



Disaster Management In Kashmir: Analysing The Legal Framework, Policy Paradigms And Strategic Resilience.

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Abstract:

There is no place on earth that is immune from disasters. No earthly wisdom, however towering that might be, can stop disasters. Environmental fragility and vulnerabilities make countries prone to disasters. Disasters involve widespread human, material, economic, or environmental impacts, which exceed the ability of the affected communities to cope using their resources. In whatever form, disasters take a serious toll on communities by disrupting them and often stretching beyond the community's capacity to cope.

In order to combat the rising incidents of disasters, disaster management has now become a crucial part of governance policy. Disaster management is not an ephemeral approach for the passing hour. Instead, it establishes fundamental principles for a growing future, designed to last for generations to come. It is a well-known saying that "It is not the disaster, but the lack of preparedness for disaster that kills". This statement underscores the extensive reach of disaster management. Disaster management refers to coordinated multi-agency responses to reduce the impact of disasters. It includes effectively preparing for and responding to disasters by strategically organising resources to lessen their harm and impact. It also involves a systematic approach to managing the responsibilities of disaster prevention, preparedness, response, and recovery. Therefore, not all disasters can be prevented, but the gravity of injury can surely be mitigated with sound action plans and preparedness, which form the cardinal part of disaster management for achieving a disaster-resilient community.

Keywords: Disasters, Environmental fragility, Greenhouse emissions, environment, Disaster Management.

1. Disaster Management :

Disasters are serious disruptions to the functioning of a community that exceeds its capacity to cope using its resources¹. Disasters are the result of reckless anthropogenic activities without taking into account the fragile ecosystem. These disasters take many shapes and disrupt the daily lives of the communities. Generally, disasters are classified as **human-induced disasters** and **Natural Disasters**. Human-induced or Man-made disasters are a consequence of human error and include industrial explosions or structure failures chemical spills, bioterrorism or now a days even cyber-attack is also regarded as many made disasters. Bhopal Gas Tragedy, collapse of hoardings on roads are some examples of the man made disaster or human induced disaster. Natural disasters are the naturally occurring physical phenomena of earth , thus having no human interventions . Catastrophes like earthquakes, Tsunamis and volcanic eruptions and cyclones etc are some examples of natural disasters. Other categories of disasters include **Pandemic emergencies and complex emergencies**. Pandemic emergencies involves a sudden outbreak of contagious disease that affects health with socio- economic costs. COVID Pandemic is a suitable example of it. Complex emergencies means the breakdown of law and order like war or armed conflicts. Looting, arsoning , attacks on strategic installation are examples of complex emergencies.

The gravity of damages caused by these disasters provide an image where the governance policy and legislative framework lack. It is worth mentioning that one of the chief issues that disasters showcase is the importance of disaster management . Disaster Management is a comprehensive approach that involves the process of effectively preparing for and responding to disasters by strategically organising resources to lessen the harm caused by disasters. It involves examining the causal factors and assessing the extent to which the communities can retaliate against a disaster.

Disaster Management Act defines disaster management As “A continuous and integrated process of planning, organising, coordinating and implementing measures which are necessary or expedient” for the following:

- Prevention of danger or threat of any disaster.
- Mitigation or reduction of risk of any disaster or its severity or consequences.
- Capacity-building.
- Preparedness to deal with any disaster.
- Prompt response to any threatening disaster situation or disaster.
- Assessing the severity or magnitude of effects of any disaster.
- Evacuation, rescue, and relief.
- Rehabilitation and reconstruction²

¹ “What Is a Disaster?” (IFRC) <https://www.ifrc.org/our-work/disasters-climate-and-crises/what-disaster> accessed April 3, 2025

² Disaster Management Act, 2005

The International Federation of Red Cross & Red Crescent Societies defines Disaster Management as the organisation and management of resources and responsibilities for dealing with all the humanitarian aspects of emergencies, in particular preparedness, response and recovery to lessen the impact of disasters.³

It thus means that disaster management is a holistic approach to dealing with disasters and their impacts on daily lives. Disaster management is how we deal with the human, material, economic or environmental impacts of said disaster, it is the process of how we “prepare for, respond to and learn from the effects of major failures”⁴. Meaning thereby disaster management is a proactive approach whereby the communities that are vulnerable to disasters are prepared, educated in anticipation so as to deal with any type of disaster, with a view to lessen the severity of harm that may happen to the communities. In addition to this, disaster management also plays a key role in rehabilitation of the affected communities by evacuating them to a safer place and providing them the essential services that have been disrupted by the disasters.

