

MANIPUR



GAZETTE

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

No. 1240 Imphal, Monday, March 15, 1993 (Pudgum 21, 1914)

GOVERNMENT OF MANIPUR  
SECRETARIAT : LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION

Imphal, the 15th March, 1993

No. 2/35/92-Leg/L.—The following Act of the Legislature, Manipur which received assent of the Governor of Manipur on 11-3-93 is hereby published in the Manipur Gazette.

L. IBOMCHA SINGH,  
Secretary (Law) to the Govt. of Manipur.

THE MANIPUR FIRE SERVICE ACT, 1992  
( Manipur Act No. 2 of 1993 )

AN

ACT

*to provide for the maintenance of a Fire Service for the State of Manipur*

BE it enacted by the State Legislature of Manipur in the Forty-third year of the Republic of India as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Manipur Fire Service Act, 1992.

(2) It extends to the whole of the State of Manipur.

(3) It shall come into force in such area and on such date as the State Government may, by notification from time to time in the Official Gazette, appoint.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context—

- (a) "Director" means the Director of the Manipur Fire Service appointed under Section 4 of this Act ;
- (b) "Fire Fighting Property" includes—
  - (i) land and building directly or indirectly connected with fire fighting ;
  - (ii) fire engines, equipments, tools, implements and things whatsoever used for fire fighting ;
  - (iii) ~~motor vehicles and other means of transport used in connection with fire fighting ; and~~
  - (iv) uniforms and badges of ranks ;
- (c) "Fire Station" means any post or place declared generally or specially by a notification in the Official Gazette by the State Government to be a Fire Station and also includes a Fire Sub-Station ;
- (d) "Fire Service" means the Manipur Fire Service maintained under this Act ;
- (e) "Licencing Authority" means the Deputy Commissioner or such officer as may be authorised by the State Government ;
- (f) "Member" includes a member of the Fire Service who performs directional, supervisory, executive and operational duties in such ranks as may be prescribed by the State Government ;
- (g) "Officer-in-charge of a Fire Station" includes when the officer-in-charge of the Fire Station is absent from the Fire Station or unable from illness or other cause to perform his duties, the Fire Officer present at the Station who is next in rank to such Officer or any other officer holding charge of the Fire Station in the absence of the officer-in-charge ;
- (h) "Place" means either enclosed or covered or open land having buildings or premises within seventyfive feet on any side of its surroundings ;
- (i) "Prescribed" means prescribed by rules made under this Act ;
- (j) "State Government" means the State Government of Manipur ;
- (k) "Warehouse" means any building or place used whether temporarily or permanently for storing, keeping or otherwise dealing in any manner of such articles which in the opinion of the State Government are considered as inflammable.

*Explanation.*—Godowns, factories, workshops, buildings, shops, etc dealing in any manner with prescribed inflammable articles will be regarded as "warehouse" for the purpose of this Act ;

- (l) "Workshop" means any building or place where the processing of any article is carried on for purposes of trade or business, if such processing of such articles which, in the opinion of the State Government are considered as inflammable and are prescribed in this respect ;

*Explanation.*—The expression "processing" means making, altering, repairing, treating or otherwise dealing with any article by means of steam, electricity or other mechanical power.

2. **Definitions**—In this Act, unless there is anything repugnant in the subject or context—

- (a) "Director" means the Director of the Manipur Fire Service appointed under Section 4 of this Act;
- (b) "Fire Fighting Property" includes—
  - (i) land and building directly or indirectly connected with fire fighting;
  - (ii) fire engines, equipments, tools, implements and things whatsoever used for fire fighting;
  - (iii) ~~motor vehicles and other means of transport used in connection with~~ fire fighting; and
  - (iv) uniforms and badges of ranks;
- (c) "Fire Station" means any post or place declared generally or specially by a notification in the Official Gazette by the State Government to be a Fire Station and also includes a Fire Sub-Station;
- (d) "Fire Service" means the Manipur Fire Service maintained under this Act;
- (e) "Licencing Authority" means the Deputy Commissioner or such officer as may be authorised by the State Government;
- (f) "Member" includes a member of the Fire Service who performs directional, supervisory, executive and operational duties in such ranks as may be prescribed by the State Government;
- (g) "Officer-in-charge of a Fire Station" includes when the officer-in-charge of the Fire Station is absent from the Fire Station or unable from illness or other cause to perform his duties, the Fire Officer present at the Station who is next in rank to such Officer or any other officer holding charge of the Fire Station in the absence of the officer-in-charge;
- (h) "Place" means either enclosed or covered or open land having buildings or premises within seventyfive feet on any side of its surroundings;
- (i) "Prescribed" means prescribed by rules made under this Act;
- (j) "State Government" means the State Government of Manipur;
- (k) "Warehouse" means any building or place used whether temporarily or permanently for storing, keeping or otherwise dealing in any manner of such articles which in the opinion of the State Government are considered as inflammable.

