

# THE ANDHRA PRADESH FIRE AND EMERGENCY OPERATIONS AND LEVY OF FEE RULES, 2006<sup>1</sup>

[G.O. Ms. No. 306, Home (Prisons-A), dated 7.12.2006.]

In exercise of the powers conferred by sub-section (1) of Section 47 of the Andhra Pradesh Fire Service Act, 1999 (Andhra Pradesh Act No. 15 of 1999), the Government of Andhra Pradesh hereby makes the following rules in supersession of the rules issued in G.O. Ms. No. 14, Home (Prisons-A) Department, dated the 12th January, 2004.

## Rules

### CHAPTER-I

**1. Short title and extent:—** (1) These rules shall be called the Andhra Pradesh Fire and Emergency Operations and Levy of Fee Rules, 2006.

(2) These rules shall extend to the whole of the State of Andhra Pradesh.

**2. Definitions:—** In these rules, unless there is anything repugnant to the subject or context—

(a) '*Act*' means the Andhra Pradesh Fire Service Act, 1999 (Andhra Pradesh Act 15 of 1999);

(b) '*Accident*' means Fire Accident, Road/Rail accident or emergency call due to collapse of a building, earthquake or any other such emergency call;

(c) '*Annexure*' means an Annexure annexed to these rules;

(d) '*Authorised Officer*' means any officer not below the rank of Station Fire Officer as specified by the Director General of Fire Services;

(e) '*Duty*' means the duties prescribed for the members of service in these rules;

(f) '*Form*' means the Form annexed to these rules;

(g) '*Jurisdiction*' means the territorial jurisdiction of the Fire Station, Assistant Divisional Fire Officer or Divisional Fire Officer or Regional Fire Officer or Additional Director of Fire Services, as may be notified by the Government from time to time;

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- (h) '*Licence*' means, a licence issued under the provisions of the Act.
- (i) '*Officer-in-charge of the fire station*' means a member of the Andhra Pradesh Fire Service not below the rank of Station Fire Officer and also shall include the Leading Fireman in cases where the Station Fire Officer is absent;
- (j) '*Order*' means the Government Order or Orders specified in the Andhra Pradesh Fire Service Manual and the General or Standing Orders issued by the Director General of Fire Services;
- (k) '*Precautions*' means Fire Precautions as may be specified against fire risk notified by the Government from time to time under Section 14 of the Act or any other provisions of the Act;
- (l) '*Special Services*' means rescue calls arising out of other accidents and such other services as are specified under the Andhra Pradesh Fire Service Manual;
- (m) '*Standard*' means the Standard prescribed or recommended by the Bureau of Indian Standards, Government of India, New Delhi and National Building Code of India, 1997;
- (n) '*State*' means the State of Andhra Pradesh.

## **CHAPTER II**

### **(Personnel and Functioning of Service)**

**3. Appointment of Members of Service:—** The members of Fire Service shall be those appointed in accordance with the special rules framed by the Government and as amended from time to time. On appointment, every member of the service shall be given a Certificate of Appointment in Form No. 1 annexed to these rules. Loss or damage of which shall render him liable for severe disciplinary action.

**4. Attending of Fire Calls:—** While at Headquarters or during inspection or visits to other fire stations, the Additional Director of Fire Services, Regional Fire Officers, Divisional Fire Officers and the Assistant Divisional Fire Officers shall attend such fire calls which are serious or which in their discretion require their presence for technical guidance.

**5. Composition of a Fire Station:—** Every fire station shall have a minimum component of One Station Fire Officer, Two Leading Firemen, Three Driver Operators and Ten Firemen and be provided with:

- (1) fire vehicles, appliances and equipment as laid down in Annexure-

XX of Andhra Pradesh Fire Service Manual.

(2) The vehicles, appliances and equipment shall be replaced automatically on completion of its life period.

**6. Accommodation for Fire Station Staff:—** (1) Every fire station shall be provided with land measuring two acres and with a building and accommodation for safe custody of fire vehicles, appliances and equipment as well as for accommodation for fire staff.

