

THE HARYANA FIRE AND EMERGENCY SERVICE ACT 2022 (EXTENSION TO THE UNION
TERRITORY OF CHANDIGARH)

Act No. _____ of 2025

AN

ACT

To consolidate the Law relating to Fire and Rescue Services and to make provisions for prevention of fire and providing of fire safety measures in the buildings in the Union Territory of Chandigarh and for matters connected therewith and incidental thereto.

Be it enacted by the Union Territory of Chandigarh in the _____ Year of the Republic of India as follows: -

Short title.

1. (i) This Act may be called the 'THE HARYANA FIRE AND EMERGENCY SERVICE ACT, 2022 (EXTENSION TO THE UNION TERRITORY OF CHANDIGARH)
- (ii) This Act shall extend to the whole of the Union Territory of Chandigarh.
- (iii) This Act shall come into force on and with effect from the date of its publication in the Official Gazette.

Definitions.

2.
 - a. "Administrator" means the Administrator of the union Territory of Chandigarh appointed by the President under Article 239 of the Constitution.
 - b. "Appellate authority" means the Secretary Local Government, Chandigarh Administration or any other officer as may be authorized by him.
 - c. "Building" shall have the same meaning as assigned to it in the Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994 or any law for the time being in force in the area in which this Act is in force and includes places or premises comprising land or building, or part of a land or building, whether authorized or otherwise, outhouses, if any, pertaining to such building or part thereof and petrol, diesel or gas line installations or pumps;
 - d. "Bye-laws" means fire safety regulations as prescribed in Chandigarh Building Rules (Urban) 2017 and Building Byelaws (Rural), 2017, provisions of Part-IV of National Building Code of India 1983 as revised from time to time containing fire prevention and life safety measures to be implemented in the buildings as laid down by the Bureau of Indian Standards, Oil Industry Safety Directorate Guidelines, 1986, the Petroleum Act, 1934 (Central Act 30 of 1934) and rules made there under and the Explosives Act, 1884 (Central Act 4 of 1884) and rules made thereunder;
 - e. "Bureau of Indian Standard (BIS)" means National Standard Body of India established under the Bureau of Indian Standards Act, 2016 (Central Act 11 of 2016);
 - f. Commissioner means the Commissioner of the Municipal Corporation, Chandigarh as appointed under the Act.
 - g. Chief Fire Officer means any officer as may be appointed by the Administrator under Section 4 of the Act.

- i. "disaster" means disaster as defined in the Disaster Management Act, 2005 (Central Act 53 of 2005);
- j. "erector" means a person or association of persons, whether corporate or otherwise, who erects or makes a pandal or any structure for assembly of people on a regular or temporary basis;
- k. "Fire and Rescue Services" means any serious situation or occurrence that happens unexpectedly and demands immediate action of Fire and Rescue Services of the Administrator or local authority;
- l. "Fire Officer" includes Station Fire Officer(s) and Sub Fire Officer(s) appointed for fire stations and other field formations, as the case may be;
- m. "Fire Station" means a building erected to house the firefighting equipment, appliances and staff and declared by the Administrator to be a fire station and other field formations as constituted under section 6 of this Act;
- n. "Fire Prevention and Life Safety Measures" means such measures as are necessary in accordance with the provisions of Part-IV of the National Building Code of India, 1983 as revised from time to time for containment, control and extinguishment of fire and for ensuring the safety of life and property;
- o. "Fire Safety Officer" means a person appointed under section 22 by the owner or occupier of certain buildings as specified in this behalf to ensure fire prevention and fire safety measures installed in such buildings;
- p. "Local Authority" means the Municipal Corporation, Chandigarh, constituted or incorporated for providing and maintaining fire services;
- q. "Municipal Corporation" means the Municipal Corporation of Chandigarh constituted under Punjab Municipal Corporation Act, 1976 as extended to U.T.Chandigarh,1994.
- r. "Occupancy" means the principal occupancy for which a building or a part of the building used or intended to be used including subsidiary occupancies which are contingent upon it;
- s. "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 occupant of any land or building;
 - iv. A licensee in occupation of any land or building; and
 - v. Any person who is liable to pay to the owner damages for the use and occupation of any land or building;
- t. "owner" includes a person who for the time being is receiving or is entitled to receive the rent of any land or building, whether on his own account or as an agent, trustee, guardian or receiver or any other person who shall receive the rent or is entitled to receive the rent if the land or building or part thereof is let out to tenant;
- u. "pandal" means a temporary structure with a roof or walls made of straw, hay, ulu grass, golpatta, hogla, darma, mat, canvas, cloth or other like material which is not adopted for permanent or continuous occupancy;
- v. "prescribed" means prescribed by the rules made under this Act;

w. "Union Territory (U.T)" means the Union Territory of Chandigarh, as notified under _____ of the Constitution.

x. 'The words and expressions used but not defined in this Act, shall have the meanings respectively assigned to them in the National Building Code of India, 1983 as revised from time to time.

