

**Joint Inspection Report on Shelters for Homeless  
in Tamil Nadu by the  
Office of the Adviser for Tamil Nadu to the  
Commissioner of the Supreme Court in WPC  
196/2001 and the Government of Tamil Nadu**

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**Shelter visits dated 9/2/2012 and 10/2/2012**

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## I INTRODUCTION

Following the Directive of Hon'ble Supreme Court in WPC No. 196/2001 dated January 2012, the Office of the Supreme Court Commissioners contacted the Government of Tamil Nadu to undertake joint inspections of homeless shelters across the state along with the Office of the Adviser for Tamil Nadu to the Supreme Court Commissioner and other civil society organisations. Thereafter joint inspection teams were constituted which visited **13 permanent night shelters** in the city of Chennai on 9<sup>th</sup> and 10<sup>th</sup> February 2012. The teams included the officials of the Corporation of Chennai and also members representing the Office of the State Adviser.

The Joint Inspection in other Cities and Municipal Corporations will be undertaken once we receive confirmation of dates for the same from the Office of the Commissioner of Municipal Administration. It should be noted that the letter from the Additional Chief Secretary's Office to the Commissioner of Municipal Administration (Letter No 28174/M.C.I/2010-26) requesting for Joint Inspection was sent only on 9/2/2012. An addendum will be submitted to the Hon'ble Supreme Court once the joint inspections are carried out.

The Corporation of Chennai has provided adequate infrastructure facilities for the homeless shelters. Most of the individual night shelters are spacious and well maintained. Almost all the homeless in the shelters are provided with mattresses. The homeless are also linked to the Urban Primary Health Centers.

However, according to the population norms, it is to be noted that the total shelters required to be constructed in Chennai is 66 permanent shelters; currently there are only 15 shelters amongst of which only 9 are operational. This contrasts with the affidavit filed by the State Government before the Hon'ble Supreme Court that as on 01/01/2012 all 15 were operational. Efforts are on now to operationalise the rest.

The Joint Inspection Process revealed that there needs to be clear demarcation of roles and responsibilities as to who is primarily responsible for maintenance and monitoring of the shelters in the Corporation of Chennai. There is also a need for designated and empowered official at the Zonal Level in charge for the shelters.

To enhance the quality of the shelters so as to ensure dignified life for the homeless, the state has to come up with a comprehensive policy in consultation with community, Civil Society groups including Adviser's office. It should set up an institutional arrangement so as to implement and manage the shelter and make provision of adequate financing for the one time construction, refurbishment costs and annual operational costs for each shelter. It is equally important to institutionalize a grievance redressal mechanism for the homeless in the shelters.

The members of the joint inspection team had a meeting with Thiru. P.W. C. Davidar, I.A.S, Principal Secretary and Commissioner on 14/02/2012 at the Commissioner are Office, Corporation of Chennai and shared the major observations of the joint inspection process. The Commissioner had pointed out that it would be best if all the 15 shelters are handed out to NGOs for effective implementation. This can be further discussed and by all means Corporation of Chennai should be accountable for planning, implementation and monitoring of the shelters.

We would like to record our appreciation for the positive response of the Commissioner who accepted some of the suggestions which could be implemented within a short time and assured to discuss with all concerned officials about other recommendations made in this report. In particular, the Commissioner readily agreed to look into the issues of the Institutionalizing a Nodal Agency and ensuring adequate Budgetary Allocation for the Homeless Shelter.

## **II: PROCESS AND METHODOLOGY**

The Office of the State Adviser closely collaborated with the Corporation of Chennai to fix up the schedule of inspections for Chennai city. It was decided to constitute joint inspection teams comprising officials of the Chennai City Corporation as also select members representing the Office of the State Adviser. The visits were actually undertaken on 9<sup>th</sup> and 10<sup>th</sup> February 2012.

The team physically inspected 13 shelters. In particular the joint inspection team examined the following issues: *the location and suitability of each structure, physical infrastructure and maintenance, facilities and amenities available at the shelter, occupancy, management and transparency arrangements in the shelters and the satisfaction of the residents of the shelters to the facilities provided.* They also

held discussions with residents of the shelters and homeless found sleeping in the open during the period.

