CENTRE FOR DISASTER MANAGEMENT AND LAW

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Who Killed Them?
When Stampedes Transform into Man-Made Disasters

-Tejaswoni Mishra

A sudden and uncontrollable mass movement of people in a confined area that causes injuries or death due to trampling or suffocation is known as a ‘stampede’ or ‘crowd crush.’ Often labelled an “accident” or “act of God,” most stampedes are man-made and preventable with proper crowd estimation, safe flow design, and emergency preparedness as recommended by the National Disaster Management Authority (NDMA)[1].

“Who killed them?” is not a rhetorical question but a crucial inquiry demanding accountability. This points to the lack of inadequately implemented or entirely ignored safeguards, whether by event organisers, authorities, or both, that directly contribute to the deaths of innocent people.

The Anatomy of a Man-Made Stampede

Human stampedes are complex phenomena almost always preventable; they do not just happen, they are the culmination of several critical failures, such as

Overcrowding and congestion: Many tragic stampedes happen because the number of attendants far exceeds the capacity for which the site was designed or approved. Example: In Hathras, Uttar Pradesh, a crowd crush in July 2024 at a religious gathering resulted in a stampede that resulted in at least 121 deaths[2].

Bottlenecks and choke points: Narrow entrances, exits, staircases, or pathways restrict movement. Even a small panic or surge can turn these areas into deadly compression zones, which happened in M. Chinnaswamy Stadium in Bengaluru on June 4, 2023, during celebrations for the Royal Challengers Bangalore (RCB) IPL victory, resulting in 11 deaths and numerous injuries[3]. A judicial commission report specifically cited the failure to regulate entry into the gates as the root cause of the stampede.

Inadequate infrastructure and planning: Poor signage, lack of clear emergency exits, uneven surfaces, or temporary structures that collapse under the pressure all contribute to the chaos. This was seen at New Delhi Railway Station in February 2025, where 418 people died in a stampede returning from the Kumbh Mela, rushing to board an already overcrowded train[4].

Ineffective crowd management: It includes insufficient security personnel, poorly trained staff, lack of communication systems, and absence of pre-planned crowd segregation or channelization strategies. At the Karur political rally in September 2025, at least 41 people died at the rally for actor-politician Vijay's New Party in Tamil Nadu.

Why Do Stampedes Keep Happening? The Systematic Roots.

Why do stampedes continue to kill people even in places or events where disasters have happened before? Firstly, because of normalization of risk and

institutional amnesia over decades, which causes these disasters to be seen as “unfortunate accidents” rather than root cause failures, and secondly, prioritizing political gains over safety, these gatherings bring money, visibility, and crowds. Finally, poorly planned infrastructure or no emergency preparedness, such as lack of alternative egress, insufficient medical response, and narrow exits, leads to tragedy.

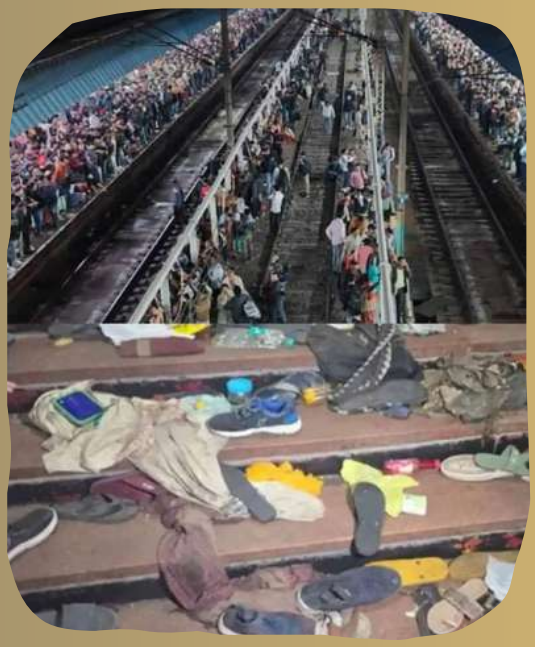
The Killers of the Stampede and Why These Matter

When a stampede causes death or serious injury, those responsible must be held accountable. Responsibility may lie with event organizers, venue owners, local authorities, state governments, regulatory bodies, or security personnel. Legal frameworks, including negligence claims and criminal charges, exist to address such failures. A stampede is not merely a tragic headline, but it shows a fundamental violation of public faith and a stark reminder of the worth of human life.

