ABSTRACT

Disaster Management – Constitution of State Disaster Management Agency – Orders – Issued.

Revenue [D.M.1(2)] Department

G.O.(Ms) No.488 Dated: 28.11.2013.

Read:

1. G.O.(Ms) No.323, Revenue [N.C.I(2)] Department, dated 8.7.2003.
2. G.O.(Ms) No.573, Revenue [N.C.I(2)] Department, dated 28.12.2004.
3. G.O.(Ms) No.7, Revenue [N.C.I(2)] Department, dated 5.1.2005.
4. G.O.(Ms) No.564, Revenue [N.C.I(2)] Department, dated 26.9.2008.
5. G.O.(Ms) No.689, Revenue [N.C.I(2)] Department, dated 4.12.2008.
6. G.O.(Ms) No.14, Revenue [N.C.I(2)] Department, dated 6.1.2009.
7. From the Additional Chief Secretary/Commissioner of Revenue Administration, Chennai-5, Letter No.NC.1(3)/77555/2007, dated 31.1.2013.
8. G.O.(Ms) No.149, Revenue [D.M.I(2)] Department, dated 27.5.2013.

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ORDER:

In the Government Order 1st read above, the Government have constituted a **State Disaster Management Authority** with the Chief Secretary of the State, as the Chairperson, to ensure co-ordinated steps towards mitigation, preparedness and coordinated response when a disaster strikes, prior to the enactment of Disaster Management Act 2005.

2. In the Government Order 2nd read above, a State Disaster Management Policy (in both English and Tamil) was published, which gives the overall picture of the Disaster Management in the State.

3. In the Government Order 3rd read above, the Government have ordered establishment of an Executive Agency to assist the above said Authority and register it under the Tamil Nadu Societies Registration Act, which is called as **Tamil Nadu Disaster Management Agency.** The Executive agency was established with the Special Commissioner and Commissioner of Revenue Administration as Chairman and the Joint Commissioner (Disaster Management and Mitigation) as Chief Executive Officer and Member Secretary. In the said Government order, the

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organizational structure, staffing pattern, proposed staff pattern and existing staff pattern have been approved.

4. However, during December 2005, the Government of India enacted the legislation named, Disaster Management Act, 2005, which has mandated the Chief Minister of the State as the Chairperson of the respective Disaster Management Authority for the State. Further the Act also mandates the formation of the State Executive Committee, with the Chief Secretary of the State as its Chairperson.

5. In accordance to section 14(2) of the Disaster Management Act 2005, (Central Act 53 of 2005), the Government of Tamil Nadu **constituted the State Disaster Management Authority with Chief Minister as the Chairperson** vide Government Order fourth read above and the same was notified in the Tamil Nadu Government Gazette vide Government Order fifth read above. Thereafter, the Government re-constituted the Tamil Nadu State Disaster Management Authority (SDMA) in Government Order eighth read above and the same was notified in the Tamil Nadu Government Gazette No.139, dated 27.5.2013. Similarly, a **State Executive Committee** was also constituted as per sub-section (1) of Section 20 of the Disaster Management Act, 2005 vide Government Order sixth read above.

6. The Additional Chief Secretary/ Commissioner of Revenue Administration, in his letter seventh read above, has stated that in the first meeting of the State Executive Committee, held in the year 2010 and it was decided to establish a Secretariat to assist the State Disaster Management Authority. He also informed that prior to the enactment of the Centre's Disaster Management Act, 2005, sanction was accorded by the Government of Tamil Nadu for establishment of a State Disaster Management Agency, vide the Government Order 3rd read above which has the mandate of assisting the State Disaster Management Authority in discharging its functions. Hence, with amendments to the sanctions accorded earlier, the Disaster Management Agency can be designated as the Secretariat/Executive wing of the State Disaşter Management Authority, which will also ensure compliance of Disaster Management Act, 2005.

7. The Additional Chief Secretary/Commissioner of Revenue Administration has stated that the establishment and strengthening of the said Tamil Nadu Disaster Management Agency (Secretariat to SDMA) for the first 4 years may be initially funded by the State Government /Capacity Building component from the 13th Finance Commission grant. As it is a component under the Coastal Disaster Risk Reduction Project supported by World Bank, which is under active consideration of the Government and likely to start from 1st June 2013, provision is there to meet the funds under retroactive financing of the Coastal Disaster Risk Reduction Project (CDRRP). He has further added that Disaster Management portfolio under the Department of Revenue Administration, Disaster Management and Mitigation is presently managed by 3 Sections namely NC1, NC2 and NC3 (NC- Natural Calamities). A Project Management Unit is exclusively set-up for the execution of Tsunami Rehabilitation Programmes. He has also stated that with the present requirement as the basis, the existing system of functioning under this department be re-organized to constitute Tamil Nadu State Disaster Management Agency

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(TNSDMA) for effective execution of disaster mitigation and management functions in the State.

8. The Additional Chief Secretary/Commissioner of Revenue Administration has also informed that the approximate Human Resource cost per year will be around Rs.3.64 crores with an increase of 10% per year for the subsequent 3 years for the posts of Consultants, Desk Operators, Typists, Drivers and Office Assistants. The Additional Chief Secretary/Commissioner of Revenue Administration has also pointed out that the Project Pre-appraisal Mission of World Bank for Coastal Disaster Risk Reduction Project during its visit on 26.3.2013 has also indicated the need for forming the Tamil Nadu Disaster Management Agency and hence he has requested to obtain and communicate the orders of the Government on the above proposals.

9. The State Disaster Management Authority meeting held under the Chairmanship of the Hon'ble Chief Minister on 28.5.2013 approved the requirement of staff consisting of 37 posts by redeployment and by creation of 88 new posts through outsourcing for both the State and District Emergency Operations Centres with the Technical Consultants as per need.

10. The above proposal of Additional Chief Secretary/Commissioner of Revenue Administration has been examined by the Government in detail and the Government issue the following orders:-

i) The constitution of Empowered Group of Ministers/Disaster Management Authority ordered in the Government Order second read above shall herein after be replaced by the **State Disaster Management Authority/State Executive Committee** constituted already by the Government vide Government Order eighth and sixth read above respectively. The amendments suggested by the Additional Chief Secretary /Commissioner of Revenue Administration in his letter seventh read above have been agreed to by the Government with necessary modifications. The existing provisions of the Empowered Group of Ministers, Disaster Management Authority, organisational setup of Disaster Management Agency and the amendments to the above ordered by the Government is appended vide annexure-I to this Government Order.

ii) The Tamil Nadu Disaster Management Policy, as published vide the Government Order second read above, is amended to the extent of the above mentioned amendments. The Additional Chief Secretary / Commissioner of Revenue Administration is requested to take steps to prepare 500 hard copies and upload the soft copy of the amended Tamil Nadu Disaster Management Policy on the Revenue Department's official website.

iii) The amended G.O.(Ms)No.7, Revenue [NCI(2)] Department dated 5.1.2005 shall be notified with regard to the establishment of **Tamil Nadu State Disaster Management Agency (TNSDMA)** and it shall be registered under the Tamil Nadu Societies Registration Act 1975, and also its Bye-laws as mentioned in Annexure -II. The assets with the Tsunami Project Management Unit, and with the Natural Calamities I, II, and III Sections of the Commissionerate of Revenue Administration shall be transferred to the proposed Tamil Nadu Disaster Management Agency.