*Explanation.*—Godowns, factories, workshops, buildings, shops, etc. dealing in any manner with prescribed inflammable articles will be regarded as "warehouse" for the purpose of this Act;

- (l) "Workshop" means any building or place where the processing of any article is carried on for purposes of trade or business, if such processing of such articles which, in the opinion of the State Government are considered as inflammable and are prescribed in this respect;

*Explanation.*—The expression "processing" means making, altering, repairing, treating or otherwise dealing with any article by means of steam, electricity or other mechanical power.

### MAINTENANCE OF THE FIRE SERVICE

3. Maintenance of Fire Service:—There shall be maintained by the State Government a Fire Service to be called the Manipur Fire Service.

4. Appointment of Director of Manipur Fire Service:—The State Government may appoint a person to be the Director of Manipur Fire Service.

5. Superintendence and control of the Fire Service:—(1) The superintendence and control of the Fire Service shall vest in the Director and shall be carried on by him in accordance with the provisions of this Act and of any rule made thereunder.

(2) The State Government may appoint such officers as it may deem fit to assist the Director in the discharge of his duties.

6. Appointment of subordinate members of the Fire Service:—The Director or such other officer of the Fire Service as the State Government may authorise in this behalf shall appoint members of the Fire Service of the subordinate ranks in accordance with the rules made under this Act.

7. Issue of Certificates to members of Fire Service:—(1) Every person shall, on appointment to the Fire Service, receive a certificate in the prescribed form under the seal of the Director or an officer authorised in this behalf by the State Government and thereupon such person shall have the powers, functions and privileges of a member of the Fire Service under this Act.

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

(3) During any period of suspension, the powers, functions and privileges vested in any member of the Fire Service shall be in abeyance, but such member shall continue to be subject to the same discipline and penalties as he would have been if he had not been suspended.

8. Auxiliary Fire Service:—Whenever it appears to the State Government that it is necessary to augment the Fire Service, it may raise an Auxiliary Fire Service by enrolment of volunteers for such areas and on such terms and conditions as it may deem fit.

9. A member of the Fire Service be always on duty and may be employed in any part of the State:—Every member of the Fire Service shall, for all purposes in this Act contained, be considered to be always on duty and may at any time be employed in any part of the State.

### POWERS OF THE STATE GOVERNMENT, THE DIRECTOR AND MEMBERS OF THE FIRE SERVICE

10. Power of State Government to make orders:—The State Government may, from time to time, make such general or special orders as it thinks fit.—

(a) for providing the Fire Service with such appliances and equipments as it deems proper ;

- (b) for providing adequate supply of water and for securing that it shall be available for use ;
- (c) for constructing or providing stations or hiring places for accommodating the members of the Fire Service and its fire fighting appliances ;
- (d) for giving rewards to persons who have given notice for fires and to those who have rendered effective service to the Fire Service ;
- (e) for the training, discipline and good conduct of the members of the Fire Service ;
- (f) for deciding or determining the cadre or terms and conditions of service of the members of the Fire Service and also members of other staff or creating such other ranks and framing rules in respect of service conditions and conduct rules as it may deem fit ;
- (g) for the speedy attendance of members of the Fire Service with necessary appliances and equipments on the occasion of any fire alarm ;
- (h) for sending members of the Fire Service with appliances and equipments beyond the limits of any area in which this Act is in force for purpose of fire fighting in the neighbourhood of such limits on such terms and conditions and under such exigencies of situation as it deems proper ;
- (i) for the employment of the members of the Fire Service in any rescue, salvage or other special type of jobs ;
- (j) for regulating and controlling the powers, duties and functions of the Director and other members of the Fire Service and
- (k) generally for the maintenance of the Fire Service in a due state of efficiency.

