# GOVERNMENT OF HIMACHAL PRADESH DEPARTMENT OF REVENUE 

The Disaster Management Act, 2005
(National Act, Rules and Notifications)
Alongwith State DM Rules and Notifications


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## THE DISASTER MANAGEMENT ACT, 2005

NO. 53 OF 2005
[23rd December, 2005]
An Act to provide for the effective management of disasters and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:-

## CHAPTER I

## PRELIMINARY

1. Short title, extent and commencement.-
(1) This Act may be called the Disaster Management Act, 2005.
(2) It extends to the whole of India.
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette appoint; and different dates may be appointed for different provisions of this Act and for different States, and any reference to commencement in any provision of this Act in relation to any State shall be construed as a reference to the commencement of that provision in that State.
2. Definitions.-In this Act, unless the context otherwise requires,-
(a) "Affected area" means an area or part of the country affected by a disaster;
(b) "Capacity-building" includes-
(i) Identification of existing resources and resources to be acquired or created;
(ii) Acquiring or creating resources identified under sub-clause (i);
(iii) Organization and training of personnel and coordination of such training for effective management of disasters;
(c) "Central Government" means the Ministry or Department of the Government of India having administrative control of disaster management;
(d) "Disaster" means a catastrophe, mishap, calamity or grave occurrence in any area, arising from natural or man made causes, or by accident or negligence which results in substantial loss of life or human suffering or damage to, and destruction of, property, or
damage to, or degradation of, environment, and is of such a nature or magnitude as to be beyond the coping capacity of the community of the affected area;
(e) "Disaster management" means a continuous and integrated process of planning, organising, coordinating and implementing measures which are necessary or expedient for-
(i) Prevention of danger or threat of any disaster;
(ii) Mitigation or reduction of risk of any disaster or its severity or consequences;
(iii) Capacity-building;
(iv) Preparedness to deal with any disaster;
(v) Prompt response to any threatening disaster situation or disaster;
(vi) Assessing the severity or magnitude of effects of any disaster;
(vii) Evacuation, rescue and relief;
(viii) Rehabilitation and reconstruction;
(f) "District Authority" means the District Disaster Management Authority constituted under sub-section (1) of section 25 ;
(g) "District Plan" means the plan for disaster management for the district prepared under section 31;
(h) "Local authority" includes panchayati raj institutions, municipalities, a district board, cantonment board, town planning authority or Zila Parishad or any other body or authority, by whatever name called, for the time being invested by law, for rendering essential services or, with the control and management of civic services, within a specified local area;
(i) "Mitigation" means measures aimed at reducing the risk, impact or effects of a disaster or threatening disaster situation;
(j) "National Authority" means the National Disaster Management Authority established under sub-section (1) of section 3;
(k) "National Executive Committee" means the Executive Committee of the National Authority constituted under sub-section (1) of section 8;
(I) "National Plan" means the plan for disaster management for the whole of the country prepared under section 11;
( m ) "Preparedness" means the state of readiness to deal with a threatening disaster situation or disaster and the effects thereof;
(n) "Prescribed" means prescribed by rules made under this Act;
(o) "Reconstruction" means construction or restoration of any property after a disaster;
(p) "Resources" includes manpower, services, materials and provisions;
(q) "State Authority" means the State Disaster Management Authority established under sub-section (1) of section 14 and includes the Disaster Management Authority for the Union territory constituted under that section;
(r) "State Executive Committee" means the Executive Committee of a State Authority constituted under sub-section (1) of section 20;
(s) "State Government" means the Department of Government of the State having administrative control of disaster management and includes Administrator of the Union territory appointed by the President under article 239 of the Constitution;
(t) "State Plan" means the plan for disaster management for the whole of the State prepared under section 23.

## CHAPTER II

## THE NATIONAL DISASTER MANAGEMENT AUTHORITY

## 3. Establishment of National Disaster Management Authority.-

(1) With effect from such date as the Central Government may, by notification in the Official Gazette appoint in this behalf, there shall be established for the purposes of this Act, an authority to be known as the National Disaster Management Authority.
(2) The National Authority shall consist of the Chairperson and such number of other members, not exceeding nine, as may be prescribed by the Central Government and, unless the rules otherwise provide, the National Authority shall consist of the following:-
(a) The Prime Minister of India, who shall be the Chairperson of the National Authority, ex officio;
(b) Other members, not exceeding nine, to be nominated by the Chairperson of the National Authority.
(3) The Chairperson of the National Authority may designate one of the members nominated under clause (b) of sub-section (2) to be the Vice-Chairperson of the National Authority.
(4) The term of office and conditions of service of members of the National Authority shall be such as may be prescribed.

## 4. Meetings of National Authority.-

(1) The National Authority shall meet as and when necessary and at such time and place as the Chairperson of the National Authority may think fit.
(2) The Chairperson of the National Authority shall preside over the meetings of the National Authority.
(3) If for any reason the Chairperson of the National Authority is unable to attend any meeting of the National Authority, the Vice-Chairperson of the National Authority shall preside over the meeting.
5. Appointment of officers and other employees of the National Authority.-The Central Government shall provide the National Authority with such officers, consultants and employees, as it considers necessary for carrying out the functions of the National Authority.
6. Powers and functions of National Authority.-
(1) Subject to the provisions of this Act, the National Authority shall have the responsibility for laying down the policies, plans and guidelines for disaster management for ensuring timely and effective response to disaster.
(2) Without prejudice to generality of the provisions contained in sub-section (1), the National Authority may -
(a) Lay down policies on disaster management;
(b) Approve the National Plan;
(c) Approve plans prepared by the Ministries or Departments of the Government of India in accordance with the National Plan;
(d) Lay down guidelines to be followed by the State Authorities in drawing up the State Plan;
(e) Lay down guidelines to be followed by the different Ministries or Departments of the Government of India for the purpose of integrating the measures for prevention of disaster or the mitigation of its effects in their development plans and projects;
(f) Coordinate the enforcement and implementation of the policy and plan for disaster management;
(g) Recommend provision of funds for the purpose of mitigation;
(h) Provide such support to other countries affected by major disasters as may be determined by the Central Government;
(i) Take such other measures for the prevention of disaster, or the mitigation, or preparedness and capacity building for dealing with the threatening disaster situation or disaster as it may consider necessary;
(j) Lay down broad policies and guidelines for the functioning of the National Institute of Disaster Management.
(3) The Chairperson of the National Authority shall, in the case of emergency, have power to exercise all or any of the powers of the National Authority but exercise of such powers shall be subject to ex post facto ratification by the National Authority.

## 7. Constitution of advisory committee by National Authority.-

(1) The National Authority may constitute an advisory committee consisting of experts in the field of disaster management and having practical experience of disaster management at the national, State or district level to make recommendations on different aspects of disaster management.
(2) The members of the advisory committee shall be paid such allowances as may be prescribed by the Central Government in consultation with the National Authority.
8. Constitution of National Executive Committee.-
(1) The Central Government shall, immediately after issue of notification under sub-section
(1) of section 3, constitute a National Executive Committee to assist the National Authority in the performance of its functions under this Act.
(2) The National Executive Committee shall consist of the following members, namely:-
(a) the Secretary to the Government of India in charge of the Ministry or Department of the Central Government having administrative control of the disaster management, who shall be Chairperson, ex officio;
(b) the Secretaries to the Government of India in the Ministries or Departments having administrative control of the agriculture, atomic energy, defence, drinking water supply, environment and forests, finance (expenditure), health, power, rural development, science and technology, space, telecommunication, urban development, water resources and the Chief of the Integrated Defence Staff of the Chiefs of Staff Committee, ex officio.
(3) The Chairperson of the National Executive Committee may invite any other officer of the Central Government or a State Government for taking part in any meeting of the National Executive Committee and shall exercise such powers and perform such functions as may be prescribed by the Central Government in consultation with the National Authority.
(4) The procedure to be followed by the National Executive Committee in exercise of its powers and discharge of its functions shall be such as may be prescribed by the Central Government.

## 9. Constitution of sub-committees.-

(1) The National Executive Committee may, as and when it considers necessary, constitute one or more sub-committees, for the efficient discharge of its functions.
(2) The National Executive Committee shall, from amongst its members, appoint the Chairperson of the sub-committee referred to in sub-section (1).
(3) Any person associated as an expert with any sub-committee may be paid such allowances as may be prescribed by the Central Government.
10. Powers and functions of National Executive Committee.-
(1) The National Executive Committee shall assist the National Authority in the discharge of its functions and have the responsibility for implementing the policies and plans of the National Authority and ensure the compliance of directions issued by the Central Government for the purpose of disaster management in the country.
(2) Without prejudice to the generality of the provisions contained in sub-section (1), the National Executive Committee may -
(a) Act as the coordinating and monitoring body for disaster management;
(b) Prepare the National Plan to be approved by the National Authority;
(c) Coordinate and monitor the implementation of the National Policy;
(d) Lay down guidelines for preparing disaster management plans by different Ministries or Departments of the Government of India and the State Authorities;
(e) Provide necessary technical assistance to the State Governments and the State Authorities for preparing their disaster management plans in accordance with the guidelines laid down by the National Authority;
(f) Monitor the implementation of the National Plan and the plans prepared by the Ministries or Departments of the Government of India;
(g) Monitor the implementation of the guidelines laid down by the National Authority for integrating of measures for prevention of disasters and mitigation by the Ministries or Departments in their development plans and projects;
(h) Monitor, coordinate and give directions regarding the mitigation and preparedness measures to be taken by different Ministries or Departments and agencies of the Government;
(i) Evaluate the preparedness at all governmental levels for the purpose of responding to any threatening disaster situation or disaster and give directions, where necessary, for enhancing such preparedness;
(j) Plan and coordinate specialized training programme for disaster management for different levels of officers, employees and voluntary rescue workers;
(k) Coordinate response in the event of any threatening disaster situation or disaster;
(I) Lay down guidelines for, or give directions to, the concerned Ministries or Departments of the Government of India, the State Governments and the State Authorities regarding measures to be taken by them in response to any threatening disaster situation or disaster;
(m) Require any department or agency of the Government to make available to the National Authority or State Authorities such men or material resources as are available with it for the purposes of emergency response, rescue and relief;
( n ) Advise, assist and coordinate the activities of the Ministries or Departments of the Government of India, State Authorities, statutory bodies, other governmental or nongovernmental organizations and others engaged in disaster management;
(o) Provide necessary technical assistance or give advice to the State Authorities and District Authorities for carrying out their functions under this Act;
(p) Promote general education and awareness in relation to disaster management; and
(q) Perform such other functions as the National Authority may require it to perform.

## 11. National Plan.-

(1) There shall be drawn up a plan for disaster management for the whole of the country to be called the National Plan.
(2) The National Plan shall be prepared by the National Executive Committee having regard to the National Policy and in consultation with the State Governments and expert bodies or organizations in the field of disaster management to be approved by the National Authority.
(3) The National Plan shall include-
(a) Measures to be taken for the prevention of disasters, or the mitigation of their effects;
(b) Measures to be taken for the integration of mitigation measures in the development plans;
(c) Measures to be taken for preparedness and capacity building to effectively respond to any threatening disaster situations or disaster;
(d) Roles and responsibilities of different Ministries or Departments of the Government of India in respect of measures specified in clauses (a), (b) and (c).
(4) The National Plan shall be reviewed and updated annually.
(5) Appropriate provisions shall be made by the Central Government for financing the measures to be carried out under the National Plan.
(6) Copies of the National Plan referred to in sub-sections (2) and (4) shall be made available to the Ministries or Departments of the Government of India and such Ministries or Departments shall draw up their own plans in accordance with the National Plan.
12. Guidelines for minimum standards of relief.-The National Authority shall recommend guidelines for the minimum standards of relief to be provided to persons affected by disaster, which shall include,-
(i) The minimum requirements to be provided in the relief camps in relation to shelter, food, drinking water, medical cover and sanitation;
(ii) The special provisions to be made for widows and orphans;
(iii) Ex gratia assistance on account of loss of life as also assistance on account of damage to houses and for restoration of means of livelihood;
(iv) Such other relief as may be necessary.
13. Relief in loan repayment, etc.-The National Authority may, in cases of disasters of severe magnitude, recommend relief in repayment of loans or for grant of fresh loans to the persons affected by disaster on such concessional terms as may be appropriate.

## CHAPTER III

## STATE DISASTER MANAGEMENT AUTHORITIES

14. Establishment of State Disaster Management Authority.-
(1) Every State Government shall, as soon as may be after the issue of the notification under sub-section (1) of section 3, by notification in the Official Gazette, establish a State Disaster Management Authority for the State with such name as may be specified in the notification of the State Government.
(2) A State Authority shall consist of the Chairperson and such number of other members, not exceeding nine, as may be prescribed by the State Government and, unless the rules otherwise provide, the State Authority shall consist of the following members, namely:-
(a) The Chief Minister of the State, who shall be Chairperson, ex officio;
(b) Other members, not exceeding eight, to be nominated by the Chairperson of the State Authority;
(c) The Chairperson of the State Executive Committee, ex officio.
(3) The Chairperson of the State Authority may designate one of the members nominated under clause (b) of sub-section (2) to be the Vice-Chairperson of the State Authority.
(4) The Chairperson of the State Executive Committee shall be the Chief Executive Officer of the State Authority, ex officio:

Provided that in the case of a Union territory having Legislative Assembly, except the Union territory of Delhi, the Chief Minister shall be the Chairperson of the Authority established under this section and in case of other Union territories, the Lieutenant Governor or the Administrator shall be the Chairperson of that Authority:

Provided further that the Lieutenant Governor of the Union territory of Delhi shall be the Chairperson and the Chief Minister thereof shall be the Vice-Chairperson of the State Authority.
(5) The term of office and conditions of service of members of the State Authority shall be such as may be prescribed.

## 15. Meetings of the State Authority.-

(1) The State Authority shall meet as and when necessary and at such time and place as the Chairperson of the State Authority may think fit.
(2) The Chairperson of the State Authority shall preside over the meetings of the State Authority.
(3) If for any reason, the Chairperson of the State Authority is unable to attend the meeting of the State Authority, the Vice-Chairperson of the State Authority shall preside at the meeting.
16. Appointment of officers and other employees of State Authority.-The State Government shall provide the State Authority with such officers, consultants and employees, as it considers necessary, for carrying out the functions of the State Authority.

