



The Disaster Management (Amendment) Bill 2024

For Prelims: [Disaster Management Act, 2005](#), [National Disaster Management Authority](#), [State Disaster Management Authorities](#), [National Crisis Management Committee](#), [National Disaster Response Fund](#), [Heatwaves](#), [Indian Meteorological Department](#)

For Mains: Disaster Management (Amendment) Bill, 2024, Challenges Related to Disaster Management Act, 2005

[Source: TH](#)

Why in News?

Recently, the central government introduced the **Disaster Management (Amendment) Bill, 2024** in the Lok Sabha, to amend the existing [Disaster Management Act, 2005](#).

- However, the proposed amendments have sparked debate over the increasing centralisation of disaster management processes and their implications for effective disaster response.

What are the Key Provisions of Disaster Management (Amendment) Bill, 2024?

- **Preparation of Disaster Management Plans:** Under the 2005 Act, the **National Executive Committee (NEC)** and **State Executive Committees (SECs)** were responsible for assisting the [National Disaster Management Authority \(NDMA\)](#) and [State Disaster Management Authorities \(SDMAs\)](#) in preparing disaster management plans.
 - The Bill proposes that **NDMA and SDMA directly prepare their respective national and state disaster management plans**, bypassing the NEC and SECs.
 - The NDMA's responsibilities will be expanded to include periodic assessments of disaster risks.
- **National and State Disaster Database:** The Bill mandates the creation of a comprehensive disaster database at both national and State levels.
 - This database will cover **aspects such as disaster assessment, fund allocation, expenditure, preparedness plans**, and risk registers.
- **Appointments to NDMA:** Currently, the central government appoints officers and employees to NDMA.
 - The Bill allows NDMA to specify its own staffing needs and appoint experts with central government approval.
- **Urban Disaster Management Authority:** The Bill introduces **Urban Disaster Management Authorities (UDMA)** for **state capitals and large cities**, except for the [National Capital Territory of Delhi](#) and Union territory of Chandigarh.
 - These authorities will be led by municipal commissioners and district collectors, focusing on urban disaster management planning and implementation.
- **State Disaster Response Force:** The 2005 Act provides for a National Disaster Response Force (NDRF) for specialised disaster response.
 - The Bill empowers state governments to **create State Disaster Response Forces**

(SDRFs) with defined functions and terms of service, enhancing local response capabilities.

- **Statutory Status to Existing Committees:** The Bill grants **statutory status to the [National Crisis Management Committee \(NCMC\)](#)** and the **High-Level Committee (HLC)**, which will handle major disasters and financial assistance respectively.
 - The NCMC will be led by the [Cabinet Secretary](#), and the HLC by the Minister overseeing disaster management.
- **Penalties and Directives:** The Bill seeks to insert a new **Section 60A to empower the Central and State governments** to direct any person to take any action or refrain from taking any action for **reducing the impact of a disaster and to impose a penalty not exceeding Rs 10,000.**

What are the Concerns Regarding the Disaster Management (Amendment) Bill, 2024?

- **Centralisation of Power:** The Bill further centralises an already **heavily-centralised Disaster Management Act, 2005**, creating **more authorities and committees** at various levels, complicating the chain of action and **leading to delayed disaster response, contrary to the Act's intent.**
 - The Bill dilutes the [National Disaster Response Fund \(NDRF\)](#) by removing specific usage guidelines, exacerbating concerns about centralisation in disaster response.
 - The centralisation has previously led to **delays, as seen with the [slow disbursement of funds to Tamil Nadu and Karnataka.](#)**
- **Inadequate Local Resources:** The Bill does not address the **potential lack of resources and funding at the local level** for setting up and **maintaining UDMAs.**
 - This gap could undermine the effectiveness of these new entities in disaster management.
- **Ensuring Disaster Relief as a Legal Right:** The Bill **does not address the need to make disaster relief a justiciable right (can be enforced in court if they are violated)**, despite the moral obligation of the state to provide relief.
 - Relief measures vary significantly across states and even within states for similar disasters.
- **Integrating Climate Change:** The Bill lacks provisions to **fully integrate climate change impacts into disaster risk management.** Despite international agreements like the [Sendai Framework](#) and [Paris Agreement 2015](#), the Bill falls short in addressing climate-induced risks.
- **Integration Issues:** The transition of responsibilities from the National Executive Committee and State Executive Committees to the NDMA and SDMA could face integration issues, particularly in aligning new roles with existing frameworks.
 - In the proposed bill **there is no clear mechanism for effective collaboration among various stakeholders**, including government agencies, [Non-governmental Organizations \(NGOs\)](#), private sectors, and the general public.
 - Recent disasters highlight the need for better governance and coordination to handle complex and emerging risks.
- **Restricted Definition of 'Disaster':** The government currently does not plan to **classify [heatwaves](#) as a notified disaster** under the Disaster Management Act, 2005, despite the increasing frequency and impact of heatwaves in India.
 - The definition of **"disaster" in the Act remains restricted and static**, failing to adequately address climate-induced disasters like **heatwaves**, which display regional variability and gradation.
- **Impact on Federal Dynamics:** The Bill may exacerbate tensions between central and State governments by centralising decision-making and financial management.
 - **States may become overly dependent on the central government** for funds and decision-making, limiting their autonomy in disaster management and response.