11. Preventive measures and licences:--(1) The State Government may, by notification in the Official Gazette, require owners or occupiers of premises in any area or of any class of premises used for purposes which in its opinion are likely to cause a risk of fire to take such precautions as may be specified in such notification.

(2) No building or place shall be used as a warehouse or as a workshop unless the owner or occupier thereof shall have previously obtained under this Act, a licence for such use and that no licence to use any building or place as a Warehouse shall be granted unless such buildings or places conform to such precautionary measures taken by the owner or occupier thereof as may be directed by the Licencing Authority.

(3) The owner or occupier of any building or place which was being used as a Warehouse immediately before the date on which this Act comes into force shall have to apply for obtaining a licence from the appropriate Licencing Authority within thirty days from the date on which this Act comes into force.

(4) A licence granted under this Act may be withdrawn or suspended by such Authority who granted it.

(5) Where on application, a licence or renewal of a licence is refused, withdrawn or suspended, the Licensing Authority shall record in writing the reasons for such refusal with due intimation to the applicant.

(6) Every licence granted under sub-section (2) above shall be required to be renewed annually. Application for renewal shall be made to the Licensing Authority who shall refer the case to the Director and the Licensing Authority shall grant or refuse renewal as may be recommended by the Director.

12. Appeals:—Any person aggrieved by an order of the Licensing Authority refusing, withdrawing or suspending any licence may file an appeal before the prescribed Authority in prescribed manner within thirty days of such refusal, withdrawal or suspension provided that for the purpose of this section the prescribed Authority means the Director in cases where the Licensing Authority is an officer subordinate to the Director and the State Government where the Licensing Authority is the Director or the Deputy Commissioner.

13. Power to seize, remove or destroy goods, etc.:—In case a warehouse is detected using it without a licence, it shall be lawful for the Director or any officer authorised by the State Government in that behalf, to direct removal of prohibited articles likely to cause 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 seize, detain, remove, dispose of or destroy such objects or goods in such manner as may be prescribed by the State Government. The Director or such officer as may be authorised will not be liable to pay any compensation in any manner to any person in this respect.

14. Change of occupation:—Whenever a change in the occupation of any warehouse or workshop occurs, the person entering into the occupation of the same shall, within two weeks of his so entering into occupation, give notice in writing to the Licensing Authority of such change of occupation and shall thereupon pay a fee as may be prescribed and his name shall accordingly be substituted in the licence in respect of the warehouse or workshop for the name of the last occupier.

15. Fire works:—No building or place shall be used for the purpose of manufacturing, making or otherwise dealing in any manner in respect of fire works without previously obtaining a licence for the same from the Licensing Authority.

16. Place of public gathering for entertainment: (1) No building or structure of any kind shall be used for public gathering for amusement, entertainment or any other purposes where public may assemble unless the owner or occupier thereof shall have previously obtained a licence. Application for such licence shall be made to the Licensing Authority who shall refer the case to the Director and the Licensing Authority shall grant or refuse such licence as may be recommended by the Director.

(2) (i) No licence shall be granted unless the building or structure conforms to such rules and conditions as may be prescribed for purposes of public safety and

(ii) advance payment of such fees as may be prescribed is made.

*Explanation.*—Theatres, Cinemas, Circus, Fair/Melas and such other like matters come under the purview of this Section.

17. Temporary structure or pandal:—Any body who intends to erect temporary structure or pandal with roof or wall of straw, hay, thatch and other like materials for use as a place where the members of the public may assemble shall apply to the Licensing Authority for permission to erect such structures or pandals and such permission may be granted for a stipulated period provided that—

- (i) it conforms to such conditions as may be specified by the Director;
- (ii) advance payment of such fees as may be prescribed is made and
- (iii) in the opinion of the Director it is not unsafe for public gathering.

