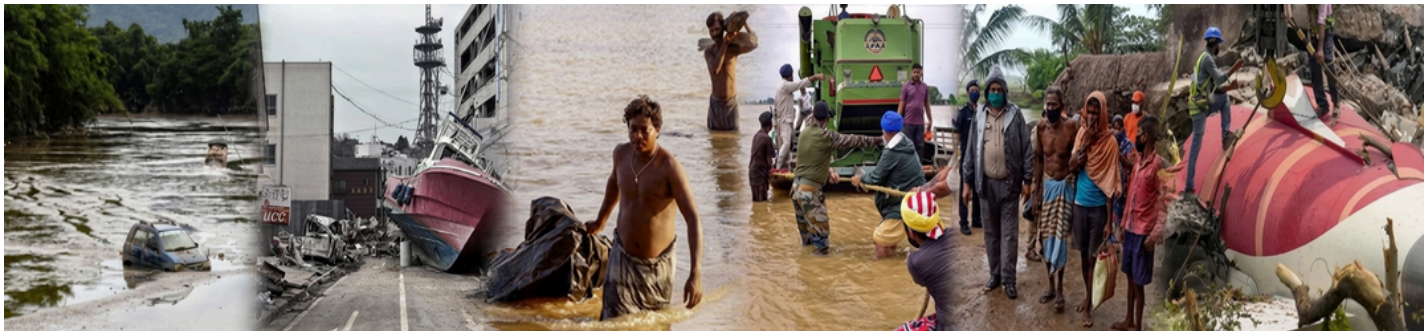
17 AUG, 2026

ISSUE 1 VOL. 1

CDML NEWSLETTER

CENTRE FOR DISASTER MANAGEMENT AND LAW

Contemporary Disasters: Evaluating Evolving Legal Frameworks and Institutional Gaps in Crisis Management



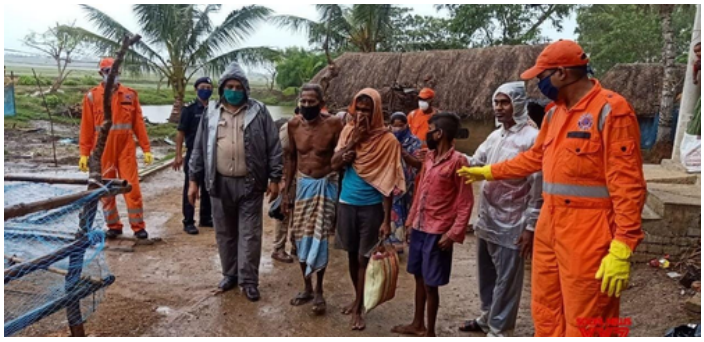
ISSUES

ABOUT CDML

Centre for Disaster Management and Law (CDML) is the research centre of the National Law University Odisha, Cuttack. The Centre was established in the year 2020 with a motive to understand disasters and laws regulating them. The centre through different sources including research papers, competition and newsletter aims to spread the awareness regarding various disasters irrespective of its impact. The Centre for Disaster Management and Law has been set up with the objective to promote vivid research in the field of Disaster Management, which is emerging globally as a full- fledged academic discipline. In the backdrop of its evolution from the practitioner's domain, its boundaries have been permeable. However, as a field of research, it demands specialization to meet with the dynamic challenges posed by not only conventionally categorized disasters but new ones not viewed traditionally as disasters. As India is a country vulnerable to disasters, comprehensive research on disaster management is quintessential to minimize its adverse impact on the growth of the country. The legal framework related to Disaster Management remains a grey area with a lot of ambiguities prevalent. Rehabilitation, systematic reconstruction and sustainable recovery post-disaster are areas which require persistent activism. The centre suggests a holistic legal resolution to deal with the integral aspects of preparedness, response and recovery. The mission of the Centre is to cater to the advancement of knowledge in disaster management, to respond to the sectoral needs and promote positive practices.

