

Annex 4

Natural Disaster Relief Act (Unofficial Translation)*

Preamble:

Whereas, it is expedient to make arrangement for the operation of relief work and the maintenance of people's convenience with a view to protect the life and property of the people in general and public property.

Now therefore His Majesty King Birendra Bir Bikram Shah Deva has enacted this Act on the advice and with the consent of the National Panchayat.

1. Short title and commencement:

- (1) This act shall be called the Natural Disaster (Relief) Act 2039 B.S. (1982 A.D.).
- (2) The Act shall come into force immediately.

2. Definition: Unless the subject or context otherwise requires, in this Act:

- (a) Natural disaster means earthquake, fire, storm, flood, landslide, heavy rain, drought, famine, epidemic and other similar natural disaster. It includes the industrial accident or accident caused by explosions or poisoning and any other kinds of disaster.
- (b) "Disaster area" means the area declared as Disaster area pursuant to Section 3
- (c) "Natural Disaster Relief Work" means any relief work to be carried out in the area affected or likely to be affected by the Natural Disaster in order to remove the grief and inconvenience caused to the people to rehabilitate the victims of the Natural Disaster and to protect the public property and life and property of the people in general and to control and prevent the Natural Disaster and to make advance preparation thereof.
- (d) "Central Committee" means the Central Natural Disaster Relief Committee constituted pursuant to Section 5.
- (d1) "Regional Committee" means the Regional Natural Disaster Relief Committee constituted pursuant to Section 7.

* The document has been translated from Nepali to English for this report.

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- (f) "District Committee" means the District Natural Disaster Relief Committee constituted pursuant to Section 7.
- (g) "Local Committee" means Local Disaster Relief Committee constituted pursuant to section 7.

3. Declaration of Disaster Area :

- (1) His Majesty's Government may if it deems necessary, specify the extent of the area affected or likely to be affected by natural Disaster and declare such area, by publishing a notification in the Nepal Gazette as Disaster Area for a period specified in the same notice.
- (2) In case the situation arising out of the Natural Disaster could not be brought under control within the period specified under subsection (1), His Majesty's Government may, by a notification published in the Nepal Gazette, extend such period according to need.

4. His Majesty's Government may give orders :

His Majesty's Government may, in order to carry out or cause to be carried out the Relief Works in Disaster Area, give orders to any one concerned to undertake any or all of the following works:

- (a) To close down, according to necessity the governmental or nongovernmental offices, educational institutions and other institutions in Disaster Area,
- (b) To prohibit the activities in Disaster Area that may cause adverse effect on Relief Work,
- (c) To depute the employees of governmental or nongovernmental offices or of institutions,
- (d) To evacuate or cause to be evacuated the people from Disaster Area to the areas of safety,
- (e) To requisition the movable and immovable property of any individual or institution on temporary basis for a prescribed period, if such property is required to be used for the purpose of Relief Work.
- (f) To evacuate or cause to be evacuated the goods and commodities from Disaster Area to the areas of safety,

- (g) To make use of the means and resources of the government,
- (h) To requisition and make use of the means of transportation owned by nongovernmental offices, associations and individuals of the concerned district for some fixed period of time,
- (i) To requisition the food grains, clothes, medicine, construction materials and other items belonging to nongovernmental offices, institutions and individuals of the concerned district and distribute it to the victims of natural Disaster.
- (j) To try to save the real estates, factories, temples and shrines and religious places and other significant objects and places from destruction,
- (k) To constitute aid groups and send them to disaster Area,
- (l) To take other necessary security measures for the safeguard of the life and property of the common people,
- (m) To do other works as specified by His Majesty's Government.

4a. Control over foreigner's entry:

His Majesty's Government may issue an order requiring the foreign nationals or agencies to take the approval of His Majesty's Government to enter into any area affected by Natural Disaster for any purpose.