## 17. Constitution of advisory committee by the State Authority.-

(1) A State Authority may, as and when it considers necessary, constitute an advisory committee, consisting of experts in the field of disaster management and having practical experience of disaster management to make recommendations on different aspects of disaster management.
(2) The members of the advisory committee shall be paid such allowances as may be prescribed by the State Government.

## 18. Powers and functions of State Authority.-

(1) Subject to the provisions of this Act, a State Authority shall have the responsibility for laying down policies and plans for disaster management in the State.
(2) Without prejudice to the generality of provisions contained in sub-section (1), the State Authority may-
(a) Lay down the State disaster management policy;
(b) Approve the State Plan in accordance with the guidelines laid down by the National Authority;
(c) Approve the disaster management plans prepared by the departments of the Government of the State;
(d) Lay down guidelines to be followed by the departments of the Government of the State for the purposes of integration of measures for prevention of disasters and mitigation in their development plans and projects and provide necessary technical assistance therefor;
(e) Coordinate the implementation of the State Plan;
(f) Recommend provision of funds for mitigation and preparedness measures;
(g) Review the development plans of the different departments of the State and ensure that prevention and mitigation measures are integrated therein;
(h) Review the measures being taken for mitigation, capacity building and preparedness by the departments of the Government of the State and issue such guidelines as may be necessary.
(3) The Chairperson of the State Authority shall, in the case of emergency, have power to exercise all or any of the powers of the State Authority but the exercise of such powers shall be subject to ex post facto ratification of the State Authority.
19. Guidelines for minimum standard of relief by State Authority.-The State Authority shall lay down detailed guidelines for providing standards of relief to persons affected by disaster in the State:

Provided that such standards shall in no case be less than the minimum standards in the guidelines laid down by the National Authority in this regard.

## 20. Constitution of State Executive Committee.-

(1) The State Government shall, immediately after issue of notification under sub-section (1) of section 14, constitute a State Executive Committee to assist the State Authority in the performance of its functions and to coordinate action in accordance with the guidelines laid down by the State Authority and ensure the compliance of directions issued by the State Government under this Act.
(2) The State Executive Committee shall consist of the following members, namely:-
(a) The Chief Secretary to the State Government, who shall be Chairperson, ex officio;
(b) Four Secretaries to the Government of the State of such departments as the State Government may think fit, ex officio.
(3) The Chairperson of the State Executive Committee shall exercise such powers and perform such functions as may be prescribed by the State Government and such other powers and functions as may be delegated to him by the State Authority.
(4) The procedure to be followed by the State Executive Committee in exercise of its powers and discharge of its functions shall be such as may be prescribed by the State Government.
21. Constitution of sub-committees by State Executive Committee.-(1) The State Executive Committee may, as and when it considers necessary, constitute one or more subcommittees, for efficient discharge of its functions.
(2) The State Executive Committee shall, from amongst its members, appoint the Chairperson of the sub-committee referred to in sub-section (1).
(3) Any person associated as an expert with any sub-committee may be paid such allowances as may be prescribed by the State Government.

## 22. Functions of the State Executive Committee.-

(1) The State Executive Committee shall have the responsibility for implementing the National Plan and State Plan and act as the coordinating and monitoring body for management of disaster in the State.
(2) Without prejudice to the generality of the provisions of sub-section (1), the State Executive Committee may-
(a) Coordinate and monitor the implementation of the National Policy, the National Plan and the State Plan;
(b) Examine the vulnerability of different parts of the State to different forms of disasters and specify measures to be taken for their prevention or mitigation;
(c) Lay down guidelines for preparation of disaster management plans by the departments of the Government of the State and the District Authorities;
(d) Monitor the implementation of disaster management plans prepared by the departments of the Government of the State and District Authorities;
(e) Monitor the implementation of the guidelines laid down by the State Authority for integrating of measures for prevention of disasters and mitigation by the departments in their development plans and projects;
(f) Evaluate preparedness at all governmental or non-governmental levels to respond to any threatening disaster situation or disaster and give directions, where necessary, for enhancing such preparedness;
(g) Coordinate response in the event of any threatening disaster situation or disaster;
(h) Give directions to any Department of the Government of the State or any other authority or body in the State regarding actions to be taken in response to any threatening disaster situation or disaster;
(i) Promote general education, awareness and community training in regard to the forms of disasters to which different parts of the State are vulnerable and the measures that may be taken by such community to prevent the disaster, mitigate and respond to such disaster;
(j) Advise, assist and coordinate the activities of the Departments of the Government of the State, District Authorities, statutory bodies and other governmental and non-governmental organizations engaged in disaster management;
(k) Provide necessary technical assistance or give advice to District Authorities and local authorities for carrying out their functions effectively;
(I) Advise the State Government regarding all financial matters in relation to disaster management;
(m) Examine the construction, in any local area in the State and, if it is of the opinion that the standards laid for such construction for the prevention of disaster is not being or has not been followed, may direct the District Authority or the local authority, as the case may be, to take such action as may be necessary to secure compliance of such standards;
(n) Provide information to the National Authority relating to different aspects of disaster management;
(o) Lay down, review and update State level response plans and guidelines and ensure that the district level plans are prepared, reviewed and updated;
(p) Ensure that communication systems are in order and the disaster management drills are carried out periodically;
(q) Perform such other functions as may be assigned to it by the State Authority or as it may consider necessary.

## 23. State Plan.-

(1) There shall be a plan for disaster management for every State to be called the State Disaster Management Plan.
(2) The State Plan shall be prepared by the State Executive Committee having regard to the guidelines laid down by the National Authority and after such consultation with local
authorities, district authorities and the people's representatives as the State Executive Committee may deem fit.
(3) The State Plan prepared by the State Executive Committee under sub-section (2) shall be approved by the State Authority.
(4) The State Plan shall include,-
(a) The vulnerability of different parts of the State to different forms of disasters;
(b) The measures to be adopted for prevention and mitigation of disasters;
(c) The manner in which the mitigation measures shall be integrated with the development plans and projects;
(d) The capacity-building and preparedness measures to be taken;
(e) The roles and responsibilities of each Department of the Government of the State in relation to the measures specified in clauses (b), (c) and (d) above;
(f) The roles and responsibilities of different Departments of the Government of the State in responding to any threatening disaster situation or disaster.
(5) The State Plan shall be reviewed and updated annually.
(6) Appropriate provisions shall be made by the State Government for financing for the measures to be carried out under the State Plan.
(7) Copies of the State Plan referred to in sub-sections (2) and (5) shall be made available to the Departments of the Government of the State and such Departments shall draw up their own plans in accordance with the State Plan.
24. Powers and functions of State Executive Committee in the event of threatening disaster situation.-For the purpose of, assisting and protecting the community affected by disaster or providing relief to such community or, preventing or combating disruption or dealing with the effects of any threatening disaster situation, the State Executive Committee may-
(a) Control and restrict, vehicular traffic to, from or within, the vulnerable or affected area;
(b) Control and restrict the entry of any person into, his movement within and departure from, a vulnerable or affected area;
(c) Remove debris, conduct search and carry out rescue operations;
(d) Provide shelter, food, drinking water, essential provisions, healthcare and services in accordance with the standards laid down by the National Authority and State Authority;
(e) Give direction to the concerned Department of the Government of the State, any District Authority or other authority, within the local limits of the State to take such measure or steps for rescue, evacuation or providing immediate relief saving lives or property, as may be necessary in its opinion;
(f) Require any department of the Government of the State or any other body or authority or person in charge of any relevant resources to make available the resources for the purposes of emergency response, rescue and relief;
(g) Require experts and consultants in the field of disasters to provide advice and assistance for rescue and relief;
(h) Procure exclusive or preferential use of amenities from any authority or person as and when required;
(i) Construct temporary bridges or other necessary structures and demolish unsafe structures which may be hazardous to public;
(j) Ensure that non-governmental organizations carry out their activities in an equitable and non-discriminatory manner;
(k) Disseminate information to public to deal with any threatening disaster situation or disaster;
(I) Take such steps as the Central Government or the State Government may direct in this regard or take such other steps as are required or warranted by the form of any threatening disaster situation or disaster.

## CHAPTER IV

## DISTRICT DISASTER MANAGEMENT AUTHORITY

## 25. Constitution of District Disaster Management Authority.-

(1) Every State Government shall, as soon as may be after issue of notification under subsection (1) of section 14, by notification in the Official Gazette, establish a District Disaster Management Authority for every district in the State with such name as may be specified in that notification.
(2) The District Authority shall consist of the Chairperson and such number of other members, not exceeding seven, as may be prescribed by the State Government, and unless the rules otherwise provide, it shall consist of the following, namely:-
(a) The Collector or District Magistrate or Deputy Commissioner, as the case may be, of the district who shall be Chairperson, ex officio;
(b) The elected representative of the local authority who shall be the co-Chairperson, ex officio:

Provided that in the Tribal Areas, as referred to in the Sixth Schedule to the Constitution, the Chief Executive Member of the district council of autonomous district, shall be the coChairperson, ex officio;
(c) The Chief Executive Officer of the District Authority, ex officio;
(d) The Superintendent of Police, ex officio;
(e) The Chief Medical Officer of the district, ex officio;
(f) Not exceeding two other district level officers, to be appointed by the State Government.
(3) In any district where zila parishad exists, the Chairperson thereof shall be the coChairperson of the District Authority.
(4) The State Government shall appoint an officer not below the rank of Additional Collector or Additional District Magistrate or Additional Deputy Commissioner, as the case may be, of the district to be the Chief Executive Officer of the District Authority to exercise such powers and perform such functions as may be prescribed by the State Government and such other powers and functions as may be delegated to him by the District Authority.

## 26. Powers of Chairperson of District Authority.-

(1) The Chairperson of the District Authority shall, in addition to presiding over the meetings of the District Authority, exercise and discharge such powers and functions of the District Authority as the District Authority may delegate to him.
(2) The Chairperson of the District Authority shall, in the case of an emergency, have power to exercise all or any of the powers of the District Authority but the exercise of such powers shall be subject to ex post facto ratification of the District Authority.
(3) The District Authority or the Chairperson of the District Authority may, by general or special order, in writing, delegate such of its or his powers and functions, under sub-section (1) or (2), as the case may be, to the Chief Executive Officer of the District Authority, subject to such conditions and limitations, if any, as it or he deems fit.
27. Meetings.-The District Authority shall meet as and when necessary and at such time and place as the Chairperson may think fit.
28. Constitution of advisory committees and other committees.-
(1) The District Authority may, as and when it considers necessary, constitute one or more advisory committees and other committees for the efficient discharge of its functions.
(2) The District Authority shall, from amongst its members, appoint the Chairperson of the Committee referred to in sub-section (1).
(3) Any person associated as an expert with any committee or sub-committee constituted under sub-section (1) may be paid such allowances as may be prescribed by the State Government.
29. Appointment of officers and other employees of District Authority.-The State Government shall provide the District Authority with such officers, consultants and other employees as it considers necessary for carrying out the functions of District Authority.

## 30. Powers and functions of District Authority.-

(1) The District Authority shall act as the district planning, coordinating and implementing body for disaster management and take all measures for the purposes of disaster management in the district in accordance with the guidelines laid down by the National Authority and the State Authority.
(2) Without prejudice to the generality of the provisions of sub-section (1), the District Authority may-
(i) Prepare a disaster management plan including district response plan for the district;
(ii) Coordinate and monitor the implementation of the National Policy, State Policy, National Plan, State Plan and District Plan;
(iii) Ensure that the areas in the district vulnerable to disasters are identified and measures for the prevention of disasters and the mitigation of its effects are undertaken by the departments of the Government at the district level as well as by the local authorities;
(iv) Ensure that the guidelines for prevention of disasters, mitigation of its effects, preparedness and response measures as laid down by the National Authority and the State Authority are followed by all departments of the Government at the district level and the local authorities in the district;
(v) Give directions to different authorities at the district level and local authorities to take such other measures for the prevention or mitigation of disasters as may be necessary;
(vi) Lay down guidelines for prevention of disaster management plans by the department of the Government at the districts level and local authorities in the district;
(vii) Monitor the implementation of disaster management plans prepared by the Departments of the Government at the district level;
(viii) Lay down guidelines to be followed by the Departments of the Government at the district level for purposes of integration of measures for prevention of disasters and mitigation in their development plans and projects and provide necessary technical assistance therefor;
(ix) Monitor the implementation of measures referred to in clause (viii);
(x) Review the state of capabilities for responding to any disaster or threatening disaster situation in the district and give directions to the relevant departments or authorities at the district level for their up gradation as may be necessary;
(xi) Review the preparedness measures and give directions to the concerned departments at the district level or other concerned authorities where necessary for bringing the preparedness measures to the levels required for responding effectively to any disaster or threatening disaster situation;
(xii) Organize and coordinate specialized training programmes for different levels of officers, employees and voluntary rescue workers in the district;
(xiii) Facilitate community training and awareness programmes for prevention of disaster or mitigation with the support of local authorities, governmental and non-governmental organizations;
(xiv) Set up, maintain, review and upgrade the mechanism for early warnings and dissemination of proper information to public;
(xv) Prepare, review and update district level response plan and guidelines;
(xvi) Coordinate response to any threatening disaster situation or disaster;
(xvii) Ensure that the Departments of the Government at the district level and the local authorities prepare their response plans in accordance with the district response plan;
(xviii) Lay down guidelines for, or give direction to, the concerned Department of the Government at the district level or any other authorities within the local limits of the district to take measures to respond effectively to any threatening disaster situation or disaster;
(xix) Advise, assist and coordinate the activities of the Departments of the Government at the district level, statutory bodies and other governmental and non-governmental organizations in the district engaged in the disaster management;
( xx ) Coordinate with, and give guidelines to, local authorities in the district to ensure that measures for the prevention or mitigation of threatening disaster situation or disaster in the district are carried out promptly and effectively;
(xxi) Provide necessary technical assistance or give advise to the local authorities in the district for carrying out their functions;
(xxii) Review development plans prepared by the Departments of the Government at the district level, statutory authorities or local authorities with a view to make necessary provisions therein for prevention of disaster or mitigation;
(xxiii) Examine the construction in any area in the district and, if it is of the opinion that the standards for the prevention of disaster or mitigation laid down for such construction is not being or has not been followed, may direct the concerned authority to take such action as may be necessary to secure compliance of such standards;
(xxiv) Identify buildings and places which could, in the event of any threatening disaster situation or disaster, be used as relief centers or camps and make arrangements for water supply and sanitation in such buildings or places;
(xxv) Establish stockpiles of relief and rescue materials or ensure preparedness to make such materials available at a short notice;
(xxvi) Provide information to the State Authority relating to different aspects of disaster management;
(xxvii) Encourage the involvement of non-governmental organizations and voluntary socialwelfare institutions working at the grassroots level in the district for disaster management;
(xxviii) Ensure communication systems are in order, and disaster management drills are carried out periodically;
(xxix) Perform such other functions as the State Government or State Authority may assign to it or as it deems necessary for disaster management in the District.

