

পঞ্জীভুক্ত নম্বৰ - ৭৬৮/৯৭

Registered No. 768/97



THE ASSAM GAZETTE

অসাধাৰণ

EXTRA ORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

নং 359 দিশপুৰ, বৃহস্পতিবাৰ, 9 ডিচেম্বৰ, 2010, 18 আঘোণ, 1932 (শক)
No. 359 Dispur, Thursday, 9th December, 2010, 18th Agrahayana, 1932 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
NOTIFICATION

The 8th December, 2010

No. RGR/ASDMA/7/2010/60. - In Exercise of the powers conferred by sub-section (1) of Section 78 of The Disaster Management Act, 2005 (Central Act No. 53 of 2005) the Governor of Assam is hereby pleased to make the following Rules, namely :-

Short Title and
Commencement.

1. (1) These rules may be called ***The Assam Disaster Management Rules, 2010.***
- (2) They shall come into force from the date of their publication in the Official Gazette.

Definitions

2. In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Disaster Management Act, 2005 (Central Act No 53 of 2005) ;
 - (b) "State Authority" means the Assam State Disaster Management Authority established under sub-section (1) of Section -14 ;
 - (c) "State Executive Committee" means the Executive Committee of a State Authority constituted under sub-section (1) of Section-20 ;
 - (d) "Advisory Committee" means the advisory committee constituted under sub-section (1) of Section -17 ;
 - (e) "Member" means a member of the State Authority.
 - (f) "Section" means Section of the Act.

- (g) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

The State
Disaster
Management
Authority.

- 3. (1) Composition:** The State Disaster Management Authority shall consist of the Chief Minister, Assam as the Chairperson and such other members as may be notified by the State Government from time to time as per provisions of the Disaster Management Act, 2005.

The State Government or the Chairperson of the State Disaster Management Authority may invite any expert or any officer of the State or Central Government to the meetings of the State Disaster Management Authority as per necessity. The State Government or the Chairperson of the State Disaster Management Authority may also notify certain officials as the special invitees to all meetings of the State Disaster Management Authority.

- (2) **The terms of office:** A person nominated as a member of the State authority, other than ex-officio members shall hold office for a term of five years from the date of assumption of office or until 65 years of age, whichever is earlier.
- (3) **Disqualification:** No person shall be a member of the State authority who
- (a) is declared to be of unsound mind by a competent court;
 - (b) becomes incapable of acting as a member;
 - (c) is or has been convicted of an offence, which in the opinion of the State Government involves moral turpitude;
 - (d) is or has been removed or dismissed from the service of the Government or a body corporate owned or controlled by the Government.
- (4) **Resignation:** Any member may resign from his office by giving a notice in writing under his hand to that effect to the Chairperson of the State Authority and such resignation shall take effect from the date, on which such notice is accepted by the Chairperson of the State Authority.
- (5) **Vacancies:** Where a vacancy occurs in the office of a member of the State authority by reason of resignation, disqualification, death or otherwise, the vacancy may be filled up by fresh nomination.
- (6) **The Meetings of the State Authority –**
- (a) The State Authority shall meet at least every quarter at such time and place as the Chairperson of the State Authority may think fit.
 - (b) The Chairperson of the State Authority shall preside over the meetings of the State Authority.
 - (c) If for any reason, the Chairperson of the State Authority is unable to attend the meeting of the State / Authority, the Vice Chairperson of the State Authority shall preside over the same.

(7) **Powers and Functions of State Authority** – The powers and functions of the State Authority will be as defined under Section -18(1) (2) & (3).

(8) **Provision of Officers, Consultants and Employees** .- The State Government shall provide the State Authority with such officers, consultants and employees, as it considers necessary, for carrying out the functions of the State Authority. These officers, consultants and employees may be engaged on deputation from other government departments or on contract or any other mode approved by the State Government.

(9) **Constitution of Advisory Committee** –

(1) The State Authority may, as and when it considers necessary, constitute an Advisory Committee, consisting of experts in the field of disaster management to make recommendations on different aspects of disaster management.

(2) The members of the Advisory Committee shall be paid traveling and daily allowances at such rates as may be decided by the State Disaster Management Authority. In the absence of any specific provision by the Authority, the rates applicable to the State Government employees will be followed.

(10) **Provision of Relief** - The State Authority shall lay down detailed guidelines by updating suitably and modifying the existing provisions of the Assam Relief Manual for providing standards of relief to persons affected by disasters.

However, such standards shall in no case be less than the minimum standards stipulated in the guidelines laid down by the National Authority in this regard.

The State
Executive
Committee.

4. (1) **Composition:-** The State shall constitute a State Executive Committee to assist the State Authority in the performance of its functions and to coordinate action in accordance with the guidelines laid down by the State Authority and ensure the compliance of directions issued by the State Government under these Rules.

The State Executive shall consist of the Chief Secretary, Assam as the Chairperson and such other members as may be notified by the State Government from time to time as per provisions of the Disaster Management Act 2005.

The State Government or the Chairperson of the State Executive Committee may invite any expert or any officer of the State or Central Government to the meetings of the State Executive Committee as per necessity.

The State Government or the Chairperson of the State Executive Committee may also notify certain officials as the special invitees to all meetings of the State Executive Committee.