5. Constitution of Central Natural Disaster Relief Committee:

- (1) His Majesty's Government may, by a notification published in the Nepal Gazette, constitute the Central Natural Disaster Relief Committee in order to formulate and implement the policy and programme relating to the Natural Disaster Relief Work and to undertake or cause to be undertaken other necessary works related thereof. The working procedures of the Central Natural Disaster Relief Committee and the term of office of the members shall be as specified in the said notice.
- (2) The Central natural Disaster Relief Committee to be constituted pursuant to sub-section (1) shall be composed of the following members:
 - (a) Home Minister – Chairman
 - (b) Minister of Housing and Physical Planning – Member
 - (c) Health Minister – Member
 - (d) Secretary, Ministry of Finance – Member
 - (e) Secretary, Defense Ministry – Member
 - (f) Secretary, Home Ministry – Member
 - (g) Secretary, Ministry of External Affairs – Member
 - (h) Secretary, Ministry of Water Resources – Member
 - (i) Secretary, Ministry of Communication – Member
 - (j) Secretary, Ministry of Forest and Environment – Member
 - (k) Secretary, Ministry of Labor and Social Welfare – Member
 - (l) Secretary, Ministry of Supplies – Member
 - (m) Secretary, Secretariat of National Planning Commission – Member
 - (n) Brigadier, Royal Nepal Army – Member
 - (o) Inspector General of Police, Police Headquarters – Member
 - (p) Representative, Social Welfare Council – Member
 - (q) Representative, Nepal Red Cross Society – Member
 - (r) Representative, Nepal Scout – Member
 - (s) Director General, Dept. of Mines and Geology – Member
 - (t) Director General, Dept. of Hydrology & Meteorology – Member
 - (u) Two persons of repute nominated by His Majesty's Government – Member
 - (v) Additional Secretary (who looks after Natural Disaster related activities), Home Ministry – Executive Secretary
- (3) The Central Committee shall invite at its meetings the concerning Member of Parliament representing the district effected by natural disaster.
- (4) The working procedures of the central committee may be managed by the central committee itself.

(5a) Constitution of Sub-Committee:

The Central Committee may constitute Relief and Treatment Subcommittees and Supplies, Shelter and Rehabilitation Sub-Committee to give necessary advice and suggestions to the Central Committee to help execute policies and directives of the Central Committee and to effectively operate the relief and rehabilitation work during natural disaster.

(5b) Relief and Treatment Sub-Committee:

- (1) The Relief and Treatment Sub-Committee shall be composed of the following members:
 - (a) Health Minister, Coordinator
 - (b) Secretary, Ministry of Communication, Member
 - (c) Secretary, Ministry of Works and Transport, Member
 - (d) Brigadier, Royal Nepal Army, Member
 - (e) Inspector General of Police, Police Headquarters
 - (f) Representative, Nepal Red Cross Society, Member
 - (g) Representative, Nepal Scout, Member
- (2) The Secretary of the Relief and Treatment Sub-Committee shall be as designated by the Coordinator.
- (3) The Relief and Treatment Subcommittee itself may manage the working procedures of the Relief and Treatment Subcommittee.
- (4) The functions and duties of the Relief and Treatment Sub-Committee shall be as specified by the Central Committee.

5c. Supplies, Shelter and Rehabilitation Sub-Committee :

- (1) The Supplies, Shelter and Rehabilitation Sub-Committee shall be composed of the following members:

(a) Minister of Housing and Physical Planning	– Coordinator
(b) Secretary, Ministry of Finance	– Member
(c) Secretary, Ministry of Home Affairs	– Member
(d) Secretary, Ministry of Supplies	– Member
(e) Secretary, Ministry of Labor and Social	– Member Welfare
(f) Secretary, Ministry of Water Resources	– Member
(h) Secretary, Ministry of Works & Transport	– Member
(h) Representative, Social Welfare Council	– Member
- (2) The Secretary of Supplies, Shelter and Rehabilitation Sub-Committee shall be as designated by the coordinator.
- (3) The working procedures of the Supplies, Shelter and Rehabilitation Sub-committee may be managed by the Supplies, Shelter and Rehabilitation Sub-Committee itself.
- (4) The functions and duties of the Supplies, Shelter and Rehabilitation Sub-Committee shall be as specified by the Central Committee.

