
UNIT 5 DISASTER MANAGEMENT ACT, POLICY AND INSTITUTIONAL ARRANGEMENTS*

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5.0 OBJECTIVES

After reading this Unit, you should be able to understand:

- Policies of disaster management in India;
- Acts related to disaster management in India; and
- Institutional structure of disaster management in India.

5.1 INTRODUCTION

Disaster management can be defined as the organisation and management of resources and responsibilities for dealing with all humanitarian aspects of emergencies, in

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particular preparedness, response and recovery in order to lessen the impact of disasters. The institutional arrangements for disaster management in India can be understood through the various steps initiated in the country for managing disasters effectively.

5.2 DISASTER MANAGEMENT ACT, 2005

The Disaster Management Act, 2005, (23 December 2005) received the assent of the President of India on 9 January 2006. The Act extends to the whole of India. The Act provides for “the effective management of disasters and for matters connected therewith or incidental thereto”. The Disaster Management Act, enacted in 2005, has a new multidisciplinary focus on disaster prevention and risk reduction and a move away from a relief-centric regime.

- The institutional framework under the Act mandated the creation of the National Disaster Management Authority (NDMA) and State Disaster Management Authorities (SDMAs) as the bodies responsible for disaster preparedness and risk reduction at the respective levels.
- The Disaster Management Division of the Ministry of Home Affairs retained responsibility for overall steering of the national disaster response.
- It mandated the concerned Ministries and Departments to draw up their own plans in accordance with the National Plan.
- The Act further contains the provisions for financial mechanisms such as the creation of funds for the response, National Disaster Mitigation Fund and similar funds at the state and district levels.

5.3 INSTITUTIONAL FRAMEWORK UNDER THE DISASTER MANAGEMENT ACT

5.3.1 National Disaster Management Authority (NDMA)

Evolution of NDMA

Emergence of an organisation is always an evolutionary process. NDMA has also gone through the same process. The Government of India (GOI), in recognition of the importance of disaster management as a national priority, set up a High-Powered Committee (HPC) in August 1999 and a National Committee after the Gujarat earthquake, for making recommendations on the preparation of Disaster Management plans and suggesting effective mitigation mechanisms. The Tenth Five-Year Plan document, for the first time, also had a detailed chapter on Disaster Management. The Twelfth Finance Commission was also mandated to review the financial arrangements for Disaster Management.

On 23 December 2005, the Government of India enacted the Disaster Management Act, which envisaged the creation of National Disaster Management Authority (NDMA), headed by the Prime Minister, and State Disaster Management Authorities (SDMAs) headed by respective Chief Ministers, to spearhead and implement a holistic and integrated approach to Disaster Management in India.

National Disaster Management Authority (NDMA) as the apex body for disaster management has the responsibility for laying down policies, plans and guidelines for disaster management and coordinating their enforcement for effective response. The Guidelines have assisted the Central Ministries, Departments and States to

formulate their respective Disaster Management (DM) plans. It can also take other measures, as it may consider necessary, for the prevention, mitigation, preparedness and capacity building, for dealing with a threatening disastrous situation. Central ministries or departments and State Governments are expected to extend necessary cooperation and assistance to NDMA for carrying out their mandate. NDMA has to oversee the provision and application of funds for mitigation and preparedness measures. It has the power to authorise the departments or authorities concerned to make emergency procurement of provisions or materials for rescue and relief in a threatening disaster situation or disaster.

The NDMA is mandated to deal with all types of disasters, natural or man-made. Whereas such other emergencies including those requiring close involvement of the security forces or intelligence agencies such as terrorism, counter-insurgency, law and order situations, serial bomb blasts, hijacking, air accidents, chemical, biological, radiological and nuclear weapon systems, mine disasters, ports and harbour emergencies, forest fires, oilfield fires and oil spills will continue to be handled by the National Crisis Management Committee (NCMC). NDMA may, however, formulate guidelines and facilitate training and preparedness activities in respect of Chemical Biological Radiological Nuclear (CBRN) emergencies. Cross-cutting themes like Medical Preparedness, Psycho-Social Care and Trauma, Community Based Disaster Preparedness, Information and Communication Technology training, Preparedness awareness generation, etc., of natural and man-made disasters in partnership with the stakeholders concerned. Resources available with the DM authorities at all levels, which are capable of discharging emergency support functions, will be made available to the nodal ministries and agencies concerned during times of such disasters (Government of India, 2011).

