

DELHI LEGISLATIVE ASSEMBLY SECRETARIAT

BULLETIN PART-II

(General information relating to legislative and other matters)
Tuesday, 20th March, 2007/ 29th Phalguna 1928(Saka)

No. 198

Subject: **Reconsideration of the 'Delhi Fire Service Bill, 2001**

Hon'ble Members are hereby informed that the '**Delhi Fire Service Bill, 2001**', which had been passed by the previous assembly on the 26th September, 2001 had been reserved for the consideration of the Hon'ble President of India by the Hon'ble Lieutenant Governor, Delhi.

The Bill has now been returned by the Hon'ble President for the reconsideration of the Legislative Assembly of the National Capital Territory of Delhi under section 25 of the Government of the National Capital Territory of Delhi Act, 1991. The Hon'ble Lieutenant Governor has sent the following message dated 15th March, 2007 in this regard.

"The President of India has considered the '**Delhi Fire Service Bill, 2001** and directed that the Bill be returned to the Legislative Assembly of National Capital Territory of Delhi to reconsider the desirability of amending the following clauses of the Bill as under: -

- I. In clause 2,-
 - (i) for sub-clause (g), the following sub-clauses shall be substituted, namely:-

(g) "fire division" means a territory of state comprising such number of fire sub-divisions as may be prescribed; and declared generally or specially by the Government to be a fire division for the purpose of this Act;

(ga) "fire zone" means territory comprising such number of fire divisions as may be prescribed and declared generally and specially by the Government to be a fire zone for the purpose of this Act.'
 - (ii) for sub-clause (v), the following sub-clauses shall be substituted, namely:-

(v) "Officer-in-charge" means a fire officer in charge of a fire station."

(va) "Operation member" of the Fire Service means any member of the Fire Service who is required to drive or operate a fire fighting vehicle, fire fighting equipment and appliance at the site of fire and participate in the actual extinction of fire."

2. After clause 5, the following clauses shall be inserted, namely: -

"5A. (1) Group 'A' post means any post which having regard to its scale of pay and emoluments would, if such post had been in the Central Government, be classified as a Group 'A' post under the Central Government in accordance with the orders issued by that Government from time to time.

(2) Group 'B' post means any post which having regard to its scale of pay and emoluments would, if such post had been in the Central Government, be classified as a Group 'B' post under the Central Government in accordance with the orders issued by that Government from time to time.

(3) Group 'C' post means any post which having regard to its scale of pay and emoluments would, if such post had been in the central Government, be classified as a Group 'C' post in the Central Government in accordance with the orders issued by that government from time to time.

(4) Group 'D' post means any post which having regard to its scale of pay and emoluments would, if such post had been in the Central Government, be classified as a Group 'D' post under the Central Government in accordance with the orders issued by that Government from time to time.

5B. The Government shall make appointments to any Group 'A' or Group 'B' posts within the meaning of sub-clause (1) and sub-clause (2) of clause 5A respectively, only after consultation with the Union Public Service Commission."

3. For clause 6, the following clauses shall be substituted, namely: -

'6. (1) For the direction and supervision of the Fire Service in Delhi, the Government shall in accordance with rules prescribed in this regard appoint a Group 'A' officer of the Central Government, including from amongst officer of the armed forces and paramilitary forces, or a fire officer of Group 'A' to be Director who shall exercise such powers and perform such duties and other functions as are specified by or under this Act.

(2) Subject to the rules made in this regard by the Government the Director may appoint subordinate staff of Group 'C' level including operational members of this category only on the recommendations of the Delhi Subordinate Services Selection Board on monthly salaries and such allowances as may be fixed by the Government.

(3) Subject to rules made in this regard by the Government, the Director may appoint Group 'D' staff including operational members of this

category on monthly salary and such allowances as may be fixed by the Government.”

4. For Clause 7, the following clause shall be substituted namely: -

“7. The Government may-

- (a) Constitute Fire zones into fire divisions within the National Capital Territory of Delhi.
- (b) Divide such fire zones into fire divisions, and fire divisions into fire sub divisions, and specify the fire divisions, fire sub-divisions and fire stations in each fire zone, fire divisions and fire sub-divisions respectively; and
- (c) Define the limits and extent of such fire zones, fire divisions fire sub-divisions and fire stations as may be necessary for administrative and operational efficiency.”

5. For clause 10, the following clause shall be substituted, namely: -

“10. The director shall subject to the superintendence and control of the Government, direct and regulate all matters of fire fighting 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 fulfilment of duties and maintenance of discipline of the fire officers and members of the Fire Service under him.”

6. For clause 11, the following clause shall be substituted, namely: -

“11. 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.”

7. The existing clauses 12, 13, 14, 15, 16, 18 and 19 shall be omitted.

8. A new clause 12 shall be inserted, namely:-

“12. The Provisions of the Central Civil Services (Conduct) Rules, 1964 and of the Central Civil Services (Classification, Control and Appeal) Rules, 1964 and the Central Civil Services (Pension) Rules, 1972 as amended by the Central Government, from time to time, shall be extended mutates mutandis to all employees of the Delhi Fire Service including fire officers, operational members, members and subordinate operational staff.

9. Clause 17 shall be retained and renumbered as clause 13.

10. A new clause 14 shall be inserted, namely:-

“14. The provisions of the Fundamental Rules and Supplementary Rules as amended by the Central Government from time to time, shall be

extended mutates mutandis to all employees of the Delhi Fire Service, including fire officers, operational members, members and subordinate operational staff."

11. Clause 20 be renumbered as clause 15; clause 21 be renumbered as clause 16 and all subsequent clauses of the Bill also be renumbered accordingly.

Sd/-
(Dr. A.R. Kidwai)
Lieutenant Governor, Delhi

Siddharath Rao
Secretary,