

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3439
ANSWERED ON:30.11.2010
DISASTER MANAGEMENT CODE
Tewari Shri Manish

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Union Government has issued any guidelines to the State Governments to convert their Relief Codes into the Disaster Management Codes or to have constituted committees to revise the same;
- (b) if so, the details thereof along with the status of the compliance of the said guidelines by the State Governments, State-wise;
- (c) the details of the regulatory provision laid down by the Government for construction works in the seismic zones in the country and the status of the compliance thereon;
- (d) whether the Government is contemplating to incorporate the subject of disaster management in any of the three lists under the 7th Schedule of the Constitution; and
- (e) if so, the details thereof and the action taken thereon?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a) & (b): No, Madam. The State Governments are primarily responsible for management of disasters. For this purpose, State Governments have their relief codes/manuals as per their vulnerabilities & geographical terrain. The State Governments are required to review as well as amend their relief codes/manuals from time-to-time based on their past experience in managing the disasters.

(c): Laying down the law and regulations for construction of buildings are primarily a State subject.

However, the Bureau of Indian Standards (BIS) has published various standard codes on earthquake engineering such as Criteria for earthquake resistant design of structures etc.

Ministry of Home Affairs has also advised the State Governments vide its letter No. 31-1/2004/NDM-III dated 13.9.2004 to adapt the model amendments/ bylaws for building regulations and land use to provide for Multi Hazard Safety suggested by the Expert Committee constituted by the Ministry for this purpose. The Ministry of Urban Development has also asked all the State Governments to incorporate provisions of structural safety as per National Building Code 2005 and model building Byelaws in their respective building byelaws of cities and towns for protecting buildings against earthquakes.

(d) & (e): The National commission to Review the Working of the constitution, under the Chairmanship of Justice Mr. M.N. Venkatachaliah (Retired Chief Justice of India) in its report submitted on 31st March, 2002 has made one of its recommendations "Management of Disasters and Emergencies, Natural or Man-made" to be included in List III of the Seventh Schedule of the Constitution, which is under examination with the Department of Legal Affairs, Ministry of Law and Justice.