

Government of Himachal Pradesh
Department of Revenue(Disaster Management)

No.Rev(DMC)(C)2-2/2019

Dated the 8.6.2020

NOTIFICATION:

In exercise of the powers conferred by Sub Section 1 (c) & (d) of Section 48 of the Disaster Management Act 2005, the Governor of Himachal Pradesh is pleased to constitute State Disaster Mitigation Fund (SDMF) and District Disaster Mitigation Fund (DDMF) for incurring expenditure on projects for mitigation in the State. The administration of the fund will be as per the guidelines annexed to this notification.


(Onkar Chand Sharma)

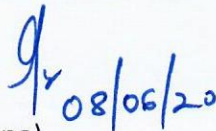
Principal Secretary(Rev-DM) to the
Government of Himachal Pradesh.

Endst. No. as above

Dated 8.6.2020

Copy forwarded to the following for information:-

1. The Secretary, National Disaster Management Authority, NDMA Bhawan, A-1 Safdarguang Enclave, New Delhi.
2. The Chief Secretary to the Government of Himachal Pradesh, Simla-2
3. All Additional/Principal/Secretaries to the Government of HP.
4. The Secretary to Governor of Himachal Pradesh.
5. All the Divisional Commissioners in HP
6. All the Deputy Commissioners in HP
7. All the Heads of Department in HP
8. The Controller, Printing & Stationery Department for publication in Rajpatra.
9. The Finance Department w.r.t UO No. Fin(C)B(15)-1/2014-loos dated 4.11.2019 & 16.5.2020


(D.C.Rana)

Director-cum-Special Secretary(Rev-DM) to the
Government of Himachal Pradesh.

STATE DISASTER MANAGEMENT GUIDELINES

GUIDELINES FOR ADMINISTRATION OF STATE DISASTER MITIGATION FUND

JUNE 2020

STATE DISASTER MANAGEMENT AUTHORITY
GOVERNMENT OF HIMACHAL PRADESH

1. INTRODUCTION

1.1 The Disaster Management Act, 2005 and Legal, Institutional & Financial Framework for Disaster Management.

The Disaster Management Act, 2005, which is acknowledged as a major development in the area of disaster management, provides for the effective management of disasters and for matters connected therewith or incidental thereto. The Act provides for the establishment of a legal, institutional and financial framework in the country for effective disaster response, relief and rehabilitation.

The Disaster Management Act provided for the establishment of a financial mechanism such as creation of funds for response and mitigation at the national and state level. Chapter IX (Finance, Accounts and Audit) of the Act states that the Central Government may constitute, a) Fund to be called the National Disaster Response Fund for meeting any threatening disaster situation or disaster and b) Fund to be called the National Disaster Mitigation Fund for projects exclusively for the purpose of mitigation.

Chapter IX Section 48 (1) states that the State Government shall, immediately after notifications of constituting the State Authority and the District Authorities, establish for the purposes of this Act the following funds, namely:-

- (a) the fund to be called the State Disaster Response Fund
- (b) the fund to be called the District Disaster Response Fund
- (c) the fund to be called the State Disaster Mitigation Fund
- (d) the fund to be called the District Disaster Mitigation Fund

1.2 Constitution of National Disaster Response Fund (NDRF) and State Disaster Response Fund (SDRF)

As per the recommendations of the Thirteenth Finance commission, the existing National Calamity Contingency Fund (NCCF) was merged into the National Disaster Response Fund proposed under the Act with effect from 1st April, 2010. Similarly, the Calamity Relief Fund (CRF) was merged into the SDRF constituted under the Act.

1.3 Constitution of National Disaster Mitigation Funds (NDMF)

The DM Act authorizes the Central Government to constitute the National Disaster Mitigation Fund for projects exclusively for the purpose of mitigation and this fund shall be established after due appropriation by Parliament by law in this behalf. The Government of India has however, not constituted this fund so far.