Functions of NDMA

The major functions of NDMA are as follows:

- i) Lay down policies on disaster management;
- ii) Approve National Plan;
- iii) Approve plans prepared by the Ministries or departments of the Government of India in accordance with the National Plan;
- iv) Lay down guidelines to be followed by the State Authorities in drawing up the State Plan;
- v) Lay down guidelines to be followed by the different Ministries or departments of the Government of India for the purpose of integrating the measures for prevention of disaster or the mitigation of its effects in their development plans and projects;
- vi) Coordinate the enforcement and implementation of the policy and plan for disaster management;
- vii) Recommend provision of funds for the purpose of mitigation;
- viii) Provide such support to other countries affected by major disasters as may be determined by the central Government;
- ix) Take such other measures for the prevention of disaster, or the mitigation, or preparedness and capacity building for dealing with the threatening disaster situation or disaster as it may consider necessary;
- x) Lay down broad policies and guidelines for the functioning of the National Institute of Disaster Management.

5.3.2 National Executive Committee (NEC)

The National Executive Committee (NEC) is composed of Secretary level officers of the Government of India in the Ministries of Home, Agriculture, Atomic Energy, Defence, Water Resources, Environment and Forests, Finance (Expenditure), Health, Power, Rural Development, Science and Technology, Space, Telecommunication and Urban Development, with the Home Secretary serving as the Chairperson, ex officio. The NEC under section of the Act is responsible for the preparation of the National Disaster Management Plan for the whole country and to ensure that it is “reviewed and updated annually”.

5.3.3 State Disaster Management Authority (SDMA)

All State Governments are mandated under Section 14 of the Act to establish a State Disaster Management Authority (SDMA) in their States. The SDMA consists of the Chief Minister of the State as the Chairperson, and not more than eight members appointed by the Chief Minister. State Executive Committee is responsible (Section 22) for drawing up the State Disaster Management Plan (SDMP), and implementing the National Plan. The SDMA is mandated under section 28 to ensure that all the departments of the State prepare disaster management plans as prescribed by the National and State Authorities.

5.3.4 District Disaster Management Authority (DDMA)

The Chairperson of District Disaster Management Authority (DDMA) is the Collector or District Magistrate or Deputy Commissioner of the district. The elected representative of the area is an ex officio co-Chairperson.

5.3.5 National Institute of Disaster Management (NIDM)

In 1995, the International Decade for Natural Disaster Reduction (IDNDR), with the purpose of ensuring the implementation of the International Strategy for Disaster Reduction, prompted the Indian Institute of Public Administration (IIPA) under the Ministry of Agriculture and Cooperation, the then nodal ministry for disaster management in India to establish a National Centre for Disaster management (NCDM). With the transfer of the subject of disaster management to the Ministry of Home Affairs on 16th October 2003, NCDM was later upgraded as the National Institute of Disaster management (NIDM). The Institute was inaugurated by the Home Minister of India on August 11, 2004.

The Disaster Management Act of 2005 granted statutory status to NIDM. The Act holds the institute responsible for “planning, promoting training and research in the area of disaster management, documentation and development of national level information base relating to disaster management, policy formulation, developing prevention mechanisms and promoting mitigation measures”.

The NIDM has been mandated by the Government of India (NDMA – as per DM Act 2005, guidelines for NIDM) to be a deemed University and institute of excellence of higher learning and capacity building. UGC has worked out with NIDM and developed a model curriculum for strengthening disaster management in higher education and research. Most Central Universities have envisaged Centre for Disaster Management under their School of Environmental Studies. A core group is being formed with UGC-NIDM to promote the subject at Academic Staff Colleges as well.