3. There shall be Fire and Rescue Services for the Union Territory consisting of officers and officials of the Fire and Rescue Services who shall be posted anywhere within the Union Territory.

Provided that the Administrator may, by notification in the Official Gazette, declare any other service or disaster to be Fire and Rescue Services.

4. Administrator may appoint any officer as a Chief Fire Officer in the Fire & Rescue Services

5. (1)The Chief Fire Officer shall subject to the superintendence and control of the Government, direct and regulate all matters of fire safety and prevention, fire fighting equipment's, machinery and appliances, training, distribution of duties, study of laws and maintenance of discipline of personnel in the Fire and Rescue Services.

(2)The Chief Fire Officer shall,keep liaison with the Administrator through Commissioner for the development of Fire and Rescue Services;

- frame and take steps for implementation of the policies relating to the development of Fire and Rescue Services after obtaining approval of Competent Authority.
- prepare and submit plans and proposals to the competent authority with regard to the periodical review of fire equipment's, properties and manpower for effective implementation of Fire and Rescue Services;
- ensure that Fire and Rescue Management Plans of the Fire Stations and other field formations are prepared in conformity with the respective District Disaster Management Plan;
- ensure deployment of Fire and Rescue Services, resources, equipment's and fire personnel at standby duty for any fire response or any other emergency within the Union Territory of Chandigarh as well as for adjoining States;
- take or cause to be taken such effective steps and measures in case of major fire, house collapse and other emergency services;
- If required, may investigate or cause to be investigated the reason of fire and submit the report to the Commissioner with the recommendation including implementation of fire precautionary measures;
- depute such number of members/personnel as may be necessary to assist any Fire Officer of the Fire and Rescue Services;
- implement the policies framed by the Chandigarh Administration, Chandigarh or Municipal Corporation, Chandigarh from time to time;
- establish advance training centre for providing training in the field of fire and rescue operations;
- represent the Union Territory of Chandigarh in National and International forums to update the standard of Fire and Rescue Services;
- perform any other function or dutyas may be necessary for carrying out

Setting up of Fire Stations and other field formations

6. (1) The Administrator for the purpose of securing fire prevention and life safety measures within the UT shall, by notification in the Official Gazette, constitute as many fire stations and other field formations, as it may deem fit to meet with the need of Fire and Rescue Services, having regard to the population, potential fire hazards in industrial sector, commercial and mercantile establishments and buildings.

(2) The Commissioner, MC Chandigarh shall define the limits of Fire Stations and other field formations for administrative and operational efficiency.

Appointment, powers, duties and functions of Fire Officer

7. (1) The Commissioner shall appoint a Station Fire Officer for each fire station, who shall be the officer-in-charge of the fire station and shall be responsible for the maintenance of communication system, water resources including hydrants, operation of Fire and Rescue Emergency Services within his area.

(2) Subject to the control, direction and superintendence of the Chief Fire Officer, the Station Fire Officers shall exercise such powers and perform such duties, as may be prescribed.

(3) Without prejudice to the provisions of sub-section (2), the concerned Fire Officer shall;

- i. In case of Fire and Rescue Services, act as Commanding Officer and in such a situation, the other Fire and Rescue Services not under his control shall work under his command;
- ii. ensure that Fire and Emergency Management Plan of the Fire Station and other field formations is prepared in conformity with the respective District Disaster Management plan.
- iii. ensure the timely turnout of fire units on fire and emergency related calls as per such standard operating procedures, as may be prescribed;
- iv. ensure deployment of Fire and Rescue Services, resources, equipment's and fire personnel at standby duty for any fire response or any other emergency within his jurisdiction.

Method of recruitment of members of Fire and Rescue Services

8. The method of recruitment, the pay and allowances and all other conditions of service of the members of the Fire and Rescue Services appointed or engaged, shall be such, as may be prescribed.

