



## **The Arunachal Pradesh Fire & Emergency Services Act, 2026**

Act No. 12 of 2026

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# The Arunachal Pradesh Gazette

EXTRAORDINARY  
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GOVERNMENT OF ARUNACHAL PRADESH  
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT  
CIVIL SECRETARIAT  
ITANAGAR

## NOTIFICATION

The 11th May, 2026

No. LAW/LEGN-6/2026.—The following Act of the Arunachal Pradesh Legislative Assembly which was passed in the Sixth Session of the Eighth Legislative Assembly and received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 6th May, 2026)

## THE ARUNACHAL PRADESH FIRE AND EMERGENCY SERVICES ACT, 2026

(Act No. 12 of 2026)

An

Act

**WHEREAS**, the Government of Arunachal Pradesh has enacted the Arunachal Pradesh Fires Service Force Act, 1991 (Act No. 1 of 1991) ;

**AND WHEREAS**, the said Act is in force in the State ;

**AND WHEREAS**, the said Act is not so comprehensive to deal with modern fire fighting;

**AND WHEREAS**, the Government of India has sent model Act for enactment which contains elaborate and comprehensive provisions to deal with modern fire fighting;

**NOW, THEREFORE**, to provide for the maintenance of Fire and Emergency services and to make more effective provisions for the fire prevention and fire safety measures in various types of buildings and premises in Arunachal Pradesh and the matter connected therewith.

Be it enacted by the Legislative Assembly of Arunachal Pradesh in the Seventy-seventh year of the Republic of India as follows :

## CHAPTER - I

### PRELIMINARY

- Short title, extent and commencement** : (1) This Act may be called the Arunachal Pradesh Fire and Emergency Services Act, 2026.
  - It shall extend to the whole of the State of Arunachal Pradesh.
  - It shall come into force on the date of its publication in the Official Gazette.
- Definition** : In this Act, unless the context otherwise requires :
  - “The 1st Appellate Authority” means the Director General of Police, Arunachal Pradesh or an Officer appointed by Director General of Police. The 2nd Appellate Authority means an Officer appointed by the Government of Arunachal Pradesh.
  - “Building” shall have the same meaning assigned to it in the relevant municipal law 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, out houses, if any, pertaining to such building or part thereof and petrol, diesel or gas lines, installations or pumps;

- (c) "Building bye-laws" means the "Arunachal Pradesh Building Bye-laws- 2019".
- (d) "Bye Laws" means fire safety regulations or norms or guidelines made under National Building Code of India Part-IV (Fire and Life Safety), Oil Industry Safety Directorate Guidelines, Petroleum Act and Rules, Explosive Act and Rules of India relating to Fire prevention or any relevant guidelines by the Government or local Authority;
- (e) "Bureau of Indian Standard (BIS)" means BIS functioning under the control of Ministry of Consumer Affairs, Food and Public Distribution, Government of India.
- (f) "Director" means the Director, Arunachal Pradesh Fire and Emergency Services appointed by Government under Section 6 of this Act ;
- (g) "Executive Magistrate" means an officer of the Government appointed as Executive Magistrate under sub-section (4) of Section 14 of the BNSS, 2023.
- (h) "Erector of pandal" means a person or an 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 ;
- (i) "Fire prevention and Life Safety Measures" means such measures as are necessary in accordance with the building bye-laws/National Building Code of India for the containment, control and extinguishing of fire and for ensuring the safety of life and property in case of fire and as may be prescribed in the rules made in this behalf ;
- (j) "Fire Safety Officer" means the person appointed under Section 28 of this Act as Fire safety officer by the owners and occupiers of certain premises and buildings as specified by notification in this behalf to ensure fire prevention and fire safety measures installed in such premises and buildings ;
- (k) "Fire Officer" means an officer appointed by the State for Fire Stations and other field formations as per the Section 12 of this Act ;
- (l) "Fire Service" means the Arunachal Pradesh Fire and Emergency Services constituted under Section 3 of this Act ;
- (m) "Fire station" means a building erected to house the firefighting equipment, appliances and staff declared generally or specially by the State Government to be a Fire Station and other field formations as defined in Section 3 of this Act ;
- (n) "Fund" means Fund constituted under Section 59 of this Act ;
- (o) "Government" means the Government of Arunachal Pradesh.
- (p) "Local authority" means a Municipality council/Municipal corporation (wherever available), Nagar Panchayat, District Panchayat, Gram Panchayat, or any other authority constituted under relevant local authority law;
- (q) "Member" in relation to the Fire and Emergency Service means a person appointed to the Fire and Emergency Services of Arunachal Pradesh under this Act;
- (r) "Multi-storey Building" means a building with such minimum height as may be prescribed under the rules in this behalf and notified to the Director by the local authority;
- (s) "National Building Code " means the book 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;
- (t) "Nominated Officer" means an Officer possessing the prescribed qualifications and nominated by the Director and includes an officer nominated by the Government or a local authority or a planning authority for the purposes of this Act.
- Provided that for the areas not covered by any Municipal Corporation or Municipal Council, the Director shall nominate an officer to be "a nominated officer" and different such officers may be nominated for different areas.
- (u) "Occupancy" means the principal occupancy for which a building or a part of a building is used or intended to be used including subsidiary occupancies which are contingent upon it ;
- (v) "Occupier" means 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 ;
- (i) an owner in occupation of, or otherwise using his land or building;
- (ii) a rent free tenant of any land or building;