6. Functions and duties of the Central Committee:

The Functions and duties of the Central Committee shall be as follows :

- (a) To recommend to His Majesty's Government to declare the areas affected by Natural Disaster as Disaster Area
- (b) To formulate the national policy regarding the relief work including the rehabilitation of the victims of natural disaster and reconstruction in the area affected by Natural Disaster etc. and for the control and prevention of Natural Disaster and the advance preparation thereof and to prepare the programmes in accordance with the said policy and submit it to His Majesty's Government,
- (c) To implement or cause to be implemented the policy and programme formulated pursuant to the clause (b) after His Majesty's Government has approved it,
- (d) To keep the money, food stuff, clothes, medicines, construction materials and other goods received within the Kingdom of Nepal and from outside as aid or donation under the Central Natural Disaster Aid Fund and to send such goods as required for Relief Work in Disaster Area,
- (e) To associate social organization and associations in Natural Disaster Relief Works and to coordinate the activities of those organizations,
- (f) To form groups and send them to disaster area to assist in Natural Disaster Relief Works,
- (g) To give directions to the District Committee and Local Committee on the matters relating to Relief Work,
- (h) To perform the works specified by His Majesty's Government for the execution of Natural Disaster Relief works,
- (i) To submit report on work progress to His Majesty's Government from time to time.

7. Formation of other Natural Disaster Relief Committees:

His Majesty's Government may, by publishing a notification in the Nepal Gazette, constitute according to need the Regional Natural Disaster Relief Committee. District Natural Disaster Relief Committee and Local Natural Disaster Relief Committee in order to undertake or cause to be undertaken the Natural Disaster Relief Work. The working procedure of such committees and the term of office of the member shall be as specified in the said notice.

7a. The Functions and Duties of the Regional Committee:

The functions and duties of the Regional Committee shall be as follows:

- (a) To give necessary suggestions to the Central Natural Disaster Relief Committee regarding the formulation of Regional level policy on Natural Disaster Relief Work and preparation of the progress there under,
- (b) To coordinate or cause to be coordinated between District Committees regarding Natural Disaster Relief Work,
- (c) To provide information to the Central Committee about Natural Disaster Relief Work from time to time,
- (d) To work in accordance with the directives of the Central Committee.

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9. Functions and Duties of the District Committee:

(1) The functions and duties of the District Committee shall be as follows:

- (a) To coordinate or cause to be coordinated between Local Committees regarding Natural Disaster Relief Work,
 - (b) To formulate district level plans on Natural Disaster Relief Works and submit such plans to the Regional Committee,
 - (c) To monitor the Natural Disaster Relief Work being conducted by the Local Committees and to support the ongoing work,
 - (d) To provide information to the Regional Committee about Natural Disaster Relief Work from time to time,
 - (e) To work in accordance with the directives of the Central and Regional Committees.
- (2) The activities to be undertaken pursuant to sub-section (1) shall be in accordance with the decision of the District committee.

@...Repealed by Second Amendment 2049/6/14 (Sept. 30, 1992)

9a. Functions and Duties of the Local Committee:

(1) The functions and duties of the Local Committee shall be as follows:

- (a) To prepare detailed description of the loss by Natural Disaster and to submit to the District Committee the estimation of means and resources required for the relief and rehabilitation of the victims of Natural Disaster,
- (b) To organize volunteer's teams according to need and conduct or cause to be conducted the Relief Work,
- (c) To make necessary arrangements to take the injured in the Natural Disaster to the nearest hospitals and health posts as soon as possible,
- (d) To make arrangements for the evacuation of the victims of Natural Disaster to a safe place,
- (e) Systematically distribute the cash and kind received in assistance from District Committees and local resources to the families of the victims of Natural Disaster,
- (f) To conduct an awareness programme as a precaution for the prevention and control of the possible events of the Natural Disaster,
- (g) To hand over the goods and cash balance and the accounts thereof to the District Committee upon completion of Natural Disaster Relief Work.

