that whenever major disasters/calamities occur, the focus is always on provision of immediately relief to the affected persons. The Committee, however, feel that given the sort of lapses observed in the cases under reference wherein the initial calculation of the number of victims had to be consistently changed afterwards, there is much scope for improvement especially at the State level Committees, which deal directly with the victims. The extant system/methodology adopted for identification of Tsunami victims in many States/UTs is not foolproof to detect bogus claims which may be made by unscrupulous elements. During evidence, the Home Secretary while conceding that at the time of high magnitude disasters like the Tsunami, the relief machinery is stretched to the limit and instances of unintentional improper identification of beneficiaries cannot be altogether ruled out, stated that in view of the replies furnished by the States/UTs, there appears to be a need for undertaking a more detailed and realistic assessment of damages as well as identification of beneficiaries. In this regard the Committee understand that the Disaster Management Act, 2005 *inter-alia* stipulates that in case of fraudulent claim of relief, penal action can be initiated against the offender. To achieve greater accountability and transparency in identification of beneficiaries as well as in relief operations, the Committee would like the Ministry of Home Affairs to formulate specific guidelines/methodology, in consultation with the State/UT Governments, for ensuring foolproof identification of beneficiaries for relief and rehabilitation measures/schemes in the aftermath of natural calamities so as to prevent leakage and improper use of funds in future and at the same time all the genuine victims are provided the requisite assistance. The Committee also desire that a comprehensive District-wise list of beneficiaries with their names and addresses along with quantity/volume and quality of relief distributed—Ward-wise both for rural and urban areas—should be compiled and made available to the local representatives, monitoring agencies, and should also be posted on important web portals. This will go a long way in weeding out the unintended beneficiaries.

[Sl. No. 9, Para 207 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by Government**

The Government of Andhra Pradesh has informed that identification of beneficiaries in the State is done in Gram Sabhas in consultation with the Government Officials from the Revenue, Fisheries Departments etc. and the Self Help Groups, Identification and verification of beneficiaries in Andhra Pradesh is made in the presence of the village elders and villagers. It has been further stated that the State Government would follow the guidelines issued, if any, issued by the MHA in due course, to weed out any ineligible beneficiaries.

2. The Government of Kerala has informed that the lists of beneficiaries of all the relief/rehabilitation projects are available with the local bodies and the identification was done by the local bodies.

3. The Government of Puducherry has informed that the beneficiaries were identified as follows:—

- (i) A core Committee under the leadership of an officer in the rank of State Civil Service Officer with the members of line departments like Revenue, Fisheries, Survey were constituted and they visited each and every house of the affected area and identified the beneficiaries.
- (ii) The list of beneficiaries was finalized after consulting village panchayats.
- (iii) Benefits/financial assistance were disbursed in the presence of MLA and village panchayadars.
- (iv) The list of beneficiaries was published in the website in *www:pon.nic.in*

4. The Government of Tamil Nadu has informed that the District-wise list of beneficiaries was published at the local offices and hosted in the web-site of the District Collectors. PAC's suggestion for giving the detailed lists to local representative will be followed by the State Government in future. A Disaster Management Information system has also been developed in Tamil Nadu with UNDP assistance. Government of Tamil Nadu also constituted village level monitoring Committees under the chairmanship of village Panchayat Presidents. More than 1.9 lakh grievances were addressed due to the above measures.

5. Andaman & Nicobar Administration has informed that online monitoring system at *www.and.nic.in* can be assessed to ascertain the current status of construction of permanent shelters, other tsunami rehabilitation projects and list of beneficiaries.

6. MHA will ensure thereof that system of assessment of damages and identification of beneficiaries is examined further in consultation with the NDMA, the State Government/UT Administration and others concerned to formulate specific guidelines/methodology so as to prevent leakages and improper utilization of funds in future.

**Vetting comments of DGACR:** The Ministry may indicate the timeframe to complete the formulation of specific guidelines/methodology to ensure foolproof identification of beneficiaries so as to prevent leakages and improper utilization of funds.

#### **Reply of MHA**

Selection of beneficiaries is done by the District Administration who have prescribed detailed procedure for the same which involve consultation with Village/Gram Panchayat/Local Bodies. Therefore, it would not be proper for Union Government to frame/formulate any guidelines for selection of beneficiaries. However, in order to ensure transparency the State Governments are publishing the name of the beneficiary in Village/Gram Panchayat/Local Bodies offices.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

#### **Observation/Recommendation No. 10**

The Committee note that speedy procurement of relief materials is most crucial for quick administrative response towards tackling the human sufferings in the aftermath of a disaster. As per the existing procedure for managing the natural disasters, State Governments concerned are required to initiate necessary relief operations in the wake of natural calamities. It is the responsibility of the concerned State Governments to prepare themselves for undertaking rescue and relief operations as well as distribution of relief items at the ground level. The role of the Union Government confine only to providing requisite logistic and financial support. However, keeping in view the fact that State Governments face problems in procurement of critical items/services required during emergency rescue and relief operations in the wake of a natural calamity, the Ministry of Home Affairs in September, 2003 had advised all the States/UTs to identify the critical goods/services required for immediate rescue, relief and rehabilitation and enter into pre-contracts or pre-agreements with various suppliers, dealers or service providers, in accordance with codal provision of the States. As per this arrangement, the procurement of goods/services in an emergency situation can be made from the parties with whom such pre-contracts/agreements were entered into in order to avoid delay in procurement. Audit examination, however, revealed that none of the five States/UTs of Andhra Pradesh, Kerala, Tamil Nadu, Andaman & Nicobar Islands and Puducherry had formally implemented the pre-contract arrangement in procurement. The Committee have been informed that all the State Governments have pointed out the difficulties faced by them in this regard as it could not be anticipated as to how much of material is going to be required in a given year. Under Section 50 of the Disaster Management Act, 2005, the National Disaster Management Authority (NDMA), the State Disaster Management Authorities (SDMAs) and the District Disaster Management Authorities (DDMAs) can authorize the concerned Departments to make emergency procurements in any threatening disaster situation or disaster in relaxation of the tender procedure and a certificate of utilization issued by controlling

officer authorized by NDMA, SDMA or DDMA shall be deemed to be a valid document for the purpose of accounting. However, the Ministry of Home Affairs have informed that this provision has been brought into force *w.e.f.* 30.10.2006. Though the exact quantum and price of the materials to be procured at the time of actual outbreak of natural calamities and disasters in future cannot be fixed beforehand, yet the broad contours of an agreement for emergent procurement of relief materials in times of need can always be entered into with reliable suppliers. The Ministry of Home Affairs have assured the Committee that they would continue to persuade the States to follow the suggestions on entering into the pre-contracts in respect of identified critical goods/services. The Committee desire that the Ministry should pursue this matter with the State Governments at appropriate level so that a practicable and effective arrangement is put in place in all States/UTs for ensuring speedy procurement of emergency relief materials during natural calamities.

[Sl. No. 10, Para 208 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

Ministry of Home Affairs has been persuading the concerned State Governments/UTs to follow the suggestions on entering into the pre-contracts in respect of identified critical goods/services. The matter has been again taken at the appropriate level by the Ministry to persuade the State Governments/UTs. Ministry of Home Affairs will continue its efforts at various fora including the Annual Conference of Relief Commissioners to persuade the States to put in place a practicable and effective arrangement for ensuring speedy procurement of emergency relief material at the time of natural calamities.

2. The Government of Andhra Pradesh has informed that pre-contract agreements within the purview of various departments are being entered into as and when required. Procurement of relief material in times of need are also being done under the codal provisions in force. The Department of the State Government concerned with disbursement of relief items procures on the basis of guidelines of the State Codal Provisions. Some Departments like Civil Supplies procure essential commodities from FCI, MARKFED, OILFED (Government undertaking) at negotiated/approved prices. In respect of some departments like Fisheries Department, a District Level Committee under the Chairmanship of District Collector/Joint Collector is constituted for procurement of relief material. Tenders are called for and due procurement procedure is followed to identify the suppliers by the Committee following the guidelines of the State Codal Provisions.

3. The Government of Puducherry has informed that adoption of the pre-contract procurement process is at various stages of consideration in line Departments. In respect of centralised kitchens operated by the Education Department of the UT Government under noon meal scheme, food materials are being procured under the pre-contract agreement with the suppliers. The kitchens are being used to prepare food packets to the disaster-affected population in relief camps. The Health



Department of the UT Government has been procuring medicines, essential drugs and equipments from the authorized dealers/suppliers through rate contracts finalized annually. The Department has entered into pre-contracts with suppliers/dealers in respect of identified critical goods/services/machinery and equipments. The Electricity Department has been exempted by the UT Government from entering into pre-contract arrangement, as this Department Electricity Deptt. used to manage the aftermath of the natural calamity in the past by diverting the stock available in the departmental stores.

4. The Government of Tamil Nadu has informed that the immediate relief in any natural calamity is to provide temporary accommodation, food, clothing and medical facilities. As far as Tamil Nadu is concerned, the affected people are immediately accommodated in community centres, schools, marriage halls etc. All the supplies required for providing immediate relief are procured easily from the Tamil Nadu Civil Supplies Corporation Limited, Tamil Nadu Handloom Weaver Co-operative Society Limited, Tamil Nadu Co-operative Milk Producers' Federation (Aavin) and the Tamil Nadu Medical Services Corporation, which are undertakings/cooperations under the control of the Government of Tamil Nadu and have branches at Regional/District level, at short notice in the event of any natural calamity.

5. The Andaman & Nicobar Administration has informed that it follows the guidelines issued by the Ministry for procurement of emergency relief materials in the UT.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their UO No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

### **Observation/Recommendation No. 13**

Apart from loss of precious lives and property, the Tsunami Wreaked havoc on the basic infrastructure in the country's coastal areas by causing colossal loss to roads, bridges, schools, office buildings, dispensaries, community centres, water supply facilities etc. Audit scrutiny of records revealed that performance of Tsunami affected States/UTs in respect of various post-disaster activities undertaken for the restoration of the damaged basic infrastructures was far from satisfactory. The Committee note that in Andhra Pradesh, the Government released a meager amount of Rs. 1.20 crore in March 2005 for execution of repairs to roads in Tsunami affected mandals of East Godavari District. Scrutiny of records revealed that though the funds were placed at the disposal of the Works Department a year back, the work was not awarded as of March 2006 as alternative designs were to be finalized and tenders reinvited. In Tamil Nadu, even though an amount of Rs. 64.15 crore for immediate repair of highways and other roads damaged in the Tsunami was sanctioned in May 2005, out of 149 works, only 34 were completed (23 per cent) as of March 2006. Further, 29 roads not directly affected by the Tsunami were taken up for repairs after the administrative approval of the Collectors in Cuddalore and Nagapattinam Districts at a cost of Rs. 11.95 crore. In Andaman & Nicobar Islands, out of 52 schools damaged in the Tsunami,



Memorandum of Understanding was signed with NGOs for construction of 41 schools, which were required to be completed by November 2005 and at the end of July 2006, construction of only 26 schools had been completed. Further, the Andaman Public Works Department (APWD) took up the work of construction of 481 pre-fabricated structures for various Government Departments. As against these, the Stores Division could supply only 431 structures as of August 2006. For replacement/repair of damaged bridges, the stores division procured 14 bailey type bridges at a cost of Rs. 4.44 crore totalling 1070 feet of length. Scrutiny of records revealed that till January 2006, the Division could install only 60 feet length of bridges and the rest remained unused. The investment of Rs. 4.19 crore on the balance of 1,010 feet on proportionate basis remained idle. In addition, based on Tsunami damage assessment carried out by the Administration, the Ministry of Home Affairs released lump sum funds amounting to Rs. 154.58 crore to APWD for undertaking various civil works during 2004-05 and 2005-06. Against this, expenditure of Rs. 90.86 crore only was incurred during both the years, which accounted for 59 per cent. The Committee are concerned to note that the Ministry have not made any serious efforts to monitor the implementation of the projects for construction of basic infrastructures to mitigate the suffering of the victims and restore normal life in the affected areas as soon as possible. In many cases, the concerned agencies have been ineffective in so much so that they have not prepared even the basic plans and designs for the projects. What is surprising to the Committee is the fact that that the Ministry have simply allowed the things to drift apart and did not bother to take timely corrective measures to remedy the situation. Considering the fact that the Ministry of Home Affairs is the nodal Ministry for disaster management in respect of Andaman & Nicobar Islands, which are directly administered by them, the tardy progress of works is inexplicable. The reasons adduced for the delay of work in Andaman & Nicobar Islands by the Ministry of Home Affairs are that all the machinery and materials are required to be transported from mainland to the Islands for construction of school buildings. This coupled with rough sea conditions, heavy rainfall, tough terrain, limited facility of inter island movement and damaged jetties led to slow progress of reconstruction work. The Committee do not accept the Ministry's explanation as these factors are not entirely new that could not be anticipated beforehand. These factors ought to have been taken into account while planning the works. Obviously the reasons for the slow progress of expenditure was mainly due to lack of proper monitoring, absence of internal control, delay in sanctioning and execution of the works as evident from the individual performance reports of the respective divisions of APWD scattered in Port Blair. The Committee cannot but deplore the Ministry of Home Affairs and the concerned State Governments/ UT Administration for not making serious efforts for timely completion of the construction of basic infrastructures. At this stage, the Committee can only urge the Ministry of Home Affairs to take up the matter with all seriousness it deserves and made concerted efforts in consultation and cooperation with the concerned States/ UTs and other agencies for expeditious completion of works relating to construction of basic infrastructure. The Committee desire that the Ministry should take suitable remedial action including fixing of responsibility on the concerned persons for the inordinate delay in completion of works.