(2) The members of service are eligible for rent-free quarters. Where rent-free quarters have not been provided by the Government, the members of service shall be eligible for additional house rent allowance at the rates prescribed by the Government from time to time.

(3) The members of service shall be entitled to free supply of uniform on such scale as may be prescribed by the Government from time to time.

**7. Drawal of water form firefighting operations:**

The Station Fire Officer shall have the authority to draw water from a water source specifically designated by the Government or the Director General of Fire Services for drawing water for firefighting purposes from any other water sources in his jurisdiction whether public or private.

**8. Rewards for assisting in firefighting and rescue operations:—** On receipt of specific recommendations from subordinate officers to be made out on plain paper, for giving rewards in firefighting and rescue operations to persons who give timely information regarding occurrence of fires and to those who effectively assist fire services on occasions of fire. The Director General of Fire Services shall examine the recommendation and issue rewards not exceeding rupees two thousand on any specific occasion.

**9. Manner of responding to fire calls:—** On receipt of any information or alarm of fire, it shall be the duty of every fire officer who is expected to respond to the said information/alarm in the manner as prescribed in Chapter XXVIII of the Andhra Pradesh Fire Service Manual.

**10. Manner of responding fire calls beyond local jurisdiction:—**  
(1) The Officer-in-charge of fire station shall have the powers of sending members of service with vehicle, appliances and equipment beyond the limits of any area in which the Act is in force for the purposes of firefighting falling in the immediate neighbourhood of his fire station and on such occasion shall within the shortest possible time inform his immediate superior of his action.

(2) Whenever so ordered, it shall be the duty of members of service to assist in any rescue, salvage or similar work as ordered by the officer-in-charge of fire station or any authority superior to him.

**11. The Director General to issue Orders and guidelines:—** The Director General of Fire Services shall issue such orders and lay down guidelines as he may feel appropriate and necessary for the maintenance of the service in a due state of efficiency. Copies of such orders whenever issued shall be forwarded to the Government.

**12. Manner of disposal of unlawful assembly:—** While acting under the provisions of Section 10 of the Act, the officer-in-charge of the fire station may cause disposal of an unlawful assembly in the manner prescribed in Section 129 of Criminal Procedure Code, 1973.

**13. Reporting of damage caused during firefighting operations:—** The officer-in-charge of the fire station shall report any damage done to any premises or property on the occasion of fire by members of service in the due discharge of the duties in Form No. 2 attached to these rules in triplicate to his immediate superiors and the Director General of Fire Services within 24 hours of such incident.

**14. Powers of the Director General to enter into arrangements for assistance:—** The Director General shall inform the Government the details of arrangements made with any person from whom he has obtained assistance in accordance with Section 12 of the Act.

**15. Issue of No Objection Certificate:—** (1) Any person proposing to construct a high-rise building of more than 15 mtrs. height for commercial/business purpose, 18 meters and above height for residential purpose, and buildings of public congregation like schools, cinema halls, function halls, religious places, which are more than 500 sq. meters in plot area or 6 meters and above in height shall apply to the Director General or any member of the service duly authorized by him in this behalf, for a No Objection Certificate as per the following procedure:

- (a) The applicant may obtain the prescribed application form (**Form No. 16**), from e-Seva or down load from Andhra Pradesh Fire Service Web Site "**www.fireservices.ap.gov.in**" or from any District Fire Office or Directorate of Fire Services;
- (b) The application form shall be duly filled in, after carefully reading the instructions therein and should be signed by authorized technical persons, also Seven sets of drawings i.e.,



site plan, cellar plan, ground floor plan, typical floor plan, sectional elevation and terrace plans duly marking fire fighting systems in Red complying with requirements mentioned in the application form shall be made;