The first and foremost priority of every Disaster Management plan is the safety of human life and property. Disaster Management does not follow immediately after the occurrence but its measures are taken in advance so that greater harm can be prevented. Disaster Management firstly prevents the happening of disaster by ensuring disaster resilient infrastructure and in case there is apprehension it also prepares the communities to combat the emergent situations. Even after disaster hits the communities, disaster management still through coordinated and conjoined efforts ensures recovery and rehabilitation of the affected communities. Thus, showcasing the systematic and strategic approach of disaster management in ratifying their main objective, which is to lessen the harm and advancing the remedy.

It thus can be said that although disasters can't be prevented with coordinated and conjoined support from both the government and the public, the risk of higher damages can be prevented. It is because the vulnerabilities of affected communities often exceed the community's capacity to cope and thus continue for a longer period of time after the initial crisis is over.

2. Universal Postulates of Disaster Management:

Following are key and general principles of disaster management and these principles are universally recognised for Disaster Management:

³ International Federation of Red cross and Red Crescent societies. What is a Disaster .

⁴ Elliott D. Disaster and Crisis Management. In The Handbook of Security 2014 (pp. 813-836). Palgrave Macmillan UK.

Prevention: Preventive efforts aim to reduce the potential damage and suffering that disasters cause. It is a well-settled axiom that alerts today – alive tomorrow. This means that disaster management can't prevent the happening of a disaster, but it can prevent it from being too disastrous and highly damaging. Prevention will reduce the higher chances of damages and will also help the communities to combat manageable risks, this eliminating the severity of disasters.

United Nations International Strategy for Disaster Reduction (UNISDR) opines that “Disaster Prevention as the concept of engaging in activities which intend to prevent or avoid potential adverse impacts through action taken in advance, activities designed to provide protection from the occurrence of disasters”.⁵

Mitigation : Mitigation refers to the actions that can lessen the severity and gravity of disaster's impact. Mitigating efforts are aimed at minimize the harm to human life and property. Mitigation this is long term , strategic approach that either prevents or reduces the harm inflicted by disasters.

Mitigation involves both structural as well as non structural measures. Structural measures refers to any physical construction to reduce or avoid possible impacts of disasters or even includes the application of engineering techniques or technology to achieve disaster resilience in structures. Non-structural measures are measures particularly are ensured through policies and laws, raising public awareness, training, and educating the public.

Preparedness: Well coordinated response to disasters requires prior planning. Preparedness forms the crucial part of disaster management by reducing the harm inflicted by disasters. This helps to ensure fast and effective response to disasters.

According to International Committee of Red Cross, Disaster Preparedness refers to measures taken to prepare for and reduce the effects of disasters, be they natural or man-made. This is achieved through research and planning in order to try to predict areas or regions that may be at risk of disaster and where possible prevent these from occurring and/or reduce the impact those disasters on the vulnerable populations that may be affected so they can effectively cope. Disaster preparedness activities embedded with risk reduction measures can prevent disaster situations and also result in saving maximum lives and livelihoods during any disaster situation, enabling the affected population to get back to normalcy within a short time period .⁶

Response : During and immediately after disaster, disaster management aims at delivering help that can save lives and property of communities . Disaster Response refers to the immediate actions taken to address the challenges that a disaster comes up with. The priority of every disaster management plan is the safety of human life and property. It involves a wide range of actions like issuing warnings, establishing control rooms , evacuation, relocation, medical aid, other basic and necessary facilities to the victims.

⁵ United Nations International Strategy for Disaster Reduction .

⁶ International Committee of Red Cross .