1.4 Constitution of State Disaster Mitigation Fund (SDMF)

The DM Act/Rules directs the State Governments to establish State Disaster Mitigation Fund immediately after the notification constituting the State Authority is issued. Therefore, constitution of the Disaster Mitigation Fund in the State is a mandatory requirement of law immediately after the State Authority is set up.

The State of Himachal Pradesh through Department of Revenue, Disaster Management has constituted State Disaster Mitigation Fund under Section 48 (1) of Chapter IX of National Disaster Management Act, 2005 and Rule 13 of HP State Disaster Management Rules-2011.

State Disaster Mitigation Fund shall be utilized based on the following guidelines only that are being issued under Section 63 of the National Disaster Management Act 2005, on such mitigation activities that are not covered under any of the existing plan/non plan schemes. The provision for relief, rehabilitation and reconstruction should not be a part of the State Disaster Mitigation Fund.

1.5 Contributions to the Fund

The amount of annual contribution to the State Disaster Mitigation Fund for each financial year would be as recommended by the State Disaster Management Authority and allocated in the State Budget by State Finance/Planning department. As and when the Government of India constitutes National Disaster Mitigation Fund, the yearly allocation of Government of India shall be remitted and unified in to State Disaster Mitigation Fund as Non-Plan grant.

1.6 Mobilization of additional resources

The State Disaster Mitigation Fund needs to be conceptualized as a mechanism which can support risk reduction and mitigation measures and hence, it has the potential for developing into a full-fledged Social Fund that generally use community-driven development approaches to ensure active participation of local actors. As a Social Fund, State Disaster Mitigation Fund may also have the flexibility to receive donations from Government Departments, Panchyati Raj Institutions, Corporate entities, individuals, etc. as in the case of Chief Minister Disaster Relief Fund.

2. GUIDELINES FOR ADMINISTRATION OF STATE DISASTER MITIGATION FUND

2.1 Purpose of Guidelines

The purpose of these guidelines is to provide guidance on the appropriate use of State Disaster Mitigation Fund available to State Disaster Management Authority under the provisions of National Disaster Management Act.

This will ensure consistency in the use of the Mitigation Fund and promote measures that reduce future loss to life and property, protect the infrastructure and ultimately, help build disaster resistant communities.

2.2 Scope, Audience and Period

These guideline is applied to all hazards and related disasters included in the State Disaster Management Policy, HP Disaster Management and Relief Manual or all disasters qualified under the norms of State Disaster Response fund or any potential natural or human-induced hazards / disastrous event that the State Disaster Management Authority or State Executive Committee may deem to be assimilated for mitigation. This guideline is intended to guide all officials responsible for the management and administration of State Disaster Mitigation Fund under the provisions of National Disaster Management Act 2005 adopted by the State Government.

These guidelines will be operative from the date of the constitution of the fund and will continue till further orders.

2.3 Authority and Custodian

The State Government / Department of Revenue (Disaster Management Cell) shall ensure that the fund established as State Disaster Mitigation Fund shall be available for the State Disaster Management Authority and the Department of Revenue (DM Cell) shall be the principal authority of all matters pertaining to the State Disaster Mitigation Fund. The State Executive Committee which assists the State Authority in the performance of its functions shall be the custodian of State Disaster Mitigation Fund.

The Secretariat of State Disaster Management Authority headed by the Additional Chief/ Principal Secretary/ Secretary, State Disaster Management Authority will assist the State Executive Committee to coordinate actions required for undertaking mitigation activities. The Additional Chief Secretary/ Principal Secretary/Secretary, SDMA will be responsible for undertaking measures for the prevention or mitigation of disasters through State Disaster Mitigation Fund under the guidance of State Executive

Committee. The State Disaster Management Authority would be the competent authority to make/approve any modifications in these guidelines from time to time. The account and audit of the State Disaster Mitigation Fund shall be maintained by the State Disaster Management Authority in such manner and details as defined in Rule 13 of the HP State Disaster Management Rules-2011.

