VOLUME 8

Allied Acts, Rules & Administration

Municipal Act · Lokayukta · Merged States · village offices abolition · societies · irrigation · disaster response

08

COMPILED BY

Upendra Luha, OAS

odisharevenuelaws.com

Edition · November 2026

No. GAD-LK-LOK-0002-2019 22045/Gen.,

Government of Odisha
General Administration & Public Grievance Department
*****

NOTIFICATION

Bhubaneswar, dated the 1st October, 2020

In exercise of the powers conferred by section 57 read with clause (d) of sub-section (1) of section 2 of the Odisha Lokayukta Act, 2014 (Odisha Act 12 of 2018) and in supersession of all rules issued in this regard under the Odisha Lokpal and Lokayuktas Act, 1995 (Odisha Act 8 of 1995) so repealed, except as respects things done or omitted to have been done before such supersession, the State Government do hereby make the following rules, namely: —

1. **Short title and commencement.**— (1) These rules may be called the Odisha Lokayukta (Procedure of filing of Complaint) Rules, 2020.

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

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

(a) "Act" means the Odisha Lokayukta Act, 2014 (Odisha Act 12 of 2018);

(b) "complainant" means any person who files a complaint under clause (d) of sub-section (1) of section 2;

(c) "form" means a Form appended to these rules;

(d) "offence" means an offence punishable under the Prevention of Corruption Act, 1988 (49 of 1988); and

(e) "section" means a section of the Act.

(2) All other words and expressions used but not defined in these rules shall have the meanings, respectively, assigned to them in the Act.

3. Form and manner of complaint. - (1) For the purposes of clause *(d)* of sub-section (1) of section 2 of the Act, a complaint shall be filed in Form-A.

(2) A complaint shall be filed in any of the following manner, namely: –

(i) electronically, in the manner, as laid down by the Lokayukta; or

(ii) by post; or

(iii) in person:

Provided that where the complaint is filed electronically, the hard copy thereof shall be required to be submitted to the Lokayukta within a period of fifteen days from the date of filing:

Provided further that the Lokayukta shall not keep the said complaint, received electronically, as pending, if the same is complete in all respects.

(3) A complaint shall contain the details of allegations about commission of an offence by the public servant.

(4) Every complaint under the Act shall be made to the Lokayukta in Odia or English language.

(5) The following documents shall be appended to the complaint, namely: –

(a) copy of the identity proof as specified in the form of complaint;

(b) registration or incorporation certificate of the organisation, on whose behalf the complaint is being made, if it is a board, body, corporation, company, limited liability partnership, authority, society, association of persons or trust;

(c) copy of authorization certificate in favour of the signatory if the complaint is being made on behalf of the board, body,

corporation, company, limited liability partnership, authority, society, association of persons or trust;

(d) an Affidavit in the form as specified in the Part D of Form A; and

(e) duly signed detailed statement making out the allegation.

(6) The complaint filed against a public servant referred to in clauses (a), (b) and (c) of sub-section (1) of section 14 of the Act shall be decided by the bench as referred to in sub-section (3) of section 20 of the Act, in the first instance, at the admission stage.

(7) The Lokayukta may seek such other information and affidavit relating to a complaint, as it deems fit, from the complainant.

4. Processing of complaint. – (1) The Lokayukta may process a complaint in the following manner, namely:-

(a) protect the identity of the complainant and the public servant complained against till the conclusion of the inquiry or investigation:

Provided that the protection shall not be applicable in cases where the complainant himself has revealed his identity to any other office or authority while making a complaint to the Lokayukta;

(b) protect the integrity of the process of inquiry or investigation;

(c) dispose of the complaints, *in limine,* on any of the following grounds, namely:-

(i) where the contents of the complaint are illegible;

(ii) where the contents of the complaint are vague or ambiguous;

(iii) where the contents of the complaint are trivial or frivolous;

(iv) where the complaint does not contain allegation against a public servant;

(v) where the complaint is not filed within the period of limitation under section 52; or

(vi) where the cause of the complaint is pending before any other Court or Tribunal or Authority.

(2) The Lokayukta shall dispose of the complaints satisfying the conditions as contained in clause (c) of sub-rule (1) within a period of thirty days:

Provided that the Lokayukta for the reasons to be recorded, in writing, may extend the said period by a further period not exceeding fifteen days at a time.

5. **Service of notice to the public servant etc.—** Where the Lokayukta is satisfied that there exists a case for an inquiry or investigation against the public servant including any person or institution as mentioned in section 14, a notice in Form - B shall be served on such public servant, person or institution as mentioned in section 14 by registered post or by such courier service as may be approved by the Chairperson or by Fax message or by electronic mail service or by any other means as may be decided by the Chairperson calling for explanation from the noticee.

6. **Filing of reply and other documents.—** (1) The noticee may file his reply to the complaint in three complete sets, one being signed and two other copies, along with the documents in a paper book with the Secretary within forty-five days of service of notice under rule 5:

Provided that the Lokayukta may, in its discretion, on an application filed by the noticee, allow such further time as it may deem fit for filing of reply.

(2) If the noticee fails to file reply under sub-rule (1), the Lokayukta may proceed and pass an order on the complaint as it may deem fit and proper.

7. **Supply of copies of Orders.**— The complainant and affected parties and respective Departments concerned may be supplied a copy of all orders of the Lokayukta that affect them, on an application by the affected party.

8. **Exercise of powers of Civil Court by the Lokayukta.**— For the purpose of giving effect to the provisions of the Act and these rules, the provisions relating to issue and service of summons and examination of witness by the Commission provided in Order V and Order XXVI of the Code of Civil Procedure, 1908, respectively, shall apply.

9. **Discontinuance of inquiry.**— (1) The Lokayukta may, in their discretion, at any time, after the commencement of any inquiry under the Act, order discontinuance of further inquiry of any complaint involving an allegation or refuse to inquire or cease to inquire any complaint, if in his opinion, —

(i) there are no sufficient grounds for inquiring or as the case may be, for continuing the inquiry;

(ii) other remedies are available to the complainant and in the circumstance of the case, it would be more proper for the complainant to avail of such remedies; or

(iii) there exists no other reason to continue the inquiry.

(2) In any case where the Lokayukta decides to discontinue any inquiry in respect of a complaint, it shall record the reasons therefor and communicate the same to the complainant and the public functionary concerned.

10. **Transmission of letter of request by the Special Court.**— On an application made to the Special Court by an officer of the Lokayukta authorized in this behalf under sub-section (1) of section 36 that any evidence is required in connection with the preliminary inquiry or investigation into an offence, the Special Court being satisfied that such evidence is required for the purpose, it may issue a letter of request in the format specified in Form - C to a Court or an authority in the contracting State competent to deal with such request by registered post or by such courier service as may be approved by the Chairperson or by Fax message or by electronic mail service or by any other means as may be decided by the Chairperson.

11. **Payment of interest on failure to return assets etc.**— If, the assets, proceeds, receipts and benefits confiscated under sub-section (1) of section 31 cannot be returned to the public servant, after modification or annulment of the order of confiscation or upon his acquittal, he shall be paid the price thereof including the money so confiscated with an interest at the rate of five percentum per annum thereof calculated from the date of such confiscation.

12. **Manner of forwarding the attachment order.**— Where any property is attached under sub-section (1) of section 29, a copy of the order of attachment and documents relating to such attachment shall be forwarded to the concerned Special Court in a sealed envelope through a Special Messenger duly authorized by the Lokayukta or the Investigating Officer, as the case may be.

FORM-A

FORM OF COMPLAINT

[See rule 3]

PART A

DETAILS TO BE FURNISHED BY THE COMPLAINANT/ SIGNATORY TO THE COMPLAINT

1. Specify if the complaint is being made by

☐ Individual ☐ Society ☐ Association of persons ☐ Trust ☐ Company
☐ Limited Liability Partnership ☐ Board ☐ Body ☐ Corporation
☐ Authority ☐ Others

2.	Name of the complainant (in block letters) @ @ attach an identity proof. NOTE: Any of the following documents will be considered as a valid proof of identity - Driving License, Service Identity Cards with photograph issued to employees by Central/State Government/Public Sector Undertaking/Public Limited Company, Passbook with photograph issued by a Bank/Post Office, PAN Card, Smart Card issued by Registrar General of India under National Population Register, MNREGA Job Card, Health Insurance Smart Card issued under the scheme of Ministry of Labour, Pension document with photograph, Official identity cards issued to MPs/MLAs and Aadhaar Card.			
	Title (Shri/Smt./Kum./Dr. etc.)			
	Surname			
	Middle Name			
	First Name			
3.	Gender	Male	Female	Transgender
4.	Age [in *complete years*]			
5.	Nationality* (in case the complainant is not a citizen of India, only a copy of the Passport will be accepted as a proof of identity)			

6.	Details of identity/residence proof to be enclosed with the complaint					
	Document attached (Tick the appropriate box)	Driving Licence	Passbooks with photograph issued by Bank/ Post Office	Smart Card issued by Registrar General of India under National Population Register	MNREGA Job Card	Aadhaar Card

		PAN Card	Service Identity Card with photograph issued by Central/ State Govt./PSUs/ Public Limited Companies to its employees	Health Insurance Smart Card issued under the scheme of Ministry of Labour	Official identity cards issued to MPs/ MLAs/	Pension document with photo-graph
	(a) Number					
	(b) Date of issue					
	(c) Validity upto					
	(d) Issuing Authority					
7.	Permanent Address					
	House/Property Number/Locality					
	Village/District/City					
	State					
	Country					
	Pin Code/Postal or Zonal Code					
8.	Address for correspondence					
	House/Property Number/Locality					
	Village/District/City					
	State					
	Country					
	Pin Code/Postal or Zonal Code					
9.	Occupation/ designation/ avocation:					
10.	(a) Telephone Number (with ISD/STD codes)		(b) Mobile Number (with country code)			
11.	e-mail id					
12	Mode of presentation of the Complaint (Tick the appropriate column) [see sub-rule (2) of rule 3]	(a) In person				
		(b) By Post				
		(c) Electronically Note: *A physical copy is to be provided to the Lokayukta within a period of fifteen days.*				
13.	Whether a duly notarized affidavit as annexed to this form has been enclosed?	YES			NO	
14.	Whether the complainant is the victim?	YES			NO	

It is certified that to the best of my knowledge, belief and information:

(i) the alleged offence in respect of which present complaint is being made is within the period of seven years *[limitation as laid down under section 52 of the Odisha Lokayukta Act, 2014];*

(ii) no matter or proceeding related to allegation of corruption under the Prevention of Corruption Act, 1988 (49 of 1988) being made under this complaint is pending before any Court or Committee of the Legislative Assembly of the State or before any other authority and the complaint is not barred from being made before the Lokayukta under section 15 of *the Odisha Lokayukta Act, 2014.*

Place

Date

Signature of the complaint/
authorized signatory

PART B

ADDITIONAL DETAILS TO BE FURNISHED BY THE SIGNATORY TO THE COMPLAINT IF THE COMPLAINT IS BEING FILED ON BEHALF OF A BODY OR BOARD OR CORPORATION OR AUTHORITY OR COMPANY, SOCIETY OR ASSOCIATION OF PERSONS OR TRUST OR LIMITED LIABILITY PARTNERSHIP

1.	In case the complaint is made by a body or board or corporation or authority or company, society or association of persons or trust or limited liability partnership, then please indicate:		
(a)	Whether such organisation as referred to above is based in India? (Tick theappropriate column)	YES	NO
(b)	If the answer to (a) above is "YES" then whether the certificate of registration/ incorporation *[as issued by the authority competent to issue such certificate in India or by authority competent to issue such certificate as per the regulating law of the Foreign State, as the case may be],* in respect of such organisation has been enclosed? (Tick the appropriate column)	YES	NO
(c)	Indicate the name of the competent authority which has issued the certificate of registration/ incorporation of the organisation		
(d)	Address for correspondence with the Organisation		
	House/Property Number/Locality		
	Village/District/City		
	State		
	Country		
	Pin Code/Postal or Zonal Code		
(e)	Telephone Number (with ISD/STD Code)	(b) Mobile Number (with Country code)	
(f)	e-mail id		
2.	Personal details of office bearers and head of the organisation	Furnish details in respect of each Office Bearer and Head of Organisation in the format as contained in Part A of this form. *[please see section 47]*	

