



TAMIL NADU GOVERNMENT GAZETTE

No. 263]

CHENNAI, FRIDAY, JUNE 6, 2025

Vaikasi 23, Visuvaavasu, Thiruvalluvar Aandu-2056

PUBLISHED BY AUTHORITY

Part IV—Section 2

Tamil Nadu Acts and Ordinances

CONTENTS

Pages.

ACTS:

No.36 of 2025—Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber law offenders, Drug offenders, Forest-offenders, Goondas, Immoral Traffic Offenders, Sand-offenders, Sexual-offenders, Slum-grabbers and Video Pirates (Amendment) Act, 2025.	148-151
No.37 of 2025—Tamil Nadu Fire and Rescue Service Act, 2025...					153-175
No.38 of 2025—Tamil Nadu Town and Country Planning (Amendment) Act, 2025.					177-180
No.39 of 2025—Tamil Nadu Shops and Establishments (Amendment) Act, 2025.					181-183

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th June 2025 and is hereby published for general information:—

ACT No. 36 OF 2025.

An Act further to amend the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber law offenders, Drug offenders, Forest-offenders, Goondas, Immoral Traffic Offenders, Sand-offenders, Sexual-offenders, Slum-grabbers and Video Pirates Act, 1982.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-sixth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber law offenders, Drug offenders, Forest-offenders, Goondas, Immoral Traffic Offenders, Sand-offenders, Sexual-offenders, Slum-grabbers and Video Pirates (Amendment) Act, 2025.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of long title.

2. In the long title to the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber law offenders, Drug offenders, Forest-offenders, Goondas, Immoral Traffic Offenders, Sand-offenders, Sexual-offenders, Slum-grabbers and Video Pirates Act, 1982 (hereinafter referred to as the principal Act), for the expression "bootleggers, cyber law offenders, drug offenders", the expression "bio-medical waste offenders, bootleggers, cyber law offenders, drug offenders, economic offenders" shall be substituted.

Tamil Nadu
Act 14 of 1982.

Amendment of preamble.

3. In the preamble to the principal Act,—

(1) in the first paragraph, for the expression "bootleggers, cyber law offenders, drug offenders", the expression "bio-medical waste offenders, bootleggers, cyber law offenders, drug offenders, economic offenders" shall be substituted;

(2) in the second paragraph, for the expression "bootleggers, cyber law offenders, drug offenders", the expression "bio-medical waste offenders, bootleggers, cyber law offenders, drug offenders, economic offenders" shall be substituted.

Amendment of section 1.

4. In section 1 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) This Act may be called the Tamil Nadu Preventive Detention Act, 1982."

5. In section 2 of the principal Act, —

Amendment of
section 2.

(1) in clause (a),—

(a) sub-clauses (i) and (i-A) shall be re-numbered as sub-clauses (i-A) and (i-B), respectively, and before sub-clause (i-A) as so re-numbered, the following sub-clause shall be inserted, namely: —

“(i) in the case of a bio-medical waste offender, when he is engaged, or is making preparations for engaging in any of his activities as a bio-medical waste offender, which affect adversely, or are likely to affect adversely, the maintenance of public order;”;

(b) sub-clause (ii-A) shall be re-numbered as sub-clause (ii-B) and before sub-clause (ii-B) as so re-numbered, the following sub-clause shall be inserted, namely: —

“(ii-A) in the case of an economic offender, when he is engaged, or is making preparations for engaging in any of his activities as an economic offender, which affect adversely, or are likely to affect adversely, the maintenance of public order;”;

(2) after clause (a), the following clause shall be inserted, namely: —

“(aa) “bio-medical waste offender” means a person, who disposes of or attempts to dispose of any bio-medical waste in contravention of the Bio-Medical Waste Management Rules, 2016, which is punishable under the Environment Protection Act, 1986 (Central Act 29 of 1986);”;

(3) clause (ee) shall be re-lettered as clause (eee) and before clause (eee) as so re-lettered, the following clause shall be inserted, namely: —

“(ee) “economic offender” means a person, who commits or attempts to commit or abets the commission of any offence punishable under the Chit Funds Act, 1982 (Central Act 40 of 1982) or the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997 (Tamil Nadu Act 44 of 1997) or the Banning of Unregulated Deposit Schemes Act, 2019 (Central Act 21 of 2019);”;

(4) in clause (f), for the expression “punishable under section 153 or section 153-A under Chapter VIII or under Chapter XVI other than sections 354, 376, 376-A, 376-B, 376-C, 376-D and 377 or Chapter XVII or Chapter XXII of the Indian Penal Code (Central Act XLV of 1860)”, the expression “punishable under sections 80, 87 to 97 under Chapter V or Chapter VI except section 113 or section 192 or section 196 under Chapter XI or under Chapter XVII or under Chapter XIX except sections 356 and 357 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted;

(5) for clause (g), the following clause shall be substituted, namely:—

“(g) “immoral traffic offender” means a person who commits or abets the commission of any offence punishable under sections 98 and 99 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023) or punishable under the Immoral Traffic (Prevention) Act, 1956 (Central Act 104 of 1956);”;

(6) in clause (ggg), for the expression “punishable under sections 354, 376, 376-A, 376-B, 376-C, 376-D or 377 of the Indian Penal Code (Central Act XLV of 1860)”, the expression “punishable under sections 64 to 71 or sections 74 to 79 under Chapter V of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted.

Amendment of
section 3.

6. In section 3 of the principal Act, in sub-section (1), for the expression “bootlegger, or cyber law offender or drug offender”, the expression “bio-medical waste offender or bootlegger or cyber law offender or drug offender or economic offender” shall be substituted.

Amendment of
section 4.

7. In section 4 of the principal Act, for the expression “the Code of Criminal Procedure, 1973 (Central Act 2 of 1974)”, the expression “the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023)” shall be substituted.

Amendment of
section 7.

8. In section 7 of the principal Act,—

(1) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) If the State Government have, or an officer mentioned in sub-section (2) of section 3 has, reason to believe that a person in respect of whom, a detention order has been made has absconded, or is concealing himself so that the order cannot be executed, then the provisions of sections 84 to 89 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023) shall apply in respect of such person and his property, subject to the modifications mentioned in this sub-section and, irrespective of the place where such person ordinarily resides, the detention order made against him shall be deemed to be a warrant issued by a competent Court. Where the detention order is made by the State Government, an officer, not below the rank of District Magistrate or Commissioner of Police authorised by the State Government in this behalf, or where the detention order is made by an officer mentioned in sub-section (2) of section 3, such officer, as the case may be, shall irrespective of his ordinary jurisdiction, be deemed to be empowered to exercise all the powers of the competent Court under sections 84, 85, 86, 87 and 88 of the said Sanhita for issuing a proclamation for such person and for identification, attachment and sale of his property situated in any part of the State and for taking any other action under the said sections. An appeal from any order made by any such officer rejecting an application for restoration of attached property shall lie to the Court of Session, having jurisdiction in the place where the said person ordinarily resides, as provided in section 89 of the said Sanhita.”;

(2) in sub-section (2), in clause (c), for the expression “said Code”, the expression “said Sanhita” shall be substituted.

9. In section 17 of the principal Act,—

Amendment of
section 17.

(1) In the marginal heading, for the expression "bootlegger, cyber law offender, drug offender", the expression "bio-medical waste offender, bootlegger, cyber law offender, drug offender, economic offender" shall be substituted;

(2) for the expression "bootlegger, cyber law offender, drug offender", the expression "bio-medical waste offender, bootlegger, cyber law offender, drug offender, economic offender" shall be substituted.

(By Order of the Governor)

S. GEORGE ALEXANDER,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th June 2025 and is hereby published for general information:—

ACT NO. 37 OF 2025.