Beyond Relief: Why Disaster Law Must Prioritize Prevention and Resilience

By Dibyashna Jena



Every monsoon, heat wave, or cyclone season, India's disaster management apparatus rolls out its familiar response: relief camps, ex-gratia payments, emergency shelters, and reconstruction grants. This approach has saved countless lives, but it has also prioritized response over prevention. As climate change intensifies, the law's next frontier must be disaster prevention and management.

India's legal framework for managing disasters has been guided by the Disaster Management Act, 2005, which has been criticised for promoting a 'top-down, command-and-control approach' that concentrates power in the hands of the central, state, and district levels of government. The law's institutional design has been questioned, as has its ability to cope with the scale of disasters that climate change is likely to bring. For example, India lost an estimated $79.5 billion economically to natural disasters between 1990 and 2023 alone.

The Disaster Management (Amendment) Act, 2025, herein marks a doctrinal shift in India's approach to disaster management. For the first time, the amended law provides a definition for prevention' as 'action and measures taken to prevent the occurrence of potential adverse impact of disaster' and 'resilience' as the 'capacity of a system, community and society to withstand, absorb, respond and recover from the impact of a hazard'. It also creates new institutional mechanisms such as Urban Disaster Management Authorities in state capitals and municipal corporation cities to manage urban-specific disasters like flooding and heatwaves, which the original law did not address. It empowers state governments to constitute Urban Disaster Management Authorities in state capitals and municipal corporation cities. Finally, the amended law carves out a separate budget for the creation of a National Disaster Risk Reduction Fund alongside the existing Relief Funds, which indicates that prevention will be a distinct and equally prioritized function alongside relief funds.

Nevertheless, legal scholars have criticized that the heatwaves and coastal erosion are still not formally recognised as "disasters" under Indian law and coastal erosion as disasters even as millions of Indians live in climate-sensitive areas. Additionally, some critics have argued that the amendment largely reinforces a centralised, top-down structure without embedding adequate mitigation strategies for pandemics or climate-driven disasters.

Intriguingly, India is not the first country to amend its legal framework to emphasize disaster prevention and management.

In March 2015, the United Nations member states adopted the Sendai Framework for Disaster Risk Reduction 2015–2030, which prioritizes preventing new disaster risks and reducing existing ones. The Sendai Framework's guiding principle recognizes that states have an obligation to manage disaster risks, not just respond to disasters. Legal experts have noted that the Sendai Framework's most significant contribution is its shift from 'disaster management' to 'disaster risk management', which enshrines prevention and resilience as the responsibility of states.

This international doctrinal shift has implications for how Indian lawyers should interpret the amended law. Sendai Framework's four priorities for action can serve as a benchmark for evaluating the extent to which India's amended law promotes disaster prevention and management.

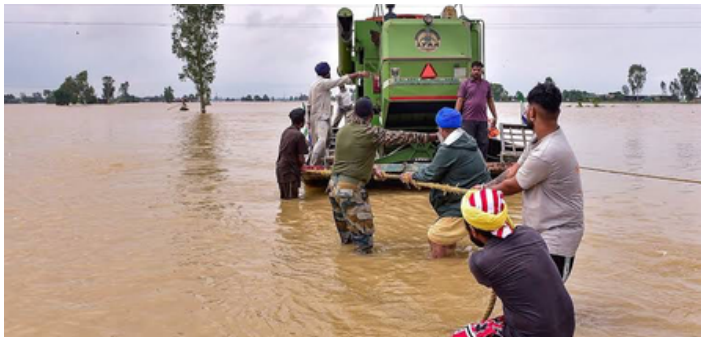
To conclude, disaster law is undergoing a paradigm shift, with prevention and management taking center stage. India's recent amendment to its Disaster Management Act is a step toward ensuring that disaster law keeps pace with the challenges of climate change. The next phase of research and advocacy should focus on addressing the concerns raised by critics of the amendment. In particular, future work should examine how the amended law will interact with the National Disaster Management Authority and the National Disaster Response Force, as well as how it will incorporate data from the National Disaster Management Authority's disaster database.