18. Condition for granting licence for warehouse, workshop, etc.—For the purpose of any or all the provisions of Sections 10, 11, 12, 14, 15 and 16 of this Act, the State Government may prescribe conditions in respect of—

- (i) the limit of minimum or maximum quantity of such inflammable articles that may be stored, used or otherwise dealt with in a particular warehouse or workshop;
- (ii) determination of fees and method of calculation of fees and the manner in which payment has to be made in this respect;
- (iii) schedules or forms to be used in respect of granting licence and
- (iv) the precautionary measures to be taken in a warehouse, workshop, etc.

19. Power of granting licence:—Power of granting licence under this Act shall be exercised by the Licensing Authority.

20. Power of Director to make arrangements for supply of water.—The Director may with the previous sanction of the State Government, enter into arrangements with the authority in charge of water supply in any area for securing an adequate supply of water in case of fire on such terms as to payment or otherwise as may be specified in the agreement.

21. Power of Director to enter into arrangements for assistance.—The Director may, with the previous sanction of the State Government, enter into arrangements with any person who employs and maintains personnel or equipment or both for fire fighting purposes to secure, on such terms as to payment or otherwise as may be provided by or under the arrangements, the provision for the purpose of dealing with fires occurring in any area in which this Act is in force.

22. Power of members of the Fire Service on occasion of fire.—On the occasion of fire 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, detain or order any other member of the Fire Service to remove or detain any person who by his presence interferes with or impedes the operations for extinguishing the fire or for saving life or property;
- (b) close any street or passage in or near which a fire is burning;
- (c) for the purpose of extinguishing fire, break into or through or pull down any premises for the passage of those engaged in fire fighting or appliances, or cause them to be broken into or through or pulled down doing as little damage as possible;

- (d) regulate the authority in charge of water supply in the area to regulate the water mains so as to provide water at a specified pressure at the place where fire has broken out and utilise the water of any stream, cistern, well or tank or any other available source of water, public or private for the purpose of extinguishing or limiting the spread of such fire provided that in cases of any damage done to any source of water, stream, cistern, well or tank belonging to member of the public or association or body corporate while utilising water in accordance with the provisions of this section under this Act, the State Government may entertain at its discretion, claims or compensation preferred by any affected person or party or body corporate as the case may be, on merit of each case;
- (e) exercise the same powers for dispersing an assembly of persons likely to obstruct the fire fighting operations as if he is an officer-in-charge of Police Station and as if such an assembly is 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
- (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 and for which no member of the Fire Service working under his order or instructions will be civilly or criminally prosecuted in a Court of law.

#### RECOVERY FROM LOCAL FIRE SERVICE

23. Recovery from Local Authority—The State Government may recover from any Local Authority of any area in which this Act is in force and such contribution towards the cost of the portion of the Fire Service maintained in that area as the State Government may direct from time to time.

24. Levy of Fire Service fee :—(1) There may be levied a Fire Service Fee on land and buildings 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.

(2) The Fire Service Fee shall be levied in the form of a surcharge on the property tax at such rate not exceeding 10% of such property tax as the State Government may, by notification in the Official Gazette, determine.

25. Procedure of assessment, collection, etc. of Fire Service Fee:—(1) The Authority for the time being empowered to assess, collect and enforce payment of property tax under the law authorising the Local Authority of the area to levy such tax shall on behalf of the State Government and subject to any rule made under this Act, assess, collect and enforce payment of the Fire Service Fee 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 power they have under the law aforesaid and the provision of such law including provisions relating to returns, appeals, reviews, revisions, references and penalties shall apply accordingly.

(2) Such portion of the total proceeds of the Fire Service Fee as the State Government may determine shall be deducted to meet the cost of collection of the Fee.

(3) The proceeds of the Fire Service Fee collected under this Act, reduced by the cost of collection shall be paid to the State Government in such manner and at such intervals as may be prescribed.

**26. Fixation of fees and procedure for payment:—**(1) The State Government may prescribe such fees and such procedure for payment of fees as it may deem fit for granting any licence under any of the provision of this Act.

(2) The State Government may prescribe such fees and such charges and such conditions as it may deem fit for the purpose of different types of special jobs that may be undertaken by the Municipal Fire Service and that the Authority on whose request such job is undertaken will be bound to make such payment.

