

**THE GILGIT-BALTISTAN
DISASTER MANAGEMENT ACT, 2017
(ACT NO. II OF 2017).**

Gilgit dated 15-01-2016

An Act to provide for the establishment of a Disaster Management System for Gilgit-Baltistan.

WHEREAS it is expedient to provide for an effective disaster management system and for matters connected therewith or incidental thereto;

**CHAPTER I
PRELIMINARY**

1. Short title, extent and commencement:-

- 1) This Act may be called the Gilgit-Baltistan Disaster Management Act, No. II of 2017.
- 2) It extends to the whole Gilgit-Baltistan.
- 3) It shall come into force at once.

2. Definitions:-

- a) "Affected area" means an area or part of the Gilgit-Baltistan affected by a Disaster;
- b) "Disaster" means a catastrophe, or a calamity in an affected area, arising from natural or man-made causes, or by accident which results in a substantial loss of life or human suffering or damage to, and destruction of, property;
- c) "Disaster Management" means managing the complete disaster spectrum including:-
 - i) Preparedness;
 - ii) Response;
 - iii) Recovery and rehabilitation; and
 - iv) Reconstruction.
 - v) "District Authority" means the District Disaster Management Authority established under section 13;
 - vi) "District Plan" means a Disaster Management Plan prepared for a particular district under section 16;
 - vii) "Government" means the Government of Gilgit-Baltistan.
 - viii) "Authority" means the Gilgit-Baltistan Disaster Management Authority established under section 8;
 - ix) "Plan" means the plan for disaster management for the whole of the territory of Gilgit-Baltistan under section 10;
 - x) "Commission" means the Disaster Management Commission established under section 3;
 - xi) "Director General" means Director General of the Authority appointed under section 8(3) of this Act; and

- xii) "Prescribed" means prescribed by rules made under this Act;

CHAPTER II
THE DISASTER MANAGEMENT COMMISSION AND DISASTER MANAGEMENT AUTHORITY

3. Establishment of Disaster Management Commission:-

- 1) As soon as may be after the commencement of this Act the Government of the Gilgit-Baltistan may, establish a commission to be known as the Gilgit-Baltistan Disaster Management Commission and the notification of it will be given in the official Gazette as well.
- 2) The commission shall consist of:-
 - a. The Chief Minister Gilgit-Baltistan who shall be the chairperson, ex officio, of the Commission.
 - b. The Chief Secretary of Gilgit-Baltistan who shall be the vice chairperson of the commission.
 - c. Leader of Opposition in the Legislative Assembly;
 - d. Other members to be nominated by the Chief Minister.
 - e. The Director General, appointed under sub-section (3) of section 8 shall be a member and act as ex officio Secretary of the Commission.

4. Meetings of the Commission:-

- 1) The commission shall meet as and when considered necessary by the chairperson of the commission and at such time and place as the Chairperson of the Commission may think fit.
- 2) The chairperson of the commission shall preside over the meetings of the commission in the absence of whom Vice Chairman will preside the meeting.
- 3) In the absence of both Chairman and the Vice Chairman, the members of the commission would elect one person amongst them to preside the meeting.

5. Appointment of officers, employees and provision of necessary Facilities for the Commission:-

The Government may provide the commission with such officers, consultants, employees, official building, equipment and other facilities as it considers necessary for carrying out its function.

6. Powers and functions of Commission:-

- 1) Subject to the provisions of this Act, the Commission shall have the responsibility and Authority of laying down the policies, plans and guidelines for disaster management in Gilgit-Baltistan.
- 2) Without prejudice to generality of the provisions in sub-section (1), the commission may
 - a. Approve the disaster management Policy for Gilgit-Baltistan.