Attach separate sheets in respect of each individual

3.	Details of the person who has authorised the signatory to file the complaint on behalf of the organisation					
4.	Name of the person authorising the signatory to file the complaint (in block letters) @ @ attach an identity proof. NOTE: Any of the following documents will be considered as a valid proof of identity - Driving License, Service Identity Cards with photograph issued to employees by Central/State Government/Public Sector Undertaking/Public Limited Company, Passbooks with photograph issued by a Bank/Post Office, PAN Card, Smart Card issued by Registrar General of India under National Population Register, MNREGA Job Card, Health Insurance Smart Card issued under the scheme of Ministry of Labour, Pension document with photograph, Official identity cards issued to MPs/MLAs and Aadhaar Card.					
	Title (Shri/Smt./Kum./Dr. etc.)					
	Surname					
	Middle Name					
	First Name					
5	Gender	MALE	FEMALE	TRANSGENDER		
6.	Age					
7.	Nationality (in case the person authorising the signatory is not a citizen of India, only a copy of the Passport will be accepted as a proof of identity)					
8.	Details of identity/residence proof of the person authorising the signatory enclosed with the complaint					
	Document attached (Tick the appropriate box)	Driving Licence	Passbooks with photograph issued by Bank/Post Office	PAN Card	MNREGA Job Card	Aadhaar Card
		Smart Card issued by Registrar General of India under National Population Register	Service Identity Card with photograph issued by Central/State Government /Public Sector Undertaking/ Public Limited Company to its employees	Health Insurance Smart Card issued under the scheme of Ministry of Labour	Official identity cards issued to MPs/ MLAs	Pension document with photograph
	(a) Number					
	(b) Date of issue					
	(c)Validity upto					
	(d)Issuing Authority					
9.	Permanent Address of person authorising the signatory					
	House/Property Number/Locality					
	Village/District/ City					

	State				
	Country				
	Pin Code/Postal or Zonal Code				
10	Address for correspondence				
	House/Property Number/Locality				
	Village/District/City				
	State				
	Country				
	Pin Code/Postal or Zonal Code				
11	Occupation/ designation/ avocation:				
12	(a) Telephone Number (with ISD/STD codes)	(b) Mobile Number (with country code)			
13	e-mail id				
14	Whether an authorisation document has been enclosed? (Please tick the appropriate box)				
15	Details of third party, if any, likely to be affected by the complaint				
(a)	Name				
(b)	Gender	MALE	FEMALE	TRANSGENDER	
(c)	Age				
(d)	Full Address				
(e)	Telephone Number (with ISD/STD codes)		(b) Mobile Number (with country code)		
(f)	e-mail Id				

PART C

DETAILS AS REGARDS THE PUBLIC SERVANT AGAINST WHOM THE COMPLAINT IS BEING MADE

1.	Name of the public servant(s) against whom complaint is being made (in block letters)* * attach a separate sheet in respect of each public servant against whom a complaint is being made. Note: Details of third party/ parties, if aware, whose interests are likely to be prejudicially affected by the said complaint as contemplated under section 21 may also be separately furnished		
2.	Present designation/status of the public servant(s) against whom complaint is being made		
3.	Whether the complaint is against any officer or employee or agency, under or associated with the Lokayukta? (tick the appropriate box) [see section 38]	YES	NO
4.	With respect of serial No. 2 above, indicate	Designation of the officer/employee	Organisation/Agency having administrative control over the said officer/employee

5(a)	Category of public servant against whom the complaint is being made (tick the appropriate box) [see section 14]	The Chief Minister	
		A Minister of the State	
		A Member of the Odisha Legislative Assembly	
		Chairperson or Member by whatever name called, of a Panchayat or a Municipality	
		An officer or employee of the State	
		A Chairperson or a Member of a Body	
		A Chairperson or a Member of a Board	
		A Chairperson or a Member of a Corporation	
		A Chairperson or a Member of an Authority	
		A Chairperson or a Member of a Company	
		A Chairperson or a Member of a Society	
		A Chairperson or a Member of an Autonomous body	
		A Chairperson or a Member of a Trust	
		An officer or employee of a Body	
		An officer or employee of a Board	
		An officer or employee of a Corporation	
		An officer or employee of an Authority	
		An officer or employee of a Company	
		An officer or employee of a Society	
		An officer or employee of an Autonomous body	
		An officer or employee of a Trust	
		A Director, Manager, Secretary or other officer of association of persons, society or trust referred to in clauses (g) and (h)	
		Any other category	
5(b).	In case the complaint is made against any other category of public servants, specify.		
6.	In case the complaint is against any Chairperson/Member/Officer/Employee of a Trust or an Association of Persons or Society, indicate:		
(a)	Whether the organisation is wholly or partly financed by the Government (tick the appropriate box)	YES	NO
(b)	Whether the annual income of the organization exceeds as specified by the State Government by notification. (tick the appropriate box) [see clause (g) or clause (h) of sub-section (1) of section 14] *strike out which is not applicable*	YES	NO
(c)	Whether the Organisation is in receipt of any donation from any foreign source under the Foreign Contribution (Regulation) Act, 2010 in excess of ten lakh rupees in a year? (tick the appropriate box)	YES	NO

	[see clause (h) of sub-section (1) of section 14]					
7.	Please state, if aware, as to whether the public servant is presently serving the affairs of the State or in any body or Board or corporation or authority, etc. established by an Act of the State Legislature or wholly or partly financed by the State Government or controlled by it? (tick the appropriate box) [see proviso to clause (f) of sub-section (1) of section 14 and proviso to sub-section (3) of section 14]	YES			NO	
8.	Post held by the public servant at the time of commission of alleged offence under the Prevention of Corruption Act, 1988. [see *Explanation* to section 14]					
9.	Details of the Cause of Action/offence under the Prevention of Corruption Act, 1988.					
	(i) Period during which alleged misconduct was committed. [see *Explanation* to section 14]	From			to	
	(ii) Place of occurrence:					
	(iii) District:					
	(iv) State:					
10.	Summary of facts/allegations of corruption: [Detailed complaint duly signed to be enclosed]	Facts and Circumstances:				
	Details of the offences alleged under the Prevention of Corruption Act (Briefly indicate the facts and consequential allegations against the public servant which constitute offence(s) under the Prevention of Corruption Act, 1988)	Allegations^ ^if possible, indicate the statutory provision alleged to have been violated by a particular act of commission or omission				
11	Names of Witnesses in support of the allegations, if any:					
	(a) Number of Witnesses:					
	(b) Name (s):	1.	2.	3.	4.	5.

	(c) Gender:					
	(d) Age:					
	(e) Full Address:					
	(f) Mobile No.:					
	(g) E-mail Id:					
	Add additional sheets if the number of witnesses exceeds					
12.	Particulars/List of the documents relied upon by the Complainant in support of the allegation:					
13	Any other information, the complainant desires to furnish/disclose which may be relevant to the inquiry/investigation into the allegation of corruption.					
14	Whether copies of the documents and other material evidence (including electronic evidence, if any) relied upon by the complainant and referred to in the complaint have been submitted?	YES		NO		
15	If the complaint is being filed electronically whether pdf formats of the documents and other material relied upon has been attached to the electronic format of the complaint (tick the appropriate box) [*see sub-rule (2) of rule 3]*	YES		NO		

Signature of the complainant/
Authorised person

Place			
Date	day	Month	Year

PART D

AFFIDAVIT

(to be sworn on a non-judicial stamp paper)

I ..... aged ..... years, s/o .....
r/o .....do hereby solemnly affirm and declare on oath as under-

1. That I am filing this complaint on my own behalf

OR

That I am filing this complaint on behalf of body/Board/ Corporation/ Authority/ Company/ society/trust/association of persons/Non-Governmental Organisation/ Limited Liability Partnership (give its name and registration number, if any) having their office at (give contact address/email/phone/fax of the organization) and that I am authorized to sign and make this complaint *vide* its resolution dated .....

2. That I have filed the present complaint under the provisions of the Odisha Lokayukta Act, 2014 (Odisha Act 12 of 2018) and the rules made thereunder.

3. That I have gone through the provisions of the Odisha Lokayukta Act, 2014 and do hereby affirm that the present complaint is in conformity therewith and I am fully aware that under the provisions of sections 46 and 47 of the said Act making any false and frivolous or vexatious complaint is punishable with imprisonment for a term which may extend to one year and with fine which may extend to one lakh rupees.

4. That neither I nor any other person in the organisation / institution / body that I represent in this complaint has filed any complaint in this matter before any Court or Committee of the Legislative Assembly of the State or before any other Authority and this complaint does not attract the provisions of section 15 of the said Act.

5. I state that before filing this complaint I have collected and presented the information and supporting evidence to the best of my knowledge, ability and capacity which are relevant in support of the allegations of corruption against the concerned public servant and I further confirm that I have not concealed any data / material / information in this complaint.

Solemnly affirmed at ..... this ..... day of ..... 20 .....

DEPONENT

Verification

I ..... the above named deponent do hereby verify that the contents of the aforesaid paragraphs 1 to 5 are true and correct to the best of my knowledge and belief and nothing is concealed therefrom.

Verified at ..... this .....day of..... 20 .....

DEPONENT

FORM - B
(See rule 5)

NOTICE

In the Office of the Lokayukta
Complaint No.

.... Complainant

.... Public Servant Complained Against

To

(Govt. name and address of the public servant)

Upon considering the material before him, the Lokayukta has decided to conduct an inquiry/investigation under the Odisha Lokayukta Act, 2014 (Odisha Act 12 of 2018) in respect of the complaint made by .....
.....(name and address of the complainant) against you and a copy of the complaint is appended .....
Statement setting out the grounds therefor is appended.

Take notice that you are hereby required to file your reply within forty-five days from the date of service of this notice and to offer your comments and explanations supported by an affidavit and produce true copies under your signature of the documents (if any) on which you want to rely in your defence.

Take further notice that if, on or before the date aforesaid you fail to appear in person to file the reply and offer your comments and explanation or fail to send the reply etc., by post or otherwise, the matter may be decided in your absence.

Given under my hand and the seal of the office.

Dated the day of 20

Secretary,
(Lokayukta, Odisha)

FORM - C
(See rule 10)

LETTER OF REQUEST

To

.....

.....

(Name of the Court/Authority and Address)

Whereas on the basis of a complaint alleging corruption against Mr./Mrs....., the Lokayukta, Odisha is conducting inquiry/ investigation into the allegations under the provisions of the Odisha Lokayukta Act, 2014 and for the purpose of inquiry/investigation, the Lokayukta requires the following evidence/documents (specify particulars of evidence/documents);

And whereas this Court is satisfied that such evidence/ documents is available with ..... which is required for the purpose of the inquiry/ investigation under the Odisha Lokayukta Act, 2014;

This Court, therefore, requests you to examine the facts and circumstances of the case and take all necessary steps for collection/ seizure of such evidence/ documents and forward the same to this Court by .....

Dated this ..... day of ..... 20 Judge

Seal of the Court

By order of the Governor

Sd/-
(Sanjeev Chopra)
Principal Secretary to Government

Memo No. 22046 /Gen., Bhubaneswar, dated the 14 October, 2020.

Copy forwarded to the Director, Printing, Stationery and Publication, Odisha, Cuttack for information with request to publish the above notification in the extra ordinary issue in the Odisha Gazette and supply 1000 copies to this Department for official use.

This Notification is statutory.

Additional Secretary to Government

Memo No. 22047 /Gen., Bhubaneswar, dated the 14 October, 2020.

Copy forwarded to the Accountant General(A&E), Odisha, Bhubaneswar for information and necessary action.

Additional Secretary to Government

Memo No. 22048 /Gen., Bhubaneswar, dated the 14 October, 2020.

Copy forwarded to all Departments of Government/All Heads of Departments/All Collectors/Registrar, Orissa High Court/Registrar, Odisha Administrative Tribunal/Secretary, Odisha Public Service Commission, Cuttack/ Secretary to Lokayukta, Odisha, Bhubaneswar for information and necessary action.

Additional Secretary to Government

Memo No. 22049 /Gen., Bhubaneswar, dated the 14 October, 2020.