- (iii) a licensee in occupation of any land or building; and
- (iv) any person who is liable to pay to the owner damages for the use and occupation of any land or building ;
- (w) "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 account of himself and others or as an agent, trustee, guardian or receiver or any other person, or who should so receive the rent or been titled to receive it if the land or building or part thereof were let to a tenant;
- (x) "Pandal" means a temporary structure with 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;
- (y) "Premises" means any land or any building or part of a building and includes the garden, ground and out house, if any, appurtenant to a building or part of a building; and any land or any building or part of a building appurtenant thereto which is used for storing explosives, explosive substance and dangerously inflammable substance;
- Explanation* : - In this clause, "explosive", "explosive substance" and "dangerously inflammable substance" shall have the meaning, respectively assigned to them in the Explosive Act, 1884 (4 of 1884), the Explosive (Substances) Act, 1908 (6 of 1908) and the inflammable Substances Act, (20 of 1952).
- (z) "Relevant municipal law" means any law framed by a Municipal Corporation or a Municipal Council.
- (za) "Prescribed" means prescribed by rules made under this Act;
- (zb) "Prescribed authority" means authority prescribed by rules under this Act.
- (zc) "Rules" means rules made under this Act.
- (zd) "Standing Fire Advisory Council" (SFAC) means the advisory body constituted by the Union Ministry of Home Affairs to examine the technical problems relating to fire service and to make recommendation to the Government of India in the matter including the standardization of fire fighting equipments through the Indian Standard Institutions to sensitize the same to State Fire Service.
- (ze) "State" means the State of Arunachal Pradesh;
- (zf) "Station Officer" means an officer of the Fire and Emergency Service appointed as station officer by the Government.
- (zg) "Subordinate operational staff" includes every member of the Fire and Emergency Service of the rank of fireman, leading fireman, driver and any other equivalent rank;

## CHAPTER - II

### ORGANIZATION, SUPERINTENDENCE, CONTROL AND MAINTENANCE OF THE FIRE AND EMERGENCY SERVICES OF ARUNACHAL PRADESH

3. **Establishment of one Fire Service for whole of State** : There shall be one Fire Service for the whole of Arunachal Pradesh and all officers and subordinate ranks of the Fire and Emergency Services shall be liable for posting to any branch or station of the Fire and Emergency Service ;

Provided that, the State Government may, by notification in the Official Gazette, declare any Fire Brigade or any other local Emergency Service of any local authority of the State, by whatever name called, that the same shall form or shall not form the part of state Fire and Emergency Service at anytime.

Provided further that this provision shall not apply to the private Fire Services maintained for providing fire protection coverage to a specific building or industry by the owner or occupier thereof ;

Also provided further that, in case where the emergency service is not related only to Fire, in order to assist any disaster, other than resulting due to fire, all Fire Services shall be considered as Emergency Services and the decisions and directions of the authority In-charge of the Emergency Service shall prevail.

4. **Superintendence of Fire Service to vest in the Government** : The superintendence and control over the Fire and Emergency Services throughout Arunachal Pradesh shall vest in the State Government of Arunachal Pradesh and the Fire and Emergency Service will be administered by Director General of Police, in accordance with the provisions of this Act and of any Rules made thereunder, through such Fire Officers of the State Government or Director General of Police as the case may be, from time to time, appointed in this behalf. The Superintendence and control of the force shall vest in the Director, who will function under the control and supervision of Director General of Police.

5. **Constitution of Fire and Emergency Services** : Subject to the provisions of this Act-
- (a) The Fire and Emergency Service shall consist of such numbers in the several ranks and have such organization and such powers, functions and duties as the Director General of Police, Arunachal Pradesh may by general or special order, determine in consultation with the Government of Arunachal Pradesh ;
  - (b) The recruitment and the pay, allowances and all other conditions of service of the members of the Fire and Emergency Service shall be such as may be prescribed by general or special order.
6. **Appointment of Director of Fire Service** : The Government of Arunachal Pradesh may appoint an Officer to be the Director of the Arunachal Pradesh Fire and Emergency Services who shall be an Officer of the Rank of Inspector General of Police of Arunachal Pradesh under this Act.
7. **General powers of the Director** : The Director shall subject to the superintendence and control of the Government direct and regulate all matters of firefighting equipment, machinery and appliances, training, observation of persons and events, mutual relations, distribution of duties, study of laws, orders and modes of proceedings and all matters of executive detail or the fulfillment of duties and maintenance of discipline of fire officers and members of the Fire Service under him, as per the State rules. The Director under the control and supervision of Director General of Police, shall function as the Head of the Department and shall ;
- (I) Keep liaison with the Central Government and the State Government offices for the development of Fire and Emergency Services.
  - (II) Frame the policies in relation to the development of fire and emergency services in the State and on approval 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 equipments, fire property and fire man power for effective implementation of Fire and Emergency Services by the authorities.
  - (IV) Take or cause to be taken such effective measures in case of major fires, house collapse and other emergency services.
  - (V) Investigate or cause to be investigated the cause of fire and advice the authorities for implementing for fire precautionary measures.
  - (VI) Appoint such number of Officers and staff or employees as may be necessary to assist any Fire Officer of the State Fire and Emergency service, while exerting his powers or discharging his duties or functions under this Act or the Rules made there under;
  - (VII) Implement the effective Human Resource Development policies in accordance with the prescribed jobs at each level of Fire service personnel and for that purpose, he may establish advance training centers;
  - (VIII) Represent the Government on National and International forums with a view to updating the standard of Fire and Emergency Services in the State; and
  - (IX) Exercise such other powers and perform such other duties and functions as may be conferred, imposed or allotted to him by or under the provisions of this Act.
8. **Appointment of members of the Force** : The Director or such other officer of the Force as the Government may authorize in this behalf shall appoint members of the force in accordance with the rules made under this Act.

Provided that subject to the provisions of Articles 311 of the Constitution of India and the rules prescribed by the State Government, the Director or any officer of appropriate rank as specified by the Director General of Police, Arunachal Pradesh may any time dismiss, suspend or reduce in rank or award any of the punishment to any member of the subordinate ranks whom he will think responsible for remiss or negligence in the discharge of his duty or considered unfit for the same. The Director or any other officer of appropriate rank as specified by the Director General of Police, Arunachal Pradesh may also award any one or more, punishments as provided in the Central Civil Service (Classification, Control and Appeal) Rules, 1965 as adopted by the State of Arunachal Pradesh, Adaption of Laws Order (No.2) 1989. The provisions of the said rules may apply, mutatis mutandis with regard to procedure of awarding punishment and other disciplinary actions.

Provided that the Director General of Police, Arunachal Pradesh reserves the right of revision of hearing of appeal in case of any alleged violations of principle of natural justice or established procedure practices.