The most pressing issue for disaster law scholars and practitioners in the years ahead will be ensuring that the amended law's emphasis on prevention translates into concrete measures to reduce the impact of disasters.

The most pressing issue for disaster law scholars and practitioners in the years ahead will be ensuring that the amended law's emphasis on prevention translates into concrete measures to reduce the impact of disasters.

Dam Management and State Liability: Evaluating Regulatory Gaps in the Punjab Floods

By Manoj Sihag



The last year's flooding (Aug 2025) in Punjab brought an important intersection of administrative procedures and extreme weather events to the fore. Heavy rainfall caused the initial crisis but the inundation of districts downstream was greatly aided by the large-scale releases of water from the Bhakra dam and Pong dam, the responsibility for which lies with the Bhakra Beas Management Board (BBMB). This event changes the conversation from a meteorological to a legal issue. It highlights institutional fault lines, slow response time, the lack of timely decision making and implementation of statutory EW in the face of crisis.

This crisis is not only natural, it is also administrative negligence, which means that the State is not able to use the fallacy of Act of God. The law of *Vis Major* or Act of God is frequently used as a defence in a lawsuit brought by a state to dismiss responsibility for damages caused by a flood. But the Law of Torts and the Constitution of India limit this defence. The direct questions of administrative negligence arise when the dam operators fail to adhere to the mandated *'Rule Curve'*, a safe water level chart that they must follow during certain periods of the year to avoid a monsoon surge, and then release large amounts of water to preserve the dam's integrity. The Constitution of India, under Article 21 guarantees the Right to Life, which includes the right to a safe environment and the right to protection of livelihood. Failure to give timely and actionable warning before a sudden discharge of water is a failure of the State's duty of care. The concept of strict liability introduced by the case of *'Rylands v* Fletcher' applies when an entity stores a dangerous substance (such as large amounts of water in a reservoir), and it spills because of poor management of the process or because they were slow to respond; the entity is held strictly liable for the damage done downstream. Therefore, the State does not have a simple distribution role to play in the world of relief; rather, it bears strict liability and a Parens Patriae obligation to prevent foreseeable harm.

The purpose of the Dam Safety Act, 2021, and the Disaster Management Act, 2005, is to avoid such administrative lapses. The Dam Safety Act clearly requires the development of Emergency Action Plans (EAPs) and the development of a comprehensive early warning system for the coordinated operation of specified dams. Likewise, District authorities are designated as Nodal Co-ordinating Bodies for Disaster Mitigation under *Section 30* of the Disaster Management Act.

But the Punjab floods revealed a lot of institutional friction despite these statutory obligations. The shortage of coordination and synchronization between inter-state river management boards, Central Water Commission (CWC) and local District Disaster Management Authorities (DDMAs) was ongoing. During the monsoon window, dams were filled to near maximum levels before the monsoon, violating the Rule Curve buffers. As the inflow of rain increased in intensity, the government had to start large scale releases. The BBMB stated that releases were conducted with consultation to the technical committees and with advance warning, but civil society and local government groups noted that the warnings were not sufficient to enable full evacuation.

The disaster also highlighted regulatory gap 'the lack of effective floodplain zoning'. The Ministry of Jal Shakti has been sending the states model bills and technical guidelines for floodplain zoning over and over. But legislative lethargy at the state level has left unprotected catchments and river banks at risk from uninhibited construction and agriculture. Also, the natural capacity of the rivers is greatly decreased due to problems such as reservoir siltation. Failing to adequately manage non-structural flood management has left even routine dam releases as a potentially disproportionate risk to property and life.