[Sl. No. 13, Para 211 of Sixty seventh Report of PAC (14th Lok Sabha)]

### Action Taken by the Government

The Government of Andhra Pradesh has informed that an amount of Rs. 1.20 crore was released towards construction of road at Vakalapudi Edatam in East Godavari District with Gabion Structure requiring highly specialized design and execution. Tenders were invited by the R & B Deptt. but disqualified, as the contractors were inexperienced in taking up such specialized works. Therefore there was some initial delay in completion of the said road. **However the work was completed by 31.03.2007.**

2. The Government of Tamil Nadu has informed that the restoration of basic infrastructure facilities affected by tsunami has been completed in Tamil Nadu. The details of the basic infrastructure facilities restored in the State is as under:—

Toilets	1100
Schools	225
Hospitals	5
Child Welfare/Community Centres	142
Children parks	55
Roads	338.79
Water Supply	88
EB Connection	
Transformers	29
Poles	4496
Conduits	652.78
Street lights	525
Miscellaneous Works	100

3. The Andaman & Nicobar Administration has informed that the first lot of 200 units constructed by CPWD has been handed over to the beneficiaries on 26th December 2007. 50 permanent shelters constructed by HCC (NGO) at Bambooflat have been handed over to beneficiaries on 15.04.2008. Another 500 units are ready to be handed over to the beneficiaries at Little Andaman Islands and Car Nicobar respectively.

4. The A & N Administration has further stated that review meetings are convened by Deputy Commissioners, Secretaries and Chief Secretary in the Union Territory of Andaman for monitoring the expenditure and proper utilization of fund.

5. Tsunami rehabilitation projects are also being monitored by Relief Commissioner, Chief Secretary and the Lt. Governor regularly at UT level besides monitoring

by the departmental heads. The A & N Administration is submitting progress reports under different sectors of tsunami rehabilitation programme to MHA.

6. At the Central Government's level, progress under the Tsunami Rehabilitation Programme (TRP) covering the long-term restoration/reconstruction in all the Tsunami affected States/UTs is reviewed by an Empowered Group of Ministers (EGOM). In pursuance of the decision taken in the 5th meeting of the EGOM held on 16.05.2008, a Committee under the Chairmanship of Secretary, Planning Commission has also been constituted by the Planning Commission, comprising senior officers from MHA and other line Ministries/Departments to review the reconstruction effort and operational difficulties in timely implementation of the TRP in Andaman & Nicobar Islands (A&NI). The progress made under TRP till 31.03.2009 is given at **Annexure-II**.

**Vetting comments of DGACR :** The PAC has desired the Ministry to take action to fix the responsibility on the concerned persons for the inordinate delay in completion of work relating to construction of basic infrastructure. Ministry may indicate the action taken in this regard.

#### **Reply of MHA**

It may be appreciated in disaster of such a magnitude like Tsunami even the official machinery in charge of relief and rehabilitation was severely affected and paralyzed. Therefore, it would not be appropriate to fix responsibility on officials. Immediate priority at that point of time was to rescue and rehabilitate the victims of disaster. State Governments have been advised to fix a specific timeframe for re-building basic infrastructure for rehabilitation of the affected persons.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

#### **Observation/Recommendation No. 14**

The Committee are concerned to note that very little progress has been made by the Andaman Lakshadweep Harbour Works (ALHW) in restoration of harbour & jetty works so much so that out of Rs. 60.10 crore sanctioned up till 2004-05, Only Rs. 6.62 crore was spent upto December 2005 due to delay in finalisation of the tenders, preparation of the Detailed Project Report, sub-soil investigation and other attending works etc. coupled with delay in execution of works. The Ministry of Home Affairs in this regard stated that out of the sanctioned works, 32 works are either completed or nearing completion. The Committee regret to observe that the failure to carry out the most basic things like preparation of Detailed Project report, finalization of tendering formalities etc. points to lack of concerted efforts on the part of project implementing agencies. The Committee would like the Ministry of Home Affairs to periodically monitor the progress of the project and also conduct regular inspections and on-the-spot assessment of the works so that the problems faced by the implementing agencies are identified and resolved with a view to expediting completion of the project.

[Sl. No. 14, Para 212 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by the Government**

The Union Home Minister is represented on the Empowered Group of Ministers (EGOM) constituted for overseeing the implementation of the Tsunami Rehabilitation Programme (TRP). Five meetings of EGOM have been held so far. The progress of TRP is being regularly reviewed and a mid-term review was also conducted by the Planning Commission for expediting the completion of the rehabilitation measures included in the programme. In pursuance of the decision taken by the EGOM in its 5th Meeting held on 16.05.2008, a Committee has also been constituted by the Planning Commission under the Chairmanship of Secretary, Planning Commission, with representation from Ministry of Home Affairs and other line Ministries/Departments concerned to review the reconstruction effort and the Operational difficulties in timely implementation of the TRP in Andaman & Nicobar Islands (A&NI). The first meeting of the Committee has been held on 8th September, 2008.

2. The Andaman & Nicobar Administration has informed that Andaman Lakshadweep Harbour Works (ALHW) is the executing agency for the works envisaged under TRP. The Ministry of Shipping, Road Transport and Highways had, on 24th April 2006, communicated the action plan on TRP in A&N Islands amounting to Rs. 976.19 crores.

3. The details of works taken up under the action plan are as under:

#### **Under Central Sector:**

- (i) Post Tsunami Repairs/Reconstruction — Rs. 286.23 crore
  - Estimates for an amount of Rs. 240.18 crore have been sanctioned and the expenditure incurred till June 2008 is 59.83 crore *i.e.* 24.91%.
  - Eight number of major projects costing to the tune of Rs. 157.89 crore are still under tendering process. Expenditure towards these projects will be incurred only on award of work.
  - Two works to the tune of Rs. 14.25 crore have been awarded during mid-June 2008 for which expenditure is yet to be incurred.
- (ii) Development of Additional Port Facilities — Rs. 489.76 crore
  - Estimates for an amount of Rs. 116.34 crore have been sanctioned and the expenditure incurred till June 2008 is Rs. 8.66 crore *i.e.* 7.44%.
  - Five numbers of Projects costing to the tune of Rs. 94.77 crore are still under tendering. Expenditure towards these projects will be incurred only on award of work.

#### **Under State Sector:**

Turnkey Projects — Rs. 250.20 crore

- Out of 04 Turnkey projects envisaged under TRP, Detailed Project Reports (DPRs) for 02 projects in Teresa & Katchal have been received by A&N

Administration. The technical and financial bids for the proposal to conduct feasibility study on Transshipment Port at South Bay in Great Nicobar Island has also been received by A&N Administration. For the remaining project *viz.* "Extension of Breakwater, Construction of additional berth and establishing of transit points on shore in Mus, Car Nicobar", the DPR is under preparation. Expenditure will be incurred once projects are sanctioned.

The Projects taken up by Andaman Lakshadweep Harbour Works (ALHW) under TRP (State & Central sector) are regularly reviewed and monitored by Secretary (Shipping) & Chief Secretary of the A&N Administration. Out of 56 nos. of berthing structures of various categories available in the A & N Islands, 50 nos. have been made functional by Temporary or permanent rehabilitation works. Out of the balance 06 nos. which are non-functional, 04 nos. (Hut Bay, Junglighat, Malacca & Tee Top) have been dropped in consultation with A&N Administration and 2 nos. (Gandhi Nagar & Fisheries Jetty) requiring major re-construction have been taken up and are progressing as per schedule.

Similarly, for new construction for creation of additional facilities, the work of construction of jetty at Etui and Munak in Nancowary group of Islands have been awarded and is in progress.

**State sector plan, non-plan & deposit works being executed by ALHW for various departments under Andaman and Nicobar Administration:**

**State sector plan works & deposit works:**

A total of 211 works have been sanctioned as deposit works/State sector plan works from various departments under the A&N Administration to a tune of 230.01 crores and the same are in progress.

As listed above ALHW shares the development of these Islands by taking deposit works of various departments *viz.* PMB, DSS, Electricity, Fisheries, Education, MPLADS, Forest, APWD & Revenue department etc. A list of progress report of deposit work is provided in annexure. The works for which yearly fund is allocated by the departments such as Fisheries; PMB & DSS are taken under the category of State Sector Plan works.

**State sector Non plan:**

Under this head, an amount of Rs. 7.4 crores have been allocated for the current financial year by the Administration to maintain and repair the jetties, operation and maintenance of cargo handling equipments and maintenance of dock yard and dry dock.

**Expenditure incurred:**

The expenditure figures (including Central Sector Plan and Non-Plan, State Sector

Plan and Non-Plan, Deposit Works, Suspense and Establishment Charges) of ALHW for the last five years are as under :

2003-2004	—	67.59 Crores
2004-2005	—	69.04 Crores including <b>2.85 Crores under TRP</b>
2005-2006	—	126.16 Crores including <b>18.58 Crores under TRP</b>
2006-2007	—	142.81 Crores including <b>24.15 Crores under TRP</b>
2007-2008	—	113.37 Crores including <b>19.51 Crores under TRP</b>

**Some of the constraints faced by ALHW are:**

- \* Strengthening of Andaman Lakshadweep Harbour Works Departments, which is entrusted, with the work of repair/maintenance and creation of new Port facilities in A&N Islands by filling up the existing vacancies.
- \* **Non-availability of sufficient agencies to execute marine works and poor participation of mainland based contractors.**
- \* Non-availability of local resources *i.e.* labour and construction Materials in Nicobar Group of Islands. Skilled workers/tradesmen are to be bought from mainland. Access, accommodation, electricity, water supply and medical facilities are not available at most of the tribal areas.
- \* Difficulties in mobilizing workers and construction materials to far flung Islands due to limited availability of cargo vessels plying in this zone and due to lack of basic infrastructure/logistic support in Nicobar Group of Islands.
- \* Loss of site-specific data due to Tsunami.
- \* Considering the geographical and climatic conditions of Nicobar Group of Islands, the labour rates requires to be revised by the A&N Administration.

Major tenders evoke unfair response *i.e.* L1 quoting 80%—90% above department rates, thus the department is compelled to initiate re-tendering process consuming considerable time. Now, as per the directions of the Secretary (Shipping), MoSRT&H, on 13.03.2008 a committee has been constituted under the chairmanship of the Chief Secretary, A&N Administration on 09.05.2008 to draw a workable schedule of rates for the works being undertaken by ALHW.

As mentioned earlier, there is no transportation facilities (boat service) to the newly proposed locations in the southern group of Islands. The sea is rough during South West as well as the North East monsoon. Venturing to these Islands in dinghies (country boats) is also impossible, yet all valiant efforts are being made by the staff of this department to reach to the Islands (where no other A&N Administration organization is ready to access) and to carry out survey and investigation. Moreover, agencies do not participate in the tenders being floated for the southern group of Islands looming to the remoteness and the hardship in the work. ALHW is striving hard to see that the projects are sanctioned and completed well in time following CPWD and CVC guidelines.

Monitoring the progress is being done by the Planning Commission and this Ministry to expedite the completion of works.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

#### **Observation/Recommendation No. 15**

The Committee are concerned to note that the details of the total population of fishermen living in each of the five Tsunami affected States/UTs and number of them either killed or rendered homeless in the disaster in the States/UTs of Kerala, Tamil Nadu and Puducherry are not clearly available despite the fact that registration of all fishing vessels is mandatory under the Marine Fishermen Regulation Act. Also as pointed out by Audit, an amount of Rs. 6.38 crore was disbursed for 3330 unregularised catamarans in Tamil Nadu. This assumes critical importance in view of the occupational hazards specially associated with Fishermen venturing into the seas and relief and rescue operations. The Committee are dismayed to note that registration of fishing vessels has not been made mandatory in Kerala, whereas Andhra Pradesh and Tamil Nadu Governments failed to register all the fishing vessels. The Committee feel that this failure had led to various irregularities and inconveniencies in providing relief to fishermen in the aftermath of the Tsunami in almost all the affected States/UTs. The committee have been informed that various drives have been launched in Andhra Pradesh and Tamil Nadu for expediting registration of all marine fishing crafts. The Committee urged upon the Ministry of Home Affairs to take steps for ensuring compulsory registration of fishermen and their vessels within a time frame by all the coastal States and UTs. The total number of fishermen and marine fishing vessels/crafts existing in each State/UT should be properly enumerated and henceforth compulsory registration of fishing vessels should be made a pre-condition for obtaining relief from the Government at the time of natural disasters.

[Sl. No. 15, Para 213 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by the Government**

The Government of Andhra Pradesh has informed that out of the total of 41039 marine crafts, so far 25096 crafts have been registered. Steps are taken to expedite registration of all marine fishing crafts under Marine Fishermen Regulation Act and maintain database. Special drives have been conducted to register the balance marine fishing crafts. The fishermen have been cautioned that the inventory of fishing crafts would only be considered for extending financial assistance from the Government in case of any loss sustained in natural calamities. Village wise database is being maintained.

2. The Government of Puducherry has informed that the Department of Fisheries and Fishermen Welfare in the UT has now undertaken registration of boats. All the mechanized boats numbering 322 and 1218 number of motorized crafts has been



registered by the competent authority. In respect of non-mechanised traditional fishing crafts like catamarans, the fishermen are being persuaded to get it registered. Though there is no law for compulsory registration, necessary action has been initiated by the UT Government for enacting the Marine Fishing Regulation Bill, Benefits under various schemes of the Government are being extended only to fishing vessels thus registered in Puducherry.

3. The Government of Tamil Nadu has informed that all the Fishing vessels/crafts in Tamil Nadu were taken up for Re-registration after tsunami. The total number of vessels/crafts registered and the number of fishermen issued identity cards as on 01.06.2008 are as follows:

Total No. of Crafts	Registered	To be registered	Total No. of fishermen issued ID cards
53331	52083	1248	222751

The percentage of Re-registration of vessels/crafts as on 01.06.2008 was 97.66% in Tamil Nadu. The State Government has indicated that the Re-registration of remaining vessels/crafts will be completed soon.

4. The Andaman & Nicobar Administration has informed that the fishermen and fishing vessels/Crafts in the UT were properly enumerated. Compulsory registration of fishing vessels shall be a pre-condition for releasing cash compensation/relief to the fishermen of the UT at the time of natural disasters.

5. MHA would monitor the registration of fishing vessels in all the coastal States and UTs.

**Vetting comments of Audit:** The Ministry has not indicated the steps taken or proposed to be taken for ensuring and monitoring the compulsory registration of fishermen and their vessels within a time frame, as recommended by the PAC.

#### Reply of MHA

Measures taken to strengthen coastal security will also serve the purpose of registration. It has been decided that all fishing/non-fishing boats plying in Indian waters be registered under a uniform system. The Department of Shipping as the Nodal Department has issued two notifications in this regard in June 2009, one for amending the Marine Fishermen Regulation Act and Rule made thereafter which provide for registration and another for notifying the list of registrars. The coastal States are not carrying out registration process as per the new format.