9. **Provision for creation of Fire Stations** : the Government may create Fire Stations, Fire Divisions, Zones and Sub-divisions so as to increase the scope of Fire and Emergency Services all across the State and out posts.
10. **Provision for Constitution of Fire Zonal Office and Fire stations and staffing pattern-**  
The Government may—(a) Constitute Fire Zonal Office ; and
- (b) Fire stations within the State of Arunachal Pradesh.
- (c) For the purpose of providing adequate number of officers and staff for meeting the needs of Fire service, having regard to the population, potential Fire Hazards in certain Industries and large commercial and mercantile establishments and buildings and Fire Stations required to be provided for and maintained, the State Government may for the purpose of securing Fire prevention and life safety measures within the State, by notification in the Official Gazette, constitute as many Fire Zonal Offices and Fire Stations and other field formations as it deems fit.
- (d) **The staffing pattern in the fire station within the State shall be based on the population of an area as may be prescribed and there shall be one pumping unit of fire station where population is below ten thousand, two pumping unit of fire station where population is between ten thousand to fifty thousand and three pumping unit of fire station where population is above fifty thousand for administrative and operational efficiency.**
11. **Classification of the posts of Fire Service-**The classification of the posts of the Fire and Emergency Services shall be as under :-
- (1) Group 'A' post means any post which having regard to its scale of pay and emoluments, which is classified as a Group 'A' post under the State Government in accordance with the orders issued by the Government from time to time;
- (2) Group 'B' post means any post which having regard to its scale of pay and emoluments, which is classified as a Group 'B' under the State Government in accordance with the orders issued by the Government from time to time;
- (3) Group 'C' post means any post which having regard to its scale of pay and emoluments, which is classified as a Group 'C' post under the State Government in accordance with the orders issued by the Government from time to time.
12. **Appointment to Group "A" and Group "B" posts of Fire and Emergency Services :** The Government shall make appointments to any Group "A" or Group "B" or Group "C" posts within the meaning of sub-section(1) and sub- section (2) and (3) of Section 11 accordingly.
13. **Issue of Certificate of appointment :** (1) Every person shall on appointment to the Fire and Emergency Service, receive a certificate of appointment in the prescribed form under the signature and seal of the Director or an officer authorized in this behalf by the Government and thereupon such person shall have the powers, functions and privileges of an employee of the Fire and Emergency Service under this Act.
- (2) The certificate referred to in sub-section (1) shall cease to belong to the Fire and Emergency Service when such person retires from service, or he is removed or dismissed from service or shall remain in operative during the period such person is suspended from the Fire and Emergency Service.
- (3) The members of the Fire and Emergency Service shall be governed by such rules as are applicable to Government servants in relation to the terms and conditions of their service and all other allied matters.
- (4) During the period of suspension, the powers, functions and privileges vested in such member of the force shall be closed till revocation of suspension but such member shall continue to be the member of the Force.
14. **Auxiliary Fire and Emergency Services :** Whenever, it appears to the State Government that it is necessary to augment the Fire and Emergency Services, it may raise an auxiliary service by enrolment of volunteers like Aapda Mitras and or others as it deems fit for such area and on such terms and conditions as may be specified by the State Government from time to time.

### CHAPTER – III

#### CONTROL AND DISCIPLINE OF FIRE SERVICE

15. **Calling of returns, reports, statements, etc. :** The Government may call for such returns, reports and statements on any subject connected with fire prevention and fire safety, the maintenance of order and the performance of duties by the Director, fire officers, operational members, members and subordinate operational staff and the same shall be immediately furnished.

16. **Certain Central Rules to apply to employees of Fire and Emergency Services :** The provisions of the Central Civil Services (Conduct) Rules, 1964 and of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and the Central Civil Services (Pension) Rules, 2021 as amended by the Central Government from time to time, shall be extended mutatis mutandis to all employees of the Arunachal Pradesh Fire and Emergency Services including Fire Officers, operational members, members and subordinate operational staff.
17. **Fire Officers deemed to be always on duty and liable to employment in any part of Arunachal Pradesh :** Every Fire Officer shall for all purposes of this Act be deemed to be always on duty and any fire officer or any member or crew of fire officers allocated for duty in any part of Arunachal Pradesh may, if the Director so directs, at any time, be employed on turn out duty in any other part of Arunachal Pradesh so long as the services of the fire officer or any member or crew of fire officers may be required in such other part of Arunachal Pradesh.
18. **Extension of Fundamental Rules and Supplementary Rules to employees of Fire Service :** The provisions of the Fundamental Rules and Supplementary Rules as amended by the State Government from time to time, shall be extended mutatis mutandis to all employees of the Arunachal Pradesh Fire and Emergency Services, including Fire Officers, operational members, members and subordinate operational staff.
19. **Penalty for violation of duty :** Notwithstanding any action which may be taken under the provisions of this Act, any member of the Fire and Emergency services who-
- 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
  - is found to be guilty of cowardice;
  - withdraws or abstains from the duties of his office without permission or without having given previous notice of at least two months; or
  - being absent on leave fails without reasonable cause to report himself for duty on expiration of such leave; or
  - accepts any other employment or office in contravention of the provision of Section 21 shall be punishable and may at any time dismiss, remove, suspend or reduce in rank or award any of the punishment to any member of sub ordinate rank in the force.
20. **Effect of suspension of Fire Officer :** The powers, functions and privileges vested in a fire officer shall remain suspended while such fire officer is under suspension from office.
- Provided that notwithstanding such suspension, such person shall not cease to be a fire officer and shall continue to be such subject to the control of same authorities to which he would have been if he had not been under suspension.
21. **Restriction to form association, etc. :** (1) No member of the Fire and Emergency Services shall, without the previous sanction in writing of the State **Government or of the prescribed authority ;**
- be a member of, or be associated in any way with, any union, labour union, political association or with any class of trade union, labour union or political association;
  - be a member of, or be associated in any way with any social institution, association, or organization that is not recognized as a part of the Fire Service or is not a purely of a social, technical, recreational or religious nature; or
  - Communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in the bonafide discharge of his duties or is of a purely literary, artistic or scientific character.
- Explanation* - (1) If any question arises as to whether any society, institution, association, organization is of a purely social, technical, recreational or religious nature under clause (b) of this sub- section, the decision of the Government thereon shall be final.
- (2) No member of the Fire service shall participate in, or address, any meeting or take part in any demonstration organized by anybody or persons for any political purposes or for such other purposes as may be prescribed.

