

[TO BE INTRODUCED IN THE SENATE]

A

BILL

further to amend the National Disaster Management Act, 2010

WHEREAS it is expedient further to amend the National Disaster Management Act, 2010 (XXIV of 2010), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement. -(1) This Act may be called the National Disaster Management (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Amendment of section 9, Act XXIV of 2010. - In the National Disaster Management Act, 2010 (XXIV of 2010), hereinafter referred to as the said Act, in section 9,-

- (i) in paragraph (i), the word "and" occurring at the end shall be omitted;
- (ii) in paragraph (j) for the full stop "." occurring at the end a semi-colon and word ";and" shall be substituted and thereafter, the following new paragraph shall be added, namely:-
 - "(k) conduct performance evaluation and financial oversight of the Provincial Disaster Management Authorities including periodic audits, field assessments, and review of disaster preparedness, fund utilization, and emergency response capacities, and recommend remedial actions to the relevant Provincial Commissions and Governments."

3. Insertion of new section 9A, Act XXIV of 2010. - In the said Act, after section 9, the following new section shall be inserted, namely:-

"9A. Oversight Framework for Provincial Authorities. —(1) The National Authority shall, with the approval of the National Commission established under section 3, establish a uniform framework to:

- (a) monitor performance and fund utilization by Provincial Disaster Management Authorities;
- (b) prescribe formats, indicators, and timelines for reporting, which shall be not less than bi-annual unless otherwise justified;
- (c) recommend improvements, training, or corrective measures based on evaluations; and
- (d) facilitate inter-provincial benchmarking and knowledge-sharing.

(2) All Provincial Authorities shall furnish such records, data, or reports as may be required by the National Authority under this section.

(3) Failure to comply with sub-section (2) may be reported to the respective Provincial Commission and Government for appropriate action."

4. Amendment of section 16, Act XXIV of 2010.- In the said Act, in section 16, in sub-section (2),-

- (i) in paragraph (l), the word "and" occurring at the end shall be omitted;
- (ii) in paragraph (m), for the full stop "." occurring at the end a semi-colon and word ";and" shall be substituted and thereafter, the following new paragraph shall be added, namely:-
 - "(n) submit periodic performance reports and financial statements to the National Authority, in the format and frequency prescribed by the National Authority under Section 9A."

5. Amendment of section 41, Act XXIV of 2010.- In the said Act, in section 41, in sub-section (1), after the words "its activities", occurring in the third line, the expression "including a summary of evaluations and reports received from the Provincial Authorities under section 9A" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

This bill seeks to introduce essential amendments to the National Disaster Management Act, 2010 to ensure robust accountability and effective performance evaluation of Provincial Disaster Management Authorities (PDMAs). It empowers the National Disaster Management Authority (NDMA) to conduct oversight functions, track utilization of funds allocated for disaster preparedness and relief, and recommend necessary improvements. This will promote fiscal discipline, efficiency, and transparency in disaster management across the federation. The amendments proposed through this bill have constitutional permissibility as well as legal justification for NDMA Act itself in the following context:

- i. The Constitution of the Islamic Republic of Pakistan empowers the Parliament, under Article 144, to legislate on matters not enumerated in the Federal Legislative List with the consent of the Provincial Assemblies;
- ii. The National Disaster Management Act, 2010 was enacted pursuant to such resolutions of the Provincial Assemblies to establish a unified framework for disaster risk reduction, preparedness, response, and recovery across Pakistan;
- iii. The natural and man-made disasters often transcend provincial boundaries and demand a coordinated national approach, particularly in the areas of fund utilization, preparedness planning, and institutional performance;
- iv. The Constitution, through Entry 38 of the Federal Legislative List, authorizes Parliament to legislate on inter-provincial matters and coordination, and through Entry 32, permits legislation for the implementation of international agreements and obligations, including the Sendai Framework for Disaster Risk Reduction;

In the foregoing context, it is expedient in the public interest to strengthen institutional mechanisms for accountability, oversight, and performance monitoring of Provincial Disaster Management Authorities, while respecting the spirit of cooperative federalism.

Therefore, it is deemed necessary to amend the National Disaster Management Act, 2010 to provide the National Disaster Management Authority with powers to evaluate, report on, and guide the performance and financial conduct of Provincial Disaster Management Authorities, in order to ensure effective, transparent, and equitable disaster management across the country.

The Bill been designed to achieve the aforementioned purpose.

**SENATOR SAMINA MUMTAZ ZEHRİ
MEMBER-IN-CHARGE**