#### Fourteenth Loksabha

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Participants: Gudhe Shri Anantrao, Mehta Shri Alok Kumar, Kumar Shri Shailendra, Rana Shri Kashi Ram, Seth Shri Lakshman Chandra, Singh Shri Manvendra, Patil Shri Shivraj V., Badnore Shri Vijayendra Pal Singh, Dikshit Shri Sandeep, Singh Shri Sugrib, Rawat Shri Bachi Singh, Senthil Dr. R, Deo Shri Bikram Keshari, Owaisi Shri Asaduddin, Mistry Shri Madhusudan Devram, Patil Shri Shivraj V., Tripathy Shri Braja Kishore, Rajendran Shri P., Deo Shri Bikram Keshari, Radhakrishnan Shri Varkala, Vijayan Shri A.K.S., Sharma Shri Madan Lal, Seth Shri Lakshman Chandra, Singh Shri Bijendra, Kumar Shri Shailendra, Bellarmin Shri A.V.

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Title: Further discussion on the motion for consideration of the Bill moved by Shri Shivraj V. Patil on a December, 2005 (Bill passed).

MR. DEPUTY-SPEAKER: Now, we will take up Item No. 14, Disaster Management Bill, 2005. The time allotted with us is three hours. One hour and eighteen minutes have already been taken and one hour and forty-two minutes are left with us. When the House was adjourned, Shri Mohan Singh was on his legs. Now, I would request Shri Mohan Singh to continue. Shri Mohan Singh – not present.

Shri Vijayendra Pal Singh.

SHRI VIJAYENDRA PAL SINGH Sir, I stand to speak on the Disaster Management Bill, 2005. This Bill is a much needed Bill, and everybody knows that disaster is not a new phenomena in any way. Disasters have been happening for centuries and centuries. If you see, in the last 15 years, six major earthquakes have taken place in India, four major cyclones have taken place and the worst of all was the tsunami. The frequency of cyclones is everywhere in the world. There has been a Disaster Management Board, in the United Nations also, and many countries have it. Everybody knows that in America, there

were three worst cyclones, super cyclones as we call them; Rita, Wilma and Katrina. We see that with all the money that America has, it could not really cope with the rescue and the relief. I will not go into the details of that. Let me welcome this Bill that has been put forth by the UPA Government. I do wish to mention here that this Bill was drafted by us, the NDA Government, much before and it could not come to the House and see the light of the day. It was for very many reasons. It is worthwhile mentioning that before this Bill has come to the Parliament, the Gujarat Government has a Disaster Management Act already in place. I have got a first hand information on a manmade disaster which happened near Baroda, a train accident, and I had the opportunity to go and see it. This train accident happened in the wee hours of them morning... (Interruptions)

## MR. DEPUTY-SPEAKER: Silence please.

SHRI VIJAYENDRA PAL SINGH: And because of this Disaster Management Act which came into existence there, the information went to the Chief Minister and by about 8 o'clock in the morning, the rescue work was already completed. The causalities were removed to the hospital, the people who died were also handed over, and all this took place because of this Disaster Management Bill and the Act that was in Gujarat. It is worthwhile mentioning here that because of the tsunami, a lot of Far Eastern countries who were also wanting to put an Act of this kind into existence in their countries, came and consulted the Gujarat Government for this.

Let me not delve on that subject a little too long but let me tell the hon. Minister that the National Disaster Management Authority must have a technologist or a scientist on the Authority so that a lot of thing which need to be done are also done at that level.

The India Meteorological Department has spent about Rs. 50 crore but I feel that more has to be done. It needs total overhauling; it needs modernisation; it needs automatic weather stations; it needs automatic rain gauges; and it needs wind prolifers. It needs accurate forecasting systems which are much needed in the country. The seismic networking has to be upgraded. Telecom and other facilities also have to be upgraded. So, it should cost much more than Rs. 50 crore; it should cost about Rs. 300-400 crore. It must be given immediately by this Authority.

Let me also talk about multi-level co-ordination which is required. You have an Authority; you also have the management committees. What is the subject that would be in the purview of the management committees and what would be in the purview of the Authority? That has not been really specified. I feel that this must be informed to the House by the hon. Minister.

The hon. Minister has stated, when he was talking about this Bill to the House, that when a disaster occurs, the first step is to give relief. I do not agree with him. The first step that has to be taken is not relief but it is the rescue work. In international fora, it is called the 'red zone'. The first 48 hours and 72 hours are most important. First, during that period, you need to do a lot of rescue work; and then relief comes into play.

In rescue work, I feel the Defence Forces must be involved in some way or the other at every level because the sort of expertise that they have is very essential. Even when the Tsunami disaster struck, the Defence Forces, because of the distance of about 1,200 kilometres from Chennai and about equidistant from Kolkata, came into the act and did a lot of rescue work. I feel that it is very important that the multi-level co-ordination needs to involve the Defence Forces, not just for rescue work but also for training. Training has to be imparted at every level, through different layers of training.

It has been proposed to have an institute for training in disaster management. I welcome that proposal but where is this disaster management institute going to be located? I feel that it should be located particularly in the areas which are prone to cyclones or earthquakes rather than in New Delhi. It is important that it should be manned by the Defence Forces.

Sir, may I also point out that the meetings of these management committees have also to be stipulated, whether these meetings will take place every month or every three months? Sir, these Committees feel that this can happen to somebody else. When the 9/11 incident happened - that was a manmade disaster, not a natural disaster - in New York, they thought 'why New York'. They had never thought that it can happen in New York. We have that feeling. It is a natural phenomenon. We feel that if it is a disaster that happens, or an accident that takes place, it happens to other people and not to us. So, it is very important that these district level committees meet very often and they do the

exercises along with Defence Forces so that they are kept in readiness, which is of prime importance.

MR. DEPUTY-SPEAKER: Please conclude now.

SHRI VIJAYENDRA PAL SINGH: Sir, I have just started.

MR. DEPUTY-SPEAKER: You have taken more than 10 minutes.

SHRI VIJAYENDRA PAL SINGH: There may occur disasters which are manmade disasters. There may also occur natural disasters like earthquakes, floods, cyclones, tsunamis, and avalanches. I will not get into manmade disasters right now.

Then, the next factor is the affect factor, the extent of area. Like, tsunami originated 1,200 kilometres away. Accessibility is a problem. Then, we have to see how much damage and loss has been done. That is where the communication part comes into play. The communication is very important and it should be informed at all levels that this has happened, this is the loss and this is what is required.

After that, the next phase is the rescue and not the relief, what the Minister was talking about. The first thing to be done is rescue and that is most important. You can divide it into a red zone which is 48 hours, then immediate relief, that is, till about seven days, then intermediate rehabilitation and lastly, the permanent rehabilitation which can take a few years. One year has passed since the tsunami had occurred. I had the opportunity of assessing that. The Defence Forces have done a great work there. Schools are back. Other works are in progress. That is why, I have been, again and again, harping on the fact that Defence Forces along with the co-ordination of all other Departments are very important.

In the end, let me once again welcome this Bill, although it is a belated one.

SHRI A.K.S. VIJAYAN Hon. Deputy Speaker Sir, I welcome the Disaster Management Bill 2005 that has been conceived and moved in this august house by the UPA Government. This is a move wrought with farsightedness.

Employment Guarantee Act, Right to Information Act, are the legislative measures that aim at benefiting the masses ensuring their basic rights. I congratulate the Government and welcome this Bill as passed by the Rajya Sabha with the amendments accepted and moved by the Government. One of the poems of our leader Dr. Kalaignar's talks about the hapless nature of helpless people as a paper boat swayed by the waves of the ocean. I find the condition of the people of my constituency Nagapattinam to be the same. The people in the coastal region are yet to come out of the grip of fear and the grief of loosing heavily the lives and properties due to tsunami. This welcome Bill is there to provide a ray of hope in their lives. Series of disasters affected our country in the past decade one after the other. It started with the earthquake in Latur. Then came the devastating Gujarat earthquake. Recently thousands of people died in the J&K earthquake. These three huge earthquakes affected Indian subcontinent in a big way. Apart from this, four very big cyclone disasters have hit our country causing great damage. Last year's tsunami that devastated the southern coasts of the country on 26th of December 2004 has left its indelible mark. The relief and rehabilitation measures are still pending. The recurrent floods and storms and drought conditions cause great calamity and their woes continue as a sad tale.

In the absence of a National policy pertaining to natural disasters, there were loopholes in the rescue and relief measures. After almost 60 years of

\*English translation of the speech originally delivered in Tamil.

independence, only for the past ten years there has been serious thinking about evolving a Bill of this kind. As a consummation of this ceaseless effort, this Bill has seen the light of the day. There was a continuous consultation process among leaders in the making of the

Bill. Hence, I would like to thank Mrs. Sonia Gandhi, the Chairperson of the National Advisory Committee for the endeavor to bring this Bill. I also thank her on behalf of our leader Dr. Kalaignar Karunanidhi and Dravida Munnentra Kazhagam.

Weather monitoring observatories are with the Centre. Remote sensing satellite facilities are with the Centre. Investigating agencies are with the Union Government. But still giving a pep to the Federal spirit, this Bill seeks to establish both NDMA and SDMA. There will be Disaster Management Authority both at the Central and State level. But at the same time there will be Disaster Management Committees at the district level. It is a welcome feature that as a people's representative Prime Minister and Chief Ministers will be heading the authorities both at the Central and State level. While welcoming this move, I would like to ask of the Centre as to what would they do to impress upon certain State Governments that either go slow or resort to unfair methods and discriminatory methods in extending relief assistance. Sir, any disaster must be immediately followed with Rescue and Relief measures on the one hand and rehabilitation and reconstruction projects on the other hand. Both of them call for different funds. Relief assistance must reach the affected people immediately. At least during natural disasters there must be a viable mechanism in place to reach the needy at the district level. Cyclone hit and those affected by rain floods must get safer shelters. With a clear vision and a farsightedness in planning, mitigation funds must be extended to thwart heavy damages during natural calamities.

Drought is a natural disaster that hits at the root of agricultural sector and breaks the backbone of the farmers who contribute to the agro-economic activity that is the backbone of our economy. Such drought conditions must be forewarned and drought prone areas must get the attention of agricultural researchers with suitable advice regarding cultivation methods and about appropriate crops and techniques to continue with cultivation and agricultural activities. This Bill seeks to gather knowledge to obviate and mitigate sufferings and thereby suggests the need to consider knowledge as power to handle the might of Mother Nature. Technologists and experts from various fields are to be roped in the NDMA. This is a welcome step. The people's representative in the form of Prime Minister is in the NDMA. It is not unnatural to have Chief Minister to Chair the State authority. But will it not be natural to impress upon the delaying and erring State

Governments that do not extend relief assistance in an impartial manner. Discriminatory measures must be condemned. I do not know why the Union Government is silent on this when the far cry of the people is quite deafening after every disaster. As far as District Committees are concerned they must not be left entirely with officials. People's representatives like MPs, MLAs and local body members must be included in the monitoring and implementation committees at the Districts. This decision must be taken by the Central Government. Immediately after the recent rain flood havoc, our leader Dr. Kalaignar convened an all party meeting and pleaded with the Centre to extend the assistance sought by the Government of Tamil Nadu. Cutting across party affiliations unanimous resolution was passed. They also impressed upon the Government to form all party monitoring committee at the local level.

I have brought to the notice of the august house on several occasions that the flood affected and the tsunami affected are not getting timely assistance in the absence of proper co-ordination. Since co-ordination is missing the tsunami hit people in my constituency are yet to get the benefit of rehabilitation measures and safer permanent shelters are yet to be constructed for them. Those who cause hurdles in the way of constructive measures must be put under check. I would like to illustrate certain instances here. It was announced that Rs 1000 in cash and 10 kgs of rice would be distributed to the flood affected families. But in reality, just Rs 800 was given away and a mere 7 kg of rice was supplied to flood hit families. Though the Centre gave an interim relief of Rs 500 crores, the Centre's benevolence was not highlighted. The local Ministers in Tamil Nadu were found giving them away claming as though it came only from their 'Amma'. The Union Home Minister who has investigating agencies with him, despite our highlighting these misdeeds, remains a silent spectator and we know not why. Our late lamented former Prime Minister Shri Rajiv Gandhi said in 1985 that out of every rupee we spent for the poor through development schemes only about 15 paisa reach the needy people. But in 2005 we find in Tamil Nadu only 1.5 paisa out of every rupee spent on the under privileged reach the pitiable poor.

I would like to urge upon the Union Government's coalition led by Madame Sonia Gandhi to ensure that the money set apart for the poor reach them in full measure.

As far as farmers are concerned, they are the worst hit in the 4 successive incessant rain havoc. They have lost almost everything. Only those who have got loans from nationalised banks get insurance covers. Others who have got loans from private parties or even those who did not take loan are not given insurance cover after September this year. This must be extended to December this year. Crop insurance must be streamlined to benefit all the farmers. The Central schemes meant for farmers must reach them without going through middlemen. Fishermen must get insurance cover for their boats. They must get insurance benefit for partly damaged boats also. As this Bill can ensure a mechanism that can take up measures on a war footing I welcome this Bill while impressing upon the need to include the people's representatives in its implementation. This must not be a mere experimentation. This must continue. We seek to overcome economic ravages caused by natural disasters with the help of technology and knowledge through this Bill. This is a constructive move in the wake of destructive disasters caused by natural calamities. Expressing my support to this Bill, let me conclude.