The Punjab floods are a good example of the way that fragmented regulatory frameworks convert heavy rainfall into unmanageable disasters. Substantive legal and administrative changes are needed to address these institutional deficiencies. First, the reservoir Rule Curve needs to be critically audited as per Dam Safety Act and clear liability assigned for unwarranted deviations. Second, transmitting real-time telemetry information between dam authorities and DDMAs needs to be automated to ensure early warning is available immediately and without the delay of bureaucracy. Last but not least, environmental courts and tribunals should evolve a more severe liability regime for flooding caused by dams, including provisions for administrative accountability for disaster relief. A shift from disaster response to disaster risk reduction, which is legally binding, is essential for effective crisis management.

Disaster Relief and Rehabilitation After Floods: An Evaluation of Compensation Mechanisms in Odisha

By Debashis Lenka

The coastline of Odisha makes the state one of the flood-prone states in India. Years of repeated flooding have made Odisha implement one of the most sophisticated relief mechanisms in India, which includes the Odisha Relief Code (ORC), a body of standing regulations that help the state cope with floods and cyclones by ensuring preparation, response, and compensation to the victims. In light of the increasing incidence of floods due to climate variability, it would be pertinent to assess whether this mechanism has been effective enough.

The Odisha Relief Code describes a hierarchy of rules-based help rather than discretionary help. The Odisha Relief Code guarantees definite relief assistance, which includes monetary help worth ₹3,500 for entirely washed-out buildings, ₹2,000 for totally damaged buildings, and ₹1,000 for partly damaged buildings, along with subsidies for inputs in agriculture worth ₹2,500 per hectare and free cash or foodgrain relief to the affected families. The program is managed through a two-layered funding structure. The State Disaster Response Fund (SDRF) is funded by the Central Government and the State government on a 75:25 ratio for Odisha.

In addition, for disasters of "severe nature," the State can also use the National Disaster Response Fund (NDRF), which is completely funded by the Centre. A statement provided by the Rajya Sabha in February 2026 revealed that the Centre had allocated Rs. 9,325.21 crore to Odisha from 2021-22 till 2025-26 through the mentioned sources, which implies that the State is primarily responsible for reconstruction while the Centre is an auxiliary investor.

The chief virtue of Odisha's system is its rule-boundedness. Because compensation rates, eligibility and timelines are codified rather than improvised, Collectors and Tahasildars can move quickly, with standardised damage-assessment formats across all 30 districts. This institutional memory reflects what disaster-management scholarship identifies as effective governance i.e., diversified risk assessment and deep inter-agency collaboration rather than single-point command.

The Odisha State Disaster Management Authority (OSDMA) has reinforced this by pushing the state toward pre-disaster risk reduction like early warning systems, contingency planning, shelter infrastructure rather than pure post-disaster payout. An additional positive trend is taking place at the policy level. The Minister of Revenue and Disaster Management of Odisha, Suresh Pujari, has announced his intention to change the name of the Odisha Relief Code to the "Odisha Disaster Right Act," asserting that "relief" implies a colonial meaning of benevolence by the state, rather than rights of the citizens.

This will be a change in perception from providing assistance as a grant, to provision of assistance as a right.

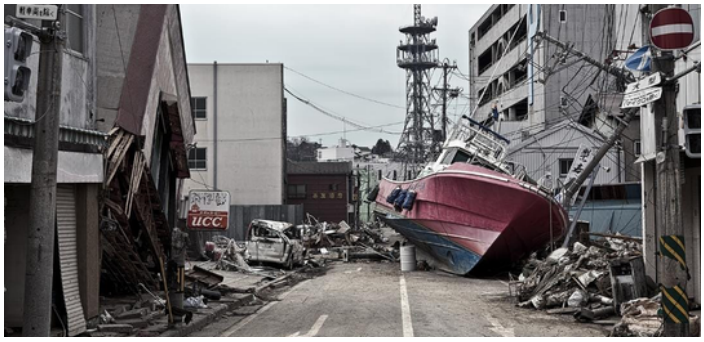
Nevertheless, limitations continue to exist. Despite the fact that monetary limits are updated, they are always lagging behind the cost of rehabilitation as well as inflation. Verification is still based on documentation in the field, thus slowing down the process of aid delivery when it is needed the most. As a result of having standardised norms of SDRF across the country and NDRF aid being provided in case of "severe" disasters, floods may end up receiving no compensation at all.