The information on each of the shelters and the observations of the joint teams were recorded in the Joint Inspection Report format duly signed by the officials of the Corporation of Chennai and the representatives of the Office of the Adviser for Tamil Nadu to the Commissioner of the Supreme Court. This report is compiled from the inspection report of the joint team and also incorporating responses of the Commissioner, Corporation of Chennai.

### **Members of the Joint Inspection Team**

The Joint Inspection Team of Chennai comprised of Dr. Rajkumar, Zonal Health Officer; Dr. Mani, Zonal Health Officer; Mr. Sadasivam, Sanitary Inspector; Mr. Xavier, Sanitary Inspector along with the other officials in charge of the 15 shelters for the homeless.

The representatives of the Office of the Adviser for Tamil Nadu to the Commissioner of the Supreme Court comprised of Ms. Vanessa Peter,; Mr. K. Saravanan & Mr. Balasundar, Food Advisor's Office; Mr. Shilesh Hariharan, Architect; Mr. Roshan Toshniwal, Researcher, IFMR; Mr. Rashit Basheer, Student, IIT, Chennai; Ms. Anitha N, Ms. Juli A, Sr. Shanthakumari, Students, MSW, Stella Maris College, Chennai.

The overall observations of the joint inspection are elaborated below.

## **III FINDINGS OF THE INSPECTION**

### **A. Availability of shelters and suitability of locations:**

<b>Name of the Functional Shelters as mentioned in the affidavit submitted by the Government of Tamil Nadu in January 2012</b>	<b>Status of Functioning of the Shelter as on the day of Joint Inspection</b>	<b>Type of Shelter Permanent/ Temporary</b>	<b>Type of Shelter 24 Hours/Night Shelter</b>
Night Shelter for Street Children - Rajarathnam Nagar – Kodungaiyur	Not Functioning	Permanent	Night
Night Shelter at Communicable Diseases Hospital – Thondiarpet	Not Functioning	Temporary	24 Hours
Rajaji Salai	Functioning	Permanent	Night

## REPORT OF THE JOINT INSPECTION OF SHELTERS IN TAMIL NADU

Kannapar Thidal (Family Shelter)	Functioning	Permanent	24 Hours
Old Slaughter House Road – Thattankulam	Functioning	Permanent	Night
Iyappa Nagar (Men)	Functioning	Permanent	Night
Iyappa Nagar (Women)			
Cox Colony	Not functioning as per the observations of the local communities	Permanent	Night
Old Dispensary Building - Stringer Street	Not Functioning	Permanent	Night
Pasumpon Muthuramalingam Salai (Chamiers Road)	Functioning	Permanent	Night
Appavu Nagar	Functioning	Permanent	Night
Old age and Destitute Home, Doming Kuppam	Functioning	Permanent	24 Hours
Parthasarathy Nagar, Washermanpet	Not Functioning (only a proposed shelter)	Permanent	Night
Chennai School Mandaveli	Not Functioning	Permanent	Night
Chennai Primary School - Teeds Garden	Functioning	Permanent	Night

The total no. of shelters required to be constructed in Chennai as per the population norms is 66 *permanent shelters* but currently there are only 15 shelters of which only 9 are operational.

<b>Total Number of Shelters to be constructed in Chennai as per the population norms</b>	<b>Total Number of operational shelters (as on 01/01/2012) based on the affidavit filed by the government of Tamil Nadu on January 2012</b>	<b>Total Number of Operational Shelters</b>	<b>Total Number of non-operational shelters</b>
66 permanent shelters (24 hours)	12 Night Shelters and 3 (24 Hours) Shelters	9 Night Shelters	6 Night shelters

The homeless shelters should be open 24 hours in all season<sup>1</sup>, But of the 15 shelters for homeless in Chennai, 12 are Night Shelters. The Family Shelter at Kannapar Thidal, the Home for the Aged and Destitute in Doming Kuppam and the

<sup>1</sup> Order dated January 20<sup>th</sup> 2010; Order dated May 5, 2010 and the third letter written by the Commissioners to the Supreme Court dated January 25<sup>th</sup>, 2010

non-functional shelter at the Communicable Diseases Hospital (for the mentally challenged) were the only three shelters that are run for 24 hours.