What are the Shortcomings of the Disaster Management Act, 2005?

- **Institutional Shortcomings:** The position of **Vice-Chairperson of the NDMA has been vacant for about a decade.** This absence has deprived the NDMA of necessary leadership and political influence.
 - The NDMA lacks independent administrative and financial powers, requiring all decisions to be routed through the **Ministry of Home Affairs, which leads to inefficiencies and**

delays.

- **Bureaucratic Inefficiencies:** The Act suffers from excessive bureaucracy, creating a **top-down approach where decision-making is centralised and local authorities are sidelined.**
 - This has led to **delayed responses during disasters**, as seen with the incidents like the [2018 Kerala floods](#) and [2013 Kedarnath floods](#).
- **Vagueness:** The Act includes vague definitions of key terms like "**disaster**" and "**calamity**." For example, it initially defined disasters as any "**catastrophe, mishap, calamity or grave occurrence**" from natural or man-made causes, but it did not clearly differentiate between types of disasters or specify their scope, leading to confusion.
- **Funding:** Allocated funds are often **insufficient for addressing the needs during large-scale disasters**, leading to delays in response and recovery.

Disaster Management Act, 2005

- The DM Act, 2005 was enacted in the aftermath of the **devastating 2004 tsunami** the idea for such legislation was in the works at least since the **1998 Odisha super cyclone**.
- The Act led to the creation of the **NDMA, SDMA at the state level, a National Disaster Response Force (NDRF), and a National Institute of Disaster Management (NIDM)** (an institute meant for disaster-related research, training, awareness, and capacity building).
- The Act was followed by a **National Disaster Management Policy in 2009 and a National Disaster Management Plan in 2016.**
 - This institutional framework has served India in dealing with natural disasters. Over the years, it has saved thousands of lives, and provided relief, rescue and rehabilitation services.
- **Growing incidents of natural disasters**, exacerbated by [climate change](#), have made agencies such as NDMA more important than ever, requiring the assignment of greater responsibilities and resources.

Way Forward

- **Integrating Disaster Risk Reduction into Development Plans:** Ensure that disaster risk reduction is embedded in national and state development policies, especially in infrastructure, urban planning, and agriculture.
- **Strengthening Early Warning Systems:** In disaster management policy designing, **Early Warning Systems should be prioritized** by incorporating the upgradation of early warning systems.
 - Leveraging advanced technology from [Indian Space Research Organisation \(ISRO\)](#), [Indian Meteorological Department](#), and [National Remote Sensing Agency \(NRSA\)](#) can enhance accuracy and make these systems more accessible at the community level, ensuring timely and effective disaster response.
- **Develop Rapid Response Mechanisms:** Establish a **national disaster response framework** that ensures rapid and coordinated action during emergencies, with a clear command structure and resource allocation.
 - Implement a 72-hour critical response plan, as practiced in countries like Japan, ensuring timely rescue operations and efficient coordination.
- **Enhance NDMA's Authority:** Enhance NDMA's Authority by filling vacant positions and empowering the agency with the necessary powers.
 - This will ensure **better coordination between central and state agencies**, leading to a more cohesive and effective disaster management framework.
- **Decentralization of Disaster Management:** It is crucial to enhance responsiveness and effectiveness. **Empowering state and local authorities with greater autonomy** and resources can ensure quicker and more context-specific responses.
- **Support for R&D in Disaster Management:** Allocate resources for research in disaster risk management, focusing on **innovative technologies** like [Artificial Intelligence](#), [remote sensing](#), and [big data analytics](#).
- **Psychological Rehabilitation:** There is a need for integrating psychological rehabilitation

programs into disaster management policies to support the [mental health of individuals](#) who have lost loved ones and property in disasters.

- **Dynamic Policy Adaptation:** Regularly update disaster management policies based on evolving risks, technological advancements, and lessons learned from past disasters.
 - Shift the focus **from reactive to proactive strategies**, emphasizing disaster preparedness, mitigation, and building resilience.

Drishti Mains Question:

Q. Discuss the key provisions of the Disaster Management (Amendment) Bill, 2024, and analyse their potential impact on disaster management processes in India.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Mains

Q. Discuss the recent measures initiated in disaster management by the Government of India departing from the earlier reactive approach. **(2020)**

Q. With reference to National Disaster Management Authority (NDMA) guidelines, discuss the measures to be adopted to mitigate the impact of the recent incidents of cloudbursts in many places of Uttarakhand. **(2016)**

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