Conclusion - The Real “Killers” Are Human Failures, Not Fate [5].

Whether a stampede spares one life or hundreds of lives, few ever admit that it can be prevented. The occurrence of these disasters is due to the human and institutional failures and negligence. The issue of terming them as “inevitable accidents” gives the authority room to avoid accountability and responsibility. Only by being properly planned and heavily regulated and managed by responsible authorities is there the possibility of averting such tragedies.

The recent crushes in crowds in India have raised concerns about the need to enhance the safety protocols and responsible handling.
And for the question “Who killed them?”
The answer is clear: We did, by failing to prevent the preventable.



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Floods in the Indo-Nepal Terai: Seasonally, A Crisis of Human Failure.

-Subhransh Chandel

Introduction: When Floods Are No Longer Natural.

The monsoons hit the Terai belt of Nepal and the adjacent plains of Bihar and eastern Uttar Pradesh with a dismal regularity [1]. Villages are washed away, crops are ruined, infrastructure is destroyed, and millions are displaced again. The repetition is very predictable, such that floods are usually neglected as an inevitable natural phenomenon. This framing is, however, deceptive. The precipitation in the Himalaya has never been without seasons, but the magnitude and level of destruction in the Terai have increased with time [2]. Not nature is what makes rain a disaster, but the manner in which rivers are managed across the boundaries. The Terai floods are a commonality of crisis between India and Nepal, which is based on the old treaties, poor institutions, and lack of cross-border governance of disasters, which is binding. This is why these structural failures are rather dangerous, as climate change is making monsoon patterns more intense.

Vulnerability made Geography, Rivers, and the Making of Vulnerability.

The Terai is a lowland floodplain that is fed by several Himalayan rivers originating in Nepal before they drain into the Himalayan Gangetic basin of India. Other rivers like the Kosi, Gandak, Bagmati, and Kamla flow downslope and in the mountains with a tremendous flow of water and sediment. Upon entering the plains, they

slow down, the sediments settle, and the riverbeds emerge, and flooding becomes another frequent virtue of the scenery. The decades of human intervention have only increased this natural vulnerability. Rivers were controlled by embankments and barrages, which were constructed to protect settlements, but this has had the reverse effect. Embankment traps sediment in rivers and raises riverbeds above the land by containing the rivers in small beds. In case of breaches, the floodwaters overflow and enter the settlements violently. Thousands of individuals reside within embankments and are literally caught between rivers and walls that are intended to cover them. This threat was exemplified in 2008 when the Kosi embankment washed thousands of people away, and permanently changing the course of the river. It was not a record rainfall but a maintenance and coordination failure that transformed a recognized danger into a disaster[3].

Treaties Lacking Accountability.

India and Nepal have been signing various agreements on joint rivers, most notably the Kosi Agreement of 1954, the Gandak Agreement of 1959 [4], and the Mahakali Treaty of 1996 [5]. As much as these treaties address the aspect of cooperation and development, they do not elaborate much on the issue of flood prevention and damage.

The Kosi Agreement gave India the mandate on how the flood-control infrastructure would be designed, operated and maintained, and Nepal had little control over how the gates were operated, even in the event of

an emergency. The Gandak Agreement gave hope of irrigation and moderation of the floods, but it did not help prevent the chronic flooding and waterlogging in the downstream areas. The Mahakali Treaty envisaged integrated river management, but it is yet to be implemented because of political and institutional inertia. The similarity among these treaties is that they are not binding. There are no preconditions for joint flood management, coordinated work of the dam, binding maintenance, and cross-border damage liability. Teamwork is promoted, and responsibility is missing. The blame is shared when floods take place, and the responsibility is lost at the border.

