

A Presentation
on Institutional and Legislative Framework
in
INDIA
for
Disaster Management
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by



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Hazard vulnerability of India

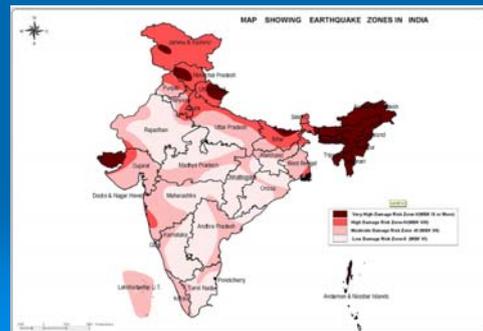
- India is vulnerable to natural and man-made disasters.
- About 60% of the land mass is prone to earthquakes.
- Over 40 million hectares (about 8%) is prone to floods.
- 68% of the area is susceptible to Drought.

Hazard vulnerability of India

- 8000 KM coast line is prone to cyclones/high wind velocity.
- Coastal States/UTs are vulnerable to Tsunamis.
- Hilly terrain is prone to landslides/avalanches/ cloudbursts
- Man-made disasters – fire, terrorist activities using conventional weapons or nuclear, biological and chemical materials; industrial accidents etc.

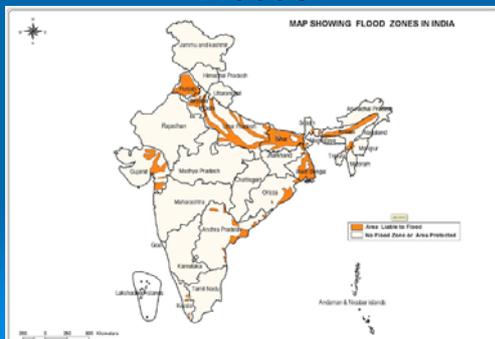
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Hazard Vulnerability in India Earthquakes

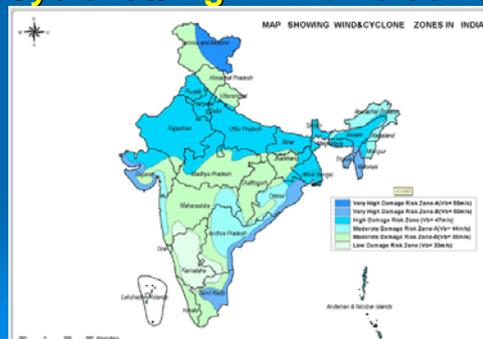


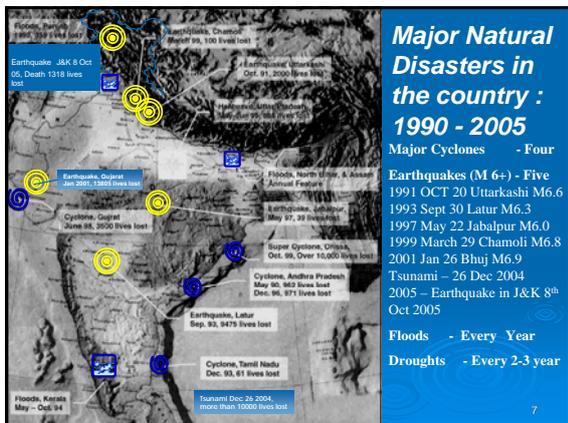
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Hazard Vulnerability in India Floods