- b. Approve the Disaster Management Plans prepared by Gilgit-Baltistan Disaster Management Authority for the territory of Gilgit-Baltistan.
 - c. Approve the Disaster Management Plans prepared by the Divisions & Departments.
 - d. Lay down disaster management related guidelines to be followed by the Divisions and Departments of Gilgit-Baltistan.
 - e. Arrange for and oversee the provision of funds for the purpose of disaster management in Gilgit-Baltistan.
 - f. Review the implementation of the disaster management related plans laid down and approved for Gilgit-Baltistan and take necessary actions in the context.
 - g. Review Division's and Department adherence to the disaster management related guidelines issued in Gilgit-Baltistan.
 - h. Lay down procedure of extending disaster management related assistance to the Government of Pakistan or the Government of any Province of Pakistan or the Government of Azad Jammu & Kashmir; and
 - i. Take such other measures with reference to disaster management as it may consider necessary.
- 3) No approval granted, decision made or done by the commission, would be considered invalid on the ground that majority of the members of the commission were not present in the meeting in which such approval was granted, decision was made or act was done, however the decision of the Commission would be on the basis of majority which would be determined on the basis of the participants present in the meeting. In case, the participants are divided in some opinion, the vote of the Chairman or in his absence of the vice chairman would be considered as casting vote.
- 4) Chairperson and vice chairperson of the Commission would be entitled to grant approval on the behalf of the commission in urgent matters subject to the ex post facto approval of the commission.

7. Constitution of advisory committees by the Commission.

- 1) The Commission may constitute an advisory committee or committee, as required, of experts in the field of disaster management if deems necessary.
- 2) The members of the advisory committee may be paid such allowances or honoraria as may be prescribed or approved by the commission.
- 3) Any government official is also eligible to be the member of the advisory committees.

8. Establishment of the Gilgit-Baltistan Disaster Management Authority:-

- 1) The government shall, immediately after issue of notification under sub-section (1) of section 3, establish an Authority to be known as

Gilgit-Baltistan Disaster Management Authority (hereinafter referred to as the Authority) for carrying out the purpose of this Act.

- 2) The Authority shall consist of such number of Members as may be approved by the Government and shall include the Director General of Gilgit-Baltistan Disaster Management Authority as its chairperson.
- 3) There shall be a Director General of the Authority, to be appointed by the Government, on such terms and conditions, as may be prescribed.
- 4) The Authority shall have a secretariat, having such number of employees as deemed fit by the Government or the Authority, subject to the creation of posts by the Federal Government if needed, to be appointed by the Government or the Authority on such terms and conditions as are considered fit for carrying out the purpose of this Act.

9. Powers and functions of the Gilgit-Baltistan Disaster Management Authority:

- 1) The Authority shall be responsible and authorized for devising, implementing, coordinating and monitoring disaster management plans, policies and activities in Gilgit-Baltistan.
- 2) Without Prejudice to the generality of the foregoing provision, the Authority may;
 - a. Prepare the Provincial Disaster Management Policy to be approved by the Commission.
 - b. Prepare the provincial disaster management plan to be approved by the Commission.
 - c. Implement, coordinate and monitor the implementation of the provincial policy and plan;
 - d. Lay down guidelines for preparing disaster management plans by different Ministers, Departments and Disaster Management Authorities.
 - e. Provide necessary technical assistance to the Different Departments of the Government, Districts and Local Disaster Management Authorities for preparing their disaster management plans in accordance with the guidelines laid down by the Commission and the Authority.
 - f. Coordinate response in the event of any threatening disaster situation or disaster;
 - g. Lay down guidelines for, or give directions to; the concerned Ministries or Departments or District and Local Disaster Management Authorities regarding measures to be taken by them in response to any threatening disaster situation or disaster;
 - h. For any specific purpose or for general assistance, requisition the services of any person and such person shall exercise such power as conferred upon him by the Authority in writing.
 - i. Promote general education and awareness in relation to disaster management;

- j. Exercise at provincial, District or Tehsil level, all or any of the Powers available to District Disaster Management Authorities under section 17 of this Act for the purpose of disaster management in Gilgit-Baltistan.
 - k. Issue guidelines and time line schedule for the preparation and submission of district plans by the District Disaster Management Authorities;
 - l. Perform such other functions as the Commission or the Government may require it to perform.
- 3) The Authority may, for effective implementation of the policy on disaster management, by general or special order delegate to the Chairperson or any other officer, any of its powers or functions under this Act subject to such conditions as it may think fit to impose.
 - 4) The Chairperson of the Authority shall, in the case of an emergency, have power to exercise all or any of the powers of the Authority but the exercise of such powers shall be subject to ex-post facto approval of the Authority.