Auxiliary Fire and Rescue Services

9. Whenever it appears to the Administrator that it is necessary to augment the Fire and Rescue Services, it may raise an auxiliary Fire and Rescue Services by enrolment of volunteers for such area and on such terms and conditions, as it may deem fit.

Powers of officer-in-charge

10. On the occurrence of fire in any area, the officer/ official of the fire fighting operations on the spot shall be the officer-in-charge who may,-

- (1) order any other member of the Fire and Rescue Services to remove any person who by his presence interferes with or impedes the operation for extinguishing of fire or for saving life or property;
- (2) close any street or passage in or near which a fire is being fought and rescue operation is in progress;

(3) break into or through or pull down any premises for the passage of hose or appliances or cause them to be broken into or through or pulled down, doing as little damage as possible for the purpose of extinguishing fire and carrying out rescue operations;

(4) 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 utilize 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;

(5) exercise the same powers for dispersing an assembly of persons likely to obstruct the fire fighting operations as if he is/was an officer-in-charge of a police station and shall be entitled to the same immunities and protection as an officer-in-charge of a police station;

(6) detain a person who willfully obstructs and hinders Fire and Rescue Services personnel in fire fighting and rescue operations and hand over him to a police officer or at the nearest police station without delay specifying the time, date and reasons of detention in writing.

(7) Perform such functions as may be assigned by general or special order of Administrator.

11. Where the Chief Fire Officer or Fire Officer or officer-in-charge of a fire fighting or any emergency operation requires firefighting 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 to meet with any other emergencies in any area and take possession thereof from the authority or any institution or individual, as the case may be.

12. (1) It shall be lawful for the officer-in-charge of the fire fighting operations to draw water from any source in the area which he considers necessary during firefighting operations, as may be required and on such occasions, the owner or occupier having control over such water source shall supply water for that purpose.

(2) The officer-in-charge of the fire fighting operations shall ensure adequate supply of water for use in the incident of fire and shall take all necessary measures for firefighting operation.

13. No person in-charge of water supply in any area shall have right to claim for any compensation for damages by reason of any interruption of supply of water caused in compliance with sub-section (1) of section 12.

14. No charges shall be claimed by any local authority for water consumed in fire fighting operations or fire drills or for installation and maintenance of hydrants static water tanks or any other arrangement of water supply for firefighting purposes.

15. The Commissioner shall, by notification, require any owner or occupier of any place or premises in any area which in its opinion is likely to cause risk of fire, to take such preventive measures, as may be specified in such notification.

Requisition of Fire fighting property

Power to arrange water supply and other necessary measures

No compensation for interruption of water supply

Charges for water consumption

Preventive measures

16. (1) The erector of pandal shall be deemed to be self-regulator for taking fire prevention and life safety measures as per provisions of this Act
(2) The erector of pandal shall display at a prominent place in the pandal, a declaration in the prescribed form under his own signature to the effect that he has taken all prescribed fire prevention and life safety measures.
(3) The Chief Fire Officer or any officer authorized by him in this behalf shall have the power to enter and inspect the pandal 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 the directions to remove them within a specified time. If such directions are not complied within the time given, the Chief Fire Officer or the officer authorized by him shall seal the pandal.
(4) Any erector of a pandal who falsely declares that he has complied with the prescribed fire prevention and life safety measures in the pandal shall be deemed to have committed an offence and 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 and where the offences a continuing one with a further fine which may extend to one thousand rupees for every day during which such offence continues.
17. (1) Whenever it comes to the notice of the Chief Fire Officer or any other officer authorized by him, he may direct the removal of encroachment, objects or goods likely to cause risk of fire or any obstruction to fire fighting to a place of safety and on failure of the owner, occupier or erector, as the case may be, to do so, the Chief Fire Officer or any other officer authorized by him in this behalf may, after giving the owner or occupier or erector, as the case may be, a reasonable opportunity of making representation and in case the Chief Fire Officer or an officer authorized by him in this behalf is not satisfied with such representation, shall with detailed reasons report the matter to the Commissioner, Municipal Corporation, Chandigarh.
(2) On receipt of a report under sub-section (1), the Commissioner, Municipal Corporation Chandigarh shall, by means of a notice served in such manner, as he may think fit, give a reasonable opportunity to owner, occupier or erector, as the case may be of showing cause against the removal of encroachment or objects or goods likely to cause a risk of fire or obstruction to fire fighting.
(3) After giving the owner or occupier or erector, as the case may be, a reasonable opportunity of making representation under sub-section (2), the Commissioner, Municipal Corporation Chandigarh after considering the representation, may withdraw the notice or make an order to seize, detain or remove such encroachment, objects or goods.
(4) (i) The person charged with the execution of the order as made in sub-section (3) shall forth with 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 the manner as may be prescribed, to the person in possession thereof at the time of seizure that the said objects or goods shall be sold as if the same are not claimed within the period stipulated in the said notice.

ii) if there is any short of permanent encroachment in nature as reported by Fire Officer after giving reasonable opportunities, occupier/owner has to remove the same that cause risk to life and property as ordered by the Chief Fire Officer. Thereafter, as per orders of Commissioner, same shall be removed.