Strengthening Odisha's compensation architecture will likely require inflation-indexed revision of ceilings, digitised disbursement, and clearer triggers for NDRF support so moderate disasters don't strain the SDRF alone. None of this diminishes what the Relief Code has achieved — a rule-based, decades-tested framework few Indian states can match. The proposed shift toward a "Disaster Right" is a promising next step. As floods grow more frequent under a changing climate, the real test will be whether compensation evolves as quickly as the risks it is meant to cover.

Wherein the overflowing rivers such as the Mahanadi, Baitarani, Brahmani, and Subarnarekha have engulfed the villages of Bhadrak, Balasore, Jajpur, and Kendrapara. On 1 August 2026, the Centre approved an advance release of Rs. 500 crore to Odisha as the second instalment of the Central share of the SDRF for 2026–27. The money has arrived. Now the challenge will be what to do with it – whether this makes its way to stranded families promptly, whether the distribution process takes place in the well-defined manner promised by the Relief Code, and whether the relief is provided as a right to people as is now stated by the state. Odisha's compensation mechanisms are no longer a subject for evaluation on paper; they are being tested, in real time, on the ground.

When Nature Breaks Industry: The Legal Blind Spot Called "Natech"

By Oishi Bhowmik



Here is something that occurs on a repetitive basis but no one ever foresees such events. It begins with a cyclone. The power supply to the chemical plant gets disconnected, resulting in a toxic spill owing to the flood damages. The two events are treated as individual disasters on paper. One body addresses the issue of the cyclone, while another is responsible for dealing with the problem of the toxin spill. No one assumes responsibility for the entire process. There is even a name for this eventuality within the context of disaster studies – 'Natech' or 'Natural Hazard-Triggered Technological Disaster'. This is not only an academic phenomenon, on the contrary, it is fairly commonplace. Take the 2011 Fukushima Disaster: where it faced earthquake and tsunami which lead a nuclear meltdown on the same day. Also, Hurricane Harvey in 2017, where floods disabled cooling systems at a chemical plant in Texas and explosions ensued. This is more than a strange coincidence but becoming a pattern, and quite frankly, the law is not keeping up.

The Indian Disaster Management Act, 2005 is a good law, but it was crafted from a single-hazard perspective. Flooding is purely a natural disaster and chemical and chemical leak as Industrial one. But there is no provision for a scenario where one would trigger the other and this leads to a clash of authorities trying to assert their jurisdiction rather than coordinating.

A lot of this problem stems from the very nature of these institutions. Environmental regulatory agencies have the competence to perform a factory's health inspection before granting permits for operations, but they seldom consider the geographical features of the area when performing these functions. Disaster management agencies are tasked with organizing evacuation in case of a disaster and providing aid afterwards, but they do not predict where the next industrial facility will be compromised due to the weather conditions. As a result, a river basin prone to monsoon floods, but housing many chemical facilities is ignored by the law.

The EU actually tried to fix a version of this with its Seveso Directive. In addition to making industries that deal with hazardous materials plan for external risks and not just internal accidents. it is one of the very few frameworks that successfully links the two aspects. Its implementation will greatly depend on the particular member states under discussion.

The stakes are arguably highest in South Asia. India, Bangladesh, and Nepal face regular natural disasters and at the same time, experiencing growing industrialisation in the same risky areas.

UNDRR has pointed this out through its Sendai Framework monitoring work, but most of what happens on the ground is still reactive. Some problem occurs, and then there will be

compensation scheme or even inquiry commission. No one maps which factories sit in high-risk areas until the accident occurs. Land-use planning and industrial licensing never refer to any risk maps while both are under the same government control.