- (c) A, non refundable Fire precaution fee @ Rs. 10/- per sq. meter of total built up area in all floors including Basements and stilt floor in the form of Challan under the Head of Account "0070-109-SH (02) Fees of Fires-001 other receipts";
- (d) The application form along with drawings, fire precaution fee, Estimate towards the provision of required fire safety systems, 15% of the estimated cost of the fire safety installation and equipment in the form of Bank Guarantee drawn on any Nationalised Bank for a period of 5 years Guaranteeing provision and satisfactory maintenance of mandatory fire precaution and fire protection measures and an undertaking on Rs. 100/- stamp paper in **(Form No. 17)** shall be presented at e-Seva center. The Bank Guarantee can be invoked at any time by the Director General of Fire Services in the event of non-provision and non-maintenance of mandatory fire precautionary and fire protection measures.
- (e) The e-Seva center operator, will enter the particulars given by the applicant in the application form in their computer Programmed to make a preliminary check, to verify whether required particulars have been, furnished properly, and if so, the application shall be processed and forwarded, along with the documents to Fire Services for necessary scrutiny and action. However if the particulars are not properly furnished, the application will be returned to the applicant at e-Seva center with computer generated details of deficiencies for rectification and resubmission.
- (f) Fire Services, will review and scrutinize the documents, call for any missing or additional information that may be required from the applicant, inspect the site and if, the projected compliance with fire safety rules appear satisfactory, within 60 days approximately communicate the "Provisional No-Objection Certificate" in **Form No. 18** with conditions as it may deem fit, to Municipal authority with copy to the applicant, and others.

However, if not satisfied with the projected compliance with fire

safety rules, the party shall be expeditiously advised along with clear reasons for the rejection. The applicant may, appropriately, rectify the deficiencies pointed out and reapply for the "Provisional N.O.C. at e-Seva center".

(2) The Director General or any member of the service duly authorized by him in this behalf may himself take cognizance of any high-rise building being constructed without "Provisional No-Objection Certificate" from Fire Services, and appropriately address the Municipal Authority and the party for necessary action as per rules, to ensure compliance with fire safety requirements.

**Explanation:—** In case any person proposes to increase the number of floors on any Building already constructed in such a manner that it shall qualify for being termed as a high-rise building shall before construction, apply to the Director General or any member of service duly authorized by him in this behalf for "Provisional No-Objection Certificate" as per procedure stipulated vide, sub-rule 1 above.

(3)(a) The Provisional No Objection Certificate shall be issued giving any additional requirements in the interest of safety. These would be in addition to National Building Code of India and applicable building rules, construction safety included.

(b) The "Provisional, as well as, Final No-Objection Certificate" shall be valid only for the occupancy class, the occupant load and the building particulars indicated in the application. Fresh No Objection Certificate will be required for change in occupancy.

(4) During the process of construction, the Director General shall depute a member of the service to conduct such inspection of the construction and note the deviations from Provisional No-Objection Certificate or National Building Code or any other rules for the time being in force that may be observed and instruct for necessary corrections, without relaxing any rule. Such deviations shall be brought to the notice of the party, acknowledgement obtained and copy of same sent to the Director General of Fire Service. The responsibility of full compliance with the rules remains with the owners/technical persons as stipulated in National Building Code on Building rules or any other rules for the time being in force.

(5) On completion of the construction of the high-rise building, the applicant shall apply for a "Final No Objection Certificate" as per following procedure.

- (a) Obtain prescribed application form (**Form No. 19**) from e-Seva or down load from APFS web site "**www.fireservices.ap.gov.in**" or from any District Fire Officer or Directorate of Fire Services.
- (b) Provide updated information in the above form, which shall truly reflect the as-installed and as-built status at site and shall be signed by authorized technical persons.
- (c) Make 4 copies of Provisional No-Objection Certificate drawings, clearly showing, the as-Built and corrections, if any. These must be certified by competent architect and engineer.
- (d) Certified electrical drawings, specifications of fire safety related equipment with details, as required in the application form, to be prepared.
- (e) Present the above documents (a to d) at e-Seva center.
- (f) The e-Seva center operator, will enter the particulars given by the applicant in the application form in their computer programmed to make a preliminary check, to verify whether required particulars have been, furnished properly, and if so, the application, shall be processed and forwarded, along with the documents, to Fire Services for necessary scrutiny and action. However if the particulars are not properly furnished, the application will be returned to the applicant at e-Seva center with computer generated details of deficiencies, for rectification and resubmission.
- (g)(i) Fire Services, will review and scrutinize the documents, call for any missing or additional information that may be required from the applicant, inspect the site to verify the correctness of information provided, witness functional test and if, compliance with all fire safety rules are found to be satisfactory, within 60 days, approximately communicate the "Final No-Objection Certificate" in **Form No. 20** with conditions as it may deem fit, to Municipal authority, with copy to the applicant, and others.