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iv) The Government further issues order for the appointment of staff/infrastructure pattern paving way for establishment for the Tamil Nadu State Disaster Management Agency as stated in Annexure III and IV. Since, the agreement for the Coastal Disaster Risk Reduction project was signed with the Department of Economic Affairs, Ministry of Finance, Government of India, and the International Development Association (World Bank) on 11.11.2013, the necessary fund provision shall be met from the Implementation Support Component of the Coastal Disaster Risk Reduction project (CDRRP).

11. The Additional Chief Secretary/Commissioner of Revenue Administration is requested to take appropriate action for the formation of the Tamil Nadu State Disaster Management Agency as ordered above and also as per law / orders in force and to send the action taken report to the Government in due course.

12. This order issues with the concurrence of the Finance Department vide its U.O.No.68693/Finance (Revenue)/2013, dated: 25.11.2013.

(BY ORDER OF THE GOVERNOR)

GAGANDEEP SINGH BEDI,
SECRETARY TO GOVERNMENT.

To
The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai-5.
The Home Secretary, Government of India,
North Block, New Delhi.
All the Members of the Tamil Nadu State Disaster
Management Authority.

Copy to:
Office of the Hon'ble Chief Minister, Chennai-9.
The Senior P.A. to Hon'ble Minister (Revenue), Chennai-9.
The Revenue (D.M.II, III, IV) Department, Chennai-9.
SF/SC.

//Forwarded by order//

Section Officer.

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ANNEXURE - I

Amendments to the Disaster management Policy vide G.O.Ms.No No. 573, Revenue, dated 28.12.2004 and Disaster management Agency vide G.O. Ms no 7 Revenue dated 5.1.2005.

Sl. No	Government Order and Date	Existing	Amendment ordered by the Government
01	**G.O. Ms. No.573, Revenue [(NC1(2)] Department, dated 28.12.2004 (Disaster Management Policy)**	**Empowered Group of Ministers** ▪ Hon'ble Minister for Revenue ▪ Hon'ble Minister for Finance ▪ Hon'ble Minister for Local Admn. ▪ Hon'ble Minister for Public Works/Highways ▪ Hon'ble Minister for Agriculture ▪ Hon'ble Minister for Health ▪ Hon'ble Minister for Education ▪ Hon'ble Minister for Housing ▪ Hon'ble Minister for Food and cooperation	**State Disaster Management Authority/Governing Body** ▪ Hon'ble Chief Minister-Chairperson, Ex-officio ▪ Hon'ble Minister for Revenue ▪ Chief Secretary, Ex-officio ▪ Secretary, Revenue ▪ Secretary, Home ▪ Secretary, Finance ▪ Special Commissioner and Commissioner of Revenue Administration ▪ Dr.S.Rajarathinam Director, Centre for Disaster Management and Mitigation, Anna University, Chennai-600 025 ▪ Professor C.V.R. Murty, Department of Civil Engineering, Indian Institute of Technology, Chennai - 600 036
		Disaster Management Authority ▪ Chief Secretary, Government of Tamil Nadu-Chairman ▪ Secretary, Finance ▪ Secretary, Revenue ▪ Secretary, Home ▪ Secretary, Agriculture ▪ Secretary Public Works Department ▪ Secretary, Rural	**State Executive Committee** ▪ Chief Secretary to Government - Chairperson, Ex-Officio ▪ Secretary to Government, Revenue Department, Ex-Officio ▪ Secretary to Government, Finance Department, Ex-Officio ▪ Secretary to Government,

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		Development ▪ Secretary, Highways ▪ Secretary, Municipal Administration and Water Supply ▪ Secretary, Health and Family Welfare ▪ Secretary Animal Husbandry & Fisheries ▪ Secretary, Transport ▪ Secretary, Cooperation, Food & Consumer Protection ▪ Secretary, Energy ▪ Secretary, Environment & Forest ▪ Secretary, Labour and Employment ▪ Secretary, Housing and Urban Development ▪ Secretary, School Education ▪ Member Secretary, State Planning Commission ▪ Director, Fire and Rescue Services ▪ Additional Director General of Police (Home Guards and Civil Defence) Special Commissioner and Commissioner of Revenue Administration / State Relief Commissioner	Public Works Department, Ex-Officio ▪ Secretary to Government, Highways Department, Ex-Officio ▪ Secretary to Government, Home Department, Ex-Officio ▪ The Additional Chief Secretary/ Commissioner of Revenue Administration who is a special invitee to all the meetings of the State Executive Committee
02	**G.O. Ms. No.573, Revenue [NC-I (2)] Department, dated 28.12.2004.**	**Para IV-Organizational setup (page 10 of booklet - Tamil Nadu Disaster Management Policy)** To carry out various activities during these phases, we need to have a elaborate framework of structures/ institutions with clear responsibility and chain of command, Government recognizes the fact that Disaster Management requires dedicated political commitment and accordingly a Cabinet Committee under the	To carry out various activities during these phases, we need to have a elaborate framework of structures / institutions with clear responsibility and chain of command, Government recognizes the fact that Disaster Management requires dedicated political commitment and accordingly **the State**

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		Chairmanship of Hon'ble Chief Minister would be constituted for Disaster Management. In addition the Government would constitute an Empowered Group of Ministers / High Level Committee to review the status of prevention and Management activities.	**Disaster Management Authority shall be constituted with Hon'ble Chief Minister as Chairperson, Ex-Officio. In addition, the Government would constitute a State Executive Committee to review the status of prevention, management mitigation, response and relief activities.**

		Page No.11 - Disaster Management Authority headed by the Chief Secretary with the following functions :	The State Disaster Management Authority headed by the Hon'ble Chief Minister shall be the Governing Council with the following functions :
		Para VI - Disaster Management Agency (Page 14 of booklet) Tamil Nadu Disaster Management Policy A Disaster Management Agency with the following functions will be created under the control of the Disaster Management Authority with Special Commissioner and Commissioner of Revenue Administration / State Relief Commissioner as Chairman and the Joint Commissioner (Relief) as the Chief Executive Officer and Member Secretary to provide technical support	A Disaster Management Agency with the following functions will be created under the control of the State Disaster Management Authority with **Commissioner of Revenue Administration / State Relief Commissioner as Chairman of the Executive Council of the Agency and the Director (Disaster Management) as Chief Executive Officer / Member Secretary** to provide technical support.