**An Act to repeal and re-enact the Tamil Nadu Fire Service
Act, 1985.**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-sixth Year of the Republic of India as follows: —

CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Fire and Rescue Services Act, 2025.	Short title, extent and commencement.
(2) It extends to the whole of the State of Tamil Nadu.	
(3) It shall come into force on such date as the Government may, by notification, appoint.	
2. In this Act, unless the context otherwise requires, —	Definitions.
(a) "Appellate Authority" means an Appellate Authority notified by the Government under section 54;	
(b) "building" means the building as defined in clause (15) of rule 2 of the Tamil Nadu Combined Development and Building Rules, 2019 and includes petrol, diesel or gas lines, installations or pumps;	
(c) "Bye-law" means fire safety regulations or norms or guidelines made under the National Building Code of India, Model Building Bye-laws, 2016 by the Government of India, Oil Industry Safety Directorate guidelines, Petroleum Act and Rules, Explosive Act and Rules relating to fire prevention, or any relevant guidelines by the Government or local authority as amended from time to time and the rules as may be prescribed under section 31;	
(d) "Director" means the Director of the Tamil Nadu Fire and Rescue Services appointed under section 6;	
(e) "disaster" means a disaster as defined in clause (d) of section 2 of the Disaster Management Act, 2005;	
(f) "erector" means a person or association of persons, whether corporate or otherwise, who erects or makes a pandal or any structure for occupation of people on a regular or temporary basis;	
(g) "Fire and Rescue Services Officer" means an officer appointed under sub-section (1) of section 9;	
(h) "Fire and Rescue Services Station or Rescue Service Station" means a building to house the fire-fighting and rescue equipment, appliances and staff constituted, organised or reorganised generally or specially by the Government to be a Fire and Rescue Services Station or Rescue Service Station and other field formations under section 8;	

(i) "fire prevention and life safety measures" mean such measures as are necessary to ensure, individually or collectively, the safety of life from fire, smoke, fumes and also from panic arising out of these or similar causes and shall include provision of fire-fighting equipment for the containment, control and fighting of fire and for ensuring the safety of life and property in case of fire or any other emergency as may be prescribed;

(j) "Fire Safety Audit Agency" means a person or company empanelled by the Government under sub-section (1) of section 32;

(k) "Fire Safety Officer" means the person appointed as such under section 33;

(l) "Government" means the State Government;

(m) "local body" means a local body as defined in clause (66) of rule 2 of the Tamil Nadu Combined Development and Building Rules, 2019;

(n) "National Building Code" means the book or books containing fire prevention and life safety measures to be implemented in the buildings, places, premises, workshops, warehouses and industries, published from time to time by the Bureau of Indian Standards;

(o) "occupancy" means the principal occupancy for which a building or a part of the building is used or intended to be used including subsidiary occupancies which are contingent upon it;

(p) "occupier" means, —

(i) any person who, for the time being, is paying or is liable to pay, to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;

(ii) an owner in occupation of, or otherwise using his land or building;

(iii) a rent-free tenant of any land or building;

(iv) a licensee in occupation of any land or building; and

(v) any person who is liable to pay damages to the owner for the use and occupation of any land or building;

(q) "owner" includes a person who, for the time being, is entitled to receive the rent of any land or building, whether on his own account or on behalf of another or on behalf of himself and others or as an agent, trustee, guardian or receiver or any other person, or who would so receive the rent or be entitled to receive it, if the land or building or part thereof were let to a tenant;

(r) "pandal" means a temporary structure with a roof or walls made of coconut leaves, palm leaves, straw, hay, any type of grass, mat, canvas, cloth or other like material which is not adopted for permanent or continuous occupancy;

(s) "prescribed" means prescribed by rules made under this Act;

(t) "rescue" means an immediate action of fire and rescue services in any serious situation or occurrence including disasters;

(u) "State" means the State of Tamil Nadu.

CHAPTER II.

ORGANISATION, SUPERINTENDENCE, CONTROL AND MAINTENANCE OF THE FIRE AND RESCUE SERVICES.

3. There shall be established and maintained by the Government, a Fire and Rescue Service in the State to be called the Tamil Nadu Fire and Rescue Services.

Establishment of Fire and Rescue Services.

4. The superintendence and control of the Tamil Nadu Fire and Rescue Services shall vest in the Government and it shall be administered by the Government in accordance with the provisions of this Act and the rules made thereunder, through such officers as the Government may, from time to time, appoint in this behalf.

Superintendence and control of the Tamil Nadu Fire and Rescue Services.

5. (1) Subject to the provisions of this Act, the Tamil Nadu Fire and Rescue Services shall consist of such number of posts in various ranks and have such organisations and they shall have such powers, functions and duties as the Government may, by general or special order, determine.

Constitution and Classification of Fire and Rescue Services.

(2) The Government may prescribe in the rules, —

(i) the posts included in the Tamil Nadu Fire and Rescue Services; and

(ii) the terms and conditions of services of the members of the Tamil Nadu Fire and Rescues Services and the matters connected therewith;

(3) The Government may, by notification in the *Tamil Nadu Government Gazette*, review the pattern of the existing fire and rescue services in the State and if deemed fit, may modify the same.

(4) Save as otherwise provided by or under this Act, every person holding office, by whatever designation called, of the Tamil Nadu Fire and Rescue Services on the date immediately before the commencement of this Act, shall continue to hold office on the same terms and conditions as were applicable to him immediately before such date and shall exercise such powers and perform such duties as before and in addition to those as are conferred on them by or under this Act.

Appointment of Director of Fire and Rescue Services.

6. (1) The Government shall appoint an officer in the rank of Director General of Police or Additional Director General of Police to be the Director of Tamil Nadu Fire and Rescue Services.

(2) The Director shall be the head of the Tamil Nadu Fire and Rescue Services.

(3) Subject to the control, directions and superintendence of the Government, the Director shall exercise such powers and perform such duties and functions as are conferred and imposed upon him by this Act and the rules made thereunder.

Powers, duties and functions of the Director.

7. (1) The Director shall, subject to the superintendence and control of the Government, direct and regulate all matters relating to fire safety and prevention, fire-fighting equipment, machineries and appliances, training, distribution of duties, study of laws, uniformity of procedures, orders and modes of proceedings and all matters of executive details or the fulfillment of duties and maintenance of discipline of the officers and employees of the Tamil Nadu Fire and Rescue Services in such manner as may be prescribed.

(2) Without prejudice to the provisions of sub-section (3) of section 6, the Director shall function as head of the Department in the office of Director and shall, —

(i) liaise with the Government for the development of fire and rescue services;

(ii) frame policies in relation to the development of fire and rescue services in the State and, on approval of such policies by the Government, take steps to implement the same;

(iii) prepare and submit plans and proposals to the Government with regard to the periodical review of fire equipment, fire properties and manpower for effective implementation of fire and rescue services;

(iv) take or cause to be taken such effective steps and measures in cases of major fires, building collapse and other rescue services;

(v) investigate or cause to be investigated the cause of fire, and also seek the help of Government Forensic Science Laboratories and advise the authorities for implementing fire precautionary measures;

(vi) provide such number of officers and staff or employees as may be necessary to assist any member of the Tamil Nadu Fire and Rescue Services, while exercising his powers or discharging his duties or functions under this Act or the rules made thereunder;

(vii) implement the effective human resource development policies in accordance with the assigned jobs at each level of fire and rescue service personnel and for that purpose, he may establish advanced training centers with the approval of the Government;

(viii) represent the Government in national and international forums with a view to update the standard of fire and rescue services in the State; and

(ix) exercise such other powers and perform such other duties and functions as may be prescribed.

Setting up of Fire and Rescue Services Station, Rescue Service Station and other field formations.

8. (1) For the purpose of providing adequate number of officers and staff for meeting the needs of fire and rescue services, having regard to the population, potential fire hazards in certain industries, large commercial and mercantile establishments and buildings and fire and rescue service stations required to be provided for and maintained, the Government may, for the purpose of securing fire prevention and life safety measures in the State, by order, constitute, organise or reorganise as many Fire and Rescue Services Stations, Rescue Service Stations and other field formations, as they may deem fit.