(**Note:—** The applicant/owner should ensure that technical persons have themselves conducted all tests and functional checks on all fire-safety related equipment, before the site inspection by Fire Services, so as to expedite, approvals.)

- (ii) However, if not satisfied with the projected compliance with fire safety rules, the applicant shall be expeditiously advised along

with clear reasons for the rejection. The applicant may appropriately rectify the deficiencies pointed out and re-apply at e-Seva center for the "Final No-Objection Certificate".

- (iii) The occupancy class and occupant load shall be mentioned in the final No Objection Certificate and communicated to the Municipal authority, the applicant/owner and others.

(6) The Provisional No Objection Certificate shall not be issued by the Director General, unless the person has deposited the fire precaution fund chargeable per square metre as per rates prescribed by the Government from time to time.

### **CHAPTER III**

#### **Particular Duties**

**16(1) Station and other operational routine:—** The Members of the Fire Service shall act in accordance with the procedure and attendance at Fire Station as provided under Chapter XXIX of the Andhra Pradesh Fire Service Manual; and

**(2) Fire prevention and fire precautions:—** The Members of the Fire Service not below the rank of Station Fire Officer and officer-in-charge of the Fire Station and the Leading Firemen, in cases where the Station Fire Officer is absent shall act in accordance with Chapter XXVII of the Andhra Pradesh Fire Service Manual.

### **Chapter IV**

**17. Preventive measures:—** The Members of the Fire Service authorized under Rule 3 shall report the negligence, carelessness, wilful commissions or omissions of the holders of the licence mentioned under Rule 24 and Sections 13, 14, 15, 16, 17 and 18 of the Act, to the Director General of Fire Service through proper channel. On approval of the Director General of Fire Services and after giving the owner or occupier a reasonable opportunity not exceeding thirty days of making representation, shall take action to seize, detain or remove such objectionable objects or goods under Section 14 of the Act or order the closure of the premises in Form No. 3 after conducting Panchanama in Form No. 4 annexed to these Rules. This shall be without prejudice to any prosecution that may be launched under Sections 22 and 31 of the Act.

**18. Application for grant of licence:—** (1) The owner or occupier of any place using it for any one or more of the purposes mentioned in



the notification issued under Section 15 in Annexure appended to these rules, shall within 30 days from the date of notification shall submit an Application in Form No. 5 in duplicate along with plans and fees to the Authorized Officer either by delivery in person or by Registered post for the grant of licence. The prescribed fees by a challan has to be paid before issue of licence.

(2) No place or site within any area which constitutes a fire risk shall be used unless the occupier or owner of the premises obtains a licence issued by the Authorized Officer after the payment of prescribed fee.

(3) The occupier or owner of the premises shall pay a fee as specified in the schedule under this sub-rule for scrutiny of plans by a challan (Treasury Receipt) under the Head of Account 0070 — Other Administrative Services, 060 — Other Services, 109 — Fire Protection and Control and 081 — Other Receipts.

**19. Grant of licence:—** (1) A licence may be granted by the Authorized Officer in Form No. 6 with conditions as he may direct on an application made to him in prescribed form after inspection either by himself or by his subordinate and on payment of prescribed fee within a period of sixty days from the date of receipt of an application provided that where the Authorized Officer refuses to grant a licence, he shall record the reasons for such refusal and communicate to the occupier or owner of the premises within sixty days from the date of receipt of the application for the licence.

(2) The Authorized Officer shall approve the plan and send to the applicant with licence. Every licence granted under this Rule shall be valid for a period of three years or for such lessor period as may be specified in the licence.