2. The data collection in the coastal villages in under way and is expected to be completed by January 2010. Moreover, it has been also decided that all the fishermen are to be issued identify-cards relatable to a single centralized data-base. Department of Animal Husbandry, Dairying & Fisheries (DAHD&F), as nodal agency, is taking necessary action in this regard, in consultation with all concerned. A uniform application



format for the ID cards has been finalized and it has been sent to all the Coastal States/Union Territories to commence the data collection process.

3. The Government has also decided to issue Multipurpose National Identity Cards (MNICs) to all the usual residents, above 18 years of age, in the coastal villages including fishermen. The project is covering 3331 villages on the coastline, with all the villages & town of A&N Islands, in the first Phase, and town/cities and other villages on the coastline in the second Phase. For the first time, direct data collection methodology has been proposed to be undertaken under the project.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

#### **Observation/Recommendation No. 16**

The Committee note that a Notification imposing restrictions on setting up and expansion of industries or related operations in the Coastal Regulation Zone was issued in 1991 by the Ministry of Environment and Forests (MoEF) for the purpose of protecting and conserving the coastal environment. As per this Notification, all activities within the Coastal Regulation Zone (CRZ) area *i.e.* the area between Low Tide Line to High Tide Line and 500 metres from the High Tide Line on the landward side of the sea is regulated. In case of tidal influenced water bodies, 100 metres from the High Tide Line or width of the creek or the water body whichever is less, is a CRZ area. The CRZ Notification classifies the CRZ area into four categories namely, CRZ-I—ecological sensitive areas, CRZ-II—build-up areas, CRZ-III—rural areas, and CRZ-IV—Islands of Andaman & Nicobar and Lakshadweep. The Committee are, however, concerned to note that an Expert Committee constituted by the Ministry of Environment and Forests in July 2004 in its report (February 2005) had highlighted that the Ministry have not been able to implement the Notification in letter and spirit and had amended the Notification to the extent that the range of such amendments presented a trend that they had allowed commercial and industrial expansion in coastal areas. Further, the studies carried out by the Wildlife Trust of India and the International Fund for Animal Welfare, USA pointed out that violation of CRZ norms led to overcrowding along coastal areas, which played a major role in loss of human lives and property during the Tsunami. The Ministry, however, contended that overcrowding along the coastal areas is not due to failure in the enforcement of the CRZ Notification, 1991 as the Notification does not prohibit dwelling units of local communities in the coastal regulation Zone — III areas in terms of its provisions of para 6(2) of CRZ (i) and (iii) which *inter alia* provide for repairs/construction/reconstruction of dwelling units constructed prior to 19.02.1991 and which are within the ambit of traditional rights and customary uses. Further, an authority designated by the State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges, construction of schools and dispensaries, for local inhabitants of the area etc. The Committee find that a plethora of exemptions to the CRZ Notification, 1991 which *inter alia* had allowed construction of houses and other infrastructure within the area of 500 metres had made mockery of the CRZ Notification. As a result of this, several habitations have come up along the coastal belt and when the Tsunami struck,

they bore the brunt of the calamity leading to severe loss of lives and property. Besides this, the CRZ Notification, 1991 *per se* was grossly inadequate and flawed to protect the country's delicate coastal zones. This is substantiated by the fact that during the Tsunami, in many areas the ingress of the seawater was far in excess of 500 metres line and in many places it went even upto more than 2 kms. Further, weak linkages between the Central CRZ Regulatory Authorities and the State Level Coastal Zone Management Committees resulted in various violations along the coastal areas causing huge destruction during the Tsunami.

The Committee have been informed that the Ministry of Environment and Forests have initiated action to regularize CRZ areas on the recommendations of an Expert Committee headed by Prof. M.S. Swaminathan. One of the actions taken include demarcation of the vulnerability line/coastal hazard line along the identified coastal areas on pilot scale, based on the extent of flooding due to sea level rise, tidal and wave action and shoreline changes. The Ministry is also stated to be in the process of drafting a new legislation on Coastal Zone Management based on the recommendation of Prof. M.S. Swaminathan Committee Report. The Committee express the hope that the proposed legislation for regulating coastal zone will protect the delicate coastal zone areas from wanton exploitation and destruction and minimize losses caused by natural calamities to a great extent possible. The Committee would like the Ministry to incorporate all issues concerning climate change and consequential rising sea level and factor in natural calamities like cyclone and tsunami while preparing the revised CRZ Notification. The Committee also recommend that the proposed legislation should be expedited.

[Sl.No. 16, Para 214 of Sixty Seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by the Government**

The Ministry of Environment and Forests (MoE&F) issued a draft Coastal Management Zone (CMZ) Notification under Environment (Protection) Act, 1986 *vide* S.O. 1070(E), dated 1.5.2008, followed by an amendment *vide* S.O.1120(E) dated 9.5.2008, inviting public suggestions and objections within a period of 60 days. MoE&F received several requests from the State Government and the public to extend the dates for receiving public suggestions and objections. Taking note of these requests, MoE&F republished the draft Notification *vide* S.O.1761(E), dated 22.7.2008 (copy enclosed at Annexure-III), giving a further period of sixty days for receiving objections and suggestions.

2. The objective of this Notification is protection and sustainable development of the coastal stretches and marine environment through sustainable coastal zone management practices based on sound scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood security for local communities, and conservation of ecologically and culturally significant coastal resources.

3. The main thrust of the draft notification is on reduction of risk to life and property of coastal population from extreme weather and geological conditions. For this purpose, the draft notification proposes a Setback Line based on vulnerability of the coast to sea level rise, flooding the shoreline changes. The definition of "Setback Line" is given in para 3(e) of the draft notification and the methodology for demarcation and management of the setback line is given at para 6(i) and Appendix-I of the draft notification. It is mentioned in the draft notification that further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Ministry of Environment and Forests.

4. The draft notification also defines Ecologically Sensitive Areas which play a major role in reducing the coastal hazards. The definition of ecologically sensitive areas is given at 3(j) of the draft notification and an indicative list of such areas is provided at Appendix-II thereof.

5. For the purposes of management and regulation, the draft notification divides coastal zone into four categories and lays down the management methodology and approach for each category. The setback lines in the coastal management zones categorized as I, II and III will be based on the vulnerability of the coast to natural and manmade hazards. The parameters to be taken into account for the purpose of mapping the vulnerability would *inter-alia* include sea level trends and horizontal shoreline displacement (erosion or accretion). The sea level trend data shall be based on the reports of the United Nations Inter-Governmental Panel on Climate Change (IPCC). The erosion and accretion data of horizontal shoreline displacement shall be obtained from long time information derived from Survey of India topographic maps (1967) and the latest satellite data. Such displacement shall be estimated (median estimate) over the next 100 years. The Coastal Management Zone-IV shall consist of island territory of Andaman and Nicobar, Lakshadweep and other offshore islands. According to the draft notification, all activities in zone-IV shall conform to the approved Integrated Coastal Zone Management Plans.

6. A National Board for Sustainable Coastal Zone Management is provided for in the draft Notification to give policy advice to the Central Government in matters relating to Coast Zone Management. The Board would *inter-alia* include an expert in Disaster Management. The concerns relating to natural calamities like cyclone and tsunami would *inter-alia* be addressed by the Integrated Coastal Zone Management Plans for Zone-II areas. The guidelines provided in the draft notification for preparation of such plans include: strengthening of roads for relief and evacuation, construction of adequate cyclone, shelters, location of new schools, market areas and other public facilities beyond the vulnerable area, mangrove plantation and other natural speed breakers, as well as construction of appropriate coastal protection structures wherever required on a scientific basis.

**Vetting comments of DGACR:** DGACR while communicating comment *vide* their U.O. No. RR/15-6/08-09/1898 dated 6.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September 2009]

### **Observation/Recommendation No. 17**

The Committee note that a compliance with the Supreme Court's orders of 1993, the Ministry of Environment and Forests constituted the National Coastal Zone Management Authority at the central level and the Coastal Zone Management Authorities in 13 States/UTs under the Environment (Protection) Act, 1986. The State/UT authorities were to prepare integrated Coastal Zone Management Plans (CZMP) by identifying and classifying the CRZ areas and obtain the approval of the Ministry of Environment and Forests thereto. It was, however, noticed by Audit that one of the authorities had prepared the CZMP for the entire State. The Committee are perturbed to note that the Ministry of Environment and Forests have submitted a misleading information that all the coastal States and UTs have prepared the Coastal Zone Management Plans in accordance with the directions of the Supreme Court dated 18th April, 1996 in the matter relating to Writ Petition No. 664 of 1993. However, in reality the Committee find that these maps were approved by the Ministry on 27.09.1996 with conditions and the modifications and the concerned States/UTs were yet to prepare the revised Coastal Zone Management Plans. In the absence of comprehensive CZMPs, granting of clearance to the permissible activities is being done on patchwork basis and confined to the particular stretch. The Committee take strong exception to this practice as there is a scope for misuse at the local level. The Committee have been informed that a draft Notification based on the recommendation of the Prof. M.S. Swaminathan Committee is under finalization for publication under Environment (Protection) Act, 1986. Under this proposed Notification, the Union Government will assist the State Governments and the UT Administrations to prepare integrated Coastal Zone Management Plans based on the guidelines suggested in the aforesaid Report. The Committee expect that the Ministry would expedite the finalisation and issuing of the Notification so as to protect the country's coastal areas without any further delay. The Committee would like to have the details of the Notification to be issued by the Ministry of Environment and Forests.

[(Sl.No. 17) Para 215 of Sixty-Seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by the Government**

A draft Coastal Regulation Management Zone Notification under the Environment (Protection) Act, 1986 was issued by the Ministry of Environment and Forests (MoE&F) in May 2008 inviting public suggestions and objections within a period of 60 days. In view of the requests received from the State Governments and the public, the draft notification was republished by MoE&F in the Gazette on 22.07.2008 *vide* S.O. 1761(E) (copy enclosed at **Annexure-III**), extending the last date for receiving suggestions and objections by a further period of 60 days.

2. MoE&F has already received over 5000 objections and suggestions from public, NGOs, industrial associations and units, fishermen associations, State Governments and Central Ministries. These suggestions and objections are being complied by MoE&F. To enable the local communities and NGOs to provide their comments, the

Ministry of Environment and Forests has assigned Centre for Environment Education (CEE), Ahmedabad to undertake meetings with local communities and NGOs in all the coastal States and Union Territories after translating the notification into local languages. The report of the CEE is expected by the 1st week of October, 2008. MoE&F also proposes to hold discussions with the State Governments and obtain their suggestions and objections. After taking into consideration all the suggestions and objections, a final decision to issue the Coastal Management Zone Notification would be taken by MoE&F in accordance with the Environment (Protection) Act, 1986, which lays down a period of 365 days from the date of issue of the draft notification for finalization of the notification.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No 40-22/2005-DM-III, 30th September 2009]

#### **Observation/Recommendation No. 20**

The Committee are concerned to note that out of the five Tsunami affected States/UTs, Kerala and Puducherry did not have a declared Disaster Management Policy. The Committee are of the view that had such policy been put in place prior to the Tsunami, it would have greatly expedited rehabilitation activities and avoid *ad-hoc* decisions. Despite the Disaster Management Authority put in place in Kerala in August 2003 and in the Union Territory of Puducherry in September 2003, no efforts have been made to formulate Disaster Management Policy, which is anything but regrettable. Further, the Committee regret to note that the Ministry of Home Affairs have not taken measures for ensuring constitution of the required Disaster Management Authority and formulation of Disaster Management Plans by the respective States/UTs. Had this exercise been completed in time the problems faced in the aftermath of the Tsunami would have been obviated to a great extent. The Ministry have now informed the Committee that post-tsunami, the need for a comprehensive approach to disaster management was felt even more and therefore, the Disaster Management Act, 2005 provided for institutional mechanism right from the Centre, State, District levels to the level of the local authority. The State Governments have been requested to frame rules for implementation of the Disaster Management Act, 2005 in its application to the States. The Committee express the hope that the Ministry of Home Affairs would persuade all the States/UTs to formulate rules for the implementation of the Disaster Management Act, 2005 in their respective States/UTs. The Committee also expect the Ministry of Home Affairs to ensure that all the requisite infrastructure is put in place by all the States/UTs to effectively deal with all major disasters like tsunami, cyclone, earthquake etc. based on regional or local vulnerability perception. The Committee would also like the Ministry of Home Affairs to consider establishing a National Disaster Intelligence Network under which knowledge and experience gained from previous disaster are carefully analysed and utilized in the event of any disaster occurring in future.

[(SI. No. 20) Para 218 of Sixty seventh Report of PAC (14th Lok Sabha)]

### Action Taken by the Government

Ministry of Home Affairs is following up with the State Governments/ UTs for framing of rules for implementation of the provisions of the Disaster Management Act, 2005. As per the information received by the Ministry of Home Affairs, 21 States/ UTs have already established State Disaster Management Authority under the Disaster Management Act, 2005 or the State Disaster Management Act as indicated below:—

Sl. No.	Name of State	Headed by	Date of Orders/ Notification
1.	Andhra Pradesh	Chief Minister	14.11.2007
2.	Arunachal Pradesh	Chief Minister	31.08.2006
3.	Bihar	Chief Minister	06.11.2007
4.	Chhattisgarh	Chief Minister	01.08.2007
5.	Delhi	Lieutenant Governor	19.03.2008
6.	Goa	Chief Minister	29.06.2006
7.	Gujarat <sup>@</sup>	Chief Minister	08.02.2001
8.	Haryana	Chief Minister	09.10.2007
9.	Himachal Pradesh	Chief Minister	01.06.2007
10.	Kerala	Chief Secretary	04.05.2007
11.	Lakshadweep	Administrator	26.05.2006
12.	Maharashtra	Chief Minister	Intimated <i>vide</i> CM's letter dated 5th August 2008
13.	Meghalaya	Chief Minister	26.06.2008
14.	Mizoram	Chief Minister	23.05.2006
15.	Nagaland	Chief Minister	21.07.2008
16.	Puducherry	Lieutenant Governor	01.08.2007
17.	Punjab	Chief Minister	22.02.2006
18.	Rajasthan	Chief Minister	06.09.2007
19.	Uttar Pradesh	Chief Minister	21.04.2008
20.	Uttrakhand	Chief Minister	10.10.2007
21.	West Bengal	Chief Minister	01.08.2007

2. The Government of Andhra Pradesh has informed that the State Government have adopted the Disaster Management Act 2005, which has come into effect in the

State from 01.08.2007 and issued A.P. Disaster Management Rules, 2007. In accordance with these Rules, the State Government have also notified and operationalised State Disaster Management Authority (SDMA), State Executive Committee (SEC) and District Disaster Management Authorities (DDMAs) in all the 23 districts.