(5) 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 notice given under sub-section (4), the Commissioner, Municipal Corporation Chandigarh shall sell them in public auction.

Liability of owner or occupier for approval of fire fighting scheme

18 (1) In compliance of the provisions of Part IV of the National Building Code of India as revised from time to time, Building Rules (Urban) and Building Byelaws, 2017 and any other law or bye-laws, as applicable on relevant premises, the owner or the occupier of a building, who is responsible either individually or jointly shall-

- i. Provide fire fighting installations and life safety measures;
- ii. maintain the fire prevention and life safety measures in operational condition at all times.

(2) Any person proposing to construct a building as mentioned in clauses (a) and (b) here under, after approval of building plans from the officer competent to approve the same under the relevant law, shall apply for approval of the fire fighting scheme confirming to the provisions of this Act and Part- IV of the National Building Code of India,1983 as revised from time to time, to the Chief Fire Officer or any officer authorized by him in this behalf, in such form, alongwith such fee, as may be prescribed, namely:-

- (a) all high rise buildings (except residential buildings uptoheight of 16.5 mtrs); and
- (b) special buildings including-
 - i. hotel, educational, institutional, business, mercantile, industrial, storage, hazardous and mixed occupancies, where any of these buildings have floor area more than two hundred square meter (200 square meters) on any one or more floors;
 - ii. educational buildings having height of nine meters (9 meters) and above;
 - iii. institutional buildings having height of nine meters (9 meters) and above;
 - iv. all assembly buildings;
 - v. buildings, having area more than three hundred square meters (300 square meters) of incidental assembly occupancy on any floor; and buildings with two basements or more, or with one basement of area more than one hundred square meters (100 square meters) unless otherwise mentioned specifically in the provisions.

(3) Any officer duly authorized by the Chief Fire Officer in this behalf may take cognizance of any application and shall scrutinize the application with regard to the requirement of Building Rules (Urban) and Building Byelaws (Rural),

grant the approval of fire fighting scheme which shall be valid for a period of five years for the buildings mentioned in clause (a) of sub-section (2) and for a period of two years for the buildings mentioned in clause (b) of sub- section (2) or reject the said application after recording reasons within such time, as may be prescribed:

Provided that the Chief Fire Officer or any other officer authorized by him in this behalf while approving the Fire Fighting Scheme may impose any additional conditions/ fire safety measures, which he deems fit, for the safety of people and safety of the building depending upon the ground situation.

- (4) In case of approach road/abutting road on which building is to be constructed and setbacks or open space around such building to be constructed, the parameters laid down under the Building Rules (Urban) and Building Byelaws (Rural), 2017, shall be applicable.
- (5) The maximum height of the storage building shall be permissible up to twenty one meters (21 meters) subject to the condition that no regular/continuous human habitation shall be accessible for general public beyond fifteen meters (15 meters) in height. In case of classes of occupancy or building for which fire prevention and fire safety measures are not mentioned in the provisions of Part- IV of the National Building Code of India, 1983 as revised from time to time and separate guidelines are not issued by the Bureau of Indian Standards or Oil India Safety Directorate, the Chief Fire Officer or any officer authorized by him in this behalf may require the owner or occupier of such occupancy or building or premises to provide fire prevention and fire safety measures in accordance with the parameters laid down by the National Fire Protection Association Institution (U.S.A.).
- (6) The maximum travel distance of the building shall be such as specified in the Building Rules (Urban) or Building Byelaws (Rural), 2017 as revised from time to time.
- (7) The maximum height of the industrial building shall be permissible up to thirty meters (30 meters) for low and moderate hazard buildings (except high hazard buildings) subject to the condition that no regular/continuous human habitation is permitted beyond eighteen meters (18 meters) in height for low and moderate hazard buildings. In case of classes of occupancies or buildings or premises for which fire prevention and life safety measures are not mentioned in the provisions of Part-IV of the National Building Code of India, 1983 as revised from time and time and separate guidelines are not issued by the Bureau of Indian Standards or Oil India Safety Directorate, in such cases, the Chief Fire Officer or any officer authorized by him in this behalf, may require the owner or occupier of such occupancy or building or premises to provide fire prevention and life safety measures in accordance with the parameters laid down by the National Fire Protection Association Institution (U.S.A.).