(3) If the Authorized Officer is of the opinion that the plans submitted along with the Application are not in accordance with the requirements of the Act, the Authorized Officer may require the applicant to furnish, within thirty days of the date of receipt of application, more detailed particulars and plans which may include particulars such as lay out of site, fire safety arrangements, Means of Escape, i.e. Exits, Gangways, Corridor, etc., or any other matter that he may consider necessary in the interest of fire safety of the premises.

(4) The Authorized Officer may, after giving the applicant a reasonable opportunity of being heard, by speaking order, refuse the grant of licence.

He shall record the reasons for such refusal and communicate to the occupier within sixty days from the date of receipt of the application for the licence.

(5) The Applicant may submit an Appeal to the Director General of Fire Services against the orders of refusal to grant the licence by an Authorized Officer within thirty days from the date of receipt of the order in Form No. 7.

(6) If no order is communicated to the Applicant, within sixty days from the date on which the application has been delivered in person or sent by Registered Post, the licence applied for shall be deemed to have been granted subject to the application for licence in being conformity with the provisions of the Act and thereupon the licence shall be issued forthwith.

(7) Every licence granted shall be valid for the time specified till it has been duly cancelled.

(8) A licence granted shall be caused to be produced on demand by the officials not below the rank of Station Fire Officer of Fire Service Department.

**20 Amendment of Licence:—** (1) A licence granted may be amended by the Authorized Officer. A licensee shall get his licence amended when there is a change in the name of the premises or ownership or; in the limits specified in the licence in regard to the nature and quantity of hazardous materials to be handled.

(2) The occupier or the owner of premises shall within thirty days of the occurrence of any change, send to the Authorized Officer an application for the amendment of the original licence stating the nature of the amendment and the reasons therefor together with the fee prescribed.

(3) The fee for the amendment of a licence shall be the amount, if any by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the licence fee payable for the relevant calendar year but for the amendment along with an amendment fee of Rs. 200/- i.e. normal licence fee plus Rs. 200/-.

**21. Renewal of licence:—** (1) A licence may be renewed by the Authorized Officer.

(2) The occupier or owner of the premises shall submit the licence with an application in Form No. 8 to the Authorized Officer either by

delivering in person or by Registered Post for the renewal of licence not less than two months before the date on which the licence expires.

Provided that the application for renewal is not received within the time specified, the licence shall be renewed only on payment of a fee 25% in excess of the fee ordinarily payable for the licence.

(3) The same fee shall be charged for the renewal of a licence for one calendar year as for the grant of licence thereof.

Provided that where the renewal of licence is refused, the authorized officer shall record reasons therefore and communicate to the occupier or owner within thirty days from the date of receipt of the application for renewal of licence.

(4) The applicant may submit an Appeal to the Director General of Fire Services against the refusal orders of the Authorized Officer to renew the licence within 30 days from the date of receipt of order in Form No. 7.

**22. Procedure on death or disability of licensee:—** If a Licensee dies or becomes insolvent, the persons carrying on the business of such Licensee shall submit an application for amendment within thirty days for amendment in his own name for the un-expired portion of the original licence without any additional fee.

**23. Loss of licence:—** Where a licence granted or renewed under these rules is lost or accidentally destroyed, a duplicate may be granted by the authorized officer on submission of application on plain paper with a payment of fee of Rs. 100/-.

**24. Payment of fee:—** (1) Every Licensee shall before the commencement of any calendar year, pay the annual licence fee of such amount as is prescribed in Rule 28.

(2) If the prescribed annual licence fee is not fully paid within the prescribed period in this Rule, simple interest at two per cent per month or part thereof shall be payable.

Provided that the Director General of Fire Services may, if satisfied that there is sufficient reason for the non-payment of the annual licence fee within the time prescribed in this Rule, by order in writing, waive the interest specified.

(3) In case of applications for scrutiny of plans where any information is sought or revised plans are called for and if such information/revised

plans are not furnished by the occupier or owner within a period of sixty days from the date of seeking such information or calling for revised plans, the correspondence shall be treated as closed and the occupier or owner if so desires may submit fresh application along with the prescribed fee.