10. Rent to be given:

In case any movable or immovable property of the means of transportation of nongovernmental offices, institutions or individuals is acquired temporarily or used under clause (e) or (h) of Section 4, the rent for such movable or immovable property or the means of transportation shall be given at

prevalent rate to the concerned office, institution or individual by the officer, institution or Relief Committee specified by His Majesty's Government.

Provided that in case the cultivated or cultivable land is also acquired while acquiring the immovable property the necessary compensation shall be given for the crops lost or to be lost.

11. Cost to be given:

In case, the food grains, clothing, medicine, construction materials and other goods are acquired from nongovernmental offices, institutions or individuals under clause (i) of Section 4, the amount equivalent to the cost of such goods at prevailing rate shall be given to the concerned office, institution or individual by the officer, institution or Relief Committee specified by His Majesty's Government.

12. Assistance to be given:

All the governmental, nongovernmental offices, organizations and individuals of the concerned area and in the vicinity should help the central, regional, district and local committees providing assistance in the Relief Works.

13. Funds:

- (1) Natural Disaster Aid Fund
 - (a) Natural Disaster Central Aid Fund
 - (b) Natural Disaster Regional Aid Fund
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 - (d) Natural Disaster District Aid Fund
 - (e) Natural Disaster Local Aid Fund
- (2) The Natural Disaster Central Aid Fund shall be composed of the following amount:
 - (a) The amount provided by His Majesty's Government,
 - (b) The amount received from national and international organizations,
 - (c) The amount received from other sources.
- (3) The Natural Disaster Regional Aid Fund, Natural Disaster District Aid Fund and Natural Disaster Local Aid Fund shall be composed of the following amount:
 - (a) The amount provided by His Majesty's Government,
 - (b) The amount received from Natural Disaster Central Aid Fund,
 - (c) The amount received from other sources.

Repealed by Second Amendment 2049/6/14 (Sept. 30, 1992)

- (4) All the amount of the fund shall be deposited in any bank in the name of Natural Disaster Aid Fund.
- (5) All the expenses to be incurred for Natural Disaster Relief Work shall be borne by this fund.
- (6) The account of the fund shall be operated with the signatures of at least two persons in accordance with the decision of the concerned committee.
- (7) The account of income and expense of food grains, clothes, medicines, construction materials etc. received for the Natural Disaster Aid Fund shall be maintained separately.
- (8) The record of house means of transportation, land etc. made available by anybody for some period of time shall also be maintained.

14. Accounts and Audit:

- (1) The account of the materials or goods and cash amount obtained and expended by the Central Committee, Regional Committee, District Committee and Local Committee shall be maintained in accordance with the prevalent law and the statement of such income and expenditure shall be published upon the completion of audit for the information of the general public.
- (2) The account of the Central Committee, Regional Committee, District Committee and Local Committee shall be audited by the Auditor General's Department or any registered auditor designated by the said Department.
- (3) His Majesty's Government may examine or cause to be examined the accounts, related documents and other cash and kind of the fund.

15. Write-off

The central committee may recommend to His Majesty's Government to write-off the relief materials, goods and cash expended by government office or institution for the relief work and on such recommendation His Majesty's Government may write-off according to the existing law.

16. Penalties

- (1) Any person who will violate the order given under Section 4 shall be punished with imprisonment extending up to three months or with a fine up to one thousand rupees or both.
- (2) Any person who obstructs in Relief work shall be punished with imprisonment extending up to six months or with a fine up to two thousand rupees or both.

17. Authority-to hear the case

The special court, constituted by His Majesty's Government under Special Court Act, 2031 by a notification published in the Nepal Gazette, shall have the authority to hear and decide the case related with the offense punishable under this Act.

