

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Revenue (DM) Department – The Andhra Pradesh Disaster Management Rules 2007 issued under the provisions of Disaster Management Act 2005 (Act. No.53 of 2005) Notifications – Issued.

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Revenue (DM.III) Department

G.O. Ms.No.1436

Dated:14.11.2007.

Read the following:-

1. The Disaster Management Act 2005.
2. S.O. 722 (E) Ministry of Home Affairs, Govt. of India dated 7th May, 2007.
3. Govt. Memo No.13017/DM.III(3)/2001, Revenue (DM.III) Dept. dated 03.07.2007.
4. From the Commissioner, AMR-APARD, Hyderabad Lr.No.648/AMR-APARD/CMED/ SDMA/ 2006-07 Dated 15.07.2007.

ORDER :

Parliament enacted the Disaster Management Act 2005 (Act.No.53 of 2005) to provide necessary Institutional and Legal Frame Work, for effective management of Natural and Manmade Disasters.

The Ministry of Home Affairs, Govt. of India, have issued a Gazette notification (Extraordinary) No.531, dated 08.05.2007 under Section I (3) of the Disaster Management Act, 2005 appointing the **1st of August, 2007,** as the date on which the provisions of the Sections 14, to 34, 38, to 41, 48, 51, to 69, Sub-section (2) of Section 70, Sections 71, to 74, 78 and 79 of the said Act, shall come into force in the whole of India.

After careful consideration, the State Government have decided to issue Disaster Management Rules for the State Government under the provisions of the Disaster Management Act 2005. Accordingly the Andhra Pradesh Disaster Management Rules, 2007 are issued in the Notification-I appended to this order.

In accordance with the Disaster Management Act. 2005 further Notifications-II, III and IV constituting State Disaster Management Authority (SDMA), State Executive Committee (SEC) and District Disaster Management Authority (DDMA) are also issued.

The following Notifications shall be accordingly published in the A.P. Gazette (Extraordinary) **dated 14.11.2007.**

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Notification – I

In exercise of the powers conferred by sub section (1) of Section 78 of the Disaster management Act, 2005 (Act No.53 of 2005), the Governor of Andhra Pradesh hereby makes the following rules:

1. Short title

- (a) These rules may be called the Andhra Pradesh Disaster Management Rules, 2007.
- (b) These Rules shall be deemed to have come into effect from **1st of August, 2007.**

2. Definitions: 1) In these rules, unless the context otherwise requires:-

- (a) "Act" means the Disaster Management Act, 2005 (Act. No.53 of 2005);
 - (b) "Advisory Committee" means the Advisory Committee constituted by the State Authority under sub-section (1) of section 17; or constituted by the District Authority under sub-section (1) of section 28; of the Act, as the case may be
 - (c) "Annual Report" means the Annual Report prepared by the State Authority under sub-section (2) of section 70; of the Act.
 - (d) "Chairperson" means the Chairperson of the State Authority established under sub-section (1) (2) of section 14; or of the District Authority established under Sub-Section (1) of Section 25 of the Act, as the case may be
 - (e) "Chief Executive Officer" means the Chief Executive Officer of the State Authority as the case may be, or the District Authority
 - (f) "Co - Chairperson" means the Co-Chairperson of the District Disaster Authority
 - (g) "Financial year" means the financial year commencing from 1st April each year and ending on 31st March of the following year;
 - (h) "Member" means the Member of the State Authority nominated under Clause (b) of sub-section (2) of section 14; or as the case may be of the District Authority prescribed/ appointed under sub-section (2) of section 25, of the Act.
 - (i) "Sub-Committee" means a Sub-Committee constituted by the State Executive Committee under sub-section (2) of section 21, of the Act.
 - (j) "Vice –Chairperson" means the Vice-Chairperson of the State Authority designated under sub section (3) of section 14, of the Act.
- (2) Words and expressions used herein and not defined in these rules but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. Composition of the State Authority: - The State Disaster Management Authority (SDMA) shall consist of the following members namely:—