**CHAPTER – IV****WATER SUPPLY**

22. (a) **Power to arrange water supply during emergency:** - It shall be lawful for the Director or Fire 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.
- (b) **Duty to arrange water supply :** The Director or Fire Officer shall take all reasonable measures for securing that an adequate supply of water will be available for the use in the event of fire as per the rules.
- (c) **Power to enter into Agreement for water supply :** The Director or Fire Officer may enter into an agreement with an agency for meeting demand of water supply and emergent need of water as per the procedures and terms and conditions for the payment to the third party, prescribed under the rules.
- (d) **No compensation for interruption of water supply :** 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 in occasioned only by compliance of such authority with the requirement specified of sub-section (c) of Section 27.
- (e) **Compensation of water :** No charge shall be made by any local authority for water consumed in firefighting operations by the Fire Service.

**CHAPTER – V****GENERAL MEASURE FOR FIRE PREVENTION AND SELF REGULATION**

23. **Preventive measures :** (1) The Government may, by notification in the Official Gazette, require owners or occupiers of premises in any area or of any class of premises or pandals used for purposes which in its opinion are likely to cause a risk of fire, to take such precautions including those related to the plan of the building or use of building as may be specified in such notification.
- (2) Where a notification has been issued under sub-section (1) it shall be lawful for the Director or any Officer of the Fire Service Force authorized in this behalf to direct the removal of subjects or goods likely to cause a risk of fire, to a place of safety and on failure of the owner or occupier to do so, the Director or such Officer may after giving the owner or occupier a reasonable opportunity of making representation, seize, detain or remove such objects or goods.
24. **Fire prevention and Fire Safety measures in the pandals to be self-regulatory :**
- (1) Notwithstanding anything contained in this Act, the erectors of Pandals shall be deemed to be self regulators for taking fire prevention and fire safety measures prescribed under sub-section (2) of Section 23.
- (2) The erector of a pandal shall display at a prominent place in the pandal a declaration in the prescribed form and under his own signature to the effect that he has taken all the prescribed fire prevention and fire safety measures therein.
- (3) It shall be lawful for the Director, nominated authority or any other officer authorized by the Government in this behalf 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 directions to remove them within a specified time. If the directions of the inspecting officer are not complied with within the time so given, the inspecting officer shall seal the pandal.
- (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 Section 51 of this Act.
25. **Removal of encroachments or objects or goods likely to cause a risk of fire or any obstruction to fire fighting :** (1) Where a notification has been issued under Section 23, it shall be lawful for the Director or any officer of the fire service authorized by the Government in this behalf to direct the removal of encroachments or objects or goods likely to cause a 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 Director or such officer may, after giving the owner, occupier or erector, as the case may be, a reasonable opportunity of making representation, report the matter to the District Magistrate or the Executive magistrate, in whose territorial jurisdiction the premises or building or pandal is situated, requesting to adjudicate the matter:

Provided that where the Director or such Officer considers such encroachments or objects or goods to be an imminent cause of risk of fire or obstruction to fire fighting, he may direct the owner or the occupier or erector of such premises or building to remove the encroachments or objects or goods forthwith and report the matter to the District Magistrate or the Executive magistrate accordingly.

- (2) On receipt of a report under sub-section (1), the District Magistrate or the Executive magistrate shall give by means of a notice served in such manner as he may think fit, 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 be prescribed.
  - (3) After giving the owner an occupier or erector, as the case may be, a reasonable opportunity of making representation under sub-section (2), District Magistrate or the Executive magistrate may make an order to seize, detain or remove such encroachments or objects or goods.
  - (4) The person charged with the execution of the order as made in sub-section (3) 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 as may be prescribed in this behalf, to the person in possession thereof at the time of seizure, that the said objects or goods will be sold as therein mentioned if the same are not claimed within the period stipulated in the said notice.
  - (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 District Magistrate or the Executive magistrate shall sell them accordingly by public auction.
26. **Owners or Occupiers liability to provide Fire prevention and Life Safety Measures :**
- (1) Without prejudice to the provisions of National Building Codes of India, issued by the Ministry of Urban Development, the Arunachal Pradesh Building Bye-laws-2019, or any other laws for the time being in force, the owner or the occupier, who are either individually or jointly responsible, of a building classified by Bye-laws regulations or part thereof, shall provide Fire prevention and life safety measures therein :
 

Provided that the owner or the occupier, as the case may be shall :

    - (i) Provide minimum fire-fighting and life safety installations as provided in the Arunachal Pradesh Building Bye-laws.
    - (ii) Maintain the Fire prevention and life safety measures in operational condition at all times, in the manner and specifications specified in Arunachal Pradesh Building Bye- Laws.
  - (2) Notwithstanding anything contained in any law for the time being in force, no authority empowered to issue the Occupancy certificate, shall issue the same unless it is satisfied that the owner or the occupier, either individually or jointly has complied with the provision as given in sub-section(1) of this section.
  - (3) Without prejudice to the existing Arunachal Pradesh Building Bye-Laws applicable and enforcement of National Building Codes by the State, buildings or occupancies as per existing Arunachal Pradesh Building Bye- Laws-2019 or regulation thereof shall obtain 'Fire Safety Certificate' from the Director, Fire and Emergency Services.
27. **Powers of members of the Fire Service on occasion of Fire and/or Rescue :** On the occasion of fire rescue in any area in which this Act is in force, any member of the fire service who is in charge of fire fighting operations on the spot may-
- (a) remove, or order any other member of the fire service to remove, any person who by his presence interferes with or impedes the operation for extinguishing the fire or for saving life or property, close any street or passage in or near which a fire is being fought or rescue work is in progress ;
  - (b) 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 appliances or cause them to be broken into or through or pulled down, doing as little damage as possible;
  - (c) require the authority incharge 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;
  - (d) exercise the same powers for dispersing an assembly of persons likely to obstruct the fire fighting operations as it were 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 as such officer in respect of the exercise of such powers.