19. (I) On completion of the construction of the building mentioned under sub-section (2) of section 18 and installation of the fire protection and preventive measures as per approved Fire Fighting Scheme, the owner of the building

shall apply for Fire Safety Certificate to the Chief Fire Officer or any officer authorized by him in this behalf, in such form alongwith such fee, as may be prescribed.

(2) On receipt of application under sub-section (1), the concerned officer shall scrutinize the application and inspect the building for compliance of fire fighting scheme.

(3) After inspection of fire safety installation and means of escape as per approved fire fighting scheme, the concerned officer shall submit his report to the Chief Fire Officer or any other officer authorized by him with in such time, as may be prescribed after examination, the Chief Fire Officer or any officer authorized by him may grant approval and issue fire safety certificate or reject the said application after recording the reasons, within such time as may be prescribed .

(4) The Fire safety certificate issued for the buildings specified in clause (a) of sub- section (2) of section 18 shall be valid for three years.

(5) Notwithstanding anything contained in any other State law for the time being in force, no authority empowered to issue the occupation Certificate of such building shall issue the occupation certificate unless the provisions of this section are complied with:

Provided that the authority competent to approve the fire safety certificate may impose any additional conditions with regard to fire safety and life safety measures as he may deem fit, for the safety of people and building depending upon the ground situation.

(6) The owner or occupier of the building shall give a self-declaration certificate annually to the effect that the fire fighting system installed in his building is working in good condition and there is no addition/ alteration in the building. The Fire Officer may randomly check such building. In case there is any addition/alteration beyond permissible limits under the Building Rules (Urban) and Building Byelaws, 2017, the fire safety certificate shall cease to exist and the owner shall apply for approval of revised Fire Fighting Scheme as per the provisions of section 18.

20. (1) The owner or occupier of building shall apply for renewal of fire safety certificate with in such period in such form, alongwith such fee, as may be prescribed.

(2)The Fire Officer shall scrutinize the application and carry out the inspection of fire safety installations, means of escape etc. and if the building fulfils the prescribed norms, the Fire Officer or any officer authorized by the Chief Fire Officer in this behalf, shall issue the renewal of fire safety certificate or reject the same after recording reasons in this regard with in such time as may be prescribed:

Provided that the Fire Officer or any officer authorized by the Chief Fire Officer to approve the renewal of fire safety certificate may impose any additional conditions with regard to fire safety and life safety measures which he may deem fit, for the safety of people and building depending upon the ground situation.

(3)The validity of renewal of fire safety certificate shall be three years for

(4) The owner or occupier of the building shall give a self-declaration certificate annually to the effect that the fire fighting system installed in his building is working in good condition and there is no addition/alteration in the building. The Fire Officer may randomly check such building. In case there is any addition/alteration beyond permissible limits under the Chandigarh Building Rules (Urban), 2017 or Building Bye-laws, 2017, the renewal of said fire safety certificate shall cease to exist and the owner shall apply for approval of revised Fire Fighting Scheme as per the provisions of section 17.

21. (1) If the owner or occupier, as the case may be, fails to comply with the directions issued by the Chief Fire Officer or any officer authorized by him in this behalf, the fire safety certificate or renewal of fire safety certificate issued under sections 19 and 20, may be cancelled by the issuing authority after giving an opportunity of hearing to the owner or occupier.

(2) The owner or occupier of the building, whose fire safety certificate has been cancelled, shall not be entitled to occupy the building or premises on the ground of non-compliance of fire prevention and life safety measures.

22. (1) To ensure effective fire prevention and life safety measures in all buildings as per provisions of Part-IV of the National Building Code of India, 1983 as revised from time to time, every owner or occupier, individually or jointly, as the case may be, shall appoint a Fire Safety Officer, having such qualifications, as may be prescribed.

(2) In case of a vacancy of the Fire Safety Officer appointed under sub-section (1), either on resignation or otherwise, the owner or occupier individually or jointly, as the case may be, shall appoint the Fire Safety Officer immediately.