(2) Every order issued under sub-section (1) shall define the limits of the Fire and Rescue Services Stations, Rescue Service Stations and other field formations to which it relates.

9. (1) The Government shall appoint a Fire and Rescue Services Officer for each Fire and Rescue Services Station, Rescue Service Station and other field formation, who shall be in-charge of such station or field formation and he shall be responsible for maintenance of communication system, water resources including hydrants within the limits of such station or field formations and shall be in-charge of operations of Fire and Rescue Services.

Appointment of Fire and Rescue Services Officer and other officers.

(2) The Government shall, for the efficient functioning of the Tamil Nadu Fire and Rescue Services, appoint such other officers and staff as may be required and their qualifications and other conditions of services shall be such as may be prescribed.

10. Subject to the control, direction and superintendence of the Director, the Fire and Rescue Services Officer shall exercise such powers and perform such duties and functions as are conferred and imposed upon him by this Act or the rules or orders made thereunder.

Powers, duties and functions of Fire and Rescue Services Officer.

11. (1) Every person shall, on appointment to the Tamil Nadu Fire and Rescue Services, receive a certificate, in such form as may be prescribed, under the signature of the Director or an officer authorised in this behalf by the Government and thereupon, such person shall have the powers, functions and privileges of a member of the Tamil Nadu Fire and Rescue Services.

Issue of Certificate to the members of Fire and Rescue Services.

(2) The certificate referred to in sub-section (1) shall cease to have effect when the member named therein ceases, for any reason, to be a member of the Tamil Nadu Fire and Rescue Services and on his ceasing to be such member, he shall forthwith surrender the certificate to the officer empowered to receive the same.

(3) The certificate of appointment shall become null and void when the person named therein ceases to be a member of the Tamil Nadu Fire and Rescue Services and shall remain inoperative during the period of his suspension.

(4) The member of the Tamil Nadu Fire and Rescue Services shall be governed by the Special Rules for the Tamil Nadu Fire and Rescue Services and Tamil Nadu Fire and Rescue Subordinate Services. If no specific rules have been prescribed in any matter, the Acts and Rules as are applicable to the Government servants in relation to the conditions of their services and all other allied matters shall apply.

12. (1) The powers, functions and privileges vested in any member of the Tamil Nadu Fire and Rescue Services shall remain suspended during the period of suspension.

Effect of suspension.

(2) Such person shall continue to be subject to the control of the same authorities to which he would have been, had he not been placed under suspension.

Auxiliary Fire and Rescue Services. 13. Whenever, it appears to the Government that it is necessary to augment the Fire and Rescue Services, they may raise an auxiliary service by enrolment of volunteers for such area and on such terms and conditions as may be prescribed.

CHAPTER III.

FIRE AND RESCUE RESPONSE.

Response to calls. 14. The Fire and Rescue Services personnel shall respond to all calls related to fire and rescue and any other emergencies in such manner as may be prescribed.

Personnel and scale of equipment. 15. The Director shall ensure deployment of Fire and Rescue Services, resources, equipment and fire personnel at stand-by duties during any fire response or any other rescue call in such manner as may be prescribed.

Operation management. 16. (1) The Director shall provide details of planning, organising and deployment of the staff and ensure regular monitoring of the site in such manner as may be prescribed.

(2) The Director shall ensure that fire and rescue management plans of the Fire and Rescue Services Stations, Rescue Service Stations and other field formations are prepared in conformity with the respective District Disaster Management Plans.

Powers of members of the Tamil Nadu Fire and Rescue Services on occurrence of fire or rescue operation. 17. On the occasion of fire or rescue operation in any area, any member of the Tamil Nadu Fire and Rescue Services, who is in-charge of fire-fighting or rescue operation on the spot, may —

(i) remove or cause to remove or order any other member of the Tamil Nadu Fire and Rescue Services to remove any person who, by his presence, interferes with or impedes the operation of extinguishing the fire or saving life or property;

(ii) close or cause to close any street or passage in or near a place where fire is being fought or rescue work is in progress;

(iii) for the purpose of extinguishing fire and carrying out rescue operation, break into or through or pull down, any premises for the passage of hose or other appliances or cause them to be broken into or through or pulled down, causing as little damage as possible for the purpose of extinguishing fire:

Provided that the owner or occupier, as the case may be, of any such premises shall be paid reasonable compensation in such manner as may be prescribed to the extent of the damage so caused;

(iv) require the Authority in charge of water supply in the area to regulate the water mains so as to provide water at a specified pressure at the place where fire has broken out and utilise the water of any stream, cistern, well or tank or of any available source of water, public or private, for the purpose of extinguishing or limiting the spread of such fire and carrying out rescue operations in such manner as may be prescribed;

(v) exercise the same powers for dispersing an assembly of persons likely to obstruct the fire-fighting or rescue operation as if he is an officer-in-charge of a police station and as if such an assembly were an unlawful assembly and shall be entitled to the same immunities and protection available to such officer, in respect of the exercise of such powers;

(vi) arrest any person who willfully obstructs and hinders the fire and rescue services personnel in fire-fighting and rescue operations and shall hand him over to a police officer or at the nearest police station without avoidable delay along with a brief note stating the time, date and reason of arrest;

(vii) enter into agreement with any person who employs and maintains personnel or equipment or both for fire-fighting purposes, to secure, such personnel or equipment on such terms as may be prescribed, for the purpose of dealing with fire occurring in any area; and

(viii) take such measures as may appear to him to be necessary for extinguishing the fire or for the protection of life or property, or both.

CHAPTER IV.

WATER SUPPLY.

18. It shall be lawful for the Director or Fire and Rescue Services Officer of the fire-fighting operations to draw water from any source in the area which he considers necessary during fire-fighting operations and on such occasions as may be required and the authority or owner or occupier having control over such water source shall supply water for that purpose at such rates as may be prescribed.

Power to arrange for water supply during fire-fighting.

19. The Director or Fire and Rescue Services Officer shall take all reasonable measures in such manner as may be prescribed to ensure that an adequate supply of water will be available for use in the event of fire.

Duty to arrange water supply.

20. The Director or Fire and Rescue Services Officer may enter into an agreement with any agency approved by the local body, Tamil Nadu Water Supply and Drainage Board, Chennai Metropolitan Water Supply and Sewerage Board or Tamil Nadu Water Resources Department for meeting the demand of water supply and emergent need of water as per the procedure and terms and conditions for the payment to the third party in such manner as may be prescribed.

Power to enter into agreement for water supply.

21. No Authority in charge of water supply in any area shall be liable to any claim for compensation for damage by reason of any interruption of supply of water caused in compliance of the requirement specified in clause (iv) of section 17.

No compensation for interruption of water supply.

22. No charge shall be levied or collected by any authority in charge of water supply or local body for water utilised for the purpose of fire-fighting operations by the Fire and Rescue Services.

Utilisation of water.

CHAPTER V.

GENERAL MEASURES FOR FIRE PREVENTION AND LIFE SAFETY MEASURES.

Preventive measures.

23. The Government may, by notification, require the erector of pandal or owner or occupier of any premises in any area or of any class of premises used, which in their opinion, are likely to cause a risk of fire, to take such precautions as may be specified in such notification.

Fire prevention and life safety measures in the pandals to be self-regulatory.

24. (1) Notwithstanding anything contained in this Act, the erectors of pandal shall be deemed to be self-regulators for taking fire prevention and life safety measures as may be prescribed.

(2) The erector of pandal shall display at a prominent place in the pandal, a declaration in such form as may be prescribed under his own signature to the effect that he has taken all fire prevention and fire safety measures therein as may be prescribed.

(3) It shall be lawful for the Director or the Fire and Rescue Services Officer not below the rank of Station Officer to enter and inspect the pandal with a view to verify the correctness of the declaration so made by the erector under sub-section (2) and to point out the shortcomings, if any, with a direction to rectify such shortcomings, within a specified time. If the directions of the inspecting officer are not complied with within the specified time, the same shall be reported to the Executive Magistrate of the Taluk, who in turn, shall seal the pandal, after giving reasonable opportunity of being heard.