## 31. District Plan.-

(1) There shall be a plan for disaster management for every district of the State.
(2) The District Plan shall be prepared by the District Authority, after consultation with the local authorities and having regard to the National Plan and the State Plan, to be approved by the State Authority.
(3) The District Plan shall include-
(a) The areas in the district vulnerable to different forms of disasters;
(b) The measures to be taken, for prevention and mitigation of disaster, by the Departments of the Government at the district level and local authorities in the district;
(c) The capacity-building and preparedness measures required to be taken by the Departments of the Government at the district level and the local authorities in the district to respond to any threatening disaster situation or disaster;
(d) The response plans and procedures, in the event of a disaster, providing for-
(i) Allocation of responsibilities to the Departments of the Government at the district level and the local authorities in the district;
(ii) Prompt response to disaster and relief thereof;
(iii) Procurement of essential resources;
(iv) Establishment of communication link; and
(v) The dissemination of information to the public;
(e) Such other matters as may be required by the State Authority.
(4) The District Plan shall be reviewed and updated annually.
(5) The copies of the District Plan referred to in sub-sections (2) and (4) shall be made available to the Departments of the Government in the district.
(6) The District Authority shall send a copy of the District Plan to the State Authority which shall forward it to the State Government.
(7) The District Authority shall, review from time to time, the implementation of the Plan and issue such instructions to different departments of the Government in the district as it may deem necessary for the implementation thereof.
32. Plans by different authorities at district level and their implementation.-Every office of the Government of India and of the State Government at the district level and the local authorities shall, subject to the supervision of the District Authority, -
(a) Prepare a disaster management plan setting out the following, namely:-
(i) Provisions for prevention and mitigation measures as provided for in the District Plan and as is assigned to the department or agency concerned;
(ii) Provisions for taking measures relating to capacity-building and preparedness as laid down in the District Plan;
(iii) The response plans and procedures, in the event of, any threatening disaster situation or disaster;
(b) Coordinate the preparation and the implementation of its plan with those of the other organizations at the district level including local authority, communities and other stakeholders;
(c) Regularly review and update the plan; and
(d) Submit a copy of its disaster management plan, and of any amendment thereto, to the District Authority.
33. Requisition by the District Authority.-The District Authority may by order require any officer or any Department at the district level or any local authority to take such measures for the prevention or mitigation of disaster, or to effectively respond to it, as may be necessary, and such officer or department shall be bound to carry out such order.
34. Powers and functions of District Authority in the event of any threatening disaster situation or disaster.-For the purpose of assisting, protecting or providing relief to the community, in response to any threatening disaster situation or disaster, the District Authority may-
(a) Give directions for the release and use of resources available with any Department of the Government and the local authority in the district;
(b) Control and restrict vehicular traffic to, from and within, the vulnerable or affected area;
(c) Control and restrict the entry of any person into, his movement within and departure from, a vulnerable or affected area;
(d) Remove debris, conduct search and carry out rescue operations;
(e) Provide shelter, food, drinking water and essential provisions, healthcare and services;
(f) Establish emergency communication systems in the affected area;
(g) Make arrangements for the disposal of the unclaimed dead bodies;
(h) Recommend to any Department of the Government of the State or any authority or body under that Government at the district level to take such measures as are necessary in its opinion;
(i) Require experts and consultants in the relevant fields to advise and assist as it may deem necessary;
(j) Procure exclusive or preferential use of amenities from any authority or person;
(k) Construct temporary bridges or other necessary structures and demolish structures which may be hazardous to public or aggravate the effects of the disaster;
(I) Ensure that the non-governmental organizations carry out their activities in an equitable and non-discriminatory manner;
(m) Take such other steps as may be required or warranted to be taken in such a situation.

## CHAPTER V

## MEASURES BY THE GOVERNMENT FOR DISASTER MANAGEMENT

## 35. Central Government to take measures.-

(1) Subject to the provisions of this Act, the Central Government shall take all such measures as it deems necessary or expedient for the purpose of disaster management.
(2) In particular and without prejudice to the generality of the provisions of sub-section (1), the measures which the Central Government may take under that sub-section include measures with respect to all or any of the following matters, namely:-
(a) Coordination of actions of the Ministries or Departments of the Government of India, State Governments, National Authority, State Authorities, governmental and nongovernmental organizations in relation to disaster management;
(b) Ensure the integration of measures for prevention of disasters and mitigation by Ministries or Departments of the Government of India into their development plans and projects;
(c) Ensure appropriate allocation of funds for prevention of disaster, mitigation, capacitybuilding and preparedness by the Ministries or Departments of the Government of India;
(d) Ensure that the Ministries or Departments of the Government of India take necessary measures for preparedness to promptly and effectively respond to any threatening disaster situation or disaster;
(e) Cooperation and assistance to State Governments, as requested by them or otherwise deemed appropriate by it;
(f) Deployment of naval, military and air forces, other armed forces of the Union or any other civilian personnel as may be required for the purposes of this Act;
(g) Coordination with the United Nations agencies, international organizations and governments of foreign countries for the purposes of this Act;
(h) Establish institutions for research, training, and developmental programmes in the field of disaster management;
(i) Such other matters as it deems necessary or expedient for the purpose of securing effective implementation of the provisions of this Act.
(3) The Central Government may extend such support to other countries affected by major disaster as it may deem appropriate.
36. Responsibilities of Ministries or Departments of Government of India.-It shall be the responsibility of every Ministry or Department of the Government of India to -
(a) Take measures necessary for prevention of disasters, mitigation, preparedness and capacity-building in accordance with the guidelines laid down by the National Authority;
(b) Integrate into its development plans and projects, the measures for prevention or mitigation of disasters in accordance with the guidelines laid down by the National Authority;
(c) Respond effectively and promptly to any threatening disaster situation or disaster in accordance with the guidelines of the National Authority or the directions of the National Executive Committee in this behalf;
(d) Review the enactments administered by it, its policies, rules and regulations, with a view to incorporate therein the provisions necessary for prevention of disasters, mitigation or preparedness;
(e) Allocate funds for measures for prevention of disaster, mitigation, capacity-building and preparedness;
(f) Provide assistance to the National Authority and State Governments for-
(i) Drawing up mitigation, preparedness and response plans, capacity-building, data collection and identification and training of personnel in relation to disaster management;
(ii) Carrying out rescue and relief operations in the affected area;
(iii) Assessing the damage from any disaster;
(iv) Carrying out rehabilitation and reconstruction;
(g) Make available its resources to the National Executive Committee or a State Executive Committee for the purposes of responding promptly and effectively to any threatening disaster situation or disaster, including measures for-
(i) Providing emergency communication in a vulnerable or affected area;
(ii) Transporting personnel and relief goods to and from the affected area;
(iii) Providing evacuation, rescue, temporary shelter or other immediate relief;
(iv) Setting up temporary bridges, jetties and landing places;
(v) Providing, drinking water, essential provisions, healthcare, and services in an affected area;
(h) Take such other actions as it may consider necessary for disaster management.
37. Disaster management plans of Ministries or Departments of Government of India.-
(1) Every Ministry or Department of the Government of India shall-
(a) Prepare a disaster management plan specifying the following particulars, namely:-
(i) The measures to be taken by it for prevention and mitigation of disasters in accordance with the National Plan;
(ii) The specifications regarding integration of mitigation measures in its development plans in accordance with the guidelines of the National Authority and the National Executive Committee;
(iii) Its roles and responsibilities in relation to preparedness and capacity-building to deal with any threatening disaster situation or disaster;
(iv) Its roles and responsibilities in regard to promptly and effectively responding to any threatening disaster situation or disaster;
(v) The present status of its preparedness to perform the roles and responsibilities specified in sub-clauses (iii) and (iv);
(vi) The measures required to be taken in order to enable it to perform its responsibilities specified in sub-clauses (iii) and (iv);
(b) Review and update annually the plan referred to in clause (a);
(c) Forward a copy of the plan referred to in clause (a) or clause (b), as the case may be, to the Central Government which Government shall forward a copy thereof to the National Authority for its approval.
(2) Every Ministry or Department of the Government of India shall-
(a) Make, while preparing disaster management plan under clause (a) of sub-section (1), provisions for financing the activities specified therein;
(b) Furnish a status report regarding the implementation of the plan referred to in clause (a) of sub-section (1) to the National Authority, as and when required by it.

## 38. State Government to take measures.-

(1) Subject to the provisions of this Act, each State Government shall take all measures specified in the guidelines laid down by the National Authority and such further measures as it deems necessary or expedient, for the purpose of disaster management.
(2) The measures which the State Government may take under sub-section (1) include measures with respect to all or any of the following matters, namely:-
(a) Coordination of actions of different departments of the Government of the State, the State Authority, District Authorities, local authority and other non-governmental organizations;
(b) Cooperation and assistance in the disaster management to the National Authority and National Executive Committee, the State Authority and the State Executive Committee, and the District Authorities;
(c) Cooperation with, and assistance to, the Ministries or Departments of the Government of India in disaster management, as requested by them or otherwise deemed appropriate by it;
(d) Allocation of funds for measures for prevention of disaster, mitigation, capacity-building and preparedness by the departments of the Government of the State in accordance with the provisions of the State Plan and the District Plans;
(e) Ensure that the integration of measures for prevention of disaster or mitigation by the departments of the Government of the State in their development plans and projects;
(f) Integrate in the State development plan, measures to reduce or mitigate the vulnerability of different parts of the State to different disasters;
(g) Ensure the preparation of disaster management plans by different departments of the State in accordance with the guidelines laid down by the National Authority and the State Authority;
(h) Establishment of adequate warning systems up to the level of vulnerable communities;
(i) Ensure that different departments of the Government of the State and the District Authorities take appropriate preparedness measures;
(j) Ensure that in a threatening disaster situation or disaster, the resources of different departments of the Government of the State are made available to the National Executive Committee or the State Executive Committee or the District Authorities, as the case may be, for the purposes of effective response, rescue and relief in any threatening disaster situation or disaster;
(k) Provide rehabilitation and reconstruction assistance to the victims of any disaster; and
(I) Such other matters as it deems necessary or expedient for the purpose of securing effective implementation of provisions of this Act.
39. Responsibilities of departments of the State Government.-It shall be the responsibility of every department of the Government of a State to-
(a) Take measures necessary for prevention of disasters, mitigation, preparedness and capacity-building in accordance with the guidelines laid down by the National Authority and the State Authority;
(b) Integrate into its development plans and projects, the measures for prevention of disaster and mitigation;
(c) Allocate funds for prevention of disaster, mitigation, capacity-building and preparedness;
(d) Respond effectively and promptly to any threatening disaster situation or disaster in accordance with the State Plan, and in accordance with the guidelines or directions of the National Executive Committee and the State Executive Committee;
(e) Review the enactments administered by it, its policies, rules and regulations with a view to incorporate therein the provisions necessary for prevention of disasters, mitigation or preparedness;
(f) Provide assistance, as required, by the National Executive Committee, the State Executive Committee and District Authorities, for-
(i) Drawing up mitigation, preparedness and response plans, capacity-building, data collection and identification and training of personnel in relation to disaster management;
(ii) Assessing the damage from any disaster;
(iii) Carrying out rehabilitation and reconstruction;
(g) Make provision for resources in consultation with the State Authority for the implementation of the District Plan by its authorities at the district level;
(h) Make available its resources to the National Executive Committee or the State Executive Committee or the District Authorities for the purposes of responding promptly and effectively to any disaster in the State, including measures for-
(i) Providing emergency communication with a vulnerable or affected area;
(ii) Transporting personnel and relief goods to and from the affected area;
(iii) Providing evacuation, rescue, temporary shelter or other immediate relief;
(iv) Carrying out evacuation of persons or live-stock from an area of any threatening disaster situation or disaster;
(v) Setting up temporary bridges, jetties and landing places;
(vi) Providing drinking water, essential provisions, healthcare and services in an affected area;
(i) Such other actions as may be necessary for disaster management.
40. Disaster management plan of departments of State.-
(1) Every department of the State Government, in conformity with the guidelines laid down by the State Authority, shall-
(a) Prepare a disaster management plan which shall lay down the following :-
(i) The types of disasters to which different parts of the State are vulnerable;
(ii) Integration of strategies for the prevention of disaster or the mitigation of its effects or both with the development plans and programmes by the department;
(iii) The roles and responsibilities of the department of the State in the event of any threatening disaster situation or disaster and emergency support function it is required to perform;
(iv) Present status of its preparedness to perform such roles or responsibilities or emergency support function under sub-clause (iii);
(v) The capacity-building and preparedness measures proposed to be put into effect in order to enable the Ministries or Departments of the Government of India to discharge their responsibilities under section 37;
(b) Annually review and update the plan referred to in clause (a); and
(c) Furnish a copy of the plan referred to in clause (a) or clause (b), as the case may be, to the State Authority.
(2) Every department of the State Government, while preparing the plan under sub-section (1), shall make provisions for financing the activities specified therein.
(3) Every department of the State Government shall furnish an implementation status report to the State Executive Committee regarding the implementation of the disaster management plan referred to in sub-section (1).

## CHAPTER VI

## LOCAL AUTHORITIES

## 41. Functions of the local authority.-

(1) Subject to the directions of the District Authority, a local authority shall-
(a) Ensure that its officers and employees are trained for disaster management;
(b) Ensure that resources relating to disaster management are so maintained as to be readily available for use in the event of any threatening disaster situation or disaster;
(c) Ensure all construction projects under it or within its jurisdiction conform to the standards and specifications laid down for prevention of disasters and mitigation by the National Authority, State Authority and the District Authority;
(d) Carry out relief, rehabilitation and reconstruction activities in the affected area in accordance with the State Plan and the District Plan.
(2) The local authority may take such other measures as may be necessary for the disaster management.