Copy alongwith soft copy of the notification forwarded to the Officer-in-Charge, Gazette Cell, Commerce and Transport (Commerce) Department for immediate necessary action.

Additional Secretary to Government

Memo No. 22050 /Gen., Bhubaneswar, dated the 14 October, 2020.

Copy forwarded to AR Cell, G.A. & P.G. Department/ G.A. & P.G. Department Library (10 copies)/Guard file (Lokayukta Branch) 20 copies/ for information and necessary action.

Additional Secretary to Government

Memo No. 22051 /Gen., Bhubaneswar, dated the 14 October, 2020.

Copy forwarded to the OIC, Secretariat IT Centre, Bhubaneswar for information and necessary action.

He is requested to post the notification in the website of G.A. & P.G. Department.

Additional Secretary to Government

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 909, CUTTACK, TUESDAY, APRIL 25, 2023/ BAISAKHA 5, 1945

REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 24th April, 2023

S.R.O. No.220/2023– In exercise of the powers conferred by Section 21 of the Societies Registration Act, 1860(21 of 1860), as amended in its application to the State of Odisha from time to time, the last such amendment made by the Societies Registration (Odisha Amendment) Act, 2021 (10 of 2021), the State Government do hereby make the following rules, namely:–

PART- I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Odisha Societies Registration Rules, 2023.

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

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

(a) "Act" means the Societies Registration Act, 1860(21 of 1860) ;

(b) "Agency" includes an agency or company authorized by the State Government for efficient delivery of services to the public under the Act and the rules made thereunder through electronic mode in accordance with the provisions of the Information Technology Act, 2000 (21 of 2000) ;

(c)"Form" means Forms appended to these rules includes e-Form;

(d) "NEFT" means electronic transfer of money through network from one bank to another bank ;

(e) "Real Time Gross Settlement (RTGS)" means transfer of money taking place electronically from the branch of one Bank to that of another on a real time on gross basis settlement which is not subject to any waiting period ;

(f) "Registration" means registration of Society made through electronic process in accordance with the provisions of the Information Technology Act, 2000 (21 of 2000) ;

(g) "Scheduled Bank" shall mean and include the bank which is listed in the second schedule of the Reserve Bank of India Act, 1934;

(h) "section" means a section of the Act ;

(i) "Treasury Challan" shall have the same meaning as assigned to it in the Odisha Treasury Code, 1937 includes e-Challans.

(2) Words and Expression used in these rules but not defined shall have the same meaning as are respectively assigned to them in the Act.

PART —II

REGISTRAR OF SOCIETIES

3. Powers of the Registrar.—(1)The Registrar shall have the power to superintendent the implementation of all works relating to registration of Societies in the State and may issue guidelines or instructions, from time to time, not inconsistent with the provisions of the Act, for efficient and prompt delivery of services and redressal of grievance of the public in the matter of registration of societies.

(2) The Registrar shall have jurisdiction to register a Society where its registered office is to be situated in any part of the State but its area of operation and activities shall be extended to the whole of the State, or to more than one District.

4. Additional Registrar.—The Additional Registrar appointed in respect of a District or more than one districts, shall function under the direct control of the Registrar and shall have jurisdiction to register a Society where its registered office is to be situated in any part of that district or districts but its area or areas of operation and activities shall be extended to the local limits of that District or Districts.

PART- III

REGISTRATION OF SOCIETIES

5. Memorandum of Association.—(1) Any seven or more persons desirous to form Society for the purpose as specified in sub-section (1) of Section 1, shall submit the Memorandum of Association of Society containing particulars required under section 2, which shall bear their names, address, occupations, if any, and with date and signature of all such persons subscribing to form such society, which shall be duly attested by at least two witnesses other than the subscribers and also a copy of the rules and regulation certified to be correct copy signed by at least three signatories to the Memorandum of

Association as provided in Section 2 and accompanied with the fees for Registration as specified in the Schedule, to the Registrar in electronic mode.

(2) The Memorandum of Association and the regulations of the Society submitted under sub-rule (1) shall be printed or typed on thick papers and be divided into paragraphs, numbered consecutively.

6. Rules and Regulations of the Society.—The regulation of a Society, may provide for, -

(i) identity of the society which includes its name and address particulars ;

(ii) activities of the society ;

(iii) membership of the society i.e. eligibility, admission, withdrawal and termination, etc. ;

(iv) general body which contains the manner of meetings to be held or convened, quorum, functions and responsibilities etc. ;

(v) office bearers and their appointment, election, removal or recall along with their responsibilities etc. ;

(vi) manner of making, altering and rescinding the regulation and the Memorandum of Association;

(vii) finances which include types of funds to be raised, and its management, appointment of auditors, liability of members, discharge of debts etc. ;

(viii) matter which covers the internal matters of settlement of disputes, and dissolution of society etc; and

(ix) such other matters as may be thought expedient having regard to the nature and object of the society.

7. Registration process and certificate of registration.—(1) Upon receipt of the memorandum of association along with the certified copy of the rules and regulations of the society and the documents as submitted by the Registrar for reference to effect registration in pursuance of the provisions of the Act, shall be verified .

(2) The certificate of registration of the Society shall be issued in **Form 1** under the hand and seal of Registrar or Additional Registrar, as the case may be.

(3) The entire process for registration and issue of the certificate thereof shall also be done electronically.

8. Renewal of certificate of registration.—(1) if within one month before expiry of the period of five years from the date of issue of the certificate of registration, the persons authorized for the society in that behalf by the rules and regulations of the society, file an application for renewal of registration of the society with payment of fees as prescribed

under these rules, the certificate of renewal of registration of the society with payment of fees as prescribed under these rules, the certificate of renewal of registration shall be issued in **Form 2** under the hand and seal of Registrar or Additional Registrar, as the case may be with completion of the process also through electronic means .

(2) The certificate of renewal of registration shall also be issued where application for renewal is filed within six months after such expiry with payment of late fees as prescribed under these rules.

(3) In the event of failure on the part of society to get its certificate of registration renewed by the expiry of the timeline as above or if renewal of the certificate of registration is refused out of satisfaction of Registrar that the registration is liable to be cancelled for any of the grounds mentioned under section 12-D, the same shall automatically become an unregistered society .

(4) Immediately after expiry of validity of the certificate of registration or refusal for renewal of the registration, the Registrar shall publish the names of the societies in the official Gazette as well as electronically upload the same in the website for the purpose of record.

9.Amendment to Managing Body, Rules and Name of the Society.—(1)The acknowledgement to amendment in the list of managing body, rules and regulations and name of the society shall be given effect to in **Form 3** with completion of the process also through electronic means.

(2) The Registrar shall issue guidelines from time to time consistent with the provisions of the Act for issuance of such acknowledgement for amendment to the managing body, rules and regulations and name of the society.

(3) The Registrar shall also issue guidelines in consistency with the provisions of the Act providing for conviction and imposition of the fine against the person or persons committing offence of non-compliance to the provisions of the Act or for willfully making any omission or commission under section 4-A and Section4-D.

10. Payment of fees, late fee and fine.—The fees, late fees and fines as prescribed in the Table below shall be payable to Registrar or Additional Registrar, as the case may be, and shall then be deposited into the proper head of account of the State Government through Treasury Challan and may also be realized directly through any other electronic mode, namely, NEFT, RTGS, Net Banking, e-Challan etc. as may be prescribed or allowed from time to time, namely:—

Table

Sl. No.	Description of the Service Head	Amount in Rupees
(1)	*(2)*	*(3)*
1	For every registration of society under section 3	1000
2	For every application for renewal of certificate of registration before expiry of the valid period of five years under sub-section (1) of Section 3 -B	500
3	For every application for renewal of certificate of registration after expiry of the valid period of five years but not more than six months after such expiry under sub-section (2) of Section 3-B i. Within one month of expiry ii. Within two month of expiry iii. Within three month of expiry iv. Within four month of expiry v. Within five month of expiry vi. Within six month of expiry	 1000 1500 2000 2500 3000 3500
4	For every filing of any change in personnel on annual list of managing body of the society under sub-section (1) of Section 4- A	200
5	For every filing of proposal for alteration or amendment in the rules and regulations of the society under sub-section (2) of 4 –A	200
6	Fine for every person committing offence under sub-section (1) of Section 4- C	100
7	Fine for every person willfully committing offence under sub-section (2) Section 4 -C	500
Note: Proper and authenticated money receipts shall be issued for all cash payment. Against Payment made through electronic mode, the proper computer generated receipt shall be made available to the payer through the electronic agency.		

PART- IV
MISCELLANEOUS

11. Cancellation of registration of Societies.—(1) The Registrar or the Additional Registrar, as the case may be, may pass order in writing for cancellation of registration of any Society on any of the grounds as mentioned under section 12-D after giving reasonable opportunity of being heard to the society.

(2) The order so passed under sub-rule (1) shall be maintained in the Register of cancellation of registration serially year-wise. The certified copy of the order shall be given on payment of the fees prescribed under section 19.

(3) Immediately after cancellation of registration of a society, its name shall be added to the list of cancelled societies which shall also be electronically uploaded in the website for the purpose of record.

12. Dissolution of Societies.—(1) When a Society gets dissolved as per the provisions of Section 13, the resolution shall be passed and a copy of such resolution shall also be submitted to Registrar or Additional Registrar, as the case maybe.

(2) The resolution for dissolution of society shall contain a full report showing as to how the property of the society has been disposed of/ proposed to be disposed of.

(3) The list of the dissolved societies along with the respective resolutions passed thereof, shall be maintained in the Register of dissolution of Societies serially year-wise.

(4) The certified copy of the resolution shall be given on payment of the fees prescribed under section 19.

(5) Immediately after receipt of information regarding dissolution of a Society, its name shall be added to the list of dissolved Societies which shall also be electronically uploaded in the website for the purpose of record.

13. Certified Copy and Inspections of documents.—(1) The certified copy of certificate of registration of society, certificate of renewal of registration, acknowledgement of amendment of society and any of the connected documents in the custody of Registrar or Additional Registrar, as the case may be, shall be issued to any person in the manual form or electronically as per the provisions of the Odisha Records Manual under proper endorsement to be prescribed by the Registrar of Societies which shall be subject to payment of such fees as may be prescribed under these rules.

(2) The inspection of any of the documents in the custody of Registrar or Additional Registrar, as the case may be, shall be allowed, either physically or through electronic means, which shall be subject to payment of fees as prescribed under section 19.

FORM 1

(*See* rule 7(2))

Certificate of Registration of Societies

ACT XXI OF 1860

No._____ of_____

I hereby certify that (Name of Society_____), (Address of Society _____), contact e—mail & phone No. has this day been registered under the Societies Registration Act (XXI of 1860) which shall remain valid for five years till the date _____.

Given under my hand at_____ , this _____day of_____ year.

Additional Registrar of Societies
(District_____)
(or)
Registrar of Societies
Odisha

FORM 2

(*See* rule 8(1))

Certificate of Renewal of Registration

ACT XXI OF 1860

No._____ of_____

I hereby certify that (Name of Society_____), (Address of Society _____),registered on (Date_____) vide No._____ of _____, is accorded (1st / 2nd /3rd/4th----------)renewal of its registration for a further period of five years w.e.f. Date_____.

Given under my hand at_____, this the _____day of_____.

Additional Registrar of Societies
(District_____)
(or)
Registrar of Societies
Odisha

FORM 3
(*See* rule 9(1))

Acknowledgement of Amendment of Society

ACT XXI OF 1860

No._____ of_____

It is to acknowledge that amendment proposal of the society, namely , (Nameof Society_____) , (Address of Society_____) , is hereby given effect to on this the_____day of_____.