(4) Any erector of a pandal who falsely declares that he has complied with the prescribed fire prevention and fire safety measures in the pandal, shall be deemed to have committed an offence punishable under this Act.

Removal of encroachments or objects or goods likely to cause a risk of fire or any obstruction to fire fighting.

25. (1) Where a notification has been issued under section 23, it shall be lawful for the Director or the Fire and Rescue Services Officer to direct the removal of encroachments or goods likely to cause a risk of fire or any obstruction to fire-fighting, to a place of safety. On failure of the owner, occupier or erector, as the case may be, to do so, the Director or the Fire and Rescue Services Officer may, after giving the owner or occupier or erector, as the case may be, a reasonable opportunity of making a representation, report the matter to the Executive Magistrate of the Taluk, in whose territorial jurisdiction the premises or building or pandal is situated:

Provided that where the Director or Fire and Rescue Services Officer considers such encroachments or objects or goods to be an imminent cause of risk of fire or obstruction to firefighting, he may direct the owner or the occupier or erector of such premises or building to remove the encroachment or objects or goods forthwith. On the failure of the owner, occupier or erector, as the case may be, to do so, the Director or Fire and Rescue Officer as the case may be, may remove the same and report the matter to the Executive Magistrate of the taluk concerned.

(2) On receipt of a report under sub-section (1), the Executive Magistrate of the Taluk after giving the owner or occupier or erector, as the case may be, a reasonable opportunity of showing cause against the removal of encroachment or objects or goods likely to cause a risk of fire or obstruction to fire-fighting, may make an order to seize, detain or remove such encroachments or objects or goods in such manner as may be prescribed.

(3) The person charged with the execution of the order made under sub-section (2) shall forthwith make an inventory of the objects and goods which he seizes under such order, and shall, at the same time, give a written notice in such form as may be prescribed in this behalf, to the person in possession thereof at the time of seizure, that the said objects or goods specified therein will be sold if the same are not claimed within the period stipulated in the said notice.

(4) On the failure of the person in whose possession the objects or goods were, at the time of seizure, to claim the seized goods pursuant to the notice given under sub-section (3), the Executive Magistrate of the Taluk shall sell them by public auction.

26. (1) For the purposes of this Act, every building in this State shall be classified as Category A or Category B or Category C buildings in such manner as may be prescribed. Classification of Buildings.

(2) The owner or occupier of the building, as the case may be, shall, prior to the occupation of the building, obtain a fire licence for Category A buildings or a fire safety certificate for Category B buildings or a self-certified fire safety protocol for Category C buildings and shall renew the fire licence or fire safety certificate or self-certified fire safety protocol, as the case may be, within the time as may be prescribed.

uilding, shall, for the purpose of obtaining a fire licence, make an application in such electronic form as may be prescribed through the online portal as may be notified by the Government in the *Tamil Nadu Government Gazette*: Issue of fire licence.

Provided that in respect of any building in existence on the date of commencement of this Act for which a fire licence is required under this Act, the application for fire licence shall be submitted within the date of expiry of existing fire licence or one hundred and eighty days from the date of commencement of this Act, whichever is later.

(2) Every application under sub-section (1) shall be accompanied by such fee and such documents as may be prescribed.

(3) On receipt of such application, the officer authorised in this behalf by the Government by notification, shall inspect the building, process the application and grant the licence or refuse to grant such licence for the reasons to be recorded within such time and in such electronic form and in such manner as may be prescribed.

27.(1) Any owner or occupier, as the case may be, of a Category A b (4) Where the application is not processed within the prescribed time under sub-section (3), it shall be escalated to such higher officer authorised in this behalf by the Government by notification and he shall process the application and grant the licence or refuse to grant such licence for reasons to be recorded, within such time as may be prescribed.

(5) If no decision is taken on the application within the prescribed time under sub-section (4), the licence shall be deemed to have been granted and it shall be auto-generated online.

(6) The licence granted under this section, shall be valid for a period as may be prescribed, subject to fulfilment of such terms and conditions specified in the licence. The licence shall be displayed in a prominent place of the premises in such manner as may be prescribed.

(7) Every licence shall be renewable for such period, in such manner, and on payment of such fees, as may be prescribed.

(8) If the owner or occupier, as the case may be, fails to comply with any of the directions issued by the Director or Fire and Rescue Services Officer or the terms and conditions specified in the licence, then, the officer authorised by the Government in this behalf may after giving an opportunity of being heard, suspend or cancel the licence.

(9) The owner or occupier, whose fire licence has been cancelled, shall not occupy the building.

(10) Any person aggrieved by an order issued under sub-sections (3), (4) or (8) may prefer an appeal against such order, in such electronic form and manner, within such time as may be prescribed before the Appellate Authority to be notified by the Government in this behalf.

(11) The Appellate Authority shall dispose of the said appeal within such time as may be prescribed.

Fire safety certificate by the fire safety audit agencies.

28. (1) Any owner or occupier, as the case may be, of a Category B building shall, for the purpose of obtaining a fire safety certificate, make an application in such form and manner as may be prescribed to any of the fire safety audit agencies:

Provided that in respect of any building in existence on the date of commencement of this Act for which fire safety certificate is required under this Act, the application shall be submitted within one hundred and eighty days from the date of commencement of this Act:

Provided further that if such building has a valid fire licence under the Tamil Nadu Fire Service Act, 1985, the application shall be submitted within the date of expiry of such fire licence or one hundred and eighty days from the date of commencement of this Act, whichever is later.

(2) Every application under sub-section (1) shall be accompanied by such fee and such documents as may be prescribed.

(3) On receipt of such application, the fire safety audit agency shall make objective assessment of the fire safety arrangements in the building and recommend measures to reduce the potential risks, if any, and only after compliance of the recommendations, the fire safety audit agency may issue fire safety certificate in such form as may be prescribed.

Tamil Nadu Act 40
of 1985

(4) The certificate issued under this section shall be valid for three years from the date on which it is granted.

(5) Every certificate shall be renewable for such period, in such manner, and on payment of such fees, as may be prescribed.

(6) The owner or occupier, as the case may be, shall upload the fire safety certificate issued by such agency in the online portal referred to in section 27, within such time as may be prescribed and also display the certificate in a prominent place of the premises in such manner as may be prescribed.

29. (1) Any owner or occupier, as the case may be, of a Category C building, shall, for the purpose of obtaining self-certified fire safety protocol, apply in such electronic form, in such manner along with such documents, as may be prescribed, in the online portal referred to in section 27:

Provided that in respect of any such building in existence on the date of commencement of this Act for which self-certified fire safety protocol is required under this Act, they shall apply within one hundred and eighty days from the date of commencement of this Act.

Self-certified fire
safety protocol.

(2) Subject to the genuineness of the documents uploaded under sub-section (1), the self-certified fire safety protocol shall be auto-generated in such form and manner, as may be prescribed.

(3) The owner or occupier, as the case may be, shall display the self-certified fire safety protocol in a prominent place of the premises.

(4) The owner or occupier, as the case may be, shall apply for the said protocol once in every three years in such manner as may be prescribed.

30. (1) No events such as live shows, exhibition, carnivals or festivals, wherein any inflammable or hazardous materials are used or not, shall be conducted without a temporary fire licence.

Temporary fire
licence.

(2) The event organiser of the entire venue or site shall, for the purpose of obtaining a temporary fire licence, make an application in such electronic form as may be prescribed through the online portal referred to in section 27.

(3) Every application under sub-section (1) shall be accompanied by such fee and such documents as may be prescribed.

(4) On receipt of such application, the officer authorised in this behalf shall inspect the venue or site, process the application and grant temporary fire licence or refuse to grant such temporary fire licence for the reasons to be recorded within such period, in such electronic form and manner as may be prescribed.