- (e) arrest a person who willfully obstructs and hinders a fire service 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 giving the time, date and reasons of arrest; and
- (f) generally, 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.
28. **Appointment of Fire Safety Officer** : Every owner and occupier or an association of such owners and occupiers of some special buildings or premises shall appoint a Fire Safety Officer who shall ensure the compliance of all fire prevention and fire safety measures and effective operation thereof as provided in this Act.
29. **Fire safety officers to undergo training** : The fire safety officers shall undergo training at the Fire Safety Management Academy as may be specified by the Government in this behalf;
- Provided that a person who has already undergone such training at the National Fire Service college, Nagpur or at any other equivalent institution recognized by the Government shall not be required to undergo such a training.
30. **Penalty in case of default on non-appointment of Fire Safety Officer** : If any owner or occupier or an association of such owners and occupiers of a building or premises fails to appoint under Section 28, fire safety officer within thirty days, of the receipt of a notice given in this behalf by the Director or the nominated authority, as the case may be, each one of them shall be deemed to be in default jointly and severally.
31. **Issue of Fire Safety Certificate** : (i) The Fire Officer shall scrutinize the compliances with regard to the requirement of Section 26 made by owners or occupiers or applicant, as the case may be, either independently or jointly, after making necessary enquiry, if any, issue Fire Safety Certificate within a month of the application subject to the condition that all necessary documents, designs, maps, completion certificates etc. shall be submitted by the owner or occupier or applicant.
- (ii) If the owner or occupier, as the case may be, fails to comply with the directions issued by the Fire officer or Inspection officer, the Fire Safety Certificate issued under Section 26 of this Act, shall be cancelled after giving the owner or occupier an opportunity of hearing to the show-cause.
- (iii) The owner or occupier of the building or premises, whose fire safety certificate has been cancelled due to default on his part, shall not be entitled to occupy the building or premises on the ground of non-compliance of Fire prevention and life safety measures under Section 26.
- (iv) No person shall tamper with, alter, remove or cause any injury or damage to Fire prevention and life safety equipment installed in any such building or part thereof or instigate any other person to do so.

## CHAPTER - VI

### SPECIAL PROVISION FOR THE FIRE PROTECTION AND FIRE SAFETY MEASURES IN CERTAIN BUILDINGS AND PREMISES IN ARUNACHAL PRADESH

32. **Special provision for multi-storied building** : (1) Notwithstanding anything to the contrary contained in this Act, the multistoried buildings shall be governed by the provisions for the fire prevention and fire safety measures hereinafter stipulated.
- (2) The Government may, by notification in the Official Gazette, empanel third party agencies for conducting fire safety inspections of such low risk buildings, and for such jurisdictions, as may be specified in the notification.
- (3) The criteria to be fulfilled by the third-party agency as provided in sub-section (2), including security amount that needs to be furnished for empanelment, and terms and conditions, that need to be satisfied by the agency after empanelment, shall be such as may be prescribed.
- (4) The validity of empanelment of such third-party agency shall be such as may be decided by the Government on case to case basis, and renewal of empanelment would be governed by such criteria and conditions as may be prescribed.
33. **Inspection of buildings, premises, etc.** : (1) The nominated authority may, after giving three hours notice to the occupier, or if there be no occupier, to the owner of any building having such height as may be specified by rules framed under this Act or premises, enter and inspect the said building or premises at anytime between sunrise and sunset where such inspection appears necessary for ascertaining the adequacy or contravention of fire protection and fire safety measures ;

Provided that the nominated authority may enter into and inspect any building or premises at any time if it appears to it to be expedient and necessary to do so in order to ensure safety of life and property and submit the inspection report to the higher authority or Director ;

- (2) The nominated authority shall be provided with all possible assistance by the owner or occupier, as the case may be, of the building or premises for carrying out the inspection under sub-section (1).
- (3) When any building or premises used as a human dwelling is entered under sub-section (1) due regard shall be paid to the social and religious sentiments of the occupiers; and, before any apartment in the actual occupancy of any women who, according to the custom does not appear in public, is entered under sub-section (1), notice shall be given to her that she is at liberty to withdraw and every reasonable facility shall be afforded to her for withdrawing.

34. **Measures for Fire prevention and Fire safety :** (1) The nominated authority shall, after the completion of the inspection of the building or premises under Section 33 record its views or the deviations from or the contravention of the building bye-laws with regard to the fire prevention and fire safety measures and the inadequacy of such measures ;

Provided therein with reference to the height of the building or the nature of activities carried on in such building or premises and issue a notice to the owner or occupier of such building or premises directing him to undertake such measures as may be specified in the notice.

- (2) The nominated authority shall also give a report of any inspection made by it under Section 33 to the Director.

35. **Provision regarding certain building and premises :** (1) Notwithstanding anything contained in any other law for time being in force, the Director or the nominated authority 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 and such inspection appears necessary for ascertaining the adequacy of fire prevention and fire safety measures in such buildings.

- (2) The entry and inspection under sub-section (1) shall be done by the Director or the nominated authority in the manner laid down in Section 33.
- (3) The Director or the nominated authority, as the case may be, shall, after inspection of the building or premises under sub-section(1), and after taking into consideration-
  - (i) the provisions of the building bye-laws in accordance with which the plan of this said building or premises was sanctioned.
  - (ii) the conditions imposed, if any, by the local authority at the time of the sanction of the plan of the said building or premises; and
  - (iii) the minimum standards for fire prevention and fire safety measure specified for such building or premises as may be specified by rules framed under this Act, issue a notice to the owner or occupier of such building or premises stating therein the inadequacy in regard to the fire prevention and fire safety measures in it and direct the owner or occupier to undertake measures for rectifying the said inadequacy within the period as he may consider just and reasonable.
- (4) The nominated authority shall also give a report of any inspection made by it under sub-section (1) to the Director.

36. **Power of entry :** (1) The nominated authority may enter any of the places specified in any notification issued under sub-section (1) of Section 26 for the purpose of determining whether, preventive and safety measures against fire required to be taken on such place have been so taken.

- (2) The nominated authority shall, after the completion of the inspection of the building or premises under sub-section (1) record its views on the deviations from or the contravention of, the notification issued under sub- section (2) of Section 26 with regard to the fire prevention and fire safety measures and the inadequacy of such measures provided therein with reference to the occupancy of the building or the nature of activities carried on in such building or premises and issue a notice to the owner or occupier or such building or premises directing him to undertake such measures as may be specified in the notice.
- (3) The nominated authority shall also give a report of any inspection made by it under sub-section (1) to the Director.
- (4) Save as otherwise expressly provided in this Act, no claim shall lie against any person for compensation for any damage necessarily caused by any entry made under sub-section (1).