		Para VI - Disaster Management Agency (Page 16 of booklet) Tamil Nadu Disaster Management Policy Point No.1- To act as the executive agency for the Disaster Management Authority for coordinating the various disaster related activities at the State Level.	Point No.1 - To act as the executive agency for the State Disaster Management Authority for coordinating the various disasters related activities in the State at all Levels.

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	G.O. Ms No.7, Revenue [NC-1(2)] Department, dated 5.1.2005 (Annexure A-Organizational Scheme)	**In page No.2 of the Government Order under the heading - Meetings of the Authority Para II** - An Executive Agency viz., Tamil Nadu Disaster Management Agency may be established with SC & CRA, DM & M as Chairman and the Joint Commissioner (Disaster Management) as the Chief Executive Officer and Member -Secretary to the Agency as detailed in the Annexure (A) and the staff pattern as detailed in Annexure (B) respectively to assist the Disaster Management Authority in discharging its functions and also perform the functions indicated in Annexure (C) .	An Executive Agency viz., **Tamil Nadu Disaster Management Agency may be established under the Tamil Nadu Societies Registration Act 1975 with Commissioner of revenue Administration as Chairman of its Executive Council and the Director (Disaster Management) as Chief Executive Officer / Member Secretary to the Agency.** The Staff pattern of the Agency shall be given in Annexure IV to assist the State Disaster Management Authority in discharging its functions as in the approved bye-laws of the Tamil Nadu Disaster Management Agency as given in Annexure IV. The functions and the staff of the Agency shall be Governed by the bye-laws of the Agency henceforth.

Gagandeep Sing Bedi,
Secretary to Government

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Section Officer.

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ANNEXURE -II
MEMORANDUM OF ASSOCIATION OF
THE TAMILNADU STATE DISASTER MANAGEMENT AGENCY
(TNSDMA)

1.	**NAME OF THE SOCIETY**	The Tamil Nadu State Disaster Management Agency (TNSDMA) (Sponsored by the Government of Tamil Nadu)
2	**REGISTERED OFFICE OF THE SOCIETY**	Office of the Commissioner of Revenue Administration, Government of Tamil Nadu, Ezhilagam, Chepauk, Chennai-600 005.

3. AREA OF OPERATION OF THE SOCIETY:

The area of operation of the Society will extend throughout the territorial limits of the State of Tamil Nadu.

4. OBJECTS OF THE SOCIETY, MAIN AND ANCILLARY:

The aim of Tamil Nadu State Disaster Management Agency is to reduce the negative impact of all kinds of disasters through a vibrant disaster management machinery so that loss of lives, property and critical infrastructure is minimized; economic and developmental gains made by the State are not lost due to such calamities / disasters. The Tamil Nadu State Disaster Management Agency shall manage disasters with funding from State resources, Government of India, domestic lending agencies and international aid organizations. The Agency will operate by and through Government departments, Government sponsored agencies, societies, cooperative societies, non-governmental agencies, community organizations, concerned trusts and organizations. The Agency will also promote, design, plan and execute other projects on its own initiative or assigned to it by the State Government that seek:

- To replace the existing approach of re-active relief by a proactive approach.
- To develop a new culture of prevention, preparedness and quick response for management of disasters.
- To reduce the vulnerability of the community through proper risk assessment.
- To put institutions and structures in place for efficient and effective management of disasters.
- To establish a clear chain of command with well defined authority and responsibility of various stakeholders.
- To Identify and utilize the available resources efficiently.
- To ensure transparent, consistent and equitable relief to the victims.
- To make disaster management planning an integral part of development planning.
- To design appropriate disaster prevention and mitigation strategies for different disasters.

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- To enhance the capacities of various players including the community in disaster management and mitigation.
- To create database about the policies, resources and strategies of disaster management.
- To make suitable recommendations to the Government on various policy issues relating to the disasters.
- To ensure better coordination among various departments in the State and also with other national/international agencies relating to disaster management.
- To create awareness among all sections of society especially students to develop expertise in the disaster management discipline.

5. FUNCTIONS OF THE AGENCY:

(1) To act as the executive agency for the State Disaster Management Authority for coordinating the various Disasters related activities at the State level.

(2) To Guide and assist the District Administration in delivering of various rescue and relief measures.

(3) To act as a resource centre for information, trained man power, experts, Non Governmental Organisations and community based organization.

(4) To undertake activities such as - Capacity building, training and awareness relating to Disaster Management and Mitigation.

(5) Provide technical assistance and consultancy services to the Government.

(6) To undertake research and study regarding causes for losses on account of natural disasters and to suggest remedial measures for minimizing the same.

(7) To develop approach, philosophy, policy guidelines, Management and action plans for meeting out disaster of any kind.

(8) To formulate and implement externally aided projects on disaster management.

(9) To obtain funds for rehabilitation and settlement and to ensure optimum utilization of these funds obtained in the form of grant, aid, assistance or loan from Government of Tamil Nadu, Government of India, World Bank and Asian Development Bank, United Nation Agencies, United States Agency for International Development, Department for International Development, International Federation of Red Cross, Donors, Non-Governmental Organisations and from financial institutions, public and private trusts or any other organization.

(10) To provide or to arrange financial assistance, so as to achieve the objects of the Agency.

(11) To Manage, Administer, Invest and Re-invest the funds out of sale proceeds received from the sale of land, Buildings, Equipments, furniture, fixtures, debris or any other things or articles or infrastructures.

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6. THE GOVERNING COUNCIL:

The Governing Council of the Society shall comprise the following full members of the society. In the absence of the Chairperson, the senior-most Government Officer among the members present shall preside over the meeting.