MR. DEPUTY-SPEAKER: Before I call the next hon. Member to speak I want to make a request to all the hon. Members. I have a very long list of speakers with me but the time available is very short. Therefore, I would like to request the hon. Members to make suggestions only within two or three minutes. I now call Shri Sandeep Dikshit KMR6.

श्री सन्दीप दीक्षित आदरणीय उपाध्यक्ष महोदय, आपने मुझे बोलने का मौका दिया इसके लिए मैं आपका धन्यवाद करता हूं। यू.पी.ए. सरकार ने आपदा प्रबंधन विधेयक प्रस्तुत किया है मैं उसका समर्थन करने के लिए खड़ा हुआ हूं। आपने कहा है कि समय की थोड़ी कमी है। मुझे हमेशा आपका संरक्षण मिला है इसलिए मैं आपकी बात मानते हुए कुछ ही क्षणों में अपनी बात समाप्त करने की पूरी कोशिश करूंगा।

मैं आपके माध्यम से माननीय गृह मंत्री जी को दो-तीन चीजों के बारे में कहना चाहूंगा। सबसे पहली बात है कि बिल में कहीं न कहीं आपदा की परिभााा को ज्यादा गूढ़ और व्यापक रूप से लिखने की आवश्यकता है। इसमें मैन-मेड-और-नैचुरल-डिज़ास्टर की बात तो कही गई है लेकिन बहुत सी ऐसी आपदाएं हैं जिनके बारे में इस बिल में दुविधा रहेगी कि क्या ये आपदाएं आपदा नियंत्रण बिल के अन्तर्गत आती हैं या नहीं आती हैं?

इस संबंध में एक छोटा सा उदाहरण सूखे का है। क्या सूखे को आपदा के अन्तर्गत लें? इस संबंध में इस बिल के तमाम अधिनियम और उनसे संबंधित जो सुविधाएं हैं, क्या ये इनके अन्तर्गत आती हैं या नहीं आती हैं? इसी तरह से किस तरह की बाढ़ को आपदा के अन्तर्गत लेते हैं या नहीं लेते हैं? इस बात की जरूरत इस दृटि से है क्योंकि खास तौर से जब जिले में या राज्य में सूखे की बात आती है, सूखा डिक्लेयर करने की बात आती है तब तथ्य से जुड़े प्रश्न के बजाय अक्सर यह राजनीतिक प्रश्न बन जाता है। कई जगह पर झाउट अफेक्टिड डिस्ट्रिक्ट डिक्लेयर करने के लिए राज्यों की पार्टियों में आपस में प्रतिस्पर्द्धा हो जाती है, नेतृत्व में आपस मे प्रतिस्पर्द्धा हो जाती है, जमीन से आते हुए आंकड़ों और सरकार की डिक्लेरेशन्स के बीच में कभी-कभी सामंजस्य नहीं बनता है। इस कारण से उन जिलों में वे व्यक्ति जो सही मायने में किसी आपदा से प्रभावित होते हैं, उन्हें सम्पूर्ण फायदा नहीं मिल पाता है क्योंकि वहां जो धन, सामग्री और सामान जाता है वह ज्यादा जगहों में बंट जाता है और कन्सन्ट्रेट नहीं हो पाता है। मेरा माननीय गृह मंत्री जी से आग्रह है कि इस बात के लिए जो भी रूल्स बनें उन्हें बहुत साफ तरीके से अंकित किया जाए।

सूचना प्रौद्योगिकी को इस्तेमाल करने के लिए नेशनल डिज़ास्टर रिसोर्स नेटवर्क को भारत सरकार ऑलरेडी चला रही है। इसमें देखा गया है कि इसमें ऐसी चीजों को इस्तेमाल किया जाएगा जिसमें सूचना का आदान-प्रदान हो सकेगा लेकिन इसमें कई चीज़ें लाने की आवश्यकता है। इसी तरह से इंश्योरेंस की बात है। इंश्योरेंस हमेशा आपदा आने के बाद शुरू होता है। कई बार देखा गया है कि कई इलाकों में और कई जगहों पर जहां अभी भी लोगों ने इंश्योरेंस ले रखी है और बैंक से क्रेडिट ले रखा है और अपने मकानों को किसी न किसी तरह इंश्योरेंस करा रखा है। लेकिन बाढ़ जैसी बड़ी आपदा आने के बाद, सुनामी जैसी विध्वंसकारी आपदा आने के बाद न तो अधिकारियों के रिकॉर्ड बचते हैं और न ही कहीं पता चल पाता है कि किस-किस ने इंश्योर करवाया। मैंने सुनामी के बाद यह कोशिश की कि इंश्योरेंस एजेंसी से पता चले कि कितने ऐसे व्यक्ति थे जिन्होंने सुनामी से पहले इंश्योरेंस कराया और उन्हें उसका फायदा मिला जबिक ये आंकड़े मुश्किल से ही मिल पाते हैं। मेरा आग्रह है कि ऐसे डाटाबेस में कम से कम इन कंपनियों को, चाहे वे सार्वजिनक हों, पब्लिक सैक्टर से हों या प्राइवेट कंपनियां हों, भी इस डाटाबेस से जोड़ा जाए जिससे उन लोगों का पता चल सके जिन्होंने इंश्योरेंस करवाया है। जहां तक धन या संपत्ति को अंकित करने की बात है या लैंड रिकॉर्डस की बात है, अगर ये सब नेशनल रिसोर्स डाटाबेस में आ जाएं तो एक बार आपदा आने के बाद लोगों ने क्या खोया क्या नहीं खोया, क्या उनके पास था और क्या नहीं था, यह बात ज्यादा स्पट तरीके से पता चल सकती है।

इसी तरह से भोपाल गैस त्रासदी से बहुत से लैसन हमें जरूर लेने चाहिए। इस भयंकर त्रासदी के बीस साल बाद भी आज तक यह बात ठीक तरह से तय नहीं हो पाई है कि सही कल्पेबिल्टी क्या है? भोपाल में कितने इलाके प्रभावित हुए हैं? हम इस त्रासदी से कैमिकल ट्रेजेडी की जो चीजें अब धीरे-धीरे निकल कर आ रही हैं, उनका लिंक भोपाल गैस त्रासदी से कर सकते हैं। मेरा आग्रह है कि नेशनल इंस्टीट्यूट ऑफ डिज़ास्टर मैनेजमेंट या ऐसा कोई और प्रबंधन बने, इसमें वे तरह-तरह की आपदाओं से जुड़े रहें क्योंकि जो लीगल सवाल हैं उससे तमाम पॉसिबिल्टी देखें कि किस तरीके से लोगों को नुकसान हो सकता है, कैसे इसे स्प्रेडआउट किया जा सकता

है, उसकी कट ऑफ डेट्स क्या हो सकती हैं इसके बारे में कुछ नियम बनाएंगे तो और बेहतर रूप से काम हो सकेगा।

उपाध्यक्ष महोदय, मैं दो मिनट और लूंगा। इसी तरह से एक्जिस्टिंग अपग्रेडेशन की बात है, खास तौर से गुजरात के भुज भूकम्प के बाद एक बात ध्यान में जरूर आई है क्योंकि भुज का भूकम्प ऐसा था जो शहरी इलाकों में आया था। मैं दिल्ली का, खास तौर से पूर्वी दिल्ली का प्रतिनिधित्व करता हूँ अक्सर हमें खबरें मिलती हैं कि हो सकता है दिल्ली में भयानक जलजला आए। लेकिन इसके साथ ही यह भी बताया जाता है कि हमारी अधिकतर बिल्डिंग्स ऐसी हैं जो शायद छः या सात रिक्टर स्केल के जलजले को नहीं सह पाएंगी और ढह जाएंगी। इसिलये यह अंधकारमय स्थिति है जिसमें किसी को पता नहीं चलता है। इसिलये कहा जाता है कि बिल्डिंग की रैट्रोफिटिंग की आवश्यकता है। जो गरीबों के मकान हैं या जिन्होंने अनधिकृत रूप से छोटे छोटे मकान बना रखे हैं, उनके बारे में ठीक रूप से पता नहीं चल पाता है कि प्राकृतिक आपदा के सामने अपने आपको, अपने घर या दफ्तर को ठीक रख पायेंगे या नहीं? इसिलये मेरा निवेदन है कि सरल तरीके से सभी लोगों को यह बात बार बताई जाये कि किस तरीके से अपने घर या मोहल्ले की चैकिंग करानी चाहिये। इससे वह थोड़ा बहुत संतुट हो जायेगा कि आने वाली आपदा से अपने नुकसान को किसी न किसी रूप में बचा सकेगा।

उपाध्यक्ष जी, हमारे पूर्व वक्ताओं ने कहा है कि आर्मी को इससे जोड़ा जाये। हमारे पास एन.सी.सी. के कैडट्स होते हैं। इनको प्राकृतिक आपदा के समय जोड़कर चलना चाहिये हर जिले में कहीं न कहीं प्लान बना होता है लेकिन जब प्राकृतिक रूप से कोई आपदा आती है तो ये सब धरे के धरे रह जाते हैं। हालांकि कलेक्टर कोशिश करता है कि स्थिति नियंत्रण में हो जाये। मेरा ख्याल है कि यदि प्लान बनता है तो व्यावहारिक रूप से बने। अधिकारियों में आपदा नियंत्रण करने की क्षमता का अनुभव हो तो उससे जोड़ा जाये। मेरे पूर्व मित्रों ने एक बात और भी कही है कि इसमें जन-प्रतिनिधियों को कहीं न कहीं जोड़ना चाहिये। अगर प्लान बना है और कलेक्टर सक्षम नहीं है तो कम से कम जन-प्रतिनिधि उसे मदद कर सकते हैं। इससे जनता का हित ही होगा। इसलिये मैं कहूंगा कि जन-प्रतिनिधि को इससे जोड़ना चाहिये। जन-प्रतिनिधि सरकार की मदद कर सकते हैं ताकि प्लान का अच्छे तरीके से क्रियान्वयन हो सके.। यह बात जमीनी तौर पर और हकीकत में हो तो जन-प्रतिनिधि अपनी बात रख सकते हैं।

में इस बिल का समर्थन करते हुये अपनी बात समाप्त करता हूं।

श्री अनंत गुढ़े उपाध्यक्ष महोदय, माननीय गृह मंत्री जी राट्रीय आपदा प्रबंधन का जो बिल लाये हैं, मैं उसका र वागत करता हूं।

हम कई सालों से देख रहे हैं कि देश के किसी न किसी राज्य में कहीं न कहीं लगातार आपदा आती रहती है। पिछले दिनों देश के कई राज्यों में ऐसी आपदायें आई। कई आपदायें प्राकृतिक होती हैं और कई मानव-निर्मित होती हैं। पिछले दिनों मुम्बई में जो बरसात हुई, उसके कारण मीठी नदी में बाढ़ आई, उसकी वजह से लोगों को बहुत ज्यादा तकलीफ हुई। मैं एक-दो बिन्दुओं पर अपनी बात कहना चाहूंगा।

मैं सब से पहले तो यह कहूंगा कि इस बिल की बहुत ही ज्यादा आवश्यकता थी। इस बिल के माध्यम से राट्रीय स्तर पर गठित समिति का पदेन अध्यक्ष प्रधानमंत्री, राज्य स्तर पर गठित समिति का पदेन अध्यक्ष मुख्य मंत्री होगा लेकिन जिला स्तर पर गठित समिति का अध्यक्ष कलेक्टर होगा। जिला स्तर की समिति में निर्वाचित जन-प्रातिनिधि को सह-अध्यक्ष बनाया गया है। मेरा सुझाव है कि जब राट्रीय स्तर की समिति के अध्यक्ष प्रधान मंत्री हैं, राज्य स्तर की समिति के अध्यक्ष मुख्य मंत्री हैं तो जिला स्तर की समिति का अध्यक्ष जिला परिाद् का अध्यक्ष या सासंद होना चाहिये।

उपाध्यक्ष महोदय, दूसरी महत्वपूर्ण बात यह है कि इस समिति के लिए जो धन दिया जा रहा है, वह लैप्स नहीं होना चाहिये[RB7]। क्योंकि आपदा के बारे में कहा नहीं जा सकता कि अब यह दो साल बाद आयेगी, चार साल बाद आयेगी या दस साल बाद आयेगी। इसलिए राज्य में जो बजटीय प्रावधान होता है, बजट से जो पैसा इस आपदा समिति के लिए दिया जायेगा, वह पैसा लैप्स नहीं होना चाहिए। जैसे एम.पी.लैड का पैसा लैप्स नहीं होता है, वह चलता रहता है। इसी तरह से यह पैसा भी लैप्स नहीं होना चाहिए। क्योंकि भविय में आने वाली आपदा कितनी बड़ी हो सकती है, यह हम नहीं जान सकते। इसलिए जब वह आपदा आयेगी तो बहुत पैसे की जरूरत पड़ेगी। हमने देखा है कि जब भी ऐसी आपदाएं आती है, जैसे अभी तिमलनाडु और गुजरात में आपदाएं आईं, ऐसे समय में राज्य सरकार का पूरा ध्यान केन्द्र सरकार के पैसे की तरफ रहता है। इसलिए ऐसी स्थिति में राज्य में और जिले में अपना को। जमा रहे तो इमरजेन्सी के वक्त पैसे की कमी न पड़े और जो लोग आपदा में घिरे हुए हैं या पीड़ित हैं, उन्हें तुरंत मदद दे सकें, ऐसी व्यवस्था होनी चाहिए।