18. His Majesty's Government shall be the plaintiff

His Majesty's Government shall be the plaintiff in all the cases under this Act.

19. His Majesty's Government may give directives

His Majesty's Government may give necessary directives, relating to the Relief works to the Central, Regional and District Committee and to any concerned organizations, office or person and it shall be the duty of the concerned agency or officer or person to abide by such directives.

20. Delegation of Power

- (1) His Majesty's Government may, by a notification published in the Nepal Gazette delegate some power conferred upon it under this Act to any officer or committee or person or institution.
- (2) The Central Committee or other committee may delegate some power out of the power conferred upon it under this Act to any committee or person or institution.

21. Power to frame rules

His Majesty's Government may frame necessary rules to carry out the objectives of this Act.

22. Remedy

All that is covered by this Act shall be in accordance with this Act and the rest shall be in accordance with the prevalent law.

Natural Disaster Relief Act, 2039 B.S. (1982 A.D.)
Second Amendment
(Unofficial Translation)*

Preamble:

Whereas it is expedient to make arrangement for the conduct of relief operation and the maintenance of people's convenience with a view to protecting the life and assets of the common people's convenience with a view to protecting the life and asset of the common people and public property, the parliament has made this act in the twenty first year of the rule of His Majesty Birendra Bir Bikram Shahadev.

1. Short title and commencement

- (1) This act has been called the Natural Disaster (Relief) Act (Second amendment) 2039 B.S. (1982 A.D.).
- (2) The Act shall come into force immediately.

2. Definition

Unless the subject or context otherwise requires, in this Act:

- (a) Natural disaster shall mean earthquake, fire, storm, flood, landslide, heavy rain, drought, famine, epidemic and other similar natural disaster. This word also shall mean the industrial accident or other kinds of disaster caused by explosions and poisoning.
- (b) The disaster relief any work designed to prevent and control of the and the precaution against operation means natural disaster at the areas hit or likely to be hit by natural disaster as well as the rehabilitation of the victims and the protection of life and assets of the people and the protection of public property.
- (c) Disaster area shall mean the proclaimed disaster area pursuant to Section 3.
- (d) Central Committee shall mean the Central Natural Disaster Relief Committee constituted pursuant to Section 5.

* The document has been translated from Nepali to English for this report.

- (d1) Regional Committee shall mean the regional Natural Disaster Relief Committee constituted pursuant to Section 7.
- (e) (Repealed)
- (f) District Committee shall mean the District Natural Disaster Relief Committee constituted pursuant Section 7.
- (g) Local Committee shall mean Local Natural Disaster Relief Committee constituted pursuant Section 7.

3. Declaration of Disaster Area

If His Majesty's Government deems necessary it may specify the extent of the area hit of likely to be hit by natural disaster and declare it disaster area by publishing a notice in the Nepal Gazette for a period specified in the notice. If the situation of natural disaster is not controlled within the period specified in the section.

- (2) (1) His Majesty's Government may prolong the period in accordance with necessary by publishing a notice in the Nepal Gazette.

4. His Majesty's Government

His Majesty's Government may give orders to any one concerned to undertake or caused to undertake any or all of the following works:

- (a) To close down, in accordance with necessity, the governmental or nongovernmental offices, education institutions and other organizations in the disaster area,
- (b) To prohibit any action accordingly necessary in the disaster area that might cause adverse effect on relief operations,
- (c) To depute the employees of governmental or nongovernmental offices or of associations,
- (d) To evacuate or cause to evacuate the people living in the disaster areas to the areas of safety,
- (e) To requisition if necessary the movable and immovable property of any individual or organization on temporary basis for the purpose of relief operation,
- (f) To order the evacuation of the goods and commodities in the disaster areas to the areas safety,

- (g) To make use of the means and resources of the government,
- (h) To requisition and make use of the means of transportation owned by nongovernmental offices, associations and individuals for some period of time,
- (i) To requisition the food grains, clothes, medicine, construction materials and other items belonging to nongovernmental offices, associations and individuals of the concerned district and to distribute them to the victims of natural disaster,
- (i) To try to save the real a states, factories, temples and shrines significant and similar religious places and other objects and places from destruction,
- (k) To constitute aid groups and send them to disaster area,
- (l) To take other necessary security measures for the safeguard of the life and property of the common people,
- (m) To do other work specified by His Majesty's Government.