United Nations office for Disaster Risk Reduction (UNDRR) views that a Disaster Response means “Actions taken directly before, during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected”.⁷

Recovery : Following the initial response, efforts to be made for providing support to the communities to rebuild their lives physically , emotionally and financially. Recovery forms the cardinal part of disaster management policy. It is because at the end of the day, the victims and their life is shattered by the occurrence of disasters. Recovery aims at restoring the affected communities back to their original life . It involves rehabilitation, reconstruction, restoring social, emotional and economic well being of the affected communities.

All these principles forms the cardinal part of disaster management. These principles are adopted irrespective of the place of occurrence of disasters. No matter whether the disaster has taken place or whether there is just apprehension of it, these key principles play a seminal role in shaping the policies and strategies concerning disaster management and ensuring disaster resilience. From Prevention to Recovery, these principles aim at ensuring safety of human life and property.

Not only this, these principles also highlight the importance of coordination in times of emergencies, as disasters ruin the lives of affected communities by robbing them of their entitlements. As rightly said by , Each of us as human beings has a responsibility to reach out to help our brothers and sisters affected by disasters. One day it may be us or our loved ones needing someone to reach out and help.”⁸

3. Disaster Management in Kashmir:

The distinctive topography of Himalayan-clad Kashmir makes it no exception to disasters. These disasters range from earthquakes, floods, cloudbursts, intense rains, snow avalanches, landslides, and increasing erratic climate patterns. These calamitous situations are an immediate response to reckless development, unchecked vandalism, and destruction of natural resources, and more importantly, the intensification of anthropogenic activities like urbanisation, technological advancement, agricultural expansion, and industrialization. Over the years, the Valley of Kashmir has witnessed a wide range of disasters and due to the increased influx of anthropogenic activities, these disasters have now become rampant. The increasing rush from the plains to the mountains has further aggravated environmental Problems, such as damage to the fragile hill ecosystem, thus resulting in the melting of glaciers at an alarming rate especially the Kolhoi Glacier.

The Valley of Kashmir have been classified under seismic Zone v, and thus, the high risk of floods, avalanches , landslides , snow storms and high-velocity winds make it a hazard-prone region. In recent

⁷ United Nations Office for Disaster Risk Reduction (UNDRR). 2017. The Sendai Framework Terminology on Disaster Risk Reduction. “Response”. Accessed 13 March 2025.

⁸ Michael W. Hawkins, American Red Cross

years, the Valley of Kashmir has faced several calamitous disasters that are mainly attributed to its fragile ecosystem and intensive climate change, but some of them were the most dreadful ones including :

➤ **Devastating Snowstorm 2005:**

On February 18, 2005, a snowstorm in the villages of Waltengu Nad, Pachgam and Nigeenpora in south Kashmir claimed more than 175 lives (54 men, 48 women, and 73 children) and caused huge damage to the property of the area⁹. These villages are around 20 km away from Kulgam town and are housed at the foothills of the Pir Panjal range.

Additionally, 183 sheep/goats, 308 cows, 54 buffaloes, and 5 horses also perished. Lack of disaster preparedness was one of the major reasons why the rescue and relief operations took so many days to reach the spot. However, it also exposed the inadequacies in disaster preparedness in the Kashmir valley during winters.¹⁰

➤ **Destructive earthquake of 2005 :**

In October 2005, one of the deadliest earthquakes of 7.6 magnitude, hit the Valley, killing around 1,350 people and injuring around 6,266, while 79,000 people died in Pakistan-administered Kashmir¹¹. The earthquake epicentre was located approximately 9 km northeast of the city of Muzaffarabad, the capital of the Pakistani-administered part of Kashmir.

It was estimated that more than 780,000 buildings were either destroyed or damaged beyond repair, and many more were rendered unusable for an extended period. Approximately 17,000 school buildings and most major hospitals close to the epicentre were destroyed or severely damaged.¹²

➤ **Ruinous floods of 2014:**

The famous floods of September 2014, claimed over 460 lives and caused damage to the huge property, businesses and government infrastructure worth billions of dollars. Flooding in Kashmir in 2014, resulted in huge losses and was mainly attributed to haphazard developments in the valley alongside the erstwhile flood basins¹³.