(5) The temporary fire licence granted under this section, shall be valid for such period as may be specified in the licence, subject to fulfilment of such terms and conditions specified in the licence. The event organiser shall display the temporary fire licence in a prominent place of the venue or site in such manner as may be prescribed.

(6) If the event organiser fails to comply with any of the terms and conditions specified in the temporary fire licence, the officer may, after giving him an opportunity of being heard, suspend or cancel that licence.

(7) Any person aggrieved by an order issued under sub-section (4) or sub-section (6) may prefer an appeal against such order, in such electronic form and manner, within such time as may be prescribed before the Appellate Authority to be notified by the Government in this behalf.

(8) The Appellate Authority shall dispose of the said appeal within such time as may be prescribed.

Owner or occupier's liability to provide fire prevention and life safety measures.

31.(1) Without prejudice to the provisions of National Building Code of India as amended from time to time, or any other law or Bye-Law, or the fire safety measures specified in this Act or the rules made thereunder, the owner or the occupier, who are either individually or jointly responsible of a building as classified by this Act, shall provide fire prevention and life safety measures therein.

(2) Such owner or occupier, as the case may be, shall provide fire fighting life safety installations as may be prescribed and shall maintain the fire prevention and life safety measures in operational condition, in such manner and in such specifications as may be prescribed.

(3) The owner or occupier as the case may be, of a building shall ensure that his building is equipped with fire safety systems to prevent or extinguish fire in such manner as may be prescribed.

(4) No person shall tamper with, alter, remove or cause any injury or damage to any fire prevention and life safety equipment installed in any such building or part thereof or instigate any other person to do so.

Empanelment of fire safety audit agency.

32.(1) No person or company, shall act as a fire safety audit agency under this Act, without a certificate of empanelment granted by the Government.

(2) The Government may, by notification, call for application for empanelment of the fire safety audit agency as and when required

(3) Every application for issuance of a certificate of empanelment of fire safety audit agency under sub-section (1) shall be made in such electronic form through the online portal referred to in section 27 and shall be accompanied by such fee and such documents as may be prescribed.

(4) On receipt of such application, the Government may either grant the certificate of empanelment or refuse to grant such certificate, for the reasons to be recorded, in such electronic form as may be prescribed.

(5) No person or company shall be granted a certificate under sub-section (4), unless they fulfil such qualifications and other requirements, as may be prescribed.

(6) The certificate of empanelment granted under sub-section (4) shall be valid for such period as may be prescribed.

(7) Where the Government has reason to believe that any person or company to whom a certificate of empanelment has been granted has contravened any of the provisions of this Act or of the rules made thereunder or failed to comply with the conditions of the certificate or he is unfit by reason of incompetency, misconduct or fraud or any other reasons, the Government, after giving a reasonable opportunity to show cause, by order, suspend or cancel the said certificate for reasons to be recorded.

(8) If any empanelled fire safety audit agency issues such certificate fraudulently, the agency shall be liable for fine up to one lakh rupees and if there is an outbreak of fire in that building, causing grievous hurt or loss of life and the cause of fire is attributable to such fraudulent act, then the agency shall also be punished with imprisonment for a term which may extend to one year.

Explanation. — For the purposes of this section, the term 'grievous hurt' shall have the same meaning as under section 116 of the Bharatiya Nyaya Sanhita, 2023.

(9) No person or company other than the fire safety audit agency empanelled under this Act, shall carry out the work of monitoring as may be prescribed or issue fire safety certificate or perform such other related activities required to be carried out in any place or building or part thereof.

Appointment and functions of Fire Safety Officer.

Explanation.— For the purpose of this section, "company" means any body corporate and includes a firm or other association of individuals whether registered or not.

33.(1) To ensure effective fire prevention and life safety measures of the hazardous industry or factory, commercial or public building or premises under substantive fire risk categories as may be prescribed in this behalf, every owner or occupier, or an association of such owners or occupiers, as the case may be, —

(a) shall appoint a Fire Safety Officer, having such qualifications as may be prescribed; and

(b) send a compliance report of such appointment to the Director in such electronic form as may be prescribed.

(2) The Fire Safety Officer so appointed under sub-section (1) shall be issued an enrolment certificate by the Director in such electronic form and in such manner as may be prescribed.

(3) In case of a vacancy of the Fire Safety Officer appointed under sub-section (1), either on resignation or otherwise, the owner or occupier, or an association of such owners or occupiers, as the case may be, shall appoint a Fire Safety Officer within such time as may be prescribed.

(4) In case of non-compliance of sub-section (1) or sub-section (3), the Fire and Rescue Services Officer shall report the same to the Director for taking necessary action and to take such steps as may be prescribed.

(5) The Fire Safety Officer shall undergo training at the Tamil Nadu Fire and Rescue Services - State Training Centre as specified by the Government in this regard:

Provided that a person who has already undergone such training at the National Fire Services College, Nagpur or at any other equivalent institution notified by the Government shall not be required to undergo such a training.

(6) The functions of the Fire Safety Officer shall be as may be prescribed.

Power of inspection.

34. (1) The Director or Fire and Rescue Services Officer in the rank of Assistant District Fire Officer and above, may after giving twelve hours notice to the occupier, or if there is no occupier, to the owner of any place or building or part thereof, enter into and inspect such place or building or part thereof at any time between sunrise and sunset where such inspection appears to be necessary for ascertaining the adequacy of, or contravention of fire prevention and life safety measures:

Provided that the Director or such Fire and Rescue Services Officer may enter into and inspect any such place or building or part thereof at any time, if work is going on at such place, building or part thereof, or if it appears to him to be expedient and necessary to do so in order to ensure safety of life and property.

(2) The Director or such Fire and Rescue Services Officer shall be provided with all possible assistance by the owner or occupier, as the case may be, of such place or building or part thereof for carrying out the inspection under sub-section (1).

(3) The owner or occupier or any other person shall not obstruct or cause any obstruction to the entry of a person empowered or authorised under this section into or upon any land or building and shall not manhandle or abuse them after such entry for inspection.

(4) When any such place or building or part thereof used as a human dwelling is entered into under sub-section (1), due regard shall be given to the social and religious sentiments of the occupiers; and before entering any building or part of such building in the actual occupancy of any woman, who, according to the custom does not appear in public, notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

(5) The Director or such Fire and Rescue Services Officer shall, after completion of the inspection of the place or building or part thereof under this section, record his views on —

(i) the deviations from or the contraventions of, the requirements with regard to the fire prevention and life safety measures; or

(ii) the inadequacy or non-compliance of such measures provided or to be provided therein with reference to the height of the building; or

(iii) the nature of activities carried on in such place or building or part thereof;

and issue a notice to the owner or occupier, as the case may be, of such building or part thereof directing him to undertake such measures within such time as may be specified in the notice.

(6) Where the inspection is carried out by such Fire and Rescue Services Officer under the preceding provisions of this section, he shall give a report of any such inspection to the Director or Fire and Rescue Services Officer concerned.

35. (1) Where, on receipt of a report from the Fire and Rescue Services Officer under sub-section (6) of section 34, or suo-moto, it appears to the Director that the condition of any building or premises is dangerous to life or property, he shall, without prejudice to any action taken under this Act, by order, require the owner or occupier of such building or premises to remove themselves from such building or premises forthwith.

Power to seal buildings or premises.

(2) If an order made by the Director under sub-section (1) is not complied with, the Director may direct any police officer having jurisdiction in that area, to remove such persons from that building or premises and such police officer shall comply with such directions.

(3) After removal of the persons under sub-section (1) or sub-section (2), as the case may be, the Director shall send a report to the Additional District Magistrate of the district concerned. Based on the said report, the Additional District Magistrate shall seal the building or premises in such manner as may be prescribed.

(4) No person shall remove such seal except under an order made by the Additional District Magistrate.