The residents in the Night Shelter point out that the shelters are locked during the daytime. The women, children, elderly and others who do not work during daytime are forced to stay in the roads, or seek shelter in temples.

**Details of the six non-operational shelters**

Two Night Shelters are not at all operational yet. The Night Shelter at Parthasarathy Nagar was only proposed and was not operationalized because of resistance from the neighborhood. This proposed shelter is to be initiated in Desiga Nagar. The shelter in Chennai School, Mandaveli is a dilapidated building and hence the shelter remains locked and non-functional.

The Night Shelter in Cox Colony is non-functional; some of the elderly and the single women from the slum where the shelter is located are using the shelter. It is said that there are homeless families in the area and they could be accommodated in the shelter.

The shelter at the Communicable Diseases Hospital at Tondiarpet is closed down for renovation and the last functioning date was 22.12.2011. The mentally challenged residents were reunited with families, referred to institutions run by NGOs and shifted to the existing shelter for aged and destitute run by Corporation of Chennai at Doming Kuppam.

The Night Shelter for Street Children in Kodungaiyur was closed down in the month of September 2011. The NGO who ran it did not want to continue with the shelter for street children. Contract period was completed. There is need for setting up Residential schools for street children. Night shelter should not, as a principle, be an option for children.

The shelter at Stringers Street was closed down as the homeless identified by the Corporation of Chennai were not willing to use the shelter. It is said that there are about 15 homeless single women near the shelter hence they could be accommodated.

**Usage of the shelter for other purposes**

The Joint Inspection revealed that the building in which the Night Shelter for men and women in Iyappa Nagar is functioning also has the offices of the Councilor and the Corporation. Discussion with the women and their children who use this shelter reveal that they have to wait outside the shelter in the morning and they are not allowed inside the shelters because of the functioning of these offices. The women and children wait near the shelter and they wait till the evening to enter back to the shelter. The women in this shelter also stated that the shelters are unsafe during nighttime as visitors to the Councilor's office consume alcohol in the premises of the shelter.

**Suitability of the Shelters:**

The 'Shelter Home for the Aged and the Destitute' in Santhome houses the mentally challenged, contrary to the name of the shelter. This acts as a deterrent to the destitute who seek the shelter to stay. The inspection team however appreciates the recreation facilities (games, exercises etc.) that are made available for the mentally challenged in this shelter. It is to be noted that an ICDS center is also functioning within the same compound of this shelter. This is an area of concern as the children of 0-6 years use the ICDS center that is located in the same vicinity as the shelter that houses the mentally challenged.

In the Night Shelter at Teeds Garden, Iyappa Nagar, Thattankulam there is no privacy for women as they share common pathways as well as common toilets. In the shelter at Iyappa Nagar there is no separate enclosure/ hall for the men and the women.

The team came to know that truck drivers also use the shelter at Iyappa Nagar as a resting place (lodging facility) during nighttime by paying a token sum to the persons-in-charge of the shelters. The women in this shelter feel insecure because of such arrangements.

We would like to express our concern that gender issues are not adequately addressed in general. We wish to point out in particular that absence of any bathing and toilet facilities imposes a serious burden on women. Also making provision but without taking into account the special needs of women makes it a very onerous



difficulty imposed on young girls and women. When this was pointed out to the officials they responded favorably and said that they would address the issue within a short time.

It is also to be noted that non functioning schools are converted as shelters. In this connection we would like to refer to the meeting of the SC commissioner Harsh Mander with senior officials of the state govt. on 27.08.2011 at 11am in the human Development Conference Hall, Secretariat to review the implementation of Supreme Court directions on the Food and Employment Security and homelessness in Tamil Nadu. In which the Supreme Court commissioner had expressed concern over use of school structures for non educational purposes. He had also requested govt. officials to ensure that educational structures were only used for the purposes connected with education.