Institutional Gaps and the Illusion of Coordination.

India and Nepal have disaster management laws, agencies, and technical expertise. Hydrology information is gathered, future predictions are made, and there is an exchange of flood information among governments. [6] But floods still take communities unawares. The issue is in the institutional design. The bilateral organizations that exist are primarily consultative or technical in nature [7]. They do not have legal power, working remit, or direct liability to issue warnings or to take prophylactic action. Most importantly, the transboundary institution does not have the authority to organize flood information among governments. But floods still take communities unawares. The issue is in the institutional design. The bilateral organizations that exist are primarily consultative or technical in nature. They do not have the

legal power, working remit, or direct liability to issue warnings or to take prophylactic action. Most importantly, the transboundary institution does not have the authority to organize flood management in real time. Consequently, flood warnings tend to pass slowly through bureaucracies. When the information is received by the district authorities or villages, the water level has risen. Lack of early-warning obligations as required by law subjects communities to reliance on informal networks, local knowledge, or ad hoc notifications[8].

False Security, Repeated Failure, and Embankments.

For a long time, the management of floods in the Terai has been based upon structural measures, embankments, spurs, and barrages. This is because these structures generate a false sense of control at the expense of augmented risk in the long term. Embankments are undermined by poor maintenance, lack of dredging, and corruption. In cases that they fail, the loss is severe and abrupt. In addition, the structural solutions are promoting settlement in flood-prone regions due to the illusion of safety. Communities are imprisoned in dislocation and reconstruction processes instead of adapting to floods. Rivers are dealt with as problems to be enclosed instead of systems to be dealt with.

Change in Climate and Excessive Hazard.

The existing system has a lot of weaknesses that are being increased by climate change. The monsoon precipitations are becoming more unpredictable, as

there are brief inundations of excessive rains, and seasons are being replaced by constant rainfalls. These alterations make the occurrence of sudden floods more probable, decrease the time of warning, and pose an unprecedented burden on old infrastructure. Climate change will reduce the occurrence of floods into humanitarian crises of a much greater scale without a structural change in the institutions. This is already beginning to escalate in the Terai, with recent monsoons injuring more people and spreading them out more than in past decades.

Flood Governance: What It Takes to Think Otherwise.

Higher embankments or signing symbolic agreements are not the way to go in solving the Terai flooding. It demands a radical change in the manner in which rivers are transboundary [9]. India and Nepal should have sustainable, basin-wide joint flood management entities with real decision-making powers. The role of these bodies will be to control the activities in the dams, sediment control, embankment controls, and emergency management [10]. Efforts to prevent floods can never rely on goodwill but should be regulated by set binding procedures. Early warning systems need to shift towards simple human communication as opposed to technical communication. This should be done through a warning, which should be timely, mandatory, and multilingual and made to the vulnerable communities. There are already successful models of community-based warnings that should be a formal part of the system of the state instead of being an informal stopgap. Lastly, there should be flood governance accountability.

Communities suffering as a result of upstream activities that aggravate downstream flooding cannot suffer the costs on their own. Mechanisms of the shared liability and joint disaster funds would bring responsibility and encourage preventive action[11].

Summary

The natural catastrophes that are not unavoidable include the floods of the Indo-Nepal Terai. They are a result of legal ambiguity, institutional fragmentation, and policy decisions that place sovereignty ahead of safety. Rivers are not aware of boundaries, and nonetheless, disaster governance is conscious. Unless India and Nepal start regarding floods as a national issue instead of a common risk, the Terai will continue to drown during each summer of the monsoon. But when they put solid cooperation in the place of hollow cooperation, the very rivers that destroy us today can be controlled tomorrow.