37. **Powers exercisable on the occasion of Fire :** (1) On the occasion of a fire, the Director or the officer incharge of the members of the fire brigade on the spot may-
- remove or may order any members of the fire brigade to remove any persons who by their presence interfere with the due operations of the fire brigade;
  - by himself or by members of the fire brigade, break into or through, or pull down any premises for the purpose of putting an end to the fire, doing as little damage as possible;
  - cause the mains and pipes of any area to be shut off so as to give greater pressure of water in the place where the fire has occurred;
  - exercise the same powers for dispersing any assembly of persons likely to obstruct the operation of fire brigade, as if he were 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 as such an officer, in respect of the exercise of such powers; and
  - generally take such measures as may appear necessary for the preservation of life and property.
- (2) The Director or officer in charge of the members of fire brigade on the spot may verbally nominate and depute one or more member of the fire brigade to act at a distance; and such member or members shall have for the time being the like powers as the Director or such officer himself possesses under this section.
38. **Inquiry into origin of Fire and report to Magistrate :** Where any Fire has occurred within any area in which this Act is in force, the senior most officer in rank among the members of the force in that area or Incident Responding Officer(IRO)shall ascertain the facts as to the origin and cause of such fire and shall make a report thereon to the Magistrate having jurisdiction in the place in which such fire occurs and the said magistrate shall in any case where he may deem fit summon witnesses and take evidence in order to further ascertain such facts.
39. **Appeals :** (1) Any person aggrieved by any notice or order of the District Magistrate or Executive magistrate or Nominated Authority or the Director issued or made under this chapter may prefer an appeal against such notice or order to the 1st Appellate Authority within thirty days from the date of the notice or order appealed against ;
- Provided that the 1st Appellate Authority may entertain an appeal after the expiry of the said period of thirty days if he is satisfied that there was sufficient cause for not filing it within that period.
- An appeal to the 1st Appellate Authority shall be made in such form and shall be accompanied by a copy of the notice or order appealed against and by such fees as may be specified by rule framed under this Act.
  - An appeal to the 2nd Appellate Authority shall be made in such form and shall be accompanied by a copy of the order of the 1st Appellate Authority appealed against and by such fees as may be specified by Rule framed under this Act.
  - An order of the 2nd Appellate Authority on an appeal under sub- section (3) shall be final.

## CHAPTER - VII

### LEVY OF FIRE TAX, FEE AND OTHER CHARGES

40. **Levy of Fire tax :** (1) The State Government may levy a Fire tax on lands and buildings as per section 129 of the Arunachal Pradesh Municipal Act, 2007 which are situated in any area in which this Act is in force and on which property tax by whatever name called is levied by any local authority in that area.
- The fire tax shall be levied in the form of a surcharge on the property tax at such rate in terms of percentage of such property tax as the Government may by notification in the Official Gazette, determine from time to time as per Section 129 of the Arunachal Pradesh Municipal Act, 2007.
  - No fee shall be levied on any building vested in or under the control or procession of the Government or public authority owned by the Government.
41. **Mode of assessment, collection, etc. of Fire tax :** (1) The authorities empowered to assess, collect and enforce payment of property tax under the law authorizing the local authority of the area as per Section 129 of the Arunachal Pradesh Municipal Act, 2007 to levy such tax shall, on behalf of the Government and subject to any rules made under this Act, assess, collect and enforce payment of the fire tax in the same manner as the property tax is assessed, paid and collected; and for this purpose, they may exercise all or any of the powers they have under the law aforesaid and the provisions of such law including provisions relating to returns, appeals , reviews, references and penalties shall apply accordingly.

- (2) Such portion of the total proceeds of the fire tax as the Government may determine shall be deducted to meet the cost of collection of the fire tax.
- (3) The proceeds of the fire tax collected under this Act reduced by the cost of collection shall be paid to the Government in such manner and at such intervals as may be prescribed.
42. **Fee on deployment of Fire Service beyond the limits of State :** (1) Where members of the Fire and Emergency Services are sent beyond the limits of any area in which this Act is in force, in order to extinguish a fire in the neighborhood of such limits on the request of any State Government or local body or fire service authority shall be liable to pay such fee as may be prescribed by the Government from to time in this behalf.
- (2) The fee and dues referred to in sub-section (1) shall be payable within one month of the service of a notice of demand by the Director on the State Government or local body or Fire and Emergency Services authority, as the case may be, and if it is not paid within that period, it shall be recoverable as an arrear of land revenue.

## CHAPTER - VIII

### OFFENCES AND PENALTIES

43. **Offences and penalties :** Whoever contravenes any provision specified under the provisions of the Act is liable for penalties as prescribed in the Act and Rules.
44. **Penalties for violation of provisions of Chapter - IV (Water Supply) :** Whoever contravenes any provision of this Chapter shall, without prejudice to any other action taken against him under this Act and rules made thereunder, be punishable with imprisonment for a term which may extend to six 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 everyday after the first during which such offence continues.
45. **Liability of property owner to pay compensation :** (1) Any person whose property catches fire on account of an action of his own or of his agent done deliberately or negligent shall be liable to pay compensation to any other person suffering damage to his property on account of any action taken under this Act by an officer mentioned therein or any person acting under the authority of such officer.
- (2) All claims under sub-section (1) shall be preferred to the Appellate Authority, within thirty days from the date when the damage was caused.
- (3) The Appellate Authority, shall, after giving the party an opportunity of being heard determine the amount of compensation due and pass an order stating such amount and the person liable for the same and the order so passed shall have the force of a decree of a civil court.
46. **Failure to give information -** Any person who without just cause fails to communicate information in his possession regarding an outbreak of fire shall be deemed to have committed an offence punishable under the section 211 of BNS 2023.
47. **Failure to take precautions -** Whoever fails without reasonable cause to comply with any of the requirements specified in a notification issued under sub-section (2) of Section 23 or of a direction issued under sub-section (2) of that section shall be punishable with fine which may extend to ten thousand rupees or with imprisonment for a term which may extend to three months, or with both and where the offence is a continuing one with a further fine which may extend to five hundred rupees for every day after the first during which such offence continues.
48. **Penalty for willfully obstructing the fire fighting rescue operations :** Any person who willfully obstructs or interferes with any member of the fire service who is engaged in firefighting 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.
49. **False report :** 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 three months or with fine which may extend to five thousand rupees, or with both.
50. **General provision for punishment for offence :** Whoever contravenes any provision of this Act or of any rule or notification made thereunder 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 ten thousand rupees or with both and where the offence is a continuing one with a further fine which may extend to five hundred rupees for everyday after the first during which such offence continues.
51. **Offences by companies :** (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 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.