10. Plan:-

- 1) There shall be drawn up a plan for disaster management in the whole of the territory of Gilgit-Baltistan.
- 2) The plan shall be prepared by the Authority having regard to the National and provincial policy in consultation with the expert persons, bodies or organizations in the field of disaster management, and by the Commission.
- 3) The plan shall include:-
 - a. Measures to be taken for; the prevention of disaster, mitigation of the effects of disasters, efficient response to the disasters, relief and rehabilitation in the affected areas and reconstruction of the affected facilities and infrastructure;
 - b. Measures to be taken for the integration of mitigation measures and aspects of Disaster Risk Reduction in the development plans.
 - c. Measures to be taken for preparedness and capacity building to effectively respond to any threatening disaster situations or disaster; and
 - d. Roles and responsibilities of different Ministries or Departments of the Government in respect of measures specified in clauses (a), (b) and (c).
- 4) The plan shall be reviewed and updated annually.
- 5) The copy of the Plan after approval, shall be sent to all the Ministries Divisions and Departments which shall be liable to perform their role in accordance with the Plan.
- 6) All the Ministries, Divisions and Departments shall be liable to assist the Authority in the preparation of the Plan and provide with any information required by the Authority for the purpose.

- 7) The expenditure incurred on the execution of the Plan may be met from the Gilgit-Baltistan Disaster Management Fund or the budget provided by the Government for the purpose.

11. Guidelines for minimum standard of relief:-

- 1) Subject to the general policies and directions of the commission, the Authority may lay down and approve the guidelines for the minimum standards of relief to be provided to the persons affected by disaster.
- 2) Not in prejudice to the generality of the section these guidelines may describe:-
 - a. The minimum quantity of items e.g shelter, tents, food, clothes, drinking water, medical cover, sanitation etc. to be provided in the relief camps and to affected persons.
 - b. The special provisions to be made to the vulnerable groups;
 - c. Minimum amount to be paid as ex gratia assistance on account of loss of life, health, limb, property and source of earning etc.; and
 - d. Any such other relief standard as may be necessary.

12. Relief in loan repayment, etc:-

Subject to the approval of the Commission, and in agreement with the Policies of the lending institution, the Authority may, in cases of disasters of severe magnitude give directions regarding relief in repayment of loans or for grant of fresh loans to the persons affected by disaster on such concessional terms as may be described and such directions shall be considered to be directions from the Government of Gilgit-Baltistan or the appropriate forum for all relevant purposes.

**CHAPTER III
DISTRICT DISASTER MANAGEMENT AUTHORITY**

13. Constitution of District Disaster Management Authority:-

- 1) The government shall, as soon as may be after issue of notification under sub-section (1) of section 3, establish a District Disaster management Authority for every district and the notification of it will be made in the official gazette as well.
- 2) The District Authority shall consist of such number of members, as may be prescribed by the Government and unless the otherwise is prescribed, it shall consist of the following members, namely:-
 - a. Deputy Commissioner of the District who shall be the Chairperson, ex officio;
 - b. Member of Gilgit-Baltistan Legislative Assembly/Chairman District council, with whatever designation for the being, member, ex-officio.
 - c. SSP/SP of the District, member, ex-officio.
 - d. The District Health Officer of the district, member, ex-officio.
 - e. Executive Engineer PWD, of the district, member, ex-officio.

- f. Executive Engineer Water & Power, of the District, member, ex-officio.
 - g. District level officers of Civil Defence, Civil supply, LG & RD, Education, member, ex-officio.
 - h. Officer appointed by the GBDMA for the district, ex-officio member and secretary of the District Disaster Management Authority.
 - i. And any such other District level officers as the Governments deems necessary.
- 3) The District Disaster Management Authority may, for effective implementation of the policy on disaster management, by general or special order delegate to the chairperson or any other officer, any of its powers or functions under this Act subject to such conditions as it may think fit to impose.