5. Constitution of Central Natural Disaster Relief Committee

- (1) To plan, chalk out and implement the policy relating to Natural Disaster Relief and to execute and cause to be executed other essential works; His Majesty's Government shall constitute a Central Natural Disaster Relief Committee by publishing such notice in the Nepal Gazette. The activity of the Central Natural Disaster Relief Committee and the activity of the members shall be as specified in the notice.
- (2) The members in the Central Natural Disaster Relief Committee constituted pursuant to sub-section (1) shall be as mentioned below:

(a) Home Minister	– Chairman
(b) Minister of Housing and Physical Planning	– Member
(c) Health Minister	– Member
(d) Secretary, Ministry of Finance	– Member
(e) Secretary, Defense Ministry	– Member
(f) Secretary, Home Ministry	– Member
(g) Secretary, Ministry of External Affairs	– Member
(h) Secretary, Ministry of Water Resources	– Member
(i) Secretary, Ministry of Communication	– Member
(j) Secretary, Ministry of Forest & Environment	– Member
(k) Secretary, Ministry of Labor & Social Welfare	– Member
(l) Secretary, Ministry of Supplies	– Member
(m) Secretary, Secretariat of National Planning Commission	– Member
(n) Brigadier, Royal Nepal Army	– Member
(o) Inspector General of Police, Police Headquarters	– Member
(p) Representative, Nepal Red Cross Society	– Member
(q) Representative, Nepal Scout	– Member
(r) Director General, Dept. of Mines & Geology	– Member
(s) Director General, Dept. of Hydrology & Meteorology	– Member
(t) Two persons of repute nominated by His Majesty's Government	– Member
(u) Additional Secretary (who looks after Natural Disaster related activities)	
– Executive Home Ministry Secretary	
- (3) The Central Committee shall invite at its meetings the concerning Member of Parliament representing the district effected by natural disaster.
- (4) The internal affairs of the Central Committee may be managed by the central committee itself.

5a. Constitution of Sub-Committee

The Central Committee may constitute Relief and Treatment Subcommittee and Supplies, Shelter and Rehabilitation Sub-Committee to give necessary advice and suggestions to the Central Committee to help execute policies and directives of the Central Committee and to effectively run the relief and rehabilitation work during natural disaster.

5b. Relief and Treatment Sub-Committee

- (1) There shall be the following members in the Relief and Treatment Sub-Committee:

(a) Health Minister	– Coordinator
(b) Secretary, Ministry of Communication	– Member
(c) Secretary, Ministry of Works & Transport	– Member
(d) Brigadier, Royal Nepal Army	– Member

- (e) Inspector General of Police, Police Headquarters – Member
- (f) Representative, Nepal Red Cross Society – Member
- (g) Representative, Nepal Scout – Member
- (2) The Secretary of the Relief and Treatment Sub-committee shall be as specified by the Coordinator.
- (3) The internal affairs of the Relief and Treatment Sub-committee may be managed by the Relief and Treatment Sub-committee itself.
- (4) The duties and responsibilities of the Relief and Treatment Subcommittee shall be as specified by the central Committee.