Additional Registrar of Societies
(District_____)
(or)
Registrar of Societies
Odisha

[No.14373–RDM-Reg-REGN-0083/2019/R&DM.]
By Order of the Governor

SATYABRATA SAHU

Additional Chief Secretary to Government

Printed and Published by the Director, Printing, Stationery and Publication, Odisha, Cuttack-10
OGP/SBP Ex.Gaz.194-183+25

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1716, CUTTACK, TUESDAY, SEPTEMBER 27, 2016/ ASWINA 5, 1938

REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 24th September, 2016

S.R.O. No.450/2016— Whereas, the draft of certain rules further to amend the Odisha Irrigation Rules, 1961 was published as required by sub-section (1) of Section 53 of the Odisha Irrigation Act, 1959 (Odisha Act, 14 of 1959) in the Extraordinary issue of the *Odisha Gazette* No.1473, dated the 5th October, 2015 under the notification of the Government of Odisha in the Revenue & Disaster Management Department No. 28356-III-W-04/2015, dated the 5th October, 2015 as **S.R.O. No.485**/2015 inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of thirty days from the date of publication of the said notification in the *Odisha Gazette*;

And, whereas, the objections and suggestions received within the stipulated period from the persons interested have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by Section 53 of the said Act, the State Government do hereby make the following rules further to amend the Odisha Irrigation Rules, 1961, namely:—

1. Short title and commencement:— *(1)* These rules may be called the Odisha Irrigation (Amendment) Rules, 2016.

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

2. In the Odisha Irrigation Rules, 1961 (hereinafter referred to as the said rules), in rule 2, after clause (g), the following clause shall be inserted, namely:—

"(gg) "OHPC" means the Odisha Hydropower Corporation, a company registered under the Companies Act,1956."

3. In the said rules, in rule 23-A, —

(1) in sub-rule (1) —

(i) for clause (b), the following clause shall be substituted, namely :—

"(b) the Executive Engineer shall order installation of a Flow Meter or a suitable measuring device, as the case may be, after execution of the agreement in accordance with the provision of clause (e) of sub-rule

(2) and before making any drawal of water at its own cost by the concerned industrial, commercial or other establishment to measure the quantum of water to be drawn from the Government water source and the Flow Meter or the measuring device, as the case may be, shall be installed under the direct supervision of the Executive Engineer or an Engineer not below the rank of an Assistant Executive Engineer to be specifically authorized by him, failing which the water supply shall not be made and the industrial, commercial or other establishment found drawing water without execution of such agreement and installation of Flow Meter or a suitable measuring device, as the case may be, shall be charged with penal rate at six times the rate specified in Schedule-III on the allocated quantity";

(ii) in clause (c), the word " and " occurring at the end shall be omitted;

(iii) in clause (d), at the end of the clause the semi colon and the word ";and" shall be added;

(iv) after clause (d), the following clause shall be inserted, namely:—

"(e) for bulk supply to Municipalities, Notified Area Councils, other local authorities and cluster of villages such industrial, commercial or other establishment shall install separate Flow Meter or measuring device, as the case may be, at a suitable place along the pipe line to ensure quantum of water supplied to such Municipalities, Notified Area Councils, other local authorities and cluster of villages for drinking and washing etc.in addition to installation of the Flow Meter under clause (b) which shall be treated as industrial or commercial use and license fee for such industrial or commercial use shall be at the rate double the existing rate as provided in item 3 (ii) of Schedule-III." and

(2) in sub-rule(2), —

(i) for clause (f), the following clause shall be substituted, namely:—

"(f) License fees shall be charged and collected at the rate as specified in the Schedule-III per unit or quantity of water actually drawn or allocated whichever is higher and shall be enhanced at the rate of ten per centum per annum with effect from the first day of April**:**

Provided that the State Government may, in the public interest, by notification in the *Odisha Gazette*, further revise the rates of license fees as and when it is considered necessary." and

(ii) in clause (i), for the word "lifted" the words "allocated, whichever is higher" shall be substituted.

4. In the said rules, for Schedule-II, the following Schedule shall be substituted, namely:—

"Schedule-II

(*See* rules 23 and 26)

SPECIAL RATES FOR PURPOSES OTHER THAN IRRIGATION

Item No.	Purpose for which supply is given	Rates in rupees	Quantity
(1)	(2)	(3)	(4)
1	Bricks or tile making	30.00	1000 bricks or tiles
2	(i) For water actually drawn or allocated , whichever is higher for industrial or commercial purposes.		
	Slab-I - Consumption not exceeding 5 cusecs	4.20	1000 litre (1 m^3)
	Slab-II - Consumption of 5 cusecs or more	5.60	1000 litre (1 m^3)
	(ii) For water used for Hydro Power Generation	0.01	1 KWH
3. (i)	For bulk supply to Municipalities and Notified Area Councils and other local authorities for drinking, washing etc.	0.25	1000 litre (1 m^3)
(ii)	For bulk supply to Municipalities and Notified Area Councils and other local authorities and cluster of villages by industrial, commercial or other establishments actually drawn or allocated whichever is higher for drinking, washing etc.	0.50	1000 litre (1 m^3)
4	Construction of commercial buildings	7.10	1000 litre (1 m^3)
5	For filling tanks	0.10	1000 litre (1 m^3)
6	For filling tanks mainly for drinking purposes	0.05	1000 litre (1 m^3)"

5. In the said rules, for Schedule-III, the following Schedule shall be substituted. namely:—

"Schedule-III

[*See* rule 23-A (1) (e) and (2) (f)]

RATE OF LICENCE FEE FOR INDUSTRIAL/COMMERCIAL USE OF WATER FROM GOVERNMENT WATER SOURCES

Item No.	Purpose for which supply is given	Rates in Rupees	Quantity
(1)	(2)	(3)	(4)
1	Bricks or tile making	25.00	1000 bricks or tiles
2	(i) For water actually drawn or allocated whichever is higher for industrial or commercial purposes.		
	Slab-I - Consumption not exceeding 5 cusecs	3.40	1000 litre (1 m^3)
	Slab-II - Consumption 5 cusecs or more	4.50	1000 litre (1 m^3)
	(ii) For water used for Hydro Power Generation	0.01	1 KWH
3.	(i) For bulk supply to Municipalities and Notified Area Councils and other local authorities for drinking, washing etc.	0.20	1000 litre (1 m^3)
	(ii) For bulk supply to Municipalities and Notified Area Councils and other local authorities and cluster of villages by industrial, commercial or other establishments actually drawn or allocated whichever is higher for drinking, washing etc.	0.40	1000 litre (1 m^3)
4	Construction of commercial buildings	5.30	1000 litre (1 m^3)
5	For sub soil water actually used and consumed for industrial/ commercial purpose.		
	Slab-I - Consumption not exceeding 5 cusecs	6.80	1000 litre (1 m^3)
	Slab-II - Consumption of 5 cusecs or more	9.00	1000 litre (1 m^3)

6. In the said rules, in Form 'K', for clause 9, the following clause shall be substituted, namely:—

"9. M/s ……..Ltd, drawing or allocated water from the reservoir for its uses, shall sign supplementary agreement with the Odisha Hydro Power Corporation Limited, to compensate the loss of energy generation due to its drawal and the Odisha Hydro Power Corporation Limited, shall raise demands for compensation of loss of energy generation within first week of every month against the quantity of water drawn or allocated, whichever is higher."

7. In the said rules, for Form 'V', the following Form shall be substituted, namely: —

" Form 'V'

(*See* rule 23-A(2)(i) and rule 26)

NOTICE OF DEMAND

Office of the Executive Engineer ……..
No……..
Date……..
To

M/s……..(Name of the industrial, commercial or other establishment).

Notice is hereby given that you have been drawing/allocated water from the Government water source or Irrigation works as shown in the Format during the month of …… As per Flow Meter reading you have consumed ……..cubic metre/litre of water in your Industrial/Commercial Establishment against the allocated quantity for the month of……,which is ……cubic metre/litre. As per sub-rule (2)(f) of rule 23-A read with rule 23 and rule 26, the quantity of water for this month is ……..cubic metre/litre and you have been assessed with an amount as shown in the Format.

You are hereby directed to deposit the fees so assessed in the office of the Executive Engineer noted below on or before dt……., failing which action as deemed proper under the provisions of the Act and rules shall be taken against you.

FORMAT

Rs. In Lakh

Name of the Government water source/ Irrigation work.	Khata/ Plot No	Quantum of water for the month (in cum) / Energy generated in KWH.	Unit rate of License fee/special water rate (Rate/cum) (Rate/KWH).	Total amount assessed for the month (Col.5= Col.3 x Col.4).	Cumulative demand for the previous month (col.11 of previous month).	Collection during the month			Interest @ 2% per month [Col.10= (Col.6 - Col.9) x 2/100].	Cumulative demand for the month (Col.11= Col.5 +Col.6 +Col.10 - Col.9).	Remarks
						current	Arrear	Total (Col.9 =Col.7+Col.8).			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Signature

(Designation of the Officer issuing the notice of Demand"

[No. 29870–III-W-04/2015/R&DM.]
By Order of the Governor

Dr. MONA SHRMA
Principal Secretary to Government

Printed and published by the Director, Printing, Stationery and Publication, Odisha, Cuttack-10
Ex. Gaz. 1136-173+400

Immediate

No. 33-03/2021-NDM-I
Government of India
Ministry of Home Affairs
(Disaster Management Division)

'C' Wing, 3rd Floor, NDCC- II,
Jai Singh Road, New Delhi-110001,
Dated the 12th January 2022

OFFICE MEMORANDUM

Subject: - Guidelines on Constitution and Administration of the State Disaster Response Fund and National Disaster Response Fund based on the recommendations of the Fifteenth Finance Commission 2021-22 to 2025-26.

Sir/ Madam,

The Fifteenth Finance Commission (FFC) has made provision of funds for the State Disaster Response Fund in its recommendations which has been accepted by the Government of India. Keeping in view of the provision of the Disaster Management Act, 2005 and the recommendations of Fifteenth Finance Commission, Government of India has framed guidelines for administration of National Disaster Response Fund (NDRF) at the National level and for State Disaster Response Fund at the State level, which are enclosed herewith for necessary action.

2. A copy of each of the guidelines for SDRF and NDRF respectively are enclosed for further necessary action at your end. These guidelines can also be downloaded from website of Disaster Management Division of Ministry of Home Affairs i.e. *www.ndmindia.mha.gov.in* .

(Pawan Kumar)
Deputy Secretary (DM-I)
Telefax: 23438123

Encl: As above.

Distribution:-

1. Ministry of Finance, Department of Expenditure, North Block, New Delhi.
2. Ministry of Agriculture [Joint Secretary (DM)], Krishi Bhawan, New Delhi.
3. National Disaster Management Authority, New Delhi.
4. Chief Secretaries of (All States).
5. Relief Commissioners/ Secretaries, Department of Disaster Management of (All States).
6. Accountants General of all State Governments.
7. Controller General of Accounts (CGA), New Delhi.
8. Comptroller & Auditor General (CAG), New Delhi.

*****

Ministry of Home Affairs
(Disaster Management Division)

Guidelines on Constitution and Administration of the State Disaster Response Fund (SDRF)

Introduction

1. The State Disaster Response Fund (SDRF) is a fund constituted under section 48(1) (a) of the Disaster Management Act, 2005 (53 of 2005) (hereinafter DM Act, 2005). These guidelines are being issued under section 62 of the DM Act, 2005.

Period of Operation

2.1 These guidelines will be operative from the financial year 2021-22 to 2025-26 and will continue till further orders.

2.2 Fifteenth Finance Commission has recommended a total allocation of Rs. 1, 60,153 crore for the State Disaster Risk Management Fund (SDRMF) to the States for the award period 2021-26. Further, the total State allocation for SDRMF has been divided into State Disaster Response Fund (SDRF) and State Disaster Mitigation Fund (SDMF), which will together address the full cycle of disaster management needs – response and relief, recovery and reconstruction, preparedness and capacity-building, and mitigation.

2.3 The SDRF would receive 80 per cent of the total SDRMF, while the SDMF would get 20 per cent of the allocation. Within the SDRF there would be three sub-allocations: (i) Response and Relief (40 per cent), (ii) Recovery and Reconstruction (30 per cent) and (iii) Preparedness and Capacity-building (10 per cent). While the funding windows of SDRF and SDMF are not inter-changeable, there could be flexibility for re-allocation within the three sub-windows of SDRF.

2.4 These guidelines are for the operation and administration of SDRF for the purpose of Response & Relief activities of immediate nature in respect of disasters as notified by the Central Government as well as State specific disasters, as notified by the State Governments for SDRF only. Besides these, guidelines in respect of SDMF & NDMF; and for specific issues pertaining to recovery & reconstruction, preparedness & capacity-building windows of SDRF & NDRF are being issued separately.

