A disaster is the result of natural or manmade hazards. It affects lot of human lives results in degradation of environment and property. Very after these losses are due to the unpreparedness to meet these calamities. Generally disasters one broadly classified into two ie natural and manmade. The tsunami in Indian Ocean is an example of natural disaster. The said disaster had caused insurmountable devastation to the environment and human settlements. The Bhopal Gas Tragedy that occurred in 1984 is an example of manmade disasters.

The state has an active role to play in the preparedness, prevention and mitigation of disaster management. States plays its role through policies and programmes. These state policies and programmes are carried out through legislations.

Traditionally the law had a limited role in the disaster management field. Gradually there arose a demand from all walks of life for paradigm shift from post disaster to pre disaster management. The Yokohama strategy emanating from the international decade for natural disaster reduction, 1994 underlined the need for an emphatic shift in the strategy for disaster mitigation. This led to enacting legislations across the world, for example Queensland Disaster Management Act, 2005; South African Disaster Management Act, 2002 and the Indonesian Disaster Management Act, 2005. In India also the Central Government enacted the Disaster Management Act, 2005. This Act provides for the constitution of National, State and District Disaster Management Authorities headed by the Prime Minister, Chief Minister and District Collector respectively. The Act further provides for setting up of a National Executive Committee and State Executive Committee at National and State level respectively. A National Institute of Disaster Management was constituted on 2007. The said institute conducts training and undertakes research in the field of science and technologies to manage the disasters. A national force called Disaster Management Response Force was also set up by the central government to meet the immediate needs for providing response and rescue to the victims of disasters.
Legislations, policies, programmes and institutions can itself be a means to protect the society from the onslaughts of disasters. However in order for a law to make positive difference to the lives of people affected with disasters, it must have realistic and attainable goals. An unrealistic laws which cannot serve people is of no purpose at all, and can result in unnecessary expenses. Hence the efficacy of Disaster Management Act, 2005 in protecting to victims of disaster is a major concern of this thesis. In this process the thesis undertakes a comparative perspective, points out the defects and suggests basic changes that need to be incorporated in the legislation. The thesis also examines the extent to which the legislation helps in preparedness and prevention of disasters.