



Disaster Management (Amendment) Bill, 2024

Published On: 26-12-2024

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:

Kamaraj IAS Academy

Plot A P.127, AF block, 6 th street, 11th Main Rd, Shanthy Colony, Anna Nagar, Chennai, Tamil Nadu 600040

Phone: **044 4353 9988 / 98403 94477 / Whatsapp : 09710729833**

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.