(3) In case of the non-appointment of the Fire Safety Officer under sub-section (1) and (2), the Fire Officer may take such steps as he deems necessary as per the provisions of this Act.

(4) The Fire Safety Officer shall have to undergo training at the Fire and Rescue Services Training Institute established by the Government:

Provided that a person who has already undergone such training at the National Fire Service College, Nagpur run by the Ministry of Home Affairs or at any other equivalent institution recognized by the Government, shall not be required to take such training.

23. (1) The Fire Officer authorized by the Chief Fire Officer in this behalf may, after giving three hours notice to the occupier, or if there is no occupier, to the owner of any place or building or part thereof, enter and inspect such place or building or part thereof at any time between sunrise and sunset where such inspection appears necessary for ascertaining the adequacy or contravention of fire prevention and life safety measures:

Provided that the Fire Officer authorized by the Chief Fire Officer in this behalf, may enter into and inspect any place or building or part thereof at any time if it appears to be expedient and necessary to do so in order to ensure safety of life and property.

(2) The Fire 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).

Cancellation of Fire Safety Certificate

Appointment and functions of Fire Safety officer by owner or occupier

Power of Inspection

(3) The owner or occupier or any other person shall not obstruct or cause any obstruction to the entry into or upon any place or building or part thereof a Fire Officer and shall not man handle with the Fire Officer during such inspection.

(4) On entry to any such place or building or part thereof used as a human dwelling, due regard shall be paid by the Fire Officer to the social and religious sentiments of the occupiers:

Provided that if any place, building or part thereof in the actual occupancy of any woman, who, according to the custom does not appear in public, then a notice is required to be given to such woman with liberty to withdraw herself from such place and every reasonable facility is required to be afforded to her for such purpose.

(5) After carrying out the inspection under this section, the Fire Officer shall give a report of such inspection to the Chief Fire Officer or any other officer authorized by him in this behalf.

(6) The Chief Fire Officer or any other officer authorized by him in this behalf shall, after receipt of the report, record his views on the deviations from or the contraventions of the requirements with regard to the fire prevention and life safety measures or the inadequacy or non- compliance of such measures provided or to be provided therein with reference to the height of the building or the nature of activities carried on in such place or building or part thereof and shall issue a notice to the owner or occupier of such place, building or part thereof directing him to undertake such measures within such time as may be specified in the notice.

(7) The Chief Fire Officer or any other officer authorized by him in this behalf in the event of non-compliance of notice issued shall take such steps as he deems fit under the provisions of this Act.

24. (1) The Fire Officer or any other officer authorized by the Chief Fire Officer in this behalf may enter and inspect any building, the construction of which was completed on or before the commencement of this Act or any building which was under construction on such date in which such inspection appears to be necessary for ascertaining the adequacy of fire prevention and life safety measures.

(2) The Fire Officer or any other officer authorized by the Chief Fire Officer shall after inspection of the building under sub-section (1) and after taking into consideration: -

- i. The provision under which the plan of said building was sanctioned;
- ii. The conditions imposed, if any, by the local authority at the time of sanction of the plan of said building; and
- iii. the minimum standards for fire prevention and fire safety measures specified for such building as per provisions of Part-IV of the National Building Code,1983 as revised from time to time,

shall submit a report of inspection made by him to the Chief Fire Officer or any other officer authorized by him in this behalf.

25. Whoever contravenes the provisions of sub-section (I) of section 12, without prejudice to any other action taken against him under this Act shall be punishable

Penalty in case of non-appointment of Fire Safety Officer

with imprisonment for a term which may extend to three months or with fine which may extend to fifty thousand rupees, or with both.

26. (1) If any owner or occupier of a building fails to appoint Fire Safety Officer under section 22 within thirty days of the receipt of a notice given in this behalf by the Chief Fire Officer or the Fire Officer, as the case may be, shall be deemed to be in default jointly and severally and shall be liable to pay such sum not less than ten rupees per square meter and not exceeding fifty rupees per square meter of the area owned or occupied including the common areas in the building as determined by the Chief Fire Officer or any officer authorized by him for each month of default or part thereof.

(2) The amount due as penalty under sub-section (1) shall be recovered as an arrear of land revenue.

Liability to owner to pay compensation

27. Omitted

Penalty for wilfully obstructing fire fighting, rescue operations

28. Any person who wilfully obstructs or interferes with any member of the Fire and Rescue Services, who is engaged in fire fighting operations, 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.