5.3.6 National Disaster Response Force (NDRF)

The National Disaster Response Force (NDRF) is a specialised force constituted “for the purpose of specialist response to a threatening disaster situation or disaster” under the Disaster Management Act, 2005: section 44–45. When ‘calamities of severe nature’ occur, the Central Government is responsible for providing aid and assistance to the affected state, including deployment of Armed Forces, the Central Paramilitary Forces, National Disaster Response Force (NDRF), at the State’s request, as well as communication, air and other assets, as are available and needed. National Disaster Response Force (NDRF) is under the National Disaster Management Authority (NDMA). The head of the NDRF is designated as Director General. The Director General of NDRF is IPS officer on deputation from Indian police organisations. Director General wears the uniform and badges of rank of an army three-star general. In the Kashmir-floods of September 2014, NDRF played a vital role in rescuing the armed forces and tourists, for which NDRF was awarded by the Government of India.

The NDRF is a top-heavy organisation which in addition to the Director General has several Inspector Generals (IG) and Deputy IGs. National Disaster Response Force (NDRF) is a force of 12 battalions, organised on para-military lines, and manned by persons on deputation from the Indian para-military forces: three Border Security Force (BSF), three Central Reserve Police Force (CRPF), two Central Industrial Security Force (CISF), two Indo-Tibetan Border Police (ITBP) and two *Sashastra Seema Bal* (SSB). The total strength of each battalion is approximately 1,149 persons. Each battalion is capable of providing 18 self-contained specialist search and rescue teams of 45 personnel each including engineers, technicians, electricians, dog squads and medical/paramedics (Eapen, 2016).

5.4 ROLE OF CENTRAL AND STATE GOVERNMENTS

5.4.1 Central Government

In accordance with the provisions of the Disaster Management Act, 2005, the Central Government will take all such measures, as it deems necessary or expedient, for the purpose of disaster management and will coordinate actions of all agencies. The Central Ministries and Departments will take into consideration the recommendations of the State Governments while deciding upon the various pre-disaster requirements and for deciding upon the measures for the prevention and mitigation of disasters. It will ensure that the Central Ministries and departments integrate measures for the prevention and mitigation of disasters into their developmental plans and projects, make appropriate allocation of funds for pre-disaster requirements and take necessary measures for preparedness and to effectively respond to any disaster situation or disaster. It will have the power to issue directions to NEC, State Governments/SDMAs, SECs or any of their officers or employees, to facilitate or assist in disaster management, and these bodies and officials will be bound to comply with such directions. The Central Government will extend cooperation and assistance to the State Governments as required by them or otherwise deemed appropriate by it. It will take measures for the deployment of the Armed Forces for disaster management if required. The role of the Armed Forces will be governed by the instructions laid out in Instructions on Aid to Civil Authorities 1970. The Central Government will also facilitate coordination with the UN agency for disaster

management. Ministry of External Affairs, in co-ordination with MHA, will facilitate external co-ordination and cooperation.

i) Role of Central Ministries and Departments

As disaster management is a multi-disciplinary process, all Central Ministries and departments will have a key role in the field of disaster management. The Secretaries of the Nodal Ministries and Departments of Government of India, that is, the Ministries of Home Affairs (MHA). Agriculture, Civil Aviation, Environment and Forests, Health, Atomic Energy, Space, Earth Sciences, Water Resources, Mines, Railways, etc., are all members of the NEC and will continue to function as nodal agencies for specific disasters based on their core competencies or as assigned to them.

ii) National Crisis Management Committee (NCMC)

NCMC, comprising high level officials of the Government of India headed by the Cabinet Secretary, will continue to deal with major crises which have serious ramifications. It will be supported by the Crisis Management Groups (CMG) of the Central Nodal Ministries and assisted by NEC as may be necessary. The Secretary, NDMA, will be a permanent invitee to this Committee.