⁹ "J&K: 60 People Feared Trapped in Snow" *Hindustan Times* (January 18, 2013) <<https://www.hindustantimes.com/india/j-k-60-people-feared-trapped-in-snow/story-wr7c2CPzgwrw5q1suC7s8O.html>> accessed April 3, 2025

¹⁰ Dar ZA, "Disaster Management Strategies in Kashmir amid Growing Natural Calamities" (JK Policy Institute, February 21, 2024) <https://www.jkpi.org/disaster-management-strategies-in-kashmir-amid-growing-natural-calamities/> accessed April 3, 2025

¹¹ Int J Health Sci (Qassim). 2010 Jan;4(1):59–67.

¹² <<https://reliefweb.int/report/pakistan/kashmir-earthquake-october-8-2005-impacts-pakistan>> accessed April 3, 2025

¹³ Burke J and Boone J, "Kashmir Monsoon Floods Leave 460 Dead and Displace Almost a Million" *The Guardian* (September 11, 2014) <<https://www.theguardian.com/world/2014/sep/11/kashmir-monsoon-floods-million-displace-pakistan-india-aid>> accessed April 3, 2025

The floods directly affected more than 2,600 villages in the state and submerged 30 per cent of the urban areas. Out of the 2,600 villages, almost 400 villages were completely submerged and 2,225 partially submerged with more than 300 villages completely cut off (inaccessible). In the urban areas, the water levels rose up to 20 feet whereas many villages were cut off due to the destruction of the only bridges and roads leading into these villages.¹⁴

Disaster Management in Kashmir has been the key focus of the rising incidents of disasters. These rising incidents highlight the importance of coordinated response keeping in view the unique kind of challenges posed by them. However, the Disaster Management policy remains the same. In normal situations or where there is a likelihood of disaster, the government, along with many institutional agencies, prepares for the disaster in advance. This can be done with the help of State Disaster Relief teams and other non-governmental organisations wherein the communities vulnerable to disasters are educated about the disasters, dos and don'ts through various awareness programmes and camps. Such actions by government tend to prove fruitful for people and ensuring their safety in emergent situations. The second step of disaster management in Kashmir involves the response. When the actual disaster hits the place, immediately the state disaster relief teams will reach to the affected places and ensure the safety of human life and property. This involves the evacuation, relocation, aid, basic facilities to the affected communities. This phase is based on the premise that life is a top priority. Afterwards, the Government ensures the proper rehabilitation and reconstruction of the affected communities by providing aids, reliefs, shelter homes and other incentives so that the affected communities can recuperate from the dreadful experiences of disaster. The rehabilitation programs include the medical aid, financial reliefs and other remedies. However it is pertinent to mention that this type of policy framework is now outdated and needs to be blended with scientific technological engagements.

Thus it can be said that the disaster The management policy of Kashmir, although with changing times, is modified and kept in pace with rising incidents, it still requires a comprehensive, coordinated response and adopting global practices. Giving the green flag to globally accepted disaster management models may enhance the preparedness and response approach. Further, the disaster-resilient infrastructure, acceptance of scientific technologies, and engagement of stakeholders and communities can reduce the greater harm.

4. Disaster Management and Judicial Interpretation:

The Courts of the Country, especially the Supreme Court of India, from time to time through judicial activism, have played a crucial role in shaping the policies around disaster management. The proactive role played by the courts has resulted in not only filling up the legislative vacuum but also safeguarding the interests of communities who have been affected by the disasters.

¹⁴ International Journal of Advance Research Ideas and Innovation in Technology, ISSN: 2454-132X (Vol 3 Issue 6)

Supreme Court of India rightly enlisted the scope and subject matter of Disaster Management in the case of **N.D. Jayal and Anr. Vs. Union of India and Ors** and it opined, “Disaster Management means all aspects of planning, coordinating and implementing all measures which are necessary or desirable to prevent, minimize, overcome or to stop the spread of a disaster upon the people or any property and includes all stages of rescue and immediate relief. It is a proven fact that lot of human suffering and misery from large number of disasters can be mitigated by taking timely actions, planning and preventive measures. It is possible only through well functioning disaster management framework. This will enable us to minimize, control and limit the effects of disaster and will streamline the disaster management exercises. Our present relief centred re-active approach after the striking of disaster need to be changed into preparedness oriented pro-active attitude. This is the aim of pre-disaster preparations. Disaster Management Plans has to play an integral role in this exercise. They are blue prints for the management of disasters. The Disaster Management Plans should contain the aspects of disaster prevention and of ways for its management in the untoward occurrence of a disaster. A proper plan will place the disaster management exercise on a more firm foundation. Disaster Management activities should be integrated with the developmental activities. Incidentally, this is also the resolve of the Yokohama Strategy of the United Nations International Decade of Natural Disaster Reduction, to which India is a party. There is an affirmative obligation on the part of the State to preserve and protect human life and property. This obligation is an integral element in fulfilling developmental endeavours. Therefore, disaster management cannot be separated from sustainable development”.¹⁵