False Report

29. Any person who knowingly gives or causes to be given a false report of the outbreak of a fire to any person authorized 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.

General provisions for punishment

30. Whoever contravenes any provisions of this Act or any rule or notification made there under except as provided specifically in this Act, shall without prejudice to any other action taken against him under this Act and the rules made there under, 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 and where the offence is a continuing one with a further fine which may extend to one thousand rupees for every day during which such offence continues.

Offence by companies

31. (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 for the conduct of the affairs of the Company shall be punishable with imprisonment which may extend to three months or with fine which may extend to ten thousand rupees, or with both:

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 liable for punishment as per sub-section (1).

Explanation. - (i) 'company' means a body corporate and includes a

firm or other association of individuals; and

(ii) 'director' means a director or a partner of the firm.

32. (I) Any offence committed under this Act may either before or after the institution of the prosecution, be compounded by such officer and for such amount, as the Administrator may, by notification, specify in this behalf:

Provided that no offence shall be compounded unless the notices or orders issued under this Act are complied with.

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

33. No suit, prosecution or other legal proceeding 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 rules made there under.

34. No court shall take cognizance of an offence under this Act, except on the complaint of or upon information received from the Chief Fire Officer or concerned Fire Officer of the Fire and Rescue Services

35. No court inferior to that of a Chief Judicial Magistrate shall try an offence punishable under this Act.

36. (I) Any person aggrieved by any notice or order passed under this Act may prefer an appeal against such notice or order to the appellate authority within a period of sixty days:

Provided that the appellate authority may entertain an appeal after the expiry of the such period if it is satisfied that there was sufficient cause for not filing it within that period.

(2) An order passed by the appellate authority in the appeal shall be final

37. The Administrator may establish and maintain one or more training institutes in the Union Territory of Chandigarh for providing courses of instructions in the prevention and extinguishment of fire for the fire service personnel and private candidates from industries, high rise buildings and other Government and Non-Government establishments.

(2) The Administrator may extend the training facilities to the local bodies and industrial undertakings as well as to the fire and emergency service of other States on payment of such fee and charges, as may be prescribed

(3) The Administrator shall prescribe such procedure as it may deem fit for providing a course of instruction in the prevention and extinguishment of fire.

(4) Subject to the observance of general rules applicable to other employees of the Government in relation to training, the employees of the Fire and Rescue Services may be sent to training in the field of scientific and modern techniques of fire protection and fire safety measures and allied matters in any institute within or out of India at the cost and expense of the Government for the administration of the provisions of this Act.

38. The Fire Officer shall conduct community awareness and training programmes on preventive measures on fire and other emergencies. The Fire Officer may render assistance and consultation to the communities in matters related to fire prevention.

Protection of action taken in good faith

Cognizance of prosecution

Appeal

Establishment of Fire and Rescue Training Institute

Community Awareness and training programme

(2) The fire tax/cess shall be levied at such rate in terms of percentage of property tax as the Administrator may, by notification in the Official Gazette, determine from time to time.

40. Omitted.

41. (1) Where members of the Fire and Rescue Services are deployed alongwith equipment and appliances beyond the limits of UT in order to extinguish a fire in the neighborhood on the request of any Government or local body or Fire and Rescue Services, such Government or local body or Fire and Rescue Services, as the case may be, shall be liable to pay such charges as may be prescribed

(2) No members of Fire and Rescue Services shall be deployed for the purpose as mentioned under sub-section (1) without prior permission of the Chief Fire Officer or any other officer authorized by him in this behalf who shall not be below the rank of Station Fire Officer.

(3) The fee referred to in sub-section (1) shall be payable within one month of the service of a notice of demand by the Chief Fire Officer or any other officer authorized by the Chief Fire Officer in this behalf, as the case may be, and if it is not paid within that period, it shall be recoverable as an arrear of land revenue.

42. (1) No charges shall be levied for extinguishing the fire and rescue operations within the Union Territory of Chandigarh.

(2) The Municipal Corporation shall, by notification specify the charges for deployment of members of Fire and Rescue Services alongwith equipment and appliances for the private purpose and for standby duty for a specific duration.

43. Any amount payable under this Act shall be recovered as arrears of land revenue.

44. The Chief Fire Officer may, with the previous sanction of the Government, enter in to an agreement with any Fire and Rescue Services or the authority which maintains the said Fire and Rescue Services, beyond the limits of any area in which this Act is in force for providing personnel or equipment or both, for firefighting purposes, on such terms as may be provided by or under the agreement on reciprocal basis in public interest.