## CHAPTER VII

## NATIONAL INSTITUTE OF DISASTER MANAGEMENT

## 42. National Institute of Disaster Management.-

(1) With effect from such date as the Central Government may, by notification in the Official Gazette appoint in this behalf, there shall be constituted an institute to be called the National Institute of Disaster Management.
(2) The National Institute of Disaster Management shall consist of such number of members as may be prescribed by the Central Government.
(3) The term of office of, and vacancies among, members of the National Institute of Disaster Management and manner of filling such vacancies shall be such as may be prescribed.
(4) There shall be a governing body of the National Institute of Disaster Management which shall be constituted by the Central Government from amongst the members of the National Institute of Disaster Management in such manner as may be prescribed.
(5) The governing body of the National Institute of Disaster Management shall exercise such powers and discharge such functions as may be prescribed by regulations.
(6) The procedure to be followed in exercise of its powers and discharge of its functions by the governing body, and the term of office of, and the manner of filling vacancies among the members of the governing body, shall be such as may be prescribed by regulations.
(7) Until the regulations are made under this section, the Central Government may make such regulations; and any regulation so made may be altered or rescinded by the National Institute of Disaster Management in exercise of its powers.
(8) Subject to the provisions of this Act, the National Institute of Disaster Management shall function within the broad policies and guidelines laid down by the National Authority and be responsible for planning and promoting training and research in the area of disaster
management, documentation and development of national level information base relating to disaster management policies, prevention mechanisms and mitigation measures.
(9) Without prejudice to the generality of the provisions contained in sub-section (8), the National Institute, for the discharge of its functions, may -
(a) Develop training modules, undertake research and documentation in disaster management and organize training programmes;
(b) Formulate and implement a comprehensive human resource development plan covering all aspects of disaster management;
(c) Provide assistance in national level policy formulation;
(d) Provide required assistance to the training and research institutes for development of training and research programmes for stakeholders including Government functionaries and undertake training of faculty members of the State level training institutes;
(e) Provide assistance to the State Governments and State training institutes in the formulation of State level policies, strategies, disaster management framework and any other assistance as may be required by the State Governments or State training institutes for capacity-building of stakeholders, Government including its functionaries, civil society members, corporate sector and people's elected representatives;
(f) Develop educational materials for disaster management including academic and professional courses;
(g) Promote awareness among stakeholders including college or school teachers and students, technical personnel and others associated with multi-hazard mitigation, preparedness and response measures;
(h) Undertake, Organize and facilitate study courses, conferences, lectures, seminars within and outside the country to promote the aforesaid objects;
(i) Undertake and provide for publication of journals, research papers and books and establish and maintain libraries in furtherance of the aforesaid objects;
(j) Do all such other lawful things as are conducive or incidental to the attainment of the above objects; and
(k) Undertake any other function as may be assigned to it by the Central Government.
43. Officers and other employees of the National Institute.-The Central Government shall provide the National Institute of Disaster Management with such officers, consultants and other employees, as it considers necessary, for carrying out its functions.

## CHAPTER VIII

## NATIONAL DISASTER RESPONSE FORCE

## 44. National Disaster Response Force.-

(1) There shall be constituted a National Disaster Response Force for the purpose of specialist response to a threatening disaster situation or disaster.
(2) Subject to the provisions of this Act, the Force shall be constituted in such manner and, the conditions of service of the members of the Force, including disciplinary provisions therefore, be such as may be prescribed.
45. Control, direction, etc.-The general superintendence, direction and control of the Force shall be vested and exercised by the National Authority and the command and supervision of the Force shall vest in an officer to be appointed by the Central Government as the Director General of the National Disaster Response Force.

## CHAPTER IX

## FINANCE, ACCOUNTS AND AUDIT

## 46. National Disaster Response Fund.-

(1) The Central Government may, by notification in the Official Gazette, constitute a fund to be called the National Disaster Response Fund for meeting any threatening disaster situation or disaster and there shall be credited thereto-
(a) An amount which the Central Government may, after due appropriation made by Parliament by law in this behalf provide;
(b) Any grants that may be made by any person or institution for the purpose of disaster management.
(2) The National Disaster Response Fund shall be made available to the National Executive Committee to be applied towards meeting the expenses for emergency response, relief and rehabilitation in accordance with the guidelines laid down by the Central Government in consultation with the National Authority.

## 47. National Disaster Mitigation Fund.-

(1) The Central Government may, by notification in the Official Gazette, constitute a Fund to be called the National Disaster Mitigation Fund for projects exclusively for the purpose of mitigation and there shall be credited thereto such amount which the Central Government may, after due appropriation made by Parliament by law in this behalf, provide.
(2) The National Disaster Mitigation Fund shall be applied by the National Authority.

## 48. Establishment of funds by State Government.-

(1) The State Government shall, immediately after notifications issued for constituting the State Authority and the District Authorities, establish for the purposes of this Act the following funds, namely:-
(a) The fund to be called the State Disaster Response Fund;
(b) The fund to be called the District Disaster Response Fund;
(c) The fund to be called the State Disaster Mitigation Fund;
(d) The fund to be called the District Disaster Mitigation Fund.
(2) The State Government shall ensure that the funds established-
(i) Under clause (a) of sub-section (1) is available to the State Executive Committee;
(ii) Under sub-clause (c) of sub-section (1) is available to the State Authority;
(iii) Under clauses (b) and (d) of sub-section (1) are available to the District Authority.
49. Allocation of funds by Ministries and Departments.-
(1) Every Ministry or Department of the Government of India shall make provisions, in its annual budget, for funds for the purposes of carrying out the activities and programmes set out in its disaster management plan.
(2) The provisions of sub-section (1) shall, mutatis mutandis, apply to departments of the Government of the State.
50. Emergency procurement and accounting.-Where by reason of any threatening disaster situation or disaster, the National Authority or the State Authority or the District Authority is satisfied that immediate procurement of provisions or materials or the immediate application of resources are necessary for rescue or relief,-
(a) It may authorize the concerned department or authority to make the emergency procurement and in such case, the standard procedure requiring inviting of tenders shall be deemed to be waived;
(b) A certificate about utilization of provisions or materials by the controlling officer authorized by the National Authority, State Authority or District Authority, as the case may be, shall be deemed to be a valid document or voucher for the purpose of accounting of emergency, procurement of such provisions or materials.

## CHAPTER X

## OFFENCES AND PENALTIES

## 51. Punishment for obstruction, etc.-Whoever, without reasonable cause-

(a) Obstructs any officer or employee of the Central Government or the State Government, or a person authorized by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or
(b) Refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,
shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.
52. Punishment for false claim.-Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.
53. Punishment for misappropriation of money or materials, etc.-Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or willfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.
54. Punishment for false warning.-Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

## 55. Offences by Departments of the Government.-

(1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.
(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be
deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.-Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.
57. Penalty for contravention of any order regarding requisitioning.-If any person contravenes any order made under section 65 , he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

## 58. Offence by companies.-

(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence.
(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.-For the purpose of this section -
(a) "Company" means any body corporate and includes a firm or other association of individuals; and
(b) "Director", in relation to a firm, means a partner in the firm.
59. Previous sanction for prosecution.-No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorized in this behalf, by general or special order, by such Government.
60. Cognizance of offences.-No court shall take cognizance of an offence under this Act except on a complaint made by-
(a) The National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorized in this behalf by that Authority or Government, as the case may be; or
(b) Any person who has given notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorized as aforesaid.".

## CHAPTER XI

## MISCELLANEOUS

61. Prohibition against discrimination.-While providing compensation and relief to the victims of disaster, there shall be no discrimination on the ground of sex, caste, community, descent or religion.
62. Power to issue direction by Central Government.-Notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the Central Government to issue direction in writing to the Ministries or Departments of the Government of India, or the National Executive Committee or the State Government, State Authority, State Executive Committee, statutory bodies or any of its officers or employees, as the case may be, to facilitate or assist in the disaster management and such Ministry or Department or Government or Authority, Executive Committee, statutory body, officer or employee shall be bound to comply with such direction.
63. Powers to be made available for rescue operations.-Any officer or authority of the Union or a State, when requested by the National Executive Committee, any State Executive Committee or District Authority or any person authorized by such Committee or Authority in this behalf, shall make available to that Committee or authority or person, such officers and employees as requested for, to perform any of the functions in connection with the prevention of disaster or mitigation or rescue or relief work.
64. Making or amending rules, etc., in certain circumstances.-Subject to the provisions of this Act, if it appears to the National Executive Committee, State Executive Committee or the District Authority, as the case may be, that provisions of any rule, regulation, notification, guideline, instruction, order, scheme or bye-laws, as the case may be, are required to be made or amended for the purposes of prevention of disasters or the mitigation thereof, it may require the amendment of such rules, regulation, notification, guidelines, instruction, order, scheme or bye-laws, as the case may be, for that purpose, and the appropriate department or authority shall take necessary action to comply with the requirements.
65. Power of requisition of resources, provisions, vehicles, etc., for rescue operations, etc.-
(1) If it appears to the National Executive Committee, State Executive Committee or District Authority or any officer as may be authorized by it in this behalf that-
(a) Any resources with any authority or person are needed for the purpose of prompt response;
(b) Any premises are needed or likely to be needed for the purpose of rescue operations; or
(c) Any vehicle is needed or is likely to be needed for the purposes of transport of' resources from disaster affected areas or transport of resources to the affected area or transport in connection with rescue, rehabilitation or reconstruction, such authority may, by order in writing, requisition such resources or premises or such vehicle, as the case may be, and may make such further orders as may appear to it to be necessary or expedient in connection with the requisitioning.
(2) Whenever any resource, premises or vehicle is requisitioned under sub-section (1), the period of such requisition shall not extend beyond the period for which such resource, premises or vehicle is required for any of the purposes mentioned in that sub-section.
(3) In this section,-
(a) "Resources" includes men and material resources;
(b) "Services" includes facilities;
(c) "Premises" means any land, building or part of a building and includes a hut, shed or other structure or any part thereof;
(d) "Vehicle" means any vehicle used or capable of being used for the purpose of transport, whether propelled by mechanical power or otherwise.

## 66. Payment of compensation.-

(1) Whenever any Committee, Authority or officer referred to in sub-section (1) of section 65 , in pursuance of that section requisitions any premises, there shall be paid to the persons interested compensation the amount of which shall be determined by taking into consideration the following, namely:-
(i) The rent payable in respect of the premises, or if no rent is so payable, the rent payable for similar premises in the locality;
(ii) If as consequence of the requisition of the premises the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change:

Provided that where any person interested being aggrieved by the amount of compensation so determined makes an application within the thirty days to the Central Government or the State Government, as the case may be, for referring the matter to an arbitrator, the amount
of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Central Government or the State Government, as the case may be, may determine:

Provided further that where there is any dispute as to the title to receive the compensation or as to the apportionment of the amount of compensation, it shall be referred by the Central Government or the State Government, as the case may be, to an arbitrator appointed in this behalf by the Central Government or the State Government, as the case may be, for determination, and shall be determined in accordance with the decision of such arbitrator.

Explanation.-In this sub-section, the expression "person interested" means the person who was in actual possession of the premises requisitioned under section 65 immediately before the requisition, or where no person was in such actual possession, the owner of such premises.
(2) Whenever any Committee, Authority or officer, referred to in sub-section (1) of section 65 in pursuance of that section requisitions any vehicle, there shall be paid to the owner thereof compensation the amount of which shall be determined by the Central Government or the State Government, as the case may be, on the basis of the fares or rates prevailing in the locality for the hire of such vehicle:

Provided that where the owner of such vehicle being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the Central Government or the State Government, as the case may be, for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Central Government or the State Government, as the case may be, may determine:

Provided further that where immediately before the requisitioning the vehicle or vessel was by virtue of a hire purchase agreement in the possession of a person other than the owner, the amount determined under this sub-section as the total compensation payable in respect of the requisition shall be apportioned between that person and the owner in such manner as they may agree upon, and in default of agreement, in such manner as an arbitrator appointed by the Central Government or the State Government, as the case may be, in this behalf may decide.
67. Direction to medial for communication of warnings, etc.-The National Authority, the State Authority, or a District Authority may recommend to the Government to give direction to any authority or person in control of any audio or audio-visual media or such other means of communication as may be available to carry any warning or advisories regarding any threatening disaster situation or disaster, and the said means of communication and media as designated shall comply with such direction.
68. Authentication of orders or decisions.-Every order or decision of the National Authority or the National Executive Committee, the State Authority, or the State Executive Committee or the District Authority, shall be authenticated by such officers of the National Authority or
the National Executive Committee or, the State Executive Committee, or the District Authority, as may be authorized by it in this behalf.
69. Delegation of powers.-The National Executive Committee, State Executive Committee, as the case may be, by general or special order in writing, may delegate to the Chairperson or any other member or to any officer, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act as it may deem necessary.

## 70. Annual report.-

(1) The National Authority shall prepare once every year, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament within one month of its receipt.
(2) The State Authority shall prepare once in every year, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the State Government and that Government shall cause the same to be laid before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.
71. Bar of jurisdiction of court.-No court (except the Supreme Court or a High Court) shall have jurisdiction to entertain any suit or proceeding in respect of anything done, action taken, orders made, direction, instruction or guidelines issued by the Central Government, National Authority, State Government, State Authority or District Authority in pursuance of any power conferred by, or in relation to its functions, by this Act.
72. Act to have overriding effect.-The provisions of this Act, shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.
73. Action taken in good faith.-No suit or prosecution or other proceeding shall lie in any court against the Central Government or the National Authority or the State Government or the State Authority or the District Authority or local authority or any officer or employee of the Central Government or the National Authority or the State Government or the State Authority or the District Authority or local authority or any person working for on behalf of such Government or authority in respect of any work done or purported to have been done or intended to be done in good faith by such authority or Government or such officer or employee or such person under the provisions of this Act or the rules or regulations made thereunder.
74. Immunity from legal process.-Officers and employees of the Central Government, National Authority, National Executive Committee, State Government, State Authority, State Executive Committee or District Authority shall be immune from legal process in regard to any warning in respect of any impending disaster communicated or disseminated by them in
their official capacity or any action taken or direction issued by them in pursuance of such communication or dissemination.