उपाध्यक्ष महोदय, अभी यहां एक माननीय सदस्य ने कहा कि कुछ आपदा ऐसी होती है जो बिना वजह के आती हैं। जैसे आज किसान आत्महत्याएं कर रहे हैं। यह भी एक तरह की आपदा है। जहां कहीं भी ऐसी स्थिति पैदा होती है और किसानों पर आपदा आती हैं, तो ऐसे किसान इसके दायरे में आने चाहिए, ताकि इस आपदा निधि में से हम उन्हें कुछ मदद दे सकें। जिन राज्यों में बार-बार, हर साल ये आपदाएं आती हैं, वहां पर धन इकठ्ठा करने की बात यहां नहीं कही गई है। इसीलिए केन्द्र, राज्यों को क्या दे रहा है, राज्य जिले को क्या दे रहे हैं, इस पर भी यहां बात होनी जरूरी है। इसके अलावा जो भी धन वहां इकठ्ठा हो, वह लैप्स नहीं होना चाहिए, वह पैसा वहां को। में जमा होना चाहिए। इन सब बातों का इसमें प्रावधान हो, यह निवेदन करते हुए मैं इस बिल का समर्थन करता हूं।

SHRI SUGRIB SINGH Hon. Deputy Speaker Sir. I am grateful to you for allowing me to speak on this Bill on Disaster Management. The State of Orissa is the capital of India so far as natural calamities are concerned. Whether it is flood, cyclone, super-cyclone, drought, heat wave or cold wave all these are part and parcel of the climate of Orissa. It is a backward State of India where 47.3% people live below the poverty line. Among them majority belong to the category of Scheduled Caste and Scheduled Tribes. This segment of the population lives life in abject poverty. My State Orissa is a land of temples, forests and is abundant with the bounties of nature. But it has not reached the desired level of development. The primary reason is step motherly attitude of the central Government and apathy towards Orissa in central planning. That is why Orissa is not yet at par with national mainstream. Sir, Orissa lies in a seismic belt which in very much prone to earthquakes and tsunamis. Hence it is even more imperative that adequate preparedness for such disasters is reflected in the present Bill. The Central Government should adequately emphasize upon the protection of the vulnerable section and immediate rescue operation in case of any contingency. This Bill should address the issue of rehabilitating the victims too.

In the month of October 1999, the super cyclone that visited Orissa, was a disaster of great magnitude. Its impact was so severe that it completely debilitated the economy of Orissa. Millions lost their lives, lost their homes and the uprooted people are yet to properly settle down. Natural calamity is the worst enemy of

Orissa. Hence I want to emphasize that this Bill should in no way narrow down the sphere of activity of the body called 'Disaster Management Authority'. I have nothing against this Bill, only I want that this Bill should act a vigilant protector for the rights of the affected people.

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# 15.00hrs

<sup>\*</sup>English translation of the speech originally delivered in Oriya.

श्री आलोक कुमार मेहता उपाध्यक्ष महोदय, सुनामी की तरह बाढ़ भी एक ऐसी प्राकृतिक आपदा है जिसकी वजह से बिहार और असम जैसे प्रदेशों में लगभग प्रति वी जान-माल की भारी हानि होती है। इसको रोकने के लिए आपदा प्रबंधन के प्रावधानों में सुधार की आवश्यकता है। बिहार में आठ से दस दिनों तक प्रत्येक वी किसी न किसी क्षेत्र में बाढ़ के कारण भयावह स्थिति बनी रहती है। जब तक राज्य वहां के लिए राहत कार्य शुरू करे, मोटर बोट इत्यादि की व्यवस्था करे, तब तक बहुत बड़े पैमाने पर हानि हो चुकी होती है।

बिहार में पिछले र्वा ही बाढ़ राहत के लिए हमारी केन्द्र की यूपीए सरकार ने सहायता भी प्रदान की। हमारे जिला समस्तीपुर में भी जहां बाढ़ की सबसे भयावह स्थिति थी, बाढ़ की वजह से वहां पर राहत पहुंचाई गई, लेकिन राहत पहुंचाने में जो कमी हुई उससे समय पर राहत सामान नहीं पहुंच सका। आने वाले दिनों में बाढ़ प्रबंधन को दुरुस्त करने के लिए मोटरबोट्स की व्यवस्था तथा राहत सामग्री की व्यवस्था बाढ़ की अनुमानित तिथियों से पहले करने की व्यवस्था की जाए, ऐसा अनुरोध मैं अपनी सरकार से करता हूं।

पिछले वर्ष बांधों के टूटने से जो क्षित हुई है, उन बांधों की अगली बाढ़ आने तक भी पूरी तरह से मरम्मत नहीं की जा सकी। हम कहना चाहेंगे कि आपदा प्रबंधन नाम के शब्दों की सार्थकता बनाए रखने के लिए जब आपदा आए, उससे पहले ही उसकी तैयारी पूरी होनी चाहिए और इस बात को सुनिश्चित किया जाना चाहिए। जिला में कलैक्टर्स उसके अध्यक्ष होते हैं, लेकिन अक्सर ऐसा होता है कि जनप्रतिनिधि के रूप में सांसदों और विधायकों की उपस्थित उनकी बैठकों में अनिवार्य नहीं की जाती जिसकी वजह से बहुत बड़े पैमाने पर गड़बड़ी की आशंका होती है। बाढ़ में ध्वस्त 25 हजार मकानों को बनाने के लिए इंदिरा आवास योजना के तहत मदद भेजी गई, लेकिन पिछले दो वााँ में भी और अभी तक सही लोगों तक वह सहायता नहीं पहुंची। जिनके मकान सचमुच में ध्वस्त हुए थे, उनके मकान नहीं बनाये जा सके। इसका लेखा-जोखा और समीक्षा होनी चाहिए तथा किसी को इस स्थिति प्रति जवाबदेह होना चाहिए। जिसको व्यवस्था करनी है, यदि वहीं से गड़बड़ी हो तो शिकायत करने के बावजूद भी कोई सुधार नहीं होता। इसलिए सरकार ऐसे कदम उठाए कि इस तरह की गड़बड़ियों को दूर किया जा सके और आपदा प्रबंधन नाम के शब्दों की सचमुच में सार्थकता बनी रहे। इन्हीं शब्दों के साथ मैं आपका धन्यवाद करता हूँ कि आपने मुझे बोलने का समय दिया।

उपाध्यक्ष महोदय : श्री बची सिंह रावत। सभी वक्ता अब दो-दो मिनट बोलेंगे।

श्री बची सिंह रावत 'बचदा' (अल्मोड़ा) : मैं तो शायद अपनी पार्टी का आखिरी वक्ता हूँ।

उपाध्यक्ष महोदय : अभी दो सदस्य और आपकी पार्टी से बोलने बाकी हैं। आप दो-तीन मिनट में अपनी बात समाप्त करें।

श्री बची सिंह रावत 'बचदा' : माननीय उपाध्यक्ष महोदय, पिछले 15 सालों में छह बहुत बड़ी घटनाएं देश के भीतर हुई हैं। माननीय अटल बिहारी वाजपेयी जी के नेतृत्व में हाई पावर कमेटी आन डीजास्टर मेनेजमेंट का गठन किया गया, तािक पूरे देश के भीतर जो भी घटना हो, उससे निपटने के क्या तरीके हो सकते हैं, इस पर विचार किया जा सके। जब भुज का भूकंप आया, उसके बाद आल पार्टी नेशनल कमेटी आन डीजास्टर मनेजमेंट बनाई गई और सारे राजनीतिक दल इसमें सम्मिलित हुए। इसी दिशा में आगे बढ़ते हुए तथा यह समय का तकाजा था, इसलिए आज माननीय गृह मंत्री जी यह डीजास्टर मेनेजमेंट बिल ले कर आए हैं। इसका सभी सदस्यों ने स्वागत किया है और मैं भी समर्थन करता हूं।

इसमें मुख्य रूप से मैं एक निवेदन करना चाहता हूं कि क्लाज 8 (बी) में तमाम मंत्रालय सम्मिलित किए गए हैं। जो-जो नेशनल एक्जीक्यूटिव कमेटी और एडवाइजरी कमेटी में मंत्रालय सम्मिलित होंगे, उनमें कम्यूनिकेशन है, रेलवे है और दूसरे भी मंत्रालय हैं। लेकिन जो सर्फेंस ट्रांसपोर्ट है, उसे सम्मिलित नहीं किया गया है, क्योंकि कहीं भी राहत समय पर पहुंचाने के लिए सड़क का संचार बहुत आवश्यक है। इसलिए मेरा निवेदन है कि सर्फेस ट्रांसपोर्ट मंत्रालय को भी शामिल किया जाए।

एक क्लाज 55 (बी) है। इसमें एक व्यवस्था दंड के संबंध में की गई है। इसके अनुसार विभाग का कोई भी अपराध होगा, तो विभाग के प्रमुख को जिम्मेदार माना जाएगा। जो क्रीमिनल ज्यूरिसप्रूडेंस है, उसके यह एकदम िवपरीत है, क्योंकि क्रीमिनल लायबिल्टी उसी की होनी चाहिए, जो अपराध करेगा, लोकिन जो क्लाज 55 (बी) में इसके विभागीय रूप से रखा जा सकता है कि डिपार्टमेंटल प्रोसीडिंग चले, लेकिन एक्ट में दो साल का कारावास देने की बात करेंगे और हम कहेंगे कि अपने विभाग के कर्मचारी गलती करे और दंड मिले हेड आफ दि डिपार्टमेंट को, यह ठीक नहीं है। क्रीमिनल लायबिल्टी होनी चाहिए, इसलिए इस पर पुनः विचार होना चाहिए। इसमें संशोधन लाया जाना चाहिए।

मैं दो-तीन विाय संक्षेप में कहना चाहता हूं। हमारा जो अनुभव है, जैसे भुज में हुआ कि बड़ी-बड़ी इमारतें गिर गईं। मलवे को उठाने के लिए हैवी बुल्डोजर्स छोटी-छोटी गिलयों में कैसे पहुंचें? अभी दिल्ली के माननीय सांसद भी अनुरोध कर रहे थे कि दिल्ली भी सेंस्टीव जोन प्रोन एरिया है और कैटेगिरी-4 में है। भगवान न करें कि ऐसी घटना हो, लेकिन हो जाए तो छोटी-छोटी गिलयों के भीतर मलबे को कैसे इकट्ठा करेंगे। इसलिए छोटे-छोटे बुलडोजर्स की

व्यवस्था की जानी चाहिए। ऐसी मशीनरी थाने और तहसील में तैयार रखनी चाहिए। जो प्रिवेंटिव मेजर्स हैं, उनमें डोजर्स का मामला भी हो।

इसी तरह से पर्वतीय क्षेत्रों में, जैसे सतलुज में बाढ़ आई थी, तब 11 पुल बह गए थे। अगर हमारे पास पहले से वेली पुल की तैयारी हो, स्टेट के पास, डिस्ट्रिक्ट लेवल पर वेली पुल हों, तो उन्हें ज्वायंट करके तत्काल कार्यवाही करके यातायात चलाने की व्यवस्था कर सकते हैं। यह भी निर्देशित होना चाहिए कि प्रत्येक राज्य के डिस्ट्रिक्ट हेडक्वार्टर में कम से कम ऐसे वेली पुल उपलब्ध रहें।

इसी तरह से बाढ़ का मामला है। तटबंध पहले से तैयार रखने चाहिए। बाढ़ और सूखा सबसे बड़ी आपदाएं हैं। इसके लिए निदयों को जोड़ने का काम शुरू हुआ था। इस विाय पर तेजी से काम होना चाहिए और निदयों को जोड़ कर सूखे और बाढ़ से राहत मिलेगी, साथ ही साथ अन्य फायदे भी हो सकते हैं।

महोदय, इन पांच विायों में रेसक्यू भी है। हम तत्काल कैसे मदद पहुंचा सकते हैं। मेरे संसदीय क्षेत्र में मालपा, कैलाश मानसरोवर के पास घटना हुई थी और उसमें पूरे 24 घंटे तक पता नहीं चला कि 67 लोग पहाड़ के नीचे दबे कर मर गए हैं। उसमें लैंड स्लाइड हुआ था। उसके बाद आईटीबीपी के वायरलेस से खबर मिली, तब रोड कम्यूनीकेशन नहीं था। सारे रास्ते टूटे हुए थे। हैलिकाप्टर भी बादल फटने के कारण नहीं पहुंच सके। पांच दिन तक कोई वहां पहुंच नहीं सका। सड़कों का कम्यूनीकेशन और टेली कम्यूनीकेशन संचार का नेटवर्क, यह सबसे जरूरी है। बीस-बीस किलोमीटर दूर तक, जहां सिर्फ पैदल पहुंचा जा सकता है, वहां अगर दैवी आपदा आती है, तो हम कितनी ही व्यवस्था कर लें, वहां राहत सामग्री नहीं पहुंचेगी, तो हम कैसे घायलों की सहायता कर सकते हैं। उसके साथ-साथ रिलीफ का काम भी है। इसके संबंध में मेरा निवेदन है कि मांग आई है कि सांसद सम्मिलित होने चाहिए, इससे मैं सहमत नहीं हूं। कारण यह है कि सांसद के पास पहले ही बहुत ज्यादा काम होते है और वह एडवाइजरी कमेटी या जिला कमेटी में रहते cé[i8]।

