DISASTER MANAGEMENT (REMOVAL OF DIFFICULTIES) ORDER, 2006

IO Emil—SEC. 30 2006 QT.%T.Ä. 2005 (2005 53) 76 42 $r (7) gg, 1. - (1) 3-rrcr«r 2006 t I (G) " 2005 (2005 53) t 2006 3 (1) 4. - (1) 211 11 (8) wr:r uT - (ii) (9) -t $1 Q, é-ia, (10) 12 NE GAZETTE OF INDIA EXTRAORDINARY (11) (12) 5. fir - (1) [PART 3(i)] fäg 7b G{--21TR -a5-q -G--æF1 : 34HIUITU1 •341* d•--R 42 (g) füfh-f-& fäg (vii), (viii). (ix) QI (x) (2) 3fiR zrl# Qi a5FfT fö•g i 3EiFi n-trrv 14 THE GAZETTE OF : EXTRAORDff-åARY !AR'T ß2-SEC.3(i)] 10. - ülg•tr 11. (1) Qrr#r $T Grr 12. - (1) qtq i N-efira HPT 3(i)] 13. - (1) 14. -(1) Q5T I (2) qfizrfr7 15. 16. - (1) qg 16 THE GAZETTE : EXTRAORDINARY 17. - 18. - (1) (4) qRa-åA (e) <RTHi, [PARTL—SFZ. 3(i)] 17 fir. 30/8/2006-R7etgq-111 (R)] NOMFICATION New Delhi, the 30th October, 2006 G.S.R. exercise of the powers conlirred by sub-section (7) of section 42 read with section 76 of the Disaster Management Act, 2005 (53 of 2005), the Central Government hereby makes the following regulations, namely:- I. Short title and commencement.- (1) These regulations may be called the National Institute of Disaster Management Regulations, 2006. (2) They shall come into force on the date of cheir publication in the Official Gazette

2. Definitions.- In these regulations, unless the context otherwise requires,- (a) "Act" means the Disaster Management Act, 2005 (53 of 2005); (b) " chairperson" means the chairperson of the goveming body; (c) "Executive Director" means the Executive Director of the institute appointed by the Central Governrnent; (d) "governing body" means the goveming body ot the institute; (e) "institute" means the National Institu• c of Disaster Management; (f) "President" means the President of the institute; (g) "Secretary" means the Secretary of the institute, or as the case may be, the governing body

3. Composition of the institute and the governing body.- The institute and thc goveming body shall consist of such members as are provided under sub-rule (I) of rule 18 THE GAZEITE OF : EXTRAORDNARY n—ssc. 3(i) (3) and sub-rule (I) of rule 6 respectively of the Disaster Management (National Institute of Disaster Management) Rules, 2006

4. Meetings of the institute.- (l) The President, or in his absence, thc Vice-President, shall preside over the meetings of the institute. (2) The institute shall meet at such times and places as may be considered necessary by the President for the transaction of the business of the institute: Provided that the institute shall meet at least once in every year. (3) (a) The Secretary shall give a notice specifying the place, date and time of an ordinary meeting of the institute at least twenty-one days prior to the date of such meeting. (b) The agenda shall also be sent along with the notice of the meeting and where it is not possible, the agenda shall be sent at least seven days before the meeting. (4) The President may call an extraordinary rneeting of the institute at any time for the transaction of urgent business of the institute. (5) The Secretary shall give a notice to all the members specifying the place, date arid time of the meeting for an extraordinary meeting at least seven days before the date of the meeting alongwith the agenda. (6) (a)The institute shall call an extraordinary meeting within thirty days of a written request of not less than twelve members orthe institute. The liembers of the institute shall indicate the purpose of the request for the (b) meeting referred to in clause (a). (7) The quorum for a meeting of the Institute shall be ten. 19 (8) The President may include in the agenda at any üme before or during a meeting of the Institute - (i) any fresh item or items of business; or (ii) any item supplementary to those included in the agenda, and such item shall be taken up for consideration. (9) A notice may be served upon any member of the Institute either personally, by email, fax, telegram or by post by under certificate of posüng in an envelope addressed to such member and such notice shall be presumed to have been properly delivered. (IO) No subject disposed of by the institute at a meeting shall be brought up again for consideration until aner the expiry of one year except in a case where the President or the Govemment certifies that the subject requires further consideration in the interest of the institute. (I I) A decisiön given by the President of the meeting on a point of order raised by a member of the institute shall be final. (12) All matters submitted to a meeting of the institute shall be decided by a majority of the members of the present and voting thereat, and in case of an equality of votes, the President or the person presiding shali have a casting vote, in addition to the vote to which he may be entitled as a member of the institute. S. Transaction of business by circulation of papers.- (l) Any business of the institute which may be necessary for the institute to transact' rnay, if the President so directs, be dealt with by circulation of agenda papers alongwith a draft resolution incorporating the decision required all the members of the institute at their usual address and any draft