- (1) The Chief Minister of the State, who shall be Chairperson, ex officio;
- (2) Other members shall be as follows;
 - (i) Minister for Revenue, Relief, Rehabilitation & Youth Affairs;
 - (ii) Minister for Home.
 - (iii) Minister for Finance
 - (iv) Minister for Health
 - (v) Minister for Major Irrigation
 - (vi) Minister for R & B
 - (vii) Minister for Panchayat Raj
 - (viii) Chief Secretary – Member Convener
- (3) The Chairperson of the State Executive Committee shall be Chief Executive Officer of the State Authority, ex officio:

4. Meetings of the State Authority:-

- (1) The State Authority shall meet as and when necessary but at least quarterly at the end of March, June, September and December of each year.
- (2) The Chairperson of the State Authority shall decide the day, time and place of the meeting of the State Disaster Management Authority (SDMA).
- (3) The Convener of the State Authority shall give notice of its meeting and circulate its agenda at least, week days in advance, unless there is an emergency situation on occurrence of a major Disaster or a situation of such a threatening disaster, when the State Authority shall meet at the earliest to ensure a smooth and efficient response.
- (4) the Chairperson of the State Authority shall, preside over the meetings of the State Disaster Management Authority:

Provided that if for any reason, the Chairman of State Authority is unable to preside over any meeting of the State Authority, the Vice-Chairperson of the State Authority designated by the Chairperson of the State Authority shall preside over the meeting of the State Authority.

- (5) The Chairperson of the State Authority may invite any other Special Chief Secretary / Principal Secretary /Secretary of the Department concerned, taking the nature of the Disaster into consideration, for the above meetings.
- (6) The Quorum for the State Authority shall be at least 4 Members.

5. Allowances to be paid to a member of the Advisory Committee constituted by the State Authority:- A member of the Advisory Committee constituted under sub-section(1) of section 17 of the Act shall be paid Traveling Allowances, Room rent, Daily Allowances and Conveyance Allowances apart from a Sitting Fee of Rs.1000/- for each session.

6. Composition of State Executive Committee:- The State Executive Committee shall consist of the following members namely:-

- (1) The Chief Secretary to State Government, who shall be Chairperson, ex-officio;
- (2) Other members shall be as follows;
 - (i) Principal Secretary/Secretary – Finance Department
 - (ii) Principal Secretary/Secretary – Panchayat Raj& Rural Development Department.
 - (iii) Principal Secretary /Secretary – Irrigation & Command Area Development Department.
 - (iv) Commissioner, Disaster Management – Member Convener
- (3) The Chairperson of the State Executive Committee may co-opt any other Special Chief Secretary / Principal Secretary /Secretary as a special invitee taking the nature of the Disaster into consideration for the meetings of the State Executive Committee (SEC).

7. Administrative Arrangements :-

- (1) The Office of the State Executive Committee will be separately established headed by a Special Commissioner, State Disaster Management Authority in the cadre of Special Grade Dy. Collector.
- (2) Orders on the establishment of the Spl. Commissioner, shall be issued separately.
- (3) The office will engage Consultants/ Experts depending on the nature of Calamity.
- (4) The Special Commissioner, State Disaster Management Authority (SDMA) will report to the Commissioner Disaster Management and the Member convener of State Disaster Management Authority (SDMA).
- (5) The Accounts of the State Disaster Management Authority (SDMA) will be audited as per procedure in the State Government.

8. Procedure to be followed by the State Executive Committee.

The State Executive Committee shall follow the following procedure in exercise of its power and discharge of its functions:-

- (1) The Chairperson of the State Executive Committee may, as and when required, in the implementation of the directions of the State Government, seek guidance from the State Authority as to the modalities of such implementation.
- (2) The Chairperson of the State Executive Committee shall, in case of emergency, have the power to exercise all or any of the powers of the State Executive Committee but exercise of such powers shall be subject to ratification by the State Executive Committee.

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- (3) The Chairperson of the State Executive Committee shall preside over the meetings of the State Executive Committee:-

Provided that in case the Chairperson of the State Executive Committee is unable to preside over any meeting of the State Executive Committee, he shall nominate one of members of the State Executive Committee to preside over the meeting.