52. **Compounding of offences** : (1) Any offence whether committed before or after the commencement of this Act punishable under Section 44, 46, 47, 48, 49, 50, 66, 67 or any rule made under this Act, may either before or after the institution of prosecution, be compounded by such officers of the fire service and for such amount as the Government may, by notification in the Official 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 authorized under this Act and 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.

53. **Bar of jurisdiction of Court** : No court shall entertain any suit, application or other proceedings in respect of any notice or order under this Act and no such notice or order shall be called in question otherwise than by preferring an appeal under this Act.
54. **Cognizance of prosecution** : No court shall proceed to the trial of an offence under this Act, except on the complaint of, or upon information received from, the Director or the officer authorized by him in this behalf.
55. **Jurisdiction** : No court inferior to that of a Chief Judicial Magistrate shall try an offence punishable under this Act.
56. **Protection of action taken in good faith** : No suit, prosecution or order legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rules made there under.

## CHAPTER - IX

### TRAININGS

57. **Establishment of Fire Institute** : (1) The Government may establish and maintain a Fire Training Institute in Arunachal Pradesh to be known as the 'Fire Safety Management Academy' for providing course of instruction in the prevention and extinguishment of fire for the fire service personnel and private candidates from industries, hotels, multi-storied buildings, similar others Government and non-Government establishment and for school or colleges and members of communities as specified in Section 58.
- (2) The Government may extend the training facilities at the academy to be established under sub-section (1) to the Fire Services under the control of local bodies and industrial undertakings as well as to the State Fire Services of other States on payment of charges as may be prescribed.
- (3) Subject to the observance of the general rules applicable to other employees of the State Government in relation to training, the members of the Fire Service may be given 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.
- (4) A Fire officer, who undergoes training as provided in sub-section(3), shall indemnify the Government to reimburse all such expense and costs, including the pay and allowance as may be paid to him during the course of training, if he does not serve the Fire Service for a stipulated tenure binding on him in this behalf.
58. **Community Preparedness** :The Director or nominated Fire Officer shall conduct awareness and training programs on preventive measures on Fire and other emergencies. The Fire and Emergency Services shall render assistance and consultations to the communities in matters related to Fire prevention as per rules.

**CHAPTER - X****FIRE PREVENTION AND LIFE SAFETY FUND**

59. (a) There shall be constituted a Fund to be known as "the Fire Prevention and Life Safety Fund".
- (b) The proceeds of the Fire Fees, Tax and penalties (other than fines) recovered under this Act, shall first be credited to the Consolidated Fund of the State and after deduction of the expenses of collection and recovery therefrom, under appropriation duly made by law in this behalf, be entered in and transferred to fund constituted under sub-section (a).
- (c) Any amount transferred to the fund under sub-section (b) shall be charged on the Consolidated Fund of the State.
- (d) The amount of the fund shall be expended in such manner and under such conditions as may be prescribed for the purposes of this Act.
- (e) The Fund shall be reflected into the budget estimate of the respective authority and the accounts in respect thereof shall be maintained and audited in accordance with the procedure prescribed for this purpose of maintenance of accounts on the relevant law or the Rules and order made thereunder as are applicable to the respective authority.
- (f) The Fund shall be utilized for community preparedness, training and procurement of fire-fighting equipments as prescribed in the rules.

**CHAPTER - XI****MISCELLANEOUS**

60. **Reciprocal Fire-fighting arrangements with other Fire Service** : The Director may, with the previous sanction of the Government enter into an agreement with any fire service or the authority which maintains the said fire service, 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.
61. **Declaration of Fire Service to be an essential service to the community** :
- (1) Without prejudice to the provisions of any other law on the subject for the time being in force, the State Government may, by notification in the Official Gazette, declare the Fire and Emergency Services to be an essential service to the community.
- (2) A declaration made under sub-section (1) shall remain in force for six months in the first instance, but may be extended from time to time by a like notification.
- (3) Upon a declaration being made under sub-section (1) and so long as it remains in force, it shall be the duty of every fire officer to obey an order given by any superior officer in relation to any employment in connection with the service specified in the declaration.
62. **Special promotion to the subordinate operational staff** : To encourage outstanding sportsmen, marksmen, officers who have shown exceptional gallantry and devotion to duty in saving the life and property, the Director may, with the prior approval of the Government, promote such officers out of turn to the next higher rank provided vacancies exists. Such promotions shall not exceed ten percent of the sanctioned strength in such ranks. For purposes of seniority such promotees shall be placed at the bottom of the promotion list drawn up for that year.
63. **Deployment to other area** : The Director or any fire officer authorized by the Government in this behalf may, on the occasion of a fire or other emergency in any neighbouring area in which this Act is not in force, order the dispatch of the members of the fire service with necessary appliances and equipment to carry out fire fighting operations in such neighbouring area and there upon all the provisions of this Act and the rules made thereunder shall apply to such areas, during the period of fire emergency or during such period as the Director may specify on such charges as may be prescribed from time to time.
64. **Employment on other duties** : It shall be lawful for the Government or any officer authorized by it in this behalf, to employ the fire service in any rescue, salvage or other works for which it is suitable by reason of its training, appliances and equipment.
65. **Power to obtain information** : The Director or any fire officer, authorized 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 any other material particulars, and such owner or occupier shall furnish all the information in his possession.