Hazard Vulnerability in India Cyclones/High Wind Velocities



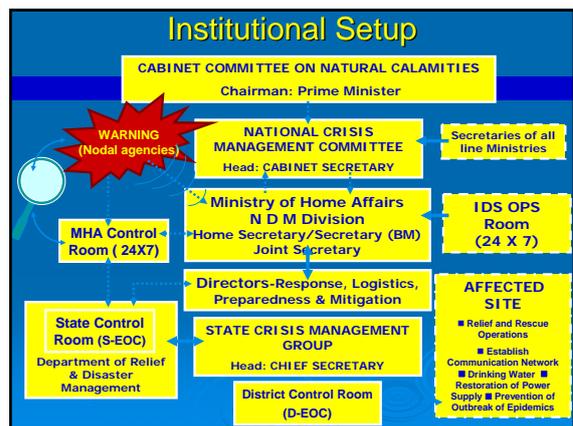


Institutional Mechanism at the National Level

- In the event of a disaster of a severe nature, National Crisis Management Committee under Cabinet Secretary gives policy directions and guidelines to the Crisis Management Group where national/international efforts are required.
- Crisis Management Group in MHA reviews the situation in Inter-Ministerial meeting to coordinate various emergency support functions for the affected States.
- Union Cabinet may set up a Cabinet Committee/Task Force/GoM for effective coordination of relief measures in the wake of calamities of severe nature.

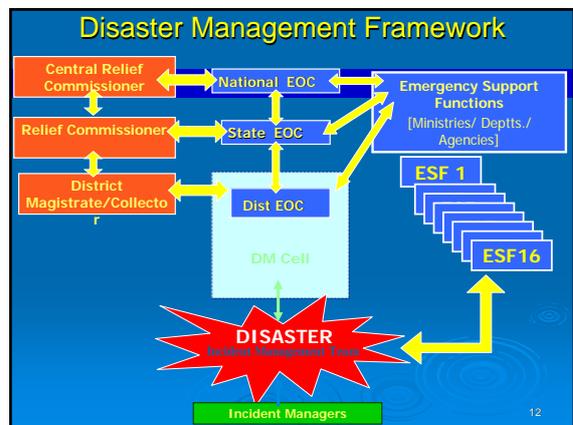
Institutional Mechanism at the State Level

- A State level Crisis Management Committee under the Chairmanship of Chief Secretary is responsible for formulating policies and guidelines for management of natural disasters in the States.
- This committee comprises of concerned functionaries in various State Departments and representatives of Central Organizations located in the State.
- State Relief Commissioner is the Nodal Officer for coordinating the activities for relief operations in the event of natural disasters.



Institutional Mechanism at the District Level

- District level is the focal point in a disaster situation from which disaster management related activities are coordinated and implemented.
- A district level committee exists under the District Collector / Deputy Commissioner.
- District Collector is the key functionary for directing, supervising and monitoring all Disaster Management operations.



Role of Central and State Governments

- Central and State Governments are jointly responsible for undertaking mitigation, preparedness, response, relief and rehabilitation measures.
- Central Government supplements the efforts of State Government by providing financial and logistic support in case of a major calamity.
- Involvement of local bodies, NGOs, Self help groups etc in relief and response.

Approach to Disaster Management

- Orissa super cyclone 1999 and Bhuj earthquake 2001 underscored the need for change in orientation from a relief-centric approach to a holistic multi-dimensional and multi-sectoral approach.
- Tsunami 2004 accelerated the process.
- The new approach encompasses prevention, mitigation, preparedness, response, relief and rehabilitation.
- It proceeds from the conviction that development cannot be sustainable unless disaster mitigation is built in, in the development process.
- Objective is that hazards may be prevented from turning into disasters by taking mitigation and preparedness measures.

Disaster Management the National Roadmap

- A National Roadmap for Disaster Management drawn up covering:
 - institutional mechanisms
 - mitigation/ prevention measures
 - legal/policy framework
 - preparedness and response
 - early warning systems
 - human resource development
 - capacity building
- States have been advised to draw up similar roadmaps

Salient features of the National Policy on Disaster Management

- Adoption of a holistic and pro-active approach towards prevention, mitigation and preparedness.
- Delineate the role and responsibilities of the Central Government and the State Governments to establish appropriate legal and institutional framework.
- Ensure that disaster reduction elements are dovetailed with development process.
- Enact a modern and unified legislation to establish appropriate legal, institutional, financial and administrative framework for disaster management at the national level.

Salient features of the National Policy on Disaster Management

- Strengthen the role of Panchayati Raj institutions and urban local bodies in disaster management.
- Involve non-governmental organizations, private sector, institutions and community in disaster management.
- Review and update regularly the Indian Codes and Standards relevant to multi-hazard resistant designs and construction of buildings and structures.