**25. Right of inspection:—** (1) The authorized officer or any other member of the service not below the rank of Station Fire Officer (hereinafter called Inspecting Officer) may, after giving three hours notice in Form No. 9 to the occupier or if there be no occupier, to the owner of any building or premises or any place which in his opinion for reasons to be recorded, constitutes a fire risk, enter and inspect the site, building or premises at any time between sun-rise and sun-set for ascertaining the adequacy or contravention of Fire Prevention and safety measures provided that such inspection may be made at any other time if an industry is working or an entertainment is going on at such place or the inspecting officer considers it absolutely necessary for reasons to be recorded in writing, to make an immediate inspection of such place in order to ensure safety of life and property.

(2) The inspecting officer 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.

(3) When any building or premises used as a human dwelling is entered, 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, notice shall be given to her that she is at liberty to withdraw and every reasonable opportunity shall be given to her for withdrawal.

(4) Detailed information on existing fire safety measures, i.e., Self-appraisal check list to verify their adequacy as per National Building Code or any other rules for the time being in force and to facilitate inspection, shall be provided by the owner or occupier of a building in 2 to 4 weeks as may be stipulated, by duly filling in the format provided by the inspecting officer.

**26. Inspection report and issue of notice:—** (1) The Inspecting Officer shall, after the completion of inspection of building or premises record his views on the deviation from or the contravention of the building byelaws with regard to the fire prevention and fire safety measures or the inadequacy or non-compliance of such measures provided or to be provided therein with reference to the height of the building or premises or the



nature of activities carried on in such building or premises or part thereof in the Form No. 10 or 11 (Inspection Report).

(2) The Inspecting Officer shall issue a Notice in Form No. 12 to the owner or occupier of such building or premises directing him to undertake such measures as may be specified in the Notice within 30 days.

(3) The Inspecting Officer in case of other than Authorized Officer shall also submit a report of inspection made by him and send a copy of notice to the Authorized Officer.

**27. Steps to be taken in the event of non-compliance of notice:—** The Authorized Officer or any other member of service empowered in this behalf, in the event of non-compliance of any notice issued under Rule 26 may take such steps as may be necessary for the compliance of such notice.

**28. Fees:—** (1) The standby and pumping charges shall be collected from the owner or occupier of the premises where the fire has occurred or spread where the members of the service are sent beyond the limits of the State of Andhra Pradesh.

(2) The fee at the rate of ten rupees per square meter of the built-up area shall be payable by the owner of every high-rise building along with the applications submitted to the Director General for approval of building plans.

(3) The fee prescribed for grant of licence/renewal of licence to the premises/building used for any one or more of the purposes which constitute fire risk as per Sections 15, 16, 17 and 18 of the Act shall be rupees five hundred, rupees one thousand, rupees two thousand five hundred and rupees five thousand per year is mentioned in **Appendix** as below:

Sl. No.	Category of Building/Material/Trade	Fee prescribed per year
1.	Category-I from Sl. No. 1 to 613 of Appendix	Rs. 500/-
2.	Category-II from Sl. No. 1 to 280 of Appendix	Rs. 1000/-
3.	Category-III from Sl. No. 1 to 12 of Appendix	Rs. 2500/-
4.	Category-IV from Sl. No. 1 to 8 of Appendix	Rs. 5000/-.

**29. Penalties:—** (1) Any member of service who violates his legitimate duties shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend three months' pay of such

member or with both by initiating prosecution by the appointing authority concerned for the following reasons:

- (a) found guilty of any violation of duty or wilful breach of any provision of the Act, or any rules or orders made there under; or
- (b) found guilty of cowardice; or
- (c) withdraws from the duties of his office without permission; or
- (d) being absent on leave, fails without reasonable cause, to report himself for duty on expiration of such leave; or
- (e) accepts any other employment or office in contravention of the provisions of Section 37 of the Act; or
- (f) intentionally or knowingly causes or attempts to cause disaffection towards the Government amongst the members of the service; or induces or attempts to induce any member of the service to withhold his services or commit a breach of discipline.

**(2) Penalty for failure to take precautions:**

The authorized officer may impose fine not exceeding Rs. 500/- (Rupees Five hundred only) on the occupier or owner of the premises who fails to comply with any of the requirements specified in the notification issued under sub-sections (1) and (2) of Section 14 of the Act.