Furthermore, in **Vasundhara Pathak Masoodi vs Union Of India** ¹⁶, the Supreme Court while hearing the writ petition relating to the 2014 floods in Kashmir . The Petition noted that "Eight districts namely; Kulgam, Anantnag, Shopian, Pulwama, Ganderbal, Baramulla, Budgam and Srinagar have been gravely affected by the floods". The Apex Court headed by the Bench comprising of the **Chief Justice R.M Lodha** said "It needs no emphasis from us that a calamity and disaster as huge as this deserves national response so that immediate relief is made available to the victims of floods." . Court further stressed upon that “the Government of India may also consider forming a Unified Agency for proper co-ordination of rescue, relief and rehabilitation operations. It goes without saying that supply of food, drinking water, medicines, fuel and other essential supplies deserve top-most priority and so also the restoration of communication and provision for health-care facilities. After all, lives of people who are affected by such disaster have to be saved.”¹⁷

Recently , the **Kerala High Court in M/s Elstone Tea Estates Ltd. V State of Kerala And Connected Case**, again highlighted the efficacy of effective disaster management during wayanad Landslides in July , 2024 . Court said , “ The present proceedings were initiated by the Government in the aftermath of a disaster which warranted immediate measures of the rehabilitation of the homeless. The State is not

¹⁵ N.D. Jayal and Anr. Vs. Union of India and Ors AIR 2004 SC 867

¹⁶ Vasundhara Pathak Masoori Vs Union of India Writ Petition(s)(Civil) No(s). 826/2014

¹⁷ Vasundhara Pathak Masoodi Vs Union of India Writ Petition(s)(Civil) No(s). 826/2014

expected to take recourse to any time-consuming process in such an extraordinary circumstance. Extraordinary times call for extraordinary measures. Public interest has to prevail over the private interest of the petitioners in such circumstances.”¹⁸

It thus can be said that Disaster Management has a broad scope and is a potential tool in prevention, preparation, response and recovery as to disasters. The effectiveness of Disaster Management has been acknowledged at international level by United Nations Sustainable Development goals as well. The Sustainable Development Goal (SDG) 11.5 aims to reduce the negative effects of natural disasters. Not only these Goals, Legislative frameworks like The Yokohama Strategy and Plan of Action for a Safer World (1994) is the first major international framework for disaster risk reduction. Global agreements like the International Disaster Response Law (IDRL), the International Strategy for Disaster Reduction (ISDR), The Hyogo Framework For Action (HFA), and the Sendai Framework .The main focus of these agreements was to substantially reduce disaster losses in lives and in the social, economic, and environmental assets of communities and countries. Thus, upheaving the effectiveness of Disaster Management.

5. Legislative framework:

The erstwhile State of Jammu and Kashmir was among the first states of the Union of India to have enacted legislation for natural calamities. The Jammu & Kashmir Natural Calamities Destroyed Areas Improvement Act of 1955 was passed by the Government of Jammu and Kashmir to improve the towns, villages, and other areas of the State devastated by natural disasters. However, not much was accomplished despite the availability of the Act. In 2005, a comprehensive law was passed by the Government of India. The National Disaster Management Act ¹⁹was passed in 2005 in response to the Gujarat earthquake (2001) and the Tsunami that hit India's coastal areas (2004). The very legislation is a comprehensive law with application throughout the Country concerning Disaster Management in India. The very Act is equally important for the Valley of Kashmir.