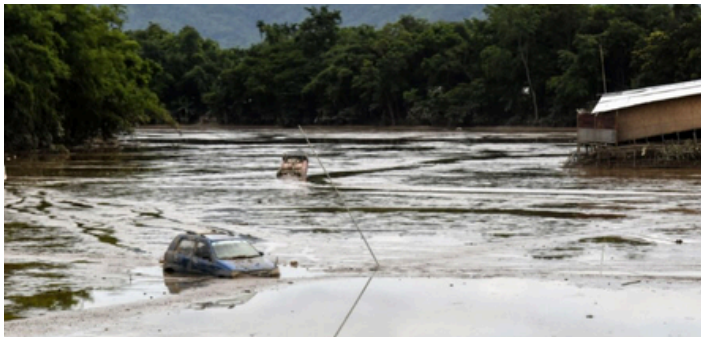
And then there is the issue of data, which can actually be the most easily fixable problem among all others. Disaster databases mostly register either the natural trigger or technological consequences but not both as a single incident. Therefore, it becomes rather difficult to count the number of Natech events that occur. The OECD has been pushing for better hazard interaction data but most countries still don't have a shared reporting system between their environment and disaster agencies.

To conclude, there is no need for a completely new legislation in this case. What is needed is an interaction of the existing ones. The disaster authorities must be able to access the information about the industrial safety in order to evaluate risk zones, and the industrial regulators must factor in climate and seismic conditions before the decision regarding the location is made, not after an incident occurs. There is already a number of regions which have initiated joint risk departments. According to the available information, this really helps during the time of the actual cascading disaster.

In the end, Natech risk is an outcome of the gap between two legislative systems which were not designed to interact. This threat will continue to increase with accelerating climate volatility and industrial expansion into vulnerable areas. It's long overdue to recognize cascading disasters as compound crises.

Preventive State Liability in Disaster Governance: The Legal Impact of Illegality in Mining and Hills Degradation in Assam

By Anwesha Panda



For millions living in Brahmaputra basin, monsoon is always an expected threat, but recent floods of 2026 that have affected over 1.68 lakh people in fifteen districts have become seriously worsened due to human intervention. At the moment, the main cause of floods seems to be illegal mining zones in Upper Assam. Fragility of this territory goes without saying, however, regulatory control in this area is alarmingly poor despite the facts reported by ecological monitoring systems which showed that Assam has lost over 18,000 hectares of natural forests in 2025 year, significantly worsening the stability of hills catchment. Therefore, the pressing issue that comes out of it is at what moment of time does state inactivity transform itself into an illegal breach of duties amid uncontrolled human actions. Even though officials try to present recurring floods as an inevitable phenomenon, widespread illegal mining takes away topsoil and blocks tributaries such as Dikhow river. In this paper, the author is going to discuss preventive state liability which implies that state inactivity violates constitutional guarantees and statutory duties prescribed by Disaster Management Act of 2005. For this purpose, this paper will try to show how illegal mining serves as a disaster multiplier, define the legal basis for state liability and suggest the way forward.

Even though illegal mining is usually considered to be just one more case of environmental regulation violation, its impact, however, exceeds environmental issues. Uncontrolled exploitation of coal, stones and sand undermines stability of fragile topography, increases soil erosion and reduces significantly natural draining capabilities. Under heavy rains, these dynamics turn ordinary rainfall into a catastrophe in form of floods and landslides. Thus, an evident gap between institutions exists. Environmental agencies concentrate their efforts on penalties after violations whereas emergency response agencies are operating only during recovery phase after calamity occurred. As a result, the process of vulnerability creation through environmental degradation receives practically no regulation at all before the actual disaster happens.

Disaster Management Act of 2005 (DMA) imposes a requirement of preventive approach to the governance, providing in Section 22 that SDMAs should incorporate mitigation measures in development programs and in Section 30 that DDMAs should implement local risk reduction measures. Such statutory requirements give birth to a concept of preventive state liability. Taking into consideration gradual nature of environmental hazards, the lack of possibility of interference of authorioties in illegal extraction of

extraction of resources becomes the breach of statutory duties imposed on them. Therefore, it becomes obvious that the question here is not of the severity of floods but to what extent the state has used its chance to perform its duties.