उपाध्यक्ष महोदय, जिला पंचायत के अध्यक्ष को, जो को-चेयरमैन बनाने की बात कही गई है, वह ठीक नहीं है। जब हम दंड की व्यवस्था कर रहे हैं और जब इसमें दो साल की सजा होनी है, तो किसी निर्वाचित व्यक्ति को अध्यक्ष बनाने की बजाय, जो अधिकारी है, वही अध्यक्ष रहे, तो ठीक रहेगा।

उपाध्यक्ष महोदय, जब घटना घटित होती है, तो इसमें रिलीफ की बात कही गई है। इस विाय पर बोलना बहुत है, लेकिन समय नहीं है। विाय बहुत लम्बा है। मुझे आशा है कि जब कभी आगे इस विाय पर चर्चा होगी, तो मुझे समय मिलेगा।

उपाध्यक्ष महोदय : जब कभी ऐसे विाय पर चर्चा होगी, तो आपको जरूर समय मिलेगा।

श्री मदन लाल शर्मा मिस्टर डिप्टी स्पीकर सर, मुझ पर बड़ी मेहरबानी होगी, अगर मुझे इस सब्जैक्ट पर बोलने हेतु थोड़ा ज्यादा समय दे दिया जाए क्योंकि, मैं पिछले पूरे हफ्ते हाउस में नहीं आ सका। आज पहले रोज इस हाउस में आया हूं। इसके पीछे कारण यह था कि कश्मीर में जहां भूचाल आया, जहां जलजला आया, मैं वहीं घूम रहा था। इसलिए मैं सिर्फ सजैशन ही देना चाहूंगा। इसके लिए मुझे ज्यादा समय मिलना चाहिए।

डिप्टी स्पीकर साहब, सबसे पहले मैं आपको धन्यवाद देना चाहता हूं कि आपने मुझे इस बिल पर बोलने का मौका दिया। इसके बाद मैं ऑनरेबल होम मिनिस्टर साहब का शुक्रिया अदा करता हूं, जिन्होंने कुदरती आफत से निपटने के लिए कानून बनाने का फैसला लिया और इस बिल को हाउस में पेश किया, जहां से पास होने के बाद यह कानून की शक्ल अख्तियार कर सकेगा।

सर, मुझसे पहले मुअज्जिज मैम्बरान ने बहुत से ख्यालात रखे हैं, बहुत से सुझाव दिए हैं। मैं लम्बी तकरीर करना चाहता था क्योंकि मैं रियासते जम्मू-कश्मीर से आता हूं और यह वह स्टेट है, जहां दो बड़े वाकये हो चुके हैं, लेकिन समय चूंकि कम दिया है, इसलिए मैं मुक्तसर में अपनी बात कहूंगा। पहली बार भारी बर्फबारी हुई उससे लाखों लोग उजड़ गए। बहुत जान-माल का नुकसान हुआ। दूसरी दफा अभी हाल ही में जलजला आया। इससे बहुत ज्यादा तबाही और बर्बादी हमारे कश्मीर के दो जिलों पुंछ और उड़ी के तंगधार और दीतवाल क्षेत्रों में हुई। इसका सेंटर पाकिस्तान में, आजाद कश्मीर में था, जहां हमारे यहां से भी बहुत ज्यादा नुकसान हुआ।

सर, मैं यू.पी.ए. सरकार, प्रधान मंत्री और हमारी पार्टी की अध्यक्षा श्रीमती सोनिया गांधी का धन्यवाद करता हूं जिन्होंने दो दफा वहां का दौरा किया और 700 करोड़ रुपए की सहायता देकर जलजले से प्रभावित लोगों को बचाया और उनकी हौसला-अफजाई की, लेकिन यह पैसा नाकाफी है। कानून बन जाने के बाद यह लाजमी हो जाएगा कि इस किस्म के वाकयात यदि पेश आते हैं, यदि कुदरती आफतें आती हैं, तो बुनियादी सतह पर, पंचायत स्तर पर, ब्लॉक स्तर पर, तहसील स्तर और जिला स्तर तक अदारे काम करेंगे क्योंकि इस बारे में कानून बनने से यह लाजमी हो जाएगा।

सर, मैं जियोग्राफी हालात के बारे में बताना चाहता हूं। मैं हिन्दुस्तान की सारी स्टेट के बारे में नहीं बल्कि अपनी जम्मू-कश्मीर स्टेट के बारे में बताना चाहता हूं। इसमें तीन हिस्से हैं-लद्दाख, कश्मीर और जम्मू। एक-एक जिले के बीच में 400-400 किलोमीटर का फासला है और एक-एक जिला 400-400 किलोमीटर एरिया में फैला हुआ है, जहां आने-जाने का साधन नहीं है। वहां अगर हम स्टेट लैवल की डिजास्टर मैनेजमेंट कमेटी बना देंगे, तो वह नाकाफी है। जब तक उसे जिले, जिले से नीचे ब्लॉक और ब्लॉक से नीचे पंचायत स्तर तक नहीं ले जाएंगे, तब तक रोजमर्रा की आफतों से दो-चार होने वाले लोगों को हम इंसाफ नहीं दे पाएंगे। इसलिए मेरी इल्तजा है कि इसे हम

स्टेट लैवल से निचली सतहों पर ले जाएं और इसमें वे तमाम लोग शामिल होने चाहिए, जो जनता द्वारा इलैक्टेड हैं, जैसे सरपंच आदि।

सर, इसके साथ-साथ मैं यह इल्तजा भी करना चाहता हूं कि जहां-जहां कुदरती आफतें आईं, सबसे पहले हमारे बहादुर फौजी उन इलाकों में पहुंचे और उन्होंने राहत का काम शुरू किया। उनसे पहले न वहां कोई एडिमिनिस्ट्रेशन का अमला पहुंचा और न किसी और प्रकार की मदद पहुंची। सबसे पहले हमारी फौजें वहां पहुंचीं और उन्होंने लोगों को फौरी राहत पहुंचाई। इसलिए मेरी सजैशन है कि इसमें सबसे अहम रोल फौजियों का होना चाहिए। अतः इसमें आप सबसे ज्यादा सेवारत और साबका फौजियों को शामिल कर्थं[rpm9]। यहां डिस्पिलिंड फोर्स होती है। वे अपनी जिम्मेदारी का एहसास करते हैं और आप भी करते हैं तािक फौज और साप्ता फौज मिल कर इस जिम्मेदारी को अच्छे ढंग से निभाएं।

महोदय, यहां जो बात नहीं कही गई है, उस बात को कह कर मैं अपनी बात समाप्त करता हूं। वक्त की किल्लत है, इसलिए मैं ज्यादा नहीं बोलूंगा। हमारे मुल्क के चारों तरफ बार्डर है, गुजरात से लेकर लेह तक, पाकिस्तान का बार्डर हमारे देश के साथ लगता है, बाकी रियासतें राजस्थान, गुजरात और पंजाब हैं, लेकिन जम्मू-कश्मीर रियासत में पिछले सात वाों से, 1999 में जब कारगिल वार हुई, तब से हमारी फौजे रिलीफ कैंपों में बैठी हुई हैं। अभी उनकी रिहेबिलीटेशन नहीं हुई है। इस कानून के अंदर सरहदों पर बसने वाले लाखों लोगों का भी ध्यान रखना चाहिए। कहते हैं कि दोस्त बदलते हैं, पड़ौसी नहीं बदलता, हमारे पड़ौसी का कब, क्या ध्यान में आ जाएगा। न जाने कितनी बार पाकिस्तान की शेलिंग होती है, फायरिंग होती है और दूसरे गोले चलते हैं, जिससे सरहदों पर बसने वाले लोगों की तबाही और बर्बादी होती है। इस कुदरती आफत के अंदर जब कोई ऐसा वाक्यात हो जाए, ऐसी कोई ज़लज़लाना हरकत हमारा कोई पड़ोसी करे तो इस कानून से उन लोगों को भी फायदा मिलना चाहिए।

महोदय, मैं इस कानून का यहां लाने का शुक्रियाअदा करता हूं। मैंने जो सजेशंस दिए हैं, उन्हें आप इसमें शामिल करेंगे।

DR. R. SENTHIL Hon. Deputy-Speaker, Sir, on behalf of Pattali Makkal Katchi, I rise to support this historical Bill on disaster management. I have given notice for moving four amendments to this Bill. I request you to give me time just to justify those amendments. Of course, I welcome this Bill which is historical. For the first time, since Independence, we have got a Bill that actually is going to deal with the disasters. We have a Constitution, in which Schedule VII has three lists. Unfortunately, in any of the lists,

disaster management was not mentioned. The reason being we never thought of disaster management as a science. This Bill attempts to give a comprehensive answer to all other problems relating to disaster management, starting from prevention, emergency rescue operations, rehabilitation and other aspects of disaster management.

One thing has shocked me. That is why I have presented these amendments. What is disaster management and disaster prevention? I will give you just an example. We had an earthquake in Bhuj. A 12-year old boy was trapped under the rubble for nine long days. Any one can imagine the misery the boy must have undergone under the rubble for nine long days. He was rescued after nine days. What happened in the USA? When the twin tower fell down, within 48 hours all the rescue forces were in action. They searched every nook and corner. All the available modern mechanisms were used, including the sniffer dogs. They saw to it that after 48 hours there is no more life under the rubble. But what happened in India was really a disaster.

Do you think that this Bill attempts to produce a force that will actually tackle these disasters? No. This Bill is going to produce hierarchy after hierarchy of bureaucrats to look after disaster management. I am sorry to say this. Unfortunately, this Bill is going to give a lot of job opportunities to IAS officers rather than actually producing forces that can tackle disasters and emergencies. That is why, I have given four amendments. We will have a Disaster Management Authority. The hon. Prime Minister himself will be the Chairman. That is welcome. Then, we will have an Executive Committee. Who will be chairing this Executive Committee? It will be a bureaucrat. For example, take other countries and organisations. Let us consider the WHO. Who is heading the WHO? It is headed by somebody who is committed to health care for years. A person who is working on health care for nearly 22 years becomes the Chairman of the WHO. But what happens Here, we have a person who talks of health for three months, then he is transferred and he talks of forest conservation and then he is transferred from there also. So, we do not have technical persons heading the Departments. I have given an amendment saying that instead of having Secretaries who are bureaucrats, who do not have technical knowledge on disasters, we should have experts who are committed to this subject for years and years.

That is why, I have given notice of an amendment suggesting that instead of Secretaries, the Departmental heads of the Departments concerned should be put in place and they should be heading these teams.

Likewise, clause 12 of the Bill discusses about giving special provisions for widows and the orphans. It is a welcome step. But I just want to add a few words suggesting that the physically and mentally challenged persons also need special provisions. All these amendments must be there because we need special provisions for the physically and mentally challenged persons like the blind, the deaf and the dumb. We need a very different mechanism to reach the people.

Likewise, we already have a force in every district to handle emergency situations like fire and rescue operations. To cite an example, the District Fire Officer is there in every district. Unfortunately, this officer is not given a place in the District Executive Committee. I have given notice of an amendment to insert one thing. The District Fire and Rescue Officer should be the *ex-officio* member of the Committee. I just want to reiterate this.

Since there is lack of time, I will be very brief. This Bill is a wonderful Bill. It is a first-ever attempt to form a force. There are 76 clauses in this Bill. Unfortunately, there is only one clause that talks about creating a force. We do not need managers. In this connection, I just want to tell a small story. There was a boating competition between the US and the Japan. Japan had won the event. The Americans found out why Japan had won the event. They found out that Japan had nine rovers and one captain whereas the US had 9 captains and one rover. Again, the US had constituted an inquiry committee. They changed the team. Again, there was one Chief Executive Officer; there were three Assistant Executive Officers, three Managers, three Assistant Managers and one rover. The team again failed. The point is that we have created managers. We have not created the force. Therefore, I would request the hon. Minister to take into account not only the creation of a force but also execution of this Bill.

With these words, I conclude.

MR. DEPUTY-SPEAKER: Shri Shailendra Kumar. You have only two or three minutes. You have to give suggestions only.

