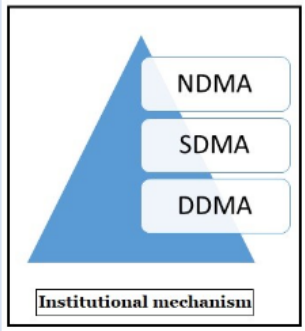
Disaster Management Amendment Bill, 2024

Why in News?

Recently, the Disaster Management (Amendment) Bill, 2024 was introduced in Lok Sabha.

What is Disaster Management Act?

- **Disaster** - Disaster Management Act defines a "disaster" as "a catastrophe arising from natural or manmade causes resulting in substantial loss of life or damage to property beyond the coping capacity of the community of the affected area".
- **Disaster Management** - India envisions the development of an ethos of Prevention, Mitigation, Preparedness and Response.
- **Disaster Management Act**– It was ***enacted in 2005*** in the backdrop of several catastrophic disasters such as Tsunami (2004), Gujarat Earthquake (2001) and Odisha Super Cyclone (1999).
- **Institutional mechanism** – It entails the establishment of the Disaster Management Authority and Disaster Management Plans at national, state and district level.

Institutional Mechanism	Authority	Head
	National Disaster Management Authority (NDMA)	Prime Minister
	State Disaster Management Authority (SDMA)	Respective Chief Ministers
	District Disaster Management Authority (DDMA)	Either District Magistrate or District Collector

- **Functions of NDMA & SDMA** – They *review the disaster management plans* of government departments.
- They set guidelines for preparation of disaster management plans for authorities below them and recommend provision of funds for disaster mitigation.
- **Committees** – It provides for constitution of a *National Executive Committee and a State Executive Committee* to assist NDMA and SDMA in performing their functions.
- **National Disaster Response Force**- It has several battalions or teams, which are responsible for on-ground relief and rescue work in several states.

What are the new provisions of the bill?

- **Preparation of disaster management plans** – It shall be done by NDMA and SDMA.
- **Empowers NDMA** – It can make regulations under the Act with prior approval of the central government.

- **New functions to NDMA and SDMA** - It adds new function like
  - Taking *periodic stock of disaster risks*, including emerging risks from extreme climate events.
  - Providing *technical assistance* to authorities below them.
  - Recommending *guidelines for minimum standards* of relief.
  - Preparing national and state disaster databases, respectively.
- **Empowers state government** – To constitute a separate *Urban Disaster Management Authority* for state capitals and cities with a municipal corporation.
- **Urban Authority** – It will prepare and implement the disaster management plan for the area under it.
- It will comprise chairperson, vice chairperson and other members specified by the state government.
  - **Chairperson** - Municipal Commissioner
  - **Vice Chairperson** - District Collector
- **Creation of Disaster database** - It will contain information on
  - The type and severity of disaster risks
  - Allocation of funds and expenditure, and
  - Disaster preparedness and mitigation plans
- **Statutory status** – It provides statutory status to existing bodies such as the
  - National Crisis Management Committee (NCMC)
  - High Level Committee (HLC)
- **NCMC** - It will function as the nodal body for *dealing with major disasters* with serious or national ramifications.
- The Cabinet Secretary will serve as the chairperson of NCMC.
- **HLC** - It will provide *financial assistance to state* governments during disasters and will approve financial assistance from the National Disaster Mitigation Fund.
- Minister of the department with administrative control over disaster management will serve as chairperson of the HLC.
- **Creation of SDRF** – It empowers the state to constitute a State Disaster Response Force (SDRF) and to define their functions and prescribe the terms of service for its members.

State Disaster Response Force (SDRF), a mechanism that is already in operation in several states like Odisha and Gujarat.

	Existing provisions	Bill provisions
Disaster Management Plans	• Prepared by – NEC and SEC national and state levels, respectively. • Approved by - NDMA and SDMA approve the respective plans.	• Prepared by – NDMA and SDMA for national and state levels.

Appointments to NDMA	• The central government will provide NDMA with officers, consultants, and employees, as it considers necessary.	• It empowers NDMA to specify the number and category of officers and employees, with previous approval of the central government. • NDMA may also appoint experts and consultants as necessary.

What are the potential benefits of the bill?

- **Strengthens authorities** – It enhances the capabilities of the NDMA and SDMA in preparing disaster management plans.
- Statutory status to pre-existing organizations can potentially streamline the chain of command & improve coordination during disasters.
- **Promotes decentralisation** – Establishing of Urban Disaster Management Authorities empowers local authorities in disaster management in urban areas.

What are the issues in the bill?

- It left out several key aspects that are vital in the aftermath of a disaster like ensuring that disaster relief is a justiciable right.
- **Centralisation** - It enhances the central government's power in making decisions that could *diminish the independence of state* and local authorities.
- **Delayed response** – This *top-down approach* leads to a delayed response to disasters, antithetical to its intent and purpose.
- **New decentralisation problems** – Creation of Urban Disaster Management Authority *without the necessary financial devolution* creates more problems than it solves.
- **Dilutes NDRF** – It dilutes the wording of the NDRF by removing the purposes for which the fund shall be used.
- There is excess *centralisation of decision making on funds*, especially in situations where the disaster is severe.

A delayed response was witnessed when the disaster relief funds from the NDRF were denied to Tamil Nadu and disbursed much later to Karnataka.

- **Restricted definition of "disaster**" – It does *not classify heatwaves* as a notified disaster under the DMA 2005 despite their growing impact.
    - According to the Indian Meteorological Department, rising heatwave days caused 10,635 human deaths due to heat or sunstroke in 2013-2022.

The current notified list of disasters eligible for assistance under the National Disaster Response Fund/State Disaster Response Fund are cyclone, drought, earthquake, fire, flood, tsunami, hailstorm, landslide, avalanche, cloud burst, pest attack, frost and cold wave.

- **Non-inclusion of climate induced risks** - There is a provision titled ‘emerging disaster risk’ but it does not provide scope to fully integrate climate change into

disaster management.

- **Lack of mechanism for coordination** – It offers no further clarity on how to achieve coordination among a diverse set of institutions including non-government, private and general public.

The recent disasters such as labourers being stuck in the under construction in Silkyara tunnel or the landslides in Wayanad, have both brought to the fore the importance of coordination in disaster governance.

What lies ahead?

- Encourage a collaborative approach between the central and State governments in disaster management.
- Ensure adequate financial resources are allocated to State and local authorities to enable effective disaster response.
- Broaden the definition of disaster to include climate-induced disasters like heatwaves to address emerging challenges.
- Incorporate lessons learned from previous disasters to improve disaster management practices.
- Empower local communities to participate in disaster preparedness and response efforts.

References

1. The Hindu| Challenges in Disaster Management Bill 2024
2. PRS| Disaster Management Amendment bill 2024
3. Down To Earth| Missed opportunities in Disaster Bill 2024

SHANKAR IAS PARLIAMENT
Information is Empowering