

17/09/2023

**GOVERNMENT OF KERALA**

No:DMB1/82/2023/DMD

Disaster Management(B)Department

Thiruvananthapuram.

Dated:18-12-2023

**CIRCULAR**

Sub: Disaster Management Department- Standardization of the process of integrating the measures for prevention of disaster and mitigation -Reg

- Ref: 1.GO(Rt)No.3667/2016/DMD dated 9-9-2016  
2.GO(Rt)No.399/2018/DMD dated 18-7-2018  
3.Interim order dated 8-11-2023 of Hon'ble High Court of Kerala in WP(C) No.41159/2022

Section 23 (1) of the Disaster Management Act, 2005 (Central Act 53 of 2005) makes it mandatory for every State to have a State Disaster Management Plan (SDMP). The Kerala State Disaster Management Authority (KSDMA) vide Section 18 (b) of the Disaster Management Act, 2005 has approved the Kerala State Disaster Management Plan (KSDMP) prepared under Section 23 of Disaster Management Plan. Provisions of the Disaster Management Plan are statutory in nature and are treated as directives to various stakeholders in disaster management and was upheld by the Hon'ble Apex Court in WP (C) No. 444 of 2013 dated 8-5-2017 and the overriding powers of directions under Disaster Management Act, 2005 was upheld by Hon'ble Division Bench of High Court of Kerala in WA No. 2745/ 2015 in WP (C) 26377/2015 dated 5-

09/03/2023

4-2016. Vide Section 39 (b) of the Disaster Management Act, 2005, it is a statutory requirement upon the departments of the State Government to integrate risk reduction measures in the development plans and projects.

To ensure standardization of the process of integrating the measures for prevention of disaster and mitigation and to ensure allocation of funds for prevention of disaster and mitigation, the KSDMP in 'Chapter 4 - Mainstreaming Disaster Management' has several directives under Section 22 (2) (h) for stakeholders to follow. In the chapter, there is a separate checklist for detailed natural disaster impact assessment of projects for all departments to follow, in line with Section 39 (b) of the Disaster Management Act, 2005.

Further, the Government, recognizing the need to mainstream risk informed planning, has issued guidelines for preparing spatial risk informed plans in the local governments in Kerala, vide GO (Ms) No. 120/2022/LSGD dated 9-6-2022. Thus, the State is fostering risk informed development such that disaster impacts are significantly reduced.

The Hon'ble High Court, vide interim order dated 8-11-2023 in WP (C) No. 41159/2022, has directed the State Government to issue necessary orders/circulars/instructions to all departments to incorporate Annexure 11 (given as annexure to this circular) of the Kerala State Disaster Management Plan in the detailed project report as a self-certification such that risk awareness is clear to the executing entities and the beneficiaries at the stage of design itself.

The directions issued under Section 22 (2) (h) of the Disaster



Management Act, 2005 as given in Kerala State Disaster Management Plan for strict compliance by all departments and local self-governments are hereby reiterated. All authorities will ensure that annexure 11 of the Kerala State Disaster Management Plan in the detailed project report as a self-certification by the Department/Local Self-government are implemented without fail.

Forwarded/By Order ,



Section Officer

DR VENU V IAS  
CHIEF SECRETARY

To:

Additional Chief Secretary/Principal Secretary/Special Secretary of  
all Departments

The Commissioner, Disaster Management, Thiruvananthapuram

The Commissioner, Land Revenue, Thiruvananthapuram

All District Collectors/All District Panchayaths

Chief Engineer PWD

Chief Engineer Irrigation & Administration

Chief Engineer, LSGD

The Project Engineer, KSTP, Nanthancode, Kowdiyar P.O, TVPM

The Chief Engineer, Kerala Public Work Department,

KSTP, Kowdiyar P.O, TVPM

The Executive Engineer, KSTP, Kanjirapally, Kottayam

The Member Secretary, Kerala State Disaster Management

Authority, Thiruvananthapuram

The Registrar, High Court of Kerala, Ernakulam (with C/L)

Copy To:



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Staff Officer to Chief Secretary , Government of Kerala  
 P A to Principal Secretary, Disaster Management Department  
 C A to Joint Secretary, Disaster Management Department

***Annexure: Checklist for detailed natural disaster impact assessment***

Name of Project		
Proposing department		
Location of the project	Latitude	Longitude:
Elevation		
Past history of disasters that have hit the proposed area or any location within 1 km radius of the proposed area (Type of disaster and year of occurrence)		
Depth of flood level (m)		
Type of project (Select from the ones below)		
Communications: towers, lines, building; Transportation: Roads, Railways, Bridges, Tunnels; Power: Power houses, sub stations, power lines; Water Resources: Dams, barrages, appurtenant structures, river training structures, Canals; Habitations: townships- planning from the		

1/15/2024

point of view of safety against hazards; Water supply and sanitation projects including water supply and sewer lines: Ports & Harbors; Building projects; Any other	
Hazards Risk to the project	Have the following been evaluated?
Probable maximum seismicity at site and site dependant seismic design parameters; Probable Maximum storm surge; Probable Maximum wind speed; Probable Maximum precipitation; Probable maximum flood discharge and level; Probability of occurrence of floods, earthquakes, landslides, mud flows, avalanches, cyclones, tsunamis	
Mitigation/Reduction of Risk	There are specific codes, manuals, guidelines etc. developed by Bureau of Indian Standards, NDMA, KSDMA and concerned organizations for sitting, design, construction and maintenance of various types of infrastructures.
Have the relevant BIS Codes and guidelines been complied with	
Have adequate safeguards to meet the risks of natural hazards as evaluated at Para 3 above been adopted	
Have an environmental and social	

impact assessment been undertaken?

Has any study been made to assess the collateral damage probability of the project? [Major calamities may cause collateral damage such as damage to pipelines, storages of chemicals, peak maximum flood exceedance may result in dam break etc.]

Does the project cross any natural waterways? If yes, have adequate provision been made to not restrict natural flow of water?\*

\*Vide SRO. No. 828/2019 dated 8-11-2019, the Kerala Municipal/Panchayath Building Rules have been amended and Section 22 (4) has been inserted as follows "No construction shall be made to obstruct the natural drains and streams in a plot. Failure to comply with this instruction will invite penalization under Section 51 of the Disaster Management Act, 2005 (Central Act, 53 of 2005)".