**(3) Penalty for wilfully obstructing firefighting operations:**

The Authorized Officer not below the rank of Assistant Divisional Fire Officer shall initiate prosecution against any person who wilfully and without any reasonable cause obstructs or interferes with any member of the service who is engaged in firefighting operations and shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

**(4) Penalty for false report:**

The Authorized Officer not below the rank of Assistant Divisional Fire Officer shall initiate prosecution against 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 and shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

(5) Penalty for failure to take out licence:

- (a) The Authorized Officer shall serve a notice in Form No. 13 on the occupier or owner of the premises who is being bound to take out a licence under the provisions of the Act, fails to obtain a licence or fails to comply with any of the conditions specified in the licence, requiring him to obtain a licence or comply with any of the conditions specified in the licence as the case may be within 15 days from the date of serving notice.
- (b) If the owner or occupier of the premises/building does not comply with the notice, the authorized officer not below the rank of Assistant Divisional Fire Officer shall serve a show-cause notice in Form No. 14 and if the owner or occupier further failed to comply with the show-cause notice within 30 days shall initiate prosecution and shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five thousand rupees or with both.

(6) Penalty for wilful violation:

The Authorized Officer not below the rank of Assistant Divisional Fire Officer shall initiate prosecution against the owner or occupier of the premises/building who wilfully contravenes any provisions of this Act or the rules made thereunder or fails to comply with any requisition lawfully made upon him under any provisions of the Act shall, without prejudice to any other action taken against him under Section 22 of the Act and shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to Rs. 25,000/- (Rupees Twenty five thousand only) or with both; and where the offence is a continuing one, with a further fine which may extend to Rs. 3000/- (Rupees Three thousand only) for every day during which such offence continues after the conviction for the first such offence.

Provided further that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than Rs. 5000/- (Rupees Five thousand only) or such daily fine shall be less than Rs. 100/- (Rupees One hundred only) per day for a continuing one.

(7) Procedure to deal with offences by companies:

The Authorized Officer not below the rank of Assistant Divisional Fire Officer shall initiate prosecution or impose fine against the company

(i.e. Any body corporate and includes a firm or other association of individuals) committed offence under this Act or every person who at the time the offence was committed, was in charge of and was responsible to the company of the conduct of the business of the company as well as the company shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly. Where 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 or partner of the firm, 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.

**30. Compounding or withdrawal of proceedings:—** The Director General or any officer authorized by him in this behalf, by general or special order may before or after the institution of the proceedings, and for reasons to be recorded in writing, compound any offence made punishable by or under this Act or the rules made thereunder or withdraw from the proceedings. The offender if in custody shall be discharged when an offence has been compounded and no further proceedings shall be taken against him in respect of the offence compounded.

**31. Prosecution procedure:—** Officers not below the rank of Assistant Divisional Fire Officer upon the records made out by the Station Fire Officer and on obtaining sanction to prosecute from the Director General of Fire Services shall lodge a complaint before the Court of Competent Jurisdiction against the Offenders under Sections 22, 27, 28, 29, 30, 31 and 32 of the Act.

## **Chapter V**

**32. Repairs and replacement of appliances and stores:—** The Director General of Fire Services shall exercise powers in the matter of repairs and replacement of appliances, procurement of stores and maintenance of the repair squad and workshop as per procedure contemplated in Chapter XXV of the Andhra Pradesh Fire Service Manual.

## **Chapter VI**

**33. Training:—** The Director General of Fire Services shall organize various training courses for different levels as envisaged in Annexures II and III of the Andhra Pradesh Fire Service Manual. He shall take the assistance of the Additional Director of Fire Services at Headquarters and the Divisional Fire Officer, State Training School and the Director, National Fire Service College, Nagpur. He shall also coordinate with the Government,



the Administrative Department fore Fire Service in the Government and organize courses on Administration and Management Training, Seminars and Conferences. He shall also coordinate with the Fire Advisor, Ministry of Home Affairs and Director, Indian Standards Institutions and the Director, Supplies and Disposals, Government of India and organize courses on quality control and purchase procedure. He shall also coordinate with the Director, Central Building Research Institute, Rurkee and Fire Advisor, Ministry of Defence and Advisor, Communications, Government of India and organize courses on Research and Development of up to date technology in the department for the betterment of service and to satisfy the safety needs of the public from the fire hazards.