3. The Government of Puducherry has informed that the provisions of Disaster Management Act, 2005 have been brought into force in the Union Territory of Puducherry with effect from 1.8.2007 and the following rules have been framed under the Act:

- (i) The Puducherry Disaster Management State Executive Committee (Procedures & Allowances) Rules, 2007.
- (ii) The Union Territory of Puducherry Disaster Management Authority (Term of Office and Conditions of Service of Members of the Union Territory of Puducherry Disaster Management Authority and Payment of Allowances to Members of Advisory Committee) Rules, 2007.
- (iii) State Disaster Management Authority, State Executive Committee and District Disaster Management Authorities have been Constituted in Puducherry. The State Executive Committee has taken initiatives to prepare State Disaster Management Plan and District Disaster Management Plans.

4. Under the aegis of GOI-UNDP Disaster Risk Management Programme, capacity building initiatives have been taken to train the stakeholders namely Government functionaries, community, school children, etc. in Puducherry.

5. Community Disaster Plans, School Disaster Plans and Industries Specific Plans are being prepared in the UT of Puducherry. Emergency Operation Centres have also been set up.

6. The Government of Andaman & Nicobar Administration has informed that the Union Territory Disaster Management Authority was established on 09.01.2008 under the Chairmanship of Lt. Governor, A&N Islands with eight other members to discharge all such functions and have such powers as envisaged in the Disaster Management Act, 2005.

7. Union Territory Management Executive Committee and District Disaster Management Authorities for the District of South Andaman, North and Middle Andaman and Nicobar have been constituted. Draft Disaster Management Policy has been prepared and circulated to all members of the UT Disaster Management Authority in the meeting held on 16.06.2008 for their comments/suggestions.

8. Ministry of Home Affairs is supporting capacity building initiatives in all the States/UTs by extending financial assistance as well as technical guidance through National Institute of Disaster Management (NIDM) and other resource institute for conducting training programme etc. for State Government functionaries at various levels including engineers and architects. Community based initiatives in 169 multi-hazard prone districts are being implemented through a Disaster Risk Management Programme being implemented with support from UNDP and other external agencies. Mitigation projects for regulations of the risk on account of



earthquake, cyclone, floods and landslides are being formulated by NDMA to strengthen the human resources as well as the infrastructure for disaster risk reduction in various States.

A national level India Disaster Knowledge Network (IDKN) is being put into place with the help of NIDM. Model building bye-laws, zonal regulations etc. have been framed with the help of experts with a view to ensure construction of seismically safe building and have been circulated to the State/UTs to facilitate action for strengthening the techno-legal regime.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No 40-22/2005-DM-III, 30th September 2009]

#### **Observation/Recommendation No. 21**

The Committee note that the National Disaster Management Authority (NDMA) was notified on 27th September, 2006 pursuant to the enactment of the Disaster Management Act, 2005. The Committee are given to understand that NDMA is in the process of framing guidelines on disaster preparedness in the event of earthquakes, chemical disaster, floods, nuclear disasters etc. They expect that the Ministry of Home Affairs will ensure that these guidelines are formulated and got approved at the earliest and circulated to all the States/UTs so that they are implemented in the event of natural capabilities. The Committee further note that under the Disaster Management Act, NDMA is required to lay down broad policies and guidelines for functioning of the National Institute of Disaster Management (NIDM). While expecting that these policies and guidelines are formulated at the earliest so that NIDM become functional at the earliest, the Committee recommend that NDMA should ensure that NIDM may impart training to the officials of the concerned agencies/Department of States/UTs connected with disaster management on the disaster preparedness. The Committee also recommend that NDMA should formulate guidelines so as to bring coordination amongst various agencies/organizations involved with relief and rehabilitation works at the time of natural calamities, *viz.* Army, Civil Authorities, NGOs/Voluntary organizations, Scientists, etc. so that they act in unison and without any cross purpose for making the relief and rehabilitation efforts successful.

[(Sl. No. 21) Para 219 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by the Government**

National Disaster Management Authority (NDMA) has already formulated and released the guidelines on management of earthquake, cyclone, floods, Chemical (Industrial) Disasters, Biological Disaster, preparation of State Disaster Management Plan, Medical Preparedness and Mass Casualty Management. These guidelines have been circulated by NDMA to States/UTs and the Ministries/Departments concerned. Implementation of the above guidelines is being monitored by National Executive Committee constituted under the provision of Disaster Management Act, 2005.



NDMA has also laid down broad policy and guidelines for the functioning of National Institute of Disaster Management (NIDM). NIDM is fully functional and it is engaged in imparting training to officials of concerned agencies/departments of States/UTs in various aspects of disaster management. NDMA's attention has been drawn to the recommendation of the PAC regarding formulation of guidelines to bring about coordination among various agencies/organisations involved with relief and rehabilitation work at the time of natural calamities. To a certain extent these concerns are expected to be addressed by the hazard specific guidelines already released by NDMA.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 6.11.2008 have not made any comments on this ATN.

(Ministry of Home Affairs O.M. No. 40-22/2005-DM-III 30th September, 2009)

#### **Observation/Recommendation No. 23**

The Committee note that guidelines were issued by the Ministry of Home Affairs in September 2004 for the establishment of Emergency Operation Centres (EOCs), which were to act as resource centres for emergency response in the event of any disaster. This was followed by a reminder in April 2005 instructing the Andaman Nicobar Islands Administration to keep these EOCs ready in all respects by 10 May 2005 for data, audio and video connectivity under the National Emergency Communication Plan (NECP). The proposal to set up the EOCs was however, initiated only in June 2005 and during 2005-06, administrative approval and expenditure sanction was accorded for four EOCs at a total cost of Rs 2.63 crore. The Committee find that work on only one EOC at Port Blair had been taken up so far. The construction of the fifth EOC at Car Nicobar, which was worst affected by the Tsunami is yet to be approved. As a result, the aim of providing reliable communication facilities, monitoring of hazards and coordinating response is yet to be achieved even after lapse of ten months from the expiry of the deadline given by the Ministry of Home Affairs. The Committee are not convinced by the Ministry's reply that due to high priority accorded to construction of temporary shelters for Tsunami victims and restoration of basic infrastructure, there was delay in establishing EOCs by the Andaman & Nicobar Islands Administration. Since the guidelines for the establishment of EOCs were issued way back in September 2004 well before the outbreak of the Tsunami in December 2004, the Ministry ought to have ensured the establishment of EOCs as per schedule particularly in view of the scattered geographical location of Andaman & Nicobar Islands, lack of emergency facilities and transportation problems in the area. The Committee cannot but conclude that this failure on the part of Government was one of the major reasons for the problems experienced in undertaking post disaster activities in Andaman & Nicobar Islands. The Committee have now been informed that the work is being accorded top priority and besides, control rooms have also been set up at the all tehsil headquarters, which can be operationalised on 24 hour basis in case of need. System of receiving reports from the India Meteorological Department on daily basis has been streamlined to keep close watch on weather and geographical status. The Central Control Room, which can be used in case of disaster for connectivity

purposes, has been set up with all model equipments at the Secretariat of the Andaman & Nicobar Islands Administration at Port Blair. Under Community Information System, 41 information centres with web connectivity have been established in almost all major inhabited islands, which will help in case of disasters for establishing communication connectivity with the rest of the world. The Committee trust that efforts will be made for setting up the requisite facilities in the EOC expeditiously so that the same become operational at the earliest and the Islands are fully equipped to deal with similar and other disasters in future.

[(SI. No. 23) Para 221 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

The Andaman and Nicobar Administration has informed that post Tsunami, priority was accorded to the construction of temporary shelters for Tsunami victims and restoration of basic infrastructure. There was thus delay in establishing EOCs by the UT administration. EOC has since been established at the District HQ Port Blair, South Andaman. The works at Campbell Bay, Nancowry and Mayabunder are nearing completion. Works at Car Nicobar and Hut Bay is being taken by the Andaman Lakshadweep Harbour Works as the nodal agency for construction.

2. A full-fledged port communication network is being established at Atlanta Point, Port Blair and is connected with 8 Nos. with HF Radio and also each port is installed with VHF communication. The above equipments are operated in the International Maritime Band. Further, the port is having plans to establish VHF relay stations at Mount Harriet at South Andaman and Bathew Point at North Andaman.

3. Maritime communication network facilitates inter port communication and also the communication with the IV registered vessels, fishing vessels and mechanized sailing vessels. The mainland bound vessels at Bay of Bengal and Andaman sea maintain communication with Port Blair and other inter-island ports. Apart from the above, Global Maritime Distress Safety System are being installed at Port Blair and Car Nicobar for monitoring distress signals from ships at sea and then the signals are relayed to Maritime Rescue Coordinating Centre, Port Blair for Search and Rescue Operations.

4. The first and second phase of VSAT Network (A&N SWAN) has been undertaken by ISRO and 23 VSATs have been installed in different islands of the UT out of 36 locations. The remaining VSATs would be installed in next 2 months time. This network would support video conferencing from each location and facilitate failsafe communication during disasters.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

(Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September, 2009)

### **Observation/Recommendation No. 24**

The Committee have been informed that about 21,000 personnel from the Army, Navy, Air Force, Coast Guard and Para Military Forces, 40 Naval/Coast Guardships, 34, Aircraft and 42 Helicopters were pressed into service as a part of the massive relief operations. About 28,734 persons were rescued on the mainland and more than 6,000 stranded people including tourists from Andaman & Nicobar Islands, were brought to the mainland. As many as 6.36 lakh persons in all were moved to safer places and kept in 930 relief camps. Given the magnitude of the rescue and relief operations involved during natural calamities such as the Tsunami, the Committee are of the considered view that locality specific community training in disaster preparedness as a sub-component of Disaster Risk Management Programme can play a vital role in rescue and relief operations especially during the first few days when the administrative response is yet to take momentum. The Committee, therefore, recommend that community disaster preparedness scheme should be introduced along the coastal line of the country especially in Andaman Nicobar Islands, Lakshadweep and the cyclone prone Eastern Coast. As a part of this arrangement, NGOs, youth organizations/clubs, voluntary organizations/associations, students etc. should be given special training to aid and assist the general administration in rescue, relief and rehabilitation activities and psycho-counselling of the suffering masses.

[(Sl. No. 24) Para 222 of Sixty-seventh Report of the PAC (14th Lok Sabha)]

### **Action Taken by Government**

During any disaster, communities are always the first responders. Community participation ensures local ownership, addresses local needs, and promotes volunteerism and mutual help to prevent and minimize damage. Therefore, states should make all efforts to assist communities in understanding their vulnerabilities and the lead role that they can play in managing risks with less dependence on external entities, through robust campaigns. Also arrangements for community based disaster preparedness should form the basis for preparation of plans.

2. Based on the recommendations of the High Powered Committee (HPC) on disaster management, the National Disaster Management Framework, and the need to adopt a holistic approach for all aspects of disaster management including training and capacity building, the National Institute of Disaster Management (NIDM) with their network of 29 Administrative Training Institutes situated in various parts of the country are imparting training in the areas of disaster management. NIDM is also mandated to develop training modules, promote awareness among stakeholders, organize and facilitate study courses, conferences and seminars etc. on disaster management. NIDM has developed a Module for the Community Based Disaster Management Programme on the basis of which training programmes have been conducted at the State and District levels. NIDM has also developed training module for Nehru Yuva `Sangathan and National Services Corps. Training modules for Civil Defence is also being developed to adhere them in disaster management in line with the proposal of MHA to revamping of Civil Defence. NIDM in collaboration with the National Institute of Mental Health and Neuro Sciences (NIMHANS) has further

developed a module for Community Based Psycho-Social Counseling of the traumatized people affected by disasters. A number of training programmes have also been organized on psycho-social counseling.

3. Apart from this, Fire Departments, Para-Military Forces, Red Cross, St. Johns Ambulance, Nehru Yuva Kendra Sangathan (NYKS), National Service Scheme (NSS) are also providing training to personnel/volunteers in various aspects of disaster management. In addition, MHA in partnership with United Nations Development Programme (UNDP) has also initiated a Disaster Risk Management Programme in 169 most multi-hazard prone districts of 17 states to train the community at large in preparedness measures. In this programme the village community prepare its own Disaster Management Plan and rehearses the plans at least once in a year through mock drills. The community further constitutes different teams to work on specific issues of post-disaster response and relief, which includes search & rescue and relief management. Large number of NGOs, both national and international, especially post Tsunami, are involved in Community Based Disaster Risk Management (CBDRM).

4. The National Disaster Management Authority, which is mandated for laying down policies and guidelines for effective disaster management is in the process of developing guidelines for Community Based Disaster Risk Management (CBDRM). The guidelines would *inter-alia* cover the following:

- Suggest ways of integrating and mainstreaming Community Based Disaster Preparedness activities in the planning process duly budgeted and appropriately niched in the PRIs/ULBs/district and sub-district level administrative apparatus.
- To develop a fram work of linkage with PRIs/ULBs, government apparatus at district and sub-district levels, self-help groups, NGOs and other functionaries like VLW/Anganwadi workers/Sahyoginis, ASHA, Agriculture Extension Workers, etc. with CBDP activities.
- To outline with process that must be followed to ensure participation of all sections of the community in the programme, particularly in the context of social and economic vulnerabilities within communities.

Meanwhile, under the DRM programme states have developed specific training modules for the capacity building of various partners on CBDRM. A training module for NGOs has been prepared under the programme, in addition.