5c. Supplies, Shelter and Rehabilitation Sub-Committee

There shall be the following members in Supplies, Shelter and Rehabilitation Sub-Committee:

- (a) Minister of Housing and Physical Planning – Coordinator
- (b) Secretary, Ministry of Finance – Member
- (c) Secretary, Ministry of Home Affairs – Member
- (d) Secretary, Ministry of Supplies – Member
- (e) Secretary, Ministry of Labor & Social Welfare – Member
- (f) Secretary, Ministry of Water Resources – Member
- (g) Secretary, Ministry of Works & Transport – Member
- (h) Representative, Social Welfare Council – Member
- (2) The Secretary of Supplies, Shelter and Rehabilitation Sub Committee shall be as specified by the coordinator.
- (3) The Supplies, Shelter and Rehabilitation Sub-committee may itself manage the internal affairs of the Supplies, Shelter and Rehabilitation Sub-Committee.
- (4) The functions and duties of the supplies, shelter and Rehabilitation Sub-Committee shall be as specified by the Central Committee.

6. Functions and duties of the Central Committee

The Functions and duties of the Central Committee shall be as follows:

- (a) To recommend to His Majesty's Government to declare the region affected by natural disaster as disaster area,
- (b) For the control and prevention of natural disaster and for its prior arrangement and for the rehabilitation of the victims of natural disaster and reconstruction of the area effected by natural disaster etc. and to devise plans and submit to His Majesty's Government of the formulation of national policy for drawing programmes accordingly,
- (c) The policy and programmes pursuant to sub-section (b) shall be executed or cause to be executed with the consent of His Majesty's Government,
- (d) The aid amount, food stuff, clothes, medicines, construction goods and other materials received from within and outside the Kingdom of Nepal shall be kept under the Central Natural Disaster Aid fund and such goods from the fund shall be sent to disastrous area according to the need for relief works,
- (e) To associate social organizations and associations in natural disaster relief works and coordinates the works and programmes of such organizations and associations,
- (f) To form groups and send them to disaster area for natural disaster relief works,
- (g) To give directions to the district committee and local committee to do and get the relief works done,
- (h) To perform the works specified by His Majesty's Government for the execution of natural Disaster Relief works,
- (i) To periodically give the description of work progress to His Majesty's Government.

7. Construction of Other Natural Disaster Relief Committees

In order to undertake or cause to undertake the natural disaster relief operation. His Majesty's Government may organize Regional, District and Local Natural Disaster Relief Committees by publishing notice in the Nepal Gazette according to needs. The working procedure of such committees and individuals shall be as specified in the notice.

7a. The Functions and Duties of the Regional Committee

The functions and duties of the Regional Committee shall be as follows:

- (a) To devise regional level plan and to give necessary suggestions to the Central Natural Disaster Relief Committee in relation with the execution of such works,
- (b) To bring or cause to be brought coordination amongst district committees in the works related to natural disaster relief operation,

- (c) To provide information to the Central Committee on the works relating to natural disaster relief operation from time to time,
- (d) To work in accordance with the directives of the Central Committee.

8. (Repealed)

9. Functions and Duties of the District Committee

The functions and duties of the District Committee shall be as follows:

- (a) To bring or cause to be brought coordination among the local Committees regarding natural disaster relief operation,
- (b) To devise district level plans on natural disaster relief operation and submit such plans to the Regional Committee,
- (c) To monitor the natural disaster relief operation being conducted by the Local Committees and to support the ongoing operation,
- (d) To provide information to the regional committee about natural disaster relief operation from time to time,
- (e) To work in accordance with the directives of the central and regional committees.

9a. Functions and Duties of the Local Committee

The functions and duties of the Local Committee shall be as follows:

- (a) To prepare detailed description of the loss cause owing to natural disaster and to submit to the District Committee the anticipated required means and resources for the relief and rehabilitation of the natural disaster victim,
- (b) To organize volunteer's teams according to need and conduct or cause to conduct the relief operations,
- (c) To make necessary arrangements to take the injured in the natural disaster to hospitals and health posts as soon as possible,
- (d) To arrange for the evacuation of the victims of natural disaster to a safe place,
- (e) To systematically distribute the cash and kind received in assistance from district committees and local resources to the families of the victims of natural disaster,
- (f) To conduct an awareness programme as a precaution for the prevention and control of the possible events of the natural disaster,
- (g) To hand over the goods and cash along with their accounts to the district committee of Natural Disaster Relief operation after the end of the relief works.

