



# Disaster Management (Amendment) Bill, 2024

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## Why in News?

The **Disaster Management (Amendment) Bill, 2024** has sparked significant concerns, particularly due to its failure to address crucial gaps in the existing **Disaster Management Act (DMA), 2005**.

## Key Provisions of the Disaster Management (Amendment) Bill, 2024:

### 1. Preparation of Disaster Management Plans:

- Under the **2005 Act**, the **National Executive Committee (NEC)** and **State Executive Committees (SECs)** assisted the **National Disaster Management Authority (NDMA)** and **State Disaster Management Authorities (SDMAs)** in preparing disaster management plans.
- The Bill proposes that the **NDMA** and **SDMAs** directly prepare the national and state disaster management plans, bypassing the NEC and SECs.

### 1. National and State Disaster Database:

- The Bill mandates the creation of comprehensive **disaster databases** at both national and state levels, covering areas like disaster assessment, fund allocation, expenditure, preparedness plans, and risk registers.

### 1. Appointments to NDMA:

- Currently, the central government appoints officers to the NDMA. The Bill allows the **NDMA** to specify its staffing needs and appoint experts with central government approval.

### 1. Urban Disaster Management Authority (UDMA):

- The Bill introduces **Urban Disaster Management Authorities (UDMAs)** for state capitals and large cities (excluding Delhi and Chandigarh), to be led by municipal commissioners and district collectors. These authorities will focus on urban disaster management planning and implementation.

### 1. State Disaster Response Force (SDRF):

- The Bill empowers state governments to create **State Disaster Response Forces (SDRFs)**, building local response capabilities.

### 1. Statutory Status to Existing Committees:

- The Bill grants statutory status to the **National Crisis Management Committee (NCMC)** and the **High-Level Committee (HLC)**, which handle major disasters and financial assistance respectively.

### 1. Penalties and Directives:

- A new section **60A** is proposed, empowering central and state governments to direct individuals to take action or refrain from actions to reduce disaster impacts, with penalties of up to **₹10,000** for non-compliance.

## Concerns Regarding the Disaster Management (Amendment) Bill, 2024:

### 1. Semantics and Terminology:

- The Bill uses **top-down, guarded terminology** like “monitor” and “guidelines” instead of **supervision** and **direction**, which could have fostered **greater trust** and **collaboration** with local communities and governments.
- **Global frameworks** like the **Yokohama Strategy**, **Hyogo Framework for Action**, and **Sendai Framework for Disaster Risk Reduction** highlight the role of **local communities** as “first responders” to disasters. However, the Bill does not adequately acknowledge or build on the **capacities** and **knowledge** of these communities.

### 2. Ignoring Local Roles:

- While the Bill defines terms like **hazard**, **resilience**, and **vulnerability**, these definitions remain **mechanical** and fail to emphasize the significant role that **local communities, panchayats, wards, and NGOs** play in disaster management.
- **Real-life examples** such as the **Cyclone Aila (2009)**, **Kedarnath flood (2013)**, and **Kerala floods (2018)** show that local populations were the first responders in many cases, often saving lives before official agencies like the **National Disaster Response Force (NDRF)** arrived.

### 3. Intersectional Discrimination:

- The Bill **overlooks intersectional vulnerabilities**, such as those faced by **women, disabled individuals, lower castes, and LGBTQIA+ communities**, in disaster scenarios.
- Acknowledging and addressing these vulnerabilities is crucial for ensuring **inclusive** disaster management. Without this, the Bill risks perpetuating systemic inequalities in disaster response and recovery efforts.

### 4. Performance Evaluation and Accountability:

- The Bill **fails to include** provisions for **performance evaluations** of district authorities, leaving the door open for **dereliction of duty** by authorities who may try to shift blame or focus on **individual charity efforts** instead of addressing systemic failures.
- The **accountability** mechanisms from the 2005 Act, such as **minimum standards of relief** and provisions for **special assistance** for vulnerable groups, have been **omitted** in the Bill, diminishing the commitment to fair and comprehensive disaster relief.

### 5. Exclusion of Law and Order Issues:

- The Bill **excludes law and order** issues from its scope, despite the involvement of **State Director Generals of Police** in the **State Executive Committees (SECs)**. This raises questions about the role of law enforcement in disaster management and the apparent contradiction in excluding these matters from the disaster framework.