The water is already flowing freely across the border. It is time for accountability that follows after this.

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Legislative Gaps in Disaster Management Highlighted by the Darjeeling Floods, 2025

-Oishi Bhowmik

Heavy rains pounded Darjeeling in 2025; things fell apart really quickly. Within a short period of time, rain was falling heavily in some places to the extent of more than 300 mm of rain. The rains then caused flash floodings and many other landslides. The rains caused many roads to be swept away and bridges to be swept away too. Many homes were swept away or badly damaged. Many tea estates were ruined. Satellite imaging assessments together with situation reports confirmed thousands of homes affected and many people dead or missing. The direct physical damages caused by this event were easy to see. The underlying law enforcement or administration failure was harder to see but just as impactful[1].

Legislative and institutional gaps

India also has a law to manage disasters. The Disaster Management Act of 2005 established a structure to govern disaster response with the National Disaster Management Authority, its state-level counterparts, and district plans[2]. This was a necessary act, and it did help to organize the response to the disaster to some extent. However, the experience in the hills around Darjeeling highlighted the gulf between the law and its reality in hilly terrain.

Firstly, the prevention mechanism in case of steep slopes is inadequate under the legal provisions. The Act is more concerned with the development of institutional capacities and the integrated plans. Broad technical requirements are not specified in the legal provisions regarding hill slope management, land use, and construction in landslide-prone areas. In such matters, the responsibility is with the local bodies and the line departments. Most often, the technical know-how, legal authority, and the will are lacking with the agencies. In the absence of technical requirements in legal provisions, how can the local bodies take action and execute the laws to govern the construction activities and drainage schemes?

Second, coordination during rescue and relief is harder than the law assumes. The Act creates many bodies and roles, but remote hilly terrain breaks the usual command and control model. When roads are cut and bridges collapse, moving teams and equipment becomes very difficult. Early warning systems exist for heavy rain and floods, but warnings do not always reach small, dispersed settlements. People in tiny hamlets may not get a warning, or even if they do, they cannot move because the only access road is damaged. The result is that technical early warnings do not translate into effective evacuation in many hill areas.

Third, funding and planning for long-term mitigation are inconsistent. There are national programs and schemes aimed at landslide risk reduction. But most funding is project-based and small-scale. Larger, longer-term works that require coordinated land management, proper drainage, slope stabilization, and regulated construction are often not approved or not implemented fast enough[3]. Short-term projects help pockets but do not change the overall vulnerability of towns, tea gardens, and settlements on steep slopes. Without sustained funding and a clear plan for scaling mitigation measures, risks remain season after season.

Fourth, laws and plans do not always account for a changing climate. Extreme rainfall events are becoming more frequent and intense. Many land use rules and engineering standards still rely on historical weather patterns. That makes planning outdated. District and municipal plans need climate-informed risk maps and building rules that factor in likely future rainfall patterns. If plans stay static, they will keep failing when storms grow stronger or more sudden.

What needs to change

How to address this would be to ensure a strong preventive approach. Ambivalent rules on local land use would need to be reinforced. Technical guidelines for work on slopes, drains, or buildings in hills would be developed & enforced by competent local authorities. This would include building capacities of municipal engineers to work with their staff based on a risk map.

The early warning systems need to be designed with the remoteness of settlements in mind-this could mean systems at a local level, preparing to move populations on foot if the main transport links are disrupted, and designing routes that do not rely on a single road leading out of a settlement area. Local communities are part of the solution-too many rely on local knowledge of where safe locations are[4].

Funding, for instance, has to change from being put into short-term projects to ones involving long-term mitigation strategies. Large-scale coordination efforts have to be supported by governments, for example, in land management, slopes, and drainage. Therefore, a cost will be involved, but this will save lives and also prevent loss of resources through repetitive damage. Programs to mitigate the effects should also be linked to rules so that the money is used for minimizing risk rather than minimizing the effects after damage has occurred.