5.4.2 State Governments

The primary responsibility for disaster management rests with the States. The institutional mechanisms put in place at the Centre, State and District levels will help the States manage disasters in an effective manner. The Disaster Management Act, 2005, mandates the State Governments, inter alia, to take measures for preparation of state disaster management plans, integration of measures for prevention of disasters or mitigation into state development plans, allocation of funds, establishment of early warning systems and to assist the Central Government and other agencies in various aspects of disaster management.

5.4.3 District Administration

At the District level, DDMAAs will act as the planning, coordinating and implementing body for disaster management and will take all measures for the purposes of disaster management in the respective Districts in accordance with the Guidelines laid down by NDMA and the concerned SDMA.

5.4.4 Management of Disasters impacting more than one State

At times, the impact of disasters occurring in one State may spread over to the areas of neighbouring states. Similarly, preventive measures in respect of certain disasters, such as floods, etc., may be required to be taken in one State, though the impact of their occurrence may affect another. The administrative hierarchy of the country is organised into the National, State and District level administrations. This presents some difficulties in case of disasters impacting more than one state. Management of such situations call for a coordinated approach which can respond to a range of issues quite different from those that normally present themselves, before, during and after the event. NDMA will encourage identification of such situations and promote the establishment of mechanisms on the lines of Mutual Aid Agreements, for coordinated strategies, to be dealt by the States, Central Ministries and Departments and other agencies concerned (Eapen, 2016).

5.5 OTHER IMPORTANT INSTITUTIONAL ARRANGEMENTS

i) **Armed Forces**

Traditionally, the Armed Forces are called upon to assist the civil administration only when the situation is beyond their coping capacity. In practice, however, the Armed Forces are immediate responders in all serious disaster situations. As a result of their training, vast experience, risk taking mentality, swiftness and enormous resources at their disposal, the Armed Forces have historically played a major role in emergency support functions. These include emergency communications, search and rescue operations, health and medical facilities, transportation, airlift, helicopter lift, movement of relief material, emergency response to neighbouring countries, etc. The Armed Forces do give training to trainers, and disaster management managers, especially in Chemical Biological Radiological and Nuclear (CBRN) aspects, helicopter-insertion, high-altitude rescue, watermanship and training of paramedics. At the National level, the Chief of the Integrated Defence Staff to the Chairman, Chiefs of Staff Committee, is a member of the NEC.

ii) **Central Armed Police Forces (CAPFs)**

The CAPFs which are also the Armed Forces of the Union but under the Ministry of Home Affairs also play a key role in disaster response. The NDRF is a deputation force made out of CAPFs. Each CAPF pools personnel and officers from their share. Besides this, CAPFs over a period of time develop their own capabilities and respond to any disasters which may occur in their area of deployment. As the CAPFs are spread all over India, the resource potential and nationwide presence make their mobilisation much faster. Moreover, they are directly under Union Ministry of Home Affairs, the nodal ministry for disaster management.

iii) **State Police, Fire Services and Home Guards**

The State Police Forces, the Fire and Emergency Services and Home Guards are crucial and the immediate responders to any incident/disasters. The Police have only limited training in multi-hazard rescue operation. However, Fire Service is better off and adequately trained in emergency response. Home Guard volunteers also will be a force multiplier, if they can be trained in disaster preparedness, emergency response, community mobilisation, etc.

iv) **Civil Defence (CD) and Home Guards**

The Civil Defence (CD) and the Home Guards can be assigned the responsibility of community preparedness and public awareness in urban area. A culture of voluntarily reporting to duty stations in the event of any disaster, reactivating CD set up in every District can pay dividends in disaster response as the neighbouring community is always the first responder in any disaster. The proposal to make CD District centric and be involved in disaster response has already been approved by the Government of India. However, no visible efforts have been seen from State Governments to organise them properly.

v) **Local Elected Bodies**

The DM Act, 2005, has defined the roles of Notified Area Committees (NACs), Municipalities, Municipal Corporations, Municipal Councils and Panchayat Raj Institutions (PRIs) under section 41 (1) (2). These bodies are supposed to ensure

that their officials and employees are trained in disaster management and resources relating to disaster management. These bodies are also required to carry out relief activities in the affected areas in accordance with State and District disaster management Plans. The SDMAs/DDMAs are to assign the specific roles and responsibilities to local bodies in their Disaster Management Plan and suitably integrate them with Integrated Response System (IRS).