14. Powers and functions of District Authority:-

- 1) The District Authority shall be the district planning, coordinating and implementing body for disaster management and shall take all measures for the purpose of disaster management in the district in accordance with the guidelines laid down by the Authority.
- 2) Without prejudice to the generality of the foregoing provision, the Authority may:-
 - a. Prepare a disaster management plan including district response plan for the district to be approved by the Gilgit-Baltistan Disaster Management Authority;
 - b. Coordinate and monitor the implementation of the Provincial Policy, Provincial Plan and the District Plan.
 - c. Ensure that the areas in the district vulnerable to disasters are identified and measures for the prevention of disasters and the mitigation of its effects are undertaken by the departments of the Government at the district level as well as by the local authorities;
 - d. Ensure that the guidelines for prevention, mitigation, preparedness, response, rehabilitation and reconstruction pertaining to disaster as laid down by the Authority are followed by all departments of the Government at the district level and the local authorities in the district;
 - e. Give directions to different government and semi government departments, autonomous bodies and private organizations at the district level and local authorities to take such other measures for disasters management as may be necessary;
 - f. Lay down guidelines for preparation of disaster management plans by the department of the Government at the district level and local authorities in the district.
 - g. Monitor the implementation of disaster management plans prepared by the Departments of the government at the district level;
 - h. Lay down guidelines to be followed by the Departments of the Government at the district level;

- i. Organize and coordinate specialized training programs for different levels of officers, employees and voluntary rescue workers in the district;
- j. Facilitate community training and awareness programs for the prevention of disaster or mitigation with the support of local authorities, governmental and non-governmental organizations;
- k. Setup, maintain, review and upgrade the mechanism for early warnings and dissemination of proper information to public;
- l. Prepare, review and update district level response plan and guidelines;
- m. Coordinate with, and give guidelines to, local authorities in the district to ensure that pre-disaster and post-disaster management activities in the district are carried out promptly and effectively;
- n. Review development plan prepared by the Department of the Government at the district level, statutory authorities or local authorities with a view to make necessary provisions therein for prevention of disaster or mitigation;
- o. Identify buildings and places which could be used for the activities related to disaster management and make all necessary arrangements for making these buildings usable at the eve of disaster;
- p. Establish stockpiles of relief and rescue materials and ensure preparedness to make such material available at a short notice;
- q. Provide information to the authority relating to different aspects of disaster management;
- r. Encourage the involvement and monitor the activities of non-governmental organizations and voluntary social-welfare institutions working at the grassroots level in the district for disaster management;
- s. Ensure that communication system are in order and disaster management drills are carried out periodically; and
- t. Perform such other functions as the Government or Authority may assign to it or as it deems necessary for disaster management in the District.

15. Powers of Chairperson of District Authority:-

- 1) The Chairperson of the District Authority shall, in the case of an emergency, have power to exercise all or any of the powers of the District Authority but the exercise of such powers shall be subject to ex-post facto approval of the District Authority.

16. District Plan:-

- 1) There shall be a plan for disaster management for every district of Gilgit-Baltistan.
- 2) The District Plan shall be prepared by the District Authority in accordance with the guidelines, policies and plans made by the Gilgit-Baltistan Disaster management Commission, Gilgit-Baltistan Disaster

Management Authority and shall be laid down before the Gilgit-Baltistan Disaster Management Authority so for approval in accordance with the time line schedule devised and circulated by the Gilgit-Baltistan Disaster Management Authority for the purpose.

- 3) The District plan shall be reviewed and updated annually.

17. Additional Powers of District Authority:-

For the purpose of assisting, protecting or providing relief to the community in response to any disaster, the District Authority is authorized to:-

- a. Give directions for the release and use of resources available with any department of the Government and the local authority in the district;
- b. Control and restrict vehicular traffic to, from and within the vulnerable or affected area.
- c. Control and restrict the entry of any person into his movement within and departure from a vulnerable or affected area.
- d. Remove debris, conduct search and carryout rescue.
- e. Provide shelter, tent, food, drinking water and essential provisions, healthcare and services.
- f. Establish emergency communication systems in the affected area.
- g. Make arrangements for the disposal of the unclaimed dead bodies.
- h. Direct any Department of the Government or any authority or body under that Government at the district level to take such measures as are necessary in its opinion.
- i. Require experts and consultants in the relevant fields to advise and assist as it may deem necessary.
- j. Procure exclusive or preferential use of amenities form any authority or person.
- k. Construct temporary bridges or other necessary structures and demolish structures which may be hazardous to public or aggravate the effects of the disaster.
- l. Ensure that the non-governmental organizations carry out their activities in an equitable and non-discriminatory manner and in accordance with the directions given by Gilgit-Baltistan Disaster Management Commission, Authority and the District Disaster Management Authority.
- m. Take such other steps and issue such other orders as may be required or warranted to be taken for the purpose of disaster management in the district.

