

Government of Jammu and Kashmir
Civil Secretariat Revenue, Relief and Rehabilitation Department

Notification

Jammu, the 23rd April 2007.

SRO 138 . – In exercise of the powers conferred by section 78 of The Disaster Management Act, 2005 (Act No. 53 of 2005), the Government of Jammu and Kashmir hereby makes the following rules, namely: –

1. Short title and commencement. – (1) These rules may be called the Jammu and Kashmir Disaster Management Rules, 2007.

(2) They shall come into force with effect from the date they are published in the Government Gazette.

2. Definitions. – (1) In these rules, unless the context otherwise requires, –

- (a) 'Act' means the Disaster Management Act, 2005 (No. 53 of 2005);
- (b) 'State Advisory Committee' means the Committee constituted by the State Authority under sub-section (1) of section 17 of the Act;
- (c) 'District Advisory Committee' means the Committee constituted under sub-section (1) of section 28 of the Act;
- (d) 'section' means section of the Act.

(2) The words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. State Disaster Management Authority. – (1) The State Disaster Management Authority, as defined in the Act, shall comprise, –

- (i) Chief MinisterChairperson (ex- officio)
- (ii) Deputy Chief MinisterVice Chairperson
- (iii) Minister for Revenue, Relief and RehabilitationMember
- (iv) Minister for Consumer Affairs and P.D. Deptt.....Member
- (v) Minister for Public Works (R&B)..... Member
- (vi) Minister for Transport..... Member
- (vii) Minister for Health & FW..... Member
- (viii) Minister for Power..... Member
- (ix) Chief SecretaryMember/CEO(ex-officio).

(2) The Chairperson may nominate any other member as Vice-Chairperson in case there is no Deputy Chief Minister.

(3) The State Authority shall meet as and when necessary and at such time and place as may be decided by the Chairperson and in his absence by the Vice-Chairperson.

(4) The State Authority shall in normal circumstances meet at least once in a year.

(5) The meetings of the State Authority shall be presided over by the Chairperson or in his absence by the Vice- Chairperson.

(6) Any costs, charges and expenses incurred by the members in relation to exercise of powers and performance of functions under the Act, or any expenses incurred by the Chief Executive Officer in relation to performance of functions prescribed by the regulations shall be paid from the fund.

(7) The State Authority may accept donations/ endowments and give grants on such terms as it deems fit.

(8) The State Authority may, as and when it considers necessary, constitute an advisory committee, consisting of persons having practical experience in the field of Disaster Management from within or outside the State to make recommendations on different aspects of disaster management.

(9) The term of Advisory Committee constituted under sub- rule (8) shall be for a period not exceeding three years.

(10) A member of the Advisory committee shall receive from the State Government, such traveling allowance for traveling in connection with the work of the State Authority as are applicable to a head of any Department of the State Government.

(11) A member of the Advisory Committee shall in addition to traveling allowance, receive sitting allowance of Rs.500/- per day on the days of meetings of the State Advisory Committee.

4. The Department of Revenue, Relief and Rehabilitation shall be the administrative Department for Disaster Management.

5. Minimum standard of relief to be provided to the persons affected by the disaster shall be same as prescribed by the national authority under the Act.

6. State Executive Committee. – (1) The State Executive Committee shall comprise:-

- (i) The Chief SecretaryChairperson
- (ii) Secretary to Government,
Revenue, Relief and Rehabilitation.....Member
- (iii) Secretary to Government, Home Member
- (iv) Secretary to Government,
Public Works (R&B).....Member
- (v) Secretary to Government,
Health & M.E.....Member.

(2) The State Executive Committee shall assist the State Authority in performance of its functions and coordinate action in accordance with the guidelines laid down by the State Authority and ensure the compliance of directions issued by the State Government.

(3) The State Executive Committee shall meet as and when necessary and at such time and place as may be decided by the Chairperson with prior notice of atleast two days:

Provided that in case of an emergency meeting prior notice of two days shall not be mandatory.

(4) The State Executive Committee shall in normal circumstances meet at least twice a year.

(5) The State Executive Committee shall discuss the business as per agenda circulated atleast 24 hours before the commencement of the meeting:

Provided that in case of an emergency meeting prior circulation of the agenda shall not be mandatory.

(6) Quorum. – A sitting of the State Executive Committee consisting of atleast one-third of its members chaired by its Chairperson shall constitute the quorum for meeting of the Committee.

(7) The State Executive Committee shall cause to prepare the Disaster Management Plans of different Departments of the State.

(8) The State Executive Committee shall also prepare Annual Report of the activities for Disaster Management in the State and place it before the State Authority.

(9) The State Executive Committee shall prepare the State Disaster Management Plan which shall, in addition to provisions laid down in sub-sections (2) and (4) of section 23 of the Act, include provisions for:-

- (i) information Dissemination;
- (ii) coordination among different departments;
- (iii) training of Personnel associated with disaster management;
- (iv) periodic assessment of resources for disaster management in the State; and
- (v) post- Disaster Evaluation.

(10) The term of Sub-Committee constituted under section 21 of the Act shall be specified in the order of its constitution and shall in no case be more than one calendar year.

(11) An expert associated with Sub-Committee shall be paid such allowances for traveling as he may be entitled to in his parent organization or the allowances admissible to an Additional Secretary to Government of Jammu & Kashmir.

(12) A member of the Sub-Committee shall in addition to traveling allowances, receive sitting allowance of Rs.300/- per day on the days of meetings of the Sub- Committee.

7. District Disaster Management Authority. – Every district of the State shall have a District Disaster Management Authority which shall consist of :-

- (i) Deputy CommissionerChairperson.
- (ii) Additional Deputy
Commissioner..... Chief Executive Officer
- (iii) District Superintendent of the Police.....Member
- (iv) Chief Medical OfficerMember
- (v) Superintendent Engineer PW(R&B)Member
- (vi) Assistant Director, Consumer Affairs
& P.D. Deptt.Member.

8. The non-official member of the District Advisory Committee shall in addition to traveling allowances, also receive sitting allowances of Rs 200/- per day on the days of meetings of the District Advisory Committee.

By order of the Government of Jammu and Kashmir.

Sd/-
Secretary to Government,
Revenue Department.

No: Rev/ER/16/2003-DM

Dated 23-04-2007

Copy to the:

1. All Financial Commissioners.
2. Director General of Police
3. All Principal Secretaries to Govt/Principal Secretary to Chief Minister.
4. Resident Commissioner J&K, New Delhi
5. Principal Secretary to HE the Governor, J&K
6. All Commissioner/Secretaries to Govt.
7. Divisional Commissioner, Jammu/Kashmir.
8. Director Economics and Statics.
9. All Head of Departments
10. Director Information.
11. Director, Estates J&K Jammu.
12. Director Archives, Archeology and Museums.
13. All Deputy Commissioners
14. Secretary, J&K Legislative Assembly/Council.
15. Secretary Public Service Commission/Service Selection Board.
16. S.P Ssecurity Civil Secretariat.
17. General Manager Govt Press Jammu/Srinagar.
18. Principal Pvt.Secretary to Chief Executive Officer, Economics Reconstruction Agency.
19. Principal Pvt Secretary to Chief Secretary, J&K.
20. Pvt Secretaries to all Ministers/Ministers of State.
21. Private Secretary to CEC, LAHDC, Leh/Kargil.
22. Pvt Secretary to Principal Secretary, GAD
23. Govt order file/Stock file.


(G.M.Rather)

Additional Secretary to Government,
Revenue Department.