- (4) The Chairperson of the State Executive Committee may nominate one or more officers:-
- (a) to assist him in the performance of his functions
 - (b) to maintain proper records relating to the meetings of the State Executive Committee;
 - (c) to take follow up action to ensure that the decisions taken in the meetings of the State Executive Committee are implemented in time and
 - (d) to perform such other functions as the Chairperson may desire them to perform.
- (5) The Chairperson of the State Executive Committee shall decide the day, time and place of a meeting of the State Executive Committee.
- (6) The State Executive Committee shall meet as often as necessary but at least once in three months.
- (7) The Member – Convener of the State Executive Committee shall give notice of its meeting and circulate its agenda at least week days in advance, unless there is an emergency situation on occurrence of a major disaster or a situation of such a threatening disaster, when the State Executive Committee shall meet at the earliest to ensure a smooth and efficient response.
- (8) The State Authority may, invite any member of the State Executive Committee whenever required, to assist it in discharge of its functions.
- (9) The State Executive Committee shall invite, any Principal Secretary/Secretary of the State Authority, as the case maybe, as a special invitee to attend its every meeting.
- (10) The State Executive Committee shall forward the minutes of every meeting to the State Authority.

9. Allowances to be paid to a person associated as an expert with a sub-committee of the State Executive Committee.

A member of the sub-committee constituted under sub-section (1) of section 21, shall be paid traveling and daily allowances apart from sitting fee of Rs.1000/- for each session.

10. Composition of **District Disaster Management Authority:-**

The District Disaster Management Authority shall consist of the following members namely:—

- (i) The **Collector and Magistrate of the district, who shall be the Chairperson, ex officio;**
- (ii) the Chairperson of the Zilla Parishad of the district, who shall be the Co-Chairperson
- (iii) the Superintendent of Police of the district, ex officio;
- (iv) the Chief Executive Officer of the District Authority shall be Joint Collector of the District, ex officio; who shall also be Member - Convener
- (v) the Project Director, District Rural Development Agency (DRDA) of the district, ex officio
- (vi) the Chief Executive Officer of the Zilla parishad of the district, ex officio; and
- (vii) the District Medical and Health Officer of the district, ex officio;

11. Meetings of the District Authority

- (1) The District Authority shall meet as and when necessary but at least quarterly at the end of March, June, September and December of each year.
- (2) The Chairperson of the District Authority shall decide the day, time and place of the meeting of the District Disaster Management Authority.
- (3) The District Authority shall give notice of its meeting and circulate its agenda at least week days in advance, unless there is an emergency situation on occurrence of a major disaster or a situation of such a threatening disaster, when the District Disaster Management Authority shall meet at the earliest to ensure a smooth and efficient response.
- (4) The Chairperson of the District Authority shall, preside over the meetings of the District Disaster Management Authority:-

Provided that in case the Chairperson of the District Authority is unable to preside over any meeting of the District Authority, the Co-Chairperson of the District Authority shall preside over the meeting.

- (5) The Quorum for the District Authority shall be at least 3 Members.

12. Allowances to be paid to a person associated as an expert with any committee of the District Authority: - Any person associated as an expert with any committee or sub-committee constituted under sub-section (1) of section 28 of the Act, shall be paid Traveling and Daily Allowances apart from a Sitting Fee of Rs:500/- for each sitting.

13. Annual report

- (1) The State Authority shall prepare its annual report and forward it to the State Government within nine months of the end of the financial year for being laid before the legislature.

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- (2) The annual report shall contain a full account of the activities of the State Authority during the previous year and the State Authority shall forward copies of the annual report to State Government and that Government shall cause the same to be laid before the Legislature of the State.
- (3) The Annual Report shall include:-
 - (a) A Statement of Aims and Objectives and vision of the State Authority;
 - (b) The role and functions of the state authority;
 - (c) Annual targets and achievements, in physical and financial terms, during the year to which the annual report pertains;
 - (d) The activities of the State Disaster Management Authority during the previous year;
 - (e) Any other information as the State Authority deems fit.