(3) Where members of the Fire Service are sent beyond the limit of any area in which this Act is in force, in order to extinguish a fire in the neighbourhood of such limits, the owner or occupier of the premises where the fire occurred or spread shall be liable to pay such fee as may be prescribed in this behalf.

(4) The fee referred to sub-section (1), (2) and (3), shall be payable within one month of the service of a notice of demand by the Director on the owner or the occupier and if it is not paid within that period, it shall be recoverable as an arrear of land revenue.

#### ACQUISITION OF FIRE FIGHTING PROPERTY

**27. Acquisition of fire fighting property:—**(1) The State Government may make any enquiry and investigation as it deems necessary and after giving the Local Authority an opportunity to make its representations, the State Government may, if it is of opinion that the standard of efficiency of the fire fighting appliances and equipment maintained by the Local Authority is not in conformity with the requirements of the areas, the State Government may acquire the fire fighting property of the Local Authority by publishing in the Official Gazette a notice to the effect that the State Government has decided to acquire such property in payment of its market value; a copy of such notice shall also be served on the Local Authority.

(2) When a notice as aforesaid is published in the Official Gazette, the property specified in such notice shall, on and from the beginning of the date on which the notice is so published, vest absolutely in the State Government, free from all encumbrances.

**28. Prohibition against transfer of fire fighting property:—**No Local Authority of any area in which this Act is in force shall, after the commencement of this Act in that area, transfer or otherwise part with any fire fighting property without the previous sanction of the State Government.

**29. Principles and method of determining compensation:—**(1) The amount of compensation payable in respect of any fire fighting property acquired under this Act shall be the prevailing market value of such property on the date of issue of the notice referred to in section 27.

(2) The amount of compensation shall be determined in the manner and in accordance with the principles hereinafter set out, that is to say—

- (a) where the amount of compensation can be fixed by agreement, it shall be paid in accordance with such agreement;
- (b) where no such agreement can be reached, the State Government shall appoint arbitrator, a person who is or has been or is qualified for appointment as a District and Sessions Judge;
- (c) the State Government may in any particular case nominate a person having expert knowledge as to the nature of the property acquired to assist the arbitrator and where such nomination is made, the Local Authority concerned may also nominate an assessor for the same purpose;
- (d) at the commencement of the proceedings before the arbitrator, the State Government and the Local Authority shall state what in their respective opinions is a fair amount of compensation;
- (e) The arbitrator shall, after hearing the dispute make an award determining the amount of compensation which appears to him to be just and in making the award he shall have regard to the circumstances of each case and the provisions of this section and nothing in the Arbitration Act, 1940 shall apply to arbitrations under this section.

30. Powers of arbitrator:—The arbitrator appointed under section 29(2)(b) while holding arbitration proceedings under this Act, shall have all the powers of the Civil Court while trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908) in respect of the following matters namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavits; and
- (d) issuing commissions for examination of witnesses.

31. Appeals from award in respect of compensation:—Where the State Government or a Local Authority is aggrieved by an award of the arbitrator under section 29, it may within thirty days from the date of such award prefer an appeal to the District and Sessions Court within whose appellate jurisdiction the acquired property is situated.

#### PENALTIES

32. Penalty for violating preventive measures:—(1) Any person who violates any of the provision u/s 11, 15, 16 and 17 of this Act shall be punishable on conviction before a Magistrate with imprisonment which may extend to two years or with fine which may extend to Rs. 5000/- or with both.

(2) Any person who uses any warehouse or any workshop in respect of which a licence has been refused or after the licence in respect thereof has been withdrawn during the time for which such licence has been suspended shall be punishable, on conviction before a Magistrate, with imprisonment which may extend to one year or with fine which may extend to Rs. 1000/- or with both.

(3) Any holder of a licence who violates any of the condition under which a licence is held in respect of any warehouse or workshop shall be punishable, on conviction before a Magistrate, with imprisonment which may extend to six months or with fine upto Rs. 1000/- or with both.

(4) If there be a change in the occupation of a warehouse or workshop, the person entering into occupation has to give a notice and to pay the fees required u/s 14 or if the licence is not renewed timely as required u/s 11(6) such persons or the owner or occupier of such warehouse or workshop shall be punishable, on conviction before a Magistrate, with fine at the rate of Rs. 20/- per day.