## 75. Power of Central Government to make rules.-

(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-
(a) The composition and number of the members of the National Authority under subsection (2), and the term of office and conditions of service of members of the National Authority under sub-section (4), of section 3;
(b) The allowances to be paid to the members of the advisory committee under sub-section
(2) of section 7;
(c) The powers and functions of the Chairperson of the National Executive Committee under sub-section (3) of section 8 and the procedure to be followed by the National Executive Committee in exercise of its powers and discharge of its functions under sub-section (4) of section 8;
(d) Allowances to be paid to the persons associated with the sub-committee constituted by the National Executive Committee under sub-section (3) of section 9;
(e) The number of members of the National Institute of Disaster Management under subsection (2), the term of the office and vacancies among members and the manner of filling such vacancies under sub-section (3) and the manner of constituting the Governing Body of the National Institute of Disaster Management under sub-section (4) of section 42;
(f) The manner of constitution of the Force, the conditions of service of the members of the Force, including disciplinary provisions under sub-section (2) of section 44;
(g) The manner in which notice of the offence and of the intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government or the other authority or officer under clause (b) of section 60;
(h) The form in which and the time within which annual report is to be prepared under section 70;
(i) Any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules.

## 76. Power to make regulations.-

(1) The National Institute of Disaster Management, with the previous approval of the Central Government may, by notification in the Official Gazette, make regulations consistent with this Act and the rules made thereunder to carry out the purposes of this Act.
(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:-
(a) Powers and functions to be exercised and discharged by the governing body;
(b) Procedure to be followed by the governing body in exercise of the powers and discharge of its functions;
(c) Any other matter for which under this Act provision may be made by the regulations.
77. Rules and regulations to be laid before Parliament.-Every rule made by the Central Government and every regulation made by the National Institute of Disaster Management under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised of one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

## 78. Power of State Government to make rules.-

(1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
(a) The composition and number of the members of the State Authority under sub-section (2), and the term of office and conditions of service of the members of the State Authority under sub-section (5), of section 14;
(b) The allowances to be paid to the members of the advisory committee under sub-section
(2) of section 17;
(c) The powers and functions of the Chairperson of the State Executive Committee under sub-section (3), and the procedure to be followed by the State Executive Committee in exercise of its powers and discharge of its functions under sub-section (4) of section 20 ;
(d) Allowances to be paid to the persons associated with the sub-committee constituted by the State Executive Committee under sub-section (3) of section 21;
(e) The composition and the number of members of the District Authority under sub-section
(2), and the powers and functions to be exercised and discharged by the Chief Executive Officer of the District Authority under sub-section (3) of section 25;
(f) Allowances payable to the persons associated with any committee constituted by the District Authority as experts under sub-section (3) of section 28;
(g) Any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules.
(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House before that House.
79. Power to remove difficulties.-
(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government or the State Government, as the case may be, by notification in the Official Gazette, make order not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for the removal of the difficulty:

Provided that no such order shall be made after the expiration of two years from the commencement of this Act.
(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament or the Legislature, as the case may be.
T. K. VISWANATHAN,

Secy. to the Govt. of India.

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 Iylg ns Idik midh Igkrk dj Idixk v@ mid¢ fø; ldyk "adkl elQx u dj I d\$k
(xx) ; g I fuff pr djusd qfy, ft yseavik nkflifr dhvklak dh; k vkink dфfuok.k; k midd"leu d $\ddagger f d$, nik "ad" rRjrkI sv@ Áttoh: i I sfd; $k t$ kjgk o\$ft ysesLFłah,
 Id d ${ }^{|c|}$ A
(xxi)

 lylg nsl dik


 esj [ksga mudkiq/ex"du dj I dikA






(xxiv) , 5 s Hou"av 9 LRküadh i gpku dj I dik ft udk fdl h vkinkdhvklelk; kvkinkdh?
 LAłu"̈est y Ánk rfk LOANVrkdh@oLHkdj I dikA

 I fu'fpr dj Id did
 d"I puknsl dikiA
 Lofind I lelt d dY; kk I a月ku"a d" vlink ÁcAku ea Iflefyr gusd tfy, ÁR Kgr dj I d\$|A
 v@ vkínkÁcł丸u dokn dkyd: i I sdht kjghgå

 Ácłku dqfy, t"vio'; d le>st kat


 ftlsjk；Álf／ldj．k\}łkvueffnr fo; kt kxk

137／ft yk；t uk esfu区fyflik IfEefyr g＂xi\＆



 \}łk foll hvkink dh vklelk dh flifr ; $k$ vikknk d $\ddagger$ ë̈pu d $d$ fy，



 d đn＠lj nlf；Böadk vkぬu（

（iii）vo＇；d I I k\＆üadkniku（
（iv）I ply I EdZdhLR⿰木木 uk v $\Phi$
（v）t Ukkd＂I pukdkÁ $\mathfrak{K}$（

 fd；kt k x｜A





 ft lyaog d；lib；u d\＆fy，vio＇；l e＞A


 g"xね v F
 fy, milcakt "I cak follllx ; kvfilldj.kd"I euqs'k g\$
 I aflk mik "ad" djusd tric cłk
 ; tuk av@ Áfd; k.


 dj $\$$
 djesve 9
 I ak̈/ku dh, d Áfr Átrq djæA



 ikyu djusd 4 fy, clł; gëxłA

34 fdl hvkink dh vkkelk dh flPfr ; k vkink eal eqk dhl gkrk
 ft ykÁf/ldj. K\&




ftykLrjij fofthew Áff/ldiff; "a\}łkk
; tukar \$li djuk $\checkmark$ © mbldk dk leb: uA
ft ykAf/dj.k \}lykv/; knsla
fdl hvkinkdh vklalkdhflffr ; kvkinkdhn" k esft ykÁlf/ldj.k dh' $1 \mathrm{AD} ; \operatorname{kav} \Phi$ ÑR $A$

 fuc 㖾 dj I dik










 vf／lekuhnilk＂x dkmiklkdj Id dik
 $v \varnothing, 5 \mathrm{hl}$ g．puk＂ad＂t＂t Uk kdqfy，ifilaVe；gS；kvkinkd



 t kukvisik ；kvkot d g＂A

$$
\mathrm{v} / ; \mathrm{k} 5
$$

vkinkÁctau dqfy，I jdk \}łjknik
d 世扡

 I ehph I e＞A




 I jdł̧hl xBüad đdk ZdkI el\&a u djuk

 , draj.kd"I fuff pr djulk

 I Guf'pr djuk

 fy, vo'; d mik djrsg
 vUl|fłkl efpr I e>st kusi j I g; "x v $\oplus$ I gk rknslk
 fal hvU fl fofy; u dked "ad" r Slk djuk ft udk bl vf//fu; e d $\ddagger$ Á' 't üad $\ddagger f y$, vi s skdhtk (


 fy, I afłk "adhLRłk ukdjuk


 I dinft I sog nfipr I e>A
 og $\alpha$

Hirl 1 j dig d фeałkk ä; k folllwäad $\$$ ndiknt; PBA

 mik dje






 I elfo＇V djusdh－f＇V I smh d $\$\} \nmid \dot{k} k$ Á＂$k \notin f$ r vf／ku；fefr；＇$\ddagger$ vi uh ulfr ；＂尹fu；e＂av $\Phi$ fofu；e＂adki q／ey＂du dj $\$$
 fy，fuf／k adkvkぬu dj\＄
 I gk rkÁnku dj\＆

 i gpku r月kK Áf kkk
（ii）ÁHkfor $\left\{{ }_{\text {® }}\right.$ escplo $\vee \Phi j$ jgr dk Zdjuk
（iii）fdl hvknkls\｛ffr dkfu／kzł
（iv）i qoll v $\Phi$ i $q$／FelZk djuk


 ft uesfuEffyflk mik Whgid
 djuk
 i fjogu（
 djuk
（iv）vLRłk hi g］？


 t k A

eał\k ä; k
folllke ädh vkinkÁcaku ; t uk aA


 ; 't ukd фvulłł fd, t kusokysmik

 d $\ddagger$ mik "ad $\$$, d łdj. kdhckr fofun因
(iii) fdl h vkink dh vkkelk dh flffr ; k vkink d $\ddagger 1$ atk es
 Hfedk v@ miknk; Ro(
 $v \varnothing$ ÁHtoh: i I sëpu dh ckr midh Heedk v $\oplus$ nula nif; Pb
 Hfedk"av © ndiknf; Pöadh or Zlu flPfr (
 miknł; Böadk ikyu djuseal efZcukusd $\ddagger$ fy, fd, t kusokysvi $£\{k$ mik (
 v|ru djskA

 jkV雨, Álf/ldj.kd"HBabA


 djsk




 vo'; d ; kl ehphule>A





 l g; "x v® mudhl gkrk







 d"I fut pr djuk
 de djus; k'keu djusdфfy, jK; fodł ; tuk ; k mik "aea , drdj.k

 r\$łj djusd"I fuf'pr djuk
 LPłk uk
 Áf/ldj.kl efpr r\$likhdqfy, mik dje





 i $q$ /Felzk eal gk Rk nolk
 dk $1 \mathrm{e}>\mathrm{A}$

jli; I jdk d 4 follta"ad $\dagger$ mijnlf; PBA

 dфfy, vo'; d mik dje
 "keu dфfy, mik "ad", dLÑr dj
 vkedr dje


 e"pu dj\$





(i) ‘keu] r\$lih $v \oplus$ ëpu] \{lerk fuel
 Áf kkkkdqty, ; t uk ar \$li djuk
(ii) fdl hvkinkl suql ku dkfu/kf $k d j u k$







 dj kuk
 clgj i fjogu Ánku djuk
 djuk
(iv) fdl hvkink dhvklelk dh flffr ; k vkink d ffdl h \{@ I s@fD; "ä; ki "lq"adkfu"Øe.kdjuk

 I ok ami y CK dj kulA

 fl \}käad фvuqi $] \&$
jk; I jdlid d folltxäadhvkink Áctau ; t ulA
 g"xef
 I esucky g\$

 I l\&k, draj.k
 mu vkikdky lu gk rkdk Zesft ud $\$ f \mathrm{fd}$, t kusdh moll s

 vkikdkylulgkrkdk Zd"djusdh mh dhr or đ̋u flffr (
 mod $\$$ nelj nif; Böadk fuogुu djusd $\$ f y$, I eFZzcukusgsq

 v|ru djukv@
 ; t ukdhÁfr nsla



 eadk lelk u fllfr dhfji VZnskA
$\mathrm{v} / ; \mathrm{k} 6$
LRłuh Ákf/klkh


LRkuh $A f / / \mathrm{ldl}$ lh $\mathrm{d} \phi \tilde{N} \mathrm{R}_{\mathrm{R}} \mathrm{A}$
 Áctau d tfy, Áf lf\&k g\$
 bl Ádli vự\{kk fd; ktkjgk gSttll sosfdl h vkink dh




 vf/ldfflk ekud av $\Phi$ fofun§käd $\not \subset u q i$ ig


 d dfy $^{2}$ vio'; d le>A

$$
\mathrm{v} / ; \mathrm{k} 7
$$

## 

jkV角, vkink Ácłku I ARłuA

 ule I s, d I afłu dkxBu fd; kt kx|A
 l jdk fofgr dja

 t $k$ A

 , 5 hj lifir I sfd; $k t$ k $k$ xt " fofgr dht k, A

 fd, t $k$ A

 dh i nlof/k r月k mudh fifD; "ad" Hfst kusdh jlfir og g"xh t" fofu; e"a\}łkkfofgr dht kA
 fofu; e cukldihv@ bl Ádly cuk x, fdl hfofu; e d" jk'in
 fo[ lav dj LdiqkA





 g"x|A
 fculł j k'vin I afku] vi usÑR "ad qfuožu d dfy, l\&



 vksg"



 I ak I Ln; "ad" Áf kkknsl dik





 I leXthdkfod! dj Idik

 QfD; "al fgr i.klłd d"ad dchp tk: drki Gkdj Idqk




 madkvuǵkkdj I didk


 I Buafik fd，tkA

 fuogu djusd $\dagger f y$, vo＇；$d \mid e>A$

$$
\text { v/; k } 8
$$

jkV事，vkinkë̈pu cy






45－cy dkI

 eglfunstd dq：i esfu； $\boldsymbol{q}$ fd，t kusokysvf／ldki heafufgr g̈̈lA

$$
\begin{aligned}
& \text { v/; k } 9 \\
& \text { foùł y } \\
& \text { v/;k } 9 \\
& \text { foìł y }
\end{aligned}
$$

jki柬，vkink e＂pu fuf／lA
 dhflifir ；kvkinkI sfui Vusd фfy，jkV解，vkinke＂pu fuf／kd qule I s
 fd，t k
jkV里，I aRku ds vf／ldihv $\Phi$ vじ deßliba
jkV事，vkink ëpu cyA
fu；\＆kね funsku］ vifnA
 $\mathrm{fd}, \mathrm{x}, \mathrm{I}, \mathrm{d}$ fofu; "x dqi ‘pk] Ánku dj́






jkV青, vkink ‘ leu fuf/lA
j 1 ; I j dlis \}likfuf/k "a dhLPłí ulA
 Á: ’t u d фfy, vul

 fd, x, I E d fofu; "x dфi ‘pk ] Ánku dj A
 t kx|A




Wakk/t ykvkinke"pu fuf/kdqule I sKk güsoly hfuf/k


122/fik


 Áff/dj.kd" niy $\mathbb{C k g}$ g
 ft ykÁff/dj.kd" minqkga
eaty；lav 15 follllska\}|k fuf／k ladk vloduA

 Á t u＂ad $\phi f y$ ，fuf／k ädkmicłk dj skA
 folllkx＂ad＂ykxug＂x
 Álf／ldj．k；kjk；Áff／ldj．k vFlok ft yk Áff／ldj．k dk；g I elklku g＂ t kkgSfd cplo ；kjkgr dqfy，jln；kI le咃dkrRdky miku；k I alkküadkrRelky min；tu vo＇；d gSogk\＆