1	Hon'ble Chief Minister of Tamil Nadu	Chairperson
2	Hon'ble Minister for Revenue, Government of Tamil Nadu	Vice Chairperson
3	Chief Secretary to Government of Tamil Nadu, Fort. St. George, Chennai – 600 009	Vice Chairperson
4	Secretary to Government of Tamil Nadu, Revenue Department, Fort. St. George, Chennai – 600 009	Member
5	Secretary to Government of Tamil Nadu, Finance Department, Fort St. George, Chennai – 600 009.	Member
6	Secretary to Government of Tamil Nadu, Public Works Department, Fort St. George, Chennai – 600 009.	Member
7	Secretary to Government of Tamil Nadu, Highways Department, Fort. St. George, Chennai – 600 009	Member
8	Secretary to Government of Tamil Nadu, Home Department, Fort. St. George, Chennai – 600 009	Member
9	Secretary to Government, Agriculture Department, Fort. St. George, Chennai – 600 009	Member
10	Secretary to Government, Rural Development Department, Fort. St. George, Chennai – 600 009	Member
11	Secretary to Government, Municipal Administration and Water Supply Department, Fort. St. George, Chennai – 600 009	Member

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12	Secretary to Government, Health and family Welfare Department, Fort. St. George, Chennai – 600 009	Member
13	Secretary to Government, Animal Husbandry and Fisheries Department, Fort. St. George, Chennai – 600 009	Member
14	Secretary to Government, Transport Department.	Member
15	Secretary to Government, Cooperation Food and Consumer Protection, Fort. St. George, Chennai – 600 009	Member
16	Secretary to Government, Energy Department, Fort. St. George, Chennai – 600 009	Member
17	Secretary to Government Environment and Forest Department, Fort. St. George, Chennai – 600 009	Member
18	Commissioner of Revenue Administration and State Relief Commissioner, Chepauk, Chennai 600 005.	Convener

7. FORMATION OF THE SOCIETY:

The undersigned are desirous of forming a Society, namely, **Tamil Nadu State Disaster Management Agency (TNSDMA)** under the Tamil Nadu societies Registration Act, 1975('The Act') in pursuance of the Memorandum of Association of the society.

S. No (1)	Name and Address (2)	Occupation (3)	Signature (4)
1	Chief Secretary to Government of Tamil Nadu, Fort. St. George, Chennai – 600 009	Government Service	
2	Secretary to Government of Tamil Nadu, Revenue Department, Fort. St. George, Chennai – 600 009	Government Service	
3	Secretary to Government of Tamil Nadu,	Government	

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	Finance Department, Fort. St. George, Chennai – 600 009	Service	
4	Secretary to Government of Tamil Nadu, Public Work Department, Fort St. George, Chennai – 600 009.	Government Service	
5	Secretary to Government of Tamil Nadu, Highways Department, Fort. St. George, Chennai – 600 009	Government Service	
6	Secretary to Government of Tamil Nadu, Home Department, Fort. St. George, Chennai – 600 009	Government Service	
7	Commissioner of Revenue Administration and State Relief Commissioner, Chepauk, Chennai 600 005.	Government Service	

Gagandeep Sing Bedi,
Secretary to Government

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Section Officer.

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BYE-LAWS OF
THE TAMIL NADU STATE DISASTER MANAGEMENT AGENCY
(TNSDMA)

1. **TITLE**

These Rules and Regulations shall be called the Bye-Laws of the Tamil Nadu State Disaster Management Agency (TNSDMA).

2. **DATE OF COMMENCEMENT OF THE SOCIETY**

3. **STATUS OF THE SOCIETY:**

The Society shall be a juristic person, shall have perpetual succession and can sue or be sued in its own name through its Member–Secretary.

4. **AUTHORITY TO CORRESPOND:**

The Member–Secretary of the Society and Director (Disaster Management) shall be the authority to correspond on behalf of the Society.

5. **DEFINITIONS:**

Hereinafter, the following expressions shall have the meanings indicated below:

(1) "Areas" means the area of Operation of the Society;
(2) "Co-opted Member" means a member co-opted to the Executive Council under Rule 24(1) and 24(2);
(3) "Executive Council" means the Executive Council of the Society to whom, by the bye-laws of the Society, the management of its affairs is entrusted;
(4) "Member" means a person who, having been admitted as full member of the Society, shall not have resigned or shall not otherwise have been removed from membership by the Society;
(5) "Person" carries the same definition as contained in section 3(42) of the General Clauses Act. It means and includes any company or association or body of individuals, whether incorporated or not;
(6) "Registrar" means the Registrar of Societies (North) within whose jurisdiction the Society is registered. This term means and includes any officer of the Government of Tamil Nadu authorized to exercise the powers of the Registrar;
(7) "Society" or "Agency" may be used interchangeably and mean the Tamil Nadu State Disaster Management Agency; and
(8) "Year" means and includes the twelve months comprised in the period from April to March of the relevant fiscal year.

6. **BUSINESS HOURS OF THE SOCIETY:**

The Business hours of the society shall be from 10.00 hours to 17.45 hours on every weekday excluding Saturday and Sunday.

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7. AUTHORITIES OF THE SOCIETY:

The authorities of the Society shall be

(1) The Governing Council;

(2) The Executive Council; and

(3) Such authorities as may be constituted by the Governing Council.

8. MEMBERSHIP OF THE SOCIETY:

The Following persons shall be full members of the Society.

1	Hon'ble Chief Minister of Tamil Nadu	Chairperson
2	Hon'ble Minister for Revenue, Government of Tamil Nadu	Vice-Chairperson
3	Chief Secretary to Government of Tamil Nadu, Fort St. George, Chennai 600 009.	Member
4	Secretary to Government of Tamil Nadu, Revenue Department, Fort. St. George, Chennai – 600 009	Member
5	Secretary to Government of Tamil Nadu, Finance Department, Fort St. George, Chennai – 600 009.	Member
6	Secretary to Government of Tamil Nadu, Public Work Department, Fort St. George, Chennai – 600 009.	Member
7	Secretary to Government of Tamil Nadu, Highways Department, Fort. St. George, Chennai – 600 009	Member
8	Secretary to Government of Tamil Nadu, Home Department, Fort. St. George, Chennai – 600 009	Member
9	Secretary to Government, Agriculture Department, Fort. St. George, Chennai – 600 009	Member
10	Secretary to Government, Rural Development Department, Fort. St. George, Chennai – 600 009	Member
11	Secretary to Government, Municipal Administration and Water Supply Department, Fort. St. George, Chennai – 600 009	Member
12	Secretary to Government, Health and family Welfare Department, Fort. St. George, Chennai – 600 009	Member
13	Secretary to Government, Animal Husbandry and Fisheries Department, Fort. St. George,	Member

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	Chennai – 600 009	
14	Secretary to Government, Transport Department, Fort. St. George, Chennai – 600 009	Member
15	Secretary to Government, Cooperation Food and Consumer Protection, Fort St. George, Chennai – 600 009	Member
16	Secretary to Government, Energy Department, Fort. St. George, Chennai – 600 009	Member
17	Secretary to Government Environment and Forest Department, Fort. St. George, Chennai – 600 009	Member
18	Commissioner of Revenue Administration and State Relief Commissioner, Chepauk, Chennai 600 005	Convener

(1) Government of Tamil Nadu may nominate, in addition to the official members stated above, according to its discretion, officials, eminent persons and technical experts as full members of the Agency.
(2) No applicant, whether individual or institution, can claim membership of the Agency as a matter of right.
(3) Membership of an applicant shall begin only with the acceptance of his or her application by a resolution of the Executive Council.
(4) The Society's membership shall comprise of full members, each of whom shall have equal voting rights at the Executive Council meetings, and co-opted members who may attend Executive Council and Governing Council meetings as observers and advisers but who shall have no voting rights;
(5) No admission fees shall be payable as a condition for membership.