66. **Power to seal buildings or premises** : (1) Where, on receipt of a report from the nominated authority under sub-section (1) of Section 26, 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 person in possession or occupation of such building or premises to remove themselves from such building or premises forthwith.
- (2) If an order made by the Director under sub-section (1) is not complied with, the Director may request the District Magistrate or Executive magistrate to direct any police officer to serve notice to the defaulter having jurisdiction in the area to remove such persons from the building or premises and such officer shall comply with such directions.
- (3) After the removal of the persons under sub-section (1) or sub-section (2), as the case may be, the Director shall seal the building or premises.
- (4) No person shall remove such seal except under an order made by the Director.
- (5) Any person, who removes such seal except under an order made by the Director, shall be punishable with imprisonment for a term of three months or fine which may extend to twenty-five thousand rupees, or with both.
67. **Police officers and others to aid** - Every Police Officer, Government and Private agency or person is bound to assist the members of the Fire and Emergency Services reasonably demanding his or its aid in the execution of their duties under this Act
68. **Fire service functioning in Arunachal Pradesh immediately before the commencement of this Act to be deemed to be Fire Service Constituted under this Act** - Without prejudice to the provisions contained in any other law for the time being in force.
- (a) the fire service functioning in Arunachal Pradesh before the commencement of this Act (hereafter in this section referred to as "the existing The Arunachal Pradesh Fire and Emergency Service") shall, on such commencement, be deemed to be the Fire Service constituted under this Act and every member of the existing Arunachal Pradesh Fire and Emergency Services holding the office, shall be deemed to be appointed and to hold the office, under this Act;
- (b) all proceedings pending before any fire officer of the existing Arunachal Pradesh Fire and Emergency Services immediately before the commencement of this Act 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 clause (a) and shall be dealt with accordingly.
69. **Death of member of fire service** : In the event of a member of the Fire service (other than a Gazetted Officer), dying while on active duty, the State Government shall pay adequate amount to the next of kin as funeral expenses or such amount as the State Government may by an order determine as per guideline for the time being in force.
70. **Officers to be public servants** : Every officer acting under the provisions of this Act shall be deemed to be a public servants within the meaning of Section 2 (28) of the Bharatiya Nyaya Sanhita.
71. **Power to make rules** : (1) The State Government may by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for -
- (a) form of certificate of appointment and Fire officer under whose seal such certificate of appointment shall be issued under sub-section (1) of Section 13;
- (b) Recruitment, and the pay, allowances and all other conditions of service of the members of the Arunachal Pradesh Fire and Emergency Services under clause (b) of Section 5;
- (c) Constitution of Zonal offices (Fire) under clause (a) of Section 10;
- (d) Constitution of Fire stations under clause (b) of Section 10;
- (e) The minimum standards for Fire Prevention and Fire Safety measures for the purposes of Section 26;
- (f) Form of declaration/verification under sub-section (2) of Section 24;
- (g) Form of notice under sub-section (2) of Section 25;
- (h) Form of appeal and fees under Section 39 including procedure to be followed during hearing;

- (i) Mode of assessment, collection and enforcement of payment of Fire tax levied under Section 40 and 41;
  - (j) Manner in which Fire Tax collected under section 41 shall be paid to State Government;
  - (k) Fee on deployment of Fire Service beyond the limits of Arunachal Pradesh under sub-section (2) of Section 42;
  - (l) Terms for reciprocal fire fighting arrangements with other Fire Services under Section 60;
  - (m) Charges for extending training facilities at Fire Safety Management Academy to others under sub-section (2) of Section 57;
  - (n) Officers of the Fire Service, and the amount for compounding of offences under sub-section (1) of Section 52;
  - (o) Making available to the Fire and Emergency Services with such, appliances and equipment as it deems proper;
  - (p) The adequate supply of water to securing that it shall be available for use;
  - (q) Constructing or providing Fire Stations or hiring places for accommodating the members of the Fire and Emergency Services and its fire fighting appliances;
  - (r) Giving rewards to persons who have given notice of fires and to those who have rendered effective service to the Fire and Emergency Services on the occasion of fires;
  - (s) The training, discipline and good conduct of the members of the Fire and Emergency Services.
  - (t) Speedy attendance of members of the Fire and Emergency Services with necessary appliances and equipment on the occasion of any alarm of fire;
  - (u) Regulating and controlling the powers, duties and functions of the Director;
  - (v) Generally, for the maintenance of the Fire and Emergency Services in a due State of efficiency;
  - (w) Regulating installation of pandals and shamianas ;
  - (x) Writing of confidential reports of Fire Officers;
  - (y) Determining the description and quantity of fire fighting and rescue equipment including appliances clothing and other necessaries to be furnished to the Fire Service;
  - (z) Institution, management and regulation of any Fire and Emergency Services fund for any purpose connected with policy administration;
  - (za) Procedure for appointment of Fire Safety Officer under Section 28.
  - (zb) Assigning duties to Fire officers of all ranks and grades and prescribing the manner in which and the conditions subject to which, they shall exercise and perform their respective powers and duties;
  - (zc) Generally, for the purposes of rendering the Fire and Emergency Services efficient and preventing abuse or neglect of their duties; and
  - (zd) Any other matter which is required to be, or may be, provided by rules.
- (3) Every rule made by the Government under this Act shall be laid as soon as may be after it is made before the House of the Legislative Assembly of Arunachal Pradesh while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the House of the Legislative Assembly agrees in making any modifications in the Rules or the House of the legislative Assembly agrees that the Rules should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Rules.
72. **Delegation of powers :** (1) The State Government may by notification in the Official Gazette direct that any power exercisable by it under this Act shall, subject to such conditions, if any, as may be specified in the notification be exercisable by any of the officers of the Government.
- (2) 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 service specified in the order.

73. **Repeal and savings** : The Arunachal Pradesh Fires Service Force Act, 1991 (Act No. 1 of 1991) is hereby repealed.

Notwithstanding such repeal any action taken under the provisions of the Arunachal Pradesh Fire Service Act, 1991 shall be construed to have been validly taken under the corresponding provisions of this Act.

74. **Power to remove difficulties** : (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty.
- (2) Every order made under this section shall be laid, as soon as may be after it is issued, before the Legislative Assembly of Arunachal Pradesh.

Saugat Biswas, IAS  
Commissioner to the  
Government of Arunachal Pradesh,  
Itanagar.