5. State Nodal Agencies have been organizing the training of trainers (ToT) at state, district and block levels to enhance the capacity of disaster management committees and have prepared a core team of trainers to carry out further training at various levels. It is expeted with so much focus on capacity building of various stakeholders, Government's effort in severe relief and rehabilitation will further be strengthened.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their UO No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

(Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September 2009)

#### **Observation/Recommendation No. 25**

It has been reported that about 2964 indigenous people of Andaman & Nicobar Islands belonging to Andamanese, Jarawa, Onges, Sentinelese and Shompens tribes were reported either died or missing during the Tsunami. As per the information furnished by the Ministry the total number of surviving members of these tribes are 54, 321, 97, 39 and 389 respectively. The Committee note that the dwindling number of these indigenous tribes, who do not have access to modern health facilities and other amenities, is a matter of deep concern and if timely intervention is not provided, they might become extinct soon. The Committee have been informed that for the welfare of these aboriginal tribes, Andaman Adim Janjati Vikas Samiti (AAJVS) is implementing various welfare schemes for which grant-in-aid is released by the Administration. In view of the serious threat to their primitive existence as a consequence of deforestation and increasing economic exploitation of their dwelling areas, the Committee fear that these indigenous tribes, who are very vulnerable, may not be in a position to survive another Tsunami like disaster. The Committee, therefore, recommend that the Ministry of Home Affairs should undertake various welfare measures as a part of Tsunami rehabilitation projects in the Union Territory for the protection of these indigenous tribes and to help equip them in meeting various natural as well as manmade challenges posed from time to time. The Committee would like to be apprised of the precise steps taken in this regard.

[(Sl. No. 25) Para 223 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

There are in all six Scheduled Tribes in Andaman and Nicobar Island *viz.* Great Andamanese, Onges, Jarawas, Sentinelese, Shompens and Nicobarese. The tribes other than Nicobarese are classified as Primitive Tribes. All the tribes persons reported either died or missing during Tsunami have been identified as members of Primitive Tribal Groups (PTGs). The Ministry of Tribal Affairs released an amount of Rs. 2.00 crores to UT Administration of Andaman & Nicobar Islands immediately after Tsunami under the scheme of Development of Primitive Tribal Groups for relief and rehabilitation work for the PTGs affected by Tsunami. The UT has submitted its utilization certificate to the Ministry of Tribal Affairs.

2. During the 11th Plan period from 2007-08, the Ministry of Tribal Affairs has started supporting long term Comprehensive Conservation-cum-Development (CCD) Plan for development of PTGs. The UT Administration of A&N Islands submitted its Conservation-cum-Development Plan to the Ministry of Tribal Affairs which has released Rs. 1.49 crores to the UT Administration during 2007-08 for implementing the planned activities, which include health education, providing fishing kits, agricultural kits, facilities related to supply and drinking water, employment etc.

3. The welfare and development of the primitive tribes is looked after by an autonomous body known as Andaman Adim Janjati Vikas Samiti (AAJVS), which is headed by the Lt. Governor, A&N Islands. It has a General Body and an Executive Council, which meet periodically and lay down policies and programmes for the welfare and development activities of the Primitive tribes. AAJVS has set up small units at Kadamtala, Middle Andaman and Little Andaman for Onges and at Shompen Hut Complex, Great Nicobar to look after the welfare of the Shompens. The Tribal Welfare Department provides cent percent grant-in-aid to AAJVS out of its Annual Plan.

#### **Welfare measures for the PTGs**

4. The details about the development activities being carried out for the welfare and development of the Primitive Tribes are as follows:

##### **Great Andamanese**

Total population of the Great Andamanese is 56 which include two non-tribal ladies, who are married to Andamanese. Tribal youths. Renovated houses are being used as intermediate shelters by the Andamanese tribes. Monthly free rations at the prescribed scales are being issued to the Great Andamanese families to supplement their nutritional requirement of food. They are carrying out their traditional activities such as hunting & fishing. The tribals are provided medical coverage by Pharmacist, Sub-Centre, Strait Island. However, serious tribal patients are referred to G.B. Pant Hospital, Port Blair for further investigation and treatment. A Middle School with three tribal students on the rolls is functioning at Strait Islands. A coconut plantation raised at Strait Island for their benefit is being maintained. The other essential services of health, water supply, power etc are being provided by the Government free of cost at the Andamanese settlement.

Thirteen Andamanese children who are studying in Vivekananda Kendra Vidyalaya, Port Blair are being paid hostel expenses, tuition fees and provided free books and stationery by AAJVS. Seventeen Great Andamanese are employed in various Government departments.

A suitable site on high ground and situated about 500 mtrs. Away from the existing settlement has been selected for the construction of permanent houses for the Great Andamanese. The construction work on the infrastructure like Permanent houses for Great Andamanese, Medical Sub-Centre and residential accommodation for the staff are taken up by Andaman Public works Department.

##### **ONGES**

The Onges are settled at Dugong Creek, Little Andaman and their total population is 97. Monthly free rations at the prescribed scales are being issued to the Onge families at Dugong Creek to supplement their nutritional requirement of food. They are carrying out their traditional activities such as hunting & fishing. The tribals are provided medical coverage. The serious tribal patients are referred to G.B. Pant Hospital, Port Blair for further investigation and treatment. A coconut plantation at Dugong Creek and South Bay for the benefit of Onges is being maintained. The other essential

services of health, water supply, power etc. are provided by the Government free of cost at the Onges settlement.

### **SENTINELESE**

The Sentinelese is a hostile tribe and remains in isolation, inhabiting an exclusive Island named-North Sentinelese Island. They are hunter and gatherers, whose population is estimated to be 39 as per 2001 census. Entry of non-tribals in to the Tribal Reserve is prohibited under the provisions of A&N Islands (Protection of Aboriginal Tribes) Regulations, 1956. The Administration also seeks assistance from the Indian Coast Guard in maritime surveillance around the North Sentinel Island to ensure that no outsiders attempt to enter into the tribal reserve thereby preventing the exploitation of the resources by the people other than the Sentinelese.

### **SHOMPENS**

The Shompens is a semi-nomadic inhabiting the vast area of Great Nicobar Island and their population is estimated to be 398 as per 2001 census. The Administration is providing necessary medical coverage; ration articles etc. at their camps.

### **JARAWAS**

The Jarawas tribes with the estimated population of 323 inhabit the western coast of South and Middle Andaman Islands. The Jarawa Policy framed by the Government of India and notified in December 2004 is being implemented strictly to ensure protection and welfare of Jarawas and the following steps have been taken:

- (i) In order to ensure a rich resource of forest based traditional food like wild pig, turtle, honey and fish etc. Jarawas Tribal Reserve has been increased from 847 Sq. Km. to 1028 Sq. Km. Exclusive Marine Resources Base has also been increased by declaring coastal water up to 5 KM from High tide Line as tribals reserve.
- (ii) The protective activities like patrolling the Andaman Trunk Road as well as the coastal belt adjoining areas of Jarawas Tribal Reserve for preventing poaching being undertaken regularly by Andaman Adim Janjati Vikas Samiti, Police and the forest Department.
- (iii) Exclusive Wards at Primary Health Centre (PHC), Tushnabad, Kadamtala and GB Pant Hospital, Port Blair for Jarawas have been provided and such Wards are declared as tribal reserves to prevent curious non-tribals from interacting with Jarawas. Jarawas patients are being treated at these Centres. A similar eco-friendly exclusive ward is being constructed at PHC, Baratang.
- (iv) A Buffer zone of 5 KM radius has been notified around the Jarawas reserve to ensure that they do not become unwitting targets of large scale tourism or commercial activities.
- (v) In order to curtail traffic movement on the ATR, Administration has introduced convoy system. At present eight convoys per day from both the ends *i.e.* Jirkatang and Middle Strait are operating at specific hours and two wheelers, three wheelers and pedestrians are totally prohibited.



### **Formulating a new policy for Primitive Tribal Groups**

5. A comprehensive data-based survey and study covering all aspects of the primitive tribes namely Great Andamanese, Onges and Shompens is to be conducted first so that the separate policies to be framed will have its real impact. Accordingly, the work for collection of data/documents has been done but the field survey including interview with the members of the PTGs namely Great Andamanese, Onges and Shompens to have a true analysis of their own interest and life style was delayed with the onset of Monsoon. The survey shall be completed as soon as the weather conditions improve and thereafter separate policies in respect of all the remaining Primitive Tribal Groups (PTGs) will be drafted and placed for approval and notification.

### **Welfare measures for Nicobarese Tribes**

6. The welfare and development of the Nicobarese Tribes are undertaken by various departments of the UT Administration under the Tribal Sub-Plan. The Nicobarese are the advanced Mongoloid tribe. Intermediate shelters were provided to all the tribal families affected by the Tsunami. Permanent shelters are being built. Essential service like drinking water, power and medical facilities have been restored, Schools, banking and postal services, tele-communication services have resumed.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06-11-2008 have not made any comments on this ATN.

(Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September 2009)

### **Observation/Recommendation No. 26**

Installation of a Tsunami Early Warning System, which can forewarn people before the disaster hits the coastal areas, is of supreme importance in mitigating death toll and destruction caused by the colossal calamity. Post-tsunami, the necessity of a reliable Tsunami Early Warning System is acutely felt in the country so that timely evacuation of humans and material could be carried out to minimize death and destruction. The Committee have been informed that for this purpose a Tsunami Early Warning System namely Indian National Centre for Ocean Information Services (INCOIS) is being set up in Hyderabad, Andhra Pradesh. The proposed system envisages generating appropriate and reliable advisories/warning after detection of tsunamigenic earthquake (after detection of progression of waves). During evidence, the Secretary, Environment and Forests, deposed that a variety of packages of measures are typically necessary to address different coastal hazards and the early warning system has to be seen as a part of a broader package of measures needed for coastal protection. The Committee while emphasizing the need to have a complete and most modern system for early warning of tsunami in the country, would like to be apprised of the specific details of INCOIS being installed in Hyderabad, including its technical parameters, cost involved, accuracy and reliability in Tsunami Early Warning as well as arrangements made for warning people of the impending disaster. The Committee would also like to draw the attention of the Ministry of Home Affairs to



undertake a feasibility study on having a dedicated FM Radio service which can be interlinked with Tsunami Early Warning System and other meteorological forecasts on occurrence of cyclones, sea-storms, earthquakes etc. so as to fore-warn the people living on the coastal areas particularly the fishermen.

During their study visit to the National Remote Sensing Agency (NRSA) in Hyderabad in October 2007, the Committee were informed that NRSA had set up a Disaster Management Decision Support Centre which acts as the single window service provider of aero-space derived information related to six natural disasters viz., floods, cyclones, agricultural drought, earthquakes, landslides and forest fires functioning at 24x7. It connects the Managing and Monitoring agencies (the Prime Minister's Office, the Ministry of Home Affairs etc.), Knowledge centers (the India Meteorological Department, the National Informatics Centre and the Central Water Commission etc.) and user organizations. Further, in order to improve preparedness for disaster management, a National Database for Emergency Management (NDEM), a multi-institutional initiative has been taken up by NRSA at the behest of the Ministry of Home Affairs, which will host databases on 169 multi-hazard prone Districts at multiple scales. The Committee recommend that the Ministry of Home Affairs in consultation with the Department of Space and other concerned Departments/Ministries should forge linkages between the proposed INCOIS that is being set up in Hyderabad and NRSA so that the synergies could be developed with respect to technological capabilities that are being developed by these institutes so that a coordinated, cohesive and unified system can be developed that can forecast tsunami and other natural disasters as well as fore-warn the people living in the coastal areas.

[(Sl. No. 26) Para 224 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

The Government of India had decided in January 2005, to set up an early warning system to fore-warn about the occurrence of tsunami and storm surges in the Indian Ocean. Tsunami Early Warning System (TEWS) is a multi-disciplinary multi-agency programme. The Indian National Centre for Ocean Information Services (INCOIS), Hyderabad, National Institute of Ocean Technology (NIOT), Chennai, Integrated Coastal and Marine Area Management (ICMAM), Chennai, India Meteorological Department (IMD), Survey of India (SOI), Department of Space, Centres of Indian Space Research Organisation (ISRO), National Remote Sensing Agency (NRSA), National Institute of Oceanography and National Geo-physical Research Institute and other concerned Agencies are involved in the setting up of the system. **Ministry of Earth Sciences (Department of Ocean Development) was identified as the nodal agency** to set up Tsunami Early Warning System in the Indian Ocean at an estimated cost of **Rs. 125 crore**. Accordingly the Early Warning System for Mitigation of Oceanographic Disasters—Tsunami and Storm Surges has been established and operationalized at the National Centre for Tsunami and Storm Surges at the Indian National Centre for

Ocean Information Services (INCOIS), Hyderabad **on 15th October 2007** with the following components:

- (i) tsunami warning sensors close to the ocean bottom at appropriate locales in the Indian Ocean, with real time connectivity;
- (ii) tide gauge and data buoys networking to validate arrival of tsunami waves at the coast;
- (iii) modeling of the inundation scenarios for the entire coast and mapping of potential risk areas;
- (iv) collection of information, analysis and generating status advisories;
- (v) seismological network of 17 broad band interconnected seismic stations to indicate, near real time occurrence of tsunamigenic earthquakes;

2. The system/centre receives near real time seismic signals for monitoring earthquakes capable of generating tsunamis, observes real time changes in the sea level and validates propagation of tsunami waves, if any, through Bottom Pressure Sensors placed at sea bottom in the Bay of Bengal and Arabian Sea. The system is capable to generate alert and warning advisories for tsunami in Indian Ocean region.