### **Chapter VII**

**34. Buildings:—** The Director General of Fire Services shall exercise his powers in the matter of construction of new fire stations providing permanent buildings for the new and old fire stations, construction of quarters for the staff and construction of static water tanks, following the procedures contemplated under Chapter XX of the Andhra Pradesh Fire Service Manual as amended from time to time. He shall also utilize the services of the Andhra Pradesh Water and Drainage Board, the Corporations and Municipalities, Revenue Department, major Panchayats and Panchayat Unions for providing Hydrant system to the required areas in the State and ensure fire protection system to the entire State of Andhra Pradesh.

### **Chapter VIII**

**35. General:—** (a) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under these Rules.

(b) The Training fee will be charged from the trainees for others for providing a course of instruction in the prevention and extinguishments of fire as prescribed by the Government from time to time.

(c) The fire tax shall be levied on lands and buildings on which property tax is levied at the rate of one per cent of the total amount of the property tax in the form of a surcharge. The same shall be recoverable as if it were arrear of land revenue.

(d) The membership certificate shall be issued to various ranks of the department in the format prescribed in Form No. 1 appended to these Rules;

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(e) The members of the Service shall be engaged in firefighting, rescue and relief operations on a safeguard to their safety being an award of money compensation as per the Workmen's Compensation Act, 1923 (Central Act VIII of 1923) and a Group Insurance Scheme. Further, the family members who are suitable shall be appointed to suitable ranks in the force in the event of their death in action or on duty. Further, they shall be entitled to all the benefits applicable to the Government Servants who die in harness and all other legitimate compensation announced by the Government from time to time. They shall also be entitled to receive any special awards granted by the Government or private person, company, Corporation, Boards and others;

(f) The member of the service up to the rank of Assistant Divisional Fire Officer shall be entitled for all the "Rewards" contemplated under Chapter IV of the Andhra Pradesh Fire Service Manual;

(g) The award amount of compensation for the member who is injured during action or while on duty or his death on the event shall be to the extent decided by the Tribunal for Workmen's Compensation or by any other Court competent to pass such an order in addition to all other benefits entitled to by the member while dying in harness;

(h) The job such as Private Standby, pumping and others undertaken utilizing the men and machine power of the department shall be governed by the orders in the Andhra Pradesh Fire Service Manual. The Government, by any special order, may treat such paid jobs as free at their discretion; and

(i) The members of the Service holding various ranks shall be equivalent in ranks of various other paramilitary forces in the country by a special order and they shall enjoy the status and protocol on their day to day official affairs and on National occasions. Their dress regulation shall be regulated on these lines from time to time by the Government.

### **Chapter IX**

**36. Compensation:—** (1) The Director General of Fire Services may grant compensation to persons, who, while rendering effective service to the Fire Service in the discharge of their duties, met with accident to the extent fixed by the Government from time to time for injury and compensation to their dependants in the event of their death.

(2) The Director General of Fire Services may grant compensation to be paid to the property to the extent of the damage caused by the

members of service during the conduct of firefighting and rescue operations after receipt of report in Form No. 2 and on the basis of assessment report of Roads and Building authorities.

### **Chapter X**

**37. Auxiliary Fire Service:—** (1) The Director General of Fire Services may organise the Auxiliary Service on the pattern developed by the Fire Advisor, Ministry of Home Affairs, Government of India and the expenditure thereof shall be borne by the Government from the State Contingent Fund. The Director General of Fire Services shall be the recruiting authority for the members of Auxiliary Service.

(2) A Member of the auxiliary fire service on appointment, shall receive a certificate of appointment for a specified period of time as per Form No. 15 attached to these rules, loss or damage of which shall render him liable for severe disciplinary action.