

Bill No. 97 of 2009

THE CIVIL DEFENCE (AMENDMENT) BILL, 2009

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BILL

further to amend the Civil Defence Act, 1968.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. This Act may be called the Civil Defence (Amendment) Act, 2009.

Short title.

27 of 1968.

2. In section 2 of the Civil Defence Act, 1968,—

Amendment of
section 2.

(i) in clause (a), after the words “time of such attack”, the words “or any measure taken for the purpose of disaster management, before, during, at, or after any disaster” shall be inserted;

(ii) after clause (f), the following clauses shall be inserted, namely:—

53 of 2005.

‘(g) “disaster” means a disaster as defined in clause (d) of section 2 of the Disaster Management Act, 2005;

53 of 2005.

(h) “disaster management” means the disaster management as defined in clause (e) of section 2 of the Disaster Management Act, 2005.’.

STATEMENT OF OBJECTS AND REASONS

The Civil Defence in India operates under the authority of the Civil Defence Act, 1968 applicable to the whole of India. The said Act aims at providing for continued maintenance of Civil Defence services which are already in position in the States and Union territories. It also enables the Central Government and the State Governments to extend the scope of Civil Defence if and when it may become necessary to do so.

2. The Civil Defence under the aforesaid Act includes any measures, not amounting to actual combat, for affording protection to any person, property, place or thing in India against any hostile attack whether from air, land, sea and other places, whether such measures are taken before, during, at or after the time of such attack. The Civil Defence is intended to be organised primarily on voluntary basis as an integral part of the defence of the country on a limited scale. Several measures have been initiated for revamping the Civil Defence organisation so as to make it a vibrant institution capable of responding to various situations.

3. Subsequently, the Disaster Management Act, 2005 has been enacted, *inter alia*, to provide for requisite institutional mechanisms for drawing up and monitoring the implementation of the disaster management plans, ensuring measures by various wings of Government for prevention and mitigating the effects of disasters and for undertaking a holistic, coordinated and prompt response to any disaster situation/disaster.

4. It is felt that the Civil Defence can play a vital role in disaster management also and therefore it has been proposed to expand the role of the Civil Defence by amending the definition of "civil defence" contained in clause (a) of section 2 of the Civil Defence Act, 1968 so as to bring within its scope the measures which may be taken for the purpose of disaster management during, at, before, or after any disaster.

5. The Bill seeks to achieve the above object.

New Delhi;
The 30th September, 2009.

P. CHIDAMBARAM.

ANNEXURE

EXTRACT FROM THE CIVIL DEFENCE ACT, 1968

(27 OF 1968)

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2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “civil defence” includes any measures, not amounting to actual combat, for affording protection to any person, property, place or thing in India or any part of the territory thereof against any hostile attack, whether from air, land, sea or other places, or, for depriving any such attack of the whole or part of its effect, whether such measures are taken before, during, at or after the time of such attack;

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further to amend the Civil Defence Act, 1968.

(Shri P. Chidambaram, Minister of Home Affairs)