Under the Act, the **National Disaster Management Authority (NDMA)** is established and empowered as the apex nodal body for disaster management in India. The National Disaster Management Authority is headed by the Prime Minister of India as the chairperson and will comprise members not more than nine including a Vice-Chairperson. All the members will have a tenure of five years. The main task of the NDMA is to lay down the policies, plans and guidelines for disaster management to ensure an effective response in the event of any disaster.

The very Act empowers the Central Government to create a **National Executive Committee (NEC)** to assist the National Disaster Management Authority. The Very Committee consists of Secretary level officers of the government in the Home, Health, Power, Finance and Agricultural Ministries. The

¹⁸ M/s Elstone Tea Estates Ltd. v State of Kerala And Connected Case 2024 LiveLaw (Ker) 825

¹⁹ “DM Act 2005” (NDMA, GoI) https://ndma.gov.in/Reference_Material/DMAAct2005 accessed April 3, 2025.

Committee is responsible for the preparation of the National Disaster Management Plan for the whole country and to ensure that it being reviewed and updated annually.

The Act also mandates the creation of an enabling environment for institutional mechanisms at the state and district levels, thus strengthening disaster management at the grassroots level. At State level , **The State Disaster Management Authority (SDMA)** is responsible and empowered for drawing the disaster plan for respective state. It consists of the Chief Minister who is the chairperson and 8 members appointed by the Chief Minister. Section 28 of the Act mandates that all the departments of the State prepare disaster management plans in accordance with the prescribed rules by the National and State Disaster authority at the District level, the **District Disaster Management Authority** is to be headed by the Collector or District Magistrate or Deputy Commissioner of the district.

In addition to this , under Section 44 of the Disaster Management Act, a special task force, **The National Disaster Response Force** is equipped with responding to different calamitous disasters or a situation posing threat of the same. The NDRF team is led by a Director-General appointed by the Central Government. In Kashmir, the NDRF has played crucial role in rescuing people, evacuating them from disaster hit areas to safer places . The key role played by NDRF is worth to be mentioned especially during the events in the past such as the Kashmir floods of 2014 .

In 2024 , the Lok Sabha in order to keep pace with changing times passed The Disaster Management (Amendment) Bill, 2024 for further strengthening and improving the Disaster Management system in India. The new Bill aims to strengthen the Disaster Management at grass root level by establishing new entities like Urban Disaster Management Authority (UDMA) for cities within municipal limits . It also establishes State Disaster Response Force (SDRF) for quick and immediate local response to disasters . Further, it gives legal status to existing National Crisis Management Committee and High-Level Committee . The Bill also aims at introduction of systematic review cycles being revised every 3 years and updated every 5 years .²⁰

Although the Amendment Bill of 2024, aimed at strengthening the disaster resilience but the very Bill has been criticised for being too centralized in approach. It is said that the very Bill only establishes authorities and leads to a wide range of procedural technicalities , thus hampering the immediate and integrated response to disasters. Furthermore, the Bill was criticised for insufficiency of funds, thereby marking a breach of the legislative intent of the Act. It is also said that the Bill does not expand the definition of “Disaster” , hence excluding emerging climatic change-induced disasters.

6. Disaster Management and COVID- 19 Pandemic:

²⁰ “The Disaster Management (Amendment) Bill, 2024” (*PRS Legislative Research*) <<https://prsindia.org/billtrack/the-disaster-management-amendment-bill-2024>> accessed April 3, 2025.

Recently, in 2020, COVID – 19 Pandemic hit the countries all over the world and India was no exception to it. During the Pandemic, the Government invoked the Disaster Management Act, 2005 because the very Pandemic was seen as a biological disaster, which also comes within the purview of the very Act. Strict measures like lockdown, restrictions on the movement were imposed by the Government in March, 2020. Apart from this ex- gratia assistance was also provided to the families of the victims who lost their lives during the Pandemic. The Supreme Court of India in **Reepak Kansal vs Union of India** held that Section 12 of the Disaster Management Act (DMA) 2005, read in conjunction with Article 21 of the Constitution, imposes both a statutory and constitutional obligation on the Central and State Governments to provide ex gratia assistance to the families of those who lost their lives due to COVID-19. The court held that the word “shall” in Section 12 indicates a mandatory duty on the part of the government to recommend guidelines for providing such assistance.

