

Fire Force Act, 1964

Chapter VII - General and Miscellaneous

No member of the Force shall engage in any employment or office whatsoever other than his duties under this Act.

Section 29 - Transfer to other area

The Director or any officer authorised by the State Government in this behalf may, on the occasion of a fire or other emergency in any neighbouring area in which this Act is not in force, order the despatch of the members of the Force with necessary appliances and equipments to carry on fire-fighting operations such neighbouring area and thereupon notwithstanding the provisions of sub-section (3) of section 1, all the provisions of this Act and the rules made thereunder shall apply to such area, during the period of fire or emergency or during such period as the Director may specify.

Section 30 - Employment on other duties

It shall be lawful for the State Government or any officer authorised by it in this behalf to employ the Force in any rescue, salvage or other work for which it is suitable by reason of its training, appliances and equipment.

Section 31 - Liability of property owner to pay compensation

(1) Any person whose property catches fire on account of any action of his own or of his agent done deliberately or negligently shall be liable to pay compensation to any other person suffering damage to his property on account of any action taken under section 10 of this Act by any officer mentioned therein or any person acting under the authority of such officer.

(2) All claims under sub-section (1) shall be preferred to the Deputy Commissioner within thirty days from the date when the damage was caused.

(3) The Deputy Commissioner shall, after giving the parties an opportunity of being heard, determine the amount of compensation due and pass an order stating such amount and the person liable for the same, and the order so passed shall have the force of a decree of a civil court.

Section 32 - Power to obtain information

Any officer of the Force not below the rank of officer in-charge of a fire-station may for the purpose of discharging his duties under this Act require the owner or occupier of any building or other property, to furnish information with respect to the character of such building or other property, the available water supplies and the means of access thereto and other material particulars, and such owner or occupier shall furnish all the information in his possession.

Section 33 - Power of entry

(1) The Director or any member of the Force authorised by him in this behalf may enter any of the places specified in any notification issued under section 13 for the purpose of determining whether precautions against fire required to be taken on such place have been so taken.

(2) Save as otherwise expressly provided in this Act, no claim shall lie against any person for compensation for any damage necessarily caused by any entry under sub-section (1).

Section 34 - Consumption of water

No charge shall be made by any local authority or other person for water consumed in fire-fighting operations by the Force.

Section 35 - No compensation for interruption of water supply

No authority in charge of water supply in an area shall be liable to any claim for compensation for damage by reason of any interruption of supply of water occasioned only by compliance of such authority with the requirement specified in clause (d) of section 10.

Section 36 - Police Officers to aid

It shall be the duty of police officers of all ranks to aid the members of the Force in the execution of their duties under this Act.

Section 37 - Information on outbreak of fire

Any person who possesses any information regarding an outbreak of fire shall communicate the same without delay to the nearest fire station.

Section 38 - Indemnity

No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

Section 39 - Power to make rules

(1) The State Government may, by notification in the official Gazette, make for carrying out the purpose of this Act.

(2) In particular and without prejudice to the generality of the forgoing power, such rules may provide for,--

- (a) the number and grades of officers and members of the Force;
- (b) the manner of appointment of members of the Force;
- (c) the form of the certificate to be issued to the members of the Force;
- (d) the conditions of service of the members of the Force including their ranks, pay and allowances, hours of duty and leave, maintenance of discipline and removal from service;
- (e) the circumstances in which and the conditions subject to which members of the Force may be despatched to carry on fire-fighting operations in neighbouring areas;
- (f) the conditions subject to which members of the Force may be employed on rescue, salvage or other work;
- (g) the manner in which and the intervals at which the proceeds of the fire tax levied under this Act shall be paid to the State Government;

- (h) the manner of service of notice under this Act;
- (i) for the determination of the question whether any property appertains to the Fire Service maintained by a local authority or whether any rights, powers, liabilities or obligations were acquired or incurred or any contract or agreement or other instrument was made by the local authority for the purposes of the Fire Service or whether any documents relate to those purposes;
- (j) the payment of rewards to persons, not being members of the Force, who render services for fire-fighting purposes;
- (k) the compensation payable to members of the Force in case of accidents or to their dependents in case of death while engaged on duty;
- (l) the employment of members of the Force or use of any equipment outside the area or on special services fee payable therefor; and
- (m) any other matter which is to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Section 40 - Repeal and saving

- (1) If immediately before the day on which this Act comes into force in an area, there is in force in that area any law, rule, regulation or bye-law having the force of law which corresponds to any provision of this Act, such law, rule, regulation or bye-law, shall so far as it relates to any matter for which provision has been made in this Act shall on that day stand repealed.
- (2) Notwithstanding the repeal of any law, rule, regulation or bye-law by sub-section (1), the general responsibility of any local authority under the law governing such authority, shall not be deemed to be limited, or modified, in so far as such law requires the local authority,--
 - (a) to provide and maintain such water supply and fire hydrants for fire-fighting purposes as may be directed by the State Government from time to time;
 - (b) to frame bye-laws for the regulation of dangerous trades;
 - (c) to order any of its employees to render aid in fighting a fire when reasonably called upon to do so by any member of the Force; and
 - (d) generally to take such measures as will lessen the likelihood of fires or preventing the spread of fires.