resolution so circulated and approved by the majority of the members of the institute THE GAZEHEOFNDIA•Ä'RAORDINARY [PARTII=..SEC. 39)) signing shall be as effectual and binding as if the resölution hdd' been passed at a meeting of the institute provided that at least twelve members of the institute have recorded their views on the resolution. (2) A member shall give reply within twenty-one days from' the date of issue of the notice of such business and if no reply is received from a member of the institute within the said period, he shall be deemed to have supported the draft resolution. (3) If a draft resolution is circulated, the result of the circulation shall be communicated to all members of the institute and the resolution shåll also be placed before the next meeting of the institute for confirmation

6. Recording of business.' (1) A record shall be maintained of all business transacted by the institute. (2) All decisions of the institute • shall, as far as possible, be -recorded in the form of resolutions and an entry of such decision in the book of proceedings of the institute shall be conclusive evidence of the fact that such decisions were taken by the institute. (3) The proceedings of every meeting of the institute shall be circulated among its members within thirty days of the meeting and if g.ny comments are received within a stipulated time they shall be incorporated suit?bly subject to the approval of the President and re-issued as final proceedings

7. Delegation of functions to governing body or Executive Director—The institute may, by general or special order in writing, delegate to the governing body or the Executive Director, subject to such conditions and limitations, if any, as may bg •specified 21 in the order, such of its fimctions which it considers conducive or incidental to the attainment of the objects specified l.mder sub-se ction (9) of section 42, 8. Term of office--(I) The tenn of offce of a member of the governing body shall continue as long as he is a member of the institute. (2) The term of office of a nominated member of the goveming body under clauses (vii), (viii), (ix) or (x) of sub-rule (1) of rule 6 of the Disaster Management (National' Institute of Disaster Management) Rules, 2006 shall cease as soorfas he ceases to be member of the institute or till he is replaced by the Cendal Govemment, whichever is earlier

9. Powers and functions of the governing body.- (l) The governing body shall be responsible for carrying out the decisions of the institute. (2) In particular and without prejudice to the generality of the foregoing fimctions,. the goveming body may perform all or any of the following functions, namely:- (a) ensur compliance of broad policies and guidelines laid down for the institute by the National Authority; (b) consider and recommend such proposals aSare required to be submitted to the institute for its approval; (c) consider and approve such programmes and activities as may be taken up as interim till these are approved by åe institute; (d) consider and approve such changes in the approved annual activities of the institute as may be considered neces€ary, subject to ex-post-facto approval of such changes by the institute; 2 NE GAÆIIEOFINDIA:DCIRAORDNARY (e) consider add approve such new activiäes -not included in thé appro€éd armaal activities of the institute as rngy be rgquired to be taken up, subject to ex-post- facto approval by the institute; (f) appoint such Corn.mittees and Sub-Cornmittees as considered the discharge of its functions. (g) perform all such acts and do all such things as may be necessary for the proper management of the properties of the institute; and (h) perfom all such functions as may be Olegated by the institute. IO. Time and place of meeting of the governing body.- The goveming body shall' hold its meetings at such place and times as the Ch?irperson of the goveming body may, from time to time, determine: Provided that the Chairperson of the goveming body shall convene a meeting if a requisition for that purposeis presented to him in wriüng by not. less than four members of the governing body specifying ihe subjec '-Ifattec proposed tdbe discussed in thé meeting: Provided firther that the governing body shall meet at least once in three months

11. Notice for meeting of governing body.- (I) Not less tian fourteen days notice for every meeting of the goveming body shall be given to each member of the goveming body, (2) A notice may be served upon any member of the goveming bödy either personally, by email, fax, telegram or by post by under certificate of posting in an envelope addressed to such member and such notice shali be presumed hate-been properly delivered. (3) Notwithstanding anything contained in sub-regulatiog (1), a meeting of the govemin@ body at which any matter Which is considered urgent by the Chairperson has to be taken up, may be called at a shorter notice. 30