श्री शैलेन्द्र कुमार हमारे दल के 40 मैम्बर हैं। हमारे दल से मोहन सिंह जी बोले थे, उसके बाद उन्होंने कण्टीन्यू किया था। और कोई बोल भी नहीं पाया, दो मिनट में हम क्या बोल पाएंगे।

माननीय उपाध्यक्ष महोदय, आपने मुझे आपदा प्रबन्धन विधेयक, 2005 पर बोलने का मौका दिया, इसके लिए मैं आपका आभारी हूं।...(<u>व्यवधान</u>)

उपाध्यक्ष महोदय: आपकी पार्टी के डॉ. मोहन सिंह जी आठ मिनट ले गये हैं, जबिक आपकी पार्टी के सिर्फ चार मिनट थे, लेकिन वे आठ मिनट बोल गये हैं। फिर भी मैं आपको बुला रहा हूं।

श्री शैलेन्द्र कुमार : शुक्रिया, जो भी समय दे दीजिए। मैं कुछ सुझाव पाइंट्स के रूप में रख रहा हूं।

राट्रीय आपदा प्रबन्धन प्राधिकरण बनाने की जो बात बहुत समय से प्रतीक्षारत रही है, चूंकि तमाम आपदाएं हमारे देश में आई हैं। राहत बचाव के अलावा आपदा प्रबन्धन में यह व्यवस्था की गई है कि कम से कम, लोगों को जागरूक किया जाये, उनको शिक्षित किया जाये। जैसे एक बार बाढ़ आई, लोगों को वहां से विस्थापित किया गया, लेकिन दोबारा फिर वहां आकर वे बस जाते हैं तो उनको शिक्षित करने की जो बात है, उसमें यह भी कोशिश होनी चाहिए कि हमारी जो राट्रीय सम्पदा है, उसका कम से कम नुकसान होना चाहिए।

अभी-अभी जैसा हमारे साथ मदन जी ने कहा कि जम्मू-कश्मीर में जो भूकम्प आया, उसमें काफी लोग प्रामावित हुए हैं। पुनर्वास का काम भी सरकार कर तो रही है, लेकिन पर्याप्त मात्रा में जितना काम होना चाहिए, उतना नहीं हो पा रहा है तो सरकार इसके लिए विशा तौर पर ध्यान दे। अभी जैसे सुनामी आई थी तो सभी सम्मानित सदस्यों ने अपनी निधि से कुछ न कुछ पैसा वहां भेजने की व्यवस्था की है। अगर इस प्रकार की आपदा कहीं भी आई तो कम से कम सांसदों को इतनी छूट होनी चाहिए कि वे वहां पर कुछ न कुछ मदद दे सकें। जहां तक सांसद निधि की बात है, हम लोगों के क्षेत्र में भी काफी आपदा से सम्बन्धित तमाम ऐसे समय आते हैं, चाहे बिजली गिरने से लोगों की मौत होती है और तूफान से लोगों का नुकसान होता है, कहीं-कहीं आग लग जाती है, उससे काफी लोग हताहत होते हैं, मरते हैं, उनका नुकसान होता है। इसके साथ-साथ खेत-खिलहानों में भी आग लगती है, किसानों का उसमें बहुत बड़ा नुकसान होता है। कभी-कभी आकस्मिक सड़क दुर्घटना होती है, काफी लोग उसमें मरते हैं तो

कम से कम सांसद निधि में इतना प्रावधान होना चाहिए कि अगर उनके क्षेत्र में कोई घटना घटे तो वे उसमें मदद कर सकें।

दूसरी बात, राट्रीय आपदा प्रबन्धन में एक बल बनाने की बात कही गई है। अभी हमारे सम्मानित सदस्य ने यह सुझाव दिया कि उसमें सेना के रिटायर्ड लोगों की सेवाएं लेनी चाहिए। यह तो बड़ी अच्छी बात है, लेकिन इसमें नौजवानों को भी भर्ती करें, जो राट्रीय आपदा प्रबन्धन के अधीन हों और वे सेवा कर सकें, चाहे राहत का काम हो, उनको तैरने के अलावा नौका चलाने का, सामान ढोने के लिए वगैरह के लिए तरह-तरह के प्रशिक्षण देने चाहिए। आग बुझाने के लिए वैसे हमारे यहां फायर फाइटिंग सिस्टम है।

फायर ब्रिगेड के लोग भी पूरी तरह से दक्ष होते हैं। लेकिन इस प्राधिकरण के तहत जो आठ हजार बल बनाने की बात कही गई है, वह बहुत अच्छी है। खास तौर से जो हमारे सैनिक और अर्द्धसैनिक बल के लोग हैं, उनको राहत कार्य के लिए तुरन्त भेजा जाता है। वह वहां जाकर राहत के काम करते हैं। इस बल को कम से कम जैविक हमलों, बाढ़, भूकम्प, तूफान और भूस्खलन जो कि पहाड़ी क्षेत्रों में होता है, जैसा कि बच्ची दादा कह रहे थे, उनको इस तरह से दक्ष करना चाहिए कि वे वहां जाकर के अच्छे तरीके से राहत के कार्य कर सकें।

आपदा आशंका वाले क्षेत्रों का चयन किया गया है, जिनमें आन्ध्र प्रदेश, उड़ीसा, पश्चिम बंगाल, बिहार, गुजरात, महाराट्र और पूर्वोत्तर राज्यों को शामिल किया किया गया है, लेकिन इसमें उत्तर प्रदेश का नाम नहीं है। घाघरा, गंगा और यमुना उत्तर प्रदेश की बड़ी निदयां हैं। इनकी बाढ़ से काफी लोग प्रभावित होते हैं। इनसे जान-माल का नुकसान होता है। उत्तर प्रदेश को भी आपदा आशंकित क्षेत्रों में शामिल करना चाहिए।

इसके अलावा अमरीका से भी आपदा प्रबन्धन में मदद लेने की बात कही गई है। इस प्राधिकरण के तहत भारत-अमरीका के साथ मिलकर काम करने की बात कही गई है। अगर उनसे कोई मदद मिल जाए और अच्छी तरह से मदद हो सके तो उनसे मदद लेने में कोई रोक नहीं है।

अभी दिल्ली में भूकम्प के झटके आए थे। मेरे ख्याल से पांच भूकम्परोधी भवनों का निर्माण हुआ है। इसी प्रकार से गुजरात और जम्मू-कश्मीर तथा तमाम पहाड़ी इलाकों में, जहां पर भूकम्प आते रहते हैं, वहां भूकम्परोधी मकान बनाए जाने चाहिए तािक जान-माल का नुकसान न हो सके। आपदा प्रबन्धन को पूरे अधिकार मिलने चािहए तािक राहत कार्य शुरू करने के लिए उन्हें इंतजार न करना पड़े या कमेटी का कोई आदेश मिले तभी वे काम करेंगे। उनको पूरे अधिकार देने चािहए तािक कहीं भी राहत का कार्य हो तो वे तुरन्त कर सकें।

हमारे उत्तर प्रदेश में आपदा प्रबन्धन की दिशा में बहुत अच्छे कदम उठाए गए हैं। वहां लोकल बाडीज़, जिला पुलिस, होमगार्ड, सिविल डिफेंस, अग्निशमन और आम नागरिक, एनसीसी, राट्रीय सेवक योजना और नेहरू युवा केन्द्र जैसी संस्थाओं का भी सहयोग लिया गया है। इस सदन में भी तमाम बातें हुई हैं कि जो कमेटी बन रही है,

उसमें राट्रीय स्तर पर प्रधानमंत्री, राज्य स्तर पर मुख्यमंत्री, इसी प्रकार से मांग की गई थी कि प्रभावित क्षेत्र के लोकल जनप्रतिनिधियों को भी रखा जाए, क्योंकि क्षेत्र की जो भी समस्या होती है, उसे लेकर लोग जनप्रतिनिध के पास ज्यादा आते हैं। आम जनता जनप्रतिनिधि से बहुत आसानी से मिल पाती है, वह अधिकारियों से या जिला अधिकारी से नहीं मिल पाती है। यदि हम लोग अपने क्षेत्र के जिला अधिकारी से सम्पर्क करना चाहें तो उससे मिलने के लिए एक या दो दिन लग जाते हैं। जिला अधिकारी पूरे विभाग का विभागाध्यक्ष होता है, वह मॉनिटरिंग करता है, उसके ऊपर बहुत ज्यादा बोझ होता है। मैं यह नहीं कहता कि केवल सांसदों को ही रखा जाए, उसमें स्थानीय स्तर के लोगों को शामिल करना चाहिए। इस प्रकार की विपदा के लिए वहां के स्थानीय जनप्रतिनिधियों का सहयोग लेना चाहिए। पंचायतों या जिला पंचायतों के लोगों, निचली पंचायतों के लोगों से भी सहयोग लेना चाहिए।

चूंकि आप बार-बार घण्टी बजा रहे हैं इसलिए मैं ज्यादा कुछ न कहते हुए तथा अपने सुझाव देते हुए इस बिल पर अपनी बात बताते हुए समाप्त करता हूं। आपने मुझे बोलने का मौका दिया, इसके लिए आपका बहुत-बहुत धन्यवाद।

MR. DEPUTY-SPEAKER: Thank you. मेरी भी मजबूरी है।

Shri B.K. Deo.

SHRI BIKRAM KESHARI DEO (KALAHANDI): Thank you, Sir.

MR. DEPUTY-SPEAKER: Only two to three minutes.

SHRI BIKRAM KESHARI DEO: Sir, only two to three minutes is very less. (*Interruptions*)

उपाध्यक्ष महोदय : मैं क्या कर सकता हूं मेरी भी मजबूरी है। आप प्लीज़ कंटीन्यू करें।

SHRI BIKRAM KESHARI DEO: It is because I come from the State of Orissa and Orissa is synonymous with disaster. We are having the cyclones; we are having regular floods and we are having regular droughts. So, this Bill is a welcome Bill. It is definitely a welcome Bill but there are still some anomalies in the Bill which, I think, will be

rectified in future as the number of disasters, the magnitude of disasters is becoming big every year.

Sir, these disasters are not only in our country but now these disasters have become global.

There was an earthquake or tectonic movement in the ocean of the intensity of 8.5 on the Richter Scale in Sumatra. There was tsunami and India had badly affected by this. For example, in 1990, in Chile – the epicentre of earthquake was near the Chilean Coast – the Chilean tsunami had forced to travel for 22 hours across thousands of kilometres killing people in Japan. It was the fourth largest earthquake since 1900 and the largest since 1964 earthquake in Prince William Islands, Alaska where the epicentre took place and the eaffect was felt in different countries. Therefore, Sir, our planning has not been done internally. Our planning has to be done with international agencies and with neighbouring countries throughout the globe. There must be discussion on this. It is because we have already had two important Summits at Rio de Janeiro and another one at the World Summit for Sustainable Development at Johannesburg. Sir, if these things are not followed properly, the disasters will be increasing year by year.

This Bill is a welcome Bill. The Bill formulates National Disaster Management Authority, States Disaster Management Authorities and an Institute for National Disaster which the Government had never contemplated before. It was only after the supercyclone in Orissa, when the debate was taking place, this was conceived. At that time, the idea was mooted both from the then Opposition's side that a Disaster Management Institute should be installed so that our people in India right from the grass root level could be made akin with the disasters which they are going to face with. It has been seeing that this idea of disaster management first came during the Bengal Famine in the 1940s when there was a famine in Bengal. At that time, a famine code was created. Thereafter, relief codes were made in all the States to manage all these natural disasters.

Sir, I do not understand that the people's representatives had been left out from the Bill to participate in national disasters. Today, Sir, in every State, natural calamities or natural disasters are managed and monitored by the relief code of respective States which is an archaic law, which is an old law and which has no relevance with the times. So,

those laws have to be changed. I feel that the Common Relief Code for the whole country, including all kinds of disasters, should be framed which can be carried out by the Central Government in the time of a severe natural calamity or of rare severity like the earthquake in Gujarat, tsunami in Andamans and Tamil Nadu or super-cyclone in Orissa on October, 29.... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please conclude.

SHRI BIKRAM KESHARI DEO: You are giving very less time. I have already told that my State of Orissa is a synonymous with disaster. So, in every relief code, there is a saying to make a flood-free zone during floods or to make a drought-free zone but what has the Government done till today? I think, there is a lack of coordination among the Home Department, Irrigation Department, Water Resources Department and the Health Department. It is because when a natural disaster takes place, it is a traumatic experience. I would like to commend the hon. Home Minister that he has framed this Bill.

Sir, Chapter X is very important. It says:

"Failure of Officer in duty or his connivance at the contravention of the provisions of this Act."

As per our Bihar experience where a Collector was involved in scandal during flood, he ate money, and an inquiry has been initiated. Sir, you will be surprised to know that during super-cyclone in Orissa, 36 million people were affected. Sir, 70,00,000 acres of paddy was destroyed and 13,000 million tonnes of foodgrains which were sent by the Centre to the State were undelivered.

Sir, relief will be given when a natural calamity occurs, but it has to be properly distributed to the poor people. So, this provision under Chapter 10 which provides for offences and penalties is a very good initiative taken by the Government in this Bill and I welcome this particular provision.

Sir, other matters relating to Natural Calamities Committees at the Central Level and the State Level have already been discussed. Before I conclude, I would like to request the hon. Home Minister to include the people's representatives right from the panchayats level to Parliament, not as part of the Disaster Management Authority, at least in the Advisory Panel where they can advise the officials regarding the problems which they face during the time of flood or drought. The Government cannot do away with the people's representatives because we are for the people, by the people, of the people and we are answerable to the people. So, they should be included in the Advisory Panel so that the goods delivered during a natural disaster could reach the people properly.

