

The Disaster Management (Notice of Alleged Offence) Rules, 2007

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The Disaster Management (Notice of Alleged Offence) Rules, 2007¹

In exercise of the powers conferred by clause (g) of sub-section (2) read with sub-section (1) of Section 75 of the Disaster Management Act, 2005 (53 of 2005), the Central Government hereby makes the following rules, namely—

1. Short title and commencement.—(1) These rules may be called the Disaster Management (Notice of Alleged Offence) Rules, 2007.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Disaster Management Act, 2005 (53 of 2005);
- (b) “District Authority” means the District Disaster Management Authority constituted under sub-section (1) of Section 25 of the Act;
- (c) “National Authority” means the National Disaster Management Authority established under Section 3 of the Act;
- (d) “State Authority” means the State Disaster Management Authority established under sub-section (1) of Section 14 of the Act and includes the Disaster Management Authority for the Union Territory constituted under that section;

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Notice of alleged offence and intention to make a complaint.—A notice under clause (b) of Section 60 of the Act by a person, of the alleged offence and his intention to make a complaint shall be delivered to, or left at, the office of one of the following—

- (a) in the case of the Central Government, except where the complaint relates to a railway, the Secretary incharge of the concerned Ministry or the Department in that Government;
- (b) in the case of the Central Government where the complaint relates to a railway, the General Manager of that railway;
- (c) in the case of State Government the Secretary incharge of the concerned Department in that Government;
- (d) in the case of the National Authority the Secretary or, if there is no Secretary, the Additional Secretary of the National Authority;
- (e) in the case of a State Authority, the Chief Executive Officer of the State Authority;

1. Ministry of Home Affairs, Noti. No. G.S.R. 544(E), dated August 10, 2007, published in the Gazette of India, Extra., Part II, Section 3(i), dated 13th August, 2007, p. 2, No. 370.

- (f) in the case of a District Authority, the Chief Executive Officer of the State Authority;

4. Particulars to be furnished along with notice.—The notice referred to in Rule 3 shall contain the following information, namely—

- (a) name and address including telephone number, if any, of the person giving the notice of his intention to make the complaint of an alleged offence;
- (b) name and address including telephone number, if any, of the person against whom the complaint is intended to be made;
- (c) statement of complaint describing the alleged offence;
- (d) statement indicating therein that no notice of the alleged offence and his intention to make a complaint has been delivered to, or left at, the office of any other Government Authority.
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