The Court emphasized that the right to life under Article 21 of the Constitution includes the right to dignity, which extends to the next of kin of deceased persons. The court held that the failure to provide ex gratia assistance would violate the right to life as it would deprive the affected families of essential sustenance.²¹

7. Policy Paradigms and Strategies Concerning Disaster Management in Kashmir:

Over the years, there has been a paradigm shift from relief centric approach while combating a disastrous situation to a proactive approach. The Central Government and the Regional Government from time to time explore and formulate policies and strategies in order to ensure preparedness and mitigate the harm caused by any disastrous incident. In the region of Kashmir, government and local organisations, and other stakeholders play a key role in shaping the policies and strategies concerning disaster management.

One of the chief Strategies used by Government in Kashmir, is the public preparedness. Government from time to time takes initiatives, conducts awareness programmes for public so that in the event of any emergent situation they can protect themselves from the catastrophic situations.

After the ruinous floods of 2014 that highlighted the various lacunae in the Disaster resilience in terms of infrastructure and other aspects, the Government drafted the Master Plan so as to prevent further losses in future. The revised ‘Master Plan till 2035’ has for the first time, included a comprehensive disaster mitigation and management plan for Srinagar city and other parts of Kashmir. The revised master plan envisages the rehabilitation and resettlement of thousands of families living within designated flood basins, rather than constructing the 82 kilometre Flood Spill Channel. The master plan also proposes comprehensive watershed mapping of the Jhelum river’s major tributaries, as well as forest regeneration and slope stabilisation for the retention of rainwater in its upper reaches. The plan proposes the construction of check-dams, reservoirs and diverting canals for mitigating the impacts of floods, the

²¹ Reepak Kansal vs Union of India (2021)9 SCC 251

revival of water bodies for increasing their absorption capacity and reconnecting disconnected water bodies.²²

Not only this, the Government also conducts various training camps and workshops so as to train the local police during emergent situations. Drills, training courses, and community involvement projects enhance response and awareness. Trained rescue teams equipped with specialized gear and equipment are deployed to conduct search and rescue operations in the event of avalanches or other emergencies. In 2015, The Jammu & Kashmir Armed Police invited the Disaster Management Task Force of the Sri Sathya Sai Seva Organisations (India) to conduct a two-day Emergency Response and Disaster Management Training Workshop at Armed Police headquarters in Zewan, Srinagar, Kashmir.²³

The mountainous regions of Kashmir make it prone to snow avalanches, posing a threat to life. In that regard, the High Altitude Warfare School (HAWS)²⁴ in Gulmarg, which was established in 1948, plays a crucial role in avalanche forecasting and mitigation in the avalanche-prone areas of Kashmir. In addition to this, Temporary shelters are established in vulnerable areas to provide immediate refuge to individuals affected by severe weather conditions. Additionally, relief supplies such as food, blankets, and medical aid are distributed to affected communities during emergencies.

In 2017, the State Government notified vide SRO No. 218, dated: 22.5.2017 formulated a State Disaster Management Plan which was developed by the Tata Institute of Social Sciences, Mumbai. The 2019 Disaster Management Plan focussed on prevention, capacity building, land use planning, safety audit, structural mitigation strategies, adaption of new technologies, more stringent techno-legal regimes, early warning etc. Furthermore, the Government agencies, non-governmental organizations (NGOs), and international partners collaborate closely to coordinate disaster response efforts.

In September 2021, Government of Jammu and Kashmir recently commissioned two consultancy assignments to increase the disaster resilience of Jammu and Kashmir. The first assignment, the Multi-Hazard Risk Assessment (MHRA) project, recently carried out elaborate hazard and risk estimations for J&K. The applications are called DRDB (Digital Risk Database) and IOFS (Integrated Operational Forecasting System). The second assignment involves the commissioning of a Decision Support System (DSS). DSS for emergency response will be hosted at the State Emergency Operation Centre (SEOC) and

²² <<https://sdasrinagar.jk.gov.in/planning/MasterPlan>> accessed April 3, 2025.

²³ "Disaster Management Training for Jammu & Kashmir Police Force"
<https://archive.sssmediacentre.org/journals/vol_13/01APR15/Disaster-Management/index.html> accessed April 3, 2025.