(5) Any person who wilfully obstructs or offers any resistance to or impedes or otherwise interferes with the Director or any officer exercising powers u/s 13 or any assistant accompanying the Director or such officers while exercising such powers shall be punishable, on conviction before a Magistrate, with imprisonment which may extend to six months or with fine upto Rs. 500/- or with both.

(6) Any person who wilfully obstructs or interferes with any member of the Fire Service who is engaged in fire fighting or other emergency operations shall be punishable with imprisonment which may extend to three months or with fine upto Rs. 500/- or with both.

33. Violation of duty, etc.:—Any member of the Fire Service who—

- (a) is found to be guilty of any violation of duty or wilful breach of any provision of this Act or any rule or order made thereunder, or
- (b) is found to be guilty of cowardice; or
- (c) withdraws from duties of his office without permission or without having given previous notice of at least two months; or
- (d) being absent on leave fails without reasonable cause to report himself for duty on the expiry of such leave; or
- (e) accepts any other employment or office in contravention of the provisions of section 38 of this Act;

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

34. Failure to give information:—Any person who without just cause failed to communicate information in his possession regarding an outbreak of fire shall be deemed to have committed an offence punishable under the first part of section 176 of the Indian Penal Code.

35. False reports:—Any person who knowingly gives or causes to be given a false report of the outbreak of a fire to any person authorised to receive such report by means of a statement, message or otherwise shall be deemed to have committed an offence punishable under section 177 of the Indian Penal Code.

36. Operation of other laws not barred:—Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence under that Act;

Provided that no such prosecution, civil or criminal, shall be instituted except with the previous sanction of the State Government or of the Authority prescribed in this behalf by the State Government if the act is done or purported to be done in the discharge of his official duty.

#### GENERAL AND MISCELLANEOUS

37. Training Centre:—The State Government may establish and maintain one or more Training Centres in the State for providing courses of instructions in fire prevention, fire fighting and rescue operations and may close down or re-establish any such Centre.

38. Bar to other employment:—No member of the Fire Service shall engage in any employment or office whatsoever other than his duties under this Act unless expressly permitted to do so by the Director.

39. Transfer to other area:—The Director or any officer authorised by the State Government in this behalf may, on the occasion of a fire or other emergency in any neighbouring area in which this Act is not in force, order the despatch of the member of the Fire Service with necessary appliances and equipments to carry on fire fighting operations in such neighbouring area and thereupon all the provisions of this Act and the Rules made thereunder shall apply to such area during the period of fire or emergency or during the period as the Director may specify.

40. Employment on other duties:—It shall be lawful for the State Government or any officer authorised by it in this behalf to employ the Fire Service in any rescue, salvage or other work for which it is suitable by reason of its training, appliances and equipments. It shall also be the duty of the Fire Service to provide appropriate services and relief to the people in distress situation.

41. Enquiry 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 Fire Service in that area shall ascertain the fact 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 fact. Such Magistrate shall submit his finding to the Government provided that copies of all reports and of all evidences recorded under this section shall be furnished, on application, to any Fire Insurance Company or other interested persons on payment for such copies.

42. Liability of property owner to pay compensation:—(1) Any person whose property catches fire on account of any action of his own or of his agent done deliberately or negligently shall be liable to pay compensation to any other person suffering damage to his property on account of any action taken under section 22 of this Act by any officer mentioned therein or any person acting under the authority of such officer.

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

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

43. Power to obtain information:—Any officer of the Fire Service not below the rank of Officer in-Charge of a Fire Station or Sub Station may for the purpose of discharging his duties under the Act require the owner or occupier of any building or other property to supply information with respect to the character of such building or other property, the available water supplies and the means of accesses thereto and any other material particulars and such owner or occupier shall furnish all the information in his possession.

44. Power of entry:—(1) The Director or any member of the Fire Service authorised by him in this behalf may enter any of the places specified in any notification issued under section 11 (1) for the purpose of determining whether precautions against fire required to be taken on such places have been so taken.

(2) No claim shall lie against any person for compensation for any damage necessarily caused by any entry made under sub-section (1).

