

## Preface

Law is a human institution. It has therefore to respond to the human problems. But being a science that insists upon precision it takes time to respond to any new situation. And often it does not allow changes quickly inviting the wrath of criticism that it is status quoist. Even when it is made, often many gaps are left compelling the society to go ahead of it, but in the process leaving imprints and enough experience to get moulded later to suit the genius of the people.

Human race has faced many a catastrophe. Some natural and others man-made. It is often the experience that the reasons for the natural disasters could also be traced to the man's indiscriminate criminal tampering with the environment. We are late in deciphering the causes of disasters. Once we master the exercise of identifying the forces that lead to disasters it may be possible for us to take precautionary measures to avoid them. But we fail frequently. Quite often we are faced by disasters all on a sudden making us dumb-founded, inactive and non-responsive. This unsatisfactory state of affairs is due to the lack of imagination and planning.

Planning for the future could be done in every aspect of human life. Scientists and technologists have to identify the causes of disasters and devise new instruments and machineries to predict and prevent them. The Administration has to organize and consolidate activities of all including the commoners to combat them. This can be possible only if we have a plan of action.

We have paid a heavy price for the lack of planning in this sector. In the last tsunami which struck more than ten countries many hundred thousand lost their lives. Many lost their livelihood. We suffered losses of several hundred thousand crores of rupees. Disasters know no class. They strike the developed and developing countries alike. They bring the same kind of sufferings with them. Hence the unity among the developed and developing, the poor and the rich in fighting disasters. This unity is reflected in the international movements for unified action. No country worth the name remains inactive during a calamity that struck anywhere in the world. The profusion of administrative and regulatory measures at the international level regulating or controlling environmental pollution indicates that the

human race may not allow the environment to be degraded or natural resources depleted beyond limits.

At the domestic level also the countries have been satisfactorily regulating the man's interference with environment. The measures have been well documented and the judiciary has also been very watchful in implementing the regulatory measures. However, we have had no special law laying down comprehensive provisions for disaster management. We should have a machinery exclusively to deal with disasters-natural or man-made. The Government has at last come up with the Disaster Management Bill 2005 to fill this gap.

The purpose of the present book is to generate further research and discussion on the subject. Laws relating to natural resources like Water, Pollution (Procection and Control) Act 1974, Environment (Protection) Act 1986 etc. are already on the Statute Book. Legislation on Coastal Zone Management is on the anvil. In this genre comes the present Bill.

We are grateful to the contributors of articles in the book.

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