

2018

KERALA  
STATE  
LEGAL  
SERVICES  
AUTHORITY



## **‘NEETHIDHARA’**

**an outreach and respond programme of KeLSA for disaster victims**

## 'NEETHIDHARA' - an outreach and respond programme for disaster victims

1. Late July and August of 2018, State of Kerala witnessed unprecedented heavy monsoon rains, 35% more than average. Heavens opened with consistent strength non-stop for many weeks. As a result, hilly areas of the state witnessed landslides while plains and coastal areas experienced flood from rainwater. Kerala has 42 dams for irrigation and hydro-electric power generation. They filled up rapidly due to heavy rains in the catchment area. Since the water level reached dangerously near the maximum capacity, 35 dams had to open their overflow gates. Excessive fall of heavy rains combined with huge amount of water released from dams caused rivers of Kerala finding themselves overflowing with fury. Severe flood and landslides followed. All 14 districts of Kerala were affected in one way or the. Hundreds lost their lives, thousands were trapped when their residences were surrounded by water, and hundreds of thousands of people were displaced.

2. The legal services institutions are constituted by virtue of various provisions contained in the Legal Services Authorities Act, 1987 [The Act]. Under S. 12 of the Act, among other categories of marginalised sections of the society, the disaster victims are eligible for free legal service irrespective of their income. In order to streamline the activities of legal services institutions, NALSA has formulated NALSA [LEGAL SERVICES TO DISASTER VICTIMS THROUGH LEGAL SERVICES AUTHORITIES] SCHEME, 2010.

3. The entire state, except a few districts, was badly affected by the unprecedented flood and landslides resulting in loss of life and severe damage to the properties. More than 10 Lakhs persons were in relief camps and several thousands with relatives and friends.

4. The legal services institutions, guided by the Hon'ble Mr. Justice Hrishikesh Roy, the Chief Justice, High Court of Kerala and the Patron-in-Chief, KeLSA and the Hon'ble Mr. Justice K. Surendra Mohan, Executive Chairman, KeLSA, sprang into action quickly by forming 'Core Group' to coordinate the activities.



**Meeting of Core Group at Ernakulam**

5. The legal services institutions were also part of the rescue and relief operations to support the District administration under the guidance of Kerala State Legal Services Authority led by the Hon'ble Executive Chairman, Mr. Justice K. Surendra Mohan.

6. The activities were coordinated well by the District Legal Services Authorities [DLSAs] and Taluk Legal Services Committees [TLSCs]. The DLSAs and TLSCs were supported by the Judicial Officers, Panel Lawyers, Para Legal Volunteers [PLVs] and staff of the court to provide immediate support to disaster victims.

7. They worked tirelessly 24x7. The messages from the Hon'ble Mr. Justice Hrishikesh Roy, the Chief Justice, High Court of Kerala and the Patron-in-Chief, KeLSA and the Hon'ble Mr. Justice K. Surendra Mohan, Executive Chairman, KeLSA motivated the committed work force of KeLSA and its coordinate institutions.

8. Along with the support for locating victims, the DLSAs and TLSCs were actively involved in the relief operations.

### **Support for rescue operations**

9. There were continuous calls for rescue of persons stranded in flood affected areas. Whatever information received directly at the offices, over phone, from social media etc was passed on to the rescue teams through all possible means. DLSAs ensured support from fishermen to the rescue teams. Para Legal Volunteers were included in the rescue teams.





Secretary, TLSC, Muvattupuzha in rescue operation

### Support for relief operations

10. DLSAS and TLSCs deployed its officers and PLVs to visit the affected areas and various relief camps. The Chairpersons and Secretaries of the DLSAs and TLSCs visited the affected places and relief camps and ascertained the requirements. In several places, the representatives of legal services institutions were the first to reach the affected places for providing support. Para legal volunteers of DLSA conducted survey in the camps regarding the basic facilities and health care to identify their problems and solved the same.

11. The Legal Services Institutions could successfully coordinate the relief works by supporting to coordinate different departments of the Government and also various NGOs engaged in the task. The attempt was to ensure that

basic amenities are available in the relief camps and affected areas.

12. When some DLSAs realised that there was shortage of food supply in the camps, they did not hesitate to start a kitchen in the premises of ADR Centre with active support from Judicial Officers, Panel Lawyers, PLVs, staff etc and ensured that adequate food was supplied to the needy.

13. The DLSAs and TLSCs had their own centre for collection and distribution of relief materials. There was tremendous support from well wishers as relief materials kept pouring to the collection centres from different parts of the state and outside Kerala. The support received from the Hon'ble Mr. Justice Kurian Joseph, Judge, Supreme Court of India in coordinating collection of relief materials at Delhi requires a special mention.

14. The Judicial officers, lawyers staff etc contributed money to create a distress relief fund in many places. The money donated by them was utilised to buy relief materials and even to provide financial aid to the needy.