3. The state-of-the-art early warning centre is established at INCOIS with all the necessary computational and communication infrastructure that enables reception of real-time data from all the sensors, analysis of the data, generation and dissemination of tsunami advisories following a standard operating procedure. Seismic and sea level data are continuously monitored in the Early Warning Centre using a custom-built software application jointly developed with M/s. Tata Consultancy Services (TCS) that generates alarms/alerts in the warning centre whenever a pre-set threshold is crossed. Tsunami warning/watches are then generated based on pre-set decision support rules and disseminated to the concerned authorities for action, following a Standard Operating procedure. The efficiency of the end-to-end system was proved during the large under-sea earthquake of 8.4 that occurred on September 12, 2007 in the Indian Ocean. The National Early Warning Centre generates and disseminates timely advisories to the Control Room of the Ministry of Home Affairs (MHA) for further dissemination to the Public. For the dissemination of alerts to MHA a satellite-based virtual private network for disaster management support (VPN DMS) has been established. This network early warning centre helps to disseminate warnings to the MHA, as well as to the State Emergency Operations Centres. In addition, messages will also be sent by Phone, Fax, SMS and e-mails to authorized officials. In case of confirmed warnings, the National Early Warning Centre is being equipped with necessary facilities to disseminate the advisories directly to the administrators, media and public through SMS, e-mail, Fax etc. The cyclone warning network of IMD and electronic ocean information boards of INCOIS could be effectively used for dissemination of warnings directly to the public. Periodically, workshops will be organized for the user community to familiarize them with the use of tsunami and storm surge advisories as well as inundation maps. Easily understandable publicity materials on earthquake, tsunami and storm surges has been generated for distribution to the general public.

4. A 17-station Real Time Seismic Monitoring Network (RTSMN) is under establishment by India Meteorological Department (IMD). The network is designed to monitor and report, in least possible time, the occurrence of earthquakes capable of generating Tsunamis from the two probable tsunamigenic sources *viz.*, the Andaman-Nicobar-Sumatra Island arc region and the Makran coast in the north Arabian Sea area. The data from the 17 Broadband seismic field stations will be transmitted simultaneously in real time through V-SAT communication facilities to the Central Receiving Stations (CRSs) located at IMD, New Delhi and INCOIS, Hyderabad for processing and interpretation. The CRSs are equipped with state-of-art computing hardware, communication, data processing, visualization and dissemination facilities. Based on the earthquake information provided by the real time seismic monitoring network, INCOIS shall issue necessary warnings/alerts, in case of possibility of a genesis of a tsunami.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005, DM-III, 30th September 2009]

### CHAPTER III

#### OBSERVATION/RECOMMENDATION WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES RECEIVED FROM THE GOVERNMENT

##### Observation/Recommendation No. 3

As per the extant procedure, in the event of a natural disaster the affected States estimate the extent of damages and seek special financial and other assistance from the Union Government, which in turn deputes a team of special observers to make an independent assessment of the damages and the assistance required, Based on the report of the special team, the nodal Ministry, the Ministry of Home Affairs, obtains financial assistance through the Ministry of Finance and releases the same to the affected States. The Committee note that after assessing sector-wise damages caused in the wake of the Tsunami, the affected States/UTs submitted memoranda in between December 2004-January 2005 seeking financial assistance to the tune of Rs. 1,1796.40 crore and 73,500 MTs of rice from the Union Government for relief and rehabilitation. Against this, the Central Team, which visited the affected States/UTs for an on-the-spot assessment of the damages in January 2005, had recommended a total assistance of Rs. 5,690.81 crore, *i.e.*, 48 per cent of the projections made by the affected States/UTs. After considering the reports of the Central Team, the Ministry of Home Affairs sanctioned in February 2005, Rs. 3,644.05 crore for Tsunami affected States/UTs under 'Rajiv Gandhi Rehabilitation Package' (RGRP), which was 64 per cent of the funds recommended by the Central Team. Out of this Rs. 3,644.05 crore sanctioned, the Ministry released only 48 per cent of the amount to the States/UTs *i.e.*, Rs. 1,759.05 crore. Out of this total funds amounting to Rs. 1,759.05 crore released by the Government to the States/UTs, the latter could utilise only Rs. 1,074.98 crore (61 per cent).

[(Recommendation Sl. No. 3) Para 201 of Sixty-seventh Report of PAC  
(14th Lok Sabha)]

##### Action Taken by Government

Details of the Funds received and utilised by each of the tsunami affected States/UTs under "Rajiv Gandhi Rehabilitation Package" are as under:

(Rs. in crore)

State/UT	Amount allocated under RGRP	Amount Spent	Amount of RGRP which became part of TRP*
1	2	3	4
Tamil Nadu	2347.19	1096.08	1101.02

1	2	3	4
Kerala	249.36	103.19	109.38
Andhra Pradesh	70.00	66.79	29.96
Puducherry	155.62	72.99	82.21
Andaman & Nicobar (ANI)	821.88	838.58	**454.05
<b>Total</b>	<b>3644.05</b>	<b>2177.63</b>	<b>1776.62</b>

(\*) Source: Planning Commission

(\*\*) Increase in RGRP in ANI is because of savings from relief funds utilized for long-term reconstruction works.

2. The Government of Andhra Pradesh has informed that the procedure for relief assistance from Government of India—Application of the procedures to tsunami relief, indicates that out of 48% recommended/sanctioned, the amount utilized was only 61% exposing the gap between requisition and utilization. The State of Andhra Pradesh projected Rs. 317.00 crores, the fund released by MHA was Rs. 70.00 crores and the funds actually utilized was Rs. 66.67 crores and the balance was remitted into CRF account.

3. The Government of Puducherry has informed that the amount received and spent under Rajiv Gandhi Rehabilitation Package are as follows:

(Rs. in crore)

Sl. No.	Description	Amount sanctioned	Amount received	Amount spent
1.	Relief and Response	39.78	39.78	39.78
2.	ARWSP	1.00	1.00	1.00
3.	SGRY	1.50	—	—
4.	Fishermen Subsidy	29.85+2.16 =32.01	29.85+2.16= 32.01	29.85+2.16 =32.01
5.	Loan banks	31.13	—	—
6.	Fishing Harbor Grant	0.20	0.20	0.20
7.	Housing	50	—	—
	<b>Total</b>	<b>155.62</b>	<b>72.99</b>	<b>72.99</b>

4. The Government of Tamil Nadu has reported that as far as Tamil Nadu is concerned, the funds released under "Rajiv Gandhi Rehabilitation Package" was

Rs. 1101.02 crore and the utilization of funds was Rs. 1096.00 crore as on 31.05.2008. The details are as follows:

(Rs. in crore)

Sl. No.	Category	Amount sanctioned	Amount released	Expenditure incurred
1.	Relief and Response (CRF/NCCF)	617.20	657.66	655.20
2.	ARWSP	8.50	8.50	6.91
3.	SGRY	54.00	52.76	52.76
	(54,000 MT Rice)		(52,760 MT rice)	
	Fishermen Subsidy (CRF/NCCF)	356.54+	336.46	199.30
		84.54@		
4.	Loan Banks	566.47		(xx)62.39
5.	Fishing Harbour Grant (CRF/NCCF)	9.94	30.51	10.78
6.	Housing (Permanent)	650.00	637.22	171.05
	Total	2347.19	1723.11	(xxx)1096.00

@ additional subsidy

xx. Loan amount directly given to the beneficiaries by the bank. Not included in the total.

xxx. (Rs. 84.89 crore spent by Chief Engineer (G) Highways to be reimbursed included in the total.)

5. Government of India has approved a package of Rs. 821.88 crore for Tsunami affected areas of A&NI under RGRP. Subsequently, Government of India conveyed the approval for payment of compensation package to the tune of Rs. 70.28 crores to the farmers due to loss/damage to crop/plantation. The total amount allocated, released by the Government of India and expenditure thereon is as under:

(Rs. in crore)

Year	Fund allotted	Fund released	Expdr.	% of expdr.
2004-05	125.02	125.02	123.05	98.42
2005-06	532.00	532.00	521.93	98.11
2006-07	235.00	204.87	191.57	93.51
Total	892.02	861.89	836.55	97.06

**Vetting comments of DGACR:** DGACR while communicating comments vide their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-NDM-III, 30th September 2009]

## CHAPTER IV

### OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

#### **Observation/Recommendation No. 2**

Audit conducted a performance audit of the relief and rehabilitation measures and general preparedness in meeting natural disasters between November 2005 to March 2006. Audit examination *inter-alia* revealed that against the financial assistance of Rs. 5,690.81 crore recommended by the Central Team, the Ministry sanctioned Rs. 3644.05 crore (64 per cent). After transferring an amount of Rs. 1,607.01 crore to the Planning Commission for long-term reconstruction programme, the Ministry released only Rs. 1,759.05 crore to the affected State Governments and UT Administrations. Even though the funds were released much below the amount sought by the affected States/UTs, utilization of funds was much below the amount released to the affected States. As of March 2006, the non-utilisation was 44 per cent, 73 per cent and 39 per cent in Andhra Pradesh, Tamil Nadu and Andaman & Nicobar Islands respectively. Analysis of financial transactions revealed that the Departmental authorities/implementing agencies committed various financial irregularities to the tune of Rs. 228.58 crore. An amount of Rs. 44.88 crore relating to Tsunami relief was diverted for other purposes such as administrative expenditure, committed liabilities etc. in Andhra Pradesh, Kerala, Andaman & Nicobar Islands and Puducherry. While there was an excess expenditure of Rs. 4.95 crore due to wrong application of rates, payment of enhanced compensation and non-adherence to codal provisions in Andhra Pradesh, Kerala, Tamil Nadu and Andaman & Nicobar Islands, an avoidable expenditure of Rs. 5.32 crore due to delay in construction of permanent houses was incurred in Kerala and Tamil Nadu. Andaman & Nicobar Islands surrendered over Rs. 80 crore in the absence of any meaningful plans. Audit review also disclosed that the process of beneficiary identification and verification of claims was not foolproof as there were cases of improper verification, non-achievement of targets, provision of relief to unaffected and ineligible persons etc. There were also delays in the construction of permanent houses due to delay in acquisition of land, delay in approval of plans, and delay in the construction and repair of basic infrastructure such as roads and highways, schools, bridges, water supply etc. Further, there was inadequate and improper assessment of damage to fishing vessels, delay in restoration of harbour and jetty works, failure in claiming insurance benefits for deceased fishermen, excess compensation for boats etc. The facts brought out in the performance audit and subsequent examination of these issues alongwith other related issues relevant to the subject had revealed that the relief and rehabilitation measures implemented in the affected States/UTs have failed to provide much needed relief to the victims

even after lapse of more than 3 years as corroborated by the Committees' findings dealt at length in the succeeding paragraphs.

[(Sl. No. 2) Para 200 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

The Administration of Andaman & Nicobar Islands (ANI), Tamil Nadu and Andhra Pradesh have informed following reasons in regard to delays and irregularities in utilization of relief and rehabilitation measures:

- (i) The ANI administration could not implement the relief and rehabilitation measures within timeframe due to adverse weather conditions and remoteness of the islands from the mainland and Port Blair. However, with the help of Defence Forces and NGOs/CBOs people were evacuated to relief camps within 4 months. About 10,000 families were shifted in temporary shelters at 58 different locations at various Islands before onset of Monsoon in May 2005. *Ex-gratia* payment was made to affected people for the damages, injuries and deaths occurred due to the disaster.
- (ii) Government of Tamil Nadu reported that immediate relief was distributed within 3 weeks of Tsunami and about 73% of funds were utilized by March 2006.
- (iii) Government of Andhra Pradesh reported procedural delays, which resulted in poor utilization of funds in the State.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September 2009]

#### **Comments of the Committee**

Please *see* paragraph No. 8 of Chapter I

#### **Observation/Recommendation No. 11**

As regards temporary shelters, the Committee note that many of these were constructed without proper assessment of the ground realities as well as the requirements of the victims resulting in non-occupation of these houses and wastage of money. In Kerala, the District Administration, Alappuzha constructed 17 semi-permanent sheds for accommodating 329 Tsunami affected families at the rate of Rs. 509.88 per sq. ft. against the estimated cost of construction of a permanent house of Rs. 406.97 per sq ft. The Committee find that these sheds were constructed on private land belonging to various religious societies, without having an understanding with the landowners and the expenditure for the construction was not made with due consideration of their particular design resulting in incurring of higher expenditure than sanctioned. Similarly, the temporary shelters constructed at a total cost of Rs. 2.58 crore in Tamil Nadu could not be put to use as these were constructed in low lying areas and the entire site was waterlogged due to rain. The shelters were later destroyed by fire and consequently, the affected families had to be provided with



cash assistance of Rs. 53.95 lakh. The Committee are constrained to observe that the selection of inhospitable low lying areas for construction of temporary houses shows insensitiveness and apathy of the official machinery to the genuine housing needs of the victims and lack of prudence in the use of relief funds. The Committee would like these matters to be investigated and responsibility fixed on the concerned persons. In Villupuram District, construction of 136 temporary shelters was abandoned mid-way due to court orders and the expenditure of Rs. 8.48 lakh incurred turned out to be wasteful. Further 3,026 temporary shelters constructed by Government (2,205) and NGOs (821) at 12 habitations at a cost of Rs. 1.76 crore were not occupied by the victims as the affected fishermen began to look after themselves and managed to live in their old houses. According to the Ministry, the immediate objective was to close the temporary camps and shift Tsunami affected families to temporary shelters, which had to accommodate a large number of families. The temporary shelters were constructed in the available vacant lands, which are not easy to find and the families need to be as close to the sea as possible because of their livelihood. The site selected for construction of the temporary shelters was Government land according to records. However, following a writ petition in the matter, further construction on that site was stopped. The Committee are surprised to note as to why the State Government failed to ascertain the exact status of the land before starting the construction activity. In the name of urgency of providing relief and accommodation to the victims, the basic things such as carrying out preliminary survey of land should not be lost sight of and allowed to become a cause for compounding the problem and legal wrangling later on, which can only delay the process and defeat the very purpose of initiating the work. The Committee desire that in future the temporary accommodations should be built after ensuring that the status and title of the land in which the temporary shelters are proposed to be built is clear and free of any encumbrances and also after ascertaining the choice and needs of the families who are willing to occupy them.

[(SI. No. 11) Para 209 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

The Government of Kerala has informed that the sites proposed for shelter were spread over several locations of the area and the lands were not feasible for emergency work. The PWD had to develop the yard by raising the land. Sufficient gravel to raise the site was not available in the area and had to be brought from distant places. Roads also had to be formed for providing access to the sites. The amount spent for yard development added to the cost of construction of the shelters. The construction of shelters had to be completed within 240 hours and considering the urgent nature of the work, the quotations were approved by the Government at +18% above the estimate. These conditions also lead to tender excess. Permanent houses were also constructed under the supervision of the Public Works Department, Kerala. In addition, NGOs were also entrusted work of construction of permanent houses for the Tsunami victims by Government of Kerala. Pile foundations were provided for the buildings in disaster prone zones and floating foundations for the buildings in the disaster free

zones. The average plinth area rate for the building constructed by NGOs is Rs. 7500 per sqm. in the disaster zone. This is much more than the rate for temporary shelters constructed by Public Works Department.