Application of the climate change projections would involve some legal and planning processes. The risk maps updating would be required to regulate the investment as well as building permits in that area. If the slope is likely to collapse because of the rainfall, then this will have to be taken into account regarding development on that slope.

Conclusion

Darjeeling in 2025 illustrates the fact that it matters to have a national legal norm, but this is not sufficient by itself. The Disaster Management Act of 2005 provides an institutional backbone. It works for coordination and response. But it does not cover the detailed, local technical measures that stop disasters in fragile hill areas. To prevent repeat disasters, the focus must shift to enforceable local standards on land use and construction, technical rules for slope management, funding for long-term mitigation, and early warning systems that work in remote settlements. Local capacity must be improved so municipal and engineering staff can apply these rules. If the gap between national law and local implementation is not closed, the same weaknesses will be exposed again when the next heavy rains come.

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Floodplains, Encroachments & Yamuna Pollution: Legal Battles over Land, Slums and Urban Planning

-Manoj Sihag

Delhi’s Yamuna River exists as a paradox because it functions as a vital cultural river that serves as a sewage drainage system for most of its urban path, but its floodplain continues to provide the city with its most natural defense against floods and heat and groundwater depletion and biodiversity decline. The battle over the Yamuna’s floodplain is therefore not merely about land; it is a contest over climate resilience, urban planning priorities, and who gets to occupy (and be protected by) the city’s ecological commons. The battle for Yamuna's floodplain surpasses basic land acquisition because it determines who will shield themselves from climate impacts while deciding which urban areas will receive priority protection and who will gain access to the city's natural resources. The research explores how illegal settlements and deficient urban development practices have caused worsening pollution in the Yamuna River. The research shows how unlawful settlements and poor urban planning practices have made Yamuna River pollution worse[1]. The research demonstrates how illegal settlements, together with poor urban planning practices, have resulted in worsening pollution levels in the Yamuna.

Why Floodplains Matter For Resilience

Floodplains are not “unused land.” These three functions make wetlands essential for resilience: they function as storage areas for monsoon floods, which helps decrease flood levels downstream; they support groundwater recharge, which maintains water flow during dry seasons; and vegetated floodplains help reduce local temperatures while creating green corridors that fight against urban heat island effects. The protection of floodplains stands as an economic climate change adaptation method that produces minimal carbon emissions for Delhi during uncertain climate conditions.

The core functions of floodplains become nonfunctional when formal development and temporary settlements and commercial activity and infrastructure take over these areas. The river corridor faces restriction because of encroachments that block water flow and force drainage into areas that already face flooding problems. The combination of informal settlements with temporary dairy facilities and industrial waste discharge points and authorized structures in floodplain areas has proven to increase both pollution levels and flood danger in Delhi. The National Green Tribunal (NGT) together with monitoring bodies have discovered numerous violations while the process of floodplain demarcation and encroachment removal has been slow to progress in Delhi's Yamuna area[2].

Pollution, Encroachment, and the Vicious Cycle

The combination of encroachments with pollution generates a continuous destructive loop that becomes progressively worse. The floodplain hosts two types of unplanned settlements, which produce raw wastewater that directly enters the river system. The floodplain receives toxic waste materials together with construction debris because of industrial operations and building construction activities. The river loses its ability to process pollutants because of natural floodplain area reduction, which causes water pollutants to stay longer in the blocked channels, and decreased water flow results in increased BOD levels and higher occurrences of diseases and algal blooms[3]. The Yamuna River receives ongoing untreated and partially treated sewage from major drains, which the monitoring reports and tribunal filings have documented as the main cause of its ecological decline.