Salient features of the National Policy on Disaster Management

- Review and enforce all development control regulations and zoning regulations through the State Governments.
- Promote disaster mitigation technologies.
- Revise state relief codes/manuals so as to convert them into disaster management codes/manuals.
- Strengthen Civil Defence organization to supplement local response and relief effort.
- Encourage the State Governments to formulate State Policy on Disaster Management which should be in consonance with the National Policy on Disaster Management.

Salient features of the National Policy on Disaster Management

- Develop appropriate standard operating procedures.
- Build the capacity of the community on a sustained basis through training of village volunteers.
- Build the capacity of the local authorities, engineers, architects, planners and others responsible for enforcing safe designs and construction standards.
- Promote awareness generation for mitigation and preparedness in the community.
- Include Disaster Risk Management as an integral part of the school and university curricula.

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Moving towards a legislative framework

- A High Powered Committee (HPC) on Disaster Management was constituted in August 1999, which submitted its report in October 2001, recommending a Model National Calamity Management Act and a Model State Disaster Management Act.
- After the Bhuj earthquake in January 2001, a National Committee on Disaster Management was constituted in February 2001 under the chairmanship of Prime Minister, which set up a Working Group to assist it.
- The Working Group consisted of the Vice Chairman of the National Committee and the High Power Committee.
- The Working Group presented its report to the Prime Minister in June 2003

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Moving towards a legislative framework

- The Working Group endorsed the recommendation of the HPC made in October 2001 for enacting the Disaster Management Act.
- The Tsunami Disaster in December 2004, accelerated the process of legislation.
- It was felt that the response to disasters could be improved if appropriate preparedness and capacity building measures are put in place.

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The Disaster Management Act, 2005

- The Disaster Management Act, 2005 was enacted on 26th December, 2005
- The proposed legislation is relatable to entry 23 (Social security and social insurance) in the Concurrent List of the Constitution.
- This will have the advantage that it will permit the States also to have their own legislation on disaster management. (4 states now have Acts)

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Salient features of the DM Act - NDMA

- Setting up of a National Disaster Management Authority (NDMA) under the Prime Minister with such other members, not exceeding nine, as may be nominated by Prime Minister.
- One of the Members may be designated as the Vice-Chairperson of NDMA by the Prime Minister.
- The National Authority shall have the responsibility for laying down the policies, plans and guidelines for disaster management.
- The Authority may constitute an Advisory Committee consisting of experts in the field of disaster management.

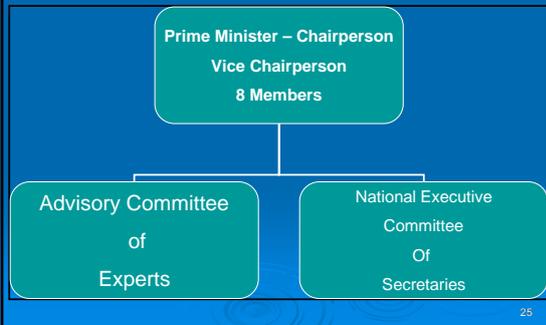
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Salient features of the DM Act - NDMA

- The Authority shall be assisted by a National Executive Committee of Secretaries to be Central Government.
- The National Executive Committee shall prepare a National Disaster Management Plan in consultation with the State Governments to be approved by the National Authority.
- The National Plan shall include measures for prevention and mitigation of disasters, integration of mitigation measures in the development plans, preparedness and capacity building to effectively respond to disasters.
- The National Authority shall recommend guidelines for the minimum standards of relief to be provided to persons affected by disaster.

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National Disaster Management Authority



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Salient features of the DM Act - SDMA

- Setting up of State Disaster Management Authority (SDMA) by the State Government under the Chief Minister with eight other members to be nominated by the Chief Minister and the Chairperson of the State Executive Committee.
- One of the members may be designated as the Vice-Chairperson of the State Authority by the Chief Minister.
- The State Authority may constitute an Advisory Committee of experts, as when it considers necessary.
- The State Authority shall be responsible for laying down the policies and plans for disaster management in the State.