(5) Any person, who removes such seal except under an order made by the Additional District Magistrate, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to twenty-five thousand rupees, or with both.

(4) No person shall remove such seal except under an order made by the Additional District Magistrate.

(5) Any person, who removes such seal except under an order made by the Additional District Magistrate, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to twenty-five thousand rupees, or with both.

Information on outbreak of fire.

36. Any person who is legally bound to give information regarding an outbreak of fire shall communicate the same without any delay to the nearest Fire and Rescue Services Station or Emergency Response Support System, as notified by the Government.

CHAPTER VI.

OFFENCES AND PENALTIES.

Penalties for violation of certain provisions.

37. Whoever contravenes any provisions of sections 25, 27 and 28 shall, without prejudice to any other action taken against him under this Act and the rules made thereunder, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to fifty thousand rupees or with both and where the offence is a continuing one with a further fine which may extend to three thousand rupees for every day after the first conviction.

Penalty for violation of duty.

38. Notwithstanding any action which may be taken under the provisions of this Act, any member of the Fire and Rescue Services who —

(1) is found to be guilty of any violation of duty or willful breach of any provision of this Act or any rule or order made thereunder; or

(2) is found to be guilty of cowardice; or

(3) withdraws from the duties or resigns his office without permission or without having given previous notice of at least two months; or

(4) being absent on leave, fails without reasonable cause to report himself for duty on expiration of such leave; or

(5) accepts any other employment or office or engages himself in any business in contravention of the provisions of the Tamil Nadu Government Servants Conduct Rules, 1973,

shall be punishable with imprisonment which may extend to three months or with fine which may extend to an amount not exceeding three months pay of such member, or with both.

Penalty in case of non-appointment of Fire Safety Officer.

39. (1) If any owner or occupier or an association of such owners or occupiers of a building or premises fails to appoint Fire Safety Officer under section 33 within thirty days of the receipt of a notice given in this behalf by the Director or the Fire and Rescue Services Officer, as the case may be, each one of them shall be deemed to be in default jointly and severally.

(2) When the person responsible for appointment of Fire Safety Officer is deemed to be in default, an amount not less than ten rupees and not exceeding fifty rupees per square metre of area owned or occupied by him including the proportionate common areas in the premises as determined by the Director, may be recovered from him as of penalty for each month of default or part thereof.

(3) If he fails to pay such penalty, the amount due shall be recovered as an arrear of land revenue or in such other manner as may be prescribed.

40. (1) Any person whose property catches fire on account of his own action 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 17.

Liability of owner to pay compensation.

(2) All claims under sub-section (1) shall be referred to the Additional District Magistrate of the District, within thirty days from the date on which the damage was caused.

(3) The Additional District Magistrate, shall, after giving the party an opportunity of being heard, determine the amount of compensation payable and pass an order stating the amount of compensation and the person liable for payment of the same. The order passed under this sub-section shall have the force of a decree of a Civil Court.

41. Any person who is legally bound to give information without adequate justification, fails to communicate information in his possession regarding an outbreak of fire shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to five thousand rupees, or with both.

Failure to give information.

42. Whoever fails without reasonable cause to comply with any of the requirements specified in the notification issued under section 23 shall be liable for a penalty which may extend to ten thousand rupees and where the contravention continues after imposition of penalty with a further penalty which may extend to one thousand rupees for every day after the imposition of such penalty.

Penalty for failure to take precautions.

43. Any person who willfully obstructs or interferes with any member of the Tamil Nadu Fire and Rescue Services, who is engaged in fire-fighting or rescue operation shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to ten thousand rupees, or with both.

Penalty for willfully obstructing the fire-fighting or rescue operations.

44. Any person who knowingly gives or causes to be given a false report of the outbreak of fire to any person authorised to receive such report by means of a statement, message or otherwise shall be punishable with imprisonment which may extend to three months or with fine which may extend to ten thousand rupees, or with both.

False report.

45. Whoever contravenes any other provision of this Act or of any rule or notification made thereunder for which no punishment is provided for, shall, without prejudice to any other action taken against him under this Act and the rules made thereunder, liable for a penalty which may extend to ten thousand rupees and where the contravention continues after imposition of penalty with a further penalty which may extend to one thousand rupees for every day after the imposition of such penalty.

General provision for penalty for contraventions.

Offences by companies.

46.(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part, of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. — For the purposes of this section, —

(a) “company” means a body corporate and includes a firm or other association of individuals; and

(b) “Director” in relation to a firm, means a partner in the firm.

Compounding of offences.

47.(1) Any offence which is punishable under sections 35,37,41,43 and 44 may either before or after the institution of prosecution, be compounded by such officers and for such amount as the Government may, by notification, in the *Tamil Nadu Government Gazette*, specify in this behalf:

Provided that no offence shall be compoundable which is committed by failure to comply with a notice, order or requisition issued by, or on behalf of, the Government or of any of the officers authorised under this Act until the same has been complied with so far as the compliance is possible.

(2) Where an offence has been compounded under sub-section (1), the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence.

Compounding of contraventions.

48.(1) Any contravention under sections 42 and 45 or any rules made under this Act may, either before or after the initiation of adjudication proceeding but before the imposition of penalty be compounded by such officer as may be authorised in this behalf by the Government, on payment of such amount as that officer so authorised, may specify:

Provided that such amount shall not, in any case, exceed the maximum penalty which may be imposed under this Act for that contravention so compounded.

(2) Where any contravention has been compounded under sub-section (1), no other proceeding shall be initiated or continued under this Act in respect of the contravention so compounded.

49.(1) The Government, for the purposes of determining the penalties under this Act, may, by notification, appoint an officer not below the rank of District Fire Officer, to be the adjudicating officer, to hold an inquiry and impose penalty in such manner as may be prescribed:

Provided that the Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has failed to comply with any of the provisions in the sections referred to in sub-section (1) of section 48 or any rules made under this Act, he may impose such penalty as he deems fit:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

50. If the penalty imposed under section 49 is not deposited in such manner as may be prescribed, the amount due shall be recovered as an arrear of land revenue or in such other manner as may be prescribed. Recovery.

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

52. No court shall take cognizance of any offence punishable under this Act or rules made thereunder, except on a complaint of, or upon information received from the Director or any other officer authorised by him in this behalf. Cognizance of offences.

53. The Court of a Judicial Magistrate shall try any offence punishable under this Act. Jurisdiction of Court.

CHAPTER VII.

APPEAL.

54.(1) Any person aggrieved by any notice or order or direction issued under the provisions of this Act, may prefer an appeal in such electronic form as may be prescribed, against such notice or order or direction to the Appellate Authority as may be notified by the Government in this behalf within thirty days from the date on which the notice or order or direction is communicated to him and the Government may appoint as many Appellate Authorities as they deem fit. Appeal

(2) The Appellate Authority, may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) The Appellate Authority, after giving a reasonable opportunity of being heard to the appellant, shall decide the appeal within such time as may be prescribed.

(4) Pending disposal of an appeal, the Appellate Authority may direct that the order or notice or direction shall not take effect until the appeal is disposed of.

Revision.

55.(1) The Government or any officer authorised by the Government by notification in this behalf, may on their or his own motion or on online application, call for and examine the records in respect of any order or notice or direction issued under this Act and pass such orders as they or he may think fit:

Provided that every online application to the Government or the said authority for the exercise of the powers under this section shall be preferred within ninety days from the date of order to which the application relates was communicated to the applicant.

(2) No such order prejudicial to any person shall be made unless he has been given a reasonable opportunity of making his representation.

(3) The Government or the authorised officer, as the case may be, may suspend the said order or notice or direction pending the exercise of their or his power under sub-section (1).

CHAPTER VIII.

LEVY OF FEE AND OTHER CHARGES.

Fee on deployment of the Tamil Nadu Fire and Rescue Services beyond the limits of the State and Recovery of dues.