2.4 Geographic area

The geographic area for the State Disaster Mitigation Fund will consist of all properties within the boundaries of the State of Himachal Pradesh.

2.5 Disaster Mitigation Planning and Strategy

Mitigation is defined as lessening or limitation of the adverse impacts of hazards and related disasters. It is denoted by the steps taken to contain or reduce the effects of an anticipated disastrous event or a disaster causing phenomena. The adverse impacts of hazards or effects of a disaster often cannot be prevented fully, but their scale or severity can be substantially lessened by various strategies and actions.

The State has formulated a State Disaster Management Plan (SDMP). All mitigation activities to be taken up by the State shall be generally guided by the State Plan and the same shall be the guide in the effective utilization of the State Disaster Mitigation Fund. Therefore, once the state level mitigation strategy has been detailed, the works, which could be taken up at the district, block and panchayat level for shorter duration can be culled out of the long term disaster mitigation/prevention plans. Preferably, long and medium term mitigation activities shall be prepared as independent / standalone interventions and shall be undertaken by the State through separate budgetary allocations of departments concerned and through centrally sponsored programmes.

The State Disaster Mitigation Fund shall be employed for supporting mitigation projects (as distinguished from preparedness and response activities) of short term nature that may be implemented within a period of maximum three years either identified in the State Disaster Management Plan or for implementing mitigation projects that emerge out of a threatening situation. In any case, the interventions should be in the field which are otherwise not supported by regular or any other government schemes. The State Disaster Mitigation Fund is not just a funding window; it is a mechanism for implementing risk reduction activities/ projects. Hence, the State shall not seek Request for Proposals which have no strong risk context and would lead to a large number of proposals, which would be a counterproductive arrangement.

2.6 Administration

a. Responsibility

The State Executive Committee of State Disaster Management Authority shall be solely responsible for;

- i) Selection, approval/disapproval of projects/project proposals;
- ii) Establishment of policies and procedures for the administration and management of State Disaster Mitigation Fund and review/revision of such policies and procedures, as necessary; and
- iii) Final decisions concerning Disaster Mitigation Fund expenditures.

b. Submission of Proposals

It is envisaged that District Disaster Management Authorities should have a proper role in the operation and execution of State Disaster Mitigation Fund or related activities. Hence, the mitigation projects evolved by any agency – District Administration, Departments of the State / District, NGOs / Community Based Organizations / Civil Society Organizations, Scientific Organizations etc. should first be submitted to District Disaster Management Authorities concerned, assessed and approved by District Disaster Management Authorities. The Secretary in charge of the Revenue(Disaster Management Cell) will ensure financial feasibility of the project, ensure that no other funding from Government of Himachal Pradesh is available or possible for the proposed project and ensure the compliance with the guidelines for the utilization of the State Disaster Mitigation Fund. The proposals accepted by the Secretary Incharge, Revenue (Disaster Management Cell) shall be placed before the State Executive Committee and the State Executive Committee shall, where ever necessary may refer the project to the Expert/ Sub-Committee for scientific/technical review.

All projects proposals seeking assistance from State Disaster Mitigation Fund shall have the following components:-

i) Introduction -- A brief introduction of the purpose and relevance of the proposed project. The scientific quality of this chapter may be assessed by the technical reviewers/experts, if necessary.

ii) Identification of hazards/Proposed implementation site: -- A brief description of the hazards to be addressed/implementation site where the project will be undertaken. Proposal shall enclose a map of the study area / implementation site, if available or

illustrate with photographs, if relevant. The proposal shall also provide a discussion of past hazard events and include information on the probability of future hazard events the relevance of undertaking the project in the proposed area/site will be assessed by the technical reviewers.

iii) Materials and methods—Depending on the proposed project, this chapter should illustrate material/methods that will be used for the implementation of the project. The novelty and relevance of the proposed methodology of the implementation of the project will be assessed by the technical reviewers/SEC Sub Committee. Usages of latest and cutting edge techniques, technology, materials and methods will be encouraged. Usage of non-structural measures (bioengineering solutions, modern socio-psychological tools, community participation that can develop and encourage social cohesion and resilience etc.) will be encouraged.