²⁴Contributors to Wikimedia projects, "High Altitude Warfare School" (*Wikipedia*, October 11, 2024)
<https://en.m.wikipedia.org/wiki/High_Altitude_Warfare_School> accessed April 3, 2025.

the District Emergency Operation Centres (DEOCs) for efficient coordination during emergency scenarios, hazard monitoring, preparedness and mitigation planning, and damage assessment²⁵.

In all cases, technology plays the key role and is among the most significant disaster strategies used by the Government. Radio, Television, Social media and other service providers are useful in dissemination of information with regard to disasters. A number of new mobile Applications such as Damini, Mausam, Meghdoot etc. have been developed for timely dissemination of early warnings and alerts to the common people / farmers²⁶. Single Distress Number for all emergencies across the country “Extension of ERSS” with existing single number “112”, has been implemented, to cater for emergency call related to disasters.

The Central Government’s initiatives like Aapda Mitra Scheme sanctioned in March 2021, with an outlay of Rs 369.41 crores to train one lakh community volunteers in 350 multi disaster prone districts covering all states and union territories is worth to be mentioned as effective policy for disaster resilience. As of 2024, more than 97,000 Aapda Mitras or volunteers have been trained.

Furthermore, avalanche forecasting and monitoring, snow removal and road maintenance, emergency shelter and relief distribution, public awareness and communication campaigns, search and rescue operations and cooperation with disaster response organizations are a few instances of winter disaster management strategies used in Kashmir by the Government to mitigate the harm caused by disasters and improve the living conditions of communities affected by them.

Conclusion and the way forward:

To conclude it can be said that disasters interrupt essential services like food, water, health care, electricity, transportation and communication. Such interruptions can deeply affect the social, economic and health of the communities affected by them. If no timely response is made, it will hurt the aggrieved communities by subjecting them to further vulnerabilities. In this regard, Disaster Management forms the cardinal part of public policy. Disaster Management can be seen as a potential tool to combat the harshness of the disasters upon human life. It is pertinent to mention that disaster management does not only include saving the people but it encompasses a wide range of aspects like recovery, rebuilding the infrastructure, health care facilities, rehabilitation of the victims of the disasters and providing a helping hand to aggrieved communities who are in need.

Keeping in view the rising incidents of disasters in Kashmir, The Disaster Management policy of Kashmir needs to be reviewed and revisited by the Government so that the vulnerabilities of communities to

²⁵ Saqib Malik, “Government Initiates Project to Increase Disaster Resilience of J&K, Ladakh” (*Greater Kashmir*, September 18, 2021) <<https://www.greaterkashmir.com/amp/story/todays-paper/front-page/government-initiates-project-to-increase-disaster-resilience-of-jk-ladakh>> accessed April 3, 2025.

²⁶ “INNOVATIVE METHODS TO SAVE PEOPLE FROM DISASTERS”
<https://pib.gov.in/PressReleaseFramePage.aspx?PRID=2110352> accessed April 3, 2025.

disasters can be prevented. The key focus should be on awareness and prevention. Awareness plays a key role in disaster resilience and facilities should be provided by the government in doing so. The government should take the initiative along with other organisations and ensure public involvement in these matters. The Government should devise such mechanisms that ensure not only the safety of human life and property but also ensure disaster resilience among communities. In this regard, disaster-resilient infrastructure becomes the need of the hour. The government should ensure that at least community-based institutions like hospitals, educational institutions, community centres, etc, are disaster resilient. Measures like the use of building codes, prioritising the vulnerable areas, building concrete floodwalls across the flood-prone areas and relocation of infrastructure in disaster-prone areas etc will help in mitigating the potential harm that the disasters cause. In addition to this,

Further, The disaster management policy should be inclusive of both animals and also the safeguard of the environment. As disasters take a toll equally on animals and the environment in general. The Government should adopt such measures that reduce the harm and advance the remedy. Active use of scientific technologies, well-equipped institutions and trained and experienced human machinery can help in achieving disaster resilience. All this should be blended with development in terms of human sources and practices. Although the adoption of new technologies does not have a complete success rate of wiping out disasters, it can be immensely useful in preventing similar destructions and calamitous situations in future.

