Defining a National Disaster

What is the issue?

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- Unprecedented rains in Kerala and associated devastation has led to calls for declaring the floods a national calamity.
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- It is imperative at this juncture to look into how calamities are actually classified as a national disaster.
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What is a "disaster" legally?

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- A “disaster” is defined as per the specifications in Disaster Management Act, 2005.
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- Accordingly, a “disaster” means a catastrophe, mishap, calamity or grave occurrence in any area.
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- This could arise from natural or man-made causes, or by accident or negligence.
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- It should result in
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i. substantial loss of life or human suffering (or)
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ii. damage to, and destruction of, property (or)
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iii. damage to, or degradation of, environment

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- It should either be of such a nature or magnitude as to be beyond the coping capacity of the community of the affected area.
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- By this, a natural disaster may include an earthquake, flood, landslide, cyclone, tsunami, urban flood, heatwave, etc.
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- It may also include a man-made disaster of nuclear, biological and chemical nature.
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What is a national disaster?

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- The central government has examined proposals in the past to define a national disaster.
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- However, there is no provision, executive or legal, to declare a natural calamity as a national calamity.
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- Hence there is no fixed criterion to define any calamity as a national calamity.
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- In this regard, the 10th Finance Commission (1995-2000) examined a proposal.
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- The proposal was to term a disaster “a national calamity of rarest severity” if it affects one-third of the state's population.
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- The panel did not define a “calamity of rare severity”.
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- But it stated that a calamity of rare severity would necessarily have to be adjudged on a case-to-case basis.
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- It would have to take into account:
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i. the intensity and magnitude of the calamity

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ii. the level of assistance needed
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iii. the capacity of the state to tackle the problem
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iv. the alternatives and flexibility available within the plans to provide relief, etc
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- Accordingly, 2013 Uttarakhand flood and 2014 Cyclone Hudhud in Andhra Pradesh were classified as calamities of “severe nature”.
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What are the benefits of such a declaration?

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- On declaration as a calamity of “rare severity”/”severe nature”, support to the state government is provided at the national level.
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- The Centre also considers additional assistance from the National Disaster Response Fund.
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- A Calamity Relief Fund (CRF) is set up, with the corpus shared 3:1 between Centre and state.
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- When CRF resources are inadequate, additional assistance is considered from the National Calamity Contingency Fund (NCCF).
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- NCCF is funded 100% by the Centre.
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- Relief in repayment of loans or grant of fresh loans to the affected persons on concessional terms are also considered.
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How is the funding decided?

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- It works as per the National Policy on Disaster Management, 2009.
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- The National Crisis Management Committee deals with major crises that have serious or national ramifications.
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- It is headed by the Cabinet Secretary.
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- The inter-ministerial central teams are deputed to the affected states.
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- They make assessment of damage and relief assistance required.
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- An inter-ministerial group, headed by the Union Home Secretary, studies the assessment.
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- It then recommends the quantum of assistance from the NDRF/NCCF.
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- Based on this, a high-level committee approves the central assistance.
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- It comprises of Finance Minister as chairman, and Home Minister, Agriculture Minister, and others as members.
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Source: Indian Express

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