45. Without prejudice to the provisions of any other law on the subject for the time being in force, the Administrator may, by notification in the Official Gazette, declare any class or category of Fire and Rescue Services as technical service.

46. The Chief Fire Officer or any other officer authorized by him in this behalf may, for the purpose of discharging his duties under this Act, require the owner or occupier of any building to supply information with respect to the character of such building, the available water supplies and means of access thereto and any other material particulars as he may deem necessary and such owner or occupier shall be liable to furnish all information under his possession.

47. (1) Where on receipt of a report from Fire Officer under sections 23 and 24, or suo-moto, it appears to the Chief Fire Officer or any officer authorized by

him 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 person in possession or occupation of such building to remove them from such building forthwith.

(2) If an order made by the Chief Fire Officer or any officer authorized by him under sub-section (1) is not complied with, the Chief Fire Officer or any officer authorized by him may direct-

- i. To disconnect the supply of electricity of the building to concerned authority and such authority shall comply with said directions;
- ii. To disconnect the water and sewer of the building or premises to the concerned authority and such authority shall comply with such directions;
- iii. Concerned Station House Officer having jurisdiction in the area to remove such persons from the building and such officer shall comply with such directions.

(3) After the removal of the persons under clause (iii) of sub-section (2), the Chief Fire Officer or any other officer authorized by him in this behalf shall seal the building.

(4) No person shall remove such seal except under an order made by the Chief Fire Officer or any officer authorized by him.

(5) Any person who removes such seal except under an order made by the Chief Fire Officer or any officer authorized by him, 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.

Police officers
and others to
aid

48. In fire fighting operations or any other duties related to seizure, detention or removal of any goods involving risk of fire on the request of the officer-in-charge of the fire fighting operation, it shall be the duty of a police officer or employees of the police force to assist and aid the officer-in-charge of the fire fighting operation in performance of such duties.

Compensation to
member of Fire
and Rescue
Services

49. If the member of the Fire and Rescue Services become permanently disabled or dies during discharging the fire fighting and rescue operation duties, the Municipal Corporation shall pay adequate compensation to such member or to the next of kin of deceased, as the case may be as specified by the Administrator, by notification in the Official Gazette.

Officers to be
public servants

50. Every member of Fire and Rescue Services shall be deemed to be a public servant within the meaning of clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023, (Central Act 45 of 2023).

Restriction to form
association or part of
association etc.

51. (I) No member of the Fire and Rescue Services shall without the previous sanction of the Commissioner:

- i. Be a member of, or be associated in any way with, any union, labour union and political association;
- ii. communicate with the press or publish or cause to be published any book, letter or other document except where such communication or

Power to
make rules

52. (1) The Administrator may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act
(2) Omitted.

Delegation of powers

53. The Administrator may, by order direct, that any power conferred on him, by or under this Act, shall in such circumstances and under such conditions, as may be specified in the order, be exercised and performed by such officer as specified in the order.

Power to remove
difficulties

54. (1) If any difficulty arises in giving effect to the provisions of this Act, the Administrator may, by order published in the Official Gazette, make such provisions not in consistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty:

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

(2) Omitted.

Act to have
overriding effect

55. Notwithstanding anything in consistent therewith contained in any other State law for the time being in force, the provisions of this Act shall have overriding effect.

Repeal and
savings

56. (1) The Delhi Fire Prevention & Fire Safety Act, 1986 (56 of 1986) as extended to the Union Territory of Chandigarh is hereby repealed
(2) Nothing in this Act shall affect-

- any right, interest or liability already acquired, accrued or incurred before the commencement of this Act; or
- any legal proceedings or remedy in respect of such right, interest or liability; or
- anything done or suffered before the commencement of this Act; or
- any rule framed under the repealed Act which is not in consistent with this Act.

Station Fire Officer
Fire Station, Sector 17,
Chandigarh.

Station Fire Officer
Fire Station, Sector 38/MM,
Chandigarh.

(on Leave)
Station Fire Officer
Fire Station, Sector 11,
Chandigarh.

Executive Engineer (W & E)
Municipal Corporation,
Chandigarh

ACFA
Municipal Corporation
Chandigarh

Law Officer
Municipal Corporation
Chandigarh

Representative from Law Department
UT, Chandigarh.

Chairman
Joint Commissioner-cum-
Chief Fire Officer, MC C