CHAPTER IV

MEASURES BY THE GOVERNMENT FOR DISASTER MANAGEMENT

18. Government to take measures:-

- 1) Subject to the provision of this Act, the Government may take all such measures as it deems necessary or expedient for the purpose of disaster management.
- 2) In particular and without prejudice to the generality of the foregoing provisions, the measures which the government may take shall include measures with respect to all or any of the following matters, namely:
 - a. Coordination of actions of the Ministries and departments of the Government, Authority, governmental and non-governmental organizations in relation to disaster management;
 - b. Cooperation and assistance to other governments, as requested by them or otherwise deemed appropriate by it.
 - c. Requisition and deployment of armed forces, civil armed forces or any other civilian personnel etc.
 - d. Coordination with and mobilization of the United Nation agencies, international organizations and governments of foreign countries for carrying out all or any purpose of this Act;
 - e. Establish institutions for research, training and development programs in the field of disaster management; and
 - f. Such other matters as it deems necessary or expedient for the purpose of ensuring effective implementation of the provisions of this Act.
- 3) The Government may extend such support to other countries as it deems fit, on their request or on its own, for the purpose of disaster management.

CHAPTER V LOCAL AUTHORITIES

19. Functions of the local authority:-

- 1) In every district, there shall be local authorities established at the level of subdivision. The composition of the local authority would be as under:-
 - a. Assistant Commissioner of the sub-division who shall be the Chairperson, ex-officio.
 - b. Chairmen of the Tehsil/Town Councils, falling within the territorial jurisdiction of the subdivision, with whatever designation for the time being, members ex-officio.
 - c. DSP of the circle, member ex-officio.
 - d. The subdivision level officers of the Health, Education, Works, Water and Power, LG & RD, Civil Defence, Agriculture, Civil Supply Departments, Member, ex-officio.
 - e. Any such other subdivision level officers or any other person as the Government deems necessary.
- 2) Subject to the directions of the District Authority a local authority shall;-
 - a. Ensure that its officers and employees are trained for disaster management;
 - b. Ensure that resources relating to disaster management are so maintained as to be readily available for use in the event of any threatening disaster situation or disaster.
 - c. Ensure that all construction projects under it or within its jurisdiction conform to the standards and specifications laid down for the prevention of disasters and mitigation by the Authority and the District Authority, and
 - d. Carry out relief, rehabilitation and reconstruction activities in the affected area in accordance with the Plan and the District Plan.
 - e. Take such other measures as may be necessary for the disaster management.
- 3) More Local Authorities may be established at Tehsil or Village level with the composition and responsibilities as approved by the commission.

CHAPTER VI GILGIT-BALTISTAN INSTITUTE OF DISASTER MANAGEMENT

20. Establishment of Gilgit-Baltistan Institute of Disaster Management:-

- 1) With effect from such date as the Government may by notification in the official Gazette appoint in this behalf, there shall be established an institute to be called the Gilgit-Baltistan Institute of Disaster Management.
- 2) Subject to the provisions of this Act, the GB institute of Disaster Management shall be responsible for planning and promoting training and research and developing core competencies in the area of disaster

management, documentation and development of national level information base relating to disaster management policies, prevention mechanism and mitigation measures.

- 3) Without prejudice to the generality of the foregoing provisions, the Gilgit-Baltistan Disaster Management institute, for the discharge of its functions may:-
- a. Develop training module, undertake research and documentation in disaster management and organize training programmes;
 - b. Formulate and implement a comprehensive human resource development plan covering all aspects of disaster management.
 - c. Provide assistance in policy formulation.
 - d. Provide required assistance to the training and research institutes for the development of training and research programs for stakeholders including Government functionaries.
 - e. Provide assistance to the Government in the formulation of policies, strategies, disaster management framework and any other assistance as may be required by the Governments for capacity-building of stakeholders, Government including its functionaries, civil society members, corporate sector and people's elected representatives.
 - f. Develop educational materials for disaster management including academic and professional courses.
 - g. Promote awareness among stakeholders including college or school teachers and students, technical personnel and others associated with multi-hazard mitigation, preparedness and response measures.
 - h. Undertake any other function as may be assigned to it by the Government.

