

The Disaster Management Act, 2005 was enacted on 26th December, 2005

This will permit the States also to have their own legislation on disaster management.

## SALIENT FEAUTURES

- The Act comprises 79 sections and 11 chapters
  - Defines Disaster and disaster management in its new concept
  - It provides institutional mechanism for monitoring and implementation of plans
  - Ensures measures by various wings of the Government for the prevention and mitigation of disasters
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## SALIENT FEATUTURES

- The State Governments have been advised to amend their Relief Codes
- The Act provides for a National Disaster Management Authority (NDMA)
- The State governments shall create State Disaster Management Authorities and District Disaster Management Authorities
- There shall be a Disaster Response Fund and Disaster Mitigation Fund at national, state and district levels

## NATIONAL DISASTER MANAGEMENT AUTHORITY (NDMA)

- National Disaster Management Authority (NDMA) under the Prime Minister with nine more members for laying down the policies, plans and guidelines for disaster management.
- The Authority will be assisted by a National Executive Committee (NEC) of Secretaries to Central Government.
- The National Authority to recommend guidelines for the minimum standards of relief.



## STATE DISASTER MANAGEMENT AUTHORITY (SDMA)

- State Disaster Management Authority (SDMA) to be chaired by Chief Minister
- One of the members may be designated as the Vice-Chairperson of the State Authority by the Chief Minister.
- The State Authority may constitute an Advisory Committee of experts.
- The State Authority shall be responsible for laying down the policies and plans for disaster management in the State.
- The State Authority shall recommend guidelines for providing minimum standards of relief.
- The State Authority will be assisted by the State Executive Committee.





# DISTRICT DISASTER MANAGEMENT AUTHORITY (DDMA)

- ✓ The State Government shall establish a District Disaster Management Authority (DDMA) in each district.
- ✓ The Chairperson of District Disaster Management Authority (DDMA) will be the Collector or District Magistrate or Deputy Commissioner of the district.
- ✓ The elected representative of the area is member of the DDMA as an ex officio co-Chairperson
- ✓ The District Authority shall act as the district planning, coordinating and implementing body for disaster management.



## **LOCAL AUTHORITY**

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

## PENAL PROVISIONS (SEC 51-60)

**SECTION 51: Punishment for obstruction and/or non-compliance of the directions given by the Central / State Govt, NEC, SEC, DDMA:**

Up to one year imprisonment or fine or both. If such obstruction results in loss of lives or imminent danger thereof : imprisonment may extend to two years.

**Punishment for false claim for obtaining relief, assistance etc.**

**SECTION 52: Two years' imprisonment with fine.**



- **Punishment for misappropriation of money or materials**  
Section 53:Two years' imprisonment and fine.
- **Punishment for false warning**  
Section 54:One year imprisonment or fine.
- **Offences by departments of the government**  
Section 55:In case of an offence by the govt department, the head of the department to be held guilty unless he proves otherwise any other officer found guilty to be proceeded against and punished

- **Refusal to perform any duty by any govt. Officer**  
Section 56:One year imprisonment or fine.
- **Penalty for contravention of any order of requisitioning**  
Section 57:One year imprisonment or fine or both