Legal Instruments and the Enforcement gap

India protects its rivers and floodplains through its legal framework, which includes the Water (Prevention and & Control of Pollution) Act and municipal laws about sanitation and land use, the Environment (Protection) Act, and the River Ganga (Rejuvenation, Protection, and Management) Authorities Order, which affects floodplain demarcation standards and NGT case law that transformed the Yamuna from "Maile" to "Nirmal." The written law has established a conflict with the actual governance operations, which take place in real-world situations.

The NGT uses its environmental power to make multiple orders, which include floodplain mapping requirements and floodplain area encroachment removal and STP operational requirements and enforcement of penalties for rule violations. The NGT has established floodplain boundaries through specific rules, which include the "one-in-100-year rule" and a one-meter contour buffer. The implementation process has faced challenges because on-ground demarcation has taken longer than expected, and the DDA, together with Delhi government agencies and central authorities, failed to work together properly while residents disputed their right to stay, which hindered removal and restoration efforts[4]. The NGT orders, together with status reports from recent times, reveal ongoing deficiencies that require agencies to create specific schedules for their planned actions.

The Delhi High Court took action by establishing that no legal rights exist for floodplain possession while directing the removal of illegal structures that serve the public benefit. Judicial orders fail to create changes in bureaucratic motivation systems and establish new housing and sanitation facilities for people who lose their homes. The implementation of court orders faces multiple challenges because of rehabilitation needs and political interests and restricted municipal resources.

The Social Justice Challenge: Slums, Sanitation and Displacement

Any law-driven push to clear floodplain encroachments necessarily raises immediate human rights and social justice questions. The floodplain areas serve as homes for numerous poor migrant families who lack official property documentation, while their settlements established during past decades remain without proper sewage systems. The forced removal of people who lack valid rights-based solutions, including nearby affordable housing, basic sanitation, and job security, will create new vulnerabilities, which might intensify public health risks and disaster dangers.

Indian courts have recognized the need to balance environmental protection with human rights, but they show inconsistent understanding of this balance because they require states to protect nature while allowing them to remove people from their homes. The actual process of floodplain restoration needs three essential elements, which include legal requirements for relocation programs and specific time frames for sanitation development and financial support based on results instead of demolition orders. The NGT and other bodies have repeatedly directed agencies to plug sewer gaps and make STPs functional before pushing large-scale removals; those commands highlight the logic that removal without providing alternatives is both unjust and ineffective.

What a legally coherent Equitable Strategy looks like

Statutory, map-based demarcation, and no-build status: The NGT's technical demarcation principles need to become binding statutory maps, which should be recorded in local land records.

Integrated sanitation: The first step toward accomplishing large-scale evictions would be to build functional STPs and provide sewer connections which would decrease pollution loads right away. The funding for STP operation should base its approval on performance results, which third-party verification must confirm.

Rights-based resettlement: The relocation process needs statutory frameworks to provide complete housing solutions and employment access and income support systems for those who must move. The courts should integrate rehabilitative benchmarks into their floodplain restoration orders for better results.

Nature-based floodplain restoration: The law should enforce restoration projects that include riverfront wetlands and biodiversity parks and green corridors that unite environmental restoration with community participation and economic opportunities[5].

Inter-agency accountability & citizens' monitoring: The DDA and Delhi government, along with central agencies, need to establish joint accountability systems that should allow community members to monitor through RTI and third-party audit processes; NGT and courts should keep their oversight authority yet concentrate on achieving specific implementation targets[6].

Conclusion

The legal disputes about the Yamuna floodplain stem from two opposing ideas about city land management because one view treats it as marketable territory for both official and unofficial construction, while the other sees it as a natural public resource which supports flood control and environmental functions. The restoration work of the Yamuna floodplain serves as an essential climate adaptation measure that Delhi needs to survive. The legal framework requires two essential components to succeed because it needs systems that go past penalties and fines to define territorial boundaries and support sanitation rights and relocation access and funding systems that enable sustainable river recovery. The achievement of environmental integrity together with social justice requires the fulfillment of all these conditions before it can become reality.

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