CHAPTER VII GILGIT-BALTISTAN DISASTER RESPONSE FORCE

21. Establishment of Gilgit-Baltistan Disaster Response Force:-

- 1) There shall be established a Gilgit-Baltistan Disaster Response Force for the purpose of ensuring a specialist response at the time of disaster.
- 2) Subject to the provision of this Act, the force shall be constituted in such manner and with such conditions of service of the members of the Force as may be prescribed by the Government.
- 3) Till the establishment of Gilgit-Baltistan Disaster Response Force, Rescue 1122 shall be deployed for the purpose.

22. Control, direction, general etc.

The general superintendence, direction and control of the Gilgit-Baltistan Disaster Response Force shall vest in, and exercisable by, the Gilgit-Baltistan Disaster Management Authority.

23. Allocation of funds by the Government:-

This Provincial Government, in its annual budget, shall make provisions for funds for the purpose of carrying out the activities and programmes set out in its disaster management plan.

24. Emergency procurement and accounting:-

- 1) Where by reason of any impending disastrous situation or disaster, the Authority or District Authority is satisfied that immediate procurement of provisions, materials or any sort of services is required or immediate application of resources in any form is necessary for disaster management activities; it may procure or authorize the other concerned department or authority to make the emergency procurement and in such case, the standard procedure laid down in PPRA rules shall be deemed to be waived off.
- 2) Certificate given by the chairperson of the Authority or the District Authority or any person authorized by the concerned authority in this behalf would be sufficient to prove that such situation prevailed in Gilgit-Baltistan in which emergency procurement was required to be made.

CHAPTER VIII OFFENCES AND PENALTIES

25. Punishment for obstruction etc:-

Whoever:-

- a. Obstructs or abets in obstructing any officer or employee of the Government or a person authorized by the Authority or District Authority in the discharge of his functions under this Act; or
- b. Himself refuses or persuades someone to refuse to comply with any direction given by or on behalf of the Government Authority, District Authority or Local Authority under this Act; Shall be punished with imprisonment for a term which may extend to one year and fine, and if such obstruction or refusal to comply with such directions results in loss of lives or imminent danger thereto, shall be punishable with imprisonment for a term which may extend to three years and fine.

26. Punishment of false claim:-

- 1) Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief item, any monetary assistance or any other benefits consequent to disaster from any officer of the government, the Authority or District Authority, shall be punishable with imprisonment for a term which may extend to two years and fine.

- 2) Whosoever willfully and knowingly abets in the making of such claim as mentioned in subsection (1) of this section, would be punished with imprisonment for a term which may extend to one year and fine.

27. Punishment for false warning, alarm, information:-

Whoever makes or circulates a false alarm or warning; or information as to disaster or its severity or magnitude, leading to creation or danger of creation of panic among public shall be punishable with imprisonment which may extend to one year or with fine.

28. Refusal of an officer to perform duties:-

Any officer, on whom any duty has been imposed by or under this Act, if refuses to perform or withdraws himself from the duties of his office shall; unless he has obtained the written permission from any such officer who is authorized to grant permission in this regard, or has other lawful excuse for doing so, be liable to face disciplinary action under E&D Rules of GB Civil Servants Act 2011.

29. Trial of cases:-

Cases related to the punishments mentioned in sections 25,26,27 and 28 would be tried by Magistrate Class 1 or Executive Magistrate and the offences shall be non bailable and non-compoundable.

CHAPTER IX MISCELLANEOUS

30. Prohibition against discrimination:-

While providing compensation and relief to the victims of disaster, or carrying out disaster management activities, there shall be no discrimination on any ground including sex, caste, community, descent, religion etc.

31. Power of requisition of resources:-

- 1) If it appears to the Authority, District Authority, Local Authority, Chairpersons of the Authority, District Authority or Local Authority or any officer as may be authorized by the concerned authorities in this behalf that:-
 - a. Any resources available with any; Government, Semi Government, Non-Government or Private Department, organization, institute or person in his personal capacity are needed for the purpose of prompt response.
- 2) The person to whom such order has been given shall be bound to obey it to the satisfaction of the officer who has passed such order.
- 3) If the obeying of the order has caused some financial loss to the person to whom the order was given, such aggrieved person after complying to the order shall be entitled to get compensation for such loss. If there arises any issue regarding the determination of the

amount of compensation, the decision of the grievance redressal committee which would be formed at the level of Authority, District Authority or Local Authority, as the case may be would be final.