Notification - II

In exercise of the powers conferred by sub section (1) of Section 14 of the Disaster Management Act, 2005 (Act No.53 of 2005), the Government of Andhra Pradesh hereby establish the Andhra Pradesh State Disaster Management Authority (SDMA) consisting of the following members namely:-

- (1) The Chief Minister of the State, shall be Chairperson, ex officio;
- (2) Minister for Revenue, Relief, Rehabilitation & Youth Affairs;
- (3) Minister for Home.
- (4) Minister for Finance
- (5) Minister for Health
- (6) Minister for Major Irrigation
- (7) Minister for R & B
- (8) Minister for Panchayat Raj
- (9) Chief Secretary – Member Convener

Notification – III

In exercise of the powers conferred by sub section (1) of Section 20 of the Disaster Management Act, 2005 (Act No.53 of 2005), the Government of Andhra Pradesh hereby constitute a State Executive Committee (SEC) for the State of Andhra Pradesh consisting of the following members namely:-

- 1) The Chief Secretary to state government -- Chairperson
- 2) Principal Secretary/Secretary – Finance
- 3) Principal Secretary/Secretary – Panchayat Raj & Rural Development
- 4) Principal Secretary/Secretary - Irrigation & Command Area Development Department
- 5) Commissioner Disaster Management & EO Prl. Secretary, Member -- Convener

Notification – IV

In exercise of the powers conferred by sub section (1) of Section 25 of the Disaster Management Act, 2005 (Act No.53 of 2005), the Government of Andhra Pradesh hereby constitute a District Disaster Management Authority (DDMA) for each district in the State consisting of the following members namely:-

- (i) the Collector and Magistrate of the district -- Chairperson, ex officio;
- (ii) the Chairperson of the Zilla Parishad of the district, Co Chairperson
- (iii) the Superintendent of Police of the district -- Member
- (iv) the Joint Collector shall be Chief Executive Officer of the District authority of the district – Member Convener
- (v) the Project Director, District Rural Development Agency (DRDA) – Member
- (vi) the Chief Executive Officer of the Zilla Parishad of the district -- Member
- (vii) the District Medical and Health Officer of the District -- Member

This order issues with the concurrence of the Finance Department vide their U.O. No.8442/371/A2/Exp. Rev./07 dated 29.10.2007.

The G.O. is available on Internet and can be accessed at the address <http://www.aponline.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. HARI NARAYAN
CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner,
Printing & Stationery, Chenchalguda, Hyderabad (with a request to publish the above notifications in the A.P. Gazette (Extraordinary) dated **14.11.2007** and to supply 1000 copies to the Government in Revenue (DM) Department.

All Private Secretaries to the Ministers.

All Departments of A.P. Secretariat, Hyderabad.

Finance (Fin. Expr. Rev.) and (SMPC) Dept.

All Heads of Departments

All District Collectors

All District Judges

All Joint Collectors

All Superintendents of Police

All Project Directors of DRDA

All Chairpersons of Zilla Parishads.

All District Medical & Health Officers.

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All CEOs of the Zilla Parishads.

Director of Treasuries & Accounts, Raja Ram Buildings, Abids, Hyderabad.

Director, State Audit, Raja Ram Buildings, Abids, Hyderabad.

All District Treasury Officers.

Pay & Accounts Officer, Raja Ram Building, Tilak Road,
Abids, Hyderabad

The Accountant General, Saifabad, Hyderabad.

Secretary to Governor of Andhra Pradesh, Raj Bhavan,
Somajiguda, Hyderabad.

The Registrar, A.P. High Court, Hyderabad.

Commissioner, Information & Public Relations, Masab Tank, Hyderabad

Commissioner, AP Academy of Rural Development (APARD), Rajendranagar,
Hyderabad – 500 030.

P.S to Prl. Secretary to C.M.

P.S to Chief Secretary to Government.

Dy. Secretary to Govt. of India,
Ministry of Home Affairs, North Block, New Delhi – 110 001

P.S. to Commissioner for Disaster Management &
EO Prl. Secretary to Government, Rev. (DM) Department, Hyderabad.

Addl. Commissioner for Disaster Management.

Chief of Staff, Head Quarters, Eastern Naval Command,
Naval Dock Yard, Visakhapatnam.

Col. General Staff Head Quarters, Andhra Sub-Area,
Bollaram, Secunderabad

Commander,
Chief Wing Operational Officer for Station Commander,
Air Force Station, Begumpet, Hyderabad.

All Senior officers and Sections in the Revenue (DM) Department

// Forwarded by order //

SECTION OFFICER