iv) Deliverables--- Tangible and intangible deliverables of the project should be clearly outlined and the relevance of these toward risk reduction mitigation should be detailed. The deliverables may have only local mitigation impacts. However if the project results in replicable best practices with State wise or Country wise relevance, such projects will be encouraged.

v) Financial budgeting--- A detailed financial budget should be enclosed specifying the heads in which the utilization is proposed. Community contribution, contribution of the local self government and contribution of the district administration in terms of cash or kind will be encouraged. Part funding from sources other than Government of Himachal Pradesh (departments, institutions, boards etc.) for the proposed project will be encouraged.

vi) Time Line—A detailed implementation time line should be included in the proposal and this time line will be binding. No projects with time line of more than 3 years may be accepted. However, time lines may be extended on case to case basis.

vii) Profile of the proposing or implementing authority(ies)/agency(ies) and technical advisor(s)—This section should explain the competence of the implementing authority or agency who will undertake the proposed mitigation plan and the technical advisor under whose guidance the plan was prepared. Involvement of subject experts will be highly encouraged so as to ensure the technical and scientific quality of the proposed project. The technical advisor(s) will also have to oversee the project implementation and hence have to be competent enough in the respective domain.

c. Proposal Review System

The State Executive Committee will be responsible for sanction of project proposals. The State Executive Committee may entrust the scientific review of individual proposals to experts from different fields / experts on different hazards who are empanelled in the Advisory Committee of State Disaster Management Authority/State Executive Committee Sub Committee to ensure effective and efficient utilization of the State Disaster Mitigation Fund.

The Committee/Expert(s) may review the scientific/technical quality of individual chapters of the proposal and will prepare an interim verdict sheet within 2 weeks. If any modifications are suggested by the advisory Committee/ Experts/ SEC Sub Committee, it will be communicated to the proposing agency. Once accepted, the Advisory Committee will recommend the proposal for funding to the State Executive Committee of the State Disaster Management Authority. The finalized mark sheet of the review will also be attached with this communiqué. The advisory committee will also look in to aspects such as cost-effectiveness of the project, engineering feasibility and environmental impact assessment, if necessary.

d. Approval of Proposals

All proposals recommended by the Review Committee/Experts/ SEC Sub Committee will be considered for approval by the State Executive Committee. The State Executive Committee shall review all pertinent information regarding the project proposal based on the recommendation of Review Committee and guidelines and spirit of the Mitigation Fund and approve or disapprove the said proposed project. Depending on the availability of funding, the Department of Revenue (Disaster Management Cell) will allocate funds to the Projects and make it available to the State Executive Committee through necessary government orders.

If several proposals qualify in a year, State Executive Committee will request the Review Committee to prepare a priority list based on the importance of the project and the one with the highest priority will be awarded first and the second in the list will be awarded the next and so on. Every priority list will have a life time of two years and after which, new proposal will have to be mooted by the proposing agencies.

e. Implementation and Monitoring

On approval of Project Proposals, the State Disaster Management Authority or District Disaster Management Authority and the proposing agency with the implementing agency, shall enter into an Agreement for the effective implementation of the proposed project. The agreement will detail the objectives and scope of the project,

duration of the project, general responsibilities of the parties, terms and obligations of personnel involved, procurement and operational arrangements, financial arrangements, maintenance of records, reporting requirements, audit requirements and terms of suspension or early termination.

If the Project proposal was mooted through District Disaster Management Authority, the State Disaster Management Authority/ Department of Revenue(DMC) will grant sanction for the project and transfer the funds to District Disaster Management Authority who in turn will supervise the implementation and monitoring of the project.