32. Direction to media for communication of warnings or Public Service Message etc:-

Chairpersons of the Authority, District Authority, Local Authorities or any other officer authorized by them in this regard may give directions to any organization or person in control of any electronic or Print media for broad casting or publishing disaster related warnings or public service message for the best interest of the people of Gilgit-Baltistan and such organization and the person shall be bound to comply to such orders free of cost.

33. Annual report:-

- 1) The Authority shall prepare once every year in such form and at such time as may be prescribed by rules, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the commission for laying before the Gilgit-Baltistan Legislative Assembly.
- 2) The District Authority shall prepare once every year, in such form and at such time as may be prescribed by rules, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Authority.
- 3) The Local Authority shall prepare once every year, in such form and at such time as may be prescribed by rules, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the District Authority.

34. Bar of jurisdiction:-

No court of tribunal shall have jurisdiction to entertain any suit or proceeding in respect of anything done: action taken, orders made, directions issued by the Government, Authority, District Authority, Local Authority, or their Chairpersons or staff members in exercise of any power conferred by this Act or in the performance of any responsibility delegated by this Act.

35. Indemnity:-

Officers and employees of the Government, Authority, District Authority or Local Authority shall be immune from legal process in regard to any warning in respect of any impending disaster communicated or disseminated by them in their official capacity or any action taken or direction issued by them in pursuance of such communication or dissemination.

36. Action taken in good faith:-

No suit or prosecution or other proceeding shall lie in any court against the Government, the Authority, the District Authority, local Authority or any officer or employee of the Government, the Authority, the District Authority or Local

Authority in respect of any work done or purported to have been done or intended to be done, while acting under this Act, in good faith, by such authority or Government or such officer or employee or such person under the provision of this Act or rules made there under.

37. Delegation of powers to the Authority:-

The commission may, for effective implementation of the policy on disaster management, by general or special order delegate to the Authority any of its powers or functions under this Act subject to such conditions as it may think fit to impose.

38. NGOs to follow the directions of disaster management authorities.

Subject to the other laws, all the international, National and Local NGOs engaged in disaster related activities in Gilgit-Baltistan would carry out their all disaster management related activities in accordance with the directions and subject to the monitoring of Gilgit-Baltistan Disaster Management Authority and concerned District Disaster Management Authorities.

39. Removal of difficulties:-

If any difficulty arises in giving effect to the provisions of this Act, the Government may, by notification in the Official Gazette, make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the difficulty.

40. Acts already done.

All the steps already taken in Gilgit-Baltistan in the context of Disaster Management in accordance with National Disaster Management Act 2010 till the enforcement of this Act would be deemed to be legally done under this Act and no further process would be required to provide them legal cover under this Act.

41. Power to make rules:-

The Government may, by notification in the official gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTIVE

Presently GBDMA is functioning under National Disaster Management Act 2010 an Act which was not even adopted by the GBLA Assembly. In strict legal terms GBDMA's existence as an institute is not backed by any law and this thing causes several issues for the Authority particularly in financial matters when AG office time and again keeps raising objections over its legal position. As disaster management is a devolved subject and all the other provinces have either enacted their own laws or they are working on it, it is immensely important to have an independent law for disaster management in Gilgit-Baltistan in order to cater to its peculiar needs and requirements.

The proposed draft has been penned after going through Federal Government's National Disaster Management Act 2010, Azad Jammu Kashmir Disaster Management Act 2008, Indian Disaster Management Act 2005 and Bangladesh's Disaster Management Act 2012. Besides, the provincial, social, demographic and geographical peculiarities of GB have also been kept and all necessary elements have been incorporated in the draft.

The Act would serve as a mile stone in improving the disaster management mechanism of Gilgit-Baltistan.

(FIDA MUHAMMAD NASHAD)

Speaker

Gilgit-Baltistan Legislative Assembly

(Mir Ghazanfar Ali Khan)

Governor

Gilgit-Baltistan