45. Consumption of water:—No charge or objection shall be made or raised by any Local Authority or individual for water consumption in fire fighting operations by the Fire Service.

46. No compensation for interception of water supply:—No authority in charge of water supply in an area shall be entitled to any claim for compensation for damage by reason of any interruption of supply of water occasioned by compliance of such authority with the requirements specified in clause (d) of section 22.

47. Police Officers to aid:—It shall be the duty of Police Officers of all ranks to aid the members of the Fire Service in the execution of their duties under the Act.

48. Information on outbreak of fire:—Any person who possesses any information regarding an outbreak of fire shall communicate the same by quickest means to the nearest Fire Station.

49. Indemnity:—No suit, prosecution or other legal proceedings shall lie against any member of the Fire Service for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

50. Power to make Rules:—(1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for—

- (a) the number and grades of officers and members of the Fire Service;
- (b) the manner of appointment of members of the Fire Service;
- (c) the forms of the certificate to be issued to the members of the Fire Service under section 7(1) of this Act;
- (d) the conditions of the service of the members of the Fire Service including their ranks, pay, allowances, house rent, hours of duty, leave, maintenance of discipline and removal from the service;
- (e) the circumstances in which and the conditions (including the levy of fee) subject to which members of the Fire Service may be despatched to carry on fire fighting operations in neighbouring areas;
- (f) the conditions subject to which members of the Fire Service may be employed on rescue, salvage or other works;
- (g) adoption of precautionary measures for premises in any area or of any place used for purposes which in the opinion of the State Government are likely to cause a risk of fire;
- (h) the manner in which and the intervals at which the proceeds of the Fire Tax levied under this Act shall be paid to the State Government, the conditions under which a licence may be granted and the fees to be levied thereof, the authority to which appeals against refusal, withdrawal, suspension of licence shall lie and the manner in which such appeal shall be filed and the fees to be paid thereof;
- (i) the manner of service of notices under this Act;
- (j) the procedure to be followed in arbitration proceedings under sections 29 and 30 of this Act;
- (k) the payment of rewards to persons not being members of the Fire Service who render effective services;
- (l) the compensation payable to members of the Fire Service in case of accidents or to their dependents in case of death while engaged on duty;
- (m) for the employment of members of the Fire Service or use of any equipment outside the area on special services and the fee payable thereof and;
- (n) any other matter which is to be or may be prescribed;

(3) Every rule made under this Act shall be laid, as soon as may be, before the Legislative assembly while it is in session, for a total period of twenty days which may be comprised in one session or in two or more successive sessions and if, before expiry of the session immediately following or successive sessions aforesaid, the House agrees in making modification in the rule or that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be so, however, that any such modification or amendment shall be without prejudice to the validity of anything previously done under that rule.

51. Repeal and saving:—(1) If immediately before the day on which this Act comes into force in an area, there is in force in that area any law or rule having the force of law which corresponds to this Act, such corresponding law in so far as it relates to any matter for which provision has been made in this Act shall on that day stand repealed,

Provided that such repeal shall not be deemed to limit, modify or derogate from the general responsibility of any Local Authority:—

- (a) to provide and maintain such water supply and fire hydrants for fire fighting purposes as may be directed by the State Government from time to time;
  - (b) to frame Bye-laws for the regulation of dangerous trades;
  - (c) to order any of its employees to render aid in fighting fire when reasonably called upon to do so by any member of the Fire Service and
  - (d) generally to take such measures as will lessen the likelihood of fires or preventing spread of fires.
- (2) Notwithstanding such repeal

- (a) any appeal, application, enquiry or investigation pending shall be disposed of, continued, held or made, as the case may be, in accordance with the corresponding provisions of this Act;
- (b) all notifications, orders issued, powers conferred, forms prescribed, local jurisdictions defined, punishments awarded and sentences passed under any Act which was in force before commencement of this Act shall be deemed to have been issued, conferred, prescribed, passed or defined under the corresponding provisions of this Act.

52. Public Servant:—All members of the Manipur Fire Service under this Act shall be deemed to be public servants as defined under section 21 of the Indian Penal Code (Act No. XIV of 1860).