Immediately after entering the agreement, State/District Disaster Management Authorities may release mobilization funds up to 30% of the total approved amount based on the financial requirements, timeline and deliverables of the project. Periodic and end term reviews including physical visits to project sites may be conducted to assess the progress of the implementation of activities and based on achievement of overall objectives, fund disbursements will be effected. Funds up to 85% of the total project cost may be released in three installments during the course of the project on the recommendation of the advisory committee based on interim reviews and field visits. The final settlement may be made based on submission of the project completion report and its approval through an end term review.

3. Powers & Functions of Principal Secretary, State Disaster Management Authority

The State Disaster Management Authority may develop project proposals for hazard mitigation or conceive feasible projects for the purpose of assisting and protecting the community in anticipation or response to any threatening disaster situation and implement the same through District Disaster Management Authorities concerned, if the identified hazards have inter-district or state level ramifications.

Further, in such cases, as per the provisions of the Disaster Management Act, the Department of Revenue (Disaster Management Cell) may release funds available under State Disaster Mitigation Fund for projects conceived by State Disaster Management Authority/District Disaster Management Authorities relinquishing usual proposal submission and proposal review system.

In case of a threatening disaster situation, where immediate measures for prevention or mitigation are necessary to protect the community from an anticipated disaster, the Secretary Incharge of State Disaster Management Authority will examine the vulnerability of that part of the State, identify potential hazard and carry out necessary measures for its prevention or mitigation by taking approval from the Chairperson of State Executive Committee in the file. Any such action taken by State

Disaster Management Authority should be submitted for ratification before the State Executive Committee in the subsequent meeting. All programmes implemented under State Disaster Mitigation Fund should be reported to State Disaster Management Authority.

4. Potential Mitigation Measures, Eligible and Ineligible Activities.

4.1 Eligible Mitigation Measures/Activities:

Rule 13(2) of the Himachal Pradesh State Disaster Management Rules-2011 provide suggestive mitigation activities/areas to meet expenditure on projects for mitigation, including prevention of, and preparedness for, disaster as under:-

- a) Capacity building;
- b) Public awareness;
- c) Information and communication systems, including creation of infrastructure like the State and District Emergency Operation Centers.
- d) Improving forecasting and early warning systems.
- e) Creation of State Disaster Mitigation Resource Reserves;
- f) Equipment for search and rescue, etc.
- g) Training, research and development; and
- h) Retrofitting of existing public assets and infrastructure and amenities.

In addition to the above, the following activities may also be taken up under this head:-

- (i) Public alert system for effective early warning system.
- (ii) Project fee/institutional charges/ Consultancy fee for any technical/ Research and Development Institute to assist the State Government in mitigation measures.
- (iii) Carrying out Research & Development activities leading to mitigation activities/measures.
- iv) Any other expenditure to fight Covid-19 pandemics and other biological disaster.
- (v) Any other activities deemed fit for mitigation by the State Executive Committee.

4.2 Ineligible Activities

The following list provides a few examples of activities that are not eligible for State Disaster Mitigation Funding:

- (a) The Projects that do not reduce the risk to people, structures or infrastructure;

- (b) Projects for which actual physical work has occurred prior to award or final approval;
- (c) Projects that create revolving loan funds;
- (d) All projects related to property acquisition and relocation projects;
- (e) Major flood control projects related to the construction or repair of dams, dykes, levees, floodwalls, and erosion projects;
- (f) Retrofitting facilities primarily used for solely private or religious purposes;
- (g) Projects for the purpose of landscaping for ornamentation (trees, shrubs etc);
- (h) Projects for water quality infrastructure; address ecological or agricultural issues, protection of the environment and or watersheds; Forest management; prescribed burning or clear cutting; creation and maintenance of fire breaks, access road, or staging areas and irrigation system.
- (i) Research of long term nature that require huge investments and that do not result in a specific local mitigation activity;
- (j) Studies not directly related to the design/implementation of a mitigation projects;

Clarification:

The Disaster Management Cell, Department of Revenue will be competent to issue clarification's and clear ambiguities vis-a-vis these guidelines.

Contact Us

For more information on these "GUIDELINES FOR ADMINISTRATION OF STATE DISASTER MITIGATION FUND"

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