9. REGISTER OF MEMBERS:

The Society shall, at all times maintain and keep available for inspection by the Registrar, a Register of Members which shall be the permanent record of the Society and shall contain the following particulars:

(1) Names and address of its members,
(2) Resolutions of the Executive Council by which membership was conferred upon them,
(3) Dates of formation and termination of membership, as the case may be.

10. CESSATION OF MEMBERSHIP:

(1) Membership is not transferable and can be terminated by resignation;

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Provided that the Government of Tamil Nadu may, at its discretion, remove a full member of the Agency and such amendment shall be effective from the date of receipt by the agency of the related Government orders;

(2) Membership is not heritable and will therefore come to an end upon the death of a member;

(3) In the event of a member being declared as of unsound mind by a court of law or being convicted of an offence involving moral turpitude or being otherwise removed from membership by a resolution of the Executive Council, his membership shall stand terminated; and

(4) Any dispute or disagreement in relation to the cessation of membership of a member may be heard by the Executive Council or in a co-ordination with these rules may be heard on appeal by the Government of Tamil Nadu in Revenue Department or by any other Officer that the Government may consider fit to nominate for the purpose.

11. GOVERNING COUNCIL OF THE SOCIETY AND ITS MEETINGS :

(1) The Governing Council of the Society shall consist of all its members;

(2) The Society shall hold a general meeting of all its members once in a year and this meeting shall be called the Annual General Meeting. It shall be held not later than 30th of September of every year;

(3) In addition to the Annual General Meeting, a Special Meeting can be called at any time on the requisition of the Executive Council or one third of the total number of members of the Governing Council of the society; and

(4) The special General Meeting shall be convened within one month from the date of the requisition.

12. NOTICE OF MEETINGS OF THE GOVERNING COUNCIL:

The Executive Council shall ensure that in case of a meeting, whether the Annual General Meeting or the Special General Meeting, members of the Governing Council are sent clear notice of the meeting at least twenty one days prior to the date of the meeting.

Every meeting of the Governing Council shall be convened by notice issued under the hand of Convenor or any other Officer of the Society so authorized in this behalf. Every notice calling for the meeting of the Governing Council shall be issued to every member not less than seven days before the day fixed for the meeting except in the case of special meetings where notice shall be issued three days before the day fixed for the meeting.

13. BUSINESS OF THE GOVERNING COUNCIL:

In every Annual General meeting, the following reports and Statements pertaining to the previous financial year should be placed before the Governing Council.

(1) Report of the Executive Council on the affairs of the Society;

(2) Audited copy of the assets and liabilities statement;

(3) Audited copy of the Income and Expenditure statement;

(4) Report of the auditor of the Society; and

(5) Change in the Constitution of the Executive Council by Proper appointment in every three years.

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14. QUORUM FOR MEETING OF THE GOVERNING COUNCIL:

Not less than one half of the total membership of the Society including the Chairman should be represented provided that if meeting is once adjourned for want of quorum, a subsequent meeting called on the basis of the same agenda shall not be adjourned for want of a quorum. Co-opted members attending Annual General Meeting do not count towards the quorum.

15. PRESIDING OFFICER:

The Chairman of the society shall ordinarily preside at all the meeting the Governing Council. In the absence of the Chairman, the Vice Chairman present amongst the members shall preside over the meeting.

16. VOTING:

In case of the difference of opinion amongst the members on any matter under discussion in a meeting, the opinion of the majority present shall prevail.

17. RIGHTS, POWERS AND DUTIES OF THE GOVERNING COUNCIL

(1) All property, movable, immovable or of any kind shall vest in the Governing Council;

(2) The business and affairs of the Society shall be carried on and managed by the Governing Council;

(3) The Governing Council shall have all such powers and shall perform all such functions as are necessary or proper for the achievement of and furtherance of the objectives of the Society;

(4) The Governing Council shall have all such powers to appoint personal required on regular/contract basis or on deputation from Government Departments.

(5) Without prejudice to the generality of the foregoing provisions, the Governing Council shall have following power and rights;

(a) To acquire by gifts, purchase, exchange, lease or otherwise land, buildings or other and immovable properties together with all rights pertaining thereto;

(b) To prepare and execute detailed plans and proposals for the establishment and development of the Society and for carrying on its administration and management;

(c) To receive grants in aid accept other grant of money, gifts, donations and contributions in kind or cash, securities, fees, negotiable instruments, other forms of assistance from sources such as Central and State Governments, national and international agencies and other local bodies and enter into any agreement or arrangements for receiving such assistance;

(d) To improve and recover fees and charges for the services rendered by the society to raise funds as deemed fit and necessary for the purpose and objectives of the society;

(e) To approve and adopt and prepare annual reports, financial statements of accounts, financial estimate of the Council, Budget allotment and financial requirements of the society;

(f) To enter into agreement for and on behalf of the society;

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(g) To sue and to be sued and defend all legal proceedings on behalf of the society;
(h) To make, sign and execute all such documents and instruments as may be necessary for carrying on the management of the property or affairs of society;
(i) To perform all such acts and do all such things as may be necessary for the proper management of the properties and affairs of the society;
(j) To appoint auditors of the society;
(k) To make regulations for the management of the affairs of the society when required; and
(l) To delegate its specific rights powers and duties and assigns such functions and responsibilities as are considered necessary to the Executive Council and/or the Member – Secretary of the society and Director (Disaster Management).

18 THE EXECUTIVE COUNCIL:

The Executive Council of the Society shall comprise the following full members and representatives of the society. In the absence of the Chairman, the senior-most Government Officer among the members present shall preside over the meeting.

Commissioner of Revenue Administration /
State Relief Commissioner - **Chairman**

Members

Secretary to Government, Revenue Department
Commissioner of Municipal Administration
Director, Anna Institute of Management
Director of Rural Development and Panchayat Raj
Director of Agriculture
Representative of Finance Secretary
Representative of Secretary, Health and Family Welfare
Representative of Secretary, Transport
Representative of Secretary, Public Works Department
Member Secretary of Society and
Director (Disaster Management) - **Convener**

19. MEETINGS AND RESOLUTIONS OF THE EXECUTIVE COUNCIL:-

(1) The Executive Council shall consist of a minimum of seven members and a maximum of fifteen members.
(2) The Executive Council shall meet at least once in three months.
(3) Two thirds of the existing strength of the Executive Council shall be the quorum for the meetings of the Executive Council.
(4) Every resolution will need to be passed by a majority of members of the Executive council present and voting.
(5) Every member of the Council shall be paid for attending the meeting of the council, travelling allowance at the rates admissible

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to Class I officer of the Government. Official members will be paid with respective allowances and travelling allowances by their employers.