Calamities covered under the SDRF

3.1. The SDRF shall be used only for meeting the expenditure for providing immediate relief to the victims of cyclone, drought, earthquake, fire, flood, tsunami, hailstorm, landslide, avalanche, cloud burst, pest attack and frost & cold wave.

3.2. A State Government may use up to 10% fund of the annual allocation of the SDRF for providing immediate relief to the victims of natural disasters that they consider to be 'disasters' within the **local context** in the State and which are not included in the notified list of disasters of the Ministry of Home Affairs (MHA) subject to the condition that the State Government has listed the State specific natural disasters and notified clear and transparent norms and guidelines for such disasters with the approval of the State Authority i.e. the State Executive Committee (SEC). Any amount spent by the State for such disasters over and above the ceiling would be borne out of its own resources and would be subject to the same accounting norms.

3.3. The State Government is required to implement mandatorily the guidelines of 'Drought Manual 2016' as amended from time-to-time, prepared and circulated by the Ministry of Agriculture & Farmers Welfare, while determining/ declaring drought in their State. The determination/ declaration of drought would mandatorily require (a) notification on drought (b) details of assessment of drought as per manual (table 3.10) and (c) village-wise field verification data (para 3.2.6) etc.. The finding of field verification exercise will be the final basis for judging the intensity of drought as per page 43-44 of Drought Manual, 2016.

3.4 Further, the State Governments are required to consider the overall socio-economic scenario as reflected through distress migration, fodder commodities and fodder, malnutrition among vulnerable sections for providing relief. All stages of drought say, starting from rain failure/ deficiency to crop condition/ market arrival etc. should be monitored through identified indicators online by capturing data at block level in the system". Therefore, State Governments shall comply with the mandatory instruction/ parameter mentioned in the 'drought manual - 2016 to determine/ declaration of drought in the State.

Constitution of State Disaster Response Fund

4. The State Disaster Response Fund (SDRF) will be constituted with the nomenclature "State Disaster Response Fund" in the Public Account under the

Reserve Fund bearing Interest in the Major Head: 8121-General and other Reserve Fund in the accounts of the State Governments concerned and would be invested as per provisions of paras 23-27 of these guidelines. The closing balance as on 31.03.2021 in the State Disaster Response Fund (SDRF) shall be transferred to the SDRF as opening balance for 2021-22. The State Government shall pay interest to the SDRF at the rate applicable to overdrafts under the Overdraft Regulation Guidelines of the Reserve Bank of India (RBI). The interest will be credited on a half yearly basis. State Governments are required to issue certificate that the relevant notifications establishing SDRF as per section 48(1) (a) of the DM Act, 2005 is in force. A copy of the same may be provided to the MHA.

Contributions to the Fund

5. The aggregate size of the State Disaster Response Fund of each State for each of the financial year from 2021-22 to 2025-26, would be as recommended by the 15th Finance Commission. The State-wise allocation for Disaster Management is based on factors of past average expenditure, area, population and disaster risk index method. Thus, the total corpus of SDRF is Rs. 1,28,122.40 crore for the award period from 2021-22 to 2025-2026, of which Central Government share is Rs. 98,080.80 crore and State Governments share is Rs. 30,041.60 crore. The year-wise share of the Central Government and the State Governments are as per Annex 8.5 of XV-Finance Commission Report, Vol. 2 reproduced in Annexure-I, after excluding 20% share of SDMF. Of the total size of SDRF indicated, the Central Government will contribute 75 per cent funds of SDRF for all States, except for the North-Eastern and Himalayan (NEH) States namely Assam, Arunachal Pradesh, Meghalaya, Manipur, Mizoram, Nagaland, Sikkim, Tripura, Himachal Pradesh and Uttarakhand, for which it will contribute 90 per cent of the total annual allocation. The balance 25 per cent of funds of SDRF will be contributed by the State Government concerned, except the NEH States which shall contribute 10 per cent.

6. The share of the Central Government to the SDRF shall be paid as Grant-in-aid and accounted for in the Government of India accounts under the major head "3601-Grants-in-aid to State Governments - 07 Finance Commission Grants- 104 "Grants in aid for State Disaster Response Fund". The State Governments shall take these as receipts in their budget and account under the Major Head "1601-Grants-in-aid from Central Government - 07 Finance Commission Grants- 104 "Grants in aid for State Disaster Response Fund".

7. In order to enable transfer of the total amount of contribution to the SDRF (including the States' share of contribution), the State Governments would make

suitable budget provision on the expenditure side of their budget under the head "2245-Relief on Account of Natural Calamities-05 State Disaster Response Fund-101 Transfers to Reserve Fund and Deposit Accounts- State Disaster Response Fund".

7.1 Immediately upon receipt of Government of India's share as per para 6 above, the States would transfer the amount, along with their matching share, if not already transferred, to the Public Account Head within 15 days of its receipt. Any delay will require the State Government to release the amount, with interest, at Bank rate of RBI, for the number of days of delay. The State Government is required to endorse the copy of the release order to the Department of Expenditure, Ministry of Finance and Ministry of Home Affairs.

Booking of Expenditure on Immediate Relief

8. The actual expenditure on relief works will be booked only under respective Sub major head corresponding to minor head within Major Head: 2245 (i.e. 01 for drought; 02 for flood, 03 for cyclones, 04 for earthquake, 05 for hailstorm, 06 for landslides, 07 for cloud burst, 08 for fire, 09 for tsunami, 10 for avalanche, 11 for pest attack and 12 for cold-wave/ frost and 13 for Other State specific disasters 13.1 for specific disaster, 13.2 for specific disaster, 13.3 for specific disaster, 13.4 for specific disaster, 13.5 for specific disaster ...etc.; 16 for "State Disaster Response Fund" and 80 for General). The expenditure to be charged to the SDRF will be shown as a negative entry under 2245-05-901 – deduct amount met from SDRF for relief expenditure". As proper accounting brings in transparency for booking of expenditure, office of the Controller General of Accounts/ Accountant Generals in the respective States may create Sub head/ Minor Head in respect of each of the notified calamities/ items under Major Head 2245. The expenditure to be charged from the SDRF will be shown as a negative entry under 2245-05-901-deduct amount met from SDRF for relief expenditure.

9. Direct expenditure should not be made from the Public Account. Even if for some administrative reasons, expenditure on immediate relief has been met under heads of account other than MH: 2245, these should be finally booked under MH: 2245 through inter-account transfers.

10. In order to utilise allocation made for disaster management, sub major heads corresponding to minor heads under MH '1601 - Grants-in-aid from Central Government', MH '2245 - Relief on account of Natural Calamities', MH '3601-Grants-in-aid to State Governments', MH- '8121- General and other Reserve Funds'

under Reserve Funds Bearing Interest, and MH '8235-General and other Reserve Funds under Reserve Funds Not Bearing Interest should be opened for release. The CGA and Department of Expenditure should ensure that these accounting norms are adhered to by the States. The CAG may appropriately review the adherence to these prescribed accounting practices.

11. In order to have real time information about availability of SDRF and NDRF fund with State Governments, the Ministry of Home Affairs has evolved a web-based online application, i.e. National Disaster Management Information System (NDMIS). Therefore, State Governments shall provide online data of expenditure incurred from State Disaster Response Fund (including additional central assistance from NDRF) in line with the GOI approved norms, on a real time basis. This is also in line with recommendation of 15th Finance Commission made in para-8.112 of their Report.

Release of Central Government's Contribution to the Fund

12. The share of the Central Government in SDRF shall be remitted to the State Governments in two installments in June and December in each financial year. Likewise, the State Governments shall also transfer their contribution to the SDRF in two installments in June and December of the same year, provided that if Ministry of Home Affairs (MHA), upon being satisfied that exigencies of a particular calamity so warrant, may recommend an earlier release of the Central share of a particular year's installment. In addition MHA may release central share upto 25% of the funds due to the State in the following year. This release will be adjusted against the installments of the subsequent year.

13. The share of the Government of India to the SDRF due in a year shall be released to the State Governments subject to fulfillment of the following conditions:-

(i) The installment of central contribution to SDRF for 2021-22 will be released on receipt of self certification by State Government that the arrangement of accounting procedure as mentioned in paras 4 to 11 above and other conditions as mentioned below in paras 13 (ii) to (vi) will continue during the award period of Fifteenth Finance Commission. Any deviations from these accounting practices would result in withholding of further releases until the required accounting procedure is adopted or restored.

(ii) A 'State Disaster Response Fund' has been duly constituted by the State Government as specified in DM Act, 2005, following the accounting

procedure and manner described in paras 4 to 10 above. State Governments are required to issue duly signed certificate that the relevant notifications establishing SDRF as per section 48(1) (a) of the DM Act, 2005 has been constituted and is in force. State Government shall furnish a copy of the same to the Ministry of Home Affairs.

(iii) State has to constitute the State Executive Committee (SEC) as mentioned in para 14 below. State Governments are required to issue a certificate that the relevant notifications constituting SEC is in force. State Government shall furnish a copy of the same to the Ministry of Home Affairs.

(iv) The State Government shall furnish a certificate to the Ministry of Home Affairs and to the Ministry of Finance in the months of April and October every year indicating that the amount received earlier has been credited to the SDRF along with the State's share, accompanied by a statement giving the up-to-date expenditure and the balance amount available in the SDRF. This statement is to be provided in the format at Annexure-II, once the Finance Accounts of the previous year are available. Expenditure reported for that particular year should match with expenditure figure in Major Head: 2245 and balance in SDRF in MH: 8121. In case of any discrepancy, the figures in MH: 2245 and in MH: 8121, as reflected in the Finance Accounts, will be considered.

(v) The Central contribution due in December of a year shall be released after the receipt, in the Ministry of Home Affairs and in the Department of Expenditure, Ministry of Finance by September of that year, of an 'Annual Report on Natural Calamities', prepared by the State Government concerned on any natural calamities, mentioned in para 3 above, faced in the previous year. This Annual Report shall, inter-alia, record all the allocation, expenditure, key achievements and impact of expenditure on different aspects of disaster management and furnish details of expenditure incurred by the State Government on each of calamities, for each type of expenditure allowed as per the items and norms of expenditure of SDRF/ National Disaster Response Fund (NDRF) so fixed by MHA with the concurrence of Department of Expenditure, Ministry of Finance.

(vi) Whenever the SDRF of a State is replenished with additional grant-in-aid from NDRF, the State Government would treat this grant in the same manner as the funds in SDRF as far as transfer and accounting are concerned. However, in such cases, a specific utilization certificate will be required within three months from the date of release of such grant.

(vii) The release of installments shall be made by Department of Expenditure, Ministry of Finance, after receiving due recommendations from the Ministry of Home Affairs (DM Division).

State Executive Committee

14. Every State Government will constitute a State Executive Committee (SEC) as per section 20 of the Disaster Management Act, 2005. The Chief Secretary to the State Government shall be the ex-officio Chairperson of the SEC.

Functions of the State Executive Committee regarding affairs of SDRF

15. State Government shall entrust the SEC, inter-alia, with following responsibilities:-

(i) The SEC will decide on all matters connected with the financing of the relief expenditure of immediate nature from SDRF. Period for providing gratuitous relief will be as per assessment of the SEC and the Central Team (in case of NDRF). The default period of assistance should be as per prescribed time limit. However, if the SEC so feels and depending on the ground situation, the period of relief assistance can be extended beyond the prescribed time limit subject to the condition that expenditure on this account should not exceed 25% of SDRF allocation of prescribed limit of funding window for the year.

(ii) The SEC will arrange to obtain the contributions from the Government, administer the SDRF/ NDRF and invest the accretions to the SDRF in accordance with the norms approved by the Government of India from time- to-time. The norms of investment are indicated in paras 24-29 below.

(iii) The SEC shall ensure that :-

(a) The money drawn from the SDRF is actually utilized for the purposes for which the SDRF has been set up.
(b) Expenditures are only on items of expenditure and as per norms as in para 17 below.
(c) Timely remittance of State share into SDRF account.
(d) Amount is not retained under non-interest bearing public account.
(e) Fund is not diverted to inadmissible expenditure.
(f) Funds will not be excess utilized due to mixing up of SDRF and State resources/ budget provision.