vi) Community Participation in Disaster Response

The community based organisations such as NGOs, Self-Help Groups (SHGs), Youth Organisations, Volunteers of National Cadet Corps (NCC), National Service Scheme (NSS), Nehru Yuva Kendra Sangathan (NYKS), and workers of different projects funded by Government of India like National Rural Health Mission (NRHM), Integrated Child Development Services (ICDS), etc., normally volunteer their services in the aftermath of any disaster. Potential of these youth based organisations can be optimised by giving them special training on disaster management.

vii) International Cooperation

Disasters are not limited by geographical boundaries. Major disasters may often simultaneously affect several countries. It should be the endeavour of each nation to develop close cooperation and coordination at the International level in disaster management. Here diplomacy plays a vital role (Eapen, 2016).

Check Your Progress 1

Note: i) Use the space given below for your answers.

ii) Check your answers with those given at the end of the Unit.

1) Explain the salient features of Disaster Management Act, 2005.

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2) Discuss the role of SDMA and DDMA.

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3) Write a note on National Disaster Response Force (NDRF).

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5.6 DISASTER MANAGEMENT POLICY

5.6.1 National Policy on Disaster Management (NPDM), 2009

The National Policy Framework has been prepared after due deliberation and keeping in view the National Vision to build a safe and disaster-resilient India by developing a holistic, proactive, multi-disaster and technology-driven strategy for disaster management. It was understood that this could be achieved through a culture of prevention, mitigation and preparedness to put in place a prompt and efficient response during disasters. The entire process centre-staged the community and provide momentum and sustenance through the collective efforts of all government agencies and Non-Governmental Organisations (NGOs).

In order to translate this vision into policy and plans, the NDMA has adopted a mission-mode approach involving a number of initiatives with the help of various institutions operating at the national, state and local levels. Central ministries, States and other stakeholders have been involved in the participatory and consultative process of evolving policies and guidelines.

This Policy aims at:

- Promoting a culture of prevention, preparedness and resilience at all levels through knowledge, innovation and education;
- Encouraging mitigation measures based on technology, traditional wisdom and environmental sustainability;
- Mainstreaming disaster management into the developmental planning process;
- Establishing institutional and technological frameworks to create an enabling regulatory environment and a compliance regime;
- Ensuring efficient mechanism for identification, assessment and monitoring of disaster risks;
- Developing contemporary forecasting and early warning systems backed by responsive and fail-safe communication with information technology support;
- Ensuring efficient response and relief with a caring approach towards the needs of the vulnerable sections of the society;
- Undertaking reconstruction as an opportunity to build disaster resilient structures and habitat for ensuring safer living; and
- Promoting a productive and proactive partnership with the media for disaster management.

5.6.2 National Disaster Management Plan (NDMP), 2016

The Prime Minister of India released the National Disaster Management Plan (NDMP), as a first ever national plan prepared in the country.

Salient Features

The NDMP incorporates substantively the approach mentioned in the Sendai Framework. The plan covers all phases of disaster management: prevention, mitigation, response and recovery. It provides for horizontal and vertical integration among all the agencies and departments of the government. The aim of the plan is to make India disaster resilient. It is designed to maximise the ability of the country

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to cope with disasters at all levels by integrating disaster risk reduction into development and by increasing the preparedness to respond to all kinds of disasters.

The plan also takes into account the Global trends in disaster management. It incorporates the approaches for disaster risk reduction mentioned in the Sendai Framework (2015- 2030), which is an agreement under the United Nations to which India is a signatory.

- The plan has assigned roles and responsibilities at all levels of Government, right up to *Panchayat* and Urban Local body level in a matrix format.
- As the plan follows the regional approach, it is beneficial not only for disaster management, but also for development planning.
- It also identifies major activities such as early warning, information dissemination, medical care, fuel, transportation, search and rescue, evacuation, etc., to serve as a checklist for agencies responding to a disaster.
- The plan emphasises on preparing communities to cope with disasters, so it stresses on a greater need for Information, Education, and Communication activities.