2. The Government of Tamil Nadu has informed that the Collectors of the Districts affected by natural calamities will hereafter identify the lands in which temporary accommodation are to be built after proper verification and the willingness of the affected people to occupy them.

3. The Govt. of Puducherry has informed that an immediate relief of Rs. 10,000/- was extended to those whose houses were damaged during Tsunami. The beneficiaries, with the help of the immediate relief, themselves constructed temporary shelters.

4. The Andaman & Nicobar Administration has informed that persons were evacuated to 207 relief camps immediately after the Tsunami disaster, within a record period of four months. All the families were shifted to 9565 temporary shelters constructed at 58 locations in various islands before the onset of monsoon in May 2005. About 15000 MT of materials was transported to different islands for construction of temporary shelters. The single unit of intermediate shelters has 23 sq. Mtr. Area. About 272 non-tribals shifted from Southern group of islands and after Tsunami have been given intermediate shelter at Port Blair. The affected families in the temporary shelters have been provided various assistance and are being distributed free rations. Electricity and water are also provided free of cost. Free ration will be distributed to the beneficiaries by A&N Administration upto December 2008.

#### **Vetting comments of DGACR**

- (i) The Ministry has not mentioned about the action taken to investigate and fix responsibility of the officials who selected the sites of low lying areas, private land belonging to various religious societies, etc. for constructing temporary shelters which could not be put to use due to water logging and objection from land owners, as recommended by the PAC.
- (ii) The Ministry may mention as to how it would ensure that in future, temporary accommodation would be built only on the land, which is free from encumbrances.

#### **Reply of MHA**

It may be appreciated in disaster of such a magnitude like Tsunami even the official machinery in charge of grant of relief/rehabilitation measure was severely affected and paralyzed. Therefore, it would not be appropriate to fix responsibility. Immediate priority in such a situation was to rescue and rehabilitate the victims of disaster. There was no time to check the title/ownership of the land where shelters were being built. However, a letter to Chief Secretaries of the concerned State have been issued advising them to fix the responsibility on the errant officials and also advising them that in future temporary shelter/accommodation should be built on land free from all

encumbrances. State Government has been advised to fix a specific timeframe for re-building basic infrastructure for rehabilitation.

[Ministry of Home Affairs O.M. NO. 40-22/2005-DM-III, 30th September 2009]

### **Comments of the Committee**

Please *see* paragraph Nos. 11 & 12 of Chapter I.

### **Observation/Recommendation No. 12**

Timely construction of permanent houses for providing accommodation to those rendered homeless in natural disaster like the Tsunami is of paramount importance for proper rehabilitation of the victims. The Committee are constrained to observe that the performance of the affected States and UTs in this regard has been extremely tardy. Even after elapse of more than 3 years since the Tsunami occurred, most of the States/UTs have been struggling at the spadework level of the project *i.e.* acquisition of land, while many of the victims are leading a pitiful existence in cramped temporary sheds and tenements constructed in inhospitable locations. The Committee are astonished to note that as on 31st March 2007, the State of Kerala, Tamil Nadu and the UT of Puducherry have not been able to acquire all the required land for the purpose. In Kerala out of 222.67 hectares of land required for construction of permanent houses, only 4.04 hectares has been acquired. As per the information provided by the Ministry, the total number of permanent houses required are—481 in Andhra Pradesh, 13,640 (including 9605 houses in vulnerable areas) in Kerala, 1,04,495 (including 52569 vulnerable houses) in Tamil Nadu, 9,797 in Andaman & Nicobar Islands and 7,567 in Puducherry. Out of these, 176 houses in Andhra Pradesh, 3,835 in Kerala, 24295 in Tamil Nadu and 1,856 in Pudcherry have since been constructed. To their utter dismay, the Committee find that none of the promised 9,797 houses in Andaman & Nicobar Islands have been constructed as of March 2007. The Ministry of Home Affairs have apprised the Committee that construction of permanent houses under TRP is being monitored by the Planning Commission. As per the approved time frame, the activities under TRP are scheduled to be completed over a period of four years from 2005-06 to 2008-09. According to the Planning Commission, the initial period of two years had been spent on critical issues such as planning, provision of basic infrastructure, quality of construction, and various clearances under Environmental Impact Assessment (EIA)/Coastal Regulation Zone (CRZ). It has further been stated that the pace of construction has now picked up and the work is now scheduled to be completed by August 2008. The Committee cannot but express their dissatisfaction over the poor progress made in construction of houses during the last three years. Obviously there has been lack of proper monitoring by the Planning Commission in this regard and as a result, the States/UTs have not showed any sense of urgency in the matter. The Committee are quite sceptical about the Planning Commission's assurance that construction of houses would be completed by August 2008. The Committee recommend that a State/UT-wise roadmap should be prepared by the Planning

Commission in a scheduled time frame for expediting construction of the houses. The Committee would like to be apprised of the progress made in this regard.

[(Sl. No. 12) Para 210 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action taken by Government**

The Planning Commission has observed that the following factors contributed to slow progress in construction of permanent houses for the persons affected by the Tsunami.

- The TRP was approved in December 2005 for a period of 4 years beginning 2005-2006 after wide consultation and deliberations. Clear road map and funds became available only thereafter. As such, much could not be implemented in the first year of the programme.
- Planning, provision of basic infrastructure, creation of necessary mechanism for quality and transparent implementation of the programme also consumed substantial time. The work, therefore, picked up only at the end of the second year of the programme.
- The primary responsibility of completion/construction of rehabilitation works rests with the State Governments. So far as construction of housing is concerned, besides NGOs, respective State Governments/UT Administrations including Puducherry are responsible for acquisition of land and construction. In respect of ANI, CPWD and Andaman Public Works Department (APWD) are responsible for execution of the work.
- State Governments have been requested periodically to speed up the construction process. The Empowered Group of Ministers (EGoM) has been reviewing the quarterly targets and the achievements thereon and has directed all concerned to adhere to the time schedule and complete the construction work giving priority to completion of the damaged houses.

2. In Andaman & Nicobar Islands, the following factors contributed to slow progress in construction work:

- (i) Manpower and construction material required transportation from the mainland;
- (ii) Sites scattered over large distances and inaccessible. Most of the places do not have jetties that can handle cargo ships hence requiring transportation through stevedoring which is both risky and time consuming;
- (iii) Limited working season and disinclination of labours and staff to work in remote areas.

3. So far five meetings of the EGoM have been held. States/UTs and implementing agencies are constantly being pursued to adhere to the time schedules and accelerate the works for timely completion. The EGoM in its fifth meeting held on 16.05.2008

reviewed the progress and again directed all the agencies to ensure completion of houses within the approved programme period. On the directions of the EGoM, a Committee under the Chairmanship of Secretary, Planning Commission has also been constituted to identify and address the operational difficulties faced by the agencies in A&NI.

4. With all these efforts, it is expected that construction of houses will be completed by 31st March 2009 except in ANI where construction of 778 units may spill over as indicated in the statement/road map given below:

(figure in Nos.)

States/UTs	Tamil Nadu	Kerala	Andhra Pradesh	Puducherry	ANI	Total
1. Total damaged houses	63588	3867	481	7567	9797	85300
2. Completed as on 31.03.2008	47848	3867	481	1654	750	56169
3. Balance units	15740	Nil	Nil	5913	9047	29131
4. Target of comp. in 2008-09	15740	Nil	Nil	5913	8269	28353
(i) Target in 1st Qtr. Achievement	3000 642	Nil	Nil	1569	812 392	5381 2603
(ii) Target in 2nd Qtr.	3500	Nil	Nil	1184	3007	7691
(iii) Target in 3rd Qtr.	5000	Nil	Nil	1786	2693	9479
(iv) Target in 4th Qtr.	8000	Nil	Nil	1374	2177	11551
5. Spill over units	Nil	Nil	Nil	Nil	778	778

**Note:**

- Over and above this, the States of Tamil Nadu and Kerala have taken up the construction of vulnerable houses of 52569 and 9773 respectively which are not affected by Tsunami with the assistance of Externally Aided Projects (EAP).
- Andhra Pradesh and Kerala have completed construction of all damaged houses.
- The entire house construction work will be completed in 2008-09 in respect of Tamil Nadu and Puducherry except for 778 houses of ANI, which are expected to be completed in 2009-10.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September 2009]

**Comments of the Committee**

Please *see* Paragraph Nos. 15 & 16 of Chapter I.

### **Observation/Recommendation No. 22**

The Committee note that a road map prepared by the Ministry of Home Affairs in 2003 for efficient disaster management in the country *inter-alia* emphasized the need for a change from a relief-centric approach to a holistic all encompassing approach hinging on prevention, preparedness and mitigation. Towards this end, the Ministry of Home Affairs had set up a Committee of Experts in the realm of Building Bye-Laws, Town and Country Planning Act and Development Control Regulations. The Committee had recommended several measures including amendments in the Town and Country Planning Acts, Building Laws and Zoning Regulations that was shared with the States. The report of the Expert Committee suggesting model byelaws, improved Development Control Regulations and requisite amendments to the Town and Country Planning Act was sent to all the State Governments and the UTs for adoption as per their circumstances. The Committee are, however, concerned to note that no review or amendment of Town and Country Planning Act, Land use and Zoning Regulation and Building Bye-Laws had been carried out in the affected States/UTs of Andhra Pradesh, Kerala, Tamil Nadu, Andaman & Nicobar Islands and Puducherry post-Tsunami. The Ministry submitted that since this is a State subject, they had suggested that a Committee be set up under the Chief Secretary/Additional Chief Secretary to review the existing Building Bye-Laws and adopt Building Bye-Laws with suitable State specific modifications to meet the requirements of the States/UTs. Considering the importance of the matter, the Committee desire that the Ministry should make all out efforts to persuade all the States/UTs to carry out amendments in the Town and Country Planning Acts, Building Laws and Zoning Regulations etc. at the earliest. The Committee would also like the Ministry to adopt a policy for strict regulation and certification of all building construction materials and activities as well as plans and layouts of buildings in accordance with the hazard proneness and earthquake vulnerability of that area. The Committee further recommend that all the Planning Authorities and architects in the country should be compulsorily registered and a system of issuing certificates for their competency to design earthquake resistant buildings under a code of 'dos' and 'don'ts' should be introduced. The newly-constructed buildings especially the multi-storied/high raised ones should be declared fit and safe for human occupation only after duly inspected and authenticated by the Disaster Risk Management Authorities. As regards rural areas where the building bye-laws are not applicable, the Committee desire that emphasis should be given on community preparedness and other basic safety measures. The Committee trust these measures, if implemented to a large extent, would significantly mitigate the risks of loss of lives and property in the event of natural calamities in future.

[(SI. No. 22) Para 220 of Sixty-seventh Report of PAC (14th Lok Sabha)]

#### **Action Taken by Government**

The Report of the Committee of Experts set up by the MHA, recommending amendments in Town & Country Planning Act, Land use Zoning Regulation, Development Control Regulation and Building Bye-laws for structural safety in building construction, was shared with all the State Governments and this Ministry

has been pursuing with the States/UTs Governments to implement the recommendations. While Madhya Pradesh, Meghalaya and Orissa are reported to have accepted the recommendations for the entire State, City-specific acceptance has been reported for Mangalore (Karnataka), Guwahati (Assam) and Patna (Bihar). The progress has however been slow. While continuing to render assistance in streamlining action by States/UTs for adoption and implementation of a safer techno-legal regime, the Ministry of Home Affairs feels that the Ministry of Urban Development which maintains close interactions with Urban Development Departments of various States/UTs, is better placed to ensure effective implementation of such measures.

2. The Ministry of Urban Development (MoUD) has separately prepared and circulated Model Building Bye-laws, incorporating, *inter-alia* structural safety aspects. It has been intimated by MoUD that 24 States have adopted these Model Building Bye-laws. In addition, MoUD has advised all the State Governments to adopt the provisions of National Building Code (NBC-2005) in respect of Part-VI, Structural Safety, which is a comprehensive section of the code providing all the safety aspects to be considered for buildings against natural disasters.

3. MoUD are also of the view that the State Governments should incorporate a separate chapter on Disaster Management while preparing the Master Plan for their cities/town. Further, Disaster Management Plans to be prepared by the State Governments at the District level under the provisions of the Disaster Management Act 2005, which should include steps/actions for disaster mitigation and preparedness both for urban and rural settlements. Ministry of Home Affairs will closely monitor the developments at the State/District level in these areas and render assistance whenever it is sought in strengthening the techno-legal regime for ensuring disaster resistant construction and putting in place the necessary institutional and procedural framework for effective compliance therewith.

#### **Vetting comments of DGACR**

The Ministry may indicate the action taken on the recommendation on introduction of a system of issuing certificate of competency to Architects and planning authorities for designing earthquake resistant buildings. It has also not stated the measures to ensure the community preparedness in rural areas where building bye-laws are not applicable.

#### **Reply of MHA**

The State Government have been advised by the Ministry of Urban Development to incorporate structural safety measures for buildings in their respective Building Bye-Laws while ensuring structural safety of the building. In this regard, it may be mentioned that the competence of the Architect and Structural Engineer is indicated in the building bye-laws in city/towns. The Development Authorities generally empanelled an Architect to sanction the building plans and Structural Engineers to issue structural safety certificates. As far as measures to ensure community preparedness in rural areas where building by-laws are not applicable, the District Disaster Management Agency at district level has been directed to take action to

create awareness for safety measures in rural areas. The NDMA has also taken action to create community awareness and preparation in the rural areas.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September 2009]

**Comments of the Committee**

Please *see* Paragraph No. 19 of Chapter I.