उपाध्यक्ष महोदय : श्री लक्ष्मण सेठ जी, आपकी पार्टी का निर्धारित टाइम निल है। इसके बावजूद भी मैं आपको दो मिनट दे रहा हूं।

SHRI LAKSHMAN SETH Mr. Deputy-Speaker, Sir, this Bill is unique in nature and also this Bill is comprehensive to some extent. But in spite of that, this Bill is having many shortcomings. So, it needs improvement.

Sir, many steps have been mentioned in the Bill for combating a natural disaster. A disaster takes place after any calamity or catastrophe. I think we can prevent some disasters if we prepare a comprehensive plan. For example, floods and droughts can be really prevented by desilting of rivers, by restoration of water bodies, by re-excavating canals etc. But no such provision for preparation of preventive measures has been included in this Bill. This Bill is silent, to some extent, so far as preventive measures are concerned. So, the preparation of a comprehensive plan for prevention of a disaster should be inserted in the Bill.

Secondly, MLAs and MPs are people's representatives and so they should be given a proper role in disaster management. The bureaucracy has been given more authority. So, at the district level, the Member of Parliament should be made the Chairman of the Advisory Committee and the District Magistrate may be the Chief

Executive. Then, the Chairman of the Zilla Parishad should be made the Co-Chairman of the district level committee. Then, the people's representatives at the block panchayat and the municipality should also enjoy some authority so that they can effectively render rescue and relief operations. The municipality and the panchayat are constitutional bodies and so, they should be given some authority to deal with this matter.

Then, the National Institute of Disaster Management is only meant for training the persons as to how to deal with rescue operations. But I would like to suggest that the National Institute of Disaster Management should undertake research so that we can forecast natural disasters like earthquake, tsunami etc. or they should evolve or discover scientific methods to prevent a natural calamity or catastrophe from occurring.

So, this Bill is comprehensive in nature. In spite of that, there are many shortcomings and they should be removed. That is why, I think, a proper amendment should be brought by the Home Minister so that the Bill will really become very effective and it can be implemented usefully.

With these words, I conclude my speech.

SHRI ASADUDDIN OWAISI Mr. Deputy-Speaker, Sir, at the outset, I welcome this Bill. During the last 30 years, the monetary loss to our country in terms of natural disasters is nearly \$50 million. I would like to raise a very important point here. When the hon. Home Minister rises to reply to the debate on this Bill, I would request him, through you, to clarify this. There was a National Disaster Response Force and nearly Rs. 650 crore was earmarked for it.

We do not know the fate of this National Disaster Response Force. Now, we are told that a sum of Rs.650 crore, which was earlier earmarked, is being shifted to the Authority. At the same time, the National Cyclone Risk Mitigation project was there. The World Bank sanctioned a sum of nearly Rs.1100 crore. For three years, the previous NDA Government also talked about it, but it is not yet finalised.

Now, the nodal agency for the National Disaster Management is going to be the Home Ministry. There are 13 Ministries as per the constitution of this National Executive Committee. The Woman and Child Welfare Department is not included in this. Usually, whenever a national disaster takes place, it is the woman and child who are the biggest sufferers, whether it is tsunami or the disasters in Chennai or in Bangalore also. So, I request that Woman and Child Department should also be included in the National Executive Committee.

There needs to be a proper coordination between the IMD, CWC, ISRO and NRSA. Unless and until there is a proper coordination and networking, we cannot get the desired results. We also had a cloud burst in Mumbai city. If Mumbai city had Dockla Radar, then only three hours notice could have been given to the citizens of Mumbai to take necessary precautions. The cost of this Dokla Radar is only Rs.16 crore. My request to the Union Government is that all metropolitan cities should have the Dokla Radar because in terms of cost it is not very expensive.

Now, the nodal agency is the Home Ministry. So, the bureaucratic mind has to change because members are there and if bureaucracy still sticks to it, then I think, we cannot get desired results. I do not know how far it is true, but I am told that the bureaucracy in the Home Ministry is not very much happy. Now, it is the responsibility of the Government to ensure what they do in this regard because it is the brainchild of the UPA Chairperson that this Bill has been brought in this august House. Now, the bureaucratic mindset has to change.

Lastly, I hope that the Woman and Child Department will also be included in the National Executive Committee. I would also like to know what is the status of the members of National Disaster Management. Are they going to be of the rank of Minister of State? This is what I have to say.

श्री काशीराम राणा उपाध्यक्ष महोदय, जो आपने मुझे इस विधेयक पर बोलने का अवसर दिया है, इसके लिए मैं आपको धन्यवाद देता हूं।

इस विधेयक पर इस सदन में जो चर्चा हो रही है, मैं इस पर अपने कुछ सुझाव देकर इसके समर्थन में बोलने के लिए खड़ा हुआ हूं। मैं मानता हूं कि एक ओर जो देश के कई राज्यों में बार-बार कई आपदाएं आती हैं और इनका बड़ी सफलता और सरलता से सामना करने क लिए यह विधेयक बहुत उपयोगी होगा और दूसरी ओर जिन राज्यों में ऐसी आपदाएं बार-बार आती हैं, उन राज्यों को कई बार रिलीफ देने में उनके साथ जो अन्याय होते हैं, वे अन्याय दूर करने में भी यह विधेयक सफल सिद्ध होगा। मैं इसीलिए कह रहा हूं और जो हमें अनुभव भी है कि गुजरात जैसे राज्य में बार-बार आपदाएं आई, जैसे कभी साइक्लोन आ गया, कई बार भूकम्प आ गया, कभी सूखा आ गया लेकिन जितना पैसा उस राज्य को केन्द्र सरकार की ओर से मिलना चाहिए था, वह नहीं मिल पाया। इसी तरह से और भी राज्यों में हो रहा है कि जो मदद केन्द्र सरकार की ओर से मिलनी चाहिए, वह उन्हें नहीं मिल पाती। इसीलिए राज्यों के विकास के लिए जो पैसा इस्तेमाल होना चाहिए, वह इस्तेमाल नहीं होता और इसीलिए मुझे विश् वास है कि इस विधेयक के माध्यम से राज्यों के साथ जो अन्याय हो रहा है, वह दूर cÉäMÉÉ[R10]।

मैं इस विाय पर एक-दो सुझाव देना चाहूंगा। इस विधेयक की क्लॉज 42(1) में एक नेशनल इंस्टीट्युट ऑफ डिजास्टर मैनेजमेंट की स्थापना करने का प्रॉविजन है। यह एक बहुत अच्छा प्रावधान है। मुझे विश्वास है कि ऐसा इंस्टीट्युट सिर्फ ट्रेनिंग के लिए बनाया जाएगा और कितने इंस्टीट्युट बनाएंगे, उसकी कोई संख्या इसमें नहीं दी गयी है, शायद जब रूल्स बनाएंगे तब यह निर्धारित हो जाएगा। मैं मानता हूँ कि यह इंस्टीट्युट सिर्फ ट्रेनिंग के लिए हो, ऐसा नहीं होना चाहिए। मेरा सुझाव यह है कि क्यों न हम डिजास्टर मैनेजमेंट के लिए एक फोर्स की रचना करें क्योंकि भारत एक ऐसा देश है जहां इतने सारे राज्यों में बार-बार आपदाएं आती हैं। हमें एक ऐसी फोर्स खड़ी करनी चाहिए जिससे ऐसी जो भी आपदाएं आएं, इस फोर्स के सदस्य अपनी ट्रेनिंग और शिक्षा के आधार पर वहां बचाव कार्य कर सकें। हमें इसके लिए प्रायः मिलिट्री की सहायता लेनी पड़ती है, विदेशों से भी एक्सपर्ट्स को बुलाना पड़ता है। इसलिए मेरा सुझाव है कि इसके बारे में कोई डिजास्टर मैनेजमेंट के लिए एक फोर्स बने जिससे हम तुरन्त वहां राहत कार्य कर सकें।

मेरा दूसरा सुझाव नेशनल डिजास्टर मिटिगेशन फण्ड की रचना किए जाने के बारे में है। मैं मानता हूँ कि यह फण्ड नेशनल कैलामिटी फण्ड और अन्य दूसरे फण्ड्स के अलावा होगा क्योंकि जो आपदाएं आती हैं, हम जानते हैं कि हम इसके ऊपर अरबों रूपए खर्च करते हैं, फिर भी हम पर्याप्त मदद नहीं पहुंचा पाते हैं, बचाव नहीं कर पाते हैं। वैसे तो यह एक अच्छा प्रावधान है, लेकिन मेरा सुझाव है कि यह प्रावधान केवल विधेयक तक ही सीमित न रहे, बल्कि इसका अच्छी तरह से इम्प्लीमेंटेशन होना चाहिए। इस फण्ड का किस प्रकार से उपयोग होगा, इसके बारे में माननीय गृहमंत्री जी कुछ प्रकाश डालेंगे, तो अच्छा होगा।

अन्तिम बात यह है कि जिस प्रकार से हमने यहां पर डिजास्टर मैनेजमेंट के लिए विभिन्न समितियों का गठन किया है, जैसे राट्रीय स्तर पर प्रधानमंत्री जी की अध्यक्षता में एक नेशनल डिजास्टर मैनेजमेंट अथारिटी बनाने की बात कही गयी है, साथ ही और भी एक्सपर्ट एवं इक्जीक्युटिव कमेटीज बनाने की बात कही गयी है। इसी तरह राज्यों में भी डिजास्टर मैनेजमेंट के लिए समितियों की रचना की जाएगी। डिस्ट्रिक्ट लेवल पर बनने वाली डिजास्टर मैनेजमेंट कमेटी के बारे में कहना चाहता हूँ कि जिस तरह नेशनल अथारिटी में प्रधानमंत्री, स्टेट अथारिटी में मुख्यमंत्री द्वारा अध्यक्षता किए जाने का प्रावधान है, उसी प्रकार डिस्ट्रिक्ट लेवल पर डिस्ट्रिक्ट मजिस्ट्रेट या एडिशनल किमश्नर की बजाय हमारे चुने हुए जिला पंचायत के प्रमुख हों या अन्य किसी पदाधिकारी को रखा जाए, जिससे ठीक ढंग से लोगों को आपदा के समय आवश्यक रिलीफ मिल सके। जनप्रतिनिधि इसका सही अनुमान लगा सकतें हैं कि कैसे सही तरीके से लोगों को रिलीफ दी जाए।

मुझे लगता है कि ये सुझाव अगर विधेयक में शामिल किए जाते हैं तो यह बहुत अच्छा होगा। इस ि विधेयक के प्रावधान केवल विधेयक तक ही सीमित न रहें बल्कि उनका अच्छी तरह से इम्प्लीमेंटेशन किया जाना चाहिए ताकि इस तरह की आपदाओं में जो लोग अपनी जान गंवाते हैं, जो अपना सब कुछ खो देते हैं, उनकी सही तरीके से मदद की जा सके।

SHRI MADHUSUDAN MISTRY Thank you, Mr. Deputy-Speaker, Sir, for giving me an opportunity to speak.

उपाध्यक्ष महोदय : श्री मधसूदन मिस्त्री, आपकी पार्टी के लिए आवंटित समय समाप्त हो गया है, फिर भी मैं आपको बोलने का अवसर दे रहा हूँ, कृपया केवल दो मिनट में अपनी बात रखें।

SHRI MADHUSUDAN MISTRY: Sir, I will just give three or four suggestions.

MR. DEPUTY-SPEAKER: Take only two minutes.

SHRI MADHUSUDAN MISTRY: Sir, I congratulate the Government and the hon. Minister for bringing this Bill. In fact, it is a long-pending requirement of this country. I hope that it will streamline a number of things especially the distribution of relief and supply of material. It is because a number of State Governments are incompetent. I come from a State which is very much drought-prone. After the earthquake, in the first few days, it was realised that the Government itself was not capable to handle the entire distribution system and also was not able to give an account as to how the money were

being used as well as how the relief supplies were in fact being used. So, I hope that the Disaster Response Force as well as the Authority will streamline all these things.

That is why, I congratulate the Government. Another thing that I would like to say is that under the Calamity Relief Fund, the Central Government gives 75 per cent money to all the States and the State's contribution is only 25 per cent. A number of State Governments are not using this money. After five years, there is always a tendency of the State Government to take this money into a Plan scheme. In fact, they are demanding to allow them to invest the money they like. What I would suggest to the Minister is that all those State Governments, which have not been able to use this money, should hand over this money to the Disaster Management Authority under this Bill. I think that will satisfy their demand and this may be used, in fact, for running the National Institute of Disaster Management under this Bill. Also, this may be used to smoothen the work of carrying out the activities under various disasters.

Second thing that I would like to tell the Minister is that in this country there are a number of institutions. When the disaster occurs, they raise the fund. I do not think there is any account of it. I remember very well like in the earthquake as well as in the tsunami, there were people and private institutions that raised crores of rupees. For example, they raised fund during the Kargil war and even during the drought. All those private trusts, institutions and newspapers raised the money. Nobody knows what has been happening to this money and where they are spending. I would just tell the Minister and the Government that if there is a requirement to bring a Bill to monitor this, I think we should bring a Bill to monitor this. Not only that, but also the Government and the people should have a claim over this and we should have a right to know, if whoever has contributed money, where this money is lying and how it has been used. So, that is also a requirement which they should do.