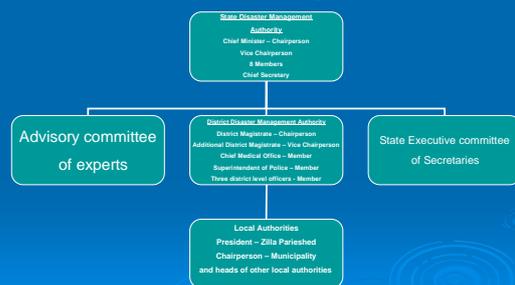
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Salient features of the DM Act - SDMA

- The State Authority shall recommend guidelines for providing minimum standards of relief to persons affected by disaster in the State provided that such standards shall not be less than the minimum standards laid in down in the guidelines by the National Authority.
- The State Authority will be assisted by the State Executive Committee.
- 17 States have SDMA's in place and functioning.

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State/ District Disaster Management Authority



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Salient features of the DM Act - DDMA

- The State Government shall establish a District Disaster Management Authority (DDMA) in each district.
- The District Authority will be headed by District Magistrate and shall consist of such members, not exceeding seven, as may be prescribed by the State Government.
- The District Authority shall act as the district planning, coordinating and implementing body for disaster management.

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DM Act – Local Authority

- The Local Authority shall ensure training of its officers and employees and maintenance of resources so as to be readily available for use in the event of a disaster.
- It shall also ensure that all construction projects under it conform to the standards and specifications laid down.
- It shall carry out relief, rehabilitation and reconstruction activities in the affected area within its jurisdiction.

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DM Act – Resources (Human)

- The Central Government shall constitute the National Institute of Disaster Management (NIDM)
- NIDM shall plan and promote training and research in disaster management, documentation and development of national level information base relating to disaster management policies, prevention mechanism and mitigation measures.
- Development of HRD plan for DM.
- Development of training modules and training of different stake holders (administrators/policy makers/planners/ Govt. officials etc.) in DM.
- Providing assistance to National & State Governments in strengthening their DM systems and capabilities, preparation of DM plans & strategies for hazard risk reduction.

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DM Act – NDRF

- A National Disaster Response Force shall be constituted for specialist response.
- The general superintendence and direction of the Force shall be vested in and exercised by the National Authority.
- Command and supervision of the Force shall vest in an officer to be appointed by the Central Government as the Director General of the NDRF.

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DM Act – Resources (Financial)

- The Central Government shall constitute a National Disaster Response Fund which will consist of an amount which may be provided by the Central Government and any grants that may be made by any person or institution for disaster management.
- The Central Government may constitute a National Disaster Mitigation Fund for mitigation projects.
- The State Government shall establish Disaster Response Fund and Disaster Mitigation Fund at State and District level.
- Every Ministry/Department of Central and State Governments shall make provision in its annual budget for funds to carry out the activities set out in its disaster management plan.

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DM Act, 2005 – Role of Central Government

- The Central Government shall be responsible for coordination of actions by Ministries/Departments of the Central Government, National Authority, State Authorities, governmental and non-governmental organizations.
- The Central Government shall ensure integration of measures for prevention and mitigation of disasters.
- The Central Government shall ensure appropriate allocation of funds for disaster management.

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DM Act – Role of State Government

- It shall provide assistance to the Ministries/Departments of the Central Government as may be necessary.
- The State Government shall take action for integration of measures for prevention and mitigation of disasters in their development plans; and provide rehabilitation and reconstruction assistance to the affected people.
- These measures shall also include emergency communication; transporting personnel and relief goods; evacuation, rescue of affected population, livestock, temporary shelters or other immediate relief.
- Every Department of the State Governments shall prepare a Disaster Management Plan in respect of roles and responsibilities assigned to it and review and update it annually.

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Government of India
Ministry of Home Affairs

Thank You

Website: <http://www.ndmindia.nic.in>