(g) All individual beneficiary–oriented assistance is mandatorily/ necessarily disbursed through the bank account of beneficiary via PFMS or State specific portal fully integrated with PFMS.

(h) Accounting procedure in para 4 to11 above are properly followed.

(i) Compliance the instructions with regards to investment of the SDRF fund in line with the para 23 of the guidelines.

(j) While disbursing of ex-gratia, housing and livelihood assistance (through DBT), amount should be transferred to the account of the women member of the household to the extent possible.

(iv) The accretions to the SDRF, together with the income earned on the investments of the SDRF, will be used by the SEC to meet items of expenditure covered under the approved norms as in para 17 below.

(v) The items in the National Disaster Response Reserve (NDRR) inventory are for the operational use of National Disaster Response Force and for the use of the victims of disasters. Hence the timely recoupment shall be made by the respective State Governments through their existing SDRF allocation. SEC shall ensure that the funds are recouped in NDRR from the SDRF as per the demand raised by National Disaster Response Force. In case State Government fails to recoup the NDRR within the same financial year, the fund may be recouped directly through deduction at source by deducting from the central share of SDRF of State Government concerned from the next installment.

Expenditure of SEC

16. All administrative expenses of the SEC and miscellaneous expenses shall be borne by the State Government from its normal budgetary provisions and not from the SDRF or NDRF.

Assessment of assistance under Items and Norms of Expenditure

17. The norms for the amounts to be incurred on each approved item of expenditure will be fixed by the Ministry of Home Affairs with the concurrence of Department of Expenditure, Ministry of Finance and may be amended from time-to-time. In case any State Government exceeds the amount prescribed in the norms, the excess expenditure should be borne on the budget of the State Government and not be charged to SDRF or NDRF.

18. The SEC will assess the requirements of assistance from the SDRF for financing relief expenditure. The provision for expenditure on relief will be made in the budget of the State Government as mentioned in para 7 above. The extent of relief expenditure to be financed from the SDRF as authorized by the SEC shall be withdrawn from the SDRF after liquidation of the investment holdings in the manner described in paras 27-29 below.

19. Expenditure for providing immediate relief to the victims of State-specific natural disasters within the local context in the State, which are not included in the Government of India (GOI) notified list of disasters, issued by MHA, as per approved norms, may be met from SDRF within the permissible limit of 10 per cent fund of the annual allocation of funding window of the SDRF. However, this flexibility would be applicable only after the State has listed the natural disasters properly for inclusion and notified clear and transparent norms and guidelines for disaster relief for such disasters with the approval of the SEC. Any amount spent by the State for such local natural disasters over and above the ceiling would be borne out of its own resources and would be subject to the same accounting norms.

20. The provision for disaster preparedness, restoration, reconstruction and mitigation of long-term activities of permanent nature except those provided under Recovery & Reconstruction and Preparedness & Capacity-Building window should not be a part of SDRF or NDRF. Such expenditure is needed to be built into the normal budgetary heads/ separate schemes/ State Plan funds etc. of the State Governments.

21. In order to set up recovery, reconstruction, preparedness and capacity building facility to address activities of immediate nature within SDRF/ NDRF have been subdivided into funding window by the 15th Finance Commission. The SDRF would receive 80 per cent of the total SDRMF, while SDMF would get 20 per cent of the allocation. Within the SDRF allocation, there would be three sub-allocations. While the funding windows of SDRF and SDMF are not inter-changeable, there could be flexibility for re-allocation within the three sub-windows of SDRF for that financial year. Distribution of total SDRF allocation among sub-window is given as under:

(i) Forty percent (40%) of the annual allocation of SDRMF is kept for Response and Relief activities. These activities would be administrated as per GOI approved items & norms.

(ii) Thirty percent (30 %) of the annual allocation of SDRMF is kept for Recovery and Reconstruction activities. These activities would be administrated as per GOI approved items & norms.

(iii) Ten per cent (10%) of the annual allocation of SDRMF is kept for Preparedness and Capacity-building activities. These activities would be administrated as per GOI approved items & norms.

Patterns of Investment from the Fund

22. On receipt of the amounts of contributions from the Government of India and/ or the State Government, the SEC would take action for investment of the funds as per the norms prescribed in para 23 of the Guidelines.

23. The accretions to the SDRF, together with the income earned on the investment of the SDRF, shall, till contrary instructions are issued by Government of India, be invested in one or more of the following instruments:-

(a) Central Government dated Securities;
(b) Auctioned Treasury Bills; and
(c) Interest earning deposits and certificates of deposits with Scheduled Commercial Banks.

The investment of the funds shall be carried out by the branch of the Reserve Bank of India (having Banking Department) at the headquarters of the State, or a Bank designated by RBI. In case of Sikkim, the functions may be carried out by the State's bankers.

Account of Investment Transactions

24. The SEC will, from time-to-time, issue instructions to the concerned local bankers indicated in para 23 above to invest specified amount(s) from the SDRF in the securities specified in clauses (a) to (c) under para 23. Banks will immediately arrange to make the necessary investment locally or through their branches/ correspondent banks/ RBI at Mumbai or other metropolitan centers. The banks would scroll to the Government the debit on account of the investment and other incidental charges like brokerage, commission etc. in the usual course. However, in order to ensure that the investment transactions of the SDRF do not get mixed up with other transactions, these may be indicated distinctly in separate scrolls.

25. On receipt of the scrolls, the investment transactions would be accounted for under the head "8121-General and Other Reserve Fund-'State Disaster Response Fund'. The incidental charges like brokerage, commission etc. shall be accounted for as a charge on the SDRF.

26. The bank will arrange to collect interest on these securities/ bonds and credit the same to the account of the Government on the due date. These receipts shall form a part of the receipts of the SDRF and would be accounted for as such. Further, these would require to be invested by the SEC as in the case of the contributions by the Government i.e. in accordance with the investment norms prescribed in para 23 above. On maturity of the securities, the proceeds will be collected and credited to the account of the Government or reinvested on the basis of instructions received from the SEC. As in the case of the debit scrolls the banks shall use separate scrolls for the receipts.

27. On receipt of instructions from the SEC, the concerned bank will arrange to sell the securities at the ruling price through its branches/ correspondent banks/ RBI at Mumbai or any other metropolitan Centre and credit the amount realized, less incidental charges, to the account of the Government.

28. The receipts on account of maturity or sale of the securities would be credited to the "State Disaster Response Fund". The incidental charges on sale may be charged to the SDRF account.

29.1. The auctioned Treasury Bills may be purchased by the bank either at the Treasury bill auctions on the basis of a non-competitive bid or in the market.

29.2. State Government shall be liable to recoup in SDRF an amount equal to loss accrued due to non-investment of funds, from its own resources.

Encashment of Securities

30. To meet liability on account of the claims sanctioned for assistance/ relief, the SEC will first dispose of its holdings of auctioned Treasury Bills to the extent required, the oldest lot of bills being sold first and so on. If the amount obtained by the sale of auctioned Treasury Bills is not sufficient to meet the liability towards relief sanctioned, the SEC may encash the deposits with the local branches of the scheduled commercial banks. The Central Government dated securities may be sold only if the amount realized by the sale of treasury bills and encashment of the deposits is not adequate.

31. The State Government concerned will pay to the RBI/ banks a commission at the rate determined by RBI in consultation with the State Government concerned. These charges shall also be borne by the SDRF as in the case of the charges indicated in para 25. The loss or gain on the sale of securities shall also be taken to the account of the SDRF.

Monitoring by the Ministry of Home Affairs

32. The Ministry of Home Affairs is the nodal Ministry for overseeing the operation of SDRF, and shall monitor compliance with the prescribed processes. MHA may issue directions/ instructions under the DM Act, 2005.

Unspent Balance in the SDRF

33. The unspent balance in the SDRF account as at the end of the financial year 2020-21 shall be the opening balance of SDRF account of the financial year 2021-22. Government of India will communicate the modalities for handling any balances available at the end of 2025-26 in SDRF of the States. Otherwise, unless provided, the closing balance would be available for relief expenditure under SDRF in the ensuing period of 2026-2031.

Accounts and Audit

34. The accounts of the SDRF (approved calamity-wise) and the investment shall be maintained by the Accountant General in charge of accounts of the State in the normal course. Disclosure about the position of the opening balance, receipts, expenditure and closing balance in respect of SDRF will be made in the Finance Accounts, as a separate appendix/ line. The SEC will, however, maintain subsidiary accounts (calamity-wise) in such manner and details as may be considered necessary by the State Government in consultation with the Accountant General.

35. Comptroller and Auditor General of India would cause audit/ performa audit of SDRF conducted every year in conformity with approved items & norms in terms of the purposes of the SDRF Guidelines. The State Government shall furnish a copy of the audit report of the Comptroller and Auditor General of India in respect of SDRF to the Ministry of Finance and Ministry of Home Affairs.

Outcome Framework

36. In order to ensure greater accountability for the allocation and utilisation of SDRMF and NDRMF resources, an outcome framework shall be developed by National Disaster Management Authority (NDMA). Such a framework calls for States' commitments to achieve the Sendai Framework indicators. Some of these include reducing mortality, supporting community recovery and resilience and improving the quality and substance of disaster assistance. An annual report in this regard at the national level may record all the allocations, expenditures, key achievements and results against various indicators developed for the implementation of SFDRR. The Ministries of Finance (Department of Expenditure), Home Affairs and National Disaster Management Authority (NDMA) may lead a mid-term review of the entire allocations and assess the impact of expenditures through different windows. The contribution of these allocations to national and state capacities and resources may be evaluated against a set of indicators determined by the NDMA.

Saving

37. The Ministry of Home Affairs with the concurrence of Department of Expenditure, Ministry of Finance shall alter/ modify guidelines as may be considered necessary from time to time. Further, in case of any difficulty in the operation of any provision of these instructions, the Central Government, if satisfied, may modify the provisions of guidelines or by amending the Disaster Management Act, 2005.

*****

Annexure-I

State-wise allocation of State Disaster Response Fund (SDRF) for the Award period 2021-26

(Rs. in crore)