It is recommended that the unused schools can be converted to residential schools for the street children. We are mindful of the fact that it may be necessary for street children to be able to live in residential schools with some counseling help. We propose that in this context we learn from best practices of rehabilitating street children in residential schools in order to evolve a meaningful, vocation based, attractive residential system. It also needs to be stressed that the situation and plight of the homeless girl children be recognized as distinct from boys and special programmes be evolved in this regard. With the positive response from the Commissioner of Chennai Corporation and other officials we hope this very sensitive and very crucial issue will be addressed.

**Status of the Family Shelter:**

The Joint Inspection revealed that in Kannapar Thidal shelter, the families have been residing for over 10 years without being provided permanent housing scheme. Discussion with the women in the shelter revealed that there have been instances of strangers walking inside the shelters during nighttime and misbehaving with the women. The safety of women is therefore an issue of concern. There is no toilet or bathroom facility inside the shelter forcing people to use the public toilet situated outside the shelter. Unfortunately this too is closed after 9 pm. *The homeless*

*have to pay every time they use the toilet facilities. Women and girls use open spaces during nighttime and they face problems both of hygiene as also security.*

There is one hand pump for drinking water for the entire shelter. The shelter is poorly maintained and is unhygienic. As there are no cubicles, the women and girl children have no privacy. This shelter is over overcrowded as the space meant to accommodate about 50 families actually has 60-80 families.

### **Enumeration of Homeless and Linkages to Housing Scheme:**

As per the latest survey of the Corporation of Chennai, the population of homeless in the city of Chennai is 12,398 persons. In contrast, surveys by other organisations and NGOs like the Action Aid as early as 2003 reported the population of homeless as 40,533.

The total requirement of shelters is inadequate in reference of the current need for shelters. An expansion of the number of shelters is urgently called for. **With more than 78% of the homeless living as families in Chennai, there is also a need to link them to houses under the Rajiv Awas Yojna within 3-5 kilometers radius of their place of residence.** Discussion with the homeless communities as well as the Pavement Dwellers Rights Association reveals that the homeless families wish to be provided houses only within 3-5 kilometers of their place of residence as their livelihoods are location-specific.

In response to the issue of proximity of housing, it was pointed out by the Commissioner of Chennai Corporation that lands may not be available. However, this is an issue, which needs to be more closely examined in the context of a detail examination of available government land inside the city. It has come to the notice of the office of the Food Adviser that in response to an RTI application the authorities have informed of availability of government land within the city. This report is not the place to elaborate on barring to once again reiterate that relocation, if at all necessary, should be within 3-5 kilometer radius or a proximate distance from their existing sources of livelihood. It is proposed that the issue of relocation will be taken up for further discussion with the Commissioner of Chennai City Corporation who has responded positively to suggestions for improving facilities for the homeless in the city.

**B. Estimated capacity and occupancy of the shelters:**

<b>Capacity of the Functional Shelters</b>	<b>Number of Individuals Occupying the Shelters (As on Records)</b>	<b>Number of Individuals Occupying the Shelters (Average Occupancy)</b>	<b>Number of Individual Occupying the shelters on the day of visit</b>
340 Individuals (Night Shelters) and 60-80 Families (Family Shelter)	149 (Men), 26 (Women) and 5 (Children) in Night Shelters. 60-80 Families in the Family Shelter	102 (Men), 12 (Women) and 3 (Children) in Night Shelters. 60-80 Families in the Family Shelter	66 (Men), 10 (Women) in Night shelters. 60-80 Families in the Family Shelter

The average occupancy of the functional shelters is 65% This can be further improved by mapping the profile of the homeless communities (families/ individual men/ women headed households/ seasonal migrants/ elderly/ street children/ charity takers (beggars) / mentally challenged) identifying the shelter that suits the profile of the homeless within 3-5 kilometers from their place of their habitation. There should be a dedicated team in the Corporation of Chennai to implement as well as monitor the functioning of the shelters.