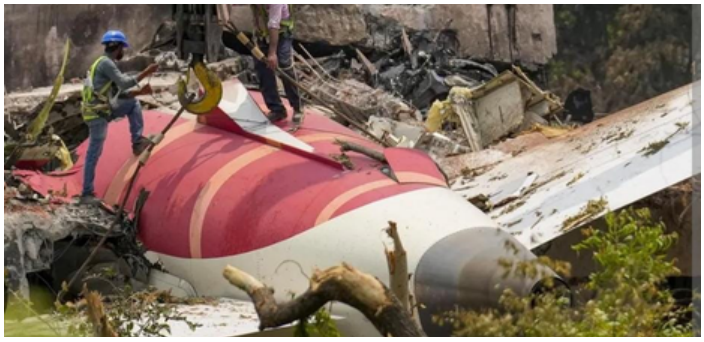
Additionally, these duties are grounded in constitutional and statutory imperatives. In accordance with Article 21, right to life is understood in India by the Supreme Court in its decisions as right to environmental protection and safe living conditions. Failure to mitigate preventable risks of floods is a violation of citizens' rights to life and livelihoods. Furthermore, such duty is guaranteed by public trust doctrine formulated in the decision of Supreme Court in M.C. Mehta v. Kamal Nath (1997), according to which the State holds natural resources in trust for the public and thus, state inactivity in preventing natural resource degradation constitutes a breach of its fiduciary duties. In combination with regulatory Acts such as Environment (Protection) Act, 1986 and Mines and Minerals (Development and Regulation) Act, 1957, these provisions create clear statutory affirmative duty of the State to prevent disasters.

The gap in the structure lies in the fact that regulatory agencies of mineral extraction and disaster control do not co-ordinate with each other because the former deals with the extraction and the latter provides only emergency services post facto. The lack of co-ordination between states and within Sixth Schedule areas allows illegal miners to avoid environmental responsibility easily. In order to fill in these gaps, it becomes imperative for the state to undertake necessary reforms in the form of conducting mandatory risk disaster audits which will ensure that the impact assessment is done before giving clearance for the environment and mining.

In conclusion, it can be said that the current crisis in Upper Assam regarding the degradation of hills and unregulated mining illustrates the fact that modern-day disasters are created due to human vulnerability rather than natural causes and therefore the concept of Preventive State Liability is very important to solve this problem in terms of legal liability arising out of mining activities and hence it is an essential component of administrative governance. Hence, effective disaster management will have to move away from the realm of managing natural disasters to enforcing rule of law that can prevent human disasters.

Beyond the Runway: Why Air India 171 Demands a Disaster Law Response

By Kumar Aghna Mukherjee



In December 2024, the Parliament of India enacted the Bharatiya Vayuyan Adhiniyam, 2024 (BVA), repealing the 90-year-old Aircraft Act, 1934. For the first time in primary legislation, the law formally codified India's civil aviation architecture: the Directorate General of Civil Aviation (DGCA) for safety regulation, the Bureau of Civil Aviation Security (BCAS) for security oversight, and the Aircraft Accidents Investigation Bureau (AAIB) for accident investigation. It was rightly hailed as an overdue modernisation.

Six months later, that modernisation faced its ultimate test. Air India Flight 171, a Boeing 787- 8, suffered an uncorrected dual-engine failure 32 seconds after take-off from Ahmedabad and crashed into a medical college hostel. The disaster claimed 260 lives: 241 on board and 19 on the ground. The crash was not merely a civil aviation failure; it was a disaster management crisis. Crucially, it exposed three critical structural gaps between the BVA, 2024, and the Disaster Management Act, 2005 (DMA).