10. To be given rent

If, in pursuant to sub-sections (e) or (i) of Section 4 the movable and immovable property of a nongovernmental office or association individual is made use of temporarily, the specified official, association or natural disaster relief committee shall provide rent to the concerned office, association or individual as per the prevalent rate. However, if requisition of movable and immovable property has involved a land with standing or land likely to cultivated crops, compensation shall be provided for the crop lost or likely to be lost.

11. Price to be given

If, pursuant to sub-section (2) of the Section 4 foodstuff, clothes, medicine, construction materials or other objects are requisitioned the specified official of His Majesty's Government Association or the Natural Disaster Relief Committee shall pay the price as per the prevalent rate to the concerned office, association or individual.

12. Assistance to be Given

All the governmental, nongovernmental offices, associations and individuals of the concerned area and in the vicinity should help the central, regional, district and local committees providing assistance in the relief works.

13. Funds

- (1) Natural Disaster Relief Fund may be set up in the following names:
 - (a) Central Natural Disaster Relief Fund,
 - (b) Regional Natural Disaster Relief Fund,
 - (c) (Repealed),
 - (d) Natural Disaster District Aid Fund,
 - (e) Natural Disaster Local Aid Fund.

- (2) The Natural Disaster Central Aid Fund shall constitute the following amount:
 - (a) The amount provided by His Majesty's Government,
 - (b) The amount obtained from national and international organizations and associations,
 - (c) The amount obtained from other sources.

The Natural Disaster Regional Aid Fund, Natural Disaster District Aid Fund and Natural Disaster Local Aid Fund shall constitute the following amount:

- (a) The amount provided by His Majesty's Government,
- (b) The amount obtained from Natural Disaster Central Aid Fund,
- (c) The amount obtained from other sources.

14. Accounts and Audit

- (1) The account of the articles, goods and commodities and cash amount obtained and expended by the Central Committee, Regional Committee, District Committee and Local Committee shall be maintained in accordance with the prevalent law and the description of such income and expenditure shall have to be published after the completion of audit for the knowledge of the general public.
- (2) The audit of the amount expended by the Central Committee, Regional Committee, District Committee and Local Committee shall be done by the Department of Accounts and Audit or by any registered auditor specified by the said department.
- (3) His Majesty's Government can anytime audit or cause to be audited the documents relating to the accounts of the fund along with other cash and kind.

15. Exemption

The central committee may recommend to His Majesty's Government for the exemption of the relief commodities resources and cash amount expended from government office or organization on relief works and if recommended as such, His Majesty's Government may exempt in accordance with the prevalent law.

16. Fine and Punishment

There shall be imprisonment up to three months or fine up to one thousand rupees or both against those violating the orders pursuant to Section 4.

17. Authority to hear the case

The authority to initiate proceedings and give decisions on defaults punishable under this Act shall be vested on the Special Court upon publishing the notice in Nepal gazette by His Majesty's Government.

18. His Majesty's Government shall be the plaintiff

His Majesty's Government shall be the plaintiff in the legal proceedings under this Act.

19. His Majesty's Government may give directives

His Majesty's Government may give necessary directions in relation with natural Disaster Relief works to the Central Committee, Regional Committee, District Committee, and Local Committee and to any related organization, association, office, office bearer or person and it shall be obligatory upon the concerned agency, office bearer or person to abide by such directions.

20. Delegation of Right

- (1) His Majesty's Government may delegate some or any of the rights vested on it pursuant to this Act to any office bearer or committee or person or organization by publishing it in the Nepal Gazette.
- (2) The Central Committee may delegate some of the rights vested on it pursuant to this Act to any committee or person or organization.

21. Right to make rules

His Majesty's Government may make necessary rules to execute the purpose of this Act.

22. Remedy

All that is covered by this Act shall be in accordance with this Act and the rest shall be in accordance with the prevalent law.