### 6. Omission of Disaster Relief Standards:

- The **removal** of Sections in the Bill related to **minimum standards of relief, loan repayment relief**, and provisions for **special support** for vulnerable groups (such as **widows and orphans**) reduces the focus on **justice-based relief**, which was a hallmark of the 2005 Act.

## 7. Environmental Concerns and Speciesism:

- The Bill does not address the **impact on animals** during disasters. The **District Disaster Management Authorities (DDMAs)** are not tasked with implementing the **Animal Birth Control (ABC) Rules, 2023**, leaving a gap in animal welfare and preparedness during disasters.

## 8. Urban Disaster Management Authority (UDMA):

- The introduction of the **UDMA** in the Bill lacks clarity regarding its **purpose and necessity**. While urban municipalities control vital resources, the Bill does not address the role of these authorities in enabling or preventing urban disasters, particularly **flooding** caused by **encroachments** on **water bodies** and **aquifers**.

## 9. Missed Opportunity for Regional Collaboration:

- The Bill misses an opportunity to establish **regional cooperation** for disaster management, particularly with neighboring countries in **South Asia**. There is no reference to regional frameworks like **SAARC**, **BIMSTEC**, or **BRICS** which could play a vital role in responding to cross-border disasters and **zoonotic** or **epizootic** diseases.
- The **SAARC Agreement on Rapid Response to Natural Disasters** (2011) could have been cited as a potential model for **regional disaster collaboration**, but this was overlooked in the Bill.

## 10. Failure to Strengthen Participatory Governance:

- The Bill removes key provisions that would allow for **participatory governance**, **accountability**, and **efficiency** in disaster management. By sidelining local governments, communities, and vulnerable groups, it risks weakening the inclusiveness and **community-based response** that has proven successful in many previous disasters.

## Shortcomings of the Disaster Management Act, 2005:

### 1. Institutional Shortcomings:

- The **Vice-Chairperson** position of the **NDMA** has been vacant for years, affecting leadership and efficiency.
- The NDMA lacks independent administrative powers, which causes delays in decision-making.

### 1. Bureaucratic Inefficiencies:

- The Act's centralised, **top-down approach** often sidelines local authorities, resulting in slow disaster responses, as seen in events like the **2018 Kerala floods** and **2013 Kedarnath floods**.

### 1. Vague Definitions:

- The Act's ambiguous definitions of "**disaster**" and "**calamity**" lead to confusion in classifying disasters and their scope.

### 1. Funding Issues:

- **Insufficient funding** for large-scale disasters often leads to delays in recovery and response.

## Disaster Management Act, 2005:

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The **Disaster Management Act, 2005** was enacted after the **2004 tsunami**, following lessons learned from earlier disasters like the **1998 Odisha Super Cyclone**. It established the **NDMA**, **SDMAs**, the **NDRF**, and the **National Institute of Disaster Management (NIDM)** to address disaster risks.

The Act created a framework for **disaster preparedness, response, and recovery**, saving lives and aiding relief efforts. However, the growing frequency of natural disasters and climate change impacts require further strengthening of India's disaster management capabilities.

### Way Forward:

#### 1. Integrating Disaster Risk Reduction into Development Plans:

- Incorporate disaster risk reduction in national and state policies, especially for **infrastructure, urban planning, and agriculture**.

#### 1. Strengthening Early Warning Systems:

- Leverage technology, including **ISRO, IMD, and NRSA**, to enhance early warning systems and improve disaster prediction.

#### 1. Rapid Response Mechanisms:

- Develop a **national disaster response framework** with a clear command structure for **timely and coordinated** action during emergencies.

#### 1. Decentralization of Disaster Management:

- Empower state and local authorities to respond quickly and contextually to disasters, improving response times and effectiveness.

#### 1. Support for R&D in Disaster Management:

- Invest in **disaster risk management research**, focusing on technologies like **AI, remote sensing, and big data** to improve disaster preparedness.

#### 1. Psychological Rehabilitation:

- Integrate **psychological rehabilitation programs** into disaster policies to support mental health in the aftermath of disasters.

#### 1. Dynamic Policy Adaptation:

- Regularly update disaster management policies based on evolving risks, technological advancements, and lessons from past disasters.

The **Disaster Management (Amendment) Bill, 2024** presents a significant shift in India's disaster response strategy, but it raises concerns about the **centralisation of power**, the adequacy of resources at the **local level**, and the **integration of climate change risks** into disaster management. Moving forward, **decentralization, enhanced preparedness, and improved coordination** across stakeholders will be critical to effective disaster response in India.