Sl.	Name of State	State share						Central Share						Total (Central and State share)					
		2021-22	2022-23	2023-24	2024-25	2025-26	Total	2021-22	2022-23	2023-24	2024-25	2025-26	Total	2021-22	2022-23	2023-24	2024-25	2025-26	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1	Andhra Pr.	297.60	312.80	328.00	344.80	361.60	**1644.80**	895.20	940.00	987.20	1036.00	1088.00	**4946.40**	1192.80	1252.80	1315.20	1380.80	1449.60	**6591.20**
2	Arunachal Pr.	22.40	23.20	24.80	25.60	27.20	**123.20**	200.00	210.40	220.80	231.20	243.20	**1105.60**	222.40	233.60	245.60	256.80	270.40	**1228.80**
3	Assam	68.80	72.00	76.00	79.20	83.20	**379.20**	617.60	648.80	680.80	716.00	751.20	**3414.40**	686.40	720.80	756.80	795.20	834.40	**3793.60**
4	Bihar	377.60	396.80	416.00	436.80	459.20	**2086.40**	1132.80	1189.60	1248.80	1311.20	1376.80	**6259.20**	1510.40	1586.40	1664.80	1748.00	1836.00	**8345.60**
5	Chhattisgarh	115.20	120.80	127.20	133.60	140.00	**636.80**	345.60	363.20	380.80	400.00	420.00	**1909.60**	460.80	484.00	508.00	533.60	560.00	**2546.40**
6	Goa	2.40	3.20	3.20	3.20	4.00	**16.00**	9.60	9.60	9.60	10.40	11.20	**50.40**	12.00	12.80	12.80	13.60	15.20	**66.40**
7	Gujarat	352.80	370.40	388.80	408.80	428.80	**1949.60**	1059.20	1112.00	1168.00	1226.40	1287.20	**5852.80**	1412.00	1482.40	1556.80	1635.20	1716.00	**7802.40**
8	Haryana	131.20	137.60	144.00	151.20	159.20	**723.20**	392.80	412.80	433.60	455.20	477.60	**2172.00**	524.00	550.40	577.60	606.40	636.80	**2895.20**
9	Himachal Pr.	36.00	38.40	40.00	41.60	44.00	**200.00**	327.20	342.40	360.80	378.40	397.60	**1806.40**	363.20	380.80	400.80	420.00	441.60	**2006.40**
10	Jharkhand	151.20	158.40	166.40	175.20	184.00	**835.20**	454.40	476.80	500.80	526.40	552.00	**2510.40**	605.60	635.20	667.20	701.60	736.00	**3345.60**
11	Karnataka	210.40	221.60	232.00	244.00	256.00	**1164.00**	632.80	664.00	697.60	732.00	768.80	**3495.20**	843.20	885.60	929.60	976.00	1024.80	**4659.20**
12	Kerala	84.00	88.00	92.00	96.80	101.60	**462.40**	251.20	264.00	277.60	291.20	306.40	**1390.40**	335.20	352.00	369.60	388.00	408.00	**1852.80**
13	Madhya Pr.	485.60	509.60	535.20	561.60	589.60	**2681.60**	1456.00	1528.80	1605.60	1686.40	1770.40	**8047.20**	1941.60	2038.40	2140.80	2248.00	2360.00	**10728.80**
14	Maharashtra	859.20	902.40	947.20	994.40	1044.00	**4747.20**	2577.60	2706.40	2841.60	2984.00	3132.80	**14242.40**	3436.80	3608.80	3788.80	3978.40	4176.80	**18989.60**
15	Manipur	4.00	4.00	4.00	4.00	4.80	**20.80**	33.60	35.20	37.60	40.00	40.80	**187.20**	37.60	39.20	41.60	44.00	45.60	**208.00**
16	Meghalaya	5.60	6.40	6.40	6.40	7.20	**32.00**	52.80	54.40	58.40	60.80	64.00	**290.40**	58.40	60.80	64.80	67.20	71.20	**322.40**
17	Mizoram	4.00	4.00	4.80	4.80	4.80	**22.40**	37.60	39.20	41.60	43.20	45.60	**207.20**	41.60	43.20	46.40	48.00	50.40	**229.60**
18	Nagaland	4.00	4.00	4.00	4.00	4.80	**20.80**	32.80	34.40	36.80	38.40	40.00	**182.40**	36.80	38.40	40.80	42.40	44.80	**203.20**
19	Odisha	428.00	448.80	471.20	495.20	520.00	**2363.20**	1283.20	1348.00	1415.20	1485.60	1560.00	**7092.00**	1711.20	1796.80	1886.40	1980.80	2080.00	**9455.20**
20	Punjab	132.00	138.40	145.60	152.80	160.80	**729.60**	396.00	416.00	436.80	458.40	481.60	**2188.80**	528.00	554.40	582.40	611.20	642.40	**2918.40**
21	Rajasthan	395.20	414.40	435.20	456.80	480.00	**2181.60**	1184.80	1244.80	1307.20	1372.00	1440.00	**6548.80**	1580.00	1659.20	1742.40	1828.80	1920.00	**8730.40**
22	Sikkim	4.80	4.80	4.80	4.80	5.60	**24.80**	40.00	42.40	44.80	47.20	48.80	**223.20**	44.80	47.20	49.60	52.00	54.40	**248.00**
23	Tamil Nadu	272.00	285.60	300.00	315.20	330.40	**1503.20**	816.00	856.80	900.00	944.80	992.00	**4509.60**	1088.00	1142.40	1200.00	1260.00	1322.40	**6012.80**
24	Telangana	120.00	125.60	132.00	138.40	145.60	**661.60**	359.20	377.60	396.00	416.80	436.80	**1986.40**	479.20	503.20	528.00	555.20	582.40	**2648.00**
25	Tripura	6.40	6.40	6.40	7.20	7.20	**33.60**	54.40	56.80	60.80	63.20	67.20	**302.40**	60.80	63.20	67.20	70.40	74.40	**336.00**
26	Uttar Pr.	516.00	541.60	568.00	596.80	626.40	**2848.80**	1546.40	1624.00	1705.60	1791.20	1880.80	**8548.00**	2062.40	2165.60	2273.60	2388.00	2507.20	**11396.80**
27	Uttarakhand	83.20	87.20	92.00	96.00	100.80	**459.20**	749.60	787.20	826.40	868.00	911.20	**4142.40**	832.80	874.40	918.40	964.00	1012.00	**4601.60**
28	West Bengal	269.60	283.20	297.60	312.00	328.00	**1490.40**	808.80	849.60	892.00	936.00	983.20	**4469.60**	1078.40	1132.80	1189.60	1248.00	1311.20	**5960.00**
	Total	**5439.20**	**5709.60**	**5992.80**	**6291.20**	**6608.80**	**30041.60**	**17747.20**	**18635.20**	**19572.80**	**20550.40**	**21575.20**	**98080.80**	**23186.40**	**24344.80**	**25565.60**	**26841.60**	**28184.00**	**128122.40**

Ref: Annexes 8.4 & 8.5. Report of FC XV, Vol. II

PROFORMA

(Rs. in Crore)

(A) Statement of previous released amounts to the SDRF/ NDRF.

1. Opening balance as on 01.04.20..... :
2. Centre share including advance release credited to SDRF :
3. Corresponding share of State :
4. Corresponding share of State credited to SDRF :
5. Amount received under NDRF :
6. Corresponding share of State credited to NDRF :
7. Expenditure as on 30th September 20..... :
8. Cumulative expenditure as on 31st March 20..... :

(Expenditure statement is to be provided in the proforma as given at Appendix).

9. Amount transferred to investment account during financial year ..... :
10. Amount received from investment (including interest earned) account during ..... :
11. Closing balance (1+2+4+5+6+10)–(7 or 8): 31st March / 30th Sept. 20.. :

(B) 1. Opening balance: 1st April 20.....

1.1 Total investment made out of SDRF as on 31st March 20..... :

2. Receipt during the current financial year 20.....
   - (i) Centre's share of SDRF :
   - (ii) State's share of SDRF :
   - (iii) Assistance under NDRF – Centre's share :
   - (iv) Corresponding State share of NDRF :
   - (v) Interest earned (including investment made out of SDRF) :
   - (vi) Others :
   - (vii) Arrears of Centre's/ State's share if any to be credited to SDRF :
   - (viii) Total (i) to (vii) :
   - (ix) Of which amounts credited to SDRF :
3. Total amount available in the SDRF {(1+ sub-head (ix) of 2} :
4. Total Expenditure incurred inconformity with items & norms of SDRF during the year out of the Fund:
   - i) As on 31st March, 20..... :
   - ii) As on 30th September, 20..... :

(Expenditure statement is to be provided in the proforma as given at Appendix).

5. Balance available in the Fund (3-4) 31st March / 30th September 20..... :

(C) Submission of 'Annual Report on Natural Calamities'.

(i) Whether "Annual Report on Natural Calamities" for the previous year .... has been sent to Ministry of Home Affairs (Yes/ No). :

(ii) If yes, date on which sent :

Note:- To maintain separate sanctity of SDRF/ NDRF account, the State Government is required to ensure that excess expenditure, if any incurred over & above from State budget fund/ resources, should not be mixed up with SDRF/ NDRF without following proper accounting procedure/ crediting into this account, otherwise it will loss identity of SDRF.

*****

PROFORMA

State: _____

Part-I: Expenditure during the financial year 202.....(Rs in crore)

Item	Funding window wise expenditure (Rs crore)						Total Expenditure as on 31st March/30 September, 20...
	Response & Relief		Recovery and reconstruction		Preparedness and Capacity Building		
	allocation	expenditure	allocation	expenditure	allocation	expenditure	
	1	2	3	4	5	6	7 (2 + 4+ 6)
1. SDRF							
2. Reallocation within the sub window of SDRF/ NDRF (+/-)							
Total (1+2)							

Part -II : Earmarked project wise expenditure details from funding window of NDRF

(Rs. in crore)

S. No.	Project	Recovery and Reconstruction funding window			Balance amount available as on 31 March/30 September 20...	Project	Preparedness and Capacity Building funding window			Balance amount available as on 31 March/30 September 20...
		Resettlement of Displaced People Affected by Erosion					Expansion and Modernisation of Fire Services			
		Receipts during the year		expenditure			Receipts during the year		expenditure	
		Central Share (90%)	State Share (10%)				Central Share (90%)	State Share (10%)		
1	2	3	4	5	6 (3+4 - 5)	7	8	9	10	11 (8+9 - 10)
1										
2										
3										
4										
5										

Note:- Expenditure to be incurred from SDRF account should be as per the approved norms & guidelines issued by the Union Government.

Ministry of Home Affairs
(Disaster Management Division)

Operational Guidelines for Constitution and Administration of the National Disaster Response Fund (NDRF)

Introduction

1. These guidelines shall be called the 'National Disaster Response Fund' (NDRF) Guidelines 2021-26. NDRF is a fund constituted under section 46 of the Disaster Management Act, 2005. These Guidelines are issued under Section 46(2) of the Disaster Management Act, 2005 (hereinafter called DM Act, 2005), to supplement funds from the State Disaster Response Fund (SDRF) of a State, so as to facilitate immediate relief in case of calamities of a severe nature.

Period of operation

2.1 The guidelines will be operative from the financial year 2021-22 to 2025-26 and will continue till further orders.

2.2 Fifteenth Finance Commission has recommended the total allocation of Rs. 68,463 crore for the National Disaster Risk Management Fund (NDRMF) for the award period 2021-22 to 2025-26. Further, total allocation of NDRMF has been divided into National Disaster Response Fund (NDRF) and National Disaster Mitigation Fund (NDMF), which will together address the full cycle of disaster management needs viz; response and relief, recovery and reconstruction, preparedness and capacity-building, and mitigation.

2.3 The NDRF would receive 80 per cent of the total NDRMF, while the NDMF would get 20 per cent of the allocation. Within the NDRF there would be three sub-allocations: (i) Response and Relief (40 per cent NDRMF), (ii) Recovery and Reconstruction (30 per cent of NDRMF) and (iii) Preparedness and Capacity-building (10 per cent of NDRMF). While the funding windows of NDRF and NDMF are not inter-changeable, there could be flexibility for re-allocation within the three sub-windows of NDRF for that financial year, subject to condition that earmarked allocations shall not exceed 10 per cent of the amount earmarked for that sub-window.

2.4 These guidelines are for the operation and administration of the NDRF for disasters as notified by the Central Government for SDRF and NDRF. However, guidelines in respect of SDMF & NDMF; and for specific issues pertaining to recovery & reconstruction, preparedness & capacity-building windows of SDRF & NDRF are being issued separately.

Calamities covered under NDRF

3.1 Natural calamities of cyclone, drought, earthquake, fire, flood, tsunami, hailstorm, landslide, avalanche, cloud burst, pest attack and cold wave & frost, considered to be of severe nature by the Government of India, and requiring expenditure by a State Government in excess of the balances available in its own State Disaster Response Fund (SDRF), will qualify for additional assistance from NDRF, as per the established procedure.

National Disaster Response Fund (NDRF)

4.1. The NDRF will be operated by the Government of India for the purpose of providing assistance to the people affected by the above mentioned calamities, which are assessed as being of 'severe nature', following the procedure prescribed in para 7.1 to 7.2 of these guidelines. NDRF is classified in the Public Account in the sub-section (b) 'Reserve Funds Not Bearing Interest' of the Government of India under the major head 8235- 'General and Other Reserve Funds' – 125- National Disaster Response Fund'.

Contribution to the NDRF

5.1 The total allocation for the National Disaster Risk Management Fund (NDRMF) for the award period from 2021-22 to 2025-26 is Rs. 68,463 crore, as recommended by the 15th Finance Commission. Out of this, the share of NDRF is 80 per cent and the share of NDMF is 20 per cent. Hence, the total corpus of Rs. 54,770 crore (i.e. 80 per cent of total NDRMF) is allocated under NDRF for the award period 2021-2026.