The third thing is that a few days back, the Chief Minister of Gujarat held a meeting of all the MPs. The claim of the Chief Minister of Gujarat is that the Government of India at that time raised a two per cent surcharge to give to the Government of Gujarat for earthquake relief. Now, according to the claims of the Gujarat Government, part of the money is not given to them. In fact, the Government of Gujarat is asking for Rs.1,282

crore from the Centre. We say the Government of India has already given Rs.2,200 crore to the Government of Gujarat. We have no idea, in fact, where this money is. We do not know whether the Government of India owes the money to the Government of Gujarat. If it is yes, then we would also like to know when this money would be given. But nonetheless I again congratulate the hon. Home Minister for bringing forward this Bill.

And the last thing is that despite creating all this machinery, the question is whether it would really click when there is a need. In fact, with all the scientific pronouncements or warning, I doubt whether there is scientific mind in the Collector as well in the district officers and other authorities and whether they rise to the occasion. That has been the demand. I think we should prepare them accordingly.

Nonetheless, I again congratulate the Government for bringing this Bill.

MR. DEPUTY-SPEAKER: Shri Chandra Bhushan Singh – Not present.

Now, Chaudhary Bijendra Singh, this is my humble request that you take only two minutes.

चौधरी विजेन्द्र सिंह उपाध्यक्ष जी, मैं आपका आभारी हूं कि आपने मुझे आपदा प्रबन्धन विधेयक, 2005 पर बोलने का मौका दिया। मैं प्रधान मंत्री जी को, गृह मंत्री जी को और सोनिया जी को बधाई देना चाहता हूं कि उन्होंने ऐसे वक्त में इस बिल को लाने की जो कोशिश की है, वह भागीरथ प्रयास है। इस समय दैविक आपदाओं का प्रकोप बहुत बढ़ता जा रहा है। कई वाँ से यह देखने के मिल रहा है कि कहीं भूकम्प आ रहा है और कहीं सुनामी। इसलिए इन हालात में इस विधेयक की बहुत आवश्यकता थी।

मैं सिर्फ दो बातों की ओर आपका ध्यान आकर्ति करना चाहूंगा। आपदा का कोई निर्धारित एरिया नहीं होता और आपदा का कोई निर्धारित समय नहीं होता। इसिलए इसमें एकदम सहायता की आवश्यकता पड़ती है, जिसकी प्रक्रिया बहुत लम्बी है और सुस्त है। हम चाहते हैं कि जो भी आपदा प्रबन्धन हों, जहां भी आपदा के निराकरण की बात आए, वहां राहत का इस तरह से समावेश किया जाए, जिससे आपदा के वक्त तुरंत सहायता मिल सके। मैं गृह मंत्री जी को बधाई देना चाहूंगा कि उन्होंने राट्रीय स्तर पर एक प्राधिकरण बनाने का प्रावधान किया है,

जिसके अध्यक्ष प्रधान मंत्री जी होंगे। इसी तरह राज्य स्तर पर जो प्राधिकरण बनाया जाएगा, उसके अध्यक्ष प्रदेश के मुख्य मंत्री होंगे। लेकिन जिला स्तर पर जन प्रतिनिधियों को शामिल नहीं किया गया cè [R11]। कोई भी बिल तब तक जन-उपयोगी नहीं हो सकता जब तक कि उसके कार्यान्वयन के लिए जन-प्रतिनिधियों को शामिल नहीं किया जाता। इसलिए मेरा सजेशन होगा कि उसमें जनप्रतिनिधियों को शामिल किया जाए। जिला स्तर पर बहुत सारी प्र विटकल समस्याएं ऐसी होती हैं जिनको जनप्रतिनिधि अच्छी तरह से समझता है। इसलिए जब तक कि जनप्रतिनिधि लोग उसमें शामिल नहीं होंगे, तब तक उन समस्याओं का निराकरण नहीं हो सकता है।

मेरा एक निवेदन माननीय गृह मंत्री जी से और है। सन् 1991 में उड़ीसा में राज्य स्तर पर एक आपदा प्र गिधिकरण बनाया गया था और उसके कार्यान्वयन में त्रुटियां आई थीं। इसी तरह से गुजरात के भूज में भूकम्प के समय में जो प्राधिकरण बना था उसके बारे में एक पत्रिका में छपा था कि गुजरात में बनाया गया आपदा-प्राधिकरण जनोपयोगी सिद्ध नहीं हुआ। इसलिए मेरा कहना यह है कि वहां जो भी किमयां पाई गयीं, उनका भी संज्ञान इस बिल में लिया जाए, जिससे इस बिल में कोई कमी न रह जाए। आपदा प्राधिकरण में जो सूची होती है उस सूची में बहुत सारी आपदाओं को सम्मलित नहीं किया जाता है। जैसे एक्सीडेंट है, ओलावृटि है, उनको भी सूची में शामिल किया जाए। ओलावृटि से जो हानि होती है वह कृति की हानि होती है लेकिन उस हानि की पूर्ति के लिए जो सहायता राशि के लिए मानक हैं वे बहुत पुराने मानक हैं। किसान की जो लागत आती है उसके हिसाब से क्षतिपूर्ति दी जाए न कि पुराने मानको के हिसाब से क्षति पूर्ति दी जाए। आवश्यकता के हिसाब से उसमें बदलाव लाना बहुत जरुरी है। आपदा प्राधिकरण में 200 रुपये रखा गया है जोकि किसान की लागत के हिसाब से बहुत कम है। चाहे बीज की लागत हो या खाद की, इस राशि से उसका कुछ भला नहीं होता है और वह राशि भी समय पर नहीं पहुंच पाती है। इसलिए पुराने मानको को बदला जाए और उनको वहां तक ले जाया जाए, जहां तक वे उपयोगी सिद्ध हो सकें।

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): Sir, while moving that the Bill be taken into consideration, I had made a very lengthy statement in the House relating to different provisions in this Bill. So, I can afford to be very brief now.

Many hon. Members have participated in the debate and each and every one of them has supported the Bill. I would like to thank all of them for the support that they have given to this Bill. There are only two or three points on which some suggestions were given by hon. Members. I would only explain the position of the Government on those points and conclude my speech.

One of the questions asked was why the President of the Zila Parishad should be a Co-Chairman of the district body and why should he not be made the Chairman of the district-level Authority, as the Chief Minister and the Prime Minister are the Chairpersons of the State-level authority and national level authority respectively. We have to understand the administrative set up that is available at the district level to understand why this has been done. In the districts, zila parishads, panchayat samitis and gram panchayats are there. There are also municipalities. They have come into existence under the laws made by those States and they have jurisdiction only in certain areas. Their jurisdiction is not unlimited. Their jurisdiction does not extend to all the activities in the district.

### 16.00 hrs.

Their jurisdiction is limited to the subjects which are given to them under the laws. In other matters, they do not have the jurisdiction whereas the Prime Minister and the Chief Minister have the jurisdiction which extends to all the activities of the Union Government and the State Government. Now, this difference, this distinction has to be understood.

We had created district national planning committees and when those committees were created in some States, the question was who should chair those committees. It was suggested that the President of the *Zila Parishad* should chair those committees, but then it was found that the officers, who were working with the State Governments, were not subjected to the authority of the President of the *Zila Parishad* or *Zila Parishad* as such and it was difficult for the President of the *Zila Parishad* to issue orders to them and then, difficulties were created. That is why, to overcome this difficulty in Maharashtra and some other States, the Minister was made the Chairman of the district body.

We are not making the Minister as the Chairman of the District Disaster Management Authority; we are making the District Collector and the *Zila Parishad*'s President also the Chairperson. So, the matters which are within the jurisdiction of the *Zila Parishad* can be controlled by the President of the *Zila Parishad* and the matters which are within the jurisdiction of the State Government which have to be done at the district level will be under the control of the District Collector. We have made this arrangement. For any reason if we find in future that this arrangement is not working and this arrangement is creating any difficulty, we will be at liberty to make any other change

and then provide either the Minister or someone else as the Chairman of the body, but at this stage, I would request the hon. Members to understand this kind of situation that prevails at the district level and to allow that thing to continue.

## **16.03 hrs.** (Shri Varkala Radhakrishnan *in the Chair*)

The second point on which there was difference of opinion related to the membership of the MPs and MLAs. You, Sir, now sitting in the Chairman's position, when you were sitting there, it was you who had raised this issue. I had tried to explain the rationale behind not having the MPs and the MLAs as members of the National Disaster Management Authority and the State Disaster Management Authority. We have nearly 800 Members of Parliament - Lok Sabha and Rajya Sabha together - and the number of members in the National Disaster Management Authority is only ten. How do we have all the Members of the Lok Sabha and Rajya Sabha participating in the National Disaster Management Authority?

Sir, please let me complete. Even from the Chair, you can ask me the question. How can we have these many Members participating? Then, as far as the State Governments are concerned, we have nearly 5,000 members in all the State Legislatures and the State Disaster Management Authority is having only 10 members. In each of the States, there are 100 or 200 MLAs. What do we do to have them as *ex officio* members of the State Disaster Management Authority? It will be too big a body and an unwieldy body. It will not be possible. So, there also, it is difficult whereas in the districts, there are three million or 30 lakh members of *Zila Parishads*, *Panchayat Samitis*, municipalities and *Gram Panchayats*. How do we have them as members sitting in these bodies? This is the question.

Let me explain at this point of time that this law does not prohibit the Union Government or the State Government from appointing any MP or MLA as the Member of a District Disaster Management Authority or the State Disaster Management Authority or the National Disaster Management Authority.

The National Disaster Management Authority that we have today has one Member, who is a Member of the State Legislature. We also have the hon. Prime Minister in it. So, this law does not prohibit the appointment of an MP or an MLA in any of these bodies. If the State Government wants to appoint the MLA or the MPs in the State Bodies or the District Bodies, then there is no prohibition provided in this law, and there is no difficulty in doing it.

We have also said that the National Disaster Management Authority can have Sub-Committees, and can have Advisory Committees. In the Sub-Committees and the Advisory Committees -- as was suggested by many hon. Members -- the MPs can be invited to sit as Members at the National level, at the State level, and at the District level. Supposing in one district the disaster has taken place, then who would not like to take the help and assistance of the MP of that district; and who would not like to take the help and assistance of the MLA of that district? They will certainly be involved in helping the people to overcome the difficulties. They can also be involved through the system of Advisory Committees to advice the District Bodies as well as the State and National Bodies to prepare plans, which would ultimately be part of the National plan. So, there is no difficulty in it.

We were discussing about the disaster, which had taken place in Tamil Nadu. Unfortunately, Tamil Nadu is affected a great deal by heavy rains, and the people are suffering there. Some of the hon. Members got up here and said that: "Why should not the MPs be involved in helping the people?" I stood here in this House and made a plea to the State Government that: "If the MPs are willing to help the people, help the Government, and lend a helping hand in providing relief to the people, then they should be involved." I had also said that: "We would ask the State Government to take their help." It is possible to do it under this law. But if you want to make them *ex-officio* Members of these bodies, then it is not practicable, and it is not possible because the numbers are asymmetrical. The Authority consists of 10 Members and the number of MPs, MLAs and the number of Members of the local bodies are too big to be accommodated in these bodies. Therefore, this has to be clearly understood.

Sir, I do not have anything more to say at this point of time. I would only like to say that this is one of the new institutions, which we are creating in our country. This institution has the authority to plan, and has the authority to take steps to see that if

disasters occur, then they are mitigated. It also has the authority to help the people in giving relief, and later on, in preparing plans for reconstruction and rehabilitation at the National level, State level, District level, and at the local level.

The third point on which I think some hon. Members spoke was this. Why should the Head of the Department veraciously be made liable for any act of omission or commission by his subordinates? This was the question asked by some of the hon. Members. Actually, the lives of thousands of people are involved when disasters occur. It becomes necessary for each and every person having any authority in the district or any other place to be very prompt, and not to be lazy or to give excuses. They should come out and help the people.

It is expected to be done by the officers. If this kind of difficulty is not understood by the responsible officers, they will be held responsible. But, if he has understood the danger involved, the damage which is caused, the difficulties faced by the people, and if he goes out and gives orders and directions and encourages his colleagues and his subordinates to perform their duties, he will not be held responsible. But if he reclines in his own easy chair and does not do anything, it would be not proper not to hold him responsible also.

Moreover, it is provided that any officer against whom a case can be lodged will not be asked to go to the court of law and defend himself. The first step which has to be taken in this respect is to obtain the permission of the Government for prosecution. It is only after obtaining the permission of the Government for prosecution the case can be taken up. That is provided in the Criminal Procedure Code. This is provided in this law also. So, an officer who is not really guilty need not be afraid of anything. We should be very careful, we would be very careful in not demoralising and discouraging the officers and unnecessarily take action against them also.

These are the points on which I wanted to give explanation. I would like to request the hon. Members to support this Bill. I would again like to say that this is a new experiment. Let us try to make this institution a very important institution of international standing. Shrimati Sonia Gandhi is very keen about it; the Prime Minister is very keen about it; this Government is very keen about; the previous Government was keen about it; and all the hon. Members are keen about it. Our country is facing many difficulties. That

is why, if we should build this institution into a wonderful national institution of international importance, we would have discharged a very important responsibility of ours.