(6) In case of necessity and expediency, the Member-Secretary of the society and Director (Disaster Management) may circulate a resolution and the same shall be deemed to have been passed if a majority of the members approve it. The resolution so passed, shall be recorded in the proceedings of the next meeting of the Executive Council.

20. PROCEEDINGS OF THE MEETINGS OF THE EXECUTIVE COUNCIL:

The Chairman or the member of the Executive Council who presides over the meeting in the absence of the Chairman shall approve proceedings of every meeting of the Executive Council.

21. TENURE OF THE EXECUTIVE COUNCIL:

The official members of the Executive Council will be permanent members of the Executive Council, exempted from the provisions of sub-section (3) and (4) of section 15 of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act, 27 of 1975)as per G.O.Ms.No.141, Commercial Taxes and Registration (M1) Department, dated 06th November 2012.

22. MODE OF ELECTION:

The Official members shall be ex-officio. The term of the non official, co-opted members or nominated members by the State Government shall be for a period of not exceeding three years from the date of issue of Government Orders.

23. RESIGNATION:

Resignation of a member from the Executive Council shall be tendered to the society and shall not take effect until the Chairman of the Governing Council has accepted it on behalf of the society.

24. DUTIES OF THE EXECUTIVE COUNCIL:-

(1) The Executive Council shall be responsible to the Governing Council for the efficient running of the affairs of the Society.

(2) Maintain the records of membership, properties and assets as well as accounts of income and expenditure.

(3) Ensure that any property or asset of the Society in the hands of an office bearer or member is held only on account and on behalf of the Society.

(4) Call for the annual meetings of the Governing Council and submit prescribed returns to the Registrar within the prescribed time limits.

(5) The Council shall, in furtherance of the Objects of the Society, function based on the guidelines and advice of the State Disaster Management Authority established by the Government of Tamil Nadu, which shall be the Advisory Board for the Society.

These duties shall be discharged through the Member-Secretary of the society and Director (Disaster Management)

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25. POWERS OF THE EXECUTIVE COUNCIL:

Subject to the provisions of these rules and regulations, the above committee shall have the following powers and functions; namely:-

(1) In addition to its authorized membership, the Executive Council shall have the right to co-opt five eminent personalities or institutions in the fields of activity related to the Objectives of the Society such as technical aspects, gender issues and community organization.

(2) The Co-opted members, including representatives of the external aid institutions, technical experts, women and Non-Governmental Organisations may participate in meeting of the Executive Council but shall not have voting rights.

(3) The Executive Council shall exercise through it's Member Secretary and Director (Disaster Management) supervision and control over all affairs of the Society. It shall lay down Business Rules and Service Rules, to regulate the transaction of business and working conditions of employees of the Society.

(4) The Executive Council may, of its own discretion, or on receipt of a proposal from the Member Secretary and Director (Disaster Management), delegate any of its powers to the Member Secretary and Director (Disaster Management) for the better functioning as per the objectives of the society.

(5) The Executive Council shall have full power to do all such things that it considers necessary or expedient in furtherance of the objectives of the Society.

(6) To create, within the budget allotment, any post on an contractual/out sourcing basis for a period not exceeding six months and appoint from time to time such employees and affairs to the Society. Powers to create posts and appointment to posts for a longer tenure shall lie with the Governing Council.

(7) To propose bye-laws, including amendments to the existing bye-laws for consideration and adopting by the Governing Council.

(8) To approve all the Annual Reports prepared by the Member Secretary and Director (Disaster Management) and to place before the Governing Council for its adoption.

25.1 SPECIAL FINANCIAL POWERS OF EXECUTIVE COUNCIL:-

(1) To sanction expenditure in part or whole with out any limit for a work which is part of the work plan approved by the Governing Council.

(2) To sanction expenditure upto Rupees Fifty Lakhs on non-work item at a time in respect of all items or Schemes which can be included in the Project.

(3) To sanction job consultancy services on consolidated basis of more than Rupees One Lakhs per month for a period not exceeding six months.

Decisions on financial expenditure will be taken by the Executive Council only if the Finance Secretary of Government of Tamil Nadu (or) his nominee attend the meeting and he has an opportunity to express his views on the proposal. Any proposal for financial expenditure beyond the above limit shall be placed before

the Governing Council for its Annual General Meeting or Special General Meeting as the case may be for its approval.

26. FUNCTION OF THE CHAIRPERSON OF THE EXECUTIVE COUNCIL:-

(1) He/She shall preside over the Executive Council meetings.

(2) He/She shall co-ordinate the effects of various executive members for development of the Society.

(3) In case the votes for and against a particular issue are equal, the President shall exercise his/her casting vote.

(4) The Chairperson may direct the Member-Secretary and Director (Disaster Management) to call a special meeting at short notice in case of emergency.

(5) The Chairperson shall be the sole and absolute authority to judge the validity of the votes cast by members at all Executive Council meetings.

27. THE MEMBER- SECRETARY AND DIRECTOR (DISASTER ANAGEMENT)

(1) He shall be Member Secretary of the Society, and Director (Disaster Management) and convener of the Executive Council and its Secretary.

(2) He shall be appointed by the Government of Tamil Nadu.

28. FUNCTIONS AND POWERS OF THE MEMBER SECRETARY AND DIRECTOR (DISASTER MANAGEMENT)

(1) The Member Secretary and Director (Disaster Management) shall be responsible for the day-to-day management of the affairs of the Society subject to the terms and conditions of the Executive Council. He shall be the Chief Executive Officer of the Society.

(2) He shall be responsible for management of staff of the Society. He shall exercise control and discipline over the employees of the Society (Both full time and Part-time).

(3) The Member Secretary and Director (Disaster Management) shall be authorized to appoint persons on a consolidated basis for a sum not exceeding Rs.15,000/- per month by out-sourcing basis for a period not exceeding six months. All such posts shall be sanctioned by the Executive Council.

(4) The Member Secretary and Director (Disaster Management) shall issue Administrative Sanction for all the works to be executed by the society.

(5) To purchase articles and materials needed for the Society and for carrying out the objectives of the Society up to the value of Rs. One lakh at a time subject to Budget Provision.

(6) He shall arrange for the audit of the accounts of the Society by the auditors appointed by the Governing Council of the Society.

(7) He shall convene the meetings of the Governing Council (on authorisation of the Commissioner of Revenue Administration), the Executive Council, the Annual General Meeting, the Special General Meeting etc. He shall prepare the Agenda for the meetings for the circulation to the concerned members. He shall circulate the approved minutes of the meetings.