12. Quorum.- (1) No busiitess shall be d•ansacted •at 'a meeting of the governing body unless at least five members of the governing I-ody are present. (2) ff within half an hour of the time appointe•.i for holding

the meeting of the governing body, quorum is not present, the meeting shall stand adjoumed to another day and notice of such adjoumed meeting shall be given to each member of the governing body by e- mail, fax. telegram, post or special messenger, as die case may require: Provided that a meeting so adjourned shall held within twenty-one days of the date on which it was originally proposed to be held. (3) If at any such meeting also, the quorum is not present within half hour from the time appointed for holding the mee.ing, the members of the goveming•body present at the meeting shall form the quorum

13. Presiding over the meetings of governing body.—(l) The Chairperson of the goveming body shall preside over every meeting of the governing body. If the chairperson of the governing body is not present at any particular meeting. (2) the vice-chairperson shall preside over the meeing of the governing body. If the Chai.rperson and the Vice-chairperson of the governing body are not (3) present at any particular: rne&gj the members of the governing- body present shall choose one from among themselves to chair that meeting. .44. Transaction of business by circulation of papers.- (I) Any business which may be necessary for the goveming body to transact, may, if the Chairperson or in his absence, the Vice-chairperson so directs, be dealt with by eizcuka.åon-,of the papers to all the members of the governing bödy at their usual addresses, and any resolution so circulated shall be as effectual and binding as if the resolution has been passed at a medng of the governing boåy, provided at least five •members of åe governing body have their approval to the resolution. 'IHEGAZEITEOFINDIA:EXTRAORDINARY [PARTL—SE. 30] • (2) If a resolution is circulated, the results of circulation shall be communicated to all the members of the governing body and shall also be placed before the goveming body at its subsequent meeting for confirmation

15. Voting.- All matters submitted to a meet•ng of the goveming body shall be decided by a majority of the members' of the governing body present and voting thereat, and in case of an equality of votes, the chairperson of the goveming body or the person presiding shall have a casting vote, in additior: to the vote to which he may be entitled to as a member of the governing body

16. Recording of business.- (1) A record shall be maintained of all business transacted by the governing body. (2) All decisions of the governing body shall, as far as possible, be recorded in the form of resolutions and an entry of such decisions i" the book of proceedings of the governing, body shall be conclusive evidence of the tict that such decisions were takeH by the goveming body. (3) The proceedings of every meeting shall be circulated to the members of the goveining body within twenty-one days of the meeting of the governing body

17. Allowances to the members of the institute and the governing body - (l) The members of the institute and the governing body may be paid traveling allowances, daily allowances, conveyance allowances and room rent as admissible under the Supplementary Rules

18. Powers and functions of Executive Director.- (l) The Executive Director shall be responsible for implementation of the decisions of the imstitute, its governing body and the broad policies and guidelines of the National Disaster Management Authority and perform such other mnctions as may be assigned by the Central Government. (2) The Executive Director Shall be in charge of the administration of the institute and shall allocate duties to offcers and employees provided to me institute and exercise such supervision and executive control as are necessary. (3) The Executive Director shall exercise the powers of the Head .of the Departnent as specified in the Fundamental Supplementary Rules and -the Delegation of Financial Power Rules. (4) The Executive Director shall - (a) (b) (c) (e) (f) (g) (h) discharge the funcfions of diScipIinary authority in respect of the officers and employees of the institute below the rank of Associate Professor and equivalent posts. decide the venue of the ü•aimngs and workshops and invite resource persons for various programmes subject to such guidelines as may be laid down by the institute of its governing body; engage consultants for perfmmance of specific jobs subject to such guidelines may be laid down by the institute or its goveming body; make such short tern changes in the training prograrnmes, workshops and other activities of theu instia-lte as may be -necessary due to exigencies of situation; approve publication of documents, reports etc', perrnit air fravel to non-entitled officers for reasons to be recorded in writing; correspond with the Central Govemment and State Govemments on any matter pertaining to the institute. discharge such other. -fianctions 9s rnay be delegated to him by the institute or its governing body. [F..NO. PRABHANSHU KAMAL, Jt secy.