83% of the homeless individuals in the Night shelters are men (Not taking into account of the family shelters). Experts working in the area of the homeless inform that there is a great need to ensure that women homeless individuals are also identified and congenial atmosphere created so that they may be persuaded to live in these shelters. There is a need for establishing separate shelters for women.

**C. Infrastructure and services:**

The Infrastructure in the Individual Night Shelters is good. The shelters are spacious, well maintained with ample functioning bathrooms and toilets. Mattresses are made available. There is availability of drinking water, locker facility, electricity connections., Lights and fans are also made available. Post Boxes and First Aid Kits are not available in any of the shelters. Referral services to medical facilities through Urban Health Centres are available.

*It is also recommended that beneficiaries for Ration cards, OAP and other pensions should be identified among the residents of all shelters immediately and provided with the same.*

### **Availability of Food**

Apart from the shelter run in Rajaji Salai, the Government is not providing food in any of the shelters. In the shelter in Rajaji Salai, the Corporation of Chennai has introduced community kitchen and it is working well. Corporation of Chennai has been seeking the help of individuals and companies who are providing food in 2 of the shelters at Thattankulam and Doming Kuppam. The food availability is irregular in the other shelters. The destitute people in these shelters are in dire need of food.

### **D. Transparency and outreach:**

All the shelters had signboards on the outside wall but the name of the caretaker was not mentioned in any of the boards.

There is a need for improving the outreach to the homeless persons through mapping, mobilizing, counseling, linkage and referral services and sensitization of general public to the issues of homeless with the engagement of CSOs. It will be useful to launch a communication campaign and outreach activities in the areas with high concentration of homeless people through popular media and other means.

## **IV PRAYERS**

The following are the recommendations and prayers to the Supreme Court.

- i. Ensure a comprehensive state policy for the homeless in consultation with the community, civil society organizations and the Office of the Adviser to the Supreme Court Commissioners.
- ii. To set up an institutional arrangement at all levels to implement and manage the shelter and to provide adequate financing for one time construction and refurbishment costs and annual operational costs, including food for each shelter. Demarcation of roles and responsibilities of the nodal agency responsible for maintenance and monitoring of the shelters in the Corporation

- of Chennai should done properly. There is also a need for designated and empowered officials at the Zonal Level in charge for the shelters.
- iii. To define and institutionalize the grievance redressal mechanisms
  - iv. A joint enumeration process of the homeless population and mapping of shelters should be carried out by the Govt. along with the community, the Office of the Adviser for Tamil Nadu to the Commissioner of the Supreme Court and Civil Society organisations to determine the locations of such number of shelters, city wise across the state.
  - v. To undertake construction of the number of day and night, permanent shelters in accordance with the norms laid out by the Supreme Court – one shelter with space for 100 persons (or two with space for 50 persons each) per one lakh urban population in the next six months in the first phase. The plan of action for making 66 shelters functional needs to be detailed out in the event of joint enumeration resulting in the need for the same. This may be done with community participation, within a period of one year.
  - vi. Locate the shelter within close proximity to the areas of concentration of homeless persons.
  - vii. Ensure that the operational Shelters are not used for any other purpose
  - viii. Ensure appropriate communication campaigns and outreach to group of homeless persons and wider society on the availability, purpose and facilities at such shelters. This will also enable to reduce the societal resistance to shelters for homeless.
  - ix. Provide specific facilities and amenities at each shelter such as food facilities, space for recreation and PDS coverage, etc.
  - x. Ensure separate shelters for homeless women, with provision of adequate security, crèche and child care facilities, and counseling services in addition to the other basic amenities and facilities outlined in the earlier orders of the Supreme Court.
  - xi. Ensure that homeless persons are not required to furnish any proof of identity to enter and use such shelters, and are not levied user fees for staying in shelters or using toilets in any instance.

- xii. To set up a process to sensitise and build capacities of representatives of Urban Local Bodies, Municipal Authorities, local police and railway police personnel and representatives of other concerned departments with reference to implementation of this programme.



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to the SC Commissioner

Chennai / 15.2.2012

*Annexure I: Photographs*

Functional Night Shelter in Iyappa Nagar used for other purposes



Non Functional Night Shelter in Mandavelli