Earmarked Allocation within NDRF

5.2 15th Finance Commission has also earmarked allocation from NDRF of Rs. 5,000 crore from the Preparedness and Capacity Building window for Expansion and Modernization of Fire Services and Rs.1,000 crore from Recovery &

Reconstruction window for Resettlement of Displaced People affected by Erosion. These resources need to be provided to States on a cost-sharing basis in the next five years. States need to apply for these funds as per guidelines to be issued separately, for which they shall contribute 10 per cent of the amount approved. There shall be no spill-over for the liabilities committed for the projects sanctioned against earmarked allocation beyond the award period (2021-2026) of the Commission.

5.3 In accordance with the provisions of Section 46(a) & (b) of the Disaster Management Act, 2005, NDRF will be credited with:

(a) an amount which the Central Government may, after due appropriation made by Parliament by law in this behalf provide;
(b) any grants that may be made by any person or institution for the purpose of disaster management.

5.4 The budget provision for transferring funds to the NDRF as mentioned in para 5.3 above shall be made in the Demand for grants No. 40 - "Transfers to States". Releases to State Governments will be made by the Department of Expenditure, Ministry of Finance from this provision.

5.5 During the years 2021-26 transfers to the NDRF established in the Public Account of India will be made by operating the following heads of account: Major Head "2245-Relief on account of Natural Calamities – 80-General-797-Transfers to Reserve Funds and Deposit Account'-Transfer to National Disaster Response Fund.

5.6 In order to ensure additional source of funding to NDRF, the Ministry of Corporate Affairs vide notification dated 30th May 2019 notified the amendment of Schedule VII and made an entry after items (xi) as item "(xii) disaster management, including relief, rehabilitation and reconstruction activities" under section 135 of the Companies Act, 2013.

5.7 Contributions/ grants made by any person or institution for the purpose of disaster management shall also be credited to the NDRF, as an additional source of funding NDRF. The Central Government has prescribed/ laid-out the modalities for receipt of contributions/ grants made by any person or institution for the purpose of disaster management in the National Disaster Response Fund as per Section 46(1) (b) of the DM Act, 2005. Contribution/ grants can be made by any person or institution in NDRF through any of the following modes:

a) Through physical instruments: to be drawn favoring "PAO (Secretariat), MHA" at New Delhi. On the back of the instrument, the individual may mention the remarks for "Contributions/ Grants to NDRF".

b) Through RTGS/NEFT/UPI: Contribution may also be made through RTGS/ NEFT indicating the purpose as "Contributions/ Grants to NDRF" and deposited in the Receipt Account No. 10314382194, IFSC Code-SBIN0000625, State Bank of India, Central Sectt Branch, New Delhi.

c) Through Bharatkosh portal https://bharatkosh.gov.in using Net banking, Debit Cards, Credit Cards & UPI as per following steps:

   i. Click on "Quick Payment" option on the home page https://bharatkosh.gov.in

   ii. On the next page, select the Ministry as "Home Affairs" and the purpose as "Contributions/ Grants to NDRF" and the website would further guide for payment.

5.8 The receipt in the form of grants/ donations made by any person/ institution for the purpose of disaster management may be taken as receipts of GOI under new minor head with the nomenclature 'Grants/ contributions from any persons/ institutions for Disaster Management'. For this, following accounting treatment will be applied, Major Head 8675 'Deposit with Reserve Bank'-00.101 'Central Civil' To Major Head '0070-Other Administrative Service'-60 'Other Services' – 121- 'Grants/ contributions from persons/ institutions for Disaster Management'.

Arrangements for Monitoring Natural Calamities

6. The Ministry of Home Affairs will make appropriate arrangements to monitor the occurrences of natural calamities relating to cyclones, earthquakes, fires, floods, tsunami, landslides, avalanches, and cloud bursts. Department of Agriculture and Cooperation will make appropriate arrangements to monitor calamities associated with drought, hailstorms, pest attacks and cold wave/ frost.

Assessment of Relief Assistance from the NDRF

7.1 Upon a request made by a State, not having adequate balance funds in its State Disaster Response Fund (SDRF), and in case the natural calamities is beyond the coping capacity of the State Government, Ministry of Home Affairs or the Ministry of Agriculture, as the case may be, will ascertain that State Government has submitted its memorandum strictly in conformity with the GOI approved guidelines/ formats, showing sector/ item-wise damage with proper justification of additional requirement of funds, and assess whether a case for additional assistance from NDRF is made out under these guidelines and the same is approved as per items and norms of assistance under SDRF/ NDRF. This however, will be subject to the recommendations of 15th Finance Commission. The following procedure will be adopted for making such assessment:

(i) In the aftermath of natural calamity of 'severe nature' an Inter Ministerial Central Team (IMCT) will be constituted immediately by the Ministry of Home Affairs (MHA), which will visit the affected areas of the State so as to have the first hand assessment of damages caused and relief work carried out by the State administration. IMCT may again visit the State after submission of the Memorandum for detailed assessment for humanitarian needs towards response and relief of immediate/ temporary nature, for making final recommendations for allocation of additional funds from NDRF.

(ii) The memorandum of the State Government will be examined to assess the likely requirement of funds as per items and norms of expenditure under SDRF/ NDRF. If the preliminary examination reveals that there are adequate funds in SDRF with the State for providing relief as per norms, the State would be advised accordingly.

(iii) The report of the Central Team shall be examined by the Sub-Committee of National Executive Committee (SC-NEC) constituted under section 9 of the DM Act, 2005. The SC-NEC will assess the extent of assistance and expenditure which can be funded from the NDRF, as per the norms of NDRF/ SDRF, and make recommendations.

(IV) Based on the recommendations of SC-NEC, a High Level Committee (HLC) will approve the quantum of additional relief to be released from NDRF.

(V) The first charge for relief during a disaster should be on SDRF. Therefore, the release of additional assistance from NDRF will be subject to adjustment of 50% of the balance available in the SDRF as on 1st April of the financial year in which disaster happened.

7.2. Additional assistance from NDRF would be provided to State Government in line with the recommendation of 15th Finance Commission and as per GOI approved items & norms of expenditure.

High Level Committee (HLC)

8. The High Level Committee as constituted with Home Minister as Chairperson, and Finance Minister, Agriculture Minister, and Vice Chairman - NITI Aayog as members, will be serviced by the Disaster Management Division of Ministry of Home Affairs.

Ministry of Home Affairs to supervise

9. The Ministry of Home Affairs (MHA) shall oversee the utilization of funds released from NDRF and to ensure that funds are utilised for the purpose this funds have been released and monitor compliance with the guidelines of NDRF. States will need to provide the required information to MHA and Department of Expenditure, Ministry of Finance as per Annexure-II in this regard.

Inadmissible assistance from NDRF

10. Expenditure from NDRF is meant to assist a State to provide immediate relief of temporary nature in those cases of severe calamity, where the expenditure required is in excess of the balance in the State's SDRF. Expenditure on disaster preparedness, restoration, reconstruction and mitigation of long-term activities of permanent nature except those provided under Recovery & Reconstruction and Preparedness & Capacity-Building window, should not be a part of SDRF/ NDRF and is to be met from the normal budgetary heads/ respective scheme/ State Plan funds etc.

Releases to States

11.1 Upon the approval of HLC, Department of Expenditure, Ministry of Finance, will release assistance from NDRF to States, based on the recommendations of the Ministry of Home Affairs.

11.2 The additional financial assistance from NDRF will be released on receipt of self certification by State Government that the arrangement of accounting

procedure as mentioned in the paras 4 to 11 of SDRF guidelines and other conditions will continue during the award period of 15th Finance Commission. Any deviations from these accounting practices would result in withholding of further releases until the required accounting procedure is adopted or restored.

11.3 Release of assistance, as Grant-in –aid from Central Government to the State Governments from NDRF shall be made from the head "2245 – Relief on account of Natural Calamities – 80- General – 103 - Assistance to States from National Disaster Response Fund" with equivalent amount shown as recovery from the fund maintained in the Public Account under the head – "8235-General and Other Reserve Funds-125 National Disaster Response Fund". The amount recovered from NDRF shall be shown as below the line recovery in the Demand for Grants No. 40.

11.4 On receipt of funds from the NDRF, the State Government shall treat them as receipts along with the receipts of Central/ State shares of State Disaster Response Fund under the Major Head "1601-Grants-in-aid from Central Government-08 Other Transfer/ Grants to State/ Union Territories With Legislatures -- 106 Grants Towards Contribution to National Disaster Response Fund (NDRF)". The State Government would make suitable budget provision on the expenditure side of their budget under the relevant minor heads under the major head "2245 - Relief on Account of Natural Calamities.

11.5 Immediately upon receipt of Central share of grant-in-aid/ financial assistance as per para 11.1 above, the State Government would transfer the amount, if not already transferred, to the respective Public Account Head within 15 days of its receipt. Any delay will require the State Government to release the amount, with interest, at Bank rate of RBI', for the number of days of delay.

11.6 The State's SDRF account should distinctly show the receipt of assistance from NDRF apart from the remaining four sources of receipts into the fund; namely (i) Centre's share of State Disaster Response Fund (ii) State's share of State Disaster Response Fund (iii) Return on investments and (iv) redemption of investments. The State Government is required to endorse the copy of the release order to the Department of Expenditure, Ministry of Finance and Ministry of Home Affairs.

11.7 The actual expenditure out of NDRF should be booked under respective minor heads within major head: 2245. Direct expenditure by State Governments

from the Public Account should not be made. If for any administrative reason, expenditure on relief by State Governments has been met under a head of account other than MH: 2245, it should be finally booked under MH: 2245 through an inter-account transfer. Deviations from this accounting practice could lead to releases of assistance from NDRF to States being withheld until the above accounting procedure is adopted/ reverted to. The State Accountant General may appropriately review the adherence to these prescribed accounting practices at State level.

11.8 The Department of Expenditure, Ministry of Finance shall release payments to the respective State Governments.

11.9 Whenever the SDRF of a State is replenished with additional grant-in-aid from NDRF, the State Government would treat this grant in the same manner as the funds in SDRF as far as transfer and accounting are concerned. However, in the case of NDRF, the State Government shall furnish a specific utilization certificate to the Ministry of Home Affairs and Department of Expenditure within three months from the date such a grant is released indicating that the amount received has been credited to the SDRF, accompanied by a statement giving the up-to-date expenditure details in line with the GOI approved items & norm for the instant disaster. The State Government will also certify that money drawn from the SDRF (in respect to NDRF assistance) has actually been utilised for the purpose for which funds have been released.

Oversight by State Executive Committee

12. The State Executive Committee, constituted by the State Government under section 20 of the Disaster Management Act, 2005, shall be responsible for ensuring that:-

(i) The money drawn from the SDRF (including central assistance from NDRF) is actually utilized for the purposes for which it was released and subsequent release would depend on Utilisation Certificate;
(ii) Their memorandum for additional assistance under NDRF is strictly in conformity with the GOI approved items & norms in a realistic manner;
(iii) Timely remittance of State share into SDRF account;

(iv) The expenditure incurred out of the funds received under the NDRF is in accordance with the items and norms of expenditure of NDRF/ SDRF;

(v) Fund is not diverted to inadmissible expenditure;

(vi) Accounting procedure in para 11.3 and 11.4 above are strictly followed;

(vii) All individual beneficiary–oriented assistance is mandatorily/ necessarily disbursed through the bank account of beneficiary/ PFMS. The details of beneficiaries to be made available to IMCT;

(viii) While disbursing of cash, housing and livelihood assistance, women member of the household has targeted.

Accounts and Audit

13.1 The detailed accounts of NDRF shall be maintained by the Controller General of Accounts through the Chief Controller of Accounts, Ministry of Finance.

13.2 The accounts of the NDRF shall be audited annually by Comptroller & Auditor General in conformity with approved items & norms in terms of the purposes of the NDRF Guidelines. The State Government shall furnish a copy of the audit Report of CAG to Department of Expenditure, Ministry of Finance and Ministry of Home Affairs.

13.3 Disclosure about the position of the receipts, expenditure and closing balance in respect of NDRF will be made in the Finance Accounts of State Government as a separate appendix/ line. SEC will, however, maintain subsidiary accounts (notified calamity-wise) in such manner and details as may be considered necessary by the State Government in consultation with the Accountant General.

Saving

14. The Ministry of Home Affairs with the concurrence of Department of Expenditure, Ministry of Finance may amend/ modify these guidelines, in such manner as may be required to facilitate smooth operation of immediate relief efforts.

*****