56.(1) Where the employees of the Tamil Nadu Fire and Rescue Services are sent beyond the limits of this State, in order to extinguish fire on the request of any State Government or local body or Fire and Rescue Services authority, such requisitioning authority shall be liable to pay such fee as may be prescribed by the Government, from time to time, in this behalf.

(2) The fee referred to in sub-section (1) shall be payable by such Government or local body or Fire and Rescue Services authority, as the case may be, within one month of the service of a notice of demand issued by the Director.

(3) If such authority fails to pay the amount payable under this Act shall be recovered as an arrear of land revenue or in such other manner as may be prescribed.

CHAPTER IX.

MISCELLANEOUS.

Reciprocal fire-fighting arrangements with other Fire and Rescue Services.

57. The Director may, with the previous sanction of the Government, enter into an agreement with any Fire and Rescue Services or the Authority situated beyond the territorial limits of this State which maintains such Fire and Rescue Services for providing personnel or equipment or both, for fire-fighting purposes, on such terms and conditions as may be provided by such agreement on reciprocal basis in public interest.

Requisition of fire fighting property.

58. Where the Director or Fire and Rescue Services Officer, who is in-charge of Fire fighting and rescue operation requires fire-fighting equipment and appliance or property of any other authority or any institution or individual, he may, by order, requisition such equipment or property for the purpose of extinguishing fire or any other emergencies in any area and take possession thereof from the said authority or any institution or individual, as the case may be.

59. It shall be lawful for the Government or any officer authorised by them in this behalf, to employ the Tamil Nadu Fire and Rescue Services in any rescue, salvage or other works for which it is suitable by reason of their training, appliances and equipment. Employment on other duties.

60. The Director or members of the Tamil Nadu Fire and Rescue Services, authorised by the Government by general or special order in this behalf may, for the purpose of discharging his duties under this Act, require the owner or occupier of any building or other property as may be specified to supply information with respect to the character of such building or other property as may be specified, the available water supplies and means of access thereto or any other material particulars, and such owner or occupier shall furnish all the information in his possession. Power to obtain information.

61. In any firefighting or rescue operation or any other duties related to seizure, detention or removal of any goods involving risk of fire, it shall be the duty of a Police of all ranks to assist and aid the Director or such Fire and Rescue Services officer in the discharge of their duties under this Act. Aid and assistance of Police.

62. (1) The Tamil Nadu Fire Service in existence in this State before the commencement of this Act shall be deemed to be the Tamil Nadu Fire and Rescue Services established under section 3. Provisions as to existing Fire Services and Fire Service Stations.

(2) The members of the Tamil Nadu Fire Service or Auxiliary service in existence at the commencement of this Act shall be deemed to have been appointed as members of the Tamil Nadu Fire and Rescue Services under this Act.

(3) The Fire Service Stations, Rescue Service Stations and other field formations in existence at the commencement of this Act shall be deemed to have been constituted as such under section 8.

(4) All proceedings pending before any member of the Tamil Nadu Fire Service, immediately before the commencement of this Act shall be deemed to be proceedings pending before him in his capacity as the holder of the office to which he is deemed to be appointed under sub-section (2) and shall be dealt with accordingly.

Central Act 45 of 2023.

63. Every member of the Tamil Nadu Fire and Rescue Services, acting under the provisions of this Act shall be deemed to be a public servant within the meaning of clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023. Members to be public servants.

64. The Government may call for such returns, reports and statements on any subject connected with fire prevention and fire safety, rescue operation, the maintenance of order and the performance of duties by the Director, Fire and Rescue Services Officers, Operational employees, employees and Subordinate Operational staff and the same shall be furnished immediately. Calling of returns, reports, statements, etc.

65. (1) (a) The Government may, by notification, in the *Tamil Nadu Government Gazette*, authorise any authority or officer to exercise any of the powers vested in them by or under this Act except the power to remove difficulties under section 67 and power to make rules under section 68 and may, in like manner, withdraw such authorisation. Delegation of powers.

(b) The Government shall also have the power to control and revise the acts or proceedings of any authority or officer so authorised.

(2) (a) The Director may, by order, direct that any power conferred or any duty imposed on him by or under this Act shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised and, performed also by any officer of the Fire and Rescue Services specified in the order.

(b) The Director shall also have the power to control and revise the acts or proceedings of any authority or officer so empowered.

Act to have overriding effect and effect of other laws.

66. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, in so far as the provisions relating to fire prevention and life safety are concerned.

67. If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act, as may appear to them to be necessary or expedient for the purpose of removing such difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

68. (1) The Government may make rules to carry out the purposes of this Act.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) The notification issued under this Act shall, unless it is expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(3) Every rule or notification made or the order made under section 67 shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session, in which it is so placed or the next session, the Assembly makes any modification in any such rule, notification or order or the Assembly decides that the rule, notification or order should not be made or issued rule, notification or order 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, notification or order.

69. The Government may, from time to time issue such directions to the Director, as they may deem fit for giving effect to the provisions of this Act and it shall be the duty of the Director to comply with such directions.

Power to remove difficulties.

Power to make rules.

Power to give directions.

Tamil Nadu Act 40 70.(1) The Tamil Nadu Fire Service Act, 1985 (Tamil Nadu Act 40 of 1985) is hereby repealed. Repeal and savings.

(2) Notwithstanding such repeal, any act or anything done or any action taken under the said Act shall be deemed to have been done or taken under this Act and may be continued and completed under the corresponding provisions of this Act.

(By Order of the Governor)

S. GEORGE ALEXANDER,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th June 2025 and is hereby published for general information:—

ACT No. 38 OF 2025.

An Act further to amend the Tamil Nadu Town and Country Planning Act, 1971.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-sixth Year of the Republic of India as follows:—

1.(1) This Act may be called the Tamil Nadu Town and Country Planning (Amendment) Act, 2025. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In section 2 of the Tamil Nadu Town and Country Planning Act, 1971 (hereinafter referred to as the principal Act), to clause (48), the following proviso shall be added, namely:—

“Provided that before issuing such notification under this clause, the Government shall give the inhabitants or local authority or institution in such area, a reasonable opportunity for showing cause against the proposal and shall consider their objections or suggestions, if any.”.

3. In section 9-A of the principal Act, in sub-section (2), after clause (i), the following clause shall be added, namely:—

“(j) the Member-Secretary, Chennai Unified Metropolitan Transport Authority, ex-officio.”.

4. In section 9-F of the principal Act, in sub-section (2),—

(1) for clause (a), the following clauses shall be substituted, namely:—

“(a) the Collector of the District within whose limits the majority of the Urban Planning Area lies, as the Chairman of the Authority, ex-officio;

(aa) six persons appointed by the Government of whom—

- (i) three shall be officers of the Government;
- (ii) one shall be a member of the State Legislature;
- (iii) one shall represent trade and industry in the Urban Planning Area; and
- (iv) one shall be an officer not below the rank of Additional Collector of the District within whose limits the majority of the Urban Planning area lies, who shall be the Member-Secretary.”;

Tamil Nadu Act 35
of 1972.

(2) for clause (c), the following clause shall be substituted, namely:—

“(c) the Chief Planner of the Urban Development Authority or where there is no Chief Planner, the Senior Planner;”;

(3) after clause (e), the following clauses shall be added, namely:—

“(f) one expert in the field of urban planning, urban transportation, finance or law to be nominated by the Government;

(g) one representative from an academic institution in the field of urban planning to be nominated by the Government.”.

5. In section 9-I of the principal Act, after clause (21), the following clause shall be added, namely:—

“(22) in section 124,—

(a) for the marginal heading, the marginal heading “Power to make rules in respect of Urban Development Authorities” shall be substituted;

(b) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Government may make rules, whether prospectively or retrospectively, to carry out the purposes of this Act in respect of Urban Development Authorities.”;

(c) in sub-section (2),—

(i) for the expression “regulations”, the expression “rules” shall be substituted;

(ii) for the expression “planning authority”, wherever it occurs, the expression “Urban Development Authority” shall be substituted; and

(iii) after clause (h), the following clauses shall be added, namely:—

“(i) the duties and functions of the Commissioner of Urban Development;

(j) the manner of filing of appeal under sub-section (3) of section 9-K.”;

(d) sub-section (3) shall be omitted.