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(8) He shall sign all Deeds and Documents on behalf of the Society according to the directions of the Governing Council or the Executive Council.

(9) He shall present the report of the Executive Council and the Governing Council meetings of the Society.

(10) He shall sue or be sued and defend the Society in all legal proceedings.

(11) Any document or proceedings requiring authentication by the Society shall be signed and sealed by the Member Secretary and Director (Disaster Management).

(12)The Member Secretary and Director (Disaster Management) shall be responsible for the Execution of all policies adopted in different meetings.

(13)The Member Secretary and Director (Disaster Management) can sub-delegate his functions with the previous approval of the Executive Council to any officers of the Society.

(14) The Member Secretary and Director (Disaster Management) can sub delegate financial powers up to a limit of Rs.1,00,000/-, (Rupees One Lakhs only) per month with a single largest bill amount of Rs.15,000/-, (Rupees Fifteen thousand only) as ceiling for sundry expenses to the District Revenue Officer. The cheque drawing powers shall be joint signatory of the District Revenue Officer and the Chief Accounts Officer/Financial Controller.

29. DISRTICT REVENUE OFFICER:-

The Government shall appoint a competent officer as the District Revenue Officer for the Society.

He shall assist the Member Secretary and Director (Disaster Management) in discharge of his duties.

He shall verify all Bills and countersign them before presenting them for payment. He shall maintain proper books and accounts for the funds received and expended by the Society.

He may be delegated with the financial powers of the Member Secretary and Director (Disaster Management) up to a limit of Rs.1,00,000/-, (Rupees One lakh only) per month with a single largest bill amount of Rs.15,000/-, Fifteen thousand only).

30. **CHIEF ACCOUNTS OFFICER/FINANCIAL CONTROLLER:**

(1) The Member-Secretary and Director (Disaster Management) shall, with the prior approval of the Government appoint a competent professional as treasurer/financial controller for the Society.

(2) The person so appointed shall also be co-opted as a member of the Executive Council as provided in sub-rule (2) of rule 24.

(3) He shall keep overall control over the funds of the society and manage them properly within the policies laid down by the Executive Council.

(4) He shall prepare the annual balance sheet and the statement of accounts, get them audited and afterwards present them at the Governing Council meeting for approval.

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31. PROPERTY AND INCOME OF THE SOCIETY:-

(1) The Society may acquire, purchase or otherwise own, take on lease or hire movable or immovable properties and sell, mortgage, transfer or otherwise dispose off any such movable or immovable properties in furtherance of the objectives of the Society.

(2) All the incomes, earnings, movable or immovable properties of the Society shall be solely utilized towards the promotion of its objects only as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly by way of dividends, bonus, profits or in any manner whatsoever to the present or past members of the Society or to any person, claiming to be any one or more present or past member(s). No member of the Society shall have any personal claim on any movable or immovable properties of the Society or make any profit whatsoever, by virtue of his membership.

32. FINANCIAL YEAR:-

The accounting year for the society will be from 1st April to 31st March. The Annual income and expenditure accounts and balance sheet of the Society shall be presented at the Annual General Meeting within 6(Six) months of the close of the accounting year, duly audited by the competent auditor nominated by the Governing Council.

33. FUNDS OF THE SOCIETY:-

The funds of the Society will consist of the following; namely:-

(1) Grants-in-aid, other grant of money, securities, fees, negotiable instruments, and other forms of assistance from sources such as Central and State Government, domestic and international lending agencies, individuals, associations, corporate bodies, other agencies and other local bodies.

(2) Donations, contributions and gifts in kind or cash.

33.1 ACCOUNTS OF THE SOCIETY: -

(1) The funds of the society shall be deposited in one or more accounts with a Nationalized Bank. The bank account of the Society will be operated by the Member Secretary and Director (Disaster Management) or the authorized officer as per the Bye-laws of the Society.

(2) The Executive council at its discretion limit up to Rs.10,000/ (Rupees Ten thousand only) the cash balance which may be held by the Member Secretary and Director (Disaster Management) to meet sundry expenses of the Society.

34. INVESTMENTS:-

The funds of the Society shall be invested at the discretion of the Executive Council and it shall be invested in the modes specified under the provisions of sub-section (1) of section 13 read with sub section (5) of section 11 of the Income Tax Act, 1961 Central Act 43 of 1961) and as amended from time to time.

35. ACCOUNTS OF THE SOCIETY:-

The Executive Council shall arrange for the proper maintenance of accounts with respect to:

(1) all sums of money received and expended by the society and the matters in respect of which receipts and expenditure take place.

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(2) all sales and purchases of goods by the Society; and
(3) the assets and liabilities of the Society.

36. AUDIT:-

A qualified Chartered Accountant who is member of the Institute of Chartered Accountant of India shall be appointed as auditor of the Society at its Executive Council meeting and he/she shall audit the accounts of the Society for the ensuing year. The auditor of the society shall have access to the books of the accounts and vouchers of the Society and shall be entitled to require such information and explanation as he may think necessary for the performance of his/her duties as auditors.

37. ANNUAL LIST OF GOVERNING COUNCIL:-

Once in every year, a list of the office bearer and members of the society shall be filed with the Registrar of the Societies.

38. ALTERATIONS TO THE MEMORANDUM OF ASSOCIATION OR TO THE RULES AND REGULATIONS OF THE SOCIETY.

(1) If the Executive Council comes to a conclusion that it is desirable to alter, extend or reduce any of the provisions in the Memorandum of Association or the Rules and Regulations of the Society as registered, the Executive Council may make a proposal to the members of the Society in writing. A special meeting of the Governing Council shall have to be convened for this purpose. The alteration, extension or reduction to be valid and must be adopted by a majority of not less than three fourths of members voting in the special Governing Council meeting, whether in person or by proxy.

(2) The proposal must be in conformity with the provisions of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975)

(3) A copy of the resolution of the Special General meeting adopting the alteration is filed with the Registrar within three months.

39. INDEMNITY:

The members of the Executive Council, Auditors, officers of the Society and any holding Trustee for the time being acting in relation to any of the affairs of the Society and their heirs, executors and administrators respectively shall be indemnified out of the assets of the Society from or against any suits, proceedings, costs, charges, losses, damages and expenses which they or any of them incur or sustain by reason of any act done omitted to be done in or about the execution of their duty in their respective offices or trusts except such (if any) as they shall incur or sustain by or through their own willful neglect or default respectively.

40. BALANCE SHEET AND ANNUAL ACCOUNTS OF SOCIETY :-

Once in every year, on or before the 14th day succeeding the day on which the Annual Governing Council meeting of the Society is held, a copy of the annual balance sheet and audited income and expenditure account of the Society along with a list of office bearers and Executive Council members of the Society with full name address and occupation as required under section 16 of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975) shall be filed with the Registrar of Societies, concerned.