So, instead of just trying to pick holes in the existing law, let us experiment with it and let us find out where we have gone wrong or where we are correct, and try to make amends later on and not at this stage.

SHRI LAKSHMAN SETH: Mr. Chairman, Sir, the hon. Minister has stated that whenever MPs or MLAs seek help, the District Magistrates will certainly take their help. I think the hon. Minister is putting MLA and MPs at the mercy of the District Magistrates and the District Collectors. MPs and MLAs should be given a proper place in the planning for combating disasters. This is a very important point and this should be taken into consideration. In West Bengal, Chairman of the District Jala Parishad is enjoying the status of a Minister of State. How will he act under the instructions of a District Magistrate? This will be creating a lot of contradiction and conflict.

SHRI BRAJA KISHORE TRIPATHY Mr. Chairman, Sir, I have a pinpointed question to the hon. Minister regarding the funds arrangement. Following the recommendation of the 11<sup>th</sup> Finance Commission the States are mandatorily getting some amount to mitigate the situation that has arisen due to disasters. But our past experience has been very bitter. The States which are prone to natural disasters are not getting sufficient funds. The funds they have been getting as a result of the 11<sup>th</sup> Finance Commission are not sufficient. The 12<sup>th</sup> Finance Commission is also following the same path. Will the Government of India give assistance to the States which are prone to disasters? We demand that the entire requirement of funds should be met by the Government of India? Will this arrangement be made by the Government of India?

श्री शैलेन्द्र कुमार सभापित महोदय, एक ही क्वैश्चन पूछ रहा हूं। जैसे अभी सम्मानित सदस्यों ने अपने विचार प्रकट किए और अपनी बात कही कि जिला कमेटी में जिला अधिकारी अध्यक्ष होंगे। सम्मानित सदस्यों की यह चिंता थी कि उनके अंडर कैसे जनप्रतिनिधि काम करेंगे। इसी प्रकार से डी.आर.डी.ए. बैठक में परिवर्तन करके तमाम बैठकों की अध्यक्षता जिला अधिकारी करते हैं लेकिन अब जिला पंचायतों के अध्यक्ष करते हैं। क्या ऐसी व्यवस्था कर सकते हैं जिससे वहां पर जो स्वयंससेवी संस्थाएं हैं, जो सरकार की मदद के अलावा अति अच्छा काम करती हैं। क्या राट्रीय, राज्य या जिला स्तर पर स्वयं-सेवी संस्थाओं को कमेटी में रखने का काम करेंगे?

SHRI P. RAJENDRAN I would like to make a few points. Firstly, our Minister has stated that the MPs cannot be included in the National Disaster Management Authority. Two MPs - one from the Treasury Benches and one from the Opposition Benches - may be included in the National Disaster Management Authority.

Secondly, several points were raised seeking clarification. So many organizations have collected money in the name of natural disasters. In the case of Tsunami, 400 NGOs have collected money, as per the Press reports, above Rs.5,000 crore. What was the purpose for their collecting money? This Authority should have the power to hold an inquiry. This money has to be accounted. The collection of money should be accounted.

Thirdly, a clarification was sought about public awareness. Public awareness of natural disasters should be included in the curriculum from the primary school stage itself. Everybody should be aware of the natural calamities. On these points, I am seeking the clarification.

कुँवर मानवेन्द्र सिंह सभापित महोदय, मेरा सुझाव है कि सदन की भावनाओं को देखते हुये आनरेबल मैम्बर्स को कम से कम जिला कमेटियों में स्थान दिया जाये। मेरा आपके माध्यम से यह भी सुझाव है कि कई बार हम लोग देख चुके हैं कि लोकल लोगों का इनवाल्वमेंट बहुत होता है क्योंकि सरकारी मशीनरी पहुंचने से पहले ही वे वहां आ जाते हैं। इसलिये स्कूलों, कालेजों में डिजास्टर मैनेजमेंट के लिये ट्रेनिंग कम्पलसरी एजुकेशन सब्जैक्ट लाना चाहिये जिससे लोग ट्रेनिंग में आयें और ऐसे मौके पर पीड़ितों की मदद कर सकें।

SHRI BIKRAM KESHARI DEO What I would like to know categorically from the hon. Minister this. Would the Government locate the Disaster Management Institute in the State of Orissa as Orissa is always disaster-prone? Already a track record is there. Will the Minister and the House consider locating the Disaster Management Institute in Orissa? If it is located in my constituency, Kalahandi, I would be grateful.

SHRI A.V. BELLARMIN I may be permitted to lay my speech on the Table.

MR. CHAIRMAN: All right.

There must be some arrangement on the global basis to meet the disasters in future. Some scientific arrangement between nations should be there. In this regard, is there any proposal before the Government? Some developed countries should come together for having arrangement to meet the disasters. Some method should be in place for even predicting the disasters so that people can get to know in advance the information about disasters.

SHRI SHIVRAJ V. PATIL: I will reply to your question first. We have made that kind of an arrangement in the law. The National Disaster Management Authority will be speaking to the Disaster Management Authorities or the Departments and the Ministers in other nations or with the International Disaster Management Authority in this regard. It is provided that the National Disaster Management Authority will also help other countries and receive help from other countries in order to prepare the plans and help. It is already provided.

As far as Zila Parishad and other things are concerned, I have said that the MPs and MLAs should be associated with the disaster rescue, relief and rehabilitation. It can be done. There is no difficulty in doing under the present law. Only difficulty is in having the *ex-officio* Member. As far as funds are concerned, let us understand this.

One is the Calamity Relief Fund and the National Calamity Relief Fund. Under these Funds, the resources, which are available, are very limited. Under these Funds, only that amount of money is available which the Finance Commission allows. The amount, which is available, is not sufficient at all. We shall have to help them. The difficulty with our officers in my Ministry and with hon. Members and others is that we are coming to the conclusion that it is only under these two Funds that the Government of India is capable of helping the State Governments. That is not the case. These two Funds are there for giving immediate relief without waiting for anything. But, over and above this amount of money, if more money is required, it is possible for the Government of India to take a decision in the Cabinet and help. That is exactly what we are doing. We have given Rs.500 crore to many of the States. Gujarat got Rs.500 crore; Maharashtra got more than Rs.500 crore; Karnataka got nearly Rs.500 crore; Tamil Nadu got Rs.500 crore; Andhra Pradesh got nearly Rs.500 crore; and Jammu and Kashmir also got. This kind of money is

not going to come from these Funds. These are special funds or special amount of money given to the States. Let us understand that these funds are created to help the States immediately without waiting for anything. More than that, we are giving funds to the State Governments. Let us understand that the State Governments also have a duty to help their own people. If they do not do that and all the time say that money has to come from the Union Government, that is also not correct.

The NGOs can help. We have provided in the law itself about this. There is no difficulty. The NGOs have been helping and whatever help they give, at least, there is nobody to criticise them; everyone praises them. But anything done by the Government is criticised. It should be criticised. We have made arrangements in the law under which NGOs will have no difficulty in participating or helping in these activities.

One of the Members has said that NGOs have been collecting the money. Is it being spent properly? As far as funds collected by the NGOs are concerned, these NGOs will be subject to the laws of the land. The law on cooperative societies is there. We have the law on registration. Any fund collected by them has to be spent for the purpose for which it is collected. If it is not spent, that fund has to be utilised in a manner which is allowed by the rules and laws. If they are not doing, they are liable to be prosecuted or liable to the proceeded against. That will be done by other organisations in the State. It is not done by the organisations at the national level.

As far as having a curriculum in the school is concerned, we have already provided for it. We have not only provided for it but we have also prepared the courses which can be adopted by educational institutions for informing the youngsters as to how they should conduct themselves and help in times of calamity. There is no difficulty. These were some of the points which were raised. ... (*Interruptions*)

SHRI BIKRAM KESHARI DEO: What about my question?

SHRI SHIVRAJ V. PATIL: Your question gets a negative reply because there will be demands from many others.

MR. CHAIRMAN: The question is:

"That the Bill to provide for the effective management of disasters and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration".

The motion was adopted.

MR. CHAIRMAN: The House shall now take up clause by clause consideration of the Bill.

The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

*Clauses 2 to 5 were added to the Bill*[p12].

## Clause 6 — Powers and functions of National Authority

MR. CHAIRMAN: Now, Amendment Nos. 2,3, and 4. Dr. Babu Rao Mediyam, are you moving your Amendments?

DR. BABU RAO MEDIYAM (BHADRACHALAM): No, Sir, I am not moving my Amendments.

MR. CHAIRMAN: The question is:

"That clause 6 stand part of the Bill.

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7 was added to the Bill.

### Clause 8 — Constitution of National

#### **Executive**

#### **Committee**

MR. CHAIRMAN: Amendment No. 9. Dr. R. Senthil, are you moving your Amendment?

DR. R. SENTHIL (DHARMAPURI): I am not pressing my Amendment, but I would request the hon. Minister to kindly consider my amendment.

MR. CHAIRMAN: So, I presume that you are not moving your Amendment.

The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9 was added to the Bill

#### Clause 10 – Powers

#### and Functions of

#### **National Executive Committee**

MR. CHAIRMAN: Amendment No. 5. Dr. Babu Rao Mediyam, are you moving your Amendment?

DR. BABU RAO MEDIYAM: No, Sir. I am not moving my Amendment.

MR. CHAIRMAN: The question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11 was added to the Bill.

#### Clause 12 –

### **Guidelines for minimum**

#### standard of

#### relief

MR. CHAIRMAN: Amendment No. 10. Dr. R. Senthil, are you moving your Amendment?

DR. R. SENTHIL: Sir, I am not moving.

MR. CHAIRMAN: The question is:

"That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Clauses 13 to 17 were added to the Bill.

### Clause 18 – Powers and Functions of state Authority

MR. CHAIRMAN: Amendment Nos. 6 and 7. Dr. Babu Rao Mediyam, are you moving your Amendments?

DR. BABU RAO MEDIYAM: Sir, I am not moving.

SHRI SHIVRAJ V. PATIL: You can ask all the Members whether they are moving their Amendments or not.

MR. CHAIRMAN: The question is:

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Clause 19 was added to the Bill.

## Clause 20 – Constitution of State Executive Committee

MR. CHAIRMAN: Amendment No. 11. Dr. R. Senthil, are you moving your Amendment?

DR. R. SENTHIL: I am not pressing my Amendment but I would request the hon. Minister to consider inclusion of all the 500 district officers. It can be done as an order.

MR. CHAIRMAN: So, I presume that you are not moving it.

The question is:

"That clause 20 stand part of the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

Clauses 21 to 24 were added to the Bill.

# Clause 25 – Constitution of District Disaster Management Authority

MR. CHAIRMAN: Amendment No. 1. Shri C.K. Chandrappan, are you moving your Amendment?

SHRI C.K. CHANDRAPPAN (TRICHUR): This is about the District Co-Chairman.

MR. CHAIRMAN: You may tell me whether you are moving it or not<sub>[k13]</sub>.

SHRI C.K. CHANDRAPPAN: If the Minister agrees to that, I would not press to move it [k14].

SHRI SHIVRAJ V. PATIL: If there are two Chairpersons, co-Chairperson, the senior one will preside and the junior one will not preside. If in West Bengal the State Minister's rank is given to the President of the Zila Parishad, he will preside and not the District Collector.

SHRI C.K. CHANDRAPPAN: The Panchayati Raj system is there in most of the districts in our country and Zila Boards' Chairmen are there. It would be better to say that District Council Chairman will preside over that.

SHRI SHIVRAJ V. PATIL: I will explain it. This is a very important point. Without understanding the administrative machinery available in the district, if we take any decision, it will create problem. Zila Parishad has limited jurisdiction. It does not have the jurisdiction and so the Zila Parishad Chairman will not be in a position to issue orders to the officers in Irrigation or Transport Department. That sort of difficulty was faced in some States where the Zila Parishad was there and that is why the Minister was made the

Chairman. In this case we are saying that if he has a State Minister's rank, it is he who will preside and not the District Collector. We cannot have the District Collector as the Chairperson. Otherwise, it will be difficult for him to discharge his duty and also provide relief.

MR. CHAIRMAN: I presume Shri Chandrappan that you are not pressing your amendment. Dr. Senthil, you are also not pressing your amendment.

The question is:

"That clauses 25 to 60 stand part of the Bill."

The motion was adopted.

Clauses 25 to 60 were added to the Bill.

#### Clause 61 – Prohibition against Discrimination.

MR. CHAIRMAN: Dr. Babu Rao, are you moving your amendment?

DR. BABU RAO MEDIYAM: In view of Minister's reply, I am not pressing for it.

MR. CHAIRMAN: The question is:

"That clause 61 stand part of the Bill."

The motion was adopted.

Clause 61 was added to the Bill.

Clauses 62 to 79 were added to the Bill.

Clause 1, the Enacting Formula and the long Title were added to the Bill.

MR. CHAIRMAN: The Minister may now move that the Bill be passed.
SHRI SHIVRAJ V. PATIL: I beg to move:
"That the Bill be passed."
MR. CHAIRMAN: The question is:
"That the Bill be passed."
The motion was adopted.
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