15. The distribution of relief materials was undertaken under the control of the Chairman and Secretary of legal services institutions. Utmost care was taken to ensure that the materials reach the disaster victims. PLVs were deputed to relief camps and affected areas to ascertain the requirements. Materials were supplied based on their report.

16. We distributed food items, water, clothes and other cleaning items through the collection centres regularly. Relief kits were supplied to the victims while returning home. The relief kits were packed by judges, lawyers, PLVs etc.

17. Once the victims started returning home, relief kits, cleaning materials, clothes, mat, bed sheets etc were supplied on priority basis.

18. The activities were supported by Non-Governmental Institutions.

19. At some places where power supply was interrupted, TLSCs could arrange Generators on war footing.

20. Medical support was provided in and around the relief camps and affected places, especially tribal areas, by coordinating with the department of health.

21. Awareness programmes were organized in the relief centres for stress management by consoling them regarding their loss of documents, dwelling etc. Mediators of Ernakulam Mediation Centre visited various relief camps along with Psychologists and Psychiatrists and provided group counseling to victims. They helped the victims to learn breathing exercises to remain calm and relaxed.

22. Over and above, the relief camps in Ernakulam city were visited by the Hon'ble Executive Chairman, KeLSA, and the Hon'ble Judges of High Court.

23. The Judicial Officers made themselves available to relief activities after conducting formal sitting on working days.

#### Visit to Relief Camps





**Collection and distribution of relief materials**







**The Hon'ble Executive Chairman, KeLSA distributing relief materials**

**Support from other states**



**Hon'ble Mr. Justice Kurian Joseph leading the drive to collect relief materials from Delhi.**



**Thoothukudi Tamil Nadu**



**Krishnagiri, Tamil Nadu**

### Packing of relief materials for distribution



### Psychologists/Psychiatrists helping flood victims



### Group counselling, individual counselling and trauma care for different age groups of flood victims



DLSAs involved in cleaning of flood affected houses



Support for Rehabilitation- Help desk, Lok Adalat, Legal Services Camps etc]

23. The next stage was rehabilitation of the affected persons. Reconstruction/repair/maintenance of the damaged building, road, bridge etc; disbursement of compensation offered by the Government and retrieving the lost documents are the remaining task. The Legal Services Institutions played a pivotal role here.

24. There was confusion among the disaster victims on how to claim compensation for the loss suffered. Timely support was provided by KeLSA by

establishing “Neethidhara” help desk in all the affected places. These help desks were managed by panel lawyers and Para Legal Volunteers.

**‘Neethidhara ‘helpdesk – A post emergency response strategy**



25. The DLSAs and TLSCs started Help Desks wherever required. The response from the disaster victims is overwhelming. They have taken it as the first opportunity to raise their claim for the loss/damage sustained by them. DISAs could provide support by helping the victims to restore valuable documents like title deeds, ration card, driving license, Aadhar, etc by conducting legal services camps and Lok Adalat, apply to the department concerned for compensation for loss of property, house, cattle, home appliances etc.

26. The petitions received were handed over to the departments concerned for processing them. The progress is being monitored. Lok Adalat and legal services camps are organised across the stage for settlement of claims submitted by the disaster victims. Legal aid, including the service of lawyers will be provided.

27. The Hon’ble the Chief Justice, High Court of Kerala along with the Hon’ble Executive Chairman, KeLSA visited the help desks at North Parur. North Parur is one of the worst affected places.



**Visit of Hon'ble the Chief Justice, High Court of Kerala to North Parur with the Hon'ble Executive Chairman, keLSA**





28. DLSA, Pathanamthitta re-constructed a fully damaged house at a cost of Rs. 2, 50,000/- with the help of Pankaja Kashturi and Sathya Sai Seva Samithi. This DLSA has taken up similar projects in association with the said NGO. These projects are in progress.

29. The DLSAs are taking follow up actions to ensure that adequate support is provided to the disaster victims. Periodical reports are called for by KeLSA to monitor the activities.

30. The Government has disbursed Rupees 10000 each to the victims as an immediate assistance. There are complaints that some disaster victims did not receive the compensation amount. These complaints were taken up with the authorities.

31. There are several Writ Petitions pending before the Hon'ble High Court of Kerala seeking directions for effective process of rehabilitation. The learned Amicus Curiae has submitted a report suggesting a Distress Redressal Mechanism within the frame work of Legal Services Authorities Act, 1987 with the involvement of KeLSA and the district level officers and also the Permanent Lok Adalat. The matter is now posted for the response of KeLSA to the said proposal.

32. This report contains only a brief account of the activities undertaken by the legal services institutions till date. It is worth mentioning here that the heavy attendance of victims in most of the flood affected places, when the "Neethidhara" help desks were opened is nothing but an indication about the faith the people have on legal services institutions.

**K.Sathyan**  
**Member Secretary**