1. The Natural Justice Gap: Who Investigates Whom?

A foundational principle of administrative law is "*nemo judex in causa sua*" no one should be a judge in their own cause. Yet, Sections 8 and 9 of the BVA grant the Central Government sweeping powers of superintendence, direction, and executive review over aviation accident investigations. In the case of AI171, while the AAIB is tasked with technical evidence retrieval, policy oversight and executive control over final reports remain anchored within the Ministry. This creates an inherent conflict of interest. When the regulator, the operator, and the investigator all report to the same executive hierarchy, public trust erodes.

Compare this with the statutory framework of disaster response. The DMA establishes clear executive operational command while separating specialized rescue and audit bodies from line ministries. Aviation disasters require a similar firewall. The AAIB must be transformed into a fully statutory, independent agency similar to the National Transportation Safety Board (NTSB) in the United States completely insulated from executive direction under the BVA.

2. The Victim Rights Gap: Passengers Are Not Just Statistics

The 1934 Act and the new BVA, 2024 remain overwhelmingly focused on aircraft certification, airworthiness, and airline licensing.

Neither statute includes a dedicated framework for victims' rights or survivor assistance. What statutory protections support the bereaved families of the 241 passengers? What formal compensation, legal aid, or psychosocial support exists for the 19 families affected on the ground?

The BVA is silent. While the Montreal Convention governs international carriage claims, third-party ground victims and domestic passengers are left navigating a complex legal maze.

The DMA recognises victims as a protected statutory category and mandates comprehensive relief, rehabilitation, and recovery measures under Section 2(e). However, civil aviation disasters have never been operationally integrated into DMA relief frameworks. Consequently, in the aftermath of AI171, relief was largely ad hoc lacking pre-designated nodal officers, victim assistance SOPs, or a single-window grievance mechanism. Victims of air crashes cannot remain an afterthought of aviation law; they must be embedded directly within the rights-based framework of disaster management law.

3. The Land-Use and Risk Gap: Airports Do Not End at the Fence

Airports and their flight paths are inherently high-risk corridors. Yet, urban development surrounding aerodromes frequently remains unplanned and densely populated. The hostel struck by AI171 sat directly in the runway approach funnel, less than a nautical mile from the perimeter.

While Section 18 of the BVA allows the Central Government to restrict building heights and cut trees near aerodromes, it lacks comprehensive land-use planning tools for urban hazard mitigation.

Conversely, the DMA empowers National and State Authorities under Section 10 and Section 18 to lay down binding guidelines for risk reduction, disaster prevention, and resilient infrastructure.

Because aviation emergencies are rarely operationalised in local disaster plans, states lack off- airport disaster plans. Communities living within 3 to 5 kilometres of runway funnels have no specialised zoning protections, early warning sirens, or emergency evacuation drills. The National Disaster Management Authority (NDMA) must issue binding guidelines for "Aerodrome Influence Zones" that District and Urban Disaster Management Authorities (UDMAs) can enforce under Section 30 and Section 41A of the DMA.

The Way Forward: Unifying Two Legal Regimes

The Bharatiya Vayuyan Adhiniyam is an important step forward, but aviation safety without disaster governance remains incomplete. Closing this gap requires three immediate reforms:

1. Explicit Statutory Recognition under the DMA:

Explicitly list "Aviation Disasters" within operational disaster plans under Section 2(d) of the DMA to automatically activate NDMA guidelines, SDRF deployment, and structured victim relief funds.

2. Amend the BVA for Victim Rights and Independence:

Insert a new Chapter titled "Victim Rights and Assistance" into the BVA, establishing a statutory Victim Assistance Board funded by an airline safety levy, while granting full statutory independence to the AAIB.

3. NDMA Binding Guidelines:

Direct the NDMA to issue standard operating procedures for off-airport crash site preservation, urban land-use zoning around runways, and psychological trauma support within six months.

Law cannot prevent an engine from failing 32 seconds into flight. But law dictates what happens in the critical hours that follow. Civil aviation law cannot stop at the runway fence; disaster management law must begin there.

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