6. After Chapter II-B of the principal Act, the following Chapter shall be inserted, namely:—

“CHAPTER II-C.**Commissioner of Urban Development.**

9-K. Commissioner of Urban Development.— (1) There shall be a Commissioner of Urban Development as may be notified by the Government and he shall perform such duties and responsibilities as may be prescribed.

(2) The Commissioner of Urban Development shall be the cadre controlling authority for the posts under the Urban Development Authorities and shall make appointments, postings and transfers to those posts in such manner as may be prescribed. He shall also make postings and transfers in respect of such posts in the Metropolitan Development Authority as may be notified by the Government.

(3) Any person aggrieved by any decision or order of the Commissioner of Urban Development, may appeal to the Government within thirty days from the date of receipt of order or direction, in such manner as may be prescribed.”.

7. In section 47-A of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:— Amendment of section 47-A.

“(1) Any person intending to carry out any development on any land in an area other than planning area shall make an application for permission to the local authority, in such electronic form through the online single window portal as may be notified by the Government in the *Tamil Nadu Government Gazette* along with such documents, as may be prescribed.

(2) The local authority shall before according permission under sub-section (1), shall obtain the prior concurrence of the Director and shall also collect such fees at such rates as may be prescribed, and such permission shall be accorded in such electronic form as may be prescribed through the said online single window portal:

Provided that in the case of wet lands, the prior concurrence of the District Collector concerned is necessary.”.

8. In section 48 of the principal Act, for the expression “written permission of the appropriate planning authority”, the expression “permission of the appropriate planning authority granted in such electronic form, as may be prescribed” shall be substituted. Amendment of section 48.

9. In section 49 of the principal Act, — Amendment of section 49.

(1) in sub-section (1), for the expression “in writing to the appropriate planning authority for permission in such form and containing such particulars and accompanied by such documents as may be prescribed”, the following expression shall be substituted, namely:—

“for permission to the appropriate planning authority, in such electronic form, through the online single window portal referred to in section 47-A along with such documents and such fee, as may be prescribed.”;

(2) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) When the appropriate planning authority refuses to grant permission to any person, it shall record the reasons for such refusal, and communicate the same in such electronic form as may be prescribed, through the online portal referred to in section 47-A.”.

10. After section 112 of the principal Act, the following section shall be inserted, namely:— Insertion of new section 112-A.

“112-A. Consequences to ensue upon the establishment of Urban Development Authority.— Notwithstanding anything contained in this Act, with effect from the date on which the Urban Development Authority is established under the Act, the following consequences shall ensue, namely:—

(i) the Urban Development Authority shall be the Planning Authority for the Urban Planning Area;

(ii) the Urban Development Authority shall exercise the powers, perform the functions and discharge the duties under this Act in the Urban Planning Area;

(iii) any local planning authority within the Urban Planning Area shall stand dissolved and upon such dissolution,—

(a) anything done or any appointment, notification, order, scheme, bye-law or regulation made or issued, any Certificate or permission granted by the local planning authority shall be deemed to have been done, made, issued or granted under the provisions of this Act by the Urban Development Authority and continue to be in force until it is superseded by anything done or any action taken by the Urban Development Authority under the provisions of this Act;

(b) all obligations and liabilities incurred, all contracts entered into, all matters and things engaged to be done by, with, or for the local planning authority shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Urban Development Authority;

(c) all properties movable and immovable and all interests of whatsoever nature and kind therein vested in the local planning authority, shall, with all rights of whatsoever description used, enjoyed or possessed by the local planning authority, vest in the Urban Development Authority;

(d) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the local planning authority may be continued or be instituted by or against the Urban Development Authority.”.

(By Order of the Governor)

S. GEORGE ALEXANDER,
*Secretary to Government,
 Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th June 2025 and is hereby published for general information:—

ACT No. 39 OF 2025.

An Act Further to amend the Tamil Nadu Shops and Establishments Act, 1947.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Shops and Establishments (Amendment) Act, 2025.	Short title and commencement.
(2) It shall come into force on such date as the State Government may, by notification, appoint.	
2. For Chapter IX of the Tamil Nadu Shops and Establishments Act, 1947 (hereinafter referred to as the principal Act), the following Chapter shall be substituted, namely:—	Substitution of Chapter IX.

“CHAPTER IX

Penalties and Adjudicating Mechanism.

45. Penalties.—(1) Whoever contravenes any of the provisions of sections 3, 7 to 11, 13 to 23, 25, 26, 29 to 41, 47, 47-A and 50-A shall, for a first contravention, be liable for penalty which may extend to five thousand rupees and for a second or subsequent contravention, be liable for penalty which may extend to ten thousand rupees.

Explanation.— For the purpose of this sub-section, “second or subsequent contravention” means the same or similar contravention committed by an employer within a period of three years from the date on which the first contravention was committed.

(2) Any employer who fails to comply with section 41-A shall be liable for penalty which may extend to fifty thousand rupees and where such failure is a continuing one, with a further penalty which may extend to two hundred rupees for every day during which such failure continues after the imposition of penalty or compounding of contravention, as the case may be, and the penalty shall not exceed one lakh rupees in the aggregate. The adjudicating officer may direct that the whole or any part of the penalty to be paid by the employer shall be paid, by way of compensation, to the aggrieved employee.

(3) Any person,—

(a) who willfully obstructs,—

(i) an Inspector while he is exercising any power conferred on him under this Act; or

(ii) any person lawfully assisting an Inspector in the exercise of his powers; or

(b) who fails to comply with any lawful direction made by an Inspector,

shall be liable for penalty which may extend to five thousand rupees.

46. Compounding of contraventions.— (1) Any contravention under section 45 or of any rules made under this Act may, either before or after the initiation of adjudication proceeding but before the imposition of penalty be compounded by such officer as may be authorised in this behalf by the Commissioner of Labour, on payment of such amount as that officer so authorised, may specify:

Provided that such amount shall not, in any case, exceed the maximum penalty which may be imposed under this Act for that contravention so compounded.

(2) Where any contravention has been compounded under sub-section (1), no other proceeding shall be initiated or continued under this Act in respect of the contravention so compounded.

46-A. Adjudicating officer.— (1) The State Government, for the purposes of determining the penalties under this Act, may, by notification, appoint an officer not below the rank of Joint Commissioner of Labour, to be the adjudicating officer, to hold an inquiry and impose penalty in such manner as may be prescribed:

Provided that the State Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has failed to comply with any of the provisions referred to in section 45 or any rules made under this Act, he may impose such penalty as he deems fit:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

46-B. Appeal.— (1) Whoever aggrieved by an order passed by the adjudicating officer under section 46-A may prefer an appeal within sixty days from the date of receipt of order in such manner as may be prescribed, to the Appellate Authority, who shall be an officer not below the rank of Additional Commissioner of Labour, appointed by the Government, by notification.

(2) An appeal may be admitted after the expiry of the period of sixty days, if the appellant satisfies the Appellate Authority that he had sufficient cause for not preferring the appeal within that period.

(3) The Appellate Authority may, after giving an opportunity of hearing to the parties to the appeal, pass such order as he deems fit.

(4) The Appellate Authority shall dispose of the appeal within sixty days from the date of its filing.

46-C. Recovery.— If the penalty imposed under section 46-A or under section 46-B, as the case may be, is not deposited in such manner as may be prescribed, the amount due shall be recovered as an arrear of land revenue.”.

Amendment of section 49.

3. In section 49 of the principal Act, in sub-section (2), for the expression “fine”, the expression “penalty” shall be substituted.

(By Order of the Governor)

S. GEORGE ALEXANDER,
*Secretary to Government,
Law Department.*