National Disaster Management Plan (NDMP) is also based on the four priority themes of the Sendai Framework, namely: understanding disaster risk, improving disaster risk governance, investing in disaster risk reduction (through structural and non-structural measures) and disaster preparedness, early warning and building back better in the aftermath of a disaster. NDMP covers all phases of disaster management: prevention, mitigation, response and recovery. It also identifies major activities such as early warning, information dissemination, medical care, fuel, transportation, search and rescue, evacuation, etc., to serve as a checklist for agencies responding to a disaster. It also provides a generalised framework for recovery and offers flexibility to assess a situation and build back better. To prepare communities to cope with disasters, NDMP emphasises on a greater need for Information, Education and Communication activities.

Check Your Progress 2

Note: i) Use the space given below for your answers.

ii) Check your answers with those given at the end of the Unit.

1) Write down the key points of National Policy on Disaster Management.

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2) Bring out the features of National Disaster Management Plan, 2016.

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5.7 CONCLUSION

There had been great loss of lives and property after major disasters like the Super Cyclone in 1999 and the Earthquake in 2001. As a result of the large scale devastation, there were measures initiated in India towards making institutional arrangement for disaster management. Major initiatives such as the Disaster Management Act, Disaster Management Policy and agencies for disaster management at the Central, State and District levels have been discussed at length in this Unit.

5.8 GLOSSARY

Disaster Management Act, 2005	: The Disaster Management Act, 2005, (23 December 2005) received the assent of The President of India on 9 January 2006. The Act extends to the whole of India. The Act provides for “the effective management of disasters and for matters connected therewith or incidental thereto”.
National Disaster Management Authority (NDMA)	: The NDMA is responsible for “laying down the policies, plans and guidelines for disaster management” and to ensure “timely and effective response to disaster”. It is responsible for laying “down guidelines to be followed by the State Authorities in drawing up the State Plans”.
National Disaster Response Force (NDRF)	: The National Disaster Response Force (NDRF) is a specialised force constituted “for the purpose of specialist response to a threatening disaster situation or disaster” under the Disaster Management Act, 2005: section 44–45. When ‘calamities of severe nature’ occur, the Central Government is responsible for providing aid and assistance to the affected state, including deploying, at the State’s request, of Armed Forces, Central Paramilitary Forces, National Disaster Response Force (NDRF), and such communication, air and other assets, as are available and needed. National Disaster Response Force (NDRF) is under the National Disaster Management Authority.
National Institute of Disaster Management (NIDM)	: The NIDM has been mandated by the Government of India (NDMA – as per DM Act 2005, guidelines for NIDM) to be a deemed University and institute of excellence of higher learning and capacity building. UGC has worked out with NIDM and developed a model curriculum for strengthening disaster management in higher education and research.

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5.10 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) Your answer should include the following points:
 - Disaster Management Act was enacted in 2005.
 - Institutional frameworks such as NDMA, NEC, NDRF, SDMA and DDMA
- 2) Your answer should include the following points:
 - State Disaster Management Authority
 - District Disaster Management Authority
- 3) Your answer should include the following points:
 - NDRF is a specialised force constituted for the purpose of specialist response to a threatening disaster situation or disaster.
 - It consists of forces from Border Security Force, Central Reserve Police Force, Central Industrial Security Force, Indo-Tibetan Border Police and *Sashastra Seema Bal*.

Check Your Progress 2

- 1) Your answer should include the following points:
 - Evolution and aims of the National Policy on Disaster Management, 2009.
- 2) Your answer should include the following points:
 - NDMP covers all phases of disaster management: prevention, mitigation, response and recovery.
 - It points out the roles and responsibilities of all levels of Government right up to Panchayat and Urban Local Body level in a matrix format.
 - It will help to maximise the ability of the country to cope with disasters at all levels by integrating disaster risk reduction into development and by increasing the preparedness to respond to all kinds of disasters.