 Áfø；kdkRtu fd；kx；kl e＞kt kxk


 fy，fof／lełt nlrlos ；kcht d elukt $k x \mid A$
v／；k 10
vijkkv®「快r；la



 fuogu eacklk Mysk；k

 fdl hfunskdkikyu djusl sbdla djs｜A



 I \＄ft l dhvof／kn＂o＂krd dhg＂I didnMah g＂x｜A
vkik miku v 9 y
clalk My u\＄vkn
dфfy，nMA





 nôlh g"x|A



 mi; 't u djxk vFoknh dk ©; u djak; kt kucwdj fal hvU QfD


 I e/keavkfadr djusolyhfef; kI alv\& puk; kpslouhnskg\$r"og
 t elacs sumuh g"xtA




 fy, IcIEdrRjrkcjrhF\&A


 ; ke@kudyrkl sfd; kx; kgS; knh vijkkdkfd; kt kuk nh dhfdl h

 t kusdk HHxhg"x|A
vf/ldigh h drØ) ikyu es vl Qyrk; k m dhvijls bl vf/\{u; ed $d$ micazad $\dagger$ n'Maku d $\dagger A ́ f r$ ecturdyorlA
feF, knlosd $\phi$ fy, n\#A
/ku; kI lexb vlfn ds
nqi; tud $\phi$

feF, kpslounds fy, n $\begin{aligned} & \text { MA }\end{aligned}$
 t qlasl $\$$ n\#uh g gexA
v/; i s\&kd d $\begin{aligned} & \text { adk }\end{aligned}$ esfdl hvknskd $\$$ ǹlału d 4 fy, " HALLA
dafu; "ablkk vijlk|A

 t qlass $\$$ vFokn nüal snßuh g̈xkA






ijaqbl mi/kjk dh d"Ã ck fdl h, $\ddagger s$ QfD d" bl









 dk Hexhg̈xlA

 ; kQfiv; "adkv I me HhgSv $\oplus$



 I ARr uglafd; $\operatorname{kt} k \times$ xA


vfllt t u dqfy, iaz éjinA
vijlkk̈adkI ぬkuA





 ifjok djusd qvi usvkk dhfofgr jlif eade\& §de rh fnu dhl puknsnhg\&

## v/; k 11

## çdhlZ



 I jdk d dfy, ; g fof/k wZg̈xkfd og vkinkÁcłku d"I dj cukus; $k$




 vf/ldikh; kdeßlikh, $\ddagger$ sfunskdkikyu djusd $\downarrow f y$, vk) g̈xtA





 vug̈/kfd; kx; kg\&



 vknsłd Ldre ; kmi fof/k eanicak djuk; k meesl ak̈/ku djuk vi flk gS


follto dkAfr "\$\$A
d山地 l jdik dh funskt lighjusdh ‘ IfD A
cplo dk Zd $\phi f y$, miy Ckdj kiã tus oly h ' IID ; | 1 A
dfri; i fj fllffr ; "aes fu; eA vlfn culuk; k mesil $\mathfrak{a k} / \mathrm{ku}$ dj ulA



 ; g Árhr g̈rkgSfd l\&
 d $\ddagger A ́ ; ~ ' t ~ u ~ d ф f y, ~ v o ' ; ~ d r k g \$ ~$
 modhvio'; drkl bllkor gS; k

 ifjogu d $\ddagger$ Á tu d $\ddagger$ fy, fdl h;ku dh vo'; drk gS; k mh dh vo'; drkl bllfor gA



 v/; i s \{łdht kh gSogla, $\ddagger \mathrm{h} \mathrm{v} /$; i $\$$



## 




 $\vee \oplus$

 v U v PKku"fnr g"A


Ari i ver dk I ak A
 oglafgrc\} QfD; "ad"Áfrim dk I ak fd; ktkxk ft dhjde

cplo dk Zv/fn d $\ddagger$ fy, I alkkïjl n] ; küavkn dh v/; i s sk djusdh ‘ IfDr A
（i）
ifjlj dsleak eal as fdjkl ；$k$ ；fn bl Ádlí $d$ Ã
 fy，I as fdjkkA
（ii）
 vi usvolok ；kdlycli d $\ddagger$ LIłłu esi fjor $\bar{Z}$ djusdsfy，cly；

ijaqt glad Ã fgrc\} ©fD bl Ádli vo/kfjr Áfrivere dhjde ls
 Hhrj］eleysd＂fdl he／；LFk d＂fuFriv djusd पfy，vlosu djrkgSr＂ I ak dht kus olyh Áfrive dh jde ©g g＂̈ht ］；R执\＆fr］d


 ；R ；kjk；I jdłj \}likbl fufeÙkfu; dr fdl he/; I Fkd"vo/kj.kdqfy,
 $\mathrm{fd} ; \mathrm{kt} k \times \mathrm{x} \mathrm{A}$


 esdlfct ugrafk ogla，$\ddagger$ si fil j dk Loleh vfHé́s ga

 Loleh d＂Áfrdj dkI ak fd；kt kxkft ldhjde］；R⿰扌丸灬fr］d


 Loleh fofgr I e；d $\$$ Hilrj eleysd＂fdl he／；LR d＂fu／F＇V djusd $\phi$
 I ar dht kusolyh Áfrdj dhjde og g̈̈xht ］bl fufeÙk；RkłL\＆fr］






 e/; LFkbl fufelkfofu'p; djA


 vkink dh cker fdl h psloun ; $k$ e=aks "ad" dk k kor djusdtfy,















 nh sl an dф九nüäl nu"ad ql e\{kj [ lok xhA




 fo/kucetly esd фy, d ghl nu gsoglanh I nu d\$l eikj[ lok xhA




psokuł vlfn dh I apukd dfy, elfiM $k d$ " funsla
vknsk̈a; kfofu' p; "a dkvf/KéekkuA
" IADr; ädk Ápk tuA
olfitid fil VA

Ukは; dh vf/ldifjrkdk ot $\bar{Z} A$
 Xg. kdjusdhvf/ldifj rkughg xixA

72- bl vf/fu; e dqmicad rRe; Áor̀ fdl hvid fof/kea; kbl



B3 bl vf/łfu; e;knd\$v/ku cuk $x$, fu; e"a; $k$ fofu; e"ad $\phi$ micäad $\ddagger$ v/Ku d
 ; kjkiv, Álf/ldj.k; kjk; I jdli ; kjk; Áf/ldj.k; k ftykÁłf/ldj.k




 fo: ) ughäxbA
fof/ld Afø; k

I sneefir A

74 d


 esmud $\phi$
 jgas
$d$ I jdj dhfu; e cukus dh، KD $A$



 vFKZ



 I ar fd, t kusolysHè


 ÑR "adkfuogu djusesvưfj $r$ dht kusolky soly $h$ Áfø; $k$
vf/łu; e dk v/; ł̇ gh ÁHOA

1 nH He na dh $x A ̃ d k \operatorname{ldA} A$
 xfBr mill fefr lsl g; 甲r QfD; "ad"I ar fd, t kusokyshtic
 I nL; "adh I




 jk; Ákf/ldj. $\ddagger$ d d" vijl\&kdhl pukv $\oplus$ ifjokn djusdqvkk dhl puknht $k$ xh
 fj i VZr $\$ \mathrm{li}$ dht kuhg $\$$
 I adk esfu; e"a\}liknhlctkfd; kt kukgA
fofu; e culus dh'\& ED $^{\prime} A$

 rn\#łtu cuk $x$, fu; eäal sl fofu; e jklik = esvf/lk puk \}łk cuk I d ${ }^{\text {| }}$ |A

1721/2fof KVRk k v


 fuogu fd, t kusoky sÑR (
 fuog̉u esvi ul̂̃ t kusoky héfø; k
 \}łjkmickkfot tkld


 dg rh fnu dhvof/kd申fy, j[kktkx|A; g vof/k, d I = eavFlok
fu; e"av $\oplus$ fofu; e"adkI an d $\$ 1$ e\{kj[k t kula

 ；k fofu；e ead＂Ã i fjoRZ djusd qfy，l ger g＂t k a；knüal nu bl ck d $\ddagger f y$ ，I ger $g^{\prime \prime} \mathrm{t}$ k afd fu；e；kfofu；e uglacuk kt kukplfg， $\mathrm{r}^{\prime \prime}$

 ；k fofu；e d $\$ v / \not / \nmid$ i gysdh xÃ fdl h ck dh fof／lelłJrkij Áfrdy Állto ughai M＊A
fy，fu；e jllik＝esvf／K puk \}łjkcukl d \$ bA
vA好发



 I ar fd，t kusokyshtici


 d fuog̉u djusesvuqfjr dht kusokyhÁfø；$\nmid$
 xfBr míl fefr I sl g；ä Qfä；®d ® al̉kfd，t kusokyshlie


 fuogu fd，t kusolys sÑR（


 I atk esfu；ëa\}łknmictkfd; kt kukgA

 og n" I nüal sfeydj cuk gS; kt gla, $\ddagger$ kfo/ku\&eM ${ }^{\prime}$, d I nu dk g\$ ogkamh I nu d $\dagger$ e\{kj[kt kx|A


dfBulb; "ad" niv djusdh " ALD $^{\prime}$ A

 Árm g"A
 vknsk ughafd; kt kx|A

 j[kt kx|A




The above translation in Hindi of the Disaster Management Act, 2005 has been authorÁed by the President to be published in the Official Gazette under clause (a) of sub-section (1) of section 5 of the Official Languages Act, 1963.

Secretary to the Government of India.

## NOTIFICATIONS ----- GOVERNMENT OF INDIA

## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

New Delhi, the $\mathbf{2 8}^{\text {th }}$ July, 2006
S.O.1216(E) - In exercise of the powers conferred by Sub-section(3) of Section 1 of the Disaster Management Act,2005(53 of 2005), the Central Government hereby appoints the $28^{\text {th }}$ day of July, 2006 as the date on which the provisions and Sections $2,3,4,5,6,8,10,75$ and 79 of the said Act shall come into focus.
[F.No. 30/1/2006-NDM-III(A)]
NAVEEN VERMA, Jt. Secy.

## MINISTRY OF HOME AFFAIRS <br> NOTIFICATION <br> New Delhi, the $13^{\text {th }}$ February, 2008

G.S.R. 87(E)--- In exercise of the powers conferred by clause(f) of the sub-section(2) read with sub-section(1) of Section 75 of the Disaster Management Act, 2005(53 of 2005), the central Government hereby makes the following rules, namely:---

1. Short title and commencement---
(1) These rules may be called the Disaster Management (National Disaster Response Force) Rules, 2008.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions.---
(1) In these rules unless the context otherwise requires.
(a) "Act" means the Disaster Management Act, 2005(53 of 2005);
(b) "Battalion" means a unit of central Para Military Force earmarked by that Force as a battalion;
(c) "Central Para Military Forces' means the Central Para Military Forces constituted under,---
(1) The Central Reserve Police Force Act, 1949(66 of 1949);
(2) The Border Security Force Act,1968(47 of 1968);
(3) The Central Industrial Security Force Act, 1968(50 of 1968); or
(4) The Indo Tibetan Border Force Act,1992(35 of 1992);
(d) "National Authority" means the National Disaster Management Authority established under sub-section(a) of Section(3) of the Act.
(e) "National Disaster Response Force" means the National Disaster Response Force constituted under sub-section(a) of Section 44 of the Act.
(2) Words and expressions used herein and not defined but in the Act shall have the meanings respectively assigned to them in the Act.

## 3. Constitution of Force ---

(1) The personnel deputed from the Central Para Military Forces bt the Central Government in the Ministry of Home Affairs vide Order number $1 / 15 / 2002-D M-1 / N D M-I I I(A)$, dated the $19^{\text {th }}$ January, 2006 shall be deemed to have been deputed in the National Disaster Response Force under these rules.
(2) The Central Government may, in consultation with the National Authority, depute, as and when required, such number of personnel from the Central Para Military Forces to the National Disaster Response Force for the purpose of disaster management, having skills, capabilities and qualifications and experience of handling disaster and their management and such other technical qualifications as prescribed by the Central Government in this behalf:

Provided that in the case of non- availability of personnel with the required technical qualification and experience, the Central Government may appoint such personnel through deputation from other organÁations or on contract basis.
(3) The personnel of a battalion deputed to the National Disaster Response Force under these rules shall remain ordinarily in such battalion for a period of five years.

Provided that not more than twenty-five per cent of the Force may be replaced in one year.
4. Superintendence, direction and control of Force.---
(1) The general superintendence, direction and control of the national Disaster Response Force shall vest in, and be exercised by, the National Authority.
(2) The command and supervision of the National Disaster Response Force shall vest in the Director General of the National Disaster Response Force to be appointed by the Central Government.
(3) The Director General, National Disaster Response Force shall report to , and be under the administrative control of, the Vice-Chairman of the National Authority.
5. The responsibility, training, skill, duties, etc.---

The National Disaster Response Force shall be trained and equipped as a specialÁed force to carry out the Disaster Management related task and for dealing with threatening disaster situations or disaster.
6. Conditions of service.---
(1) The terms and conditions of service including disciplinary powers relating to the personnel deputed from the Central Para Military Forces to the National disaster Response Force shall continue to be regulated by the provisions of the Act and the rules applicable to the respected Force and its service.
(2) The terms and conditions of service including disciplinary powers relating to the personnel appointed under the proviso to sub-rule(2) of rule(3) shall be governed by such rules as are applicable to the officers and employees of the Central government of the same grade.
[F.No. 31-10/2006-NDM-II]
PRABHANSHU KAMAL, Jt. Secy.

## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

## New Delhi, the $\mathbf{1 7}^{\text {th }}$ March, 2008

S.O 517(E).--- In exercise of the powers conferred by sub-section(3) of Section 1 of the Disaster Management Act, 2005 (53 of 2005), the Central Government hereby appoints the $17^{\text {th }}$ day of March, 2008 as the date on which the provisions of Section 44 and 45 of the said Act shall come into force.
[F.No. 31/1/2006-NDM-II(A)/IV]
O.RAVI, Jt. Secy.

# MINISTRY OF HOME AFFAIRS 

## NOTIFICATION

New Delhi, the $10^{\text {th }}$ August, 2007
G.S.R. 544(E).--- In exercise of the powers conferred by clause(g) of sub-section(1) of Section 75 of the Disaster Management Act, 2005(53 of 2005), the Central Government hereby makes the following rules, namely:----

1) Short title and commencement ;--
(1) These rules may be called the Disaster Management (Notice of alleged Offence) Rules, 2007.
(2) They shall come into force on the date of their publication in the Official Gazette.