## CHAPTER V

### OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH GOVERNMENT HAVE FURNISHED INTERIM REPLIES

#### **Observation/Recommendation No. 18**

The Committee note that Greenhouse Effect and consequential rising sea level and climate change pose one of the greatest threats to mankind's existence particularly along the coastal areas which are slated to bear the direct brunt of disastrous sea level rise in the oceanic region adjoining the Indian subcontinent which is projected between 15 cm and 38 cm by the middle of this century and between 46 cm and 59 cm by the end of the century. This aspect is being taken into account in the new Coastal Zone Management Regulation (CZMR), which is being prepared based on the recommendations of the Prof. M.S. Swaminathan Committee. This Committee has *inter-alia* identified key weak areas in the implementation of the Coastal Regulation Zone Notification, 1991 such as lack of capacity building, institutional development awareness programmes, mapping and demarcation of critical coastal areas, vulnerability mapping etc. The Committee have been informed that ADB and World Bank have expressed their interest in assisting the Ministry of Environment & Forests in implementing the recommendations of the Prof. M.S. Swaminathan Committee Report and the Ministry had obtained UNDP assistance for bringing in internationally reputed experts from the United Kingdom to assist them in finalizing the methodology for demarcating the vulnerability line. While expressing the hope that these measures will be effective in meeting the environmental challenges to be faced by the country in future, the Committee would like to emphasize the need for active community participation in these ventures so that the new Regulation is properly enforced. In this regard, the Committee would also like to point out that various recent international studies have concluded that Global Warming and its effects like glacier and iceberg melting is taking place faster than expected due to continuing increase in geometric proportions of carbon emissions, industrial activities, deforestation etc. Because of these factors, it is imminent that the projected sea level rise may be faster and worse than expected. The Committee, therefore, desire that this adverse phenomenon should also be taken into consideration while preparing the new CZMR. The Committee also recommend that all economic and infrastructural installations including ports dockyards, defence installations, marine parks, tourist infrastructures, etc. should be futuristic in terms of bearing sea level rise and CZMR complaint to serve the country's long term needs. The Committee would like that the proposed CRZ demarcation line should also take into account the varying local conditions of the areas that may be inundated/submerged in about another 50/60 years time as well as tackle the problem of soil erosion.

[(Sl. No. 18) Para 216 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by Government**

MoE&F has sought assistance from the World Bank for implementing the Coastal Zone Management Plan preparation as per the draft CMZ Notification, 2008 (Copy at **Annexure-III**). Under the same World Bank assisted project, institutional strengthening and capacity building in the area of Coastal Zone Management will also be taken up by the MoE&F.

2. MoE&F has also initiated a pilot study in six areas namely, Dahej, Navi Mumbai, Mangalore, Nagapattinam, Nellore and Paradip on demarcation of vulnerability line to assess the extent to which the line would fall on the landward side. Four institutions, namely, Space Application Centre, Ahmedabad, Department of Ocean Development, Chennai, Centre for Earth Science Studies, Trivandrum and Survey of India, Dehradun have been assigned this task. Based on the study, vulnerability mapping for the entire coast would be undertaken.

3. The draft Coastal Management Zone Notification 2008 published by the MoE&F emphasizes that all the major developmental activities/infrastructure be located on the landward side of the setback line, which would be based on the vulnerability of the coast to sea level rise, flooding and shoreline changes.

4. The parameters to be taken into account for the purpose of mapping the vulnerability would *inter-alia* include sea level trends and horizontal shoreline displacement (erosion or accretion). The sea level trend data shall be based on the reports of the United Nations Inter-Governmental Panel on Climate Change (IPCC). The erosion and accretion data of horizontal shoreline displacement shall be obtained from long time information derived from Survey of India Topographic maps (1967) and the latest satellite data. Such displacement shall be estimated (median estimate) over the next 100 years.

5. The Draft Coastal Management Zone notification also stipulates Environment Impact Assessment to be carried out for major projects which fall within the Coastal Management Zone area. While assessing the project, the Environment Impact Assessment process would consider all the issues including the coastal hazards. The details of the projects and the management methodology for appraising the projects under Coastal Regulation Zone area are listed in para 6 of the draft notification.

6. Representatives of various Ministries/organizations/sectors concerned with infrastructural installations such as ports, dockyards, defence installations, tourist infrastructure, as well as experts on coastal ecosystems, marine biology etc. will be represented on the National Board for Sustainable Coastal Zone Management which is to be set up in terms of draft CMZ notification to provide policy advice to the Central Government on matters relating to Coastal Zone Management.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September 2009]

**Observation/Recommendation No. 19**

The Committee note that a Centrally sponsored scheme namely 'Integrated Afforestation and Eco-development Project Scheme' (IAEPS) for coastal shelter belt plantation in Puducherry was approved by the Ministry of Environment and Forests in July, 2000 at a total cost of Rs. 90.32 lakh. One of the main objectives of the scheme was to create a belt of trees in the coastline which would act as a first line defence against the effect of cyclone, storms and heavy winds. However, due to resistance by the fishermen in the coastal villages, the work could not be taken up and out of an amount of Rs. 20.12 lakh released as the first instalment, only Rs. 3.40 lakh was unproductively spent. The Committee cannot but conclude that the scheme was approved without proper examination of the various factors involved and consequently the scheme failed to attract cooperation of the local community leading to its failure. The Committee are unhappy to note that such an ecologically useful scheme, which could have been instrumental in dealing with the problem of soil erosion in the coastal areas, was kept in the backburner for more than 10 years till the 9th Five Year Plan with no action plan to implement it. Besides a non-starter, the Committee find inconsistencies in the utilisation of money under the scheme, which were questionable. As per records submitted to the Committee, an expenditure of Rs. 3.4 lakh was incurred on plantation of 20,000 saplings during 2000-2001 whereas an amount of Rs. 5.48 lakh was utilized for planting 3,15,000 saplings, during 2004-2006 and Rs. 11.24 lakh for planting 1,57,400 saplings during 2006-2007. The Committee have now been informed that IAEPS had been merged with three other centrally sponsored schemes *viz.* 'Area Oriented Fuelwood and Fodder Project Scheme'; 'Conservation and Development of Non-timber Forest Produce including Medicinal Plants Scheme'; and 'Association of Scheduled Tribes and Rural Poor in Regeneration of Regarded Forests' during the 10th Five Year Plan. The new scheme known as 'National Afforestation Programme' (NAP) is stated to be implemented in all the States by the 2-tier set up of Forest Development Authorities and Joint Forest Management Committees. The Committee expect that the Ministry would at least now ensure the participation of the coastal community in NAP for its successful implementation. The Committee are, however, constrained to point out that in comparison to the magnitude and severity of the cyclones/super-cyclones and other natural calamities that frequently hit the coastal areas of the country particularly the Eastern Coast, the funds allocated to the erstwhile Programme (IAEPS) were very meagre to sustain and support the coastal shelter belt plantation activity that could withstand the natural calamities. The Committee, therefore, recommend that the Ministry should allocate sufficient funds under the new scheme namely NAP so as to ensure that adequate tree saplings are planted along the coastal line and that the scheme should not suffer for want of funds. In this regard, the Committee would also like the Ministry to examine selecting tree saplings of higher economic yield so that the scheme could generate a certain income on its own and help contribute in the overall afforestation programme. The Committee also desire that the Ministry of Environment and Forests may examine inter-linking of the scheme with other measures initiated for containing coastal soil erosion.

[(Sl. No. 19) Para 217 of Sixty-seventh Report of PAC (14th Lok Sabha)]

### **Action Taken by Government**

The Integrated Afforestation and Eco-Development Project Scheme (IAEPS) approved by the Ministry of Environment & Forests in July 2000 for coastal shelter belt plantation was merged with other schemes in Puducherry during the 10th Five Year Plan and the new scheme is known as the National Afforestation Programme (NAP) to be implemented by a two-tier set up of Forest Development Authorities and Joint Forest Management Committees. Action has been initiated by the UT Government for formation of Forest Development Agency. After the Forest Development Agency is formed, a Village Forest Committee (VFC) will be formed in each village by involving the villagers to implement the Coastal Afforestation Scheme by Joint Forest Management method.

2. As regards selecting tree saplings of higher economic yield, the Government of Puducherry has informed that already economically important trees like coconut, pongamia, thespesia, calophyllum have been planted in large scale in the coastal shelter belt plantation in Puducherry, which is a 3-tier barrier. The first 50 mtrs is of casurinas, which will act as a first line defence. The needles of the casurinas are pruned and dead branches will be used as a fuel in the brick kilns. The second tier consists of coconut which will yield usufructs to the villagers in the form of nuts and frowns. The shingles made with frowns of coconut leaves will be used for thatched roof decoration as well as fodder for cattle. Coir fibre will be used for coir making and coconut handicrafts and activated carbon. The fruits will yield copra, kernel, oil, etc. the inflorescence sheaths, the leaf falls will be used as fire wood. The third tier comprises of pongamia, thespesia, calophyllum. The thespesia and calophyllum flowers are being used in the pooja. The fruit and seed of the calophyllum and pongamia are being used in bio gasifier, bio diesel and the nuts and seeds are sold in the market at the rate of Rs. 4 per kg. Above all, the fallen needles of casuarinas form a mat over the sand and prevent soil erosion by wind as well as rain. The other species also help in spreading of the runners and creepers whereby the drifting of the sand is arrested, erosion is prevented and evaporation is minimized and soil moisture is retained. Thus the economic as well as environmental conservation aspects will be taken care of by the 3 species of trees all along the coast of Puducherry and Karaikal bio wall plantation. The project has been well conceived based on the environmental conditions prevailing in the coastal area.

**Vetting comments of DGACR:** DGACR while communicating comments *vide* their U.O. No. RR/15-6/08-09/1898 dated 06.11.2008 have not made any comments on this ATN.

[Ministry of Home Affairs O.M. No. 40-22/2005-DM-III, 30th September 2009]

NEW DELHI;

December, 2009  
Agrahayana, 1931 (Saka)

JASWANT SINGH,  
Chairman,  
Public Accounts Committee.

## APPENDIX I

### MINUTES OF THE FIFTH SITTING OF THE PUBLIC ACCOUNTS COMMITTEE (2009-10) HELD ON 2ND DECEMBER, 2009

The Committee sat on Wednesday, the 2nd December, 2009 from 1500 hrs. to 1600 hrs. in Room No. 62, First Floor, Parliament House, New Delhi.

#### PRESENT

Shri Jaswant Singh—*Chairman*

#### *Lok Sabha*

2. Shri Bhartruhari Mahtab
3. Kunwar Rewati Raman Singh
4. Shri Aruna Kumar Vundavalli
5. Shri Khagen Das
6. Shri Naveen Jindal
7. Shri Satpal Maharaj
8. Dr. K. Sambasiva Rao

#### *Rajya Sabha*

9. Shri Sharad Anantrao Joshi
10. Shri Ashwani Kumar

#### SECRETARIAT

- |                            |   |                            |
|----------------------------|---|----------------------------|
| 1. Shri Ashok Sarin        | — | <i>Joint Secretary</i>     |
| 2. Shri Raj Shekhar Sharma | — | <i>Director</i>            |
| 3. Shri M.K. Madhusudhan   | — | <i>Additional Director</i> |
| 4. Shri D.R. Mohanty       | — | <i>Under Secretary</i>     |

#### REPRESENTATIVES OF THE OFFICE OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA

- |                    |   |   |
|--------------------|---|---|
| 1. Shri Vinod Rai  | — | <i>Comptroller &amp; Auditor General<br/>of India</i> |
| 2. Ms. Rekha Gupta | — | <i>Dy. CAG Report Central (RC)</i>                    |
| 3. Shri R.B. Sinha | — | <i>Director General<br/>(Report Central)</i>          |

#### REPRESENTATIVES OF THE MINISTRY OF DEFENCE

- |                       |   |                          |
|-----------------------|---|--------------------------|
| 1. Shri Pradeep Kumar | — | <i>Defence Secretary</i> |
|-----------------------|---|--------------------------|

2.	Shri R.K. Singh	—	Secretary (Defence Production)
3.	Smt. Indu Liberhan	—	Secretary (Defence Finance)
4.	Vice Admi. D.K. Dewan	—	VCNS
5.	Shri S.K. Sharma	—	DG (Acquisition)
6.	Shri Ajoy Acharya	—	Additional Secretary (DP)
7.	Shri S. Chandrasekaran	—	FA (Acquisition)
8.	Smt. Preeti Sudan	—	JS & AM (MS)
9.	Shri Gyanesh Kumar	—	JS (SY)
2.	****	****	****
3.	****	****	****
4.	****	****	****

*The witnesses, then, withdrew.*

A copy of the verbatim proceedings of the sitting has been kept on record.

5. The Committee, then, took up the following Draft Reports for consideration:—

(i) \*\*\*\*                                 \*\*\*\*                                 \*\*\*\*

(ii) Draft Action Taken Report on the Observations/Recommendations of the Committee contained in their Sixty-seventh Report (Fourteenth Lok Sabha) on '**Tsunami Relief and Rehabilitation**';

(iii) \*\*\*\*                                 \*\*\*\*                                 \*\*\*\*

6. After some discussions, the Committee adopted the above mentioned Draft Reports. The Committee, then, authorized the Chairman to finalise the Draft Reports in the light of the factual verifications received from the Office of the C&AG and present the same to the House on a date convenient to him.

*The Committee then adjourned.*

## APPENDIX II

(Vide Para 5 of Introduction)

### ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/RECOMMENDATIONS OF THE PUBLIC ACCOUNTS COMMITTEE CONTAINED IN THEIR SIXTY-SEVENTH REPORT (FOURTEENTH LOK SABHA)

(i) Total number of Observations/Recommendations	26
(ii) Observations/Recommendations which have been accepted by the Government	
Sl. Nos. 1, 4-10, 13-17, 20, 21, 23-25 and 26	
	Total: 19
	Percentage: 73.8
(iii) Observations/Recommendations which the Committee do not desire to pursue in view of the reply of the Government.	
Sl. No. 3	
	Total: 1
	Percentage: 3.85
(iv) Observations/Recommendations in respect of which the replies of the Government have not been accepted by the Committee and which require reiteration.	
Sl. Nos. 2, 11, 12 and 22	
	Total: 4
	Percentage: 15.38
(v) Observations/Recommendations in respect of which the Government have furnished interim replies	
Sl. Nos. 18 and 19	
	Total: 2
	Percentage: 7.69