41. VALIDATION OF ACTS:-

No action taken by the Society shall be rendered invalid or void only due to the reasons that;-

(1) There existed one or more vacancies in the Executive Council on the day the resolution was passed, or

(2) The resolution in pursuance of which the said act was done, has subsequently been modified or revoked by the Executive Council.

42. SUITS BY OR AGAINST THE SOCIETY:-

Any person including a member of the Society, who damages, injures or destroys any property of the Society or otherwise acts in a manner resulting in pecuniary loss to the society, can be sued by the society. The fact that such person may be a member of the Society shall not in any manner prevent the Society from proceeding against him in Law.

43. THE SOCIETY SHALL NOT CARRY ON ITS ACTIVITY WITH THE INTENTION OF MAKING PROFIT.

44. THE BENEFITS OF THE SOCIETY ARE OPEN TO ALL IRRESPECTIVE OF CASTE, RELIGION, SEX ETC.

45. DISSOLUTION :

The society is irrevocable by the promoters. In the event of dissolution or winding up of the society, the assets remaining as on the date of dissolution or winding up of the Society, shall under no circumstances be distributed among the members of the Society but shall accrue to the State Government which will decide about its utilization as provided under the provision of the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975).

Gagandeep Sing Bedi,
Secretary to Government

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Section Officer.

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Annexure III

Tamilnadu State Disaster Management Agency(TNSDMA) - Details of Human Resources

Name of the Positions	Existing Positions under the DMM Dept	Existing Positions under the Tsunami-PMU	Positions, Proposed under TNSDMA	Additional Requirement	Pay particulars
Posts under Redeployment					
Officer on Special Duty / Director-DM		1	1	0	
District Revenue Officer		1	1	0	PB-III 15600-39100+7600 GP
Chief Accounts Officer		1	1	0	PB-III 15600-39100+6600 GP
Accounts Officer		1	1	0	PB-III 15600-39100+5700 GP
Public Relations Officer		1	1	0	PB-III 15600-39100+5400 GP
Assistant Commissioner	1	2	3	0	PB-III 15600-39100+5400 GP
Superintendent	3	6	9	0	PB-II 9300-34800+4800 GP
Assistants	7	13	20	0	PB-I 5200-20000+2800 GP
Posts under outsourcing					
Desk Operators * (State/District EOC)	2 per District EOC and 8 for State Emergency Operations Centres			72	Outsourced
Typists *	State Emergency Operations Centre			4	Outsourced
Office Assistants *				6	Outsourced
Drivers *				6	Outsourced
Total	-	-	-	88	
Technical consultants as per need can also be utilized					

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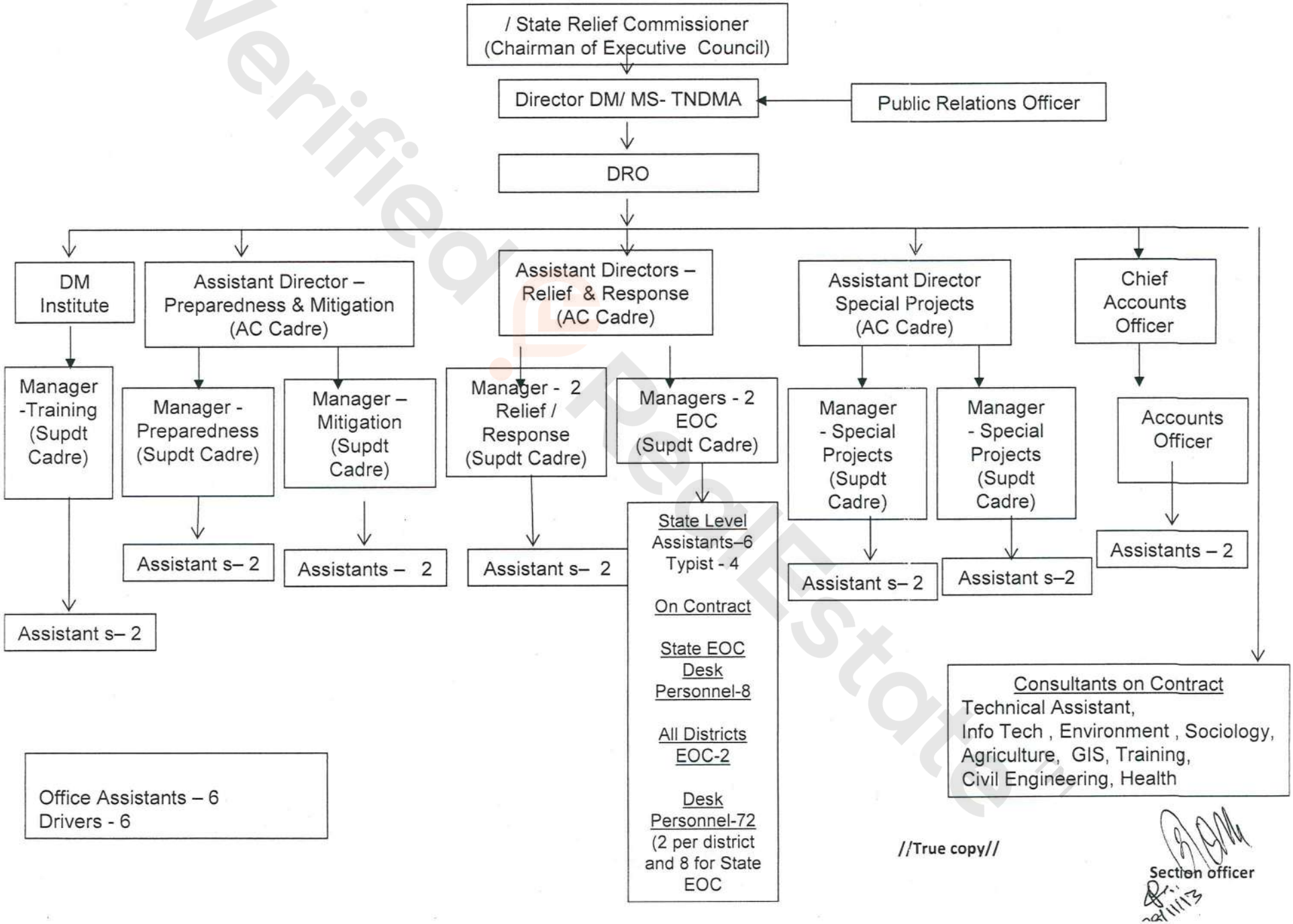
Section officer

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Annexure IV

Organizational Structure of Executive Wing of Tamil Nadu Disaster Management Agency



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Section officer

Verified as Per E Stamp

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