## 2) Definitions.---

(1) In these rules unless the context otherwise requires.
(a) "Act" means the Disaster Management Act, 2005(53 of 2005);
(b) "District Authority" means the District Disaster Management Authority established under Section 1 of Section 25 of the Act.
(c) "National Authority" means the National Disaster Management Authority established under Section 3 of the Act.
(d) "State Authority" means the State Disaster Management Authority established under sub Section 14 of the Act and includes the Disaster Management Authority for the Union Territory constituted under that section.
(2) Words and expressions used herein and not defined but in the Act shall have the meanings respectively assigned to them in the Act.
3) Notice of alleged offence and intention to make a complaint.--- A notice under clause(b) of Section 60 of the Act by a person of the alleged offence and his intention to make a complaint shall be delivered to or left at, the office of one of the following---
(a) In case of the Central Govt. except where the complaint relates to a railway, the Secretary incharge of the concerned Ministry or the Department in that Government;
(b) In case of the Central Government where the complaint relates to a railway, the General Manager of that railway;
(c) In the case of the State Government the Secretary incharge of the concerned Department in that Government.
(d) In case of National Authority the Secretary or if there is no Secretary, the Additional Secretary of the National Authority.
(e) In the case of a State Authority, the chief Executive Officer of the State Authority;
(f) In the case of a District Authority, the chief Executive Officer of the State Authority
4) Particulars to be furnished along with notice.---

The notice referred to in rule 3 shall contain the following information namely:---
(a) Name and address including telephone number, if any of the person giving the notice of his intention to make complaint of the alleged offence.
(b) Name and address including telephone number, if any of the person against whom complaint is intended to be made.
(c) Statement of complaint describing the alleged offence;
(d) Statement indicating therein that no notice of the alleged offence and his intention to make a complaint has been delivered to, or left at, the office at any other Govt. or Authority.
[F.No. 30/8/2006-NDM.IV]
O.RAVI, Jt. Secy.

## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

## New Delhi, the $\mathbf{2 7}^{\text {th }}$ September, 2006

G.S.R. 597(E).--- In exercise of the powers conferred by clauses(c) and (d) of Sub-Section (2) read with Sub-Section (1) of Section 75 of the Disaster Management Act,2005(53 Of 2005), the Central Govt. hereby makes the following rules, namely:---

## 1. Short title and commencement :---

(1) These rules may be called the Disaster Management National Executive Committee (Procedures and Allowances) Rules, 2006.
(2) They shall come into force on the date of their publication in the Official Gazette.

## 2. Definitions.---

1) In these rules unless the context otherwise requires.
(a) "Act" means the Disaster Management Act, 2005(53 of 2005);
(b) "Chairperson" means the chairperson of National Executive Committee under clause (a) of Sub-Section(2) of Section 8.
(c) "Member" means the Member of National Executive Committee under Sub-Section(2) of Section 8.
(d) "Section" means a section of the act;
(e) "Sub-committee" means a sub-committee constituted by the National Executive Committee under Sub-Section(1) of Section 9;
2) Words and expressions used herein and not defined but in the Act shall have the meanings respectively assigned to them in the Act.

## 3. Procedure to be followed by the National Executive Committee;---

1) The chairperson of the National Executive Committee may, as and when required, in the implementation of the directions of the Central Government seek guidance from the national authority as to the modalities of such implementation.
2) The Chairperson of National Executive Committee, in case of emergency has the power to exercise all or any of the powers of National Executive Committee but exercise of such powers shall be subjected to ratification by the National Executive Committee.
3) The Chairperson of National Executive Committee shall preside over the meeting of National Executive Committee :

Provided that in case of his inability to preside over any meeting ot the National Executive Committee he shall nominate one of the member of National Executive Committee to preside over the meeting.
4) The Chairperson of the National Executive Committee may nominate one or more officers:---
a) To assist him in the performance of his functions as the Chairperson of National Executive Committee
b) To maintain proper records relating to the meeting of National Executive Committee
c) To take follow up action to ensure that the decisions taken in the meeting of the National Executive Committee are implemented in time and
d) To perform such other functions as the Chairperson may desire him to perform.
5) The Chairperson of the National Executive Committee shall decide the day , time and the place of a meeting of the National Executive Committee.
6) The National Executive Committee shall meet as often as necessary but atleast once in three months.
7) The National Executive Committee shall give notice of its meeting and circulates its agenda atleast three days in advance, unless there is an emergency situation on occurrence of major disaster or a situation of such a threatening disaster, when the National Executive Committee shall meet at the earliest to ensure a smooth and efficient response.
8) The National Authority may invite any member of the National Executive Committee whenever required to assist it in discharge of its functions.
9) The National Executive Committee shall invite the Secretary or Additional Secretary as the case may be of the National Authority as a special invitee to attend its every meeting.
10) The National Executive Committee shall forward the minutes of every meeting to the National Authority.
4) Allowance to be paid to the person associated as an expert with the sub-committee of the National Executive Committee ;--

A member of the sub-committee constituted under Sub-section-(1) of Section 9, shall be paid travelling and daily allowances as are admissible to non-officials attending the meeting of committee set up by the Central Government, as specified in Appendix 2 to Supplementary Rule 190.
[F.No. 30/9/2005-NDM.III(A)]
NAVEEN VERMA, Jt. Secy.

## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

## New Delhi, the $\mathbf{2 7}^{\text {th }}$ September, 2006

G.S.R. 598(E).--- In exercise of the powers conferred by clauses(a) and (d) of Sub-Section (2) read with Sub-Section (1) of Section 75 of the Disaster Management Act,2005(53 Of 2005), the Central Govt. hereby makes the following rules, namely:---

## 1. Short title and commencement :---

1) These rules may be called the Disaster Management(Term of Office and Conditions of Service of Members of the National Authority and payment of Allowances to the members of Advisory Committee) Rules, 2006.
2) They shall come into force on the date of their publication in the Official Gazette.

## 2. Definitions.---

1) In these rules unless the context otherwise requires.
a) "Act" means the Disaster Management Act, 2005(53 of 2005);
b) "Advisory committee " means the advisory committee constituted by the National Authority under Sub-section(1) of Section 7;
c) "Member" means the Member of National Authority ominated by the Chairperson of National Authority under the clause (b) of SubSection(2) of Section 3.
d) "Section" means a section of the act;
e) "Vice Chairperson" means the chairperson of National Authority under Sub-Section(3) of Section 3.
2) Words and expressions used herein and not defined but in the Act shall have the meanings respectively assigned to them in the Act.

## 3. Pay and Service Conditions---

1) A person nominated as the member of National Authority shall exercise his option to choose either---
a) Pay(less pension in the case of a retired officer), dearness allowance, accommodation, medical facilities, travelling allowance, leave travel concession as admissible to a Secretary to the Government servant under the Central Civil Services(Leaves) Rules 1972; or
b) Pay, daily allowances as admissible to a Union Minister of State and pension(without dearness relief in case of retired officer) accommodation, medical facilities, travelling allowance as admissible to a Union Minister of State in accordance with the provision of the Ministers(Allowances, Medical Treatment and Other Privileges) Rules,1957, made under the Salaries and Allowance of Minister Act,1952(58of1992), and leave as admissible to a temporary Government servant under the Central Civil Services(Leave) Rules, 1972 but without the facility of leave travel concession

Provided that the option once exercised shall be final.
2) A member of National Authority who is designated as the Vice-Chairmen of the National Authority under Sub-Section(3) of Section 3, shall be entitled to pay and daily allowance, as admissible to Union Minister who is a member of Cabinet and pension(without dearness relief) and in the case of member who is retired officer, accommodation, medical services and travelling allowance as admissible to a Union Cabinet Minister in accordance with the provision of the ministers(Allowances, Medical Treatment and other Privileges) Rules,1957, made under the Salaries and Allowance of Minister Act,1952(58of1992)

## 4. Disqualifications---

No person shall be a member of the National Authority who---
a) Is, or at any time has been, adjudged insolvent; or
b) Is declared to be of unsound mind by a competent court; or
c) Becomes incapable of acting as a member; or
d) Is, or has been convicted to an offence which in the opinion of Central Government involves moral turpitude.
e) Is, or has been removed or dismissed from the services of Government or a body corporate owned or controlled by government.

## 5. Resignation---

Any member of the National Authority may resign from the office of member of the National Authority by giving a notice in written under his hand to that effect to the Chairperson of the National Authority and such resignation shall take effect from the date on which such notice has been accepted by the Chairperson of the National Authority.

## 6. Vacancies-

Where a vacancy occurs in the office of a member of the National Authority by reason of resignation, disqualification, death or otherwise, the vacancy may be filled by fresh nomination.
7. Allowances to be paid to a member of the Advisory Committee constituted by the National Authority.---

A Member of the Advisory Committee constituted under Sub-section(1) of section 7 shall be paid such travelling allownaces, room rent, daily allowances and conveyance allowance as are admissible to a member of the High Power Committee as specified in Appendix-2 to Supplementary Rule 190.

## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

## New Delhi, the $7^{\text {th }}$ May, 2007

S.O. 722(E).--- In exercise of the powers conferred by Sub-section(3) of section 1 of the Disaster Management Act, 2005 (53 of 2005), the Central Government hereby appoints the $1^{\text {st }}$ August, 2007 as the date on which the provisions of Sections $14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,38,39,40,41,48,51$, 52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69, Sub-section(2) of Section 70, Sections $71,72,73,74,78$ and 79 of the said Act shall come into force in the whole of India.
[F.No. 30/1/2006-NDM.III(A)]
O.RAVI, Jt. Secy.

## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

## New Delhi, the $27^{\text {th }}$ September, 2006

S.O. 1616(E).--- In exercise of the powers conferred by Sub-section(1) of Section 8 of the Disaster Management Act 2005(53of 2005), the Central Government hereby constitutes a National Executive Committee to carry out the various functions assigned to it under the said Act, consisting of the following members as specified in Sub-section(2) of section 8 of the said Act, namely.---
I. Secretary, Ministry of Home Affairs(having administrative control of disaster management)

Chairperson
II. Secretary, Ministry of Agriculture, Department of Agriculture and Cooperation --- Member
III. Secretary, Department of Atomic Energy. --- Member
IV. Secretary, Ministry of Defence. --- Member
V. Secretary, Ministry of Rural Development, Department of Drinking Water Supply.
--- Member
VI. Secretary, Ministry of Environment and Forests. --- Member
VII. Secretary, Ministry of Finance, Department of Expenditure. --- Member
VIII. Secretary, Ministry of Health and Family Welfare. --- Member
IX. Secretary, Ministry of Power --- Member
X. Secretary, Ministry of Rural Development, Department of
Rural Development. ..... ---
Member
XI. Secretary, Ministry of Science and Technology, Department of Science and Technology. Member
XII. Secretary, Department of Space. Member
XIII. Secretary, Ministry of Communications, Department of Telecommunications, Member
XIV. Secretary, Ministry of Urban Development, Department of Urban Development. ..... ---
Member
XV. Secretary, Ministry of Water Resources. ..... Member
XVI. Chief of the integrated Defence Staff of the Chief of Staff Committee. --- Member

## MINISTRY OF HOME AFFAIRS NOTIFICATION

## New Delhi, the $27^{\text {th }}$ September, 2006

S.O. 1617(E).--- In exercise of the powers conferred by the Sub-section(1) of Section 3 of the Disaster Management Act,2005 (53 of 2005), the Central Government hereby establishes an authority to be known as the National Disaster Management Authority to discharge the powers and functions of the National Authority under the said Act.-
[F.No. 30/1/2006-NDM.III(A)]
NAVEEN VERMA, Jt. Secy.

## NOTIFICATIONS ----- HIMACHAL PRADESH

## GOVERNMENT

## Government of Himachal Pradesh <br> Relief Rehabilitation and Disaster Management Department.

Dated Shimla-2 the 1-06-2007

## NOTIFICATION

In exercise of the powers conferred by clause (b) of Sub-section(2) of Section 14 of the Disaster Management Act, 2005, the Chairperson of the Himachal Pradesh Disaster Management Authority has nominated the following persons as members of the said Authority, namely.---
I. Hon'ble Revenue Minister, Member
II. Chief Secretary, Chief Executive Officer, ex-officio
III. Additional Chief Secretary-cum F.C (Revenue), Member
IV. Principal Secretary(Home), Member
V. Principal Secretary(PWD)/I\&PH, Member
VI. Principal Secretary(Health), Member
VII. Director General of Police, Member
VIII. Secretary(Revenue), Member Secretary

By Order

Add. Chief Secy-cum F.C
(Revenue) to the
Govt. of Himachal Pradesh

# Government of Himachal Pradesh Relief Rehabilitation and Disaster Management Department. 

No. Rev. (DMC)(A)1-1/2010

Dated Shimla-2 the $9^{\text {th }}$ June 2011

## NOTIFICATION

In continuation of the department's Notification of even No. dated $5^{\text {th }}$ May 2009 and in exercise of the powers conferred by the sub-section(1) of Section 20 the Disaster Management Act,2005 the Governor Himachal Pradesh is now pleased to re-constitute the State Executive Committee to assist the State Authority in the performance of its functions and to coordinate actions in accordance with the guidelines laid down by State Authority and ensure the compliance of the directions issued by the State Government under the Act ibid, consisting of the following members as specified in sub-section(2) of the Section 20 of the said Act, namely:---

1) Chief Secretary
2) Principal Secretary(Revenue)
3) Principal Secretary(Home)
4) Principal Secretary(Health)
5) Principal Secretary(PWD)

Chairperson
Member Secretary
Member
Member
Member

By Order

Principal Secretary (Revenue) to the Govt. of Himachal Pradesh.

# Government of Himachal Pradesh Relief Rehabilitation and Disaster Management Department. 

No. Rev. D(F) 4-2/2000-V

Dated Shimla-2 the 1-06-2007

## NOTIFICATION

In exercise of the powers conferred by Sub-section(1) of Section 25 of the Disaster Management Act, 2005, the Governor Himachal Pradesh is pleased to establish a Disaster Management Authority for every District in the State of Himachal Pradesh to carry out the various functions assigned to it under the said Act, consisting of the following members as specified in seb-section(2) of section 25 of the said Act. Namely:---
I. Deputy Commissioner, Chairperson, ex-officio;
II. Superintendent of Police, Member
III. Chief Medical Officer, Member
IV. Superintending Engineer, PWD, Member
V. Superintending Engineer, I\&PH, Member
VI. Superintending Engineer, MPP \& Power, Member
VII. Chairperson of the Zila Parishad, Member

By Order
Add. Chief Secy-cum F.C
(Revenue)to the
Govt. of Himachal Pradesh

## RULES—HIMACHAL PRADESH GOVERNMENT (HINDI)

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## RULES—HIMACHAL PRADESH GOVERNMENT (ENGLISH)

## GOVERNMENT OF HIMACHAL PRADESH

DEPARTMENT OF REVENUE
(DISASTER MANAGEMENT CELL)

## NOTIFICATION

## No. Rev (DMC) (A)1-1/2009

Shimla- 2 Dated: $9^{\text {th }}$ December, 2011

In exercise of the powers conferred by section 78 of the Disaster Management Act, 2005 (53 of 2005), the Governor of Himachal Pradesh is pleased to make the following rules to carry out the purposes of the Act ibid, namely:-

| Short title | 1. These rules may be called the Himachal Pradesh State Disaster Management Rules, 2011 |
| :---: | :---: |
| Definitions | 2. (1) In these rules, unless the context otherwise requires:- <br> (a) "Act" means the Disaster Management Act, 2005 (53 of 2005); and <br> (b) "Section" means a section of the Act. <br> (2) Words and expressions used herein and not defined in these rules but defined in the Act, shall have the same meanings respectively as assigned to them in the Act. |
| Term of office and conditions of service of Members of State Authority, [section 14(5)] | 3. (1) The term of the nominated non-official members of the State Authority shall be two years unless removed by State Government before completion of term of two years. <br> (2) A nominated non-official member of the State Authority shall hold office at the pleasure of the Government. <br> (3) The State Government may remove any nominated nonofficial member after affording him an opportunity of being heard. <br> (4) Any nominated non-official member of the State Authority |


|  | may resign from the office of member of the State Authority by <br> giving a notice in writing under his hand to that effect to the <br> Chairperson of the State Authority and such resignation shall take <br> effect from the date on which such notice is accepted by the <br> Chairperson. |
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| (5) Where a vacancy of nominated non-official member occurs in |  |
| the office of the State Authority by reason of resignation, death or |  |
| otherwise, the vacancy shall be filled by fresh nomination. |  |


|  | per agenda circulated at least 24 hours before the commencement of the meeting: <br> Provided that in case of an emergency meeting, prior circulation of the agenda shall not be mandatory. <br> (5) Quorum for holding a meeting of State Executive Committee shall be three members including Chairperson. <br> (6) The State Executive Committee may invite any officer of State Government or any expert as a special invitee to attend its meetings. <br> (7) The State Executive Committee shall forward the minutes of every meeting to the State Authority. |
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| Term ofsub- <br> committee  <br> and  <br> allowances to be paid  <br> to a member of sub-  <br> committee [section <br> 21(3)]  | 7. (1) The term of sub-committee constituted under section 21 shall be such as may be specified in the order of its constitution. <br> (2) An official member of the sub-committee shall be paid such allowances as are admissible to them in their official position from time to time. <br> (3) A non-official member of the sub-committee shall be paid daily and traveling allowance for sittings as admissible to the Grade1 officer of the State Government. |
| Meeting and quorum of District Authority [section 25] | 8. (1) The term of the nominated non-official members of the District Authority shall be two years unless removed by State Government before completion of term of two years. <br> (2) A nominated non-official member of the District Authority shall hold office at the pleasure of the State Government. The State Government may remove any member after affording him an opportunity of being heard. <br> (3) Any nominated non-official member of the District Authority may resign from the office by giving a notice in writing under his hand to that effect to the Chairperson of the District Authority and such resignation shall take effect from the date on which such notice is accepted by the Chairperson. <br> (4) Where a vacancy of nominated non-official member occurs in the office of the District Authority by reason of resignation, disqualification, death or otherwise, the vacancy shall be filled by fresh nomination. <br> (5) The official members of the District Authority shall be governed by the conditions of their official position and non-official members shall be paid traveling and daily allowances as admissible to the Grade-1 officer of the State Government during sittings. <br> (6) The Chairperson of the District Authority shall decide time and |


|  | venue of the meeting of the District Authority. |
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|   of <br> Powers  of <br> Chairperson Authority  <br> District Auth  <br> (sections 26  | 9. (1) The Chairperson of the District Authority may, as and when required, in the implementation of the directions/guidelines of the Government of India or National Authority or State Government or State Authority, as the case may be, seek guidance from the State Authority as to the modalities of such implementation. <br> (2) The District Authority shall forward the minutes of every meeting to the State Authority though the State Executive Committee. <br> (3) Chief Executive Officer of District Authority shall act as Member Secretary of the District Authority and shall make all the correspondence in relation to the said Authority with all concerned. |
| Accounts of State Authority (section 48) | 10. The accounts of the State Authority shall include all sums of money received and expended by the State Authority including the funds received and accounted for in the State Disaster Response Fund constituted under clause (a) of sub-section (1) of section 48 and the State Disaster Mitigation Fund constituted under clause (c) of sub-section (1) of section 48. |
| Preparation and submission of annual report and annual accounts (sections 48 \& 70) | 11. (1) The State Authority shall prepare, as soon as may be, after the commencement of each financial year, the annual report showing the annual expenditure and income statement which shall include all money received and expenditure incurred and other subsidiary accounts, as the State Government, may, in consultation with the Govt. of India Auditors empanelled by Govt. of India or Comptroller and Auditor General of India or the Principal Accountant General (Audit) H.P. direct, as the case may be. However, the book of accounts shall remain open for inspection/audit by the officers of Government of India/ State Government when considered necessary by them. <br> (2) The annual report shall include an account of activities of the State Authority during the previous financial year on the following matters:- <br> (i) A statement of aims and objectives and vision of State Authority; <br> (ii) Annual targets, in physical and financial terms set out for various activities with a brief review of actual performance with reference to those targets; <br> (iii) An administrative report on the activities of the State Authority during the previous financial year and an account of activities which are likely to be taken up during the next financial year; <br> (iv) A summary of actual expenditure during the previous financial year and the year of report, as indicated by way of statement of income and expenditure as well as sources and application; <br> (v) Important changes in policy and specific measures either |


| taken or proposed to be taken, which have influenced or <br> are likely to influence the functioning of the State <br> Authority; |
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| (vi)Important changes in the organizational set up of State <br> Authority; and |
| (vii) Other miscellaneous subjects as deemed fit by the State |
| Authority or the State Government. |$|$| (3) The annual report shall be placed for adoption in the meeting |
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| of the State Authority and shall be signed by the Chairperson or any |
| other person as may be authorized by the State Authority for the |
| purpose, authenticated by affixing the common seal of the State |
| Authority and the required number of copies thereof shall be |
| submitted to the State Government by the 31 st day of December of |
| the following year. |


| Establishment of State Disaster Response Fund and procedure to be followed (section 48) | 12. (1) The State Disaster Response Fund shall consist of grants made by the State Government and Central Government or external assistance received by the State Authority, contributions/grants received from any person or institution for the purpose of disaster management, including any donation or voluntary endowment. <br> (2) It shall be utilized by the State Executive Committee to meet expenses for emergency response, relief and rehabilitation in accordance with the guidelines laid down by the State Government and the State Authority. <br> (3) It shall be administered by the State Executive Committee with the guidance of State Government and State Authority and shall not be used to finance any scheme the provision of which is normally the responsibility of the State Government. In case any scheme is financed from the State Disaster Response Fund, the same shall be financed with the previous approval of the State Government in consultation with the State Authority. <br> (4) The State Executive Committee of the State Authority may invest the State Disaster Response Fund in one or more accounts in Nationalized Bank or State Cooperative Bank or Scheduled Bank. <br> (5) Every department of State Govt. shall make provision in its annual expenditure plan for the purpose of carrying out the activities and programmes set out in its Disaster Management Plan. <br> (6) Regular accounts shall be maintained by the State Executive Committee and, wherever necessary it may avail the services of a firm of Chartered Accountants for the purpose. The auditor shall certify that the expenditure from the State Disaster Response Fund has been incurred in accordance with the objects of the said fund. The accounts and audit of this fund shall be made as per guidelines issued by the Government of India or by the Auditors empanelled by Government of India or by the Comptroller and Auditor General of India or the Principal Accountant General, (Audit) Himachal Pradesh, as the case may be. However, the book of accounts shall remain open for inspection by any officer authorized by Government of India/ State Government to conduct a particular or general inspection/audit thereof. |
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| Establishment of State Disaster Mitigation Fund and procedure to be followed (section 48) | 13. (1) The State Disaster Mitigation Fund shall consist of grants made by the State Government and Central Government or external assistance received by the State Authority and contributions/grants received from any person or institution for the purpose of disaster management and income from the assets of the State Disaster Mitigation Fund. <br> (2) It shall be utilized to meet expenditure on projects for mitigation, including prevention of, and preparedness for, disaster. These projects may cover, inter alia, areas such as - |


|  | (a) Capacity building; <br> (b) Public awareness; <br> (c) Information and communication systems, including creation of infrastructure like the State and District Emergency Operations Centres; <br> (d) Improving forecasting and early warning systems; <br> (e) Creation of State Disaster Mitigation Resource Reserves; <br> (f) Equipment for search and rescue etc. <br> (g) Training, research and development; and <br> (h) Retrofitting of existing public assets and infrastructure and amenities. |
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|  | (3) The State Authority may invest the State Disaster Mitigation Fund in one or more accounts in Nationalized Bank, State Cooperative Bank or Scheduled Bank. <br> (4) Regular accounts and audit thereof shall be maintained and got conducted by the State Authority in consultation with the Government of India, Auditors empanelled by Accountant General (Audit) Himachal Pradesh, as the case may be. However, the book of accounts shall remain open for inspection/audit by the officers of Government of India/ State Government when considered necessary by them and, wherever necessary, it may avail the services of a firm of Chartered Accountants for the purpose. The auditor shall certify that the expenditure from the State Disaster Mitigation Fund has been incurred in accordance with the objects of the said fund. <br> (5) Every department of State Government shall make provision in its annual budget for the purpose of carrying out the activities and programmes set out in its Disaster Management Plan. |
| Procedure to be followed by the District Authority for Finance, Accounts and Audit [section 48 and 78] | 14. (1) The accounts of the District Authority shall include all sums of money received and expended by the District Authority including the funds received and accounted for in the District Disaster Response Fund and the District Disaster Mitigation Fund. <br> (2) The District Authority shall prepare, as soon as may be, after the commencement of each financial year, the annual report showing the annual expenditure and income statement which shall include all money received and expenditure incurred and other subsidiary account at district level as the State Authority may, in consultation with the Government of India, Auditors empanelled by Government of India or Comptroller and Auditor General of India or the Principal Accountant General (Audit) Himachal Pradesh direct and submit the same to the State Government before the $31^{\text {st }}$ December of the following year. <br> (ii) The annual report shall include an account of activities of the District Authority during the previous financial year on the following matters:- |

$\left.\left.\begin{array}{|l}\qquad \begin{array}{r}\text { (a) A statement of aims and objectives and vision of District } \\ \text { Authority; } \\ \text { (b) Annual targets, in physical and financial terms set out for } \\ \text { various activities with a brief review of actual performance } \\ \text { with reference to these targets; }\end{array} \\ \text { (c) An administrative report on the activities of the District } \\ \text { Authority during the previous financial year and an account of } \\ \text { activities which are likely to be taken up during the next } \\ \text { financial year; } \\ \text { (d) A summary of actual expenditure during the previous financial } \\ \text { year and the year of report, as indicated by way of statement of } \\ \text { (a) income and expenditure (b) sources and application; } \\ \text { (e) Important changes in policy and specific measures either taken } \\ \text { or proposed to be taken, which have influenced or are likely to } \\ \text { influence the functioning of the National Authority; }\end{array}\right\} \begin{array}{l}\text { (f) Important changes in the organizational set up of the District } \\ \text { Authority; and } \\ \text { (g) Other miscellaneous subjects as it may deemed fit. } \\ \text { (3) The annual report shall be placed for adoption in the meeting } \\ \text { (7) The annual accounts and auditor's report thereon along with } \\ \text { the annual report shall be submitted to the State Authority and State } \\ \text { Government before the 31 December of the following year to } \\ \text { which the accounts relate or by such date as may be specified by the }\end{array}\right\}$

|  | State Government. |
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| Establishment of  <br> District Disaster  <br> Response Fund and <br> procedure to be <br> followed for its <br> operation [sections 48 <br> and 78]   <br> $l$   | 15. (1) The District Disaster Response Fund shall consist of grants made by the State Government or Central Government or State Executive Committee or State Authority or external assistance received from State Executive Committee of the State Authority or District Authority and contributions/grants received from any person or institution for the purpose of disaster management and income from the assets of the District Disaster Response Funds, as the case may be. <br> (2) It shall be utilized by the District Authority to meet expenses for emergency response, relief and rehabilitation in accordance with the guidelines laid down by the State Government and State Executive Committee of State Authority. <br> (3) It shall be administered by the District Authority under the guidance of the State Government and State Executive Committee. <br> (4) It may invest District Disaster Response Fund in one or more accounts in Nationalized Bank, Scheduled Bank or State Cooperative Bank. <br> (5) Every department, board or corporation at district level shall make provision in its annual budget for the purpose of carrying out the activities and programmes set out in its disaster management plan. |
| District Disaster  <br> Mitigation Fund and <br> procedure to be <br> followed for its <br> operation [sections 48 <br> and 78]   | 16. (1) The District Disaster Mitigation Fund shall consist of grants made by State Government, Central Government and external assistance received from State Authority or District Authority and contributions/grants received from any person or institution for the purpose of disaster management and income from the assets of the District Disaster Mitigation Fund. <br> (2) It shall be utilized to meet expenditure on projects for mitigation including prevention of, and preparedness for, disaster. These projects may cover, inter-alia, areas such as- <br> (a) Capacity building; <br> (b) Public awareness; <br> (c) Information and communication system including creation of infrastructure like the District Emergency Operation Centre; <br> (d) Forecasting and early warning systems; <br> (e) Creation of district disaster mitigation resource reserves; <br> (f) Training, research and development; <br> (g) Equipment in search and rescue etc.; and <br> (h) Retrofitting of existing public assets and infrastructure and amenities. <br> (3) It shall be managed by the District Authority. |


|  | (4) The District Authority may invest the District Disaster <br> Mitigation Fund in one or more accounts in Nationalized Bank, <br> Scheduled Bank or State Cooperative bank. <br> (5) The Accounts and audit of this fund shall be maintained by the <br> District Authority and, whenever necessary, it may avail the services <br> of a firm of chartered accountants for the purpose. The auditor shall <br> certify that the expenditure from the District Disaster Mitigation <br> Fund has been incurred in accordance with the objects of the said <br> fund. The accounts and audit of this fund shall be made as per <br> guidelines issued by the Government of India or by the Auditors <br> empanelled by Government of India or by the Comptroller and <br> Auditor General of India or the Accountant General (Audit) <br> Himachal Pradesh, as the case may be. However, the book of <br> accounts shall remain open for inspection by any officer authorized <br> by Government of India/State Government to conduct a particular or <br> general inspection/audit thereof. |
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## By Order.

